

The Florida Senate

## BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

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BILL: CS/SB 772

INTRODUCER: Banking and Insurance Committee and Senator Burgess

SUBJECT: Limited Licenses for Portable Electronics or Eyewear Insurance

DATE: February 11, 2026 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Moody	Knudson	BI	<b>Fav/CS</b>
2. Sanders	Betta	AEG	<b>Favorable</b>
3. _____	_____	RC	_____

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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### I. Summary:

CS/SB 772 expands the scope of limited insurance agent licenses issued to qualified applicants for the limited line of portable electronics to include eyewear insurance. The bill includes limited licenses as agents for eyewear to the list of those exempt from examination requirements and knowledge, experience, or instruction requirements. The bill also extends claims processing exemptions specifically for portable electronic device insurance claims to eyewear insurance claims.

The bill defines the term “eyewear” to include smart glasses and nonelectronic glasses, and the term “nonelectronic eyewear” is defined to include prescription and nonprescription glasses and sunglasses. The bill amends the definition of “portable electronics” to modernize the definition to include newer technologies. The bill removes the obsolete definition of the term “portable electronics transaction.”

The bill does not impact state revenues or expenditures. The bill may reduce out of pocket costs to consumers. See Section V., Fiscal Impact Statement.

The bill is effective July 1, 2026.

## II. Present Situation:

### Limited Lines Insurance

The Department of Financial Services (DFS) must issue to a qualified applicant a license to transact certain limited class of business, for instance, travel insurance, motor vehicle rental insurance, and portable electronics insurance.<sup>1</sup> “Portable electronics” is defined as personal, self-contained, easily carried by an individual, battery-operated electronic communication, viewing, listening, recording, gaming, computing or global positioning devices, including cell or satellite phones, pagers, personal global positioning satellite units, portable computers, portable audio listening, video viewing or recording devices, digital cameras, video camcorders, portable gaming systems, docking stations, automatic answering devices, and other similar devices and their accessories, and service related to the use of such devices.<sup>2</sup>

### *Portable Electronics Insurance*

A limited license for portable electronics insurance may include property insurance or inland marine insurance that covers only loss, theft, mechanical failure, malfunction, or damage for portable electronics.<sup>3</sup> The license may only be issued to employees or an authorized representative of a licensed general lines agent, or a lead business location of a retail vendor that sells portable electronic insurance which must have a contractual relationship with a general lines agent.<sup>4</sup> Such employees and authorized representatives may sell or offer for sale portable electronics coverage without being an insurance agent if certain criteria are met, including:

- The insurance is sold or offered for sale at a licensed location or a licensee’s branch location<sup>5</sup> appointed by the licensed lead business location or its appointing insurers.
- The insurer issuing the insurance directly supervises or appoints a general lines agent to supervise the sale of the insurance.
- Brochures with specified information are made available to all prospective consumers.<sup>6</sup>

Brochures and other written materials related to portable electronic insurance must include certain information, for instance, that enrollment in the insurance is not required to purchase portable electronics, the material terms of the insurance, and a summary of the claims process.<sup>7</sup> Individuals not licensed to sell portable electronics insurance are subject to certain compensation restrictions.<sup>8</sup>

A licensed and general lines agent is not required to obtain a portable electronics insurance license to sell such products at locations already licensed as an insurance agency but may apply for a license for branch locations not licensed to sell insurance.<sup>9</sup> A portable electronics license

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<sup>1</sup> Section 626.321(1), F.S.

<sup>2</sup> Section 626.321(1)(h)12.b., F.S.

<sup>3</sup> Section 626.321(1)(h), F.S.

<sup>4</sup> Section 626.321(1)(h)1., F.S.

<sup>5</sup> Section 626.321(1)(h)12.a., F.S., defines “branch location” as any physical location in this state at which a licensee offers its products or services for sale.

<sup>6</sup> Section 626.321(1)(h)2., F.S.

<sup>7</sup> Section 626.321(1)(h)4., F.S.

<sup>8</sup> Section 626.321(1)(h)3., F.S.

