



LEGISLATIVE ACTION

Senate

House

•
•
•
•
•

The Committee on Banking and Insurance (Burgess) recommended the following:

1 **Senate Amendment (with title amendment)**

2
3 Delete everything after the enacting clause
4 and insert:

5 Section 1. Paragraph (h) of subsection (1) and subsection
6 (4) of section 626.321, Florida Statutes, are amended to read:

7 626.321 Limited licenses and registration.—

8 (1) The department shall issue to a qualified applicant a
9 license as agent authorized to transact a limited class of
10 business in any of the following categories of limited lines



11 insurance:

12 (h) *Portable electronics or eyewear insurance.*—License for
13 property insurance or inland marine insurance that covers only
14 loss, theft, mechanical failure, malfunction, or damage for
15 portable electronics or eyewear. Such license does not require a
16 licensee to sell or offer for sale coverage for both portable
17 electronics and eyewear. This paragraph may not be construed as
18 requiring two separate licenses to sell or offer for sale
19 portable electronics or eyewear insurance.

20 1. The license may be issued only to:

21 a. Employees or authorized representatives of a licensed
22 general lines agent; or

23 b. The lead business location of a retail vendor that sells
24 portable electronics or eyewear insurance. The lead business
25 location must have a contractual relationship with a general
26 lines agent.

27 2. Employees or authorized representatives of a licensee
28 under subparagraph 1. may sell or offer for sale portable
29 electronics or eyewear coverage without being subject to
30 licensure as an insurance agent if:

31 a. Such insurance is sold or offered for sale at a licensed
32 location or at one of the licensee's branch locations if the
33 branch location is appointed by the licensed lead business
34 location or its appointing insurers;

35 b. The insurer issuing the insurance directly supervises or
36 appoints a general lines agent to supervise the sale of such
37 insurance, including the development of a training program for
38 the employees and authorized representatives of vendors that are
39 directly engaged in the activity of selling or offering the



40 insurance; and

41 c. At each location where the insurance is offered,
42 brochures or other written materials that provide the
43 information required by this subparagraph are made available to
44 all prospective customers. The brochures or written materials
45 may include information regarding portable electronics or
46 eyewear insurance, service warranty agreements, or other
47 incidental services or benefits offered by a licensee.

48 3. Individuals not licensed to sell portable electronics or
49 eyewear insurance may not be paid commissions based on the sale
50 of such coverage. However, a licensee who uses a compensation
51 plan for employees and authorized representatives which includes
52 supplemental compensation for the sale of noninsurance products,
53 in addition to a regular salary or hourly wages, may include
54 incidental compensation for the sale of portable electronics or
55 eyewear insurance as a component of the overall compensation
56 plan.

57 4. Brochures or other written materials related to portable
58 electronics or eyewear insurance must:

59 a. Disclose that such insurance may duplicate coverage
60 already provided by a customer's homeowners insurance policy,
61 renters insurance policy, or other source of coverage;

62 b. State that enrollment in insurance coverage is not
63 required in order to purchase or lease portable electronics or
64 eyewear or services;

65 c. Summarize the material terms of the insurance coverage,
66 including the identity of the insurer, the identity of the
67 supervising entity, the amount of any applicable deductible and
68 how it is to be paid, the benefits of coverage, and key terms



668782

69 and conditions of coverage, such as whether portable electronics
70 or eyewear may be repaired or replaced with similar make and
71 model reconditioned or nonoriginal manufacturer parts or
72 equipment;

73 d. Summarize the process for filing a claim, including a
74 description of how to return portable electronics or eyewear and
75 the maximum fee applicable if the customer fails to comply with
76 equipment return requirements; and

77 e. State that an enrolled customer may cancel coverage at
78 any time and that the person paying the premium will receive a
79 refund of any unearned premium.

80 5. A licensed and appointed general lines agent is not
81 required to obtain a portable electronics and eyewear insurance
82 license to offer or sell portable electronics or eyewear
83 insurance at locations already licensed as an insurance agency,
84 but may apply for a portable electronics and eyewear insurance
85 license for branch locations not otherwise licensed to sell
86 insurance.

