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2012 Legislature

1  
2 An act relating to insurance agents and adjusters;  
3 amending s. 626.015, F.S.; revising the definitions of  
4 "adjuster" and "home state"; amending s. 626.0428,  
5 F.S.; revising provisions relating to who may bind  
6 insurance coverage; amending s. 626.171, F.S.;  
7 providing that an applicant is responsible for the  
8 information in an application even if completed by a  
9 third party; requiring an application to include a  
10 statement about the method used to meet certain  
11 requirements; amending s. 626.191, F.S.; revising  
12 provisions relating to when an applicant may apply for  
13 a license after an initial application is denied by  
14 the Department of Financial Services; amending s.  
15 626.221, F.S.; revising provisions relating to license  
16 examinations; conforming provisions relating to all-  
17 lines adjusters; deleting an exemption from  
18 examination for certain adjusters; amending s.  
19 626.231, F.S.; providing for submitting an application  
20 for examination on a designee's website; amending s.  
21 626.241, F.S.; revising the scope of the examination  
22 for an all-lines adjuster; amending s. 626.251, F.S.;  
23 providing for e-mailing notices of examinations;  
24 amending s. 626.281, F.S.; specifying how many times  
25 an applicant may take an examination during a year;  
26 amending s. 626.2815, F.S.; revising provisions  
27 relating to continuing education requirements;  
28 providing that persons on active military duty may

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29 seek a waiver; providing for an update course and the  
 30 contents of such course; deleting requirements  
 31 relating specifically to certain types of insurance;  
 32 providing education requirements for bail bond agents  
 33 and public adjusters; eliminating the continuing  
 34 education advisory board; amending s. 626.292, F.S.;  
 35 conforming provisions to changes made by the act  
 36 relating to all-lines adjusters; amending s. 626.311,  
 37 F.S.; conforming provisions to changes made by the act  
 38 relating to limited licenses; amending s. 626.321,  
 39 F.S.; revising provisions relating to limited  
 40 licenses; prohibiting the future issuance of new  
 41 limited licenses for motor vehicle physical damage and  
 42 mechanical breakdown insurance; combining limited  
 43 licenses relating to credit insurance; specifying  
 44 events covered by crop hail and multiple-peril crop  
 45 insurance; revising in-transit and storage personal  
 46 property insurance to create a limited license for  
 47 portable electronics insurance; amending s. 626.342,  
 48 F.S.; clarifying that the prohibition relating to the  
 49 furnishing of supplies to unlicensed agents applies to  
 50 all unlicensed agents; amending s. 626.381, F.S.;  
 51 revising provisions relating to the reporting of  
 52 administrative actions; amending s. 626.536, F.S.;  
 53 clarifying requirements for reporting administrative  
 54 actions taken against a licensee; amending s. 626.551,  
 55 F.S.; shortening the time within which a licensee must  
 56 report to the department a change in certain

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57 information; authorizing the Department of Financial  
58 Services to adopt rules relating to notification of a  
59 change of address; amending s. 626.621, F.S.; adding  
60 failure to comply with child support requirements as  
61 grounds for action against a license; amending s.  
62 626.641, F.S.; clarifying provisions relating to the  
63 suspension or revocation of a license or appointment;  
64 amending s. 626.651, F.S.; revising provisions  
65 relating to the suspension or revocation of licenses;  
66 amending ss. 626.730 and 626.732, F.S.; revising  
67 provisions relating to the purpose of the general  
68 lines and personal lines license and certain  
69 requirements related to general lines and personal  
70 lines agents; conforming provisions to changes made by  
71 the act relating to limited licenses; amending s.  
72 626.8411, F.S.; revising requirements and exemptions  
73 relating to title insurance agents or agencies;  
74 amending s. 626.8419, F.S.; requiring title insurance  
75 agencies to obtain surety bonds payable to appointing  
76 title insurers under certain circumstances; providing  
77 that such surety bonds must require notification of  
78 title insurers under certain circumstances; requiring  
79 title insurance agencies to periodically provide  
80 certain evidence relating to surety bonds; restricting  
81 title insurers from providing surety bonds under  
82 certain circumstances; creating s. 626.8548, F.S.;  
83 defining the term "all-lines adjuster"; amending s.  
84 626.855, F.S.; revising the definition of "independent

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85 | adjuster"; amending s. 626.856, F.S.; revising the  
86 | definition of "company employee adjuster"; repealing  
87 | s. 626.858, F.S., relating to defining "nonresident  
88 | company employee adjuster"; amending s. 626.8584,  
89 | F.S.; revising the definition of "nonresident all-  
90 | lines adjuster"; amending s. 626.863, F.S.; conforming  
91 | provisions to changes made by the act relating to all-  
92 | lines adjusters; amending s. 626.864, F.S.; revising  
93 | provisions relating to adjuster license types;  
94 | amending s. 626.865, F.S.; deleting the requirement  
95 | that an applicant for public adjuster be a resident of  
96 | the state; requiring an applicant for public adjuster  
97 | to be licensed as a public adjuster apprentice;  
98 | amending s. 626.8651, F.S.; deleting the requirement  
99 | that an applicant for public adjuster apprentice be a  
100 | resident of the state; providing that a limitation on  
101 | the number of public adjuster apprentices does not  
102 | apply to a public adjusting firm that adjusts claims  
103 | exclusively for institutions that service or guarantee  
104 | mortgages; amending s. 626.866, F.S.; conforming  
105 | provisions to changes made by the act relating to all-  
106 | lines adjusters; repealing s. 626.867, F.S., relating  
107 | to qualifications for company employee adjusters;  
108 | amending s. 626.869, F.S.; revising provisions  
109 | relating to an all-lines adjuster license; ceasing the  
110 | issuance of certain adjuster licenses; revising  
111 | continuing education requirements; amending s.  
112 | 626.8697, F.S.; revising provisions relating to the

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113 violation of rules resulting in the suspension or  
 114 revocation of an adjuster's license; amending s.  
 115 626.872, F.S.; conforming provisions to changes made  
 116 by the act relating to all-lines adjusters; repealing  
 117 s. 626.873, F.S., relating to licensure for  
 118 nonresident company employee adjusters; amending s.  
 119 626.8732, F.S.; revising the requirements for  
 120 nonresident public adjuster licensure; amending s.  
 121 626.8734, F.S.; amending provisions relating to  
 122 nonresident all-lines adjusters; providing for  
 123 verifying an applicant's status through the National  
 124 Association of Insurance Commissioners' Producer  
 125 Database; amending ss. 626.8736, 626.874, 626.875, and  
 126 626.876, F.S.; conforming provisions to changes made  
 127 by the act relating to all-lines adjusters; amending  
 128 s. 626.8796, F.S.; requiring a public adjusting firm  
 129 that adjusts claims exclusively for institutions that  
 130 guarantee or service mortgages to provide an affidavit  
 131 to an insurer with certain information; amending s.  
 132 626.927, F.S.; deleting a requirement that a licensed  
 133 surplus lines agent maintain a bond; repealing s.  
 134 626.928, F.S., relating to a surplus lines agent's  
 135 bond; amending ss. 626.933, 626.935, and 627.952,  
 136 F.S.; conforming cross-references; amending s.  
 137 635.051, F.S.; requiring persons transacting mortgage  
 138 guaranty insurance to be licensed and appointed as a  
 139 credit insurance agent; amending s. 648.34, F.S.;  
 140 requiring application information for bail bond

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141 agents; amending s. 648.38, F.S.; revising the notice  
 142 of examination requirements for bail bond agents;  
 143 amending s. 648.385, F.S.; revising continuing  
 144 education courses for bail bond agents, to conform to  
 145 changes made by the act; amending s. 648.421, F.S.;  
 146 requiring a bail bond agent to provide notification of  
 147 a change in his or her e-mail address; providing  
 148 effective dates.

149

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

151

152 Section 1. Subsections (1) and (7) of section 626.015,  
 153 Florida Statutes, are amended to read:

154 626.015 Definitions.—As used in this part:

155 (1) "Adjuster" means a public adjuster as defined in s.  
 156 626.854, a public adjuster apprentice as defined in s. 626.8541,  
 157 or an all-lines adjuster as defined in s. 626.8548 ~~independent~~  
 158 ~~adjuster as defined in s. 626.855, or company employee adjuster~~  
 159 ~~as defined in s. 626.856.~~

160 (7) "Home state" means the District of Columbia and any  
 161 state or territory of the United States in which an ~~insurance~~  
 162 agent or adjuster maintains his or her principal place of  
 163 residence or principal place of business and is licensed to act  
 164 as an insurance agent or adjuster.

165 Section 2. Subsections (2) and (3) of section 626.0428,  
 166 Florida Statutes, are amended to read:

167 626.0428 Agency personnel powers, duties, and  
 168 limitations.—

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169 (2) An ~~No~~ employee of an agent or agency may not bind  
 170 insurance coverage unless licensed and appointed as an ~~a general~~  
 171 ~~lines~~ agent or customer representative.

172 (3) An ~~No~~ employee of an agent or agency may not initiate  
 173 contact with any person for the purpose of soliciting insurance  
 174 unless licensed and appointed as an ~~a general lines~~ agent or  
 175 customer representative. As to title insurance, an employee of  
 176 an agent or agency may not initiate contact with any individual  
 177 proposed insured for the purpose of soliciting title insurance  
 178 unless licensed as a title insurance agent or exempt from such  
 179 licensure pursuant to s. 626.8417(4).

180 Section 3. Subsection (1) and paragraph (b) of subsection  
 181 (2) of section 626.171, Florida Statutes, are amended to read:

182 626.171 Application for license as an agent, customer  
 183 representative, adjuster, service representative, managing  
 184 general agent, or reinsurance intermediary.-

185 (1) The department may ~~shall~~ not issue a license as agent,  
 186 customer representative, adjuster, service representative,  
 187 managing general agent, or reinsurance intermediary to any  
 188 person except upon written application ~~therefor~~ filed with the  
 189 department ~~it~~, meeting the qualifications for the license  
 190 applied for as determined by the department ~~qualification~~  
 191 ~~therefor~~, and payment in advance of all applicable fees. The ~~Any~~  
 192 ~~such~~ application must ~~shall~~ be made under the oath of the  
 193 applicant and be signed by the applicant. An applicant may  
 194 permit a third party to complete, submit, and sign an  
 195 application on the applicant's behalf, but is responsible for  
 196 ensuring that the information on the application is true and

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197 correct and is accountable for any misstatements or  
 198 misrepresentations. The department shall accept the uniform  
 199 application for nonresident agent licensing. The department may  
 200 adopt revised versions of the uniform application by rule.