<sup>9</sup> Section 626.321(1)(h)5., F.S.

authorizes the sale of individual policies or certificates under a group or master insurance policy, or service warranty agreements covering only portable electronics to the same extent as if licensed under s. 634.419, F.S., or s. 634.420, F.S.<sup>10</sup> A licensee may collect the premium for the purchase of portable electronics insurance if certain conditions are met, including:

- The licensee clearly and conspicuously discloses when insurance is included with the purchase or lease of portable electronics or related services.
- Premiums are incidental to other fees collected, are readily identifiable, and are remitted to the insurer or supervising entity within 60 days of receipt.
- Funds received for the sale of the insurance are held in trust by the licensee in a fiduciary capacity for the benefit of the insurer.<sup>11</sup>

The terms for the termination or modification of a portable electronics insurance policy are those provided in the policy.<sup>12</sup> Unless expressly provided otherwise, a person applying for or holding a limited license is subject to the same applicable requirements and responsibilities that apply to general lines agents in general if licensed as to portable electronics insurance.<sup>13</sup>

### ***Qualification Exemptions***

An applicant for a limited license as agent for portable electronics insurance is exempt from taking and passing a written examination to qualify for such license.<sup>14</sup> Generally, an applicant for a license as a general lines agent must meet certain requirements as to knowledge, experience, or instruction, such as teaching or successfully completing 200 hours of course work in a specified topic within four years immediately preceding the application date.<sup>15</sup> However, such knowledge, experience, and instruction requirements do not apply to individuals holding only limited licenses, including a limited license for portable electronics insurance.<sup>16</sup> Portable electronic insurance limited agent licensees are also exempt from fingerprinting requirements.<sup>17</sup>

### ***Claims Processing Exemptions***

Generally, individuals need a license to handle insurance claims. However, individuals processing portable electronics insurance claims do not need an individual license if they only collect or enter claims information, work for a licensed insurance business, or are supervised by a licensed insurance adjuster<sup>18</sup> or agent. No more than 25 unlicensed individuals can be

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<sup>10</sup> Section 626.321(1)(h)6., F.S.

<sup>11</sup> Section 626.321(1)(h)7., F.S.

<sup>12</sup> Section 626.321(1)(h)8., F.S.

<sup>13</sup> Section 626.321(4), F.S.

<sup>14</sup> Section 626.221(2), F.S.

<sup>15</sup> Section 626.732(1)(a), F.S.

<sup>16</sup> Section 626.732(7), F.S.

<sup>17</sup>*Id.*

<sup>18</sup>Section 626.015(2), F.S., defines “adjuster” as a public adjuster defined in s. 626.854, F.S., or an all-lines adjuster as defined in s. 626.8548, F.S. Section 626.854(1), F.S., defines “public adjuster” as any person, except a duly licensed attorney at law as exempted under s. 626.860, F.S., who, for money, commission, or any other thing of value, directly or indirectly prepares, completes, or files an insurance claim for an insured or third-party claimant, regardless of how that person describes or presents his or her services, or who, for money, commission, or any other thing of value, acts on behalf of, or aids an insured or third-party claimant in negotiating for or effecting the settlement of a claim or claims for loss or damage covered by an insurance contract, regardless of how that person describes or presents his or her services, or who advertises for employment as an adjuster of such claims. The term also includes any person who, for money, commission, or any other thing of value, directly or indirectly solicits, investigates, or adjusts such claims on behalf of a public adjuster, an insured, or

supervised by any one licensed adjuster or agent.<sup>19</sup> A Canadian resident cannot obtain a Florida nonresident adjuster license to handle portable electronics claims unless they have already obtained an adjuster's license in another U.S. state.<sup>20</sup>

Unlicensed individuals can use an automated claims adjudication system<sup>21</sup> for portable electronic claims, given that system is only used by licensed or supervised individuals, compliant with all Florida insurance code claim payment requirements, and certified as compliant by a licensed adjuster who is an officer of the business entity.<sup>22</sup>

## **Eyewear Insurance vs. Current Insurance Market Options**

There is currently no statutory or regulatory framework establishing "eyewear insurance" as a licensed insurance product in Florida.<sup>23</sup> Products marketed as such are limited warranties or protection plans provided by the retailer or manufacturer to cover defects or accidental damage under contract terms.<sup>24</sup> As such, products do not have the regulatory status, obligations, or consumer protections of true insurance products.