87 6. A portable electronics and eyewear insurance license
88 authorizes the sale of individual policies or certificates under
89 a group or master insurance policy. The license also authorizes
90 the sale of service warranty agreements covering only portable
91 electronics or eyewear to the same extent as if licensed under
92 s. 634.419 or s. 634.420.

93 7. A licensee may bill and collect the premium for the
94 purchase of portable electronics or eyewear insurance provided
95 that:

96 a. If the insurance is included with the purchase or lease
97 of portable electronics or eyewear or related services, the



668782

98 licensee clearly and conspicuously discloses that insurance
99 coverage is included with the purchase. Disclosure of the stand-
100 alone cost of the premium for same or similar insurance must be
101 made on the customer's bill and in any marketing materials made
102 available at the point of sale. If the insurance is not
103 included, the charge to the customer for the insurance must be
104 separately itemized on the customer's bill.

105 b. Premiums are incidental to other fees collected, are
106 maintained in a manner that is readily identifiable, and are
107 accounted for and remitted to the insurer or supervising entity
108 within 60 days of receipt. Licensees are not required to
109 maintain such funds in a segregated account.

110 c. All funds received by a licensee from an enrolled
111 customer for the sale of the insurance are considered funds held
112 in trust by the licensee in a fiduciary capacity for the benefit
113 of the insurer. Licensees may receive compensation for billing
114 and collection services.

115 8. Notwithstanding any other provision of law, the terms
116 for the termination or modification of coverage under a policy
117 of portable electronics or eyewear insurance are those set forth
118 in the policy.

119 9. Notice or correspondence required by the policy, or
120 otherwise required by law, may be provided by electronic means
121 if the insurer or licensee maintains proof that the notice or
122 correspondence was sent. Such notice or correspondence may be
123 sent on behalf of the insurer or licensee by the general lines
124 agent appointed by the insurer to supervise the administration
125 of the program. For purposes of this subparagraph, an enrolled
126 customer's provision of an electronic mail address to the



668782

127 insurer or licensee is deemed to be consent to receive notices
128 and correspondence by electronic means if a conspicuously
129 located disclosure is provided to the customer indicating the
130 same.

131 10. The fingerprinting requirements in s. 626.171(4) do not
132 apply to licenses issued to qualified entities under this
133 paragraph.

134 11. A branch location that sells portable electronics or
135 eyewear insurance may, in lieu of obtaining an appointment from
136 an insurer or warranty association, obtain a single appointment
137 from the associated lead business location licensee and pay the
138 prescribed appointment fee under s. 624.501 if the lead business
139 location has a single appointment from each insurer or warranty
140 association represented and such appointment applies to the lead
141 business location and all of its branch locations. Branch
142 location appointments shall be renewed 24 months after the
143 initial appointment date of the lead business location and every
144 24 months thereafter. Notwithstanding s. 624.501, the renewal
145 fee applicable to such branch location appointments is \$30 per
146 appointment.

147 12. For purposes of this paragraph:

148 a. "Branch location" means any physical location in this
149 state at which a licensee offers its products or services for
150 sale.

151 b. "Eyewear" means smart glasses and nonelectronic eyewear.
152 As used in this sub-subparagraph, the term "nonelectronic
153 eyewear" includes prescription and nonprescription eyeglasses
154 and sunglasses.

155 c.b. "Portable electronics" means equipment that is



668782

156 personal, self-contained, easily carried, by an individual; has
157 electrical, digital, magnetic, wireless, electromagnetic, or
158 similar capabilities; and operates using batteries, rechargeable
159 power sources, or other energy sources. The term includes
160 equipment used for communication; data processing; viewing;
161 listening; recording; gaming; computing; navigation; household,
162 health or activity monitoring; or similar uses and may also
163 incorporate features responsive to user input or environmental
164 conditions ~~personal, self-contained, easily carried by an~~
165 ~~individual, battery operated electronic communication, viewing,~~
166 ~~listening, recording, gaming, computing or global positioning~~
167 ~~devices, including cell or satellite phones, pagers, personal~~
168 ~~global positioning satellite units, portable computers, portable~~
169 ~~audio listening, video viewing or recording devices, digital~~
170 ~~cameras, video camcorders, portable gaming systems, docking~~
171 ~~stations, automatic answering devices, and other similar devices~~
172 ~~and their accessories, and service related to the use of such~~
173 ~~devices.~~

