

1                   A bill to be entitled  
2           An act relating to insurance agents and adjusters;  
3           amending s. 624.501, F.S.; deleting the title insurer  
4           administrative surcharge for a licensed title  
5           insurance agency; amending s. 624.505, F.S.; deleting  
6           a requirement that an insurer pay an agent tax for  
7           each county in which an agent represents the insurer  
8           and has a place of business; amending s. 626.015,  
9           F.S.; revising the definitions of "adjuster" and "home  
10          state"; amending s. 626.0428, F.S.; revising  
11          provisions relating to who may bind insurance  
12          coverage; amending s. 626.171, F.S.; providing that an  
13          applicant is responsible for the information in an  
14          application even if completed by a third party;  
15          requiring an application to include a statement about  
16          the method used to meet certain requirements; amending  
17          s. 626.191, F.S.; revising provisions relating to when  
18          an applicant may apply for a license after an initial  
19          application is denied by the Department of Financial  
20          Services; amending s. 626.221, F.S.; revising  
21          provisions relating to license examinations;  
22          conforming provisions relating to all-lines adjusters;  
23          deleting an exemption from examination for certain  
24          adjusters; amending s. 626.231, F.S.; providing for  
25          submitting an application for examination on a  
26          designee's website; amending s. 626.241, F.S.;  
27          revising the scope of the examination for an all-lines  
28          adjuster; amending s. 626.251, F.S.; providing for e-

29 mailing notices of examinations; amending s. 626.281,  
30 F.S.; specifying how many times an applicant may take  
31 an examination during a year; amending s. 626.2815,  
32 F.S.; revising provisions relating to continuing  
33 education requirements; providing that persons on  
34 active military duty may seek a waiver; providing for  
35 an update course and the contents of such course;  
36 deleting requirements relating specifically to certain  
37 types of insurance; providing education requirements  
38 for bail bond agents and public adjusters; eliminating  
39 the continuing education advisory board; amending s.  
40 626.292, F.S.; conforming provisions to changes made  
41 by the act relating to all-lines adjusters; amending  
42 s. 626.311, F.S.; conforming provisions to changes  
43 made by the act relating to limited licenses; amending  
44 s. 626.321, F.S.; revising provisions relating to  
45 limited licenses; prohibiting the future issuance of  
46 new limited licenses for motor vehicle physical damage  
47 and mechanical breakdown insurance; combining limited  
48 licenses relating to credit insurance; specifying  
49 events covered by crop hail and multiple-peril crop  
50 insurance; revising in-transit and storage personal  
51 property insurance to create a limited license for  
52 portable electronics insurance; amending s. 626.342,  
53 F.S.; clarifying that the prohibition relating to the  
54 furnishing of supplies to unlicensed agents applies to  
55 all unlicensed agents; amending s. 626.381, F.S.;  
56 revising provisions relating to the reporting of

57 | administrative actions; amending s. 626.536, F.S.;

58 | clarifying requirements for reporting administrative

59 | actions taken against a licensee; amending s. 626.551,

60 | F.S.; shortening the time within which a licensee must

61 | report to the department a change in certain

62 | information; authorizing the Department of Financial

63 | Services to adopt rules relating to notification of a

64 | change of address; amending s. 626.621, F.S.; adding

65 | failure to comply with child support requirements as

66 | grounds for action against a license; amending s.

67 | 626.641, F.S.; clarifying provisions relating to the

68 | suspension or revocation of a license or appointment;

69 | amending s. 626.651, F.S.; revising provisions

70 | relating to the suspension or revocation of licenses;

71 | amending ss. 626.730 and 626.732, F.S.; revising

72 | provisions relating to the purpose of the general

73 | lines and personal lines license and certain

74 | requirements related to general lines and personal

75 | lines agents; conforming provisions to changes made by

76 | the act relating to limited licenses; amending s.

77 | 626.8411, F.S.; revising requirements and exemptions

78 | relating to title insurance agents or agencies;

79 | creating s. 626.8548, F.S.; defining the term "all-

80 | lines adjuster"; amending s. 626.855, F.S.; revising

81 | the definition of "independent adjuster"; amending s.

82 | 626.856, F.S.; revising the definition of "company

83 | employee adjuster"; repealing s. 626.858, F.S.,

84 | relating to defining "nonresident company employee

85 | adjuster"; amending s. 626.8584, F.S.; revising the  
86 | definition of "nonresident all-lines adjuster";  
87 | amending s. 626.863, F.S.; conforming provisions to  
88 | changes made by the act relating to all-lines  
89 | adjusters; amending s. 626.864, F.S.; revising  
90 | provisions relating to adjuster license types;  
91 | amending s. 626.865, F.S.; requiring an applicant for  
92 | public adjuster to be licensed as a public adjuster  
93 | apprentice; amending s. 626.866, F.S.; conforming  
94 | provisions to changes made by the act relating to all-  
95 | lines adjusters; repealing s. 626.867, F.S., relating  
96 | to qualifications for company employee adjusters;  
97 | amending s. 626.869, F.S.; revising provisions  
98 | relating to an all-lines adjuster license; ceasing the  
99 | issuance of certain adjuster licenses; revising  
100 | continuing education requirements; amending s.  
101 | 626.8697, F.S.; revising provisions relating to the  
102 | violation of rules resulting in the suspension or  
103 | revocation of an adjuster's license; amending s.  
104 | 626.872, F.S.; conforming provisions to changes made  
105 | by the act relating to all-lines adjusters; repealing  
106 | s. 626.873, F.S., relating to licensure for  
107 | nonresident company employee adjusters; amending s.  
108 | 626.8734, F.S.; amending provisions relating to  
109 | nonresident all-lines adjusters; providing for  
110 | verifying an applicant's status through the National  
111 | Association of Insurance Commissioners' Producer  
112 | Database; amending ss. 626.8736, 626.874, 626.875, and

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113 626.876, F.S.; conforming provisions to changes made  
114 by the act relating to all-lines adjusters; amending  
115 s. 626.927, F.S.; deleting a requirement that a  
116 licensed surplus lines agent maintain a bond;  
117 repealing s. 626.928, F.S., relating to a surplus  
118 lines agent's bond; amending ss. 626.933, 626.935, and  
119 627.952, F.S.; conforming cross-references; amending  
120 s. 635.051, F.S.; requiring persons transacting  
121 mortgage guaranty insurance to be licensed and  
122 appointed as a credit insurance agent; amending s.  
123 648.34, F.S.; requiring application information for  
124 bail bond agents; amending s. 648.38, F.S.; revising  
125 the notice of examination requirements for bail bond  
126 agents; amending s. 648.385, F.S.; revising continuing  
127 education courses for bail bond agents, to conform to  
128 changes made by the act; amending s. 648.421, F.S.;  
129 requiring a bail bond agent to provide notification of  
130 a change in his or her e-mail address; providing  
131 effective dates.

132

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

134

135 Section 1. Paragraph (e) of subsection (27) of section  
136 624.501, Florida Statutes, is amended to read:

137 624.501 Filing, license, appointment, and miscellaneous  
138 fees.—The department, commission, or office, as appropriate,  
139 shall collect in advance, and persons so served shall pay to it  
140 in advance, fees, licenses, and miscellaneous charges as

141 follows:

142 (27) Title insurance agents:

143 (e) Title insurer ~~and title insurance agency~~

144 administrative surcharge:

145 1. On or before January 30 of each calendar year, each  
 146 title insurer shall pay an administrative surcharge of \$200 to  
 147 the office for each licensed title insurance agency appointed by  
 148 the title insurer and for each title insurer's retail office as  
 149 ~~of the insurer on~~ January 1 of that calendar year ~~an~~  
 150 ~~administrative surcharge of \$200.00.~~

151 2. ~~On or before January 30 of each calendar year, each~~  
 152 ~~licensed title insurance agency shall remit to the department an~~  
 153 ~~administrative surcharge of \$200.00.~~ The administrative  
 154 surcharge may be used solely to defray the costs to the  
 155 department and office for gathering and evaluating ~~in their~~  
 156 ~~examination or audit of title insurance agencies and retail~~  
 157 ~~offices of title insurers and to gather~~ title insurance data  
 158 from title insurance agencies and insurers for statistical  
 159 purposes, which shall ~~to~~ be furnished to and used by the office  
 160 in its regulation of title insurance.

161 Section 2. Subsection (1) of section 624.505, Florida  
 162 Statutes, is amended to read:

163 624.505 County tax; determination; ~~additional offices;~~  
 164 nonresident agents.—

165 (1) The county tax imposed ~~provided for~~ under s. 624.501  
 166 for ~~as to~~ an agent shall be paid by each insurer for each agent  
 167 only for the county where the agent resides, or if the ~~such~~  
 168 agent's place of business is not located in the ~~a~~ county where

169 the agent resides ~~other than that of her or his residence~~, then  
 170 for the county in which the agent's ~~wherein is located~~ such  
 171 place of business is located. ~~If an agent maintains an office or~~  
 172 ~~place of business in more than one county, the tax shall be paid~~  
 173 ~~for her or him by each such insurer for each county wherein the~~  
 174 ~~agent represents such insurer and has a place of business. If~~  
 175 ~~When under this subsection an insurer is~~ paying the ~~required to~~  
 176 ~~pay county tax for an agent for a county or counties~~ other than  
 177 the agent's county of residence, the insurer must ~~shall~~  
 178 designate the county ~~or counties~~ for which the taxes are paid.

179 Section 3. Subsections (1) and (7) of section 626.015,  
 180 Florida Statutes, are amended to read:

181 626.015 Definitions.—As used in this part:

182 (1) "Adjuster" means a public adjuster as defined in s.  
 183 626.854, a public adjuster apprentice as defined in s. 626.8541,  
 184 or an all-lines adjuster as defined in s. 626.8548 ~~independent~~  
 185 ~~adjuster as defined in s. 626.855, or company employee adjuster~~  
 186 ~~as defined in s. 626.856.~~

187 (7) "Home state" means the District of Columbia and any  
 188 state or territory of the United States in which an ~~insurance~~  
 189 agent or adjuster maintains his or her principal place of  
 190 residence or principal place of business and is licensed to act  
 191 as an insurance agent or adjuster.

192 Section 4. Subsections (2) and (3) of section 626.0428,  
 193 Florida Statutes, are amended to read:

194 626.0428 Agency personnel powers, duties, and  
 195 limitations.—

196 (2) An ~~No~~ employee of an agent or agency may not bind

197 insurance coverage unless licensed and appointed as an ~~a general~~  
 198 ~~lines~~ agent or customer representative.

199 (3) An ~~No~~ employee of an agent or agency may not initiate  
 200 contact with any person for the purpose of soliciting insurance  
 201 unless licensed and appointed as an ~~a general lines~~ agent or  
 202 customer representative.

203 Section 5. Subsection (1) and paragraph (b) of subsection  
 204 (2) of section 626.171, Florida Statutes, are amended to read:

205 626.171 Application for license as an agent, customer  
 206 representative, adjuster, service representative, managing  
 207 general agent, or reinsurance intermediary.-

208 (1) The department may ~~shall~~ not issue a license as agent,  
 209 customer representative, adjuster, service representative,  
 210 managing general agent, or reinsurance intermediary to any  
 211 person except upon written application ~~therefor~~ filed with the  
 212 department ~~it~~, meeting the qualifications for the license  
 213 applied for as determined by the department ~~qualification~~  
 214 ~~therefor~~, and payment in advance of all applicable fees. The ~~Any~~  
 215 ~~such~~ application must ~~shall~~ be made under the oath of the  
 216 applicant and be signed by the applicant. An applicant may  
 217 permit a third party to complete, submit, and sign an  
 218 application on the applicant's behalf, but is responsible for  
 219 ensuring that the information on the application is true and  
 220 correct and is accountable for any misstatements or  
 221 misrepresentations. The department shall accept the uniform  
 222 application for nonresident agent licensing. The department may  
 223 adopt revised versions of the uniform application by rule.

224 (2) In the application, the applicant shall set forth:

225           (b) A statement indicating the method the applicant used  
 226 or is using to meet any required prelicensing education,  
 227 knowledge, experience, or instructional requirements for the  
 228 type of license applied for. ~~Proof that he or she has completed~~  
 229 ~~or is in the process of completing any required prelicensing~~  
 230 ~~course.~~

231  
 232 However, the application must contain a statement that an  
 233 applicant is not required to disclose his or her race or  
 234 ethnicity, gender, or native language, that he or she will not  
 235 be penalized for not doing so, and that the department will use  
 236 this information exclusively for research and statistical  
 237 purposes and to improve the quality and fairness of the  
 238 examinations.

239           Section 6. Section 626.191, Florida Statutes, is amended  
 240 to read:

241           626.191 Repeated applications.—The failure of an applicant  
 242 to secure a license upon ~~an~~ application does ~~shall~~ not preclude  
 243 the applicant from applying again. However ~~as many times as~~  
 244 ~~desired, but~~ the department may ~~shall~~ not consider ~~give~~  
 245 ~~consideration to~~ or accept any further application by the same  
 246 applicant individual for a similar license dated or filed within  
 247 30 days after ~~subsequent to~~ the date the department denied the  
 248 last application, except as provided under ~~in~~ s. 626.281.

249           Section 7. Subsection (2) of section 626.221, Florida  
 250 Statutes, is amended to read:

251           626.221 Examination requirement; exemptions.—

252           (2) However, an ~~no such~~ examination is not ~~shall be~~

253 necessary for ~~in~~ any of the following ~~cases~~:

254 (a) An applicant for renewal of appointment as an agent,  
 255 customer representative, or adjuster, unless the department  
 256 determines that an examination is necessary to establish the  
 257 competence or trustworthiness of the ~~such~~ applicant.

258 (b) An applicant for a limited license as agent for travel  
 259 insurance, motor vehicle rental ~~personal accident insurance,~~  
 260 ~~baggage and motor vehicle excess liability insurance, credit~~  
 261 ~~life or disability~~ insurance, credit insurance, ~~credit property~~  
 262 ~~insurance,~~ in-transit and storage personal property insurance,  
 263 or portable electronics ~~communications equipment property~~  
 264 ~~insurance or communication equipment inland marine insurance~~  
 265 under s. 626.321.

266 (c) In the discretion of the department, an applicant for  
 267 reinstatement of license or appointment as an agent, customer  
 268 representative, ~~company employee adjuster,~~ or all-lines  
 269 ~~independent~~ adjuster whose license has been suspended within the  
 270 4 years before ~~prior to~~ the date of application or written  
 271 request for reinstatement.

272 (d) An applicant who, within the 4 years before ~~prior to~~  
 273 application for license and appointment as an agent, customer  
 274 representative, or adjuster, was a full-time salaried employee  
 275 of the department who ~~and~~ had ~~continuously been such an employee~~  
 276 ~~with~~ responsible insurance duties for at least ~~not less than~~ 2  
 277 continuous years and who had been a licensee within the 4 years  
 278 before ~~prior to~~ employment by the department with the same class  
 279 of license as that being applied for.

280 (e) An applicant ~~A person~~ who has been licensed as an all-

281 lines adjuster and appointed as an independent adjuster or  
 282 company employee adjuster ~~as to all property, casualty, and~~  
 283 ~~surety insurances may be licensed and appointed as a company~~  
 284 ~~employee adjuster or independent adjuster, as to these kinds of~~  
 285 ~~insurance, without additional written examination~~ if an  
 286 application for licensure is filed with the department within 48  
 287 months following the date of cancellation or expiration of the  
 288 prior appointment.

289 ~~(f) A person who has been licensed as a company employee~~  
 290 ~~adjuster or independent adjuster for motor vehicle, property and~~  
 291 ~~casualty, workers' compensation, and health insurance may be~~  
 292 ~~licensed as such an adjuster without additional written~~  
 293 ~~examination if his or her application for licensure is filed~~  
 294 ~~with the department within 48 months after cancellation or~~  
 295 ~~expiration of the prior license.~~

296 ~~(f)(g)~~ An applicant for a temporary license, except as  
 297 otherwise provided in this code.

298 ~~(g)(h)~~ An applicant for a license as a life or health  
 299 agent license who has received the designation of chartered life  
 300 underwriter (CLU) from the American College of Life Underwriters  
 301 and ~~who~~ has been engaged in the insurance business within the  
 302 past 4 years, except that the applicant ~~such an individual~~ may  
 303 be examined on pertinent provisions of this code.

304 ~~(h)(i)~~ An applicant for license as a general lines agent,  
 305 customer representative, or adjuster who has received the  
 306 designation of chartered property and casualty underwriter  
 307 (CPCU) from the American Institute for Property and Liability  
 308 Underwriters and ~~who~~ has been engaged in the insurance business

309 within the past 4 years, except that the applicant ~~such an~~  
310 ~~individual~~ may be examined on pertinent provisions of this code.