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

202 (b) A statement indicating the method the applicant used  
 203 or is using to meet any required prelicensing education,  
 204 knowledge, experience, or instructional requirements for the  
 205 type of license applied for. ~~Proof that he or she has completed~~  
 206 ~~or is in the process of completing any required prelicensing~~  
 207 ~~course.~~

208  
 209 However, the application must contain a statement that an  
 210 applicant is not required to disclose his or her race or  
 211 ethnicity, gender, or native language, that he or she will not  
 212 be penalized for not doing so, and that the department will use  
 213 this information exclusively for research and statistical  
 214 purposes and to improve the quality and fairness of the  
 215 examinations.

216 Section 4. Section 626.191, Florida Statutes, is amended  
 217 to read:

218 626.191 Repeated applications.—The failure of an applicant  
 219 to secure a license upon ~~an~~ application does shall not preclude  
 220 the applicant from applying again. However ~~as many times as~~  
 221 ~~desired, but~~ the department may shall not consider ~~give~~  
 222 ~~consideration to~~ or accept any further application by the same  
 223 applicant individual for a similar license dated or filed within  
 224 30 days after ~~subsequent to~~ the date the department denied the



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225 last application, except as provided under ~~in~~ s. 626.281.

226 Section 5. Subsection (2) of section 626.221, Florida

227 Statutes, is amended to read:

228 626.221 Examination requirement; exemptions.—

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

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

231 (a) An applicant for renewal of appointment as an agent,

232 customer representative, or adjuster, unless the department

233 determines that an examination is necessary to establish the

234 competence or trustworthiness of the ~~such~~ applicant.

235 (b) An applicant for a limited license as agent for travel

236 insurance, motor vehicle rental personal accident insurance,

237 ~~baggage and motor vehicle excess liability insurance, credit~~

238 ~~life or disability~~ insurance, credit insurance, ~~credit property~~

239 ~~insurance,~~ in-transit and storage personal property insurance,

240 or portable electronics communications equipment property

241 ~~insurance or communication equipment inland marine~~ insurance

242 under s. 626.321.

243 (c) In the discretion of the department, an applicant for

244 reinstatement of license or appointment as an agent, customer

245 representative, ~~company employee adjuster,~~ or all-lines

246 ~~independent~~ adjuster whose license has been suspended within the

247 4 years before ~~prior to~~ the date of application or written

248 request for reinstatement.

249 (d) An applicant who, within the 4 years before ~~prior to~~

250 application for license and appointment as an agent, customer

251 representative, or adjuster, was a full-time salaried employee

252 of the department who ~~and~~ had ~~continuously been such an employee~~

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253 ~~with~~ responsible insurance duties for at least ~~not less than~~ 2  
 254 continuous years and who had been a licensee within the 4 years  
 255 before ~~prior to~~ employment by the department with the same class  
 256 of license as that being applied for.

257 (e) An applicant ~~A person~~ who has been licensed as an all-  
 258 lines adjuster and appointed as an independent adjuster or  
 259 company employee adjuster ~~as to all property, casualty, and~~  
 260 ~~surety insurances may be licensed and appointed as a company~~  
 261 ~~employee adjuster or independent adjuster, as to these kinds of~~  
 262 ~~insurance, without additional written examination if an~~  
 263 application for licensure is filed with the department within 48  
 264 months following the date of cancellation or expiration of the  
 265 prior appointment.

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

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

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

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281        (h)~~(i)~~ An applicant for license as a general lines agent,  
 282 customer representative, or adjuster who has received the  
 283 designation of chartered property and casualty underwriter  
 284 (CPCU) from the American Institute for Property and Liability  
 285 Underwriters and ~~who~~ has been engaged in the insurance business  
 286 within the past 4 years, except that the applicant ~~such an~~  
 287 ~~individual~~ may be examined on pertinent provisions of this code.

288        (i)~~(j)~~ An applicant for license as a customer  
 289 representative who has earned the designation of Accredited  
 290 Advisor in Insurance (AAI) from the Insurance Institute of  
 291 America, the designation of Certified Insurance Counselor (CIC)  
 292 from the Society of Certified Insurance Service Counselors, the  
 293 designation of Accredited Customer Service Representative (ACSR)  
 294 from the Independent Insurance Agents of America, the  
 295 designation of Certified Professional Service Representative  
 296 (CPSR) from the National Foundation for Certified Professional  
 297 Service Representatives, the designation of Certified Insurance  
 298 Service Representative (CISR) from the Society of Certified  
 299 Insurance Service Representatives, or the designation of  
 300 Certified Insurance Representative (CIR) from the National  
 301 Association of Christian Catastrophe Insurance Adjusters. Also,  
 302 an applicant for license as a customer representative who has  
 303 earned an associate degree or bachelor's degree from an  
 304 accredited college or university and has completed ~~with~~ at least  
 305 9 academic hours of property and casualty insurance curriculum,  
 306 or the equivalent, or has earned the designation of Certified  
 307 Customer Service Representative (CCSR) from the Florida  
 308 Association of Insurance Agents, or the designation of

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309 Registered Customer Service Representative (RCSR) from a  
 310 regionally accredited postsecondary institution in this state,  
 311 or the designation of Professional Customer Service  
 312 Representative (PCSR) from the Professional Career Institute,  
 313 whose curriculum has been approved by the department and which  
 314 ~~whose curriculum~~ includes comprehensive analysis of basic  
 315 property and casualty lines of insurance and testing at least  
 316 equal to that of standard department testing for the customer  
 317 representative license. The department shall adopt rules  
 318 establishing standards for the approval of curriculum.

319 (j) ~~(k)~~ An applicant for license as a resident or  
 320 nonresident all-lines ~~an independent or company employee~~  
 321 adjuster who has the designation of Accredited Claims Adjuster  
 322 (ACA) from a regionally accredited postsecondary institution in  
 323 this state, Professional Claims Adjuster (PCA) from the  
 324 Professional Career Institute, Professional Property Insurance  
 325 Adjuster (PPIA) from the HurriClaim Training Academy, Certified  
 326 Adjuster (CA) from ALL LINES Training, or Certified Claims  
 327 Adjuster (CCA) from the Association of Property and Casualty  
 328 Claims Professionals whose curriculum has been approved by the  
 329 department and which ~~whose curriculum~~ includes comprehensive  
 330 analysis of basic property and casualty lines of insurance and  
 331 testing at least equal to that of standard department testing  
 332 for the all-lines adjuster license. The department shall adopt  
 333 rules establishing standards for the approval of curriculum.

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

- 336 1. Has successfully completed the prelicensing examination

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337 requirements in the applicant's previous home state which are  
 338 substantially equivalent to the examination requirements in this  
 339 state, as determined by the department;

340 2. Has received the designation of chartered property and  
 341 casualty underwriter (CPCU) from the American Institute for  
 342 Property and Liability Underwriters and ~~has~~ been engaged in the  
 343 insurance business within the past 4 years if applying to  
 344 transfer a general lines agent license; or

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

349 ~~(1)-(m)~~ An applicant for a license as a nonresident agent  
 350 ~~license~~, if the applicant:

351 1. Has successfully completed prelicensing examination  
 352 requirements in the applicant's home state which are  
 353 substantially equivalent to the examination requirements in this  
 354 state, as determined by the department, as a requirement for  
 355 obtaining a resident license in his or her home state;

356 2. Held a general lines agent license, life agent license,  
 357 or health agent license before ~~prior to the time~~ a written  
 358 examination was required;

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

364 4. Has received the designation of chartered life

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365 underwriter (CLU) from the American College of Life Underwriters  
 366 and ~~has~~ been in the insurance business within the past 4 years,  
 367 if an applicant for a nonresident license as a life agent or  
 368 health agent.

369 Section 6. Subsection (2) of section 626.231, Florida  
 370 Statutes, is amended to read:

371 626.231 Eligibility; application for examination.—

372 (2) A person required to take an examination for a license  
 373 may ~~be permitted to~~ take an examination before ~~prior to~~  
 374 submitting an application for licensure pursuant to s. 626.171  
 375 by submitting an application for examination through the  
 376 department's Internet website or the website of a person  
 377 designated by the department to administer the examination. The  
 378 department may require ~~In the application,~~ the applicant to  
 379 provide the following information as part of the application  
 380 ~~shall set forth:~~

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

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

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

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

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

392 (f) The applicant's native language.

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393 (g) The highest level of education achieved by the  
 394 applicant.

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

397  
 398 However, the application form must contain a statement that an  
 399 applicant is not required to disclose his or her race or  
 400 ethnicity, gender, or native language, that he or she will not  
 401 be penalized for not doing so, and that the department will use  
 402 this information exclusively for research and statistical  
 403 purposes and to improve the quality and fairness of the  
 404 examinations.

405 Section 7. Subsection (6) of section 626.241, Florida  
 406 Statutes, is amended to read:

407 626.241 Scope of examination.—

408 (6) In order to reflect the differences between adjusting  
 409 claims for an insurer and adjusting claims for an insured, the  
 410 department shall create an examination for applicants seeking  
 411 licensure as a public adjuster and a separate examination for  
 412 applicants seeking licensure as an all-lines ~~a company employee~~  
 413 ~~adjuster or independent~~ adjuster.

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

- 419 ~~(a) Automobile physical damage insurance;~~
- 420 ~~(b) Property and casualty insurance;~~

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421 ~~(c) Workers' compensation insurance; or~~

422 ~~(d) Health insurance.~~

423 (b) An ~~Ne~~ examination for workers' ~~on worker's~~

424 compensation insurance or health insurance is not ~~shall be~~

425 required for public adjusters.

426 Section 8. Subsection (1) of section 626.251, Florida  
427 Statutes, is amended to read:

428 626.251 Time and place of examination; notice.—

429 (1) The department, or a person designated by the  
430 department, shall provide ~~mail-written~~ notice of the time and  
431 place of the examination to each applicant for examination and  
432 each applicant for license required to take an examination who  
433 will be eligible to take the examination as of the examination  
434 date. The notice shall be e-mailed ~~so mailed, postage prepaid,~~  
435 ~~and addressed~~ to the applicant at the e-mail ~~his or her~~ address  
436 shown on the application for license or examination ~~at such~~  
437 ~~other address as requested by the applicant in writing filed~~  
438 ~~with the department prior to the mailing of the notice.~~ Notice  
439 is ~~shall be~~ deemed given when so mailed.

440 Section 9. Section 626.281, Florida Statutes, is amended  
441 to read:

442 626.281 Reexamination.—

443 (1) An ~~Any~~ applicant for license or ~~applicant for~~  
444 examination who has ~~either~~:

445 (a) Taken an examination and failed to make a passing  
446 grade, or

447 (b) Failed to appear for the examination or to take or  
448 complete the examination at the time and place specified in the



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449 notice of the department,

450

451 may take additional examinations, after filing with the  
 452 department or its designee an application for reexamination  
 453 together with applicable fees. The failure of an applicant to  
 454 pass an examination, ~~or the failure~~ to appear for the  
 455 examination, or to take or complete the examination does not  
 456 preclude the applicant from taking subsequent examinations.

