

By Senator Burgess

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A bill to be entitled  
An act relating to limited licenses for portable  
electronics and eyewear insurance; amending s.  
626.321, F.S.; renaming "portable electronics  
insurance" as "portable electronics and eyewear  
insurance" to include eyewear for purposes of  
insurance coverage and licenses; defining the term  
"eyewear"; deleting the obsolete definition of the  
term "portable electronics transaction"; amending ss.  
626.221, 626.732, and 626.8685, F.S.; conforming  
provisions to changes made by the act; providing an  
effective date.

Be It Enacted by the Legislature of the State of Florida:

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

626.321 Limited licenses and registration.—

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

(h) *Portable electronics and eyewear insurance.*—License for  
property insurance or inland marine insurance that covers only  
loss, theft, mechanical failure, malfunction, or damage for  
portable electronics and eyewear.

1. The license may be issued only to:

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

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

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

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

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

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

3. Individuals not licensed to sell portable electronics and eyewear insurance may not be paid commissions based on the sale of such coverage. However, a licensee who uses a compensation plan for employees and authorized representatives

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59 which includes supplemental compensation for the sale of  
60 noninsurance products, in addition to a regular salary or hourly  
61 wages, may include incidental compensation for the sale of  
62 portable electronics and eyewear insurance as a component of the  
63 overall compensation plan.

64 4. Brochures or other written materials related to portable  
65 electronics and eyewear insurance must:

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

69 b. State that enrollment in insurance coverage is not  
70 required in order to purchase or lease portable electronics and  
71 eyewear or services;

72 c. Summarize the material terms of the insurance coverage,  
73 including the identity of the insurer, the identity of the  
74 supervising entity, the amount of any applicable deductible and  
75 how it is to be paid, the benefits of coverage, and key terms  
76 and conditions of coverage, such as whether portable electronics  
77 and eyewear may be repaired or replaced with similar make and  
78 model reconditioned or nonoriginal manufacturer parts or  
79 equipment;

80 d. Summarize the process for filing a claim, including a  
81 description of how to return portable electronics and eyewear  
82 and the maximum fee applicable if the customer fails to comply  
83 with equipment return requirements; and

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

87 5. A licensed and appointed general lines agent is not

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88 required to obtain a portable electronics and eyewear insurance  
89 license to offer or sell portable electronics and eyewear  
90 insurance at locations already licensed as an insurance agency,  
91 but may apply for a portable electronics and eyewear insurance  
92 license for branch locations not otherwise licensed to sell  
93 insurance.

94 6. A portable electronics and eyewear license authorizes  
95 the sale of individual policies or certificates under a group or  
96 master insurance policy. The license also authorizes the sale of  
97 service warranty agreements covering only portable electronics  
98 and eyewear to the same extent as if licensed under s. 634.419  
99 or s. 634.420.

100 7. A licensee may bill and collect the premium for the  
101 purchase of portable electronics and eyewear insurance provided  
102 that:

103 a. If the insurance is included with the purchase or lease  
104 of portable electronics or eyewear or related services, the  
105 licensee clearly and conspicuously discloses that insurance  
106 coverage is included with the purchase. Disclosure of the stand-  
107 alone cost of the premium for same or similar insurance must be  
108 made on the customer's bill and in any marketing materials made  
109 available at the point of sale. If the insurance is not  
110 included, the charge to the customer for the insurance must be  
111 separately itemized on the customer's bill.

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

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

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

9. Notice or correspondence required by the policy, or otherwise required by law, may be provided by electronic means if the insurer or licensee maintains proof that the notice or correspondence was sent. Such notice or correspondence may be sent on behalf of the insurer or licensee by the general lines agent appointed by the insurer to supervise the administration of the program. For purposes of this subparagraph, an enrolled customer's provision of an electronic mail address to the insurer or licensee is deemed to be consent to receive notices and correspondence by electronic means if a conspicuously located disclosure is provided to the customer indicating the same.

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

11. A branch location that sells portable electronics and eyewear insurance may, in lieu of obtaining an appointment from an insurer or warranty association, obtain a single appointment from the associated lead business location licensee and pay the prescribed appointment fee under s. 624.501 if the lead business

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location has a single appointment from each insurer or warranty association represented and such appointment applies to the lead business location and all of its branch locations. Branch location appointments shall be renewed 24 months after the initial appointment date of the lead business location and every 24 months thereafter. Notwithstanding s. 624.501, the renewal fee applicable to such branch location appointments is \$30 per appointment.

12. For purposes of this paragraph:

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

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

~~c.~~ "Portable electronics" means 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.

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

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(4) Except as otherwise expressly provided, 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 motor vehicle physical damage and mechanical breakdown insurance, industrial fire insurance or burglary insurance, motor vehicle rental insurance, credit insurance, crop hail and multiple-peril crop insurance, in-transit and storage personal property insurance, or portable electronics and eyewear insurance; or as apply to life agents or health agents in general, as applicable, if licensed as to travel insurance.

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

626.221 Examination requirement; exemptions.—

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

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

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

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

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

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

626.8685 Portable electronics and eyewear insurance claims; exemption; licensure restriction.—

(1) This part does not apply to any individual who collects claims information from, or furnishes claims information to, insureds or claimants, and who conducts data entry, including entering data into an automated claims adjudication system, provided that the individual is an employee of a business entity licensed under this chapter, or its affiliate, and no more than 25 such persons are under the supervision of one licensed independent adjuster or licensed agent who is exempt from licensure pursuant to s. 626.862. For purposes of this subsection, the term "automated claims adjudication system" means a preprogrammed computer system designed for the collection, data entry, calculation, and final resolution of portable electronics and eyewear insurance claims that:

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

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

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

(2) Notwithstanding any other provision of law, a resident of Canada may not be licensed as a nonresident independent adjuster for purposes of adjusting portable electronics insurance and eyewear claims unless the person has successfully



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233 obtained an adjuster's license in another state.

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