Vision insurance is designed to cover routine eye care exams and corrective eyewear.<sup>25</sup> While coverage can vary by plan, most plans include coverage for routine eye exams, allowances for eyeglass frames, prescription lenses, and contact lenses every one or two years.<sup>26</sup> Vision insurance typically excludes coverage for non-prescription eyewear, such as sunglasses, cosmetic procedures, medical treatments for eye disease, and specialty lenses.<sup>27</sup>

### **Smart Glasses**

"Smart glasses" are a pair of glasses that contain computer technology so that, for example, they can be used in a similar way to a smartphone, or you can get information added to what you are

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a third-party claimant. The term does not include a person who photographs or inventories damaged personal property or business personal property or a person performing duties under another professional license, if such person does not otherwise solicit, adjust, investigate, or negotiate for or attempt to effect the settlement of a claim. Section 626.8548, F.S., defines "all-lines adjuster" as a person who, for money, commission, or any other thing of value, directly or indirectly undertakes on behalf of a public adjuster or an insurer to ascertain and determine the amount of any claim, loss, or damage payable under an insurance contract or undertakes to effect settlement of such claim, loss or damage. The term also includes any person who, for money, commission, or any other thing of value, directly or indirectly solicits claims on behalf of a public adjuster, but does not include a paid spokesperson used as part of a written or an electronic advertisement or a person who photographs or inventories damaged personal property or business personal property if such person does not otherwise adjust, investigate, or negotiate for or attempt to effect the settlement of a claim.

<sup>19</sup> Section 626.8685(1), F.S.

<sup>20</sup> Section 626.8685(2), F.S.

<sup>21</sup> Section 626.8685(1), F.S., defines "automated claims adjudication system" as a preprogrammed computer system designed for the collection, data entry, calculation, and final resolution of portable electronics insurance claims to fully, electronically resolve claims.

<sup>22</sup> Section 626.8685(1), F.S.

<sup>23</sup> See ch. 626, F.S.

<sup>24</sup> See ch. 501, F.S.

<sup>25</sup> Associates in Eye Care, *Medical versus Vision Insurance Explained*, <https://associateseyecare.com/wp-content/uploads/Medical-vs-Vision-exam.pdf> (last visited February 3, 2026).

<sup>26</sup> *Id.*

<sup>27</sup> VSP Individual Vision Plans, *What Is Covered by Vision Insurance* (Sept. 23, 2024)

<https://www.vspdirect.com/blog/article/what-is-covered-by-vision-insurance>, (last visited February 3, 2026).

seeing as you look through them.<sup>28</sup> Smart glasses have evolved to include several key features and other optional functions, such as display and augmented reality functions, hand-free communication and connectivity, camera and content creation, voice assistant and artificial intelligence (AI) integration, music and audio streaming, health and fitness tracking, productivity and work functions.<sup>29</sup> Some smart glasses are prescription eligible and can be customized with prescription lenses.<sup>30</sup>

### III. Effect of Proposed Changes:

CS/SB 772 expands the Department of Financial Services (DFS) authority to issue limited licenses to sell portable electronics insurance to include eyewear insurance. The bill updates provisions relating to an applicant's exemptions for a written examination and knowledge, experience, or instruction requirements for limited agent licenses for eyewear insurance. The claims processing exemption for portable electronics insurance is expanded to apply to eyewear insurance claims.

**Section 1** amends s. 626.321, F.S., to require the DFS to issue limited licenses for portable electronics insurance to include eyewear insurance if certain conditions are met. The bill specifies that a license for portable electronics and eyewear insurance does not require a licensee to sell or offer for sale coverage for both products but only one limited license is required to sell insurance coverage for either product. The bill updates the following current regulatory provisions related to portable electronics insurance limited licenses to include eyewear insurance, including:

- The type of insurance coverage that may be issued.<sup>31</sup>
- The persons who may be issued a license for such coverage.<sup>32</sup>
- Conditions that must be met to be eligible to sell or offer for sale portable electronics or eyewear insurance without being subject to licensure as an insurance agent.<sup>33</sup>
- Compensation restrictions.
- Restrictions on content in brochures or other written materials.<sup>34</sup>
- Applicability of the limited licensing to general lines agents.<sup>35</sup>
- Types of policies a portable electronics and eyewear license may issue, including group or master insurance policies, or service warranty agreements.<sup>36</sup>
- Conditions regarding a licensee's billing and collecting premiums.<sup>37</sup>
- Terms for termination or modification of coverage in the policy.<sup>38</sup>

<sup>28</sup> Cambridge Dictionary, *Smart Glasses*, <https://dictionary.cambridge.org/us/dictionary/english/smart-glasses> (last visited February 3, 2026).