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

459 (3) ~~(2)~~ The department may require an ~~any~~ individual whose  
 460 license as an agent, customer representative, or adjuster has  
 461 expired or ~~has~~ been suspended to pass an examination before  
 462 ~~prior to~~ reinstating or relicensing the individual as to any  
 463 class of license. The examination fee must ~~shall~~ be paid for ~~as~~  
 464 ~~to~~ each examination.

465 Section 10. Section 626.2815, Florida Statutes, is amended  
 466 to read:

467 626.2815 Continuing education ~~required; application;~~  
 468 ~~exceptions; requirements; penalties.-~~

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

473 (2) Except as otherwise provided in this section, ~~the~~  
 474 ~~provisions of~~ this section applies ~~apply~~ to individuals ~~persons~~  
 475 licensed to engage in the sale of insurance or adjustment of  
 476 insurance claims in this state for all lines of insurance for

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477 | which an examination is required for licensing and to each  
 478 | insurer, employer, or appointing entity, including, but not  
 479 | limited to, those created or existing pursuant to s. 627.351.  
 480 | ~~The provisions of~~ This section does ~~shall~~ not apply to an ~~any~~  
 481 | individual who holds ~~person holding~~ a license for the sale of  
 482 | any line of insurance for which an examination is not required  
 483 | by the laws of this state or who holds a, ~~nor shall the~~  
 484 | ~~provisions of this section apply to any~~ limited license as a a  
 485 | crop or hail and multiple-peril crop insurance agent ~~the~~  
 486 | ~~department may exempt by rule.~~ Licensees who are unable to  
 487 | comply with the continuing education requirements due to active  
 488 | duty in the military may submit a written request for a waiver  
 489 | to the department.

490 |       (3) ~~(a)~~ Each licensee ~~person~~ subject to ~~the provisions of~~  
 491 | this section must, except as set forth in paragraphs (b), (c),  
 492 | ~~and~~ (d), and (f), complete a minimum of 24 hours of continuing  
 493 | education courses every 2 years in basic or higher-level courses  
 494 | prescribed by this section or in other courses approved by the  
 495 | department.

496 |       (a) Each licensee ~~person~~ subject to ~~the provisions of this~~  
 497 | ~~section~~ must complete, ~~as part of his or her required number of~~  
 498 | ~~continuing education hours,~~ 3 hours of continuing education,  
 499 | approved by the department, every 2 years on the subject matter  
 500 | of ethics. Each licensed general lines agent and customer  
 501 | representative ~~subject to this section~~ must complete, ~~as part of~~  
 502 | ~~his or her required number of continuing education hours,~~ 1 hour  
 503 | of continuing education, approved by the department, every 2  
 504 | years on the subject matter of premium discounts available on

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505 property insurance policies based on various hurricane  
 506 mitigation options and the means for obtaining the discounts.

507 (b) A licensee ~~person~~ who has been licensed for a ~~period~~  
 508 ~~of~~ 6 or more years must complete 20 hours of continuing  
 509 education every 2 years in intermediate or advanced-level  
 510 courses prescribed by this section or in other courses approved  
 511 by the department.

512 (c) A licensee who has been licensed for 25 years or more  
 513 and is a CLU or a CPCU or has a Bachelor of Science degree in  
 514 risk management or insurance with evidence of 18 or more  
 515 semester hours in upper-level insurance-related courses must  
 516 complete 10 hours of continuing education courses every 2 years  
 517 in courses prescribed by this section or in other courses  
 518 approved by the department.

519 (d) An individual ~~Any person~~ who holds a license as a  
 520 customer representative, limited customer representative, title  
 521 agent, motor vehicle physical damage and mechanical breakdown  
 522 insurance agent, ~~crop or hail and multiple-peril crop insurance~~  
 523 ~~agent,~~ or ~~as~~ an industrial fire insurance or burglary insurance  
 524 agent and who is not a licensed life or health ~~insurance~~ agent,  
 525 must ~~shall be required to~~ complete 10 hours of continuing  
 526 education courses every 2 years.

527 (e) An individual ~~Any person~~ who holds a license to  
 528 solicit or sell life or health insurance and a license to  
 529 solicit or sell property, casualty, surety, or surplus lines  
 530 insurance must complete ~~the continuing education requirements by~~  
 531 ~~completing~~ courses in life or health insurance for one-half of  
 532 the total hours required and courses in property, casualty,

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533 surety, or surplus lines insurance for one-half of the total  
534 hours required. However, a licensee who holds an industrial fire  
535 or burglary insurance license and who is a licensed life or  
536 health agent must ~~shall be required to~~ complete 4 hours of  
537 continuing education courses every 2 years related to industrial  
538 fire or burglary insurance and the remaining number of hours of  
539 continuing education courses ~~required~~ related to life or health  
540 insurance.

541 (f) An individual subject to chapter 648 must complete a  
542 minimum of 14 hours of continuing education courses every 2  
543 years.

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

546 (h) An individual teaching an approved course of  
547 instruction or lecturing at any approved seminar and attending  
548 the entire course or seminar qualifies for the same number of  
549 classroom hours as would be granted to a person taking and  
550 successfully completing such course or seminar. Credit is  
551 limited to the number of hours actually taught unless a person  
552 attends the entire course or seminar. An individual who is an  
553 official of or employed by a governmental entity in this state  
554 and serves as a professor, instructor, or other position or  
555 office, the duties and responsibilities of which are determined  
556 by the department to require monitoring and review of insurance  
557 laws or insurance regulations and practices, is exempt from this  
558 section.

559 (4) (f) 1. Except as provided in subparagraph 2., Compliance  
560 with continuing education requirements is a condition precedent

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561 to the issuance, continuation, reinstatement, or renewal of any  
 562 appointment subject to this section. However:

563 (a)2.a. An appointing entity, except one that appoints  
 564 individuals who are employees or exclusive independent  
 565 contractors of the appointing entity, may not require, directly  
 566 or indirectly, as a condition of such appointment or the  
 567 continuation of such appointment, the taking of an approved  
 568 course or program by any appointee or potential appointee which  
 569 ~~that~~ is not of the appointee's choosing.

570 (b)b. Any entity created or existing pursuant to s.  
 571 627.351 may require employees to take training of any type  
 572 relevant to their employment but may not require appointees who  
 573 are not employees to take any approved course or program unless  
 574 the course or program deals solely with the appointing entity's  
 575 internal procedures or products or with subjects substantially  
 576 unique to the appointing entity.

577 ~~(g) A person teaching any approved course of instruction~~  
 578 ~~or lecturing at any approved seminar and attending the entire~~  
 579 ~~course or seminar shall qualify for the same number of classroom~~  
 580 ~~hours as would be granted to a person taking and successfully~~  
 581 ~~completing such course, seminar, or program. Credit shall be~~  
 582 ~~limited to the number of hours actually taught unless a person~~  
 583 ~~attends the entire course or seminar. Any person who is an~~  
 584 ~~official of or employed by any governmental entity in this state~~  
 585 ~~and serves as a professor, instructor, or in any other position~~  
 586 ~~or office the duties and responsibilities of which are~~  
 587 ~~determined by the department to require monitoring and review of~~  
 588 ~~insurance laws or insurance regulations and practices shall be~~

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589 ~~exempt from this section.~~

590 ~~(h) Excess classroom hours accumulated during any~~  
 591 ~~compliance period may be carried forward to the next compliance~~  
 592 ~~period.~~

593 (5)(i) For good cause shown, the department may grant an  
 594 extension of time during which the requirements of ~~imposed by~~  
 595 this section may be completed, but such extension ~~of time~~ may  
 596 not exceed 1 year.

597 (6)(j) A nonresident licensee who must complete continuing  
 598 education requirements in his or her home state may use the home  
 599 state requirements to also meet this state's continuing  
 600 education requirements ~~as well,~~ if the licensee's ~~resident's~~  
 601 home state recognizes reciprocity with this state's continuing  
 602 education requirements. A nonresident licensee whose home state  
 603 does not have a continuing education requirement but is licensed  
 604 for the same class of business in another state that has ~~which~~  
 605 ~~does have~~ a continuing education requirement may comply with  
 606 this section by furnishing proof of compliance with the other  
 607 state's requirement if that state has a reciprocal agreement  
 608 with this state relative to continuing education. A nonresident  
 609 licensee whose home state does not have such continuing  
 610 education requirements, and who is not licensed as a nonresident  
 611 licensee ~~agent~~ in a state that has continuing education  
 612 requirements and reciprocates with this state, must meet the  
 613 continuing education requirements of this state.

614 (7)(k) Any person who holds a license to solicit or sell  
 615 life insurance in this state must complete a minimum of 3 hours  
 616 in continuing education, approved by the department, on the

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617 subject of suitability in annuity and life insurance  
 618 transactions. This requirement does not apply to an agent who  
 619 does not have any active life insurance or annuity contracts. In  
 620 applying this exemption, the department may require the filing  
 621 of a certification attesting that the agent has not sold life  
 622 insurance or annuities during the continuing education  
 623 compliance cycle in question and does not have any active life  
 624 insurance or annuity contracts. A licensee may use the hours  
 625 obtained under this paragraph to satisfy the requirement for  
 626 continuing education in ethics under paragraph (3) (a).

627 (8) ~~(4)~~ The following courses may be completed in order to  
 628 meet the elective continuing education course requirements:

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

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

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

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

638 (e) Any part of the Certified Insurance Counselor program:  
 639 21 hours.

640 (f) Any part of the Accredited Advisor in Insurance: 21  
 641 hours.

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

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

648 (i) Any insurance-related course that ~~which~~ is approved by  
 649 the department and taught by an accredited college or university  
 650 per credit hour granted: 12 hours.

651 (j) Any course, including courses relating to agency  
 652 management or errors and omissions, developed or sponsored by an  
 653 ~~any~~ authorized insurer or recognized agents' association or  
 654 insurance trade association or an ~~any~~ independent study program  
 655 of instruction, subject to approval by the department, qualifies  
 656 for the equivalency of the number of classroom hours assigned  
 657 ~~thereto~~ by the department. However, unless otherwise provided in  
 658 this section, continuing education hours may not be credited  
 659 toward meeting the requirements of this section unless the  
 660 course is provided by classroom instruction or results in a  
 661 monitored examination. A monitored examination is not required  
 662 for:

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

667 2. An independent study program of instruction presented  
 668 on paper or in printed material which ~~that~~ imposes a final  
 669 closed book examination that meets the requirements of the  
 670 department's rule for self-study courses. The examination may be  
 671 taken without a proctor if ~~provided~~ the student presents to the  
 672 provider a sworn affidavit certifying that the student did not



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673 | consult any written materials or receive outside assistance of  
674 | any kind or from any person, directly or indirectly, while  
675 | taking the examination. If the student is an employee of an  
676 | agency or corporate entity, the student's supervisor or a  
677 | manager or owner of the agency or corporate entity must also  
678 | sign the sworn affidavit. If the student is self-employed, a  
679 | sole proprietor, or a partner, or if the examination is  
680 | administered online, the sworn affidavit must also be signed by  
681 | a disinterested third party. The sworn affidavit must be  
682 | received by the approved provider before ~~prior to~~ reporting  
683 | continuing education credits to the department.