174 e. ~~"Portable electronics transaction" means the sale or~~
175 ~~lease of portable electronics or a related service, including~~
176 ~~portable electronics insurance.~~

177 (4) Except as otherwise expressly provided, a person
178 applying for or holding a limited license is subject to the same
179 applicable requirements and responsibilities that apply to
180 general lines agents in general if licensed as to motor vehicle
181 physical damage and mechanical breakdown insurance, industrial
182 fire insurance or burglary insurance, motor vehicle rental
183 insurance, credit insurance, crop hail and multiple-peril crop
184 insurance, in-transit and storage personal property insurance,



185 or portable electronics or eyewear insurance; or as apply to
186 life agents or health agents in general, as applicable, if
187 licensed as to travel insurance.

188 Section 2. Paragraph (b) of subsection (2) of section
189 626.221, Florida Statutes, is amended to read:

190 626.221 Examination requirement; exemptions.—

191 (2) However, an examination is not necessary for any of the
192 following:

193 (b) An applicant for a limited license as agent for travel
194 insurance, motor vehicle rental insurance, credit insurance, in-
195 transit and storage personal property insurance, or portable
196 electronics or eyewear insurance under s. 626.321.

197 Section 3. Subsection (7) of section 626.732, Florida
198 Statutes, is amended to read:

199 626.732 Requirement as to knowledge, experience, or
200 instruction.—

201 (7) This section does not apply to an individual holding
202 only a limited license for travel insurance, motor vehicle
203 rental insurance, credit insurance, in-transit and storage
204 personal property insurance, or portable electronics or eyewear
205 insurance.

206 Section 4. Section 626.8685, Florida Statutes, is amended
207 to read:

208 626.8685 Portable electronics or eyewear insurance claims;
209 exemption; licensure restriction.—

210 (1) This part does not apply to any individual who collects
211 claims information from, or furnishes claims information to,
212 insureds or claimants, and who conducts data entry, including
213 entering data into an automated claims adjudication system,



668782

214 provided that the individual is an employee of a business entity
215 licensed under this chapter, or its affiliate, and no more than
216 25 such persons are under the supervision of one licensed
217 independent adjuster or licensed agent who is exempt from
218 licensure pursuant to s. 626.862. For purposes of this
219 subsection, the term "automated claims adjudication system"
220 means a preprogrammed computer system designed for the
221 collection, data entry, calculation, and final resolution of
222 portable electronics or eyewear insurance claims that:

223 (a) May be used only by a licensed independent adjuster,
224 licensed agent, or supervised individual operating pursuant to
225 this subsection;

226 (b) Must comply with all claims payment requirements of the
227 insurance code; and

228 (c) Must be certified as compliant with this subsection by
229 a licensed independent adjuster that is an officer of a licensed
230 business entity under this chapter.

231 (2) Notwithstanding any other provision of law, a resident
232 of Canada may not be licensed as a nonresident independent
233 adjuster for purposes of adjusting portable electronics
234 insurance or eyewear claims unless the person has successfully
235 obtained an adjuster's license in another state.

236 Section 5. This act shall take effect July 1, 2026.

237

238 ===== T I T L E A M E N D M E N T =====
239 And the title is amended as follows:

240 Delete everything before the enacting clause
241 and insert:

242 A bill to be entitled



243 An act relating to limited licenses for portable
244 electronics or eyewear insurance; amending s. 626.321,
245 F.S.; renaming "portable electronics insurance" as
246 "portable electronics or eyewear insurance" to include
247 eyewear for purposes of insurance coverage and
248 licenses; providing construction; defining the term
249 "eyewear"; revising the definition of the term
250 "portable electronics"; deleting the obsolete
251 definition of the term "portable electronics
252 transaction"; amending ss. 626.221, 626.732, and
253 626.8685, F.S.; conforming provisions to changes made
254 by the act; providing an effective date.