311 (i) ~~(j)~~ An applicant for license as a customer  
312 representative who has earned the designation of Accredited  
313 Advisor in Insurance (AAI) from the Insurance Institute of  
314 America, the designation of Certified Insurance Counselor (CIC)  
315 from the Society of Certified Insurance Service Counselors, the  
316 designation of Accredited Customer Service Representative (ACSR)  
317 from the Independent Insurance Agents of America, the  
318 designation of Certified Professional Service Representative  
319 (CPSR) from the National Foundation for Certified Professional  
320 Service Representatives, the designation of Certified Insurance  
321 Service Representative (CISR) from the Society of Certified  
322 Insurance Service Representatives, or the designation of  
323 Certified Insurance Representative (CIR) from the National  
324 Association of Christian Catastrophe Insurance Adjusters. Also,  
325 an applicant for license as a customer representative who has  
326 earned an associate degree or bachelor's degree from an  
327 accredited college or university and has completed ~~with~~ at least  
328 9 academic hours of property and casualty insurance curriculum,  
329 or the equivalent, or has earned the designation of Certified  
330 Customer Service Representative (CCSR) from the Florida  
331 Association of Insurance Agents, or the designation of  
332 Registered Customer Service Representative (RCSR) from a  
333 regionally accredited postsecondary institution in this state,  
334 or the designation of Professional Customer Service  
335 Representative (PCSR) from the Professional Career Institute,  
336 whose curriculum has been approved by the department and which

337 ~~whose curriculum~~ includes comprehensive analysis of basic  
338 property and casualty lines of insurance and testing at least  
339 equal to that of standard department testing for the customer  
340 representative license. The department shall adopt rules  
341 establishing standards for the approval of curriculum.

342 (j)~~(k)~~ An applicant for license as a resident or  
343 nonresident all-lines ~~an independent or company employee~~  
344 adjuster who has the designation of Accredited Claims Adjuster  
345 (ACA) from a regionally accredited postsecondary institution in  
346 this state, Professional Claims Adjuster (PCA) from the  
347 Professional Career Institute, Professional Property Insurance  
348 Adjuster (PPIA) from the HurriClaim Training Academy, Certified  
349 Adjuster (CA) from ALL LINES Training, or Certified Claims  
350 Adjuster (CCA) from the Association of Property and Casualty  
351 Claims Professionals whose curriculum has been approved by the  
352 department and which ~~whose curriculum~~ includes comprehensive  
353 analysis of basic property and casualty lines of insurance and  
354 testing at least equal to that of standard department testing  
355 for the all-lines adjuster license. The department shall adopt  
356 rules establishing standards for the approval of curriculum.

357 (k)~~(l)~~ An applicant qualifying for a license transfer  
358 under s. 626.292~~7~~, if the applicant:

359 1. Has successfully completed the prelicensing examination  
360 requirements in the applicant's previous home state which are  
361 substantially equivalent to the examination requirements in this  
362 state, as determined by the department;

363 2. Has received the designation of chartered property and  
364 casualty underwriter (CPCU) from the American Institute for

365 Property and Liability Underwriters and ~~has~~ been engaged in the  
 366 insurance business within the past 4 years if applying to  
 367 transfer a general lines agent license; or

368 3. Has received the designation of chartered life  
 369 underwriter (CLU) from the American College of Life Underwriters  
 370 and ~~has~~ been engaged in the insurance business within the past 4  
 371 years, if applying to transfer a life or health agent license.

372 (1) ~~(m)~~ An applicant for a license as a nonresident agent  
 373 license, if the applicant:

374 1. Has successfully completed prelicensing examination  
 375 requirements in the applicant's home state which are  
 376 substantially equivalent to the examination requirements in this  
 377 state, as determined by the department, as a requirement for  
 378 obtaining a resident license in his or her home state;

379 2. Held a general lines agent license, life agent license,  
 380 or health agent license before ~~prior to the time~~ a written  
 381 examination was required;

382 3. Has received the designation of chartered property and  
 383 casualty underwriter (CPCU) from the American Institute for  
 384 Property and Liability Underwriters and has been engaged in the  
 385 insurance business within the past 4 years, if an applicant for  
 386 a nonresident license as a general lines agent; or

387 4. Has received the designation of chartered life  
 388 underwriter (CLU) from the American College of Life Underwriters  
 389 and ~~has~~ been in the insurance business within the past 4 years,  
 390 if an applicant for a nonresident license as a life agent or  
 391 health agent.

392 Section 8. Subsection (2) of section 626.231, Florida

393 Statutes, is amended to read:

394 626.231 Eligibility; application for examination.—

395 (2) A person required to take an examination for a license  
 396 may ~~be permitted to~~ take an examination before ~~prior to~~  
 397 submitting an application for licensure pursuant to s. 626.171  
 398 by submitting an application for examination through the  
 399 department's Internet website or the website of a person  
 400 designated by the department to administer the examination. The  
 401 department may require ~~In the application,~~ the applicant to  
 402 provide the following information as part of the application  
 403 ~~shall set forth:~~

404 (a) His or her full name, date of birth ~~age~~, social  
 405 security number, e-mail address, residence address, business  
 406 address, and mailing address.

407 (b) The type of license which ~~that~~ the applicant intends  
 408 to apply for.

409 (c) The name of any required prelicensing course he or she  
 410 has completed or is in the process of completing.

411 (d) The method by which the applicant intends to qualify  
 412 for the type of license if other than by completing a  
 413 prelicensing course.

414 (e) The applicant's gender ~~(male or female)~~.

415 (f) The applicant's native language.

416 (g) The highest level of education achieved by the  
 417 applicant.

418 (h) The applicant's race or ethnicity ~~(African American,~~  
 419 ~~white, American Indian, Asian, Hispanic, or other)~~.

420

421 However, the application form must contain a statement that an  
 422 applicant is not required to disclose his or her race or  
 423 ethnicity, gender, or native language, that he or she will not  
 424 be penalized for not doing so, and that the department will use  
 425 this information exclusively for research and statistical  
 426 purposes and to improve the quality and fairness of the  
 427 examinations.

428 Section 9. Subsection (6) of section 626.241, Florida  
 429 Statutes, is amended to read:

430 626.241 Scope of examination.—

431 (6) In order to reflect the differences between adjusting  
 432 claims for an insurer and adjusting claims for an insured, the  
 433 department shall create an examination for applicants seeking  
 434 licensure as a public adjuster and a separate examination for  
 435 applicants seeking licensure as an all-lines ~~a company employee~~  
 436 ~~adjuster or independent~~ adjuster.

437 (a) Examinations ~~given applicants~~ for a license as an all-  
 438 lines adjuster must ~~shall~~ cover adjusting in all lines of  
 439 insurance, other than life and annuity; ~~or, in accordance with~~  
 440 ~~the application for the license, the examination may be limited~~  
 441 ~~to adjusting in:~~

- 442 ~~(a) Automobile physical damage insurance;~~
- 443 ~~(b) Property and casualty insurance;~~
- 444 ~~(c) Workers' compensation insurance; or~~
- 445 ~~(d) Health insurance.~~

446 (b) An ~~No~~ examination for workers' ~~on worker's~~  
 447 compensation insurance or health insurance is not ~~shall be~~  
 448 required for public adjusters.

449 Section 10. Subsection (1) of section 626.251, Florida  
 450 Statutes, is amended to read:

451 626.251 Time and place of examination; notice.—

452 (1) The department, or a person designated by the  
 453 department, shall provide ~~mail-written~~ notice of the time and  
 454 place of the examination to each applicant for examination and  
 455 each applicant for license required to take an examination who  
 456 will be eligible to take the examination as of the examination  
 457 date. The notice shall be e-mailed ~~so mailed, postage prepaid,~~  
 458 ~~and addressed~~ to the applicant at the e-mail ~~his or her~~ address  
 459 shown on the application for license or examination ~~at such~~  
 460 ~~other address as requested by the applicant in writing filed~~  
 461 ~~with the department prior to the mailing of the notice.~~ Notice  
 462 is ~~shall be~~ deemed given when so mailed.

463 Section 11. Section 626.281, Florida Statutes, is amended  
 464 to read:

465 626.281 Reexamination.—

466 (1) An ~~Any~~ applicant for license or ~~applicant for~~  
 467 examination who has ~~either~~:

468 (a) Taken an examination and failed to make a passing  
 469 grade, or

470 (b) Failed to appear for the examination or to take or  
 471 complete the examination at the time and place specified in the  
 472 notice of the department,

473  
 474 may take additional examinations, after filing with the  
 475 department or its designee an application for reexamination  
 476 together with applicable fees. The failure of an applicant to

477 pass an examination, ~~or the failure~~ to appear for the  
 478 examination, or to take or complete the examination does not  
 479 preclude the applicant from taking subsequent examinations.

480 (2) Applicants may not take an examination for a license  
 481 type more than five times in a 12-month period.

482 (3) ~~(2)~~ The department may require an ~~any~~ individual whose  
 483 license as an agent, customer representative, or adjuster has  
 484 expired or ~~has~~ been suspended to pass an examination before  
 485 ~~prior to~~ reinstating or relicensing the individual as to any  
 486 class of license. The examination fee must ~~shall~~ be paid for ~~as~~  
 487 ~~to~~ each examination.

488 Section 12. Section 626.2815, Florida Statutes, is amended  
 489 to read:

490 626.2815 Continuing education ~~required; application;~~  
 491 ~~exceptions; requirements; penalties.~~

492 (1) The purpose of this section is to establish  
 493 requirements and standards for continuing education courses for  
 494 individuals ~~persons~~ licensed to solicit, ~~or~~ sell, or adjust  
 495 insurance in the state.

496 (2) Except as otherwise provided in this section, ~~the~~  
 497 ~~provisions of this section~~ applies ~~apply~~ to individuals ~~persons~~  
 498 licensed to engage in the sale of insurance or adjustment of  
 499 insurance claims in this state for all lines of insurance for  
 500 which an examination is required for licensing and to each  
 501 insurer, employer, or appointing entity, including, but not  
 502 limited to, those created or existing pursuant to s. 627.351.  
 503 ~~The provisions of This section~~ does ~~shall~~ not apply to an ~~any~~  
 504 individual who holds ~~person holding~~ a license for the sale of

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505 any line of insurance for which an examination is not required  
506 by the laws of this state or who holds a, ~~nor shall the~~  
507 ~~provisions of this section apply to any~~ limited license as a a  
508 crop or hail and multiple-peril crop insurance agent ~~the~~  
509 ~~department may exempt by rule.~~ Licensees who are unable to  
510 comply with the continuing education requirements due to active  
511 duty in the military may submit a written request for a waiver  
512 to the department.

513 (3) ~~(a)~~ Each licensee ~~person~~ subject to ~~the provisions of~~  
514 this section must, except as set forth in paragraphs (b), (c),  
515 ~~and (d), and (f),~~ complete a minimum of 24 hours of continuing  
516 education courses every 2 years in basic or higher-level courses  
517 prescribed by this section or in other courses approved by the  
518 department.

519 (a) Each licensee ~~person~~ subject to ~~the provisions of this~~  
520 ~~section~~ must complete, ~~as part of his or her required number of~~  
521 ~~continuing education hours,~~ 3 hours of continuing education,  
522 approved by the department, every 2 years on the subject matter  
523 of ethics. Each licensed general lines agent and customer  
524 representative ~~subject to this section~~ must complete, ~~as part of~~  
525 ~~his or her required number of continuing education hours,~~ 1 hour  
526 of continuing education, approved by the department, every 2  
527 years on the subject matter of premium discounts available on  
528 property insurance policies based on various hurricane  
529 mitigation options and the means for obtaining the discounts.

530 (b) A licensee ~~person~~ who has been licensed for a ~~period~~  
531 ~~of~~ 6 or more years must complete 20 hours of continuing  
532 education every 2 years in intermediate or advanced-level

533 courses prescribed by this section or in other courses approved  
534 by the department.

535 (c) A licensee who has been licensed for 25 years or more  
536 and is a CLU or a CPCU or has a Bachelor of Science degree in  
537 risk management or insurance with evidence of 18 or more  
538 semester hours in upper-level insurance-related courses must  
539 complete 10 hours of continuing education courses every 2 years  
540 in courses prescribed by this section or in other courses  
541 approved by the department.

542 (d) An individual ~~Any person~~ who holds a license as a  
543 customer representative, limited customer representative, title  
544 agent, motor vehicle physical damage and mechanical breakdown  
545 insurance agent, ~~crop or hail and multiple-peril crop insurance~~  
546 ~~agent,~~ or as an industrial fire insurance or burglary insurance  
547 agent and who is not a licensed life or health insurance agent,  
548 must ~~shall be required to~~ complete 10 hours of continuing  
549 education courses every 2 years.

550 (e) An individual ~~Any person~~ who holds a license to  
551 solicit or sell life or health insurance and a license to  
552 solicit or sell property, casualty, surety, or surplus lines  
553 insurance must complete ~~the continuing education requirements by~~  
554 ~~completing~~ courses in life or health insurance for one-half of  
555 the total hours required and courses in property, casualty,  
556 surety, or surplus lines insurance for one-half of the total  
557 hours required. However, a licensee who holds an industrial fire  
558 or burglary insurance license and who is a licensed life or  
559 health agent must ~~shall be required to~~ complete 4 hours of  
560 continuing education courses every 2 years related to industrial

561 fire or burglary insurance and the remaining number of hours of  
 562 continuing education courses ~~required~~ related to life or health  
 563 insurance.

564 (f) An individual subject to chapter 648 must complete a  
 565 minimum of 14 hours of continuing education courses every 2  
 566 years.

567 (g) Excess hours accumulated during any 2-year compliance  
 568 period may be carried forward to the next compliance period.

569 (h) An individual teaching an approved course of  
 570 instruction or lecturing at any approved seminar and attending  
 571 the entire course or seminar qualifies for the same number of  
 572 classroom hours as would be granted to a person taking and  
 573 successfully completing such course or seminar. Credit is  
 574 limited to the number of hours actually taught unless a person  
 575 attends the entire course or seminar. An individual who is an  
 576 official of or employed by a governmental entity in this state  
 577 and serves as a professor, instructor, or other position or  
 578 office, the duties and responsibilities of which are determined  
 579 by the department to require monitoring and review of insurance  
 580 laws or insurance regulations and practices, is exempt from this  
 581 section.

582 (4)(f)1. Except as provided in subparagraph 2., Compliance  
 583 with continuing education requirements is a condition precedent  
 584 to the issuance, continuation, reinstatement, or renewal of any  
 585 appointment subject to this section. However:

586 (a)2.a. An appointing entity, except one that appoints  
 587 individuals who are employees or exclusive independent  
 588 contractors of the appointing entity, may not require, directly

589 or indirectly, as a condition of such appointment or the  
 590 continuation of such appointment, the taking of an approved  
 591 course or program by any appointee or potential appointee which  
 592 ~~that~~ is not of the appointee's choosing.

593 (b)~~b~~. Any entity created or existing pursuant to s.  
 594 627.351 may require employees to take training of any type  
 595 relevant to their employment but may not require appointees who  
 596 are not employees to take any approved course or program unless  
 597 the course or program deals solely with the appointing entity's  
 598 internal procedures or products or with subjects substantially  
 599 unique to the appointing entity.

600 ~~(g) A person teaching any approved course of instruction~~  
 601 ~~or lecturing at any approved seminar and attending the entire~~  
 602 ~~course or seminar shall qualify for the same number of classroom~~  
 603 ~~hours as would be granted to a person taking and successfully~~  
 604 ~~completing such course, seminar, or program. Credit shall be~~  
 605 ~~limited to the number of hours actually taught unless a person~~  
 606 ~~attends the entire course or seminar. Any person who is an~~  
 607 ~~official of or employed by any governmental entity in this state~~  
 608 ~~and serves as a professor, instructor, or in any other position~~  
 609 ~~or office the duties and responsibilities of which are~~  
 610 ~~determined by the department to require monitoring and review of~~  
 611 ~~insurance laws or insurance regulations and practices shall be~~  
 612 ~~exempt from this section.~~

613 ~~(h) Excess classroom hours accumulated during any~~  
 614 ~~compliance period may be carried forward to the next compliance~~  
 615 ~~period.~~

616 (5)~~(i)~~ For good cause shown, the department may grant an

617 extension of time during which the requirements of ~~imposed by~~  
 618 this section may be completed, but such extension ~~of time~~ may  
 619 not exceed 1 year.