684 | (9) ~~(\*)~~ Each person or entity sponsoring a course for  
685 | continuing education credit must furnish, within 21 ~~30~~ days  
686 | after completion of the course, in a form satisfactory to the  
687 | department or its designee, a ~~written and certified~~ roster  
688 | showing the name and license number of all persons successfully  
689 | completing such course and requesting credit, ~~accompanied by the~~  
690 | ~~required fee.~~

691 | (10) ~~(5)~~ The department may immediately terminate or shall  
692 | refuse to renew the appointment of an ~~any~~ agent or adjuster who  
693 | has been notified by the department that ~~who has not had~~ his or  
694 | her continuing education requirements have not been certified,  
695 | unless the agent or adjuster has been granted an extension or  
696 | waiver by the department. The department may not issue a new  
697 | appointment of the same or similar type, ~~with any insurer,~~ to a  
698 | licensee ~~an agent~~ who was denied a renewal appointment for  
699 | failing ~~failure~~ to complete continuing education as required  
700 | until the licensee ~~agent~~ completes his or her continuing

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701 education requirement.

702 ~~(6)(a) There is created an 11-member continuing education~~  
 703 ~~advisory board to be appointed by the Chief Financial Officer.~~  
 704 ~~Appointments shall be for terms of 4 years. The purpose of the~~  
 705 ~~board is to advise the department in determining standards by~~  
 706 ~~which courses may be evaluated and categorized as basic,~~  
 707 ~~intermediate, or advanced. The board shall submit~~  
 708 ~~recommendations to the department of changes needed in such~~  
 709 ~~criteria not less frequently than every 2 years. The department~~  
 710 ~~shall require all approved course providers to submit courses~~  
 711 ~~for approval to the department using the criteria. All~~  
 712 ~~materials, brochures, and advertisements related to the approved~~  
 713 ~~courses must specify the level assigned to the course.~~

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

715 ~~1. Seven members representing agents of which at least one~~  
 716 ~~must be a representative from each of the following~~  
 717 ~~organizations: the Florida Association of Insurance Agents; the~~  
 718 ~~Florida Association of Insurance and Financial Advisors; the~~  
 719 ~~Professional Insurance Agents of Florida, Inc.; the Florida~~  
 720 ~~Association of Health Underwriters; the Specialty Agents'~~  
 721 ~~Association; the Latin American Agents' Association; and the~~  
 722 ~~National Association of Insurance Women. Such board members must~~  
 723 ~~possess at least a bachelor's degree or higher from an~~  
 724 ~~accredited college or university with major coursework in~~  
 725 ~~insurance, risk management, or education or possess the~~  
 726 ~~designation of CLU, CPCU, ChFC, CFP, AAI, or CIC. In addition,~~  
 727 ~~each member must possess 5 years of classroom instruction~~  
 728 ~~experience or 5 years of experience in the development or design~~

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729 ~~of educational programs or 10 years of experience as a licensed~~  
730 ~~resident agent. Each organization may submit to the department a~~  
731 ~~list of recommendations for appointment. If one organization~~  
732 ~~does not submit a list of recommendations, the Chief Financial~~  
733 ~~Officer may select more than one recommended person from a list~~  
734 ~~submitted by other eligible organizations.~~

735 ~~2. Two members representing insurance companies at least~~  
736 ~~one of whom must represent a Florida Domestic Company and one of~~  
737 ~~whom must represent the Florida Insurance Council. Such board~~  
738 ~~members must be employed within the training department of the~~  
739 ~~insurance company. At least one such member must be a member of~~  
740 ~~the Society of Insurance Trainers and Educators.~~

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

746 ~~4. One member, appointed by the Chief Financial Officer,~~  
747 ~~who represents the department.~~

748 ~~(c) The members of the board shall serve at the pleasure~~  
749 ~~of the Chief Financial Officer. Each board member shall be~~  
750 ~~entitled to reimbursement for expenses pursuant to s. 112.061.~~  
751 ~~The board shall designate one member as chair. The board shall~~  
752 ~~meet at the call of the chair or the Chief Financial Officer.~~

753 ~~(11)(7)~~ The department may contract services relative to  
754 the administration of the continuing education program to a  
755 private entity. The contract shall be procured as a ~~contract for~~  
756 a contractual service pursuant to s. 287.057.

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757 Section 11. Effective October 1, 2014, subsections (3) and  
 758 (7) of section 626.2815, Florida Statutes, as amended by this  
 759 act, are amended, and subsections (8) through (11) of that  
 760 section are redesignated as subsections (7) through (10),  
 761 respectively, to read:

762 626.2815 Continuing education requirements.—

763 (3) Each licensee except a title insurance agent ~~subject~~  
 764 ~~to this section~~ must, ~~except as set forth in paragraphs (b),~~  
 765 ~~(c), (d), and (f),~~ complete a 5-hour update course every 2 years  
 766 which is specific to the license held by the licensee. The  
 767 course must be developed and offered by providers and approved  
 768 by the department. The content of the course must address all  
 769 lines of insurance for which examination and licensure are  
 770 required and include the following subject areas: insurance law  
 771 updates, ethics for insurance professionals, disciplinary trends  
 772 and case studies, industry trends, premium discounts,  
 773 determining suitability of products and services, and other  
 774 similar insurance-related topics the department determines are  
 775 relevant to legally and ethically carrying out the  
 776 responsibilities of the license granted. A licensee who holds  
 777 multiple insurance licenses must complete an update course that  
 778 is specific to at least one of the licenses held. Except as  
 779 otherwise specified, any remaining required hours of continuing  
 780 education are elective and may consist of any continuing  
 781 education course approved by the department under this section  
 782 ~~minimum of 24 hours of continuing education courses every 2~~  
 783 ~~years in basic or higher-level courses prescribed by this~~  
 784 ~~section or in other courses approved by the department.~~

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785           (a) Except as provided in paragraphs (b), (c), (d), (e),  
 786 and (i), each licensee must also complete 19 3 hours of elective  
 787 continuing education courses, approved by the department, every  
 788 2 years ~~on the subject matter of ethics. Each licensed general~~  
 789 ~~lines agent and customer representative must complete 1 hour of~~  
 790 ~~continuing education, approved by the department, every 2 years~~  
 791 ~~on the subject matter of premium discounts available on property~~  
 792 ~~insurance policies based on various hurricane mitigation options~~  
 793 ~~and the means for obtaining the discounts.~~

794           (b) A licensee who has been licensed for 6 or more years  
 795 must also complete a minimum of 15 20 hours of elective  
 796 continuing education every 2 years ~~in intermediate or advanced-~~  
 797 ~~level courses prescribed by this section or in other courses~~  
 798 ~~approved by the department.~~

799           (c) A licensee who has been licensed for 25 years or more  
 800 and is a CLU or a CPCU or has a Bachelor of Science degree in  
 801 risk management or insurance with evidence of 18 or more  
 802 semester hours in ~~upper-level~~ insurance-related courses must  
 803 also complete a minimum of 5 10 hours of elective continuing  
 804 education courses every 2 years ~~in courses prescribed by this~~  
 805 ~~section or in other courses approved by the department.~~

806           (d) An individual who holds a license as a customer  
 807 representative, limited customer representative, ~~title agent,~~  
 808 motor vehicle physical damage and mechanical breakdown insurance  
 809 agent, or an industrial fire insurance or burglary insurance  
 810 agent and who is not a licensed life or health agent, must also  
 811 complete a minimum of 5 10 hours of continuing education courses  
 812 every 2 years.

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813 ~~(e) An individual who holds a license to solicit or sell~~  
 814 ~~life or health insurance and a license to solicit or sell~~  
 815 ~~property, casualty, surety, or surplus lines insurance must~~  
 816 ~~complete courses in life or health insurance for one-half of the~~  
 817 ~~total hours required and courses in property, casualty, surety,~~  
 818 ~~or surplus lines insurance for one-half of the total hours~~  
 819 ~~required. However, a licensee who holds an industrial fire or~~  
 820 ~~burglary insurance license and who is a licensed life or health~~  
 821 ~~agent must complete 4 hours of continuing education courses~~  
 822 ~~every 2 years related to industrial fire or burglary insurance~~  
 823 ~~and the remaining number of hours of continuing education~~  
 824 ~~courses related to life or health insurance.~~

825 (e)-(f) An individual subject to chapter 648 must complete  
 826 the 5-hour update course and a minimum of 9 14 hours of elective  
 827 continuing education courses every 2 years.

828 (f) Elective continuing education courses for public  
 829 adjusters must be specifically designed for public adjusters and  
 830 approved by the department. Notwithstanding this subsection,  
 831 public adjusters for workers' compensation insurance or health  
 832 insurance are not required to take continuing education courses  
 833 pursuant to this section.

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

836 (h) An individual teaching an approved course of  
 837 instruction or lecturing at any approved seminar and attending  
 838 the entire course or seminar qualifies for the same number of  
 839 classroom hours as would be granted to a person taking and  
 840 successfully completing such course or seminar. Credit is

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841 limited to the number of hours actually taught unless a person  
 842 attends the entire course or seminar. An individual who is an  
 843 official of or employed by a governmental entity in this state  
 844 and serves as a professor, instructor, or other position or  
 845 office, the duties and responsibilities of which are determined  
 846 by the department to require monitoring and review of insurance  
 847 laws or insurance regulations and practices, is exempt from this  
 848 section.

849 (i) For compliance periods beginning on or after October  
 850 1, 2014, any person who holds a license as a title insurance  
 851 agent must complete a minimum of 10 hours of continuing  
 852 education credit every 2 years in title insurance and escrow  
 853 management specific to this state and approved by the  
 854 department, which shall include at least 3 hours of continuing  
 855 education on the subject matter of ethics, rules, or compliance  
 856 with state and federal regulations relating specifically to  
 857 title insurance and closing services.