<sup>29</sup> [Chao yuan2004@gmail.com](mailto:Chao yuan2004@gmail.com), Banna Tech, *What Do Smart Glasses Do? Complete Functions List 2025* (Nov. 15, 2025), <https://banna-tech.com/what-smart-glasses-do-complete-list/> (last visited February 3, 2026).

<sup>30</sup> *Id.*; GlassesUSA.com, *Smart Glasses*, [Shop Smart Glasses Online | Free Shipping on All Orders](https://www.glassesusa.com/shop-smart-glasses-online-free-shipping-on-all-orders) (last visited February 3, 2026).

<sup>31</sup> Section 626.321(1)(h), F.S.

<sup>32</sup> Section 626.321(1)(h)1., F.S.

<sup>33</sup> Section 626.321(1)(h)2., F.S.

<sup>34</sup> Section 626.321(1)(h)4., F.S.

<sup>35</sup> Section 626.321(1)(h)5., F.S.

<sup>36</sup> Section 626.321(1)(h)6., F.S.

<sup>37</sup> Section 626.321(1)(h)7., F.S.

<sup>38</sup> Section 626.321(1)(h)8., F.S.

- Branch locations authority to obtain a single appointment from the associated lead business location licensee instead of obtaining an appointment from an insurer or warranty association.

The bill subjects a person applying for or holding a limited license for portable electronics and eyewear insurance to the same applicable requirements and responsibilities that apply to a general lines agents unless expressly provided otherwise.

The term “eyewear” is defined to mean smart glasses and nonelectronic eyewear. The bill provides the term “nonelectronic eyewear” includes prescription and nonprescription eyeglasses and sunglasses. The bill removes the definition of the term “portable electronics transaction”<sup>39</sup> because the term is no longer referred to in the statute section. The definition of “portable electronics” is amended to mean equipment that is personal, self-contained, easily carried, by an individual; has electrical, digital, magnetic, wireless, electromagnetic, or similar capabilities; and operates using batteries, rechargeable power sources, or other energy sources. The term includes equipment used for communication; data processing; viewing; listening; recording; gaming; computing; navigation; household, health or activity monitoring; or similar uses and may also incorporate features responsive to user input or environmental conditions.

**Section 2** amends s. 626.221, F.S., to exempt an applicant for a limited license as agent for portable electronics or eyewear insurance, rather than only portable electronics insurance, from a written examination.

Similarly, **section 3**, amends s. 626.732, F.S., to extend the knowledge, experience, or instruction exemption for an individual holding only a limited license for portable electronics insurance to apply to an individual holding only a limited license for “portable electronics or eyewear insurance.”

**Section 4** amends s. 626.8685, F.S., to expand the claims processing exemptions for portable electronic device insurance claims to also include eyewear insurance claims. The exemption applies to an individual who collects and enters data into an automated claims adjudication system that is designed for collection, data entry, calculation, and final resolution of portable electronics or eyewear insurance that meet the specified requirements under current law.<sup>40</sup>

**Section 5** provides the bill is effective July 1, 2026.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

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<sup>39</sup> Section 626.321(1)(h)12.c., F.S., defines “portable electronics transaction” as the sale or lease of portable electronics or a related service, including portable electronics insurance.

<sup>40</sup> Section 626.8685(1), F.S.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

The bill may have an indeterminate impact on the insurance marketplace by authorizing the offering of a new insurance product recognized under state law.

The DFS reports that “[e]xpanding the limited licensing statute pertaining to portable electronics devices to include smart glasses and nonelectronic eyewear will provide consumers with opportunities to purchase valuable insurance coverage and reduce out of pocket costs to consumers to repair or replace these items in the event of a loss.”<sup>41</sup>

**C. Government Sector Impact:**

The bill does not impact state revenues or expenditures.<sup>42</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

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<sup>41</sup> Department of Financial Services, *2026 Legislative Bill Analysis for SB 772*, p. 4 (on file with the Senate Committee on Banking and Insurance).

<sup>42</sup> *Id.*

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 626.321, 626.221, 626.732, and 626.8685.

**IX. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Banking and Insurance Committee on January 28, 2026:**

The committee substitute:

- Clarifies that a licensee is not required to sell or offer for sale both portable electronics and eyewear products or insurance coverage for both products.
- Specifies that only one license is required to sell or offer for sale either portable electronics insurance or eyewear insurance, or both.
- Amends the definition of “portable electronics.”

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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