620 (6) ~~(j)~~ A nonresident licensee who must complete continuing  
 621 education requirements in his or her home state may use the home  
 622 state requirements to also meet this state's continuing  
 623 education requirements ~~as well,~~ if the licensee's ~~resident's~~  
 624 home state recognizes reciprocity with this state's continuing  
 625 education requirements. A nonresident licensee whose home state  
 626 does not have a continuing education requirement but is licensed  
 627 for the same class of business in another state that has ~~which~~  
 628 ~~does have~~ a continuing education requirement may comply with  
 629 this section by furnishing proof of compliance with the other  
 630 state's requirement if that state has a reciprocal agreement  
 631 with this state relative to continuing education. A nonresident  
 632 licensee whose home state does not have such continuing  
 633 education requirements, and who is not licensed as a nonresident  
 634 licensee ~~agent~~ in a state that has continuing education  
 635 requirements and reciprocates with this state, must meet the  
 636 continuing education requirements of this state.

637 (7) ~~(k)~~ Any person who holds a license to solicit or sell  
 638 life insurance in this state must complete a minimum of 3 hours  
 639 in continuing education, approved by the department, on the  
 640 subject of suitability in annuity and life insurance  
 641 transactions. This requirement does not apply to an agent who  
 642 does not have any active life insurance or annuity contracts. In  
 643 applying this exemption, the department may require the filing  
 644 of a certification attesting that the agent has not sold life

645 insurance or annuities during the continuing education  
646 compliance cycle in question and does not have any active life  
647 insurance or annuity contracts. A licensee may use the hours  
648 obtained under this paragraph to satisfy the requirement for  
649 continuing education in ethics under paragraph (3) (a).

650 ~~(8)-(4)~~ The following courses may be completed in order to  
651 meet the elective continuing education course requirements:

652 (a) Any part of the Life Underwriter Training Council Life  
653 Course Curriculum: 24 hours; Health Course: 12 hours.

654 (b) Any part of the American College "CLU" diploma  
655 curriculum: 24 hours.

656 (c) Any part of the Insurance Institute of America's  
657 program in general insurance: 12 hours.

658 (d) Any part of the American Institute for Property and  
659 Liability Underwriters' Chartered Property Casualty Underwriter  
660 (CPCU) professional designation program: 24 hours.

661 (e) Any part of the Certified Insurance Counselor program:  
662 21 hours.

663 (f) Any part of the Accredited Advisor in Insurance: 21  
664 hours.

665 (g) In the case of title agents, completion of the  
666 Certified Land Closer (CLC) professional designation program and  
667 receipt of the designation: 24 hours.

668 (h) In the case of title agents, completion of the  
669 Certified Land Searcher (CLS) professional designation program  
670 and receipt of the designation: 24 hours.

671 (i) Any insurance-related course that ~~which~~ is approved by  
672 the department and taught by an accredited college or university

673 per credit hour granted: 12 hours.

674 (j) Any course, including courses relating to agency  
 675 management or errors and omissions, developed or sponsored by an  
 676 ~~any~~ authorized insurer or recognized agents' association or  
 677 insurance trade association or an ~~any~~ independent study program  
 678 of instruction, subject to approval by the department, qualifies  
 679 for the equivalency of the number of classroom hours assigned  
 680 ~~thereto~~ by the department. However, unless otherwise provided in  
 681 this section, continuing education hours may not be credited  
 682 toward meeting the requirements of this section unless the  
 683 course is provided by classroom instruction or results in a  
 684 monitored examination. A monitored examination is not required  
 685 for:

686 1. An independent study program of instruction presented  
 687 through interactive, online technology that the department  
 688 determines has sufficient internal testing to validate the  
 689 student's full comprehension of the materials presented; or

690 2. An independent study program of instruction presented  
 691 on paper or in printed material which ~~that~~ imposes a final  
 692 closed book examination that meets the requirements of the  
 693 department's rule for self-study courses. The examination may be  
 694 taken without a proctor if ~~provided~~ the student presents to the  
 695 provider a sworn affidavit certifying that the student did not  
 696 consult any written materials or receive outside assistance of  
 697 any kind or from any person, directly or indirectly, while  
 698 taking the examination. If the student is an employee of an  
 699 agency or corporate entity, the student's supervisor or a  
 700 manager or owner of the agency or corporate entity must also

701 sign the sworn affidavit. If the student is self-employed, a  
 702 sole proprietor, or a partner, or if the examination is  
 703 administered online, the sworn affidavit must also be signed by  
 704 a disinterested third party. The sworn affidavit must be  
 705 received by the approved provider before ~~prior to~~ reporting  
 706 continuing education credits to the department.

707 (9) ~~(\*)~~ Each person or entity sponsoring a course for  
 708 continuing education credit must furnish, within 15 ~~30~~ days  
 709 after completion of the course, in a form satisfactory to the  
 710 department or its designee, a ~~written and certified~~ roster  
 711 showing the name and license number of all persons successfully  
 712 completing such course and requesting credit, ~~accompanied by the~~  
 713 ~~required fee.~~

714 (10) ~~(5)~~ The department may immediately terminate or shall  
 715 refuse to renew the appointment of an any agent or adjuster who  
 716 has been notified by the department that who has not had his or  
 717 her continuing education requirements have not been certified,  
 718 unless the agent or adjuster has been granted an extension or  
 719 waiver by the department. The department may not issue a new  
 720 appointment of the same or similar type, ~~with any insurer,~~ to a  
 721 licensee ~~an agent~~ who was denied a renewal appointment for  
 722 failing failure to complete continuing education as required  
 723 until the licensee agent completes his or her continuing  
 724 education requirement.

725 ~~(6) (a) There is created an 11 member continuing education~~  
 726 ~~advisory board to be appointed by the Chief Financial Officer.~~  
 727 ~~Appointments shall be for terms of 4 years. The purpose of the~~  
 728 ~~board is to advise the department in determining standards by~~

729 ~~which courses may be evaluated and categorized as basic,~~  
730 ~~intermediate, or advanced. The board shall submit~~  
731 ~~recommendations to the department of changes needed in such~~  
732 ~~criteria not less frequently than every 2 years. The department~~  
733 ~~shall require all approved course providers to submit courses~~  
734 ~~for approval to the department using the criteria. All~~  
735 ~~materials, brochures, and advertisements related to the approved~~  
736 ~~courses must specify the level assigned to the course.~~

737 ~~(b) The board members shall be appointed as follows:~~

738 ~~1. Seven members representing agents of which at least one~~  
739 ~~must be a representative from each of the following~~  
740 ~~organizations: the Florida Association of Insurance Agents; the~~  
741 ~~Florida Association of Insurance and Financial Advisors; the~~  
742 ~~Professional Insurance Agents of Florida, Inc.; the Florida~~  
743 ~~Association of Health Underwriters; the Specialty Agents'~~  
744 ~~Association; the Latin American Agents' Association; and the~~  
745 ~~National Association of Insurance Women. Such board members must~~  
746 ~~possess at least a bachelor's degree or higher from an~~  
747 ~~accredited college or university with major coursework in~~  
748 ~~insurance, risk management, or education or possess the~~  
749 ~~designation of CLU, CPCU, ChFC, CFP, AAI, or CIC. In addition,~~  
750 ~~each member must possess 5 years of classroom instruction~~  
751 ~~experience or 5 years of experience in the development or design~~  
752 ~~of educational programs or 10 years of experience as a licensed~~  
753 ~~resident agent. Each organization may submit to the department a~~  
754 ~~list of recommendations for appointment. If one organization~~  
755 ~~does not submit a list of recommendations, the Chief Financial~~  
756 ~~Officer may select more than one recommended person from a list~~

757 ~~submitted by other eligible organizations.~~

758 ~~2. Two members representing insurance companies at least~~  
759 ~~one of whom must represent a Florida Domestic Company and one of~~  
760 ~~whom must represent the Florida Insurance Council. Such board~~  
761 ~~members must be employed within the training department of the~~  
762 ~~insurance company. At least one such member must be a member of~~  
763 ~~the Society of Insurance Trainers and Educators.~~

764 ~~3. One member representing the general public who is not~~  
765 ~~directly employed in the insurance industry. Such board member~~  
766 ~~must possess a minimum of a bachelor's degree or higher from an~~  
767 ~~accredited college or university with major coursework in~~  
768 ~~insurance, risk management, training, or education.~~

769 ~~4. One member, appointed by the Chief Financial Officer,~~  
770 ~~who represents the department.~~

771 ~~(c) The members of the board shall serve at the pleasure~~  
772 ~~of the Chief Financial Officer. Each board member shall be~~  
773 ~~entitled to reimbursement for expenses pursuant to s. 112.061.~~  
774 ~~The board shall designate one member as chair. The board shall~~  
775 ~~meet at the call of the chair or the Chief Financial Officer.~~

776 ~~(11)-(7)~~ (11) The department may contract services relative to  
777 the administration of the continuing education program to a  
778 private entity. The contract shall be procured as a ~~contract for~~  
779 ~~a contractual service pursuant to s. 287.057.~~

780 Section 13. Effective October 1, 2014, subsections (3) and  
781 (7) of section 626.2815, Florida Statutes, as amended by this  
782 act, are amended, and subsections (8) through (11) of that  
783 section are redesignated as subsections (7) through (10),  
784 respectively, to read:

785           626.2815 Continuing education requirements.—  
 786           (3) Each licensee ~~subject to this section must, except as~~  
 787 ~~set forth in paragraphs (b), (c), (d), and (f),~~ complete a 7-  
 788 hour update course every 2 years which is specific to the  
 789 license held by the licensee. The course must be developed and  
 790 offered by providers and approved by the department. The content  
 791 of the course must address all lines of insurance for which  
 792 examination and license is required and include the following  
 793 subject areas: insurance law updates, ethics for insurance  
 794 professionals, disciplinary trends and case studies, industry  
 795 trends, premium discounts, determining suitability of products  
 796 and services, and other similar insurance-related topics the  
 797 department determines are relevant to legally and ethically  
 798 carrying out the responsibilities of the license granted. A  
 799 licensee who holds multiple insurance licenses must complete an  
 800 update course that is specific to at least one of the licenses  
 801 held. Except as otherwise specified, any remaining required  
 802 hours of continuing education are elective and may consist of  
 803 any continuing education course approved by the department or  
 804 under this section ~~minimum of 24 hours of continuing education~~  
 805 ~~courses every 2 years in basic or higher-level courses~~  
 806 ~~prescribed by this section or in other courses approved by the~~  
 807 ~~department.~~  
 808           (a) Except as provided in paragraphs (b), (c), (d), and  
 809 (e), each licensee must also complete 17 ~~3~~ hours of elective  
 810 continuing education courses, approved by the department, every  
 811 2 years on the subject matter of ethics. Each licensed general  
 812 lines agent and customer representative must complete 1 hour of

813 ~~continuing education, approved by the department, every 2 years~~  
 814 ~~on the subject matter of premium discounts available on property~~  
 815 ~~insurance policies based on various hurricane mitigation options~~  
 816 ~~and the means for obtaining the discounts.~~

817 (b) A licensee who has been licensed for 6 or more years  
 818 must also complete a minimum of 13 ~~20~~ hours of elective  
 819 continuing education every 2 years ~~in intermediate or advanced-~~  
 820 ~~level courses prescribed by this section or in other courses~~  
 821 ~~approved by the department.~~

822 (c) A licensee who has been licensed for 25 years or more  
 823 and is a CLU or a CPCU or has a Bachelor of Science degree in  
 824 risk management or insurance with evidence of 18 or more  
 825 semester hours in ~~upper-level~~ insurance-related courses must  
 826 also complete a minimum of 3 ~~10~~ hours of elective continuing  
 827 education courses every 2 years ~~in courses prescribed by this~~  
 828 ~~section or in other courses approved by the department.~~

829 (d) An individual who holds a license as a customer  
 830 representative, limited customer representative, title agent,  
 831 motor vehicle physical damage and mechanical breakdown insurance  
 832 agent, or an industrial fire insurance or burglary insurance  
 833 agent and who is not a licensed life or health agent, must also  
 834 complete a minimum of 3 ~~10~~ hours of continuing education courses  
 835 every 2 years.

836 ~~(e) An individual who holds a license to solicit or sell~~  
 837 ~~life or health insurance and a license to solicit or sell~~  
 838 ~~property, casualty, surety, or surplus lines insurance must~~  
 839 ~~complete courses in life or health insurance for one-half of the~~  
 840 ~~total hours required and courses in property, casualty, surety,~~

841 ~~or surplus lines insurance for one half of the total hours~~  
842 ~~required. However, a licensee who holds an industrial fire or~~  
843 ~~burglary insurance license and who is a licensed life or health~~  
844 ~~agent must complete 4 hours of continuing education courses~~  
845 ~~every 2 years related to industrial fire or burglary insurance~~  
846 ~~and the remaining number of hours of continuing education~~  
847 ~~courses related to life or health insurance.~~

848 (e) ~~(f)~~ An individual subject to chapter 648 must complete  
849 the 7-hour update course and a minimum of 7 14 hours of elective  
850 continuing education courses every 2 years.

851 (f) Elective continuing education courses for public  
852 adjusters must be specifically designed for public adjusters and  
853 approved by the department. Notwithstanding this subsection,  
854 public adjusters for workers' compensation insurance or health  
855 insurance are not required to take continuing education courses  
856 pursuant to this section.

857 (g) Excess hours accumulated during any 2-year compliance  
858 period may be carried forward to the next compliance period.

859 (h) An individual teaching an approved course of  
860 instruction or lecturing at any approved seminar and attending  
861 the entire course or seminar qualifies for the same number of  
862 classroom hours as would be granted to a person taking and  
863 successfully completing such course or seminar. Credit is  
864 limited to the number of hours actually taught unless a person  
865 attends the entire course or seminar. An individual who is an  
866 official of or employed by a governmental entity in this state  
867 and serves as a professor, instructor, or other position or  
868 office, the duties and responsibilities of which are determined

869 by the department to require monitoring and review of insurance  
 870 laws or insurance regulations and practices, is exempt from this  
 871 section.

872 ~~(7) Any person who holds a license to solicit or sell life~~  
 873 ~~insurance in this state must complete a minimum of 3 hours in~~  
 874 ~~continuing education, approved by the department, on the subject~~  
 875 ~~of suitability in annuity and life insurance transactions. This~~  
 876 ~~requirement does not apply to an agent who does not have any~~  
 877 ~~active life insurance or annuity contracts. In applying this~~  
 878 ~~exemption, the department may require the filing of a~~  
 879 ~~certification attesting that the agent has not sold life~~  
 880 ~~insurance or annuities during the continuing education~~  
 881 ~~compliance cycle in question and does not have any active life~~  
 882 ~~insurance or annuity contracts. A licensee may use the hours~~  
 883 ~~obtained under this paragraph to satisfy the requirement for~~  
 884 ~~continuing education in ethics under paragraph (3) (a).~~

885 Section 14. Subsections (1) and (2) of section 626.292,  
 886 Florida Statutes, are amended to read:

887 626.292 Transfer of license from another state.—

888 (1) An ~~Any~~ individual licensed in good standing in another  
 889 state may apply to the department to have the license  
 890 transferred to this state to obtain a ~~Florida~~ resident agent or  
 891 all-lines adjuster license for the same lines of authority  
 892 covered by the license in the other state.

893 (2) To qualify for a license transfer, an individual  
 894 applicant must meet the following requirements:

895 (a) The individual must ~~shall~~ become a resident of this  
 896 state.

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897 (b) The individual must ~~shall~~ have been licensed in  
898 another state for a minimum of 1 year immediately preceding the  
899 date the individual became a resident of this state.

900 (c) The individual must ~~shall~~ submit a completed  
901 application for this state which is received by the department  
902 within 90 days after the date the individual became a resident  
903 of this state, along with payment of the applicable fees set  
904 forth in s. 624.501 and submission of the following documents:

905 1. A certification issued by the appropriate official of  
906 the applicant's home state identifying the type of license and  
907 lines of authority under the license and stating that, at the  
908 time the license from the home state was canceled, the applicant  
909 was in good standing in that state or that the state's Producer  
910 Database records, maintained by the National Association of  
911 Insurance Commissioners, its affiliates, or subsidiaries,  
912 indicate that the agent or all-lines adjuster is or was licensed  
913 in good standing for the line of authority requested.

914 2. A set of the ~~individual~~ applicant's fingerprints in  
915 accordance with s. 626.171(4).

916 (d) The individual must ~~shall~~ satisfy prelicensing  
917 education requirements in this state, unless the completion of  
918 prelicensing education requirements was a prerequisite for  
919 licensure in the other state and the prelicensing education  
920 requirements in the other state are substantially equivalent to  
921 the prelicensing requirements of this state as determined by the  
922 department. This paragraph does not apply to all-lines  
923 adjusters.

924 (e) The individual must ~~shall~~ satisfy the examination

925 requirement under s. 626.221, unless exempted ~~exempt thereunder~~.

926 Section 15. Subsections (2) and (3) of section 626.311,  
927 Florida Statutes, are amended to read:

928 626.311 Scope of license.—

929 (2) Except with respect ~~as~~ to a limited license as a  
930 credit ~~life or disability~~ insurance agent, the license of a life  
931 agent covers ~~shall cover~~ all classes of life insurance business.