858 ~~(7) Any person who holds a license to solicit or sell life~~  
 859 ~~insurance in this state must complete a minimum of 3 hours in~~  
 860 ~~continuing education, approved by the department, on the subject~~  
 861 ~~of suitability in annuity and life insurance transactions. This~~  
 862 ~~requirement does not apply to an agent who does not have any~~  
 863 ~~active life insurance or annuity contracts. In applying this~~  
 864 ~~exemption, the department may require the filing of a~~  
 865 ~~certification attesting that the agent has not sold life~~  
 866 ~~insurance or annuities during the continuing education~~  
 867 ~~compliance cycle in question and does not have any active life~~  
 868 ~~insurance or annuity contracts. A licensee may use the hours~~

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869 ~~obtained under this paragraph to satisfy the requirement for~~  
 870 ~~continuing education in ethics under paragraph (3) (a).~~

871 Section 12. Subsections (1) and (2) of section 626.292,  
 872 Florida Statutes, are amended to read:

873 626.292 Transfer of license from another state.—

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

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

881 (a) The individual must ~~shall~~ become a resident of this  
 882 state.

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

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

891 1. A certification issued by the appropriate official of  
 892 the applicant's home state identifying the type of license and  
 893 lines of authority under the license and stating that, at the  
 894 time the license from the home state was canceled, the applicant  
 895 was in good standing in that state or that the state's Producer  
 896 Database records, maintained by the National Association of



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897 Insurance Commissioners, its affiliates, or subsidiaries,  
 898 indicate that the agent or all-lines adjuster is or was licensed  
 899 in good standing for the line of authority requested.

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

902 (d) The individual must ~~shall~~ satisfy prelicensing  
 903 education requirements in this state, unless the completion of  
 904 prelicensing education requirements was a prerequisite for  
 905 licensure in the other state and the prelicensing education  
 906 requirements in the other state are substantially equivalent to  
 907 the prelicensing requirements of this state as determined by the  
 908 department. This paragraph does not apply to all-lines  
 909 adjusters.

910 (e) The individual must ~~shall~~ satisfy the examination  
 911 requirement under s. 626.221, unless exempted ~~exempt thereunder.~~

912 Section 13. Subsections (2) and (3) of section 626.311,  
 913 Florida Statutes, are amended to read:

914 626.311 Scope of license.—

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

918 (3) Except with respect ~~as~~ to a limited license as a  
 919 travel ~~personal accident~~ insurance agent, the license of a  
 920 health agent covers ~~shall cover~~ all kinds of health insurance,  
 921 and such ~~no~~ license may not ~~shall~~ be ~~issued~~ limited to a  
 922 particular class of health insurance.

923 Section 14. Subsections (1) and (4) of section 626.321,  
 924 Florida Statutes, are amended to read:

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925 626.321 Limited licenses.—

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

931 (a) *Motor vehicle physical damage and mechanical breakdown*  
 932 *insurance.*—License covering insurance against only the loss of  
 933 or damage to a any motor vehicle that ~~which~~ is designed for use  
 934 upon a highway, including trailers and semitrailers designed for  
 935 use with such vehicles. Such license also covers insurance  
 936 against the failure of an original or replacement part to  
 937 perform any function for which it was designed. ~~The applicant~~  
 938 ~~for such a license shall pass a written examination covering~~  
 939 ~~motor vehicle physical damage insurance and mechanical breakdown~~  
 940 ~~insurance.~~ A licensee under this paragraph may not ~~No individual~~  
 941 ~~while so licensed shall~~ hold a license as an agent for ~~as to~~ any  
 942 other or additional kind or class of insurance coverage except  
 943 ~~as to~~ a limited license for credit insurance ~~life and disability~~  
 944 ~~insurances~~ as provided in paragraph (e). Effective October 1,  
 945 2012, all licensees holding such limited license and appointment  
 946 may renew the license and appointment, but no new or additional  
 947 licenses may be issued pursuant to this paragraph, and a  
 948 licensee whose limited license under this paragraph has been  
 949 terminated, suspended, or revoked may not have such license  
 950 reinstated.

951 (b) *Industrial fire insurance or burglary insurance.*—  
 952 License covering only industrial fire insurance or burglary

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953 insurance. The applicant for such a license must ~~shall~~ pass a  
 954 written examination covering such insurance. A licensee under  
 955 this paragraph may not ~~No individual while so licensed shall~~  
 956 hold a license as an agent for ~~as to~~ any other or additional  
 957 kind or class of insurance coverage except for ~~as to~~ life  
 958 insurance and health insurance ~~insurances~~.

959 (c) *Travel insurance.*—License covering only policies and  
 960 certificates of travel insurance, which are subject to review by  
 961 the office under s. 624.605(1)(q). Policies and certificates of  
 962 travel insurance may provide coverage for risks incidental to  
 963 travel, planned travel, or accommodations while traveling,  
 964 including, but not limited to, accidental death and  
 965 dismemberment of a traveler; trip cancellation, interruption, or  
 966 delay; loss of or damage to personal effects or travel  
 967 documents; baggage delay; emergency medical travel or evacuation  
 968 of a traveler; or medical, surgical, and hospital expenses  
 969 related to an illness or emergency of a traveler. ~~Any~~ Such  
 970 policy or certificate may be issued for terms longer than 60  
 971 days, but ~~each policy or certificate~~, other than a policy or  
 972 certificate providing coverage for air ambulatory services only,  
 973 each policy or certificate must be limited to coverage for  
 974 travel or use of accommodations of no longer than 60 days. The  
 975 license may be issued only:

976 1. To a full-time salaried employee of a common carrier or  
 977 a full-time salaried employee or owner of a transportation  
 978 ticket agency and may authorize the sale of such ticket policies  
 979 only in connection with the sale of transportation tickets, or  
 980 to the full-time salaried employee of such an agent. ~~No~~ Such

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981 policy may not ~~shall~~ be for a ~~duration of~~ more than 48 hours or  
 982 more than ~~for~~ the duration of a specified one-way trip or round  
 983 trip.

984 2. To an entity or individual that is:

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

987 b. An exchange company operating an exchange program  
 988 approved under chapter 721;

989 c. A managing entity operating a timeshare plan approved  
 990 under chapter 721;

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

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

994  
 995 A licensee shall require each employee who offers policies or  
 996 certificates under this subparagraph to receive initial training  
 997 from a general lines agent or an insurer authorized under  
 998 chapter 624 to transact insurance within this state. For an  
 999 entity applying for a license as a travel insurance agent, the  
 1000 fingerprinting requirement of this section applies only to the  
 1001 president, secretary, and treasurer and to any other officer or  
 1002 person who directs or controls the travel insurance operations  
 1003 of the entity.

1004 (d) *Motor vehicle rental insurance.*—

1005 1. License covering only insurance of the risks set forth  
 1006 in this paragraph when offered, sold, or solicited with and  
 1007 incidental to the rental or lease of a motor vehicle and which  
 1008 applies only to the motor vehicle that is the subject of the

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1009 | lease or rental agreement and the occupants of the motor  
 1010 | vehicle:  
 1011 |       a. Excess motor vehicle liability insurance providing  
 1012 | coverage in excess of the standard liability limits provided by  
 1013 | the lessor in the lessor's lease to a person renting or leasing  
 1014 | a motor vehicle from the licensee's employer for liability  
 1015 | arising in connection with the negligent operation of the leased  
 1016 | or rented motor vehicle.  
 1017 |       b. Insurance covering the liability of the lessee to the  
 1018 | lessor for damage to the leased or rented motor vehicle.  
 1019 |       c. Insurance covering the loss of or damage to baggage,  
 1020 | personal effects, or travel documents of a person renting or  
 1021 | leasing a motor vehicle.  
 1022 |       d. Insurance covering accidental personal injury or death  
 1023 | of the lessee and any passenger who is riding or driving with  
 1024 | the covered lessee in the leased or rented motor vehicle.  
 1025 |       2. Insurance under a motor vehicle rental insurance  
 1026 | license may be issued only if the lease or rental agreement is  
 1027 | for no more than 60 days, the lessee is not provided coverage  
 1028 | for more than 60 consecutive days per lease period, and the  
 1029 | lessee is given written notice that his or her personal  
 1030 | insurance policy providing coverage on an owned motor vehicle  
 1031 | may provide coverage of such risks and that the purchase of the  
 1032 | insurance is not required in connection with the lease or rental  
 1033 | of a motor vehicle. If the lease is extended beyond 60 days, the  
 1034 | coverage may be extended one time only for a period not to  
 1035 | exceed an additional 60 days. Insurance may be provided to the  
 1036 | lessee as an additional insured on a policy issued to the

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1037 licensee's employer.

1038         3. The license may be issued only to the full-time  
 1039 salaried employee of a licensed general lines agent or to a  
 1040 business entity that offers motor vehicles for rent or lease if  
 1041 insurance sales activities authorized by the license are in  
 1042 connection with and incidental to the rental or lease of a motor  
 1043 vehicle.

1044         a. A license issued to a business entity that offers motor  
 1045 vehicles for rent or lease encompasses ~~shall encompass~~ each  
 1046 office, branch office, or place of business making use of the  
 1047 entity's business name in order to offer, solicit, and sell  
 1048 insurance pursuant to this paragraph.

1049         b. The application for licensure must list the name,  
 1050 address, and phone number for each office, branch office, or  
 1051 place of business that is to be covered by the license. The  
 1052 licensee shall notify the department of the name, address, and  
 1053 phone number of any new location that is to be covered by the  
 1054 license before the new office, branch office, or place of  
 1055 business engages in the sale of insurance pursuant to this  
 1056 paragraph. The licensee must ~~shall~~ notify the department within  
 1057 30 days after closing or terminating an office, branch office,  
 1058 or place of business. Upon receipt of the notice, the department  
 1059 shall delete the office, branch office, or place of business  
 1060 from the license.

1061         c. A licensed and appointed entity is directly responsible  
 1062 and accountable for all acts of the licensee's employees.

1063         (e) ~~Credit life or disability insurance.~~—License covering  
 1064 ~~only~~ credit life, credit ~~or~~ disability insurance, credit

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1065 property, credit unemployment, involuntary unemployment,  
 1066 mortgage life, mortgage guaranty, mortgage disability,  
 1067 guaranteed automobile protection (GAP) insurance, and any other  
 1068 form of insurance offered in connection with an extension of  
 1069 credit which is limited to partially or wholly extinguishing a  
 1070 credit obligation that the department determines should be  
 1071 designated a form of limited line credit insurance. Effective  
 1072 October 1, 2012, all valid licenses held by persons for any of  
 1073 the lines of insurance listed in this paragraph shall be  
 1074 converted to a credit insurance license. Licensees who wish to  
 1075 obtain a new license reflecting such change must request a  
 1076 duplicate license and pay a \$5 fee as specified in s.  
 1077 624.501(15). The license may be issued only to an individual  
 1078 employed by a life or health insurer as an officer or other  
 1079 salaried or commissioned representative, to an individual  
 1080 employed by or associated with a lending or financial  
 1081 institution or creditor, or to a lending or financial  
 1082 institution or creditor, and may authorize the sale of such  
 1083 insurance only with respect to borrowers or debtors of such  
 1084 lending or financing institution or creditor. However, only the  
 1085 individual or entity whose tax identification number is used in  
 1086 receiving or is credited with receiving the commission from the  
 1087 sale of such insurance shall be the licensed agent of the  
 1088 insurer. No individual while so licensed shall hold a license as  
 1089 an agent as to any other or additional kind or class of life or  
 1090 health insurance coverage. ~~An entity holding a limited license~~  
 1091 ~~under this paragraph is also authorized to sell credit insurance~~  
 1092 ~~and credit property insurance.~~

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1093 ~~(f) Credit insurance. License covering only credit~~  
 1094 ~~insurance, as such insurance is defined in s. 624.605(1)(i), and~~  
 1095 ~~no individual or entity so licensed shall, during the same~~  
 1096 ~~period, hold a license as an agent as to any other or additional~~  
 1097 ~~kind of life or health insurance with the exception of credit~~  
 1098 ~~life or disability insurance as defined in paragraph (e). The~~  
 1099 ~~same licensing provisions as outlined in paragraph (e) apply to~~  
 1100 ~~entities licensed as credit insurance agents under this~~  
 1101 ~~paragraph.~~

1102 ~~(g) Credit property insurance. A license covering only~~  
 1103 ~~credit property insurance may be issued to any individual except~~  
 1104 ~~an individual employed by or associated with a financial~~  
 1105 ~~institution as defined in s. 655.005 and authorized to sell such~~  
 1106 ~~insurance only with respect to a borrower or debtor, not to~~  
 1107 ~~exceed the amount of the loan.~~

1108 ~~(f)(h)~~ Crop hail and multiple-peril crop insurance.-  
 1109 License for insurance covering crops subject to unfavorable  
 1110 weather conditions, fire or lightening, flood, hail, insect  
 1111 infestation, disease, or other yield-reducing conditions or  
 1112 perils which is provided by the private insurance market, or  
 1113 which is subsidized by the Federal Group Insurance Corporation  
 1114 including multi-peril crop insurance ~~only crop hail and~~  
 1115 ~~multiple-peril crop insurance.~~ Notwithstanding any other  
 1116 provision of law, the limited license may be issued to a bona  
 1117 fide salaried employee of an association chartered under the  
 1118 Farm Credit Act of 1971, 12 U.S.C. ss. 2001 et seq., who  
 1119 satisfactorily completes the examination prescribed by the  
 1120 department pursuant to s. 626.241(5). The ~~limited~~ agent must be



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1121 appointed by, and his or her limited license requested by, a  
 1122 licensed general lines agent. All business transacted by the  
 1123 ~~limited~~ agent must be on ~~shall be in~~ behalf of, in the name of,  
 1124 and countersigned by the agent by whom he or she is appointed.  
 1125 Sections 626.561 and 626.748, relating to records, apply to all  
 1126 business written pursuant to this section. The ~~limited~~ licensee  
 1127 may be appointed by and licensed for only one general lines  
 1128 agent or agency.

1129 ~~(g)(i) In-transit and storage personal property insurance;~~  
 1130 ~~communications equipment property insurance, communications~~  
 1131 ~~equipment inland marine insurance, and communications equipment~~  
 1132 ~~service warranty agreement sales.-~~

1133 1. A License for insurance covering only ~~the insurance of~~  
 1134 personal property not held for resale, covering the risks of  
 1135 transportation or storage in rented or leased motor vehicles,  
 1136 trailers, or self-service storage facilities, ~~as the latter are~~  
 1137 defined in s. 83.803. Such license, may be issued, without  
 1138 examination, only to employees or authorized representatives of  
 1139 lessors who rent or lease motor vehicles, trailers, or self-  
 1140 service storage facilities and who are authorized by an insurer  
 1141 to issue certificates or other evidences of insurance to lessees  
 1142 of such motor vehicles, trailers, or self-service storage  
 1143 facilities under an insurance policy issued to the lessor. A  
 1144 person licensed under this paragraph must ~~shall~~ give a  
 1145 prospective purchaser of in-transit or storage personal property  
 1146 insurance written notice that his or her homeowner's policy may  
 1147 provide coverage for the loss of personal property and that the  
 1148 purchase of such insurance is not required under the lease

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1149 terms.

1150 ~~2. A license covering only communications equipment, for~~

1151 ~~the loss, theft, mechanical failure, malfunction of or damage~~

1152 ~~to, communications equipment. The license may be issued only to:~~

1153 ~~a. Employees or authorized representatives of a licensed~~

1154 ~~general lines agent;~~

1155 ~~b. The lead business location of a retail vendor of~~

1156 ~~communications equipment and its branch locations; or~~

1157 ~~c. Employees, agents, or authorized representatives of a~~

1158 ~~retail vendor of communications equipment.~~

1159

1160 ~~The license authorizes the sale of such policies, or~~

1161 ~~certificates under a group master policy, only with respect to~~

1162 ~~the sale of, or provision of communications service for,~~

1163 ~~communications equipment. A general lines agent is not required~~

1164 ~~to obtain a license under this subparagraph to offer or sell~~

1165 ~~communications equipment property insurance or communication~~

1166 ~~equipment inland marine insurance. The license also authorizes~~

1167 ~~sales of service warranty agreements covering only~~

1168 ~~communications equipment to the same extent as if licensed under~~

1169 ~~s. 634.419 or s. 634.420. The provisions of this chapter~~

1170 ~~requiring submission of fingerprints do not apply to~~

1171 ~~communications equipment licenses issued to qualified entities~~

1172 ~~under this subparagraph. Licensees offering policies under this~~

1173 ~~subparagraph must receive initial training from, and have a~~

1174 ~~contractual relationship with, a general lines agent. For the~~

1175 ~~purposes of this subparagraph, the term "communications~~

1176 ~~equipment" means handsets, pagers, personal digital assistants,~~

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1177 ~~portable computers, automatic answering devices, and other~~  
1178 ~~devices or accessories used to originate or receive~~  
1179 ~~communications signals or service, and includes services related~~  
1180 ~~to the use of such devices, such as consumer access to a~~  
1181 ~~wireless network; however, the term does not include~~  
1182 ~~telecommunications switching equipment, transmission wires, cell~~  
1183 ~~site transceiver equipment, or other equipment and systems used~~  
1184 ~~by telecommunications companies to provide telecommunications~~  
1185 ~~service to consumers. A branch location of a retail vendor of~~  
1186 ~~communications equipment licensed pursuant to paragraph (2) (b)~~  
1187 ~~may, in lieu of obtaining an appointment from an insurer or~~  
1188 ~~warranty association as provided in paragraph (2) (c), obtain a~~  
1189 ~~single appointment from the associated lead business location~~  
1190 ~~licensee licensed under paragraph (2) (a) and pay the prescribed~~  
1191 ~~appointment fee under s. 624.501 provided the lead business~~  
1192 ~~location has a single appointment from each insurer or warranty~~  
1193 ~~association represented and such appointment provides that it~~  
1194 ~~applies to the lead business location and all of its branch~~  
1195 ~~locations. Any branch location individually appointed by an~~  
1196 ~~insurer under paragraph (2) (c) prior to January 1, 2006, may~~  
1197 ~~replace its appointments with an appointment from its lead~~  
1198 ~~location at no charge. Branch location appointments shall be~~  
1199 ~~renewed on the first annual anniversary of licensure of the lead~~  
1200 ~~business location occurring more than 24 months after the~~  
1201 ~~initial appointment date and every 24 months thereafter.~~  
1202 ~~Notwithstanding s. 624.501, after July 1, 2006, the renewal fee~~  
1203 ~~applicable to such branch location appointments shall be \$30 per~~  
1204 ~~appointment.~~

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1205 (h) Portable electronics insurance.—License for property  
 1206 insurance or inland marine insurance that covers only loss,  
 1207 theft, mechanical failure, malfunction, or damage for portable  
 1208 electronics.

1209 1. The license may be issued only to:

1210 a. Employees or authorized representatives of a licensed  
 1211 general lines agent; or

1212 b. The lead business location of a retail vendor that  
 1213 sells portable electronics insurance. The lead business location  
 1214 must have a contractual relationship with a general lines agent.

1215 2. Employees or authorized representatives of a licensee  
 1216 under subparagraph 1. may sell or offer for sale portable  
 1217 electronics coverage without being subject to licensure as an  
 1218 insurance agent if:

1219 a. Such insurance is sold or offered for sale at a  
 1220 licensed location or at one of the licensee's branch locations  
 1221 if the branch location is appointed by the licensed lead  
 1222 business location or its appointing insurers;

1223 b. The insurer issuing the insurance directly supervises  
 1224 or appoints a general lines agent to supervise the sale of such  
 1225 insurance, including the development of a training program for  
 1226 the employees and authorized representatives of vendors that are  
 1227 directly engaged in the activity of selling or offering the  
 1228 insurance; and

1229 c. At each location where the insurance is offered,  
 1230 brochures or other written materials that provide the  
 1231 information required by this subparagraph are made available to  
 1232 all prospective customers. The brochures or written materials

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1233 may include information regarding portable electronics  
 1234 insurance, service warranty agreements, or other incidental  
 1235 services or benefits offered by a licensee.

1236 3. Individuals not licensed to sell portable electronics  
 1237 insurance may not be paid commissions based on the sale of such  
 1238 coverage. However, a licensee who uses a compensation plan for  
 1239 employees and authorized representatives which includes  
 1240 supplemental compensation for the sale of noninsurance products,  
 1241 in addition to a regular salary or hourly wages, may include  
 1242 incidental compensation for the sale of portable electronics  
 1243 insurance as a component of the overall compensation plan.

1244 4. Brochures or other written materials related to  
 1245 portable electronics insurance must:

1246 a. Disclose that such insurance may duplicate coverage  
 1247 already provided by a customer's homeowners' insurance policy,  
 1248 renters' insurance policy, or other source of coverage;

1249 b. State that enrollment in insurance coverage is not  
 1250 required in order to purchase or lease portable electronics or  
 1251 services;

1252 c. Summarize the material terms of the insurance coverage,  
 1253 including the identity of the insurer, the identity of the  
 1254 supervising entity, the amount of any applicable deductible and  
 1255 how it is to be paid, the benefits of coverage, and key terms  
 1256 and conditions of coverage, such as whether portable electronics  
 1257 may be repaired or replaced with similar make and model  
 1258 reconditioned or nonoriginal manufacturer parts or equipment;

1259 d. Summarize the process for filing a claim, including a  
 1260 description of how to return portable electronics and the

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1261 maximum fee applicable if the customer fails to comply with  
 1262 equipment return requirements; and

1263 e. State that an enrolled customer may cancel coverage at  
 1264 any time and that the person paying the premium will receive a  
 1265 refund of any unearned premium.