932 (3) Except with respect ~~as~~ to a limited license as a  
933 travel ~~personal accident~~ insurance agent, the license of a  
934 health agent covers ~~shall cover~~ all kinds of health insurance,  
935 and such ~~no~~ license may not ~~shall~~ be ~~issued~~ limited to a  
936 particular class of health insurance.

937 Section 16. Subsections (1) and (4) of section 626.321,  
938 Florida Statutes, are amended to read:

939 626.321 Limited licenses.—

940 (1) The department shall issue to a qualified applicant  
941 ~~individual, or a qualified individual or entity under paragraphs~~  
942 ~~(c), (d), (e), and (i),~~ a license as agent authorized to  
943 transact a limited class of business in any of the following  
944 categories of limited lines insurance:

945 (a) *Motor vehicle physical damage and mechanical breakdown*  
946 *insurance.*—License covering insurance against only the loss of  
947 or damage to a ~~any~~ motor vehicle that ~~which~~ is designed for use  
948 upon a highway, including trailers and semitrailers designed for  
949 use with such vehicles. Such license also covers insurance  
950 against the failure of an original or replacement part to  
951 perform any function for which it was designed. ~~The applicant~~  
952 ~~for such a license shall pass a written examination covering~~

953 ~~motor vehicle physical damage insurance and mechanical breakdown~~  
 954 ~~insurance.~~ A licensee under this paragraph may not ~~No individual~~  
 955 ~~while so licensed shall~~ hold a license as an agent for ~~as to~~ any  
 956 other or additional kind or class of insurance coverage except  
 957 ~~as to~~ a limited license for credit insurance ~~life and disability~~  
 958 ~~insurances~~ as provided in paragraph (e). Effective October 1,  
 959 2012, all licensees holding such limited license and appointment  
 960 may renew the license and appointment, but no new or additional  
 961 licenses may be issued pursuant to this paragraph, and a  
 962 licensee whose limited license under this paragraph has been  
 963 terminated, suspended, or revoked may not have such license  
 964 reinstated.

965 (b) *Industrial fire insurance or burglary insurance.*—  
 966 License covering only industrial fire insurance or burglary  
 967 insurance. The applicant for such a license must ~~shall~~ pass a  
 968 written examination covering such insurance. A licensee under  
 969 this paragraph may not ~~No individual while so licensed shall~~  
 970 hold a license as an agent for ~~as to~~ any other or additional  
 971 kind or class of insurance coverage except for ~~as to~~ life  
 972 insurance and health insurance ~~insurances~~.

973 (c) *Travel insurance.*—License covering only policies and  
 974 certificates of travel insurance, which are subject to review by  
 975 the office under s. 624.605(1)(q). Policies and certificates of  
 976 travel insurance may provide coverage for risks incidental to  
 977 travel, planned travel, or accommodations while traveling,  
 978 including, but not limited to, accidental death and  
 979 dismemberment of a traveler; trip cancellation, interruption, or  
 980 delay; loss of or damage to personal effects or travel

981 documents; baggage delay; emergency medical travel or evacuation  
 982 of a traveler; or medical, surgical, and hospital expenses  
 983 related to an illness or emergency of a traveler. ~~Any~~ Such  
 984 policy or certificate may be issued for terms longer than 60  
 985 days, but ~~each policy or certificate~~, other than a policy or  
 986 certificate providing coverage for air ambulatory services only,  
 987 each policy or certificate must be limited to coverage for  
 988 travel or use of accommodations of no longer than 60 days. The  
 989 license may be issued only:

990 1. To a full-time salaried employee of a common carrier or  
 991 a full-time salaried employee or owner of a transportation  
 992 ticket agency and may authorize the sale of such ticket policies  
 993 only in connection with the sale of transportation tickets, or  
 994 to the full-time salaried employee of such an agent. ~~No~~ Such  
 995 policy may not ~~shall~~ be for a ~~duration of~~ more than 48 hours or  
 996 more than ~~for~~ the duration of a specified one-way trip or round  
 997 trip.

998 2. To an entity or individual that is:

999 a. The developer of a timeshare plan that is the subject  
 1000 of an approved public offering statement under chapter 721;

1001 b. An exchange company operating an exchange program  
 1002 approved under chapter 721;

1003 c. A managing entity operating a timeshare plan approved  
 1004 under chapter 721;

1005 d. A seller of travel as defined in chapter 559; or

1006 e. A subsidiary or affiliate of any of the entities  
 1007 described in sub-subparagraphs a.-d.

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1009 A licensee shall require each employee who offers policies or  
1010 certificates under this subparagraph to receive initial training  
1011 from a general lines agent or an insurer authorized under  
1012 chapter 624 to transact insurance within this state. For an  
1013 entity applying for a license as a travel insurance agent, the  
1014 fingerprinting requirement of this section applies only to the  
1015 president, secretary, and treasurer and to any other officer or  
1016 person who directs or controls the travel insurance operations  
1017 of the entity.

1018 (d) *Motor vehicle rental insurance.*—

1019 1. License covering only insurance of the risks set forth  
1020 in this paragraph when offered, sold, or solicited with and  
1021 incidental to the rental or lease of a motor vehicle and which  
1022 applies only to the motor vehicle that is the subject of the  
1023 lease or rental agreement and the occupants of the motor  
1024 vehicle:

1025 a. Excess motor vehicle liability insurance providing  
1026 coverage in excess of the standard liability limits provided by  
1027 the lessor in the lessor's lease to a person renting or leasing  
1028 a motor vehicle from the licensee's employer for liability  
1029 arising in connection with the negligent operation of the leased  
1030 or rented motor vehicle.

1031 b. Insurance covering the liability of the lessee to the  
1032 lessor for damage to the leased or rented motor vehicle.

1033 c. Insurance covering the loss of or damage to baggage,  
1034 personal effects, or travel documents of a person renting or  
1035 leasing a motor vehicle.

1036 d. Insurance covering accidental personal injury or death

1037 of the lessee and any passenger who is riding or driving with  
 1038 the covered lessee in the leased or rented motor vehicle.

1039 2. Insurance under a motor vehicle rental insurance  
 1040 license may be issued only if the lease or rental agreement is  
 1041 for no more than 60 days, the lessee is not provided coverage  
 1042 for more than 60 consecutive days per lease period, and the  
 1043 lessee is given written notice that his or her personal  
 1044 insurance policy providing coverage on an owned motor vehicle  
 1045 may provide coverage of such risks and that the purchase of the  
 1046 insurance is not required in connection with the lease or rental  
 1047 of a motor vehicle. If the lease is extended beyond 60 days, the  
 1048 coverage may be extended one time only for a period not to  
 1049 exceed an additional 60 days. Insurance may be provided to the  
 1050 lessee as an additional insured on a policy issued to the  
 1051 licensee's employer.

1052 3. The license may be issued only to the full-time  
 1053 salaried employee of a licensed general lines agent or to a  
 1054 business entity that offers motor vehicles for rent or lease if  
 1055 insurance sales activities authorized by the license are in  
 1056 connection with and incidental to the rental or lease of a motor  
 1057 vehicle.

1058 a. A license issued to a business entity that offers motor  
 1059 vehicles for rent or lease encompasses ~~shall encompass~~ each  
 1060 office, branch office, or place of business making use of the  
 1061 entity's business name in order to offer, solicit, and sell  
 1062 insurance pursuant to this paragraph.

1063 b. The application for licensure must list the name,  
 1064 address, and phone number for each office, branch office, or

1065 place of business that is to be covered by the license. The  
 1066 licensee shall notify the department of the name, address, and  
 1067 phone number of any new location that is to be covered by the  
 1068 license before the new office, branch office, or place of  
 1069 business engages in the sale of insurance pursuant to this  
 1070 paragraph. The licensee must ~~shall~~ notify the department within  
 1071 30 days after closing or terminating an office, branch office,  
 1072 or place of business. Upon receipt of the notice, the department  
 1073 shall delete the office, branch office, or place of business  
 1074 from the license.

1075 c. A licensed and appointed entity is directly responsible  
 1076 and accountable for all acts of the licensee's employees.

1077 (e) ~~Credit life or disability insurance.~~ License covering  
 1078 ~~only credit life, credit or disability insurance, credit~~  
 1079 property, credit unemployment, involuntary unemployment,  
 1080 mortgage life, mortgage guaranty, mortgage disability,  
 1081 guaranteed automobile protection (GAP) insurance, and any other  
 1082 form of insurance offered in connection with an extension of  
 1083 credit which is limited to partially or wholly extinguishing a  
 1084 credit obligation that the department determines should be  
 1085 designated a form of limited line credit insurance. Effective  
 1086 October 1, 2012, all valid licenses held by persons for any of  
 1087 the lines of insurance listed in this paragraph shall be  
 1088 converted to a credit insurance license. Licensees who wish to  
 1089 obtain a new license reflecting such change must request a  
 1090 duplicate license and pay a \$5 fee as specified in s.  
 1091 624.501(15). The license may be issued only to an individual  
 1092 employed by a life or health insurer as an officer or other

1093 | salaried or commissioned representative, to an individual  
 1094 | employed by or associated with a lending or financial  
 1095 | institution or creditor, or to a lending or financial  
 1096 | institution or creditor, and may authorize the sale of such  
 1097 | insurance only with respect to borrowers or debtors of such  
 1098 | lending or financing institution or creditor. However, only the  
 1099 | individual or entity whose tax identification number is used in  
 1100 | receiving or is credited with receiving the commission from the  
 1101 | sale of such insurance shall be the licensed agent of the  
 1102 | insurer. No individual while so licensed shall hold a license as  
 1103 | an agent as to any other or additional kind or class of life or  
 1104 | health insurance coverage. ~~An entity holding a limited license~~  
 1105 | ~~under this paragraph is also authorized to sell credit insurance~~  
 1106 | ~~and credit property insurance.~~

1107 |       ~~(f) Credit insurance. License covering only credit~~  
 1108 | ~~insurance, as such insurance is defined in s. 624.605(1)(i), and~~  
 1109 | ~~no individual or entity so licensed shall, during the same~~  
 1110 | ~~period, hold a license as an agent as to any other or additional~~  
 1111 | ~~kind of life or health insurance with the exception of credit~~  
 1112 | ~~life or disability insurance as defined in paragraph (e). The~~  
 1113 | ~~same licensing provisions as outlined in paragraph (e) apply to~~  
 1114 | ~~entities licensed as credit insurance agents under this~~  
 1115 | ~~paragraph.~~

1116 |       ~~(g) Credit property insurance. A license covering only~~  
 1117 | ~~credit property insurance may be issued to any individual except~~  
 1118 | ~~an individual employed by or associated with a financial~~  
 1119 | ~~institution as defined in s. 655.005 and authorized to sell such~~  
 1120 | ~~insurance only with respect to a borrower or debtor, not to~~

1121 ~~exceed the amount of the loan.~~

1122 ~~(f)(h) Crop hail and multiple-peril crop insurance.-~~

1123 License for insurance covering crops subject to unfavorable

1124 weather conditions, fire or lightening, flood, hail, insect

1125 infestation, disease, or other yield-reducing conditions or

1126 perils which is provided by the private insurance market, or

1127 which is subsidized by the Federal Group Insurance Corporation

1128 including multi-peril crop insurance ~~only crop hail and~~

1129 ~~multiple-peril crop insurance.~~ Notwithstanding any other

1130 provision of law, the limited license may be issued to a bona

1131 fide salaried employee of an association chartered under the

1132 Farm Credit Act of 1971, 12 U.S.C. ss. 2001 et seq., who

1133 satisfactorily completes the examination prescribed by the

1134 department pursuant to s. 626.241(5). The ~~limited~~ agent must be

1135 appointed by, and his or her limited license requested by, a

1136 licensed general lines agent. All business transacted by the

1137 ~~limited~~ agent must be on ~~shall be in~~ behalf of, in the name of,

1138 and countersigned by the agent by whom he or she is appointed.

1139 Sections 626.561 and 626.748, relating to records, apply to all

1140 business written pursuant to this section. The ~~limited~~ licensee

1141 may be appointed by and licensed for only one general lines

1142 agent or agency.

1143 ~~(g)(i) In-transit and storage personal property insurance;~~

1144 ~~communications equipment property insurance, communications~~

1145 ~~equipment inland marine insurance, and communications equipment~~

1146 ~~service warranty agreement sales.-~~

1147 ~~1. A License~~ for insurance covering only ~~the insurance of~~

1148 personal property not held for resale, covering the risks of

1149 transportation or storage in rented or leased motor vehicles,  
 1150 trailers, or self-service storage facilities, ~~as the latter are~~  
 1151 defined in s. 83.803. ~~Such license,~~ may be issued, without  
 1152 examination, only to employees or authorized representatives of  
 1153 lessors who rent or lease motor vehicles, trailers, or self-  
 1154 service storage facilities and who are authorized by an insurer  
 1155 to issue certificates or other evidences of insurance to lessees  
 1156 of such motor vehicles, trailers, or self-service storage  
 1157 facilities under an insurance policy issued to the lessor. A  
 1158 person licensed under this paragraph must ~~shall~~ give a  
 1159 prospective purchaser of in-transit or storage personal property  
 1160 insurance written notice that his or her homeowner's policy may  
 1161 provide coverage for the loss of personal property and that the  
 1162 purchase of such insurance is not required under the lease  
 1163 terms.

1164 ~~2. A license covering only communications equipment, for~~  
 1165 ~~the loss, theft, mechanical failure, malfunction of or damage~~  
 1166 ~~to, communications equipment. The license may be issued only to:~~

1167 ~~a. Employees or authorized representatives of a licensed~~  
 1168 ~~general lines agent;~~

1169 ~~b. The lead business location of a retail vendor of~~  
 1170 ~~communications equipment and its branch locations; or~~

1171 ~~c. Employees, agents, or authorized representatives of a~~  
 1172 ~~retail vendor of communications equipment.~~

1173  
 1174 ~~The license authorizes the sale of such policies, or~~  
 1175 ~~certificates under a group master policy, only with respect to~~  
 1176 ~~the sale of, or provision of communications service for,~~

1177 ~~communications equipment. A general lines agent is not required~~  
1178 ~~to obtain a license under this subparagraph to offer or sell~~  
1179 ~~communications equipment property insurance or communication~~  
1180 ~~equipment inland marine insurance. The license also authorizes~~  
1181 ~~sales of service warranty agreements covering only~~  
1182 ~~communications equipment to the same extent as if licensed under~~  
1183 ~~s. 634.419 or s. 634.420. The provisions of this chapter~~  
1184 ~~requiring submission of fingerprints do not apply to~~  
1185 ~~communications equipment licenses issued to qualified entities~~  
1186 ~~under this subparagraph. Licensees offering policies under this~~  
1187 ~~subparagraph must receive initial training from, and have a~~  
1188 ~~contractual relationship with, a general lines agent. For the~~  
1189 ~~purposes of this subparagraph, the term "communications~~  
1190 ~~equipment" means handsets, pagers, personal digital assistants,~~  
1191 ~~portable computers, automatic answering devices, and other~~  
1192 ~~devices or accessories used to originate or receive~~  
1193 ~~communications signals or service, and includes services related~~  
1194 ~~to the use of such devices, such as consumer access to a~~  
1195 ~~wireless network; however, the term does not include~~  
1196 ~~telecommunications switching equipment, transmission wires, cell~~  
1197 ~~site transceiver equipment, or other equipment and systems used~~  
1198 ~~by telecommunications companies to provide telecommunications~~  
1199 ~~service to consumers. A branch location of a retail vendor of~~  
1200 ~~communications equipment licensed pursuant to paragraph (2) (b)~~  
1201 ~~may, in lieu of obtaining an appointment from an insurer or~~  
1202 ~~warranty association as provided in paragraph (2) (c), obtain a~~  
1203 ~~single appointment from the associated lead business location~~  
1204 ~~licensee licensed under paragraph (2) (a) and pay the prescribed~~

1205 ~~appointment fee under s. 624.501 provided the lead business~~  
 1206 ~~location has a single appointment from each insurer or warranty~~  
 1207 ~~association represented and such appointment provides that it~~  
 1208 ~~applies to the lead business location and all of its branch~~  
 1209 ~~locations. Any branch location individually appointed by an~~  
 1210 ~~insurer under paragraph (2) (c) prior to January 1, 2006, may~~  
 1211 ~~replace its appointments with an appointment from its lead~~  
 1212 ~~location at no charge. Branch location appointments shall be~~  
 1213 ~~renewed on the first annual anniversary of licensure of the lead~~  
 1214 ~~business location occurring more than 24 months after the~~  
 1215 ~~initial appointment date and every 24 months thereafter.~~  
 1216 ~~Notwithstanding s. 624.501, after July 1, 2006, the renewal fee~~  
 1217 ~~applicable to such branch location appointments shall be \$30 per~~  
 1218 ~~appointment.~~

1219 (h) Portable electronics insurance.—License for property  
 1220 insurance or inland marine insurance that covers only loss,  
 1221 theft, mechanical failure, malfunction, or damage for portable  
 1222 electronics.