1266 5. A licensed and appointed general lines agent is not  
 1267 required to obtain a portable electronics insurance license to  
 1268 offer or sell portable electronics insurance at locations  
 1269 already licensed as an insurance agency, but may apply for a  
 1270 portable electronics insurance license for branch locations not  
 1271 otherwise licensed to sell insurance.

1272 6. A portable electronics license authorizes the sale of  
 1273 individual policies or certificates under a group or master  
 1274 insurance policy. The license also authorizes the sale of  
 1275 service warranty agreements covering only portable electronics  
 1276 to the same extent as if licensed under s. 634.419 or s.  
 1277 634.420.

1278 7. A licensee may bill and collect the premium for the  
 1279 purchase of portable electronics insurance provided that:

1280 a. If the insurance is included with the purchase or lease  
 1281 of portable electronics or related services, the licensee  
 1282 clearly and conspicuously discloses that insurance coverage is  
 1283 included with the purchase. Disclosure of the stand-alone cost  
 1284 of the premium for same or similar insurance must be made on the  
 1285 customer's bill and in any marketing materials made available at  
 1286 the point of sale. If the insurance is not included, the charge  
 1287 to the customer for the insurance must be separately itemized on  
 1288 the customer's bill.

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1289 b. Premiums are incidental to other fees collected, are  
 1290 maintained in a manner that is readily identifiable, and are  
 1291 accounted for and remitted to the insurer or supervising entity  
 1292 within 60 days of receipt. Licensees are not required to  
 1293 maintain such funds in a segregated account.

1294 c. All funds received by a licensee from an enrolled  
 1295 customer for the sale of the insurance are considered funds held  
 1296 in trust by the licensee in a fiduciary capacity for the benefit  
 1297 of the insurer. Licensees may receive compensation for billing  
 1298 and collection services.

1299 8. Notwithstanding any other provision of law, the terms  
 1300 for the termination or modification of coverage under a policy  
 1301 of portable electronics insurance are those set forth in the  
 1302 policy.

1303 9. Notice or correspondence required by the policy, or  
 1304 otherwise required by law, may be provided by electronic means  
 1305 if the insurer or licensee maintains proof that the notice or  
 1306 correspondence was sent. Such notice or correspondence may be  
 1307 sent on behalf of the insurer or licensee by the general lines  
 1308 agent appointed by the insurer to supervise the administration  
 1309 of the program. For purposes of this subparagraph, an enrolled  
 1310 customer's provision of an electronic mail address to the  
 1311 insurer or licensee is deemed to be consent to receive notices  
 1312 and correspondence by electronic means if a conspicuously  
 1313 located disclosure is provided to the customer indicating the  
 1314 same.

1315 10. The provisions of this chapter requiring submission of  
 1316 fingerprints do not apply to licenses issued to qualified

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1317 entities under this paragraph.

1318 11. A branch location that sells portable electronics  
 1319 insurance may, in lieu of obtaining an appointment from an  
 1320 insurer or warranty association, obtain a single appointment  
 1321 from the associated lead business location licensee and pay the  
 1322 prescribed appointment fee under s. 624.501 if the lead business  
 1323 location has a single appointment from each insurer or warranty  
 1324 association represented and such appointment applies to the lead  
 1325 business location and all of its branch locations. Branch  
 1326 location appointments shall be renewed 24 months after the  
 1327 initial appointment date of the lead business location and every  
 1328 24 months thereafter. Notwithstanding s. 624.501, the renewal  
 1329 fee applicable to such branch location appointments is \$30 per  
 1330 appointment.

1331 12. For purposes of this paragraph:

1332 a. "Branch location" means any physical location in this  
 1333 state at which a licensee offers its products or services for  
 1334 sale.

1335 b. "Portable electronics" means personal, self-contained,  
 1336 easily carried by an individual, battery-operated electronic  
 1337 communication, viewing, listening, recording, gaming, computing  
 1338 or global positioning devices, including cell or satellite  
 1339 phones, pagers, personal global positioning satellite units,  
 1340 portable computers, portable audio listening, video viewing or  
 1341 recording devices, digital cameras, video camcorders, portable  
 1342 gaming systems, docking stations, automatic answering devices,  
 1343 and other similar devices and their accessories, and service  
 1344 related to the use of such devices.



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1345 c. "Portable electronics transaction" means the sale or  
 1346 lease of portable electronics or a related service, including  
 1347 portable electronics insurance.

1348 (4) Except as otherwise expressly provided, a person  
 1349 applying for or holding a limited license is ~~shall be~~ subject to  
 1350 the same applicable requirements and responsibilities that ~~as~~  
 1351 apply to general lines agents in general, ~~if licensed as to~~  
 1352 motor vehicle physical damage and mechanical breakdown  
 1353 insurance, ~~credit property insurance,~~ industrial fire insurance  
 1354 or burglary insurance, motor vehicle rental insurance, credit  
 1355 insurance, crop hail and multiple-peril crop insurance, in-  
 1356 transit and storage personal property insurance, or portable  
 1357 electronics insurance ~~communications equipment property~~  
 1358 ~~insurance or communications equipment inland marine insurance,~~  
 1359 ~~baggage and motor vehicle excess liability insurance, or credit~~  
 1360 ~~insurance;~~ or as apply to life agents or health agents in  
 1361 general, as applicable ~~the case may be,~~ if licensed as to travel  
 1362 ~~personal accident insurance or credit life or credit disability~~  
 1363 insurance.

1364 Section 15. Section 626.342, Florida Statutes, is amended  
 1365 to read:

1366 626.342 Furnishing supplies to unlicensed ~~life, health, or~~  
 1367 ~~general lines~~ agent prohibited; civil liability.-

1368 (1) An insurer, a managing general agent, an insurance  
 1369 agency, or an agent, directly or through a ~~any~~ representative,  
 1370 may not furnish to an ~~any~~ agent any blank forms, applications,  
 1371 stationery, or other supplies to be used in soliciting,  
 1372 negotiating, or effecting contracts of insurance on its behalf

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1373 unless such blank forms, applications, stationery, or other  
 1374 supplies relate to a class of business for ~~with respect to~~ which  
 1375 the agent is licensed and appointed, whether for that insurer or  
 1376 another insurer.

1377 (2) An ~~Any~~ insurer, general agent, insurance agency, or  
 1378 agent who furnishes any of the supplies specified in subsection  
 1379 (1) to an ~~any~~ agent or prospective agent not appointed to  
 1380 represent the insurer and who accepts from or writes any  
 1381 insurance business for such agent or agency is subject to civil  
 1382 liability to an ~~any~~ insured of such insurer to the same extent  
 1383 and ~~in the same~~ manner as if such agent or prospective agent had  
 1384 been appointed or authorized by the insurer or such agent to act  
 1385 on ~~in~~ its or his or her behalf. The provisions of this  
 1386 subsection do not apply to insurance risk apportionment plans  
 1387 under s. 627.351.

1388 (3) This section does not apply to the placing of surplus  
 1389 lines business under the provisions of ss. 626.913-626.937.

1390 Section 16. Subsection (1) of section 626.381, Florida  
 1391 Statutes, is amended to read:

1392 626.381 Renewal, continuation, reinstatement, or  
 1393 termination of appointment.—

1394 (1) The appointment of an appointee continues ~~shall~~  
 1395 ~~continue~~ in force until suspended, revoked, or otherwise  
 1396 terminated, but is subject to a renewal request filed by the  
 1397 appointing entity in the appointee's birth month as to natural  
 1398 persons or the month the original appointment was issued ~~license~~  
 1399 ~~date~~ as to entities and every 24 months thereafter, accompanied  
 1400 by payment of the renewal appointment fee and taxes as

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1401 prescribed in s. 624.501.

1402 Section 17. Section 626.536, Florida Statutes, is amended  
 1403 to read:

1404 626.536 Reporting of administrative actions. ~~Each agent~~  
 1405 ~~and insurance agency shall submit to the department,~~ Within 30  
 1406 days after the final disposition of an any administrative action  
 1407 taken against a licensee ~~the agent~~ or insurance agency by a  
 1408 governmental agency or other regulatory agency in this or any  
 1409 other state or jurisdiction relating to the business of  
 1410 insurance, the sale of securities, or activity involving fraud,  
 1411 dishonesty, trustworthiness, or breach of a fiduciary duty, the  
 1412 licensee or insurance agency must submit a copy of the order,  
 1413 consent to order, or other relevant legal documents to the  
 1414 department. The department may adopt rules to administer  
 1415 ~~implementing the provisions of~~ this section.

1416 Section 18. Section 626.551, Florida Statutes, is amended  
 1417 to read:

1418 626.551 Notice of change of address, name. ~~A Every~~  
 1419 licensee must ~~shall~~ notify the department, in writing, within 30  
 1420 ~~60~~ days after a change of name, residence address, principal  
 1421 business street address, mailing address, contact telephone  
 1422 numbers, including a business telephone number, or e-mail  
 1423 address. A licensee ~~licensed agent~~ who has moved his or her  
 1424 principal place of residence and principal place of business  
 1425 from this state shall have his or her license and all  
 1426 appointments immediately terminated by the department. Failure  
 1427 to notify the department within the required time ~~period~~ shall  
 1428 result in a fine not to exceed \$250 for the first offense and 7

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1429 ~~for subsequent offenses,~~ a fine of at least \$500 or suspension  
 1430 or revocation of the license pursuant to s. 626.611, s.  
 1431 626.6115, or s. 626.621, or s. 626.6215 for a subsequent  
 1432 offense. The department may adopt rules to administer and  
 1433 enforce this section.

1434 Section 19. Subsection (14) is added to section 626.621,  
 1435 Florida Statutes, to read:

1436 626.621 Grounds for discretionary refusal, suspension, or  
 1437 revocation of agent's, adjuster's, customer representative's,  
 1438 service representative's, or managing general agent's license or  
 1439 appointment.—The department may, in its discretion, deny an  
 1440 application for, suspend, revoke, or refuse to renew or continue  
 1441 the license or appointment of any applicant, agent, adjuster,  
 1442 customer representative, service representative, or managing  
 1443 general agent, and it may suspend or revoke the eligibility to  
 1444 hold a license or appointment of any such person, if it finds  
 1445 that as to the applicant, licensee, or appointee any one or more  
 1446 of the following applicable grounds exist under circumstances  
 1447 for which such denial, suspension, revocation, or refusal is not  
 1448 mandatory under s. 626.611:

1449 (14) Failure to comply with any civil, criminal, or  
 1450 administrative action taken by the child support enforcement  
 1451 program under Title IV-D of the Social Security Act, 42 U.S.C.  
 1452 ss. 651 et seq., to determine paternity or to establish, modify,  
 1453 enforce, or collect support.