1223 1. The license may be issued only to:

1224 a. Employees or authorized representatives of a licensed  
 1225 general lines agent; or

1226 b. The lead business location of a retail vendor that  
 1227 sells portable electronics insurance. The lead business location  
 1228 must have a contractual relationship with a general lines agent.

1229 2. Employees or authorized representatives of a licensee  
 1230 under subparagraph 1. may sell or offer for sale portable  
 1231 electronics coverage without being subject to licensure as an  
 1232 insurance agent if:

1233 a. Such insurance is sold or offered for sale at a  
 1234 licensed location or at one of the licensee's branch locations  
 1235 if the branch location is appointed by the licensed lead  
 1236 business location or its appointing insurers;

1237 b. The insurer issuing the insurance directly supervises  
 1238 or appoints a general lines agent to supervise the sale of such  
 1239 insurance, including the development of a training program for  
 1240 the employees and authorized representatives of vendors that are  
 1241 directly engaged in the activity of selling or offering the  
 1242 insurance; and

1243 c. At each location where the insurance is offered,  
 1244 brochures or other written materials that provide the  
 1245 information required by this subparagraph are made available to  
 1246 all prospective customers. The brochures or written materials  
 1247 may include information regarding portable electronics  
 1248 insurance, service warranty agreements, or other incidental  
 1249 services or benefits offered by a licensee.

1250 3. Individuals not licensed to sell portable electronics  
 1251 insurance may not be paid commissions based on the sale of such  
 1252 coverage. However, a licensee who uses a compensation plan for  
 1253 employees and authorized representatives which includes  
 1254 supplemental compensation for the sale of noninsurance products,  
 1255 in addition to a regular salary or hourly wages, may include  
 1256 incidental compensation for the sale of portable electronics  
 1257 insurance as a component of the overall compensation plan.

1258 4. Brochures or other written materials related to  
 1259 portable electronics insurance must:

1260 a. Disclose that such insurance may duplicate coverage

1261 already provided by a customer's homeowners' insurance policy,  
1262 renters' insurance policy, or other source of coverage;

1263 b. State that enrollment in insurance coverage is not  
1264 required in order to purchase or lease portable electronics or  
1265 services;

1266 c. Summarize the material terms of the insurance coverage,  
1267 including the identity of the insurer, the identity of the  
1268 supervising entity, the amount of any applicable deductible and  
1269 how it is to be paid, the benefits of coverage, and key terms  
1270 and conditions of coverage, such as whether portable electronics  
1271 may be repaired or replaced with similar make and model  
1272 reconditioned or nonoriginal manufacturer parts or equipment;

1273 d. Summarize the process for filing a claim, including a  
1274 description of how to return portable electronics and the  
1275 maximum fee applicable if the customer fails to comply with  
1276 equipment return requirements; and

1277 e. State that an enrolled customer may cancel coverage at  
1278 any time and that the person paying the premium will receive a  
1279 refund of any unearned premium.

1280 5. A licensed and appointed general lines agent is not  
1281 required to obtain a portable electronics insurance license to  
1282 offer or sell portable electronics insurance at locations  
1283 already licensed as an insurance agency, but may apply for a  
1284 portable electronics insurance license for branch locations not  
1285 otherwise licensed to sell insurance.

1286 6. A portable electronics license authorizes the sale of  
1287 individual policies or certificates under a group or master  
1288 insurance policy. The license also authorizes the sale of

1289 service warranty agreements covering only portable electronics  
 1290 to the same extent as if licensed under s. 634.419 or s.  
 1291 634.420.

1292 7. A licensee may bill and collect the premium for the  
 1293 purchase of portable electronics insurance provided that:

1294 a. If the insurance is included with the purchase or lease  
 1295 of portable electronics or related services, the licensee  
 1296 clearly and conspicuously discloses that insurance coverage is  
 1297 included with the purchase. Disclosure of the dollar amount of  
 1298 the premium for the insurance must be made on the customer's  
 1299 bill and in any marketing materials made available at the point  
 1300 of sale. If the insurance is not included, the charge to the  
 1301 customer for the insurance must be separately itemized on the  
 1302 customer's bill.

1303 b. Premiums are incidental to other fees collected, are  
 1304 maintained in a manner that is readily identifiable, and are  
 1305 accounted for and remitted to the insurer or supervising entity  
 1306 within 60 days of receipt. Licensees are not required to  
 1307 maintain such funds in a segregated account.

1308 c. All funds received by a licensee from an enrolled  
 1309 customer for the sale of the insurance are considered funds held  
 1310 in trust by the licensee in a fiduciary capacity for the benefit  
 1311 of the insurer. Licensees may receive compensation for billing  
 1312 and collection services.

1313 8. Notwithstanding any other provision of law, the terms  
 1314 for the termination or modification of coverage under a policy  
 1315 of portable electronics insurance are those set forth in the  
 1316 policy.

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1317 9. Notice or correspondence required by the policy, or  
1318 otherwise required by law, may be provided by electronic means  
1319 if the insurer or licensee maintains proof that the notice or  
1320 correspondence was sent. Such notice or correspondence may be  
1321 sent on behalf of the insurer or licensee by the general lines  
1322 agent appointed by the insurer to supervise the administration  
1323 of the program. For purposes of this subparagraph, an enrolled  
1324 customer's provision of an electronic mail address to the  
1325 insurer or licensee is deemed to be consent to receive notices  
1326 and correspondence by electronic means if a conspicuously  
1327 located disclosure is provided to the customer indicating the  
1328 same.

1329 10. The provisions of this chapter requiring submission of  
1330 fingerprints do not apply to licenses issued to qualified  
1331 entities under this paragraph.

1332 11. A branch location that sells portable electronics  
1333 insurance may, in lieu of obtaining an appointment from an  
1334 insurer or warranty association, obtain a single appointment  
1335 from the associated lead business location licensee and pay the  
1336 prescribed appointment fee under s. 624.501 if the lead business  
1337 location has a single appointment from each insurer or warranty  
1338 association represented and such appointment applies to the lead  
1339 business location and all of its branch locations. Branch  
1340 location appointments shall be renewed 24 months after the  
1341 initial appointment date of the lead business location and every  
1342 24 months thereafter. Notwithstanding s. 624.501, the renewal  
1343 fee applicable to such branch location appointments is \$30 per  
1344 appointment.

1345           12. For purposes of this paragraph:  
 1346           a. "Branch location" means any physical location in this  
 1347 state at which a licensee offers its products or services for  
 1348 sale.  
 1349           b. "Portable electronics" means personal, self-contained,  
 1350 easily carried by an individual, battery-operated electronic  
 1351 communication, viewing, listening, recording, gaming, computing  
 1352 or global positioning devices, including cell or satellite  
 1353 phones, pagers, personal global positioning satellite units,  
 1354 portable computers, portable audio listening, video viewing or  
 1355 recording devices, digital cameras, video camcorders, portable  
 1356 gaming systems, docking stations, automatic answering devices,  
 1357 and other similar devices and their accessories, and service  
 1358 related to the use of such devices.  
 1359           c. "Portable electronics transaction" means the sale or  
 1360 lease of portable electronics or a related service, including  
 1361 portable electronics insurance.  
 1362           (4) Except as otherwise expressly provided, a person  
 1363 applying for or holding a limited license is ~~shall be~~ subject to  
 1364 the same applicable requirements and responsibilities that ~~as~~  
 1365 apply to general lines agents in general, if licensed as to  
 1366 motor vehicle physical damage and mechanical breakdown  
 1367 insurance, ~~credit property insurance,~~ industrial fire insurance  
 1368 or burglary insurance, motor vehicle rental insurance, credit  
 1369 insurance, crop hail and multiple-peril crop insurance, in-  
 1370 transit and storage personal property insurance, or portable  
 1371 electronics insurance ~~communications equipment property~~  
 1372 ~~insurance or communications equipment inland marine insurance,~~

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1373 ~~baggage and motor vehicle excess liability insurance, or credit~~  
 1374 ~~insurance;~~ or as apply to life agents or health agents in  
 1375 general, as applicable ~~the case may be,~~ if licensed as to travel  
 1376 ~~personal accident insurance or credit life or credit disability~~  
 1377 insurance.

1378 Section 17. Section 626.342, Florida Statutes, is amended  
 1379 to read:

1380 626.342 Furnishing supplies to unlicensed ~~life, health, or~~  
 1381 ~~general lines~~ agent prohibited; civil liability.—

1382 (1) An insurer, a managing general agent, an insurance  
 1383 agency, or an agent, directly or through a ~~any~~ representative,  
 1384 may not furnish to an ~~any~~ agent any blank forms, applications,  
 1385 stationery, or other supplies to be used in soliciting,  
 1386 negotiating, or effecting contracts of insurance on its behalf  
 1387 unless such blank forms, applications, stationery, or other  
 1388 supplies relate to a class of business for ~~with respect to~~ which  
 1389 the agent is licensed and appointed, whether for that insurer or  
 1390 another insurer.

1391 (2) An ~~Any~~ insurer, general agent, insurance agency, or  
 1392 agent who furnishes any of the supplies specified in subsection  
 1393 (1) to an ~~any~~ agent or prospective agent not appointed to  
 1394 represent the insurer and who accepts from or writes any  
 1395 insurance business for such agent or agency is subject to civil  
 1396 liability to an ~~any~~ insured of such insurer to the same extent  
 1397 and ~~in the same~~ manner as if such agent or prospective agent had  
 1398 been appointed or authorized by the insurer or such agent to act  
 1399 on ~~in~~ its or his or her behalf. The provisions of this  
 1400 subsection do not apply to insurance risk apportionment plans

1401 under s. 627.351.

1402 (3) This section does not apply to the placing of surplus  
1403 lines business under the provisions of ss. 626.913-626.937.

1404 Section 18. Subsection (1) of section 626.381, Florida  
1405 Statutes, is amended to read:

1406 626.381 Renewal, continuation, reinstatement, or  
1407 termination of appointment.-

1408 (1) The appointment of an appointee continues ~~shall~~  
1409 ~~continue~~ in force until suspended, revoked, or otherwise  
1410 terminated, but is subject to a renewal request filed by the  
1411 appointing entity in the appointee's birth month as to natural  
1412 persons or the month the original appointment was issued ~~license~~  
1413 ~~date~~ as to entities and every 24 months thereafter, accompanied  
1414 by payment of the renewal appointment fee and taxes as  
1415 prescribed in s. 624.501.

1416 Section 19. Section 626.536, Florida Statutes, is amended  
1417 to read:

1418 626.536 Reporting of administrative actions. ~~Each agent~~  
1419 ~~and insurance agency shall submit to the department,~~ Within 30  
1420 days after the final disposition of an any administrative action  
1421 taken against a licensee ~~the agent~~ or insurance agency by a  
1422 governmental agency or other regulatory agency in this or any  
1423 other state or jurisdiction relating to the business of  
1424 insurance, the sale of securities, or activity involving fraud,  
1425 dishonesty, trustworthiness, or breach of a fiduciary duty, the  
1426 licensee or insurance agency must submit a copy of the order,  
1427 consent to order, or other relevant legal documents to the  
1428 department. The department may adopt rules to administer

1429 ~~implementing the provisions of this section.~~

1430 Section 20. Section 626.551, Florida Statutes, is amended  
 1431 to read:

1432 626.551 Notice of change of address, name.—A ~~Every~~  
 1433 licensee must ~~shall~~ notify the department, in writing, within 30  
 1434 ~~60~~ days after a change of name, residence address, principal  
 1435 business street address, mailing address, contact telephone  
 1436 numbers, including a business telephone number, or e-mail  
 1437 address. A licensee ~~licensed agent~~ who has moved his or her  
 1438 residence from this state shall have his or her license and all  
 1439 appointments immediately terminated by the department. Failure  
 1440 to notify the department within the required time ~~period~~ shall  
 1441 result in a fine not to exceed \$250 for the first offense and ~~7~~  
 1442 ~~for subsequent offenses,~~ a fine of at least \$500 or suspension  
 1443 or revocation of the license pursuant to s. 626.611, s.  
 1444 626.6115, or s. 626.621, or s. 626.6215 for a subsequent  
 1445 offense. The department may adopt rules to administer and  
 1446 enforce this section.

1447 Section 21. Subsection (14) is added to section 626.621,  
 1448 Florida Statutes, to read:

1449 626.621 Grounds for discretionary refusal, suspension, or  
 1450 revocation of agent's, adjuster's, customer representative's,  
 1451 service representative's, or managing general agent's license or  
 1452 appointment.—The department may, in its discretion, deny an  
 1453 application for, suspend, revoke, or refuse to renew or continue  
 1454 the license or appointment of any applicant, agent, adjuster,  
 1455 customer representative, service representative, or managing  
 1456 general agent, and it may suspend or revoke the eligibility to

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1457 hold a license or appointment of any such person, if it finds  
 1458 that as to the applicant, licensee, or appointee any one or more  
 1459 of the following applicable grounds exist under circumstances  
 1460 for which such denial, suspension, revocation, or refusal is not  
 1461 mandatory under s. 626.611:

1462 (14) Failure to comply with any civil, criminal, or  
 1463 administrative action taken by the child support enforcement  
 1464 program under Title IV-D of the Social Security Act, 42 U.S.C.  
 1465 ss. 651 et seq., to determine paternity or to establish, modify,  
 1466 enforce, or collect support.

1467 Section 22. Subsection (4) of section 626.641, Florida  
 1468 Statutes, is amended to read:

1469 626.641 Duration of suspension or revocation.—

1470 (4) During the period of suspension or revocation of a ~~the~~  
 1471 license or appointment, and until the license is reinstated or,  
 1472 if revoked, a new license issued, the former licensee or  
 1473 appointee may ~~shall~~ not engage in or attempt or profess to  
 1474 engage in any transaction or business for which a license or  
 1475 appointment is required under this code or directly or  
 1476 indirectly own, control, or be employed in any manner by an ~~any~~  
 1477 ~~insurance agent, or agency, or adjuster,~~ or adjusting firm.

1478 Section 23. Subsection (1) of section 626.651, Florida  
 1479 Statutes, is amended to read:

1480 626.651 Effect of suspension, revocation upon associated  
 1481 licenses and appointments and licensees and appointees.—

1482 (1) Upon suspension, revocation, or refusal to renew or  
 1483 continue any one license of a licensee ~~an agent or customer~~  
 1484 ~~representative,~~ or upon suspension or revocation of eligibility

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1485 to hold a license or appointment, the department shall at the  
 1486 same time likewise suspend or revoke all other licenses,  
 1487 appointments, or status of eligibility held by the licensee or  
 1488 appointee under this code.

1489 Section 24. Subsection (4) of section 626.730, Florida  
 1490 Statutes, is amended, and subsection (5) of that section is  
 1491 created, to read:

1492 626.730 Purpose of license.—

1493 (4) This section does not prohibit ~~the licensing under a~~  
 1494 licensee holding a limited license for credit insurance or as to  
 1495 motor vehicle physical damage and mechanical breakdown insurance  
 1496 from being or credit property insurance of any person employed  
 1497 by or associated with a motor vehicle sales or financing agency,  
 1498 a retail sales establishment, or a consumer loan office for the  
 1499 purpose of insuring, ~~other than a consumer loan office owned by~~  
 1500 ~~or affiliated with a financial institution as defined in s.~~  
 1501 ~~655.005, with respect to insurance of the interest of such~~  
 1502 entity ~~agency~~ in a motor vehicle sold or financed by it or in  
 1503 personal property if used as collateral for a loan.

1504 (5) This section does not apply ~~with respect~~ to the  
 1505 interest of a real estate mortgagee in or as to insurance  
 1506 covering such interest or in the real estate subject to such  
 1507 mortgage.

1508 Section 25. Section 626.732, Florida Statutes, is amended  
 1509 to read:

1510 626.732 Requirement as to knowledge, experience, or  
 1511 instruction.—

1512 (1) Except as provided in subsection (4) ~~(3)~~, an ~~no~~

1513 applicant for a license as a general lines agent ~~or personal~~  
 1514 ~~lines agent~~, except for a chartered property and casualty  
 1515 underwriter (CPCU), may not ~~other than as to a limited license~~  
 1516 ~~as to baggage and motor vehicle excess liability insurance,~~  
 1517 ~~credit property insurance, credit insurance, in-transit and~~  
 1518 ~~storage personal property insurance, or communications equipment~~  
 1519 ~~property insurance or communication equipment inland marine~~  
 1520 ~~insurance, shall~~ be qualified or licensed unless, within the 4  
 1521 years immediately preceding the date the application for license  
 1522 is filed with the department, the applicant has:

1523 (a) Taught or successfully completed classroom courses in  
 1524 insurance, 3 hours of which must ~~shall~~ be on the subject matter  
 1525 of ethics, ~~satisfactory to the department~~ at a school, college,  
 1526 or extension division thereof, approved by the department. ~~To~~  
 1527 ~~qualify for licensure as a personal lines agent, the applicant~~  
 1528 ~~must complete a total of 52 hours of classroom courses in~~  
 1529 ~~insurance;~~

1530 (b) Completed a correspondence course in insurance, 3  
 1531 hours of which must ~~shall~~ be on the subject matter of ethics,  
 1532 satisfactory to the department and regularly offered by  
 1533 accredited institutions of higher learning in this state, and  
 1534 ~~have, except if he or she is applying for a limited license~~  
 1535 ~~under s. 626.321, for licensure as a general lines agent, has~~  
 1536 ~~had~~ at least 6 months of responsible insurance duties as a  
 1537 substantially full-time bona fide employee in all lines of  
 1538 property and casualty insurance set forth in the definition of  
 1539 general lines agent under s. 626.015 ~~or, for licensure as a~~  
 1540 ~~personal lines agent, has completed at least 3 months in~~

1541 ~~responsible insurance duties as a substantially full-time~~  
 1542 ~~employee in property and casualty insurance sold to individuals~~  
 1543 ~~and families for noncommercial purposes;~~

1544 (c) ~~For licensure as a general lines agent,~~ Completed at  
 1545 least 1 year in responsible insurance duties as a substantially  
 1546 full-time bona fide employee in all lines of property and  
 1547 casualty insurance, ~~exclusive of aviation and wet marine and~~  
 1548 ~~transportation insurances but not exclusive of boats of less~~  
 1549 ~~than 36 feet in length or aircraft not held out for hire,~~ as set  
 1550 forth in the definition of a general lines agent under s.  
 1551 626.015, but without the education requirement described  
 1552 ~~mentioned in paragraph (a) or paragraph (b) or, for licensure as~~  
 1553 ~~a personal lines agent, has completed at least 6 months in~~  
 1554 ~~responsible insurance duties as a substantially full-time~~  
 1555 ~~employee in property and casualty insurance sold to individuals~~  
 1556 ~~and families for noncommercial purposes without the education~~  
 1557 ~~requirement in paragraph (a) or paragraph (b);~~

1558 (d)1. ~~For licensure as a general lines agent,~~ Completed at  
 1559 least 1 year of responsible insurance duties as a licensed and  
 1560 appointed customer representative or limited customer  
 1561 representative in commercial or personal lines of property and  
 1562 casualty insurance and 40 hours of classroom courses approved by  
 1563 the department covering the areas of property, casualty, surety,  
 1564 health, and marine insurance; or

1565 2. ~~For licensure as a personal lines agent, completed at~~  
 1566 ~~least 6 months of responsible duties as a licensed and appointed~~  
 1567 ~~customer representative or limited customer representative in~~  
 1568 ~~property and casualty insurance sold to individuals and families~~

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1569 ~~for noncommercial purposes and 20 hours of classroom courses~~  
 1570 ~~approved by the department which are related to property and~~  
 1571 ~~casualty insurance sold to individuals and families for~~  
 1572 ~~noncommercial purposes;~~

1573 (e)1. ~~For licensure as a general lines agent, Completed at~~  
 1574 ~~least 1 year of responsible insurance duties as a licensed and~~  
 1575 ~~appointed service representative in either commercial or~~  
 1576 ~~personal lines of property and casualty insurance and 80 hours~~  
 1577 ~~of classroom courses approved by the department covering the~~  
 1578 ~~areas of property, casualty, surety, health, and marine~~  
 1579 ~~insurance.; or~~

1580 ~~2. For licensure as a personal lines agent, completed at~~  
 1581 ~~least 6 months of responsible insurance duties as a licensed and~~  
 1582 ~~appointed service representative in property and casualty~~  
 1583 ~~insurance sold to individuals and families for noncommercial~~  
 1584 ~~purposes and 40 hours of classroom courses approved by the~~  
 1585 ~~department related to property and casualty insurance sold to~~  
 1586 ~~individuals and families for noncommercial purposes; or~~

1587 (2) Except as provided under subsection (4), an applicant  
 1588 for a license as a personal lines agent, except for a chartered  
 1589 property and casualty underwriter (CPCU), may not be qualified  
 1590 or licensed unless, within the 4 years immediately preceding the  
 1591 date the application for license is filed with the department,  
 1592 the applicant has:

1593 (a) Taught or successfully completed classroom courses in  
 1594 insurance, 3 hours of which must be on the subject matter of  
 1595 ethics, at a school, college, or extension division thereof,  
 1596 approved by the department. To qualify for licensure, the

1597 applicant must complete a total of 52 hours of classroom courses  
 1598 in insurance;

1599 (b) Completed a correspondence course in insurance, 3  
 1600 hours of which must be on the subject matter of ethics,  
 1601 satisfactory to the department and regularly offered by  
 1602 accredited institutions of higher learning in this state, and  
 1603 completed at least 3 months of responsible insurance duties as a  
 1604 substantially full-time employee in the area of property and  
 1605 casualty insurance sold to individuals and families for  
 1606 noncommercial purposes;

1607 (c) Completed at least 6 months of responsible insurance  
 1608 duties as a substantially full-time employee in the area of  
 1609 property and casualty insurance sold to individuals and families  
 1610 for noncommercial purposes, but without the education  
 1611 requirement described in paragraph (a) or paragraph (b);

1612 (d) Completed at least 6 months of responsible duties as a  
 1613 licensed and appointed customer representative or limited  
 1614 customer representative in property and casualty insurance sold  
 1615 to individuals and families for noncommercial purposes and 20  
 1616 hours of classroom courses approved by the department which are  
 1617 related to property and casualty insurance sold to individuals  
 1618 and families for noncommercial purposes;

1619 (e) Completed at least 6 months of responsible insurance  
 1620 duties as a licensed and appointed service representative in  
 1621 property and casualty insurance sold to individuals and families  
 1622 for noncommercial purposes and 40 hours of classroom courses  
 1623 approved by the department related to property and casualty  
 1624 insurance sold to individuals and families for noncommercial

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1625 purposes; or

1626 (f) ~~For licensure as a personal lines agent,~~ Completed at  
1627 least 3 years of responsible duties as a licensed and appointed  
1628 customer representative in property and casualty insurance sold  
1629 to individuals and families for noncommercial purposes.

1630 (3)-(2) ~~If where~~ an applicant's qualifications as required  
1631 under subsection (1) or subsection (2) in paragraph (1)(b) or  
1632 ~~paragraph (1)(c)~~ are based in part upon ~~the~~ periods of  
1633 employment in at responsible insurance duties ~~prescribed~~  
1634 ~~therein,~~ the applicant shall submit with the license application  
1635 ~~for license,~~ on a form prescribed by the department, an the  
1636 affidavit of his or her employer setting forth the period of  
1637 such employment, that the employment same was substantially  
1638 full-time, and giving a brief abstract of the nature of the  
1639 duties performed by the applicant.

1640 (4)-(3) An individual who was or became qualified to sit  
1641 for an agent's, customer representative's, or adjuster's  
1642 examination at or during the time he or she was employed by the  
1643 department or office and who, while so employed, was employed in  
1644 responsible insurance duties as a full-time bona fide employee  
1645 may shall be permitted to take an examination if application for  
1646 such examination is made within 90 days after the date of  
1647 termination of ~~his or her~~ employment with the department or  
1648 office.

1649 (5)-(4) Classroom and correspondence courses under  
1650 subsections (1) and (2) subsection (1) must include instruction  
1651 on the subject matter of unauthorized entities engaging in the  
1652 business of insurance. The scope of the topic of unauthorized

1653 entities must ~~shall~~ include the Florida Nonprofit Multiple-  
 1654 Employer Welfare Arrangement Act and the Employee Retirement  
 1655 Income Security Act, 29 U.S.C. ss. 1001 et seq., as it relates  
 1656 to the provision of health insurance by employers and the  
 1657 regulation thereof.

1658 (6) This section does not apply to an individual holding  
 1659 only a limited license for travel insurance, motor vehicle  
 1660 rental insurance, credit insurance, in-transit and storage  
 1661 personal property insurance, or portable electronics insurance.

1662 Section 26. Section 626.8411, Florida Statutes, is amended  
 1663 to read:

1664 626.8411 Application of Florida Insurance Code provisions  
 1665 to title insurance agents or agencies.—

1666 (1) The following provisions of part II, ~~as~~ applicable to  
 1667 general lines agents or agencies, ~~also~~ apply to title insurance  
 1668 agents or agencies:

1669 (a) Section 626.734, relating to liability of certain  
 1670 agents.

1671 ~~(b) Section 626.175, relating to temporary licenses.~~

1672 (b)(e) Section 626.747, relating to branch agencies.

1673 (c) Section 626.749, relating to place of business in  
 1674 residence.

1675 (d) Section 626.753, relating to sharing of commissions.

1676 (e) Section 626.754, relating to rights of agent following  
 1677 termination of appointment.

1678 (2) The following provisions of part I do not apply to  
 1679 title insurance agents or title insurance agencies:

1680 (a) Section 626.112(7), relating to licensing of insurance

1681 agencies.

1682 (b) Section 626.231, relating to eligibility for  
1683 examination.

1684 (c) Section 626.572, relating to rebating, when allowed.

1685 (d) Section 626.172, relating to agent in full-time  
1686 charge.

1687 Section 27. Section 626.8548, Florida Statutes, is created  
1688 to read:

1689 626.8548 "All-lines adjuster" defined.—An "all-lines  
1690 adjuster" is a person who is self-employed or employed by an  
1691 insurer, a wholly owned subsidiary of an insurer, or an  
1692 independent adjusting firm or other independent adjuster, and  
1693 who undertakes on behalf of an insurer or other insurers under  
1694 common control or ownership to ascertain and determine the  
1695 amount of any claim, loss, or damage payable under an insurance  
1696 contract or undertakes to effect settlement of such claim, loss,  
1697 or damage. The term does not apply to life insurance or annuity  
1698 contracts.

1699 Section 28. Section 626.855, Florida Statutes, is amended  
1700 to read:

1701 626.855 "Independent adjuster" defined.—An "independent  
1702 adjuster" means a ~~is any~~ person licensed as an all-lines  
1703 adjuster who is self-appointed ~~self-employed~~ or appointed and is  
1704 ~~associated with or~~ employed by an independent adjusting firm or  
1705 other independent adjuster, and who undertakes on behalf of an  
1706 insurer to ascertain and determine the amount of any claim,  
1707 loss, or damage payable under an insurance contract or  
1708 undertakes to effect settlement of such claim, loss, or damage.

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1709 Section 29. Section 626.856, Florida Statutes, is amended  
 1710 to read:

1711 626.856 "Company employee adjuster" defined.—A "company  
 1712 employee adjuster" means ~~is~~ a person licensed as an all-lines  
 1713 adjuster who is appointed and employed on an insurer's staff of  
 1714 adjusters or a wholly owned subsidiary of the insurer, and who  
 1715 undertakes on behalf of such insurer or other insurers under  
 1716 common control or ownership to ascertain and determine the  
 1717 amount of any claim, loss, or damage payable under a contract of  
 1718 insurance, or undertakes to effect settlement of such claim,  
 1719 loss, or damage.

1720 Section 30. Section 626.858, Florida Statutes, is  
 1721 repealed.

1722 Section 31. Section 626.8584, Florida Statutes, is amended  
 1723 to read:

1724 626.8584 "Nonresident all-lines independent adjuster"  
 1725 defined.—A "nonresident all-lines independent adjuster" means ~~is~~  
 1726 a person who:

- 1727 (1) Is not a resident of this state;
- 1728 (2) Is ~~a~~ currently licensed as an independent adjuster in  
 1729 his or her state of residence for all lines of insurance except  
 1730 life and annuities ~~the type or kinds of insurance for which the~~  
 1731 ~~licensee intends to adjust claims in this state or, if a~~  
 1732 ~~resident of a state that does not license~~ such independent  
 1733 adjusters, meets the qualifications ~~has passed the department's~~  
 1734 ~~adjuster examination as prescribed in s. 626.8734(1)(b); and~~
- 1735 (3) Is licensed as an all-lines adjuster and self-  
 1736 appointed or appointed and a self-employed independent adjuster

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1737 ~~or associated with or~~ employed by an independent adjusting firm  
 1738 or other independent adjuster, by an insurer admitted to do  
 1739 business in this state or a wholly-owned subsidiary of an  
 1740 insurer admitted to do business in this state, or by other  
 1741 insurers under the common control or ownership of such insurer.

1742 Section 32. Section 626.863, Florida Statutes, is amended  
 1743 to read:

1744 626.863 Claims referrals to licensed independent adjusters  
 1745 ~~required; insurers' responsibility.-~~

1746 (1) An insurer may ~~shall~~ not knowingly refer any claim or  
 1747 loss for adjustment in this state to any person purporting to be  
 1748 or acting as an independent adjuster unless the person is  
 1749 currently licensed as an all-lines adjuster and appointed as an  
 1750 independent adjuster under this code.

1751 (2) Before referring any claim or loss, the insurer shall  
 1752 ascertain from the department whether the proposed independent  
 1753 adjuster is currently licensed as an all-lines adjuster and  
 1754 appointed as an independent adjuster ~~such~~. Having ~~once~~  
 1755 ascertained that a particular person is so licensed and  
 1756 appointed, the insurer may assume that he or she will continue  
 1757 to be so licensed and appointed until the insurer has knowledge,  
 1758 or receives information from the department, to the contrary.

1759 (3) This section does not apply to catastrophe or  
 1760 emergency adjusters as provided ~~for~~ in this part.

1761 Section 33. Section 626.864, Florida Statutes, is amended  
 1762 to read:

1763 626.864 Adjuster license types.-

1764 (1) A qualified individual may be licensed ~~and appointed~~

- 1765 as ~~either~~:
- 1766 (a) A public adjuster; or
- 1767 (b) An all-lines ~~independent~~ adjuster; ~~or~~
- 1768 ~~(c) A company employee adjuster.~~
- 1769 (2) The same individual may ~~shall~~ not be concurrently
- 1770 licensed ~~appointed~~ as a public adjuster and an all-lines
- 1771 adjuster ~~to more than one of the adjuster types referred to in~~
- 1772 ~~subsection (1).~~
- 1773 (3) An all-lines adjuster may be appointed as an
- 1774 independent adjuster or company employee adjuster, but not both
- 1775 concurrently.

1776 Section 34. Paragraph (e) is added to subsection (1) of

1777 section 626.865, Florida Statutes, to read:

1778 626.865 Public adjuster's qualifications, bond.—

1779 (1) The department shall issue a license to an applicant

1780 for a public adjuster's license upon determining that the

1781 applicant has paid the applicable fees specified in s. 624.501

1782 and possesses the following qualifications:

1783 (e) Is licensed as a public adjuster apprentice under s.

1784 626.8651 and complies with the requirements of that license

1785 throughout the licensure period.

1786 Section 35. Section 626.866, Florida Statutes, is amended

1787 to read:

1788 626.866 All-lines adjuster ~~Independent adjuster's~~

1789 ~~qualifications.—The department shall issue a license to an~~

1790 ~~applicant for an~~ all-lines adjuster ~~independent adjuster's~~

1791 license to an applicant upon determining that the applicable

1792 license fee specified in s. 624.501 has been paid and that the

1793 applicant possesses the following qualifications:

1794 (1) Is a natural person at least 18 years of age.

1795 (2) Is a United States citizen or legal alien who  
 1796 possesses work authorization from the United States Bureau of  
 1797 Citizenship and Immigration Services and a bona fide resident of  
 1798 this state.

1799 (3) Is trustworthy and has such business reputation as  
 1800 would reasonably assure that the applicant will conduct his or  
 1801 her business as insurance adjuster fairly and in good faith and  
 1802 without detriment to the public.

1803 (4) Has had sufficient experience, training, or  
 1804 instruction concerning the adjusting of damage or loss under  
 1805 insurance contracts, other than life and annuity contracts, is  
 1806 sufficiently informed as to the terms and the effects of the  
 1807 provisions of such types of contracts, and possesses adequate  
 1808 knowledge of the insurance laws of this state relating to such  
 1809 contracts as to enable and qualify him or her to engage in the  
 1810 business of insurance adjuster fairly and without injury to the  
 1811 public or any member thereof with whom he or she may have  
 1812 relations as an insurance adjuster and to adjust all claims in  
 1813 accordance with the policy or contract and the insurance laws of  
 1814 this state.

1815 (5) Has passed any required written examination or has met  
 1816 one of the exemptions prescribed under s. 626.221.

1817 Section 36. Section 626.867, Florida Statutes, is  
 1818 repealed.

1819 Section 37. Section 626.869, Florida Statutes, is amended  
 1820 to read:

1821           626.869 License, adjusters; continuing education.—  
 1822           (1) Having ~~An applicant for~~ a license as an all-lines  
 1823 adjuster qualifies the licensee to adjust ~~may qualify and his or~~  
 1824 ~~her license when issued may cover adjusting in any one of the~~  
 1825 ~~following classes of insurance:~~  
 1826           ~~(a) all lines of insurance except life and annuities.~~  
 1827           ~~(b) Motor vehicle physical damage insurance.~~  
 1828           ~~(c) Property and casualty insurance.~~  
 1829           ~~(d) Workers' compensation insurance.~~  
 1830           ~~(e) Health insurance.~~  
 1831  
 1832 ~~No examination on workers' compensation insurance or health~~  
 1833 ~~insurance shall be required for public adjusters.~~  
 1834           (2) All individuals who on October 1, 1990, hold an  
 1835 adjuster's license and appointment limited to fire and allied  
 1836 lines, including marine or casualty or boiler and machinery, may  
 1837 remain licensed and appointed under the limited license and may  
 1838 renew their appointment, but a ~~ne~~ license or appointment that  
 1839 ~~which~~ has been terminated, not renewed, suspended, or revoked  
 1840 may not shall be reinstated, and ~~ne~~ new or additional licenses  
 1841 or appointments may not shall be issued.  
 1842           (3) All individuals who on October 1, 2012, hold an  
 1843 adjuster's license and appointment limited to motor vehicle  
 1844 physical damage and mechanical breakdown, property and casualty,  
 1845 workers' compensation, or health insurance may remain licensed  
 1846 and appointed under such limited license and may renew their  
 1847 appointment, but a license that has been terminated, suspended,  
 1848 or revoked may not be reinstated, and new or additional licenses

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1849 ~~may not be issued. The applicant's application for license shall~~  
1850 ~~specify which of the foregoing classes of business the~~  
1851 ~~application for license is to cover.~~

1852       (4)(a) ~~An~~ Any individual holding a license as a public  
1853 adjuster or an all-lines a company employee adjuster must  
1854 complete all continuing education requirements as specified in  
1855 s. 626.2815. ~~or independent adjuster for 24 consecutive months~~  
1856 ~~or longer must, beginning in his or her birth month and every 2~~  
1857 ~~years thereafter, have completed 24 hours of courses, 2 hours of~~  
1858 ~~which relate to ethics, in subjects designed to inform the~~  
1859 ~~licensee regarding the current insurance laws of this state, so~~  
1860 ~~as to enable him or her to engage in business as an insurance~~  
1861 ~~adjuster fairly and without injury to the public and to adjust~~  
1862 ~~all claims in accordance with the policy or contract and the~~  
1863 ~~laws of this state.~~

1864       (b) ~~Any~~ individual holding a license as a public adjuster  
1865 ~~for 24 consecutive months or longer, beginning in his or her~~  
1866 ~~birth month and every 2 years thereafter, must have completed 24~~  
1867 ~~hours of courses, 2 hours of which relate to ethics, in subjects~~  
1868 ~~designed to inform the licensee regarding the current laws of~~  
1869 ~~this state pertaining to all lines of insurance other than life~~  
1870 ~~and annuities, the current laws of this state pertaining to the~~  
1871 ~~duties and responsibilities of public adjusters as set forth in~~  
1872 ~~this part, and the current rules of the department applicable to~~  
1873 ~~public adjusters and standard or representative policy forms~~  
1874 ~~used by insurers, other than forms for life insurance and~~  
1875 ~~annuities, so as to enable him or her to engage in business as~~  
1876 ~~an adjuster fairly and without injury to the public and to~~

1877 ~~adjust all claims in accordance with the policy or contract and~~  
1878 ~~laws of this state. In order to receive credit for continuing~~  
1879 ~~education courses, public adjusters must take courses that are~~  
1880 ~~specifically designed for public adjusters and approved by the~~  
1881 ~~department, provided, however, no continuing education course~~  
1882 ~~shall be required for public adjusters for workers' compensation~~  
1883 ~~insurance or health insurance.~~

1884 ~~(c) The department shall adopt rules necessary to~~  
1885 ~~implement and administer the continuing education requirements~~  
1886 ~~of this subsection. For good cause shown, the department may~~  
1887 ~~grant an extension of time during which the requirements imposed~~  
1888 ~~by this section may be completed, but such extension of time may~~  
1889 ~~not exceed 1 year.~~

1890 ~~(d) A nonresident public adjuster must complete the~~  
1891 ~~continuing education requirements provided by this section;~~  
1892 ~~provided, a nonresident public adjuster may meet the~~  
1893 ~~requirements of this section if the continuing education~~  
1894 ~~requirements of the nonresident public adjuster's home state are~~  
1895 ~~determined to be substantially comparable to the requirements of~~  
1896 ~~this state's continuing education requirements and if the~~  
1897 ~~resident's state recognizes reciprocity with this state's~~  
1898 ~~continuing education requirements. A nonresident public adjuster~~  
1899 ~~whose home state does not have such continuing education~~  
1900 ~~requirements for adjusters, and who is not licensed as a~~  
1901 ~~nonresident adjuster in a state that has continuing education~~  
1902 ~~requirements and reciprocates with this state, must meet the~~  
1903 ~~continuing education requirements of this section.~~

1904 (5) The regulation of continuing education for licensees,

1905 course providers, instructors, school officials, and monitor  
 1906 groups shall be as provided ~~for~~ in s. 626.2816.

1907 Section 38. Paragraph (c) of subsection (2) of section  
 1908 626.8697, Florida Statutes, is amended to read:

1909 626.8697 Grounds for refusal, suspension, or revocation of  
 1910 adjusting firm license.—

1911 (2) The department may, in its discretion, deny, suspend,  
 1912 revoke, or refuse to continue the license of any adjusting firm  
 1913 if it finds that any of the following applicable grounds exist  
 1914 with respect to the firm or any owner, partner, manager,  
 1915 director, officer, or other person who is otherwise involved in  
 1916 the operation of the firm:

1917 (c) Violation of an ~~any~~ order or rule of the department,  
 1918 office, or commission.

1919 Section 39. Subsections (1) and (5) of section 626.872,  
 1920 Florida Statutes, are amended to read:

1921 626.872 Temporary license.—

1922 (1) The department may, ~~in its discretion,~~ issue a  
 1923 temporary license as an all-lines independent adjuster ~~or as a~~  
 1924 ~~company employee adjuster,~~ subject to the following conditions:

1925 (a) The applicant must be an employee of an adjuster  
 1926 currently licensed by the department, ~~an employee of an~~  
 1927 ~~authorized insurer, or an employee of an established adjusting~~  
 1928 ~~firm or corporation~~ who ~~which~~ is supervised by a currently  
 1929 licensed all-lines independent adjuster.

1930 ~~(b) The application must be accompanied by a certificate~~  
 1931 ~~of employment and a report as to the applicant's integrity and~~  
 1932 ~~moral character on a form prescribed by the department and~~

1933 ~~executed by the employer.~~

1934 (b)~~(e)~~ The applicant must be a natural person of at least  
 1935 18 years of age, ~~must be~~ a bona fide resident of this state,  
 1936 ~~must be~~ trustworthy, and ~~must~~ have a ~~such~~ business reputation  
 1937 that ~~as~~ would reasonably ensure ~~assure~~ that the applicant will  
 1938 conduct his or her business as an adjuster fairly and in good  
 1939 faith and without detriment to the public.

1940 (c)~~(d)~~ The applicant's employer is responsible for the  
 1941 adjustment acts of the temporary ~~any~~ licensee ~~under this~~  
 1942 ~~section.~~

1943 (d)~~(e)~~ The applicable license fee ~~specified~~ must be paid  
 1944 before issuance of the temporary license.

1945 (e)~~(f)~~ The temporary license is ~~shall be~~ effective for a  
 1946 ~~period of~~ 1 year, but is subject to earlier termination at the  
 1947 request of the employer, ~~or~~ if the licensee fails to take an  
 1948 examination as an all-lines independent adjuster ~~or company~~  
 1949 ~~employee adjuster~~ within 6 months after issuance of the  
 1950 temporary license, or if the temporary license is suspended or  
 1951 revoked by the department.

1952 (5) The department may ~~shall~~ not issue a temporary license  
 1953 as an all-lines independent adjuster ~~or as a company employee~~  
 1954 ~~adjuster~~ to an ~~any~~ individual who has ~~ever~~ held such a license  
 1955 in this state.

1956 Section 40. Section 626.873, Florida Statutes, is  
 1957 repealed.

1958 Section 41. Section 626.8734, Florida Statutes, is amended  
 1959 to read:

1960 626.8734 Nonresident all-lines adjuster license

1961 ~~independent adjuster's~~ qualifications.-

1962 (1) The department shall, ~~upon application therefor,~~ issue  
 1963 a license to an applicant for a nonresident all-lines adjuster  
 1964 ~~independent adjuster's~~ license upon determining that the  
 1965 applicant has paid the applicable license fees required under s.  
 1966 624.501 and:

1967 (a) Is a natural person at least 18 years of age.

1968 (b) Has passed to the satisfaction of the department a  
 1969 written Florida all-lines adjuster ~~independent adjuster's~~  
 1970 examination of the scope prescribed in s. 626.241(6); however,  
 1971 the requirement for the examination does not apply to ~~any of the~~  
 1972 ~~following:~~

1973 1. An applicant who is licensed as an all-lines ~~a resident~~  
 1974 ~~independent~~ adjuster in his or her home state ~~if of residence~~  
 1975 ~~when that state has entered into~~ requires the passing of a  
 1976 ~~written examination in order to obtain the license and a~~  
 1977 reciprocal agreement with the ~~appropriate official of that state~~  
 1978 ~~has been entered into by the~~ department; or

1979 2. An applicant who is licensed as a nonresident all-lines  
 1980 ~~independent~~ adjuster in a state other than his or her home state  
 1981 ~~of residence when the state of licensure requires the passing of~~  
 1982 ~~a written examination in order to obtain the license and a~~  
 1983 reciprocal agreement with the appropriate official of the state  
 1984 of licensure has been entered into with ~~by~~ the department.

1985 (c) Is licensed as an all-lines adjuster and is self-  
 1986 appointed or appointed and employed by an independent adjusting  
 1987 firm or other independent adjuster, or is an employee of an  
 1988 insurer admitted to do business in this state, a wholly-owned

1989 subsidiary of an insurer admitted to do business in this state,  
 1990 or other insurers under the common control or ownership of such  
 1991 insurer ~~self-employed or associated with or employed by an~~  
 1992 ~~independent adjusting firm or other independent adjuster.~~  
 1993 Applicants licensed as nonresident all-lines independent  
 1994 adjusters under this section must be appointed as an independent  
 1995 adjuster or company employee adjuster ~~such~~ in accordance with  
 1996 ~~the provisions of~~ ss. 626.112 and 626.451. Appointment fees as  
 1997 ~~in the amount~~ specified in s. 624.501 must be paid to the  
 1998 department in advance. The appointment of a nonresident  
 1999 independent adjuster continues ~~shall continue~~ in force until  
 2000 suspended, revoked, or otherwise terminated, but is subject to  
 2001 biennial renewal or continuation by the licensee in accordance  
 2002 with ~~procedures prescribed in~~ s. 626.381 for licensees in  
 2003 general.

2004 (d) Is trustworthy and has such business reputation as  
 2005 would reasonably ensure ~~assure~~ that he or she will conduct his  
 2006 or her business as a nonresident all-lines independent adjuster  
 2007 fairly and in good faith and without detriment to the public.

2008 (e) Has had sufficient experience, training, or  
 2009 instruction concerning the adjusting of damages or losses under  
 2010 insurance contracts, other than life and annuity contracts; is  
 2011 sufficiently informed as to the terms and effects of ~~the~~  
 2012 ~~provisions of~~ those types of insurance contracts; and possesses  
 2013 adequate knowledge of the laws of this state relating to such  
 2014 contracts as to enable and qualify him or her to engage in the  
 2015 business of insurance adjuster fairly and without injury to the  
 2016 public or any member thereof with whom he or she may have

2017 business as an all-lines ~~independent~~ adjuster.

2018 (2) The applicant must ~~shall~~ furnish the following with  
 2019 his or her application:

2020 (a) A complete set of his or her fingerprints. The  
 2021 applicant's fingerprints must be certified by an authorized law  
 2022 enforcement officer.

2023 (b) If currently licensed as an all-lines ~~a resident~~  
 2024 ~~independent~~ adjuster in the applicant's home state ~~of residence~~,  
 2025 a certificate or letter of authorization from the licensing  
 2026 authority of the applicant's home state ~~of residence~~, stating  
 2027 that the applicant holds a current license to act as an all-  
 2028 lines independent adjuster. The ~~Such~~ certificate or letter of  
 2029 authorization must be signed by the insurance commissioner, or  
 2030 his or her deputy or the appropriate licensing official, and  
 2031 must disclose whether the adjuster has ever had a ~~any~~ license or  
 2032 eligibility to hold any license declined, denied, suspended,  
 2033 revoked, or placed on probation or whether an administrative  
 2034 fine or penalty has been levied against the adjuster and, if so,  
 2035 the reason for the action. Such certificate or letter is not  
 2036 required if the nonresident applicant's licensing status can be  
 2037 verified through the Producer Database maintained by the  
 2038 National Association of Insurance Commissioners, its affiliates,  
 2039 or subsidiaries.

2040 (c) If the applicant's home state ~~of residence~~ does not  
 2041 require licensure as an all-lines ~~independent~~ adjuster and the  
 2042 applicant has been licensed as a resident insurance adjuster,  
 2043 agent, broker, or other insurance representative in his or her  
 2044 home state ~~of residence~~ or any other state within the past 3

2045 | years, a certificate or letter of authorization from the  
 2046 | licensing authority stating that the applicant holds or has held  
 2047 | a license to act as an insurance adjuster, agent, or other  
 2048 | insurance representative. The certificate or letter of  
 2049 | authorization must be signed by the insurance commissioner, or  
 2050 | his or her deputy or the appropriate licensing official, and  
 2051 | must disclose whether the adjuster, agent, or other insurance  
 2052 | representative has ever had a ~~any~~ license or eligibility to hold  
 2053 | any license declined, denied, suspended, revoked, or placed on  
 2054 | probation or whether an administrative fine or penalty has been  
 2055 | levied against the adjuster and, if so, the reason for the  
 2056 | action. Such certificate or letter is not required if the  
 2057 | nonresident applicant's licensing status can be verified through  
 2058 | the Producer Database maintained by the National Association of  
 2059 | Insurance Commissioners, its affiliates, or subsidiaries.

2060 | (3) The usual and customary records pertaining to  
 2061 | transactions under the license of a nonresident all-lines  
 2062 | ~~independent~~ adjuster must be retained for at least 3 years after  
 2063 | completion of the adjustment and ~~must~~ be made available in this  
 2064 | state to the department upon request. The failure of a  
 2065 | nonresident all-lines ~~independent~~ adjuster to properly maintain  
 2066 | records and make them available to the department upon request  
 2067 | constitutes grounds for the immediate suspension of the license  
 2068 | issued under this section.

2069 | ~~(4) After licensure as a nonresident independent adjuster,~~  
 2070 | ~~As a condition of doing business in this state~~ as a nonresident  
 2071 | independent adjuster, the appointee must ~~licensee must~~ annually  
 2072 | ~~on or before January 1, on a form prescribed by the department,~~

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2073 submit an affidavit to the department certifying that the  
 2074 licensee is familiar with and understands the insurance laws and  
 2075 administrative rules of this state and the provisions of the  
 2076 contracts negotiated or to be negotiated. Compliance with this  
 2077 filing requirement is a condition precedent to the issuance,  
 2078 continuation, reinstatement, or renewal of a nonresident  
 2079 independent adjuster's appointment.

2080 Section 42. Section 626.8736, Florida Statutes, is amended  
 2081 to read:

2082 626.8736 Nonresident independent or public adjusters;  
 2083 service of process.—

2084 (1) Each licensed nonresident ~~independent or~~ public  
 2085 adjuster or all-lines adjuster appointed as an independent  
 2086 adjuster shall appoint the Chief Financial Officer and his or  
 2087 her successors in office as his or her attorney to receive  
 2088 service of legal process issued against such ~~the nonresident~~  
 2089 ~~independent or public~~ adjuster in this state, upon causes of  
 2090 action arising within this state out of transactions under his  
 2091 license and appointment. Service upon the Chief Financial  
 2092 Officer as attorney constitutes ~~shall constitute~~ effective legal  
 2093 service upon the nonresident independent or public adjuster.

2094 (2) The appointment of the Chief Financial Officer for  
 2095 service of process is ~~shall be~~ irrevocable ~~for~~ as long as there  
 2096 could be any cause of action against the nonresident ~~independent~~  
 2097 ~~or~~ public adjuster or all-lines adjuster appointed as an  
 2098 independent adjuster arising out of his or her insurance  
 2099 transactions in this state.

2100 (3) Duplicate copies of legal process against the

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2101 nonresident ~~independent or~~ public adjuster or all-lines adjuster  
 2102 appointed as an independent adjuster shall be served upon the  
 2103 Chief Financial Officer by a person competent to serve a  
 2104 summons.

2105 (4) Upon receiving the service, the Chief Financial  
 2106 Officer shall ~~forthwith~~ send one of the copies of the process,  
 2107 by registered mail with return receipt requested, to the  
 2108 defendant nonresident ~~independent or~~ public adjuster or all-  
 2109 lines adjuster appointed as an independent adjuster at his or  
 2110 her last address of record with the department.

2111 (5) The Chief Financial Officer shall keep a record of the  
 2112 day and hour of service upon him or her of all legal process  
 2113 received under this section.

2114 Section 43. Subsection (1) of section 626.874, Florida  
 2115 Statutes, is amended to read:

2116 626.874 Catastrophe or emergency adjusters.—

2117 (1) In the event of a catastrophe or emergency, the  
 2118 department may issue a license, for the purposes and under the  
 2119 conditions ~~which it shall fix~~ and for the period of emergency as  
 2120 it shall determine, to persons who are residents or nonresidents  
 2121 of this state, who are at least 18 years of age, who are United  
 2122 States citizens or legal aliens who possess work authorization  
 2123 from the United States Bureau of Citizenship and Immigration  
 2124 Services, and who are not licensed adjusters under this part but  
 2125 who have been designated and certified to it as qualified to act  
 2126 as adjusters by all-lines independent resident adjusters, ~~or~~ by  
 2127 an authorized insurer, or by a licensed general lines agent to  
 2128 adjust claims, losses, or damages under policies or contracts of

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2129 insurance issued by such insurers. The fee for the license is  
 2130 ~~shall be~~ as provided in s. 624.501(12)(c).

2131 Section 44. Subsection (1) of section 626.875, Florida  
 2132 Statutes, is amended to read:

2133 626.875 Office and records.—

2134 (1) Each appointed ~~Every licensed~~ independent adjuster and  
 2135 ~~every licensed public adjuster~~ must ~~shall have and~~ maintain in  
 2136 ~~this state~~ a place of business in this state which is accessible  
 2137 to the public and keep therein the usual and customary records  
 2138 pertaining to transactions under the license. This provision  
 2139 does ~~shall~~ not be deemed to prohibit maintenance of such an  
 2140 office in the home of the licensee.

2141 Section 45. Section 626.876, Florida Statutes, is amended  
 2142 to read:

2143 626.876 Exclusive employment; public adjusters,  
 2144 independent adjusters.—

2145 (1) An ~~No~~ individual licensed and appointed as a public  
 2146 adjuster may not ~~shall~~ be ~~so~~ employed during the same period by  
 2147 more than one public adjuster or public adjuster firm or  
 2148 corporation.

2149 (2) An ~~No~~ individual licensed as an all-lines adjuster and  
 2150 appointed as an independent adjuster may not ~~shall~~ be ~~so~~  
 2151 employed during the same period by more than one independent  
 2152 adjuster or independent adjuster firm or corporation.

2153 Section 46. Subsections (5), (6), and (7) of section  
 2154 626.927, Florida Statutes, are amended to read:

2155 626.927 Licensing of surplus lines agent.—

2156 ~~(5) The applicant must file and thereafter maintain the~~

2157 ~~bond as required under s. 626.928.~~

2158 (5)~~(6)~~ Examinations as to surplus lines, as required under  
 2159 subsections (1) and (2), are ~~shall be~~ subject to the provisions  
 2160 of part I as applicable to applicants for licenses in general.  
 2161 ~~No such examination shall be required as to persons who held a~~  
 2162 ~~Florida surplus lines agent's license as of January 1, 1959,~~  
 2163 ~~except when examinations subsequent to issuance of an initial~~  
 2164 ~~license are provided for in general under part I.~~

2165 (6)~~(7)~~ An ~~Any~~ individual who has been licensed by the  
 2166 department as a surplus lines agent as provided in this section  
 2167 may be subsequently appointed without additional written  
 2168 examination if his or her application for appointment is filed  
 2169 with the department within 48 months after ~~next following~~ the  
 2170 date of cancellation or expiration of the prior appointment. The  
 2171 department may, ~~in its discretion,~~ require an ~~any~~ individual to  
 2172 take and successfully pass an examination as for original  
 2173 issuance of license as a condition precedent to the  
 2174 reinstatement or continuation of the licensee's current license  
 2175 or reinstatement or continuation of the licensee's appointment.

2176 Section 47. Section 626.928, Florida Statutes, is  
 2177 repealed.

2178 Section 48. Section 626.933, Florida Statutes, is amended  
 2179 to read:

2180 626.933 Collection of tax and service fee.—If the tax or  
 2181 service fee payable by a surplus lines agent under the ~~this~~  
 2182 Surplus Lines Law is not so paid within the time prescribed, it  
 2183 ~~the same~~ shall be recoverable in a suit brought by the  
 2184 department against the surplus lines agent ~~and the surety or~~

2185 ~~sureties on the bond filed by the surplus lines agent under s.~~  
 2186 ~~626.928.~~ The department may authorize the Florida Surplus Lines  
 2187 Service Office to file suit on its behalf. All costs and  
 2188 expenses incurred in a suit brought by the office which are not  
 2189 recoverable from the agent or surety shall be borne by the  
 2190 office.

2191 Section 49. Subsection (1) of section 626.935, Florida  
 2192 Statutes, is amended to read:

2193 626.935 Suspension, revocation, or refusal of surplus  
 2194 lines agent's license.—

2195 (1) The department shall deny an application for, suspend,  
 2196 revoke, or refuse to renew the appointment of a surplus lines  
 2197 agent and all other licenses and appointments held by the  
 2198 licensee under this code, on ~~upon~~ any of the following grounds:

2199 (a) Removal of the licensee's office from the licensee's  
 2200 state of residence.

2201 (b) Removal of the accounts and records of his or her  
 2202 surplus lines business from this state or the licensee's state  
 2203 of residence during the period when such accounts and records  
 2204 are required to be maintained under s. 626.930.

2205 (c) Closure of the licensee's office for ~~a period of~~ more  
 2206 than 30 consecutive days.

2207 (d) Failure to make and file his or her affidavit or  
 2208 reports when due as required by s. 626.931.

2209 (e) Failure to pay the tax or service fee on surplus lines  
 2210 premiums, as provided ~~for~~ in the ~~this~~ Surplus Lines Law.

2211 ~~(f) Failure to maintain the bond as required by s.~~  
 2212 ~~626.928.~~

2213            (f) ~~(g)~~ Suspension, revocation, or refusal to renew or  
 2214 continue the license or appointment as a general lines agent,  
 2215 service representative, or managing general agent.

2216            (g) ~~(h)~~ Lack of qualifications as for an original surplus  
 2217 lines agent's license.

2218            (h) ~~(i)~~ Violation of this Surplus Lines Law.

2219            (i) ~~(j)~~ For any other applicable cause for which the  
 2220 license of a general lines agent could be suspended, revoked, or  
 2221 refused under s. 626.611 or s. 626.621.

2222            Section 50. Paragraph (b) of subsection (1) of section  
 2223 627.952, Florida Statutes, is amended to read:

2224            627.952 Risk retention and purchasing group agents.—

2225            (1) Any person offering, soliciting, selling, purchasing,  
 2226 administering, or otherwise servicing insurance contracts,  
 2227 certificates, or agreements for any purchasing group or risk  
 2228 retention group to any resident of this state, either directly  
 2229 or indirectly, by the use of mail, advertising, or other means  
 2230 of communication, shall obtain a license and appointment to act  
 2231 as a resident general lines agent, if a resident of this state,  
 2232 or a nonresident general lines agent if not a resident. Any such  
 2233 person shall be subject to all requirements of the Florida  
 2234 Insurance Code.

2235            (b) Any person required to be licensed and appointed under  
 2236 ~~by~~ this subsection, in order to place business through Florida  
 2237 eligible surplus lines carriers, must ~~shall~~, if a resident of  
 2238 this state, be licensed and appointed as a surplus lines agent.  
 2239 ~~Any such person,~~ If not a resident of this state, such person  
 2240 must ~~shall~~ be licensed and appointed as a surplus lines agent in

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2241 her or his state of residence and ~~shall~~ file and ~~thereafter~~  
 2242 maintain a fidelity bond in favor of the people of the State of  
 2243 Florida executed by a surety company admitted in this state and  
 2244 payable to the State of Florida; ~~provided,~~ however, any  
 2245 activities ~~carried out by~~ such nonresident is pursuant to this  
 2246 ~~part shall be~~ limited to the provision of insurance for  
 2247 purchasing groups. The bond must ~~shall~~ be continuous in form and  
 2248 ~~maintained~~ in the amount of not less than \$50,000, aggregate  
 2249 liability set out in s. 626.928. The bond must ~~shall~~ remain in  
 2250 force and effect until the surety is released from liability by  
 2251 the department or until the bond is canceled by the surety. The  
 2252 surety may cancel the bond and be released from further  
 2253 liability ~~thereunder~~ upon 30 days' prior written notice to the  
 2254 department. The cancellation does ~~shall~~ not affect any liability  
 2255 incurred or accrued ~~thereunder~~ before the termination of the 30-  
 2256 day period. Upon receipt of a notice of cancellation, the  
 2257 department shall immediately notify the agent.

2258 Section 51. Subsections (1) and (2) of section 635.051,  
 2259 Florida Statutes, are amended to read:

2260 635.051 Licensing and appointment of mortgage guaranty  
 2261 insurance agents.—

2262 (1) Effective October 1, 2012, a person may not transact  
 2263 mortgage guaranty insurance unless licensed and appointed as a  
 2264 credit insurance agent in accordance with the applicable  
 2265 provisions of the insurance code. Mortgage guaranty licenses  
 2266 held by persons on October 1, 2012, shall be transferred to a  
 2267 credit insurance agent license. Persons who wish to obtain a new  
 2268 license identification card that reflects this change must

2269 submit the \$5 fee as prescribed in s. 624.501(15). ~~Agents of~~  
 2270 ~~mortgage guaranty insurers shall be licensed and appointed and~~  
 2271 ~~shall be subject to the same qualifications and requirements~~  
 2272 ~~applicable to general lines agents under the laws of this state,~~  
 2273 ~~except that:~~

2274 ~~(a) Particular preliminary specialized education or~~  
 2275 ~~training is not required of an applicant for such an agent's~~  
 2276 ~~license, and continuing education is not required for renewal of~~  
 2277 ~~the agent's appointment if, as part of the application for~~  
 2278 ~~license and appointment, the insurer guarantees that the~~  
 2279 ~~applicant will receive the necessary training to enable him or~~  
 2280 ~~her properly to hold himself or herself out to the public as a~~  
 2281 ~~mortgage guaranty insurance agent and if the department, in its~~  
 2282 ~~discretion, accepts such guaranty;~~

2283 ~~(b) The agent's license and appointment shall be a limited~~  
 2284 ~~license, limited to the handling of mortgage guaranty insurance~~  
 2285 ~~only; and~~

2286 ~~(c) An examination may be required of an applicant for~~  
 2287 ~~such a license if the insurer fails to provide the guaranty~~  
 2288 ~~described in paragraph (a).~~

2289 (2) Any general lines agent licensed under chapter 626 is  
 2290 qualified to represent a mortgage guaranty insurer without  
 2291 additional licensure examination.

2292 Section 52. Subsection (1) of section 648.34, Florida  
 2293 Statutes, is amended to read:

2294 648.34 Bail bond agents; qualifications.—

2295 (1) An application for licensure as a bail bond agent must  
 2296 be submitted on forms prescribed by the department. The

2297 application must include the applicant's full name; date of  
 2298 birth; social security number; residence, business, and mailing  
 2299 addresses; contact telephone numbers, including a business  
 2300 telephone number; and e-mail address.

2301 Section 53. Subsection (2) of section 648.38, Florida  
 2302 Statutes, is amended to read:

2303 648.38 Licensure examination for bail bond agents; time;  
 2304 place; fees; scope.—

2305 (2) The department or a person designated by the  
 2306 department shall provide ~~mail-written~~ notice of the time and  
 2307 place of the examination to each applicant for licensure  
 2308 required to take an examination who will be eligible to take the  
 2309 examination as of the examination date. The notice shall be e-  
 2310 mailed ~~so mailed, postage prepaid, and addressed~~ to the  
 2311 applicant at the e-mail ~~his or her~~ address shown on his or her  
 2312 application for licensure ~~or at such other address as requested~~  
 2313 ~~by the applicant in writing filed with the department prior to~~  
 2314 ~~the mailing of the notice.~~ Notice shall be deemed given when so  
 2315 mailed.

2316 Section 54. Section 648.385, Florida Statutes, is amended  
 2317 to read:

2318 648.385 Continuing education required; application;  
 2319 exceptions; requirements; penalties.—

2320 (1) The purpose of this section is to establish  
 2321 requirements and standards for continuing education courses for  
 2322 persons authorized to write bail bonds in this state.

2323 (2)(a) Each person subject to ~~the provisions of this~~  
 2324 chapter must complete a minimum of 14 hours of continuing

2325 education courses every 2 years as specified in s. 626.2815 ~~in~~  
 2326 ~~courses approved by the department. Compliance with continuing~~  
 2327 ~~education requirements is a condition precedent to the issuance,~~  
 2328 ~~continuation, or renewal of any appointment subject to the~~  
 2329 ~~provisions of this chapter.~~

2330 (b) ~~A person teaching any approved course of instruction~~  
 2331 ~~or lecturing at any approved seminar and attending the entire~~  
 2332 ~~course or seminar shall qualify for the same number of classroom~~  
 2333 ~~hours as would be granted to a person taking and successfully~~  
 2334 ~~completing such course, seminar, or program. Credit shall be~~  
 2335 ~~limited to the number of hours actually taught unless a person~~  
 2336 ~~attends the entire course or seminar.~~

2337 (c) ~~For good cause shown, the department may grant an~~  
 2338 ~~extension of time during which the requirements imposed by this~~  
 2339 ~~section may be completed, but such extension of time may not~~  
 2340 ~~exceed 1 year.~~

2341 (3)(a) ~~Any bail-related course developed or sponsored by~~  
 2342 ~~any authorized insurer or recognized bail bond agents'~~  
 2343 ~~association, or any independent study program of instruction,~~  
 2344 ~~subject to approval by the department, qualifies for the~~  
 2345 ~~equivalency of the number of classroom hours assigned to such~~  
 2346 ~~course by the department. However, unless otherwise provided in~~  
 2347 ~~this section, continuing education credit may not be credited~~  
 2348 ~~toward meeting the requirements of this section unless the~~  
 2349 ~~course is provided by classroom instruction or results in a~~  
 2350 ~~monitored examination.~~

2351 (b) ~~Each person or entity sponsoring a course for~~  
 2352 ~~continuing education credit must furnish, within 30 days after~~

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2353 ~~completion of the course, in a form satisfactory to the~~  
 2354 ~~department or its designee, a written and certified roster~~  
 2355 ~~showing the name and license number of all persons successfully~~  
 2356 ~~completing such course and requesting credit, accompanied by the~~  
 2357 ~~required fee. The department shall refuse to issue, continue, or~~  
 2358 ~~renew the appointment of any bail bond agent who has not had the~~  
 2359 ~~continuing education requirements certified unless the agent has~~  
 2360 ~~been granted an extension by the department.~~

2361 Section 55. Section 648.421, Florida Statutes, is amended  
 2362 to read:

2363 648.421 Notice of change of address or telephone number.—  
 2364 Each licensee under this chapter shall notify in writing the  
 2365 department, insurer, managing general agent, and the clerk of  
 2366 each court in which the licensee is registered within 10 working  
 2367 days after a change in the licensee's principal business address  
 2368 or telephone number. The licensee shall also notify the  
 2369 department within 10 working days after a change of the name,  
 2370 address, or telephone number of each agency or firm for which he  
 2371 or she writes bonds and any change in the licensee's name, home  
 2372 address, e-mail address, or telephone number.

2373 Section 56. Except as otherwise expressly provided in this  
 2374 act, this act shall take effect October 1, 2012.