1454 Section 20. Subsection (4) of section 626.641, Florida  
 1455 Statutes, is amended to read:

1456 626.641 Duration of suspension or revocation.—

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1457 (4) During the period of suspension or revocation of a the  
 1458 license or appointment, and until the license is reinstated or,  
 1459 if revoked, a new license issued, the former licensee or  
 1460 appointee may ~~shall~~ not engage in or attempt or profess to  
 1461 engage in any transaction or business for which a license or  
 1462 appointment is required under this code or directly or  
 1463 indirectly own, control, or be employed in any manner by an ~~any~~  
 1464 ~~insurance agent, or agency, or adjuster,~~ or adjusting firm.

1465 Section 21. Subsection (1) of section 626.651, Florida  
 1466 Statutes, is amended to read:

1467 626.651 Effect of suspension, revocation upon associated  
 1468 licenses and appointments and licensees and appointees.—

1469 (1) Upon suspension, revocation, or refusal to renew or  
 1470 continue any one license of a licensee ~~an agent or customer~~  
 1471 ~~representative,~~ or upon suspension or revocation of eligibility  
 1472 to hold a license or appointment, the department shall at the  
 1473 same time likewise suspend or revoke all other licenses,  
 1474 appointments, or status of eligibility held by the licensee or  
 1475 appointee under this code.

1476 Section 22. Subsection (4) of section 626.730, Florida  
 1477 Statutes, is amended, and subsection (5) of that section is  
 1478 created, to read:

1479 626.730 Purpose of license.—

1480 (4) This section does not prohibit ~~the licensing under a~~  
 1481 licensee holding a limited license for credit insurance or as to  
 1482 motor vehicle physical damage and mechanical breakdown insurance  
 1483 from being ~~or credit property insurance of any person employed~~  
 1484 by or associated with a motor vehicle sales or financing agency,

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1485 a retail sales establishment, or a consumer loan office for the  
 1486 purpose of insuring, ~~other than a consumer loan office owned by~~  
 1487 ~~or affiliated with a financial institution as defined in s.~~  
 1488 ~~655.005, with respect to insurance of the interest of such~~  
 1489 entity ~~agency~~ in a motor vehicle sold or financed by it or in  
 1490 personal property if used as collateral for a loan.

1491 (5) This section does not apply ~~with respect~~ to the  
 1492 interest of a real estate mortgagee in or as to insurance  
 1493 covering such interest or in the real estate subject to such  
 1494 mortgage.

1495 Section 23. Section 626.732, Florida Statutes, is amended  
 1496 to read:

1497 626.732 Requirement as to knowledge, experience, or  
 1498 instruction.—

1499 (1) Except as provided in subsection (4) ~~(3)~~, an ~~no~~  
 1500 applicant for a license as a general lines agent ~~or personal~~  
 1501 ~~lines agent~~, except for a chartered property and casualty  
 1502 underwriter (CPCU), may not ~~other than as to a limited license~~  
 1503 ~~as to baggage and motor vehicle excess liability insurance,~~  
 1504 ~~credit property insurance, credit insurance, in-transit and~~  
 1505 ~~storage personal property insurance, or communications equipment~~  
 1506 ~~property insurance or communication equipment inland marine~~  
 1507 ~~insurance, shall~~ be qualified or licensed unless, within the 4  
 1508 years immediately preceding the date the application for license  
 1509 is filed with the department, the applicant has:

1510 (a) Taught or successfully completed classroom courses in  
 1511 insurance, 3 hours of which must ~~shall~~ be on the subject matter  
 1512 of ethics, ~~satisfactory to the department~~ at a school, college,

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1513 or extension division thereof, approved by the department. ~~To~~  
 1514 ~~qualify for licensure as a personal lines agent, the applicant~~  
 1515 ~~must complete a total of 52 hours of classroom courses in~~  
 1516 ~~insurance;~~

1517 (b) Completed a correspondence course in insurance, 3  
 1518 hours of which must ~~shall~~ be on the subject matter of ethics,  
 1519 which is satisfactory to the department and regularly offered by  
 1520 accredited institutions of higher learning in this state or  
 1521 extensions thereof and approved by the department, and have,  
 1522 ~~except if he or she is applying for a limited license under s.~~  
 1523 ~~626.321, for licensure as a general lines agent, has had at~~  
 1524 least 6 months of responsible insurance duties as a  
 1525 substantially full-time bona fide employee in all lines of  
 1526 property and casualty insurance set forth in the definition of  
 1527 general lines agent under s. 626.015 ~~or, for licensure as a~~  
 1528 ~~personal lines agent, has completed at least 3 months in~~  
 1529 ~~responsible insurance duties as a substantially full-time~~  
 1530 ~~employee in property and casualty insurance sold to individuals~~  
 1531 ~~and families for noncommercial purposes;~~

1532 (c) ~~For licensure as a general lines agent,~~ Completed at  
 1533 least 1 year in responsible insurance duties as a substantially  
 1534 full-time bona fide employee in all lines of property and  
 1535 casualty insurance, ~~exclusive of aviation and wet marine and~~  
 1536 ~~transportation insurances but not exclusive of boats of less~~  
 1537 ~~than 36 feet in length or aircraft not held out for hire, as set~~  
 1538 forth in the definition of a general lines agent under s.  
 1539 626.015, but without the education requirement described  
 1540 ~~mentioned in paragraph (a) or paragraph (b) or, for licensure as~~

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1541 ~~a personal lines agent, has completed at least 6 months in~~  
 1542 ~~responsible insurance duties as a substantially full-time~~  
 1543 ~~employee in property and casualty insurance sold to individuals~~  
 1544 ~~and families for noncommercial purposes without the education~~  
 1545 ~~requirement in paragraph (a) or paragraph (b);~~

1546 (d)1. ~~For licensure as a general lines agent,~~ Completed at  
 1547 least 1 year of responsible insurance duties as a licensed and  
 1548 appointed customer representative or limited customer  
 1549 representative in commercial or personal lines of property and  
 1550 casualty insurance and 40 hours of classroom courses approved by  
 1551 the department covering the areas of property, casualty, surety,  
 1552 health, and marine insurance; or

1553 2. ~~For licensure as a personal lines agent, completed at~~  
 1554 ~~least 6 months of responsible duties as a licensed and appointed~~  
 1555 ~~customer representative or limited customer representative in~~  
 1556 ~~property and casualty insurance sold to individuals and families~~  
 1557 ~~for noncommercial purposes and 20 hours of classroom courses~~  
 1558 ~~approved by the department which are related to property and~~  
 1559 ~~casualty insurance sold to individuals and families for~~  
 1560 ~~noncommercial purposes;~~

1561 (e)1. ~~For licensure as a general lines agent,~~ Completed at  
 1562 least 1 year of responsible insurance duties as a licensed and  
 1563 appointed service representative in ~~either~~ commercial or  
 1564 personal lines of property and casualty insurance and 80 hours  
 1565 of classroom courses approved by the department covering the  
 1566 areas of property, casualty, surety, health, and marine  
 1567 insurance. ; ~~or~~

1568 2. ~~For licensure as a personal lines agent, completed at~~



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1569 ~~least 6 months of responsible insurance duties as a licensed and~~  
 1570 ~~appointed service representative in property and casualty~~  
 1571 ~~insurance sold to individuals and families for noncommercial~~  
 1572 ~~purposes and 40 hours of classroom courses approved by the~~  
 1573 ~~department related to property and casualty insurance sold to~~  
 1574 ~~individuals and families for noncommercial purposes; or~~

1575 (2) Except as provided under subsection (4), an applicant  
 1576 for a license as a personal lines agent, except for a chartered  
 1577 property and casualty underwriter (CPCU), may not be qualified  
 1578 or licensed unless, within the 4 years immediately preceding the  
 1579 date the application for license is filed with the department,  
 1580 the applicant has:

1581 (a) Taught or successfully completed classroom courses in  
 1582 insurance, 3 hours of which must be on the subject matter of  
 1583 ethics, at a school, college, or extension division thereof,  
 1584 approved by the department. To qualify for licensure, the  
 1585 applicant must complete a total of 52 hours of classroom courses  
 1586 in insurance;

1587 (b) Completed a correspondence course in insurance, 3  
 1588 hours of which must be on the subject matter of ethics, which is  
 1589 regularly offered by accredited institutions of higher learning  
 1590 in this state or extensions thereof and approved by the  
 1591 department, and completed at least 3 months of responsible  
 1592 insurance duties as a substantially full-time employee in the  
 1593 area of property and casualty insurance sold to individuals and  
 1594 families for noncommercial purposes;

1595 (c) Completed at least 6 months of responsible insurance  
 1596 duties as a substantially full-time employee in the area of

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1597 property and casualty insurance sold to individuals and families  
 1598 for noncommercial purposes, but without the education  
 1599 requirement described in paragraph (a) or paragraph (b);

1600 (d) Completed at least 6 months of responsible duties as a  
 1601 licensed and appointed customer representative or limited  
 1602 customer representative in property and casualty insurance sold  
 1603 to individuals and families for noncommercial purposes and 20  
 1604 hours of classroom courses approved by the department which are  
 1605 related to property and casualty insurance sold to individuals  
 1606 and families for noncommercial purposes;

1607 (e) Completed at least 6 months of responsible insurance  
 1608 duties as a licensed and appointed service representative in  
 1609 property and casualty insurance sold to individuals and families  
 1610 for noncommercial purposes and 40 hours of classroom courses  
 1611 approved by the department related to property and casualty  
 1612 insurance sold to individuals and families for noncommercial  
 1613 purposes; or

1614 ~~(f) For licensure as a personal lines agent,~~ Completed at  
 1615 least 3 years of responsible duties as a licensed and appointed  
 1616 customer representative in property and casualty insurance sold  
 1617 to individuals and families for noncommercial purposes.

1618 ~~(3)(2)~~ If ~~Where~~ an applicant's qualifications as required  
 1619 under subsection (1) or subsection (2) in paragraph (1)(b) or  
 1620 paragraph (1)(c) are based in part upon the periods of  
 1621 employment in at responsible insurance duties prescribed  
 1622 therein, the applicant shall submit with the license application  
 1623 for license, on a form prescribed by the department, an the  
 1624 affidavit of his or her employer setting forth the period of

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1625 such employment, that the employment ~~same~~ was substantially  
 1626 full-time, and giving a brief abstract of the nature of the  
 1627 duties performed by the applicant.

1628 (4)~~(3)~~ An individual who was or became qualified to sit  
 1629 for an agent's, customer representative's, or adjuster's  
 1630 examination at or during the time he or she was employed by the  
 1631 department or office and who, while so employed, was employed in  
 1632 responsible insurance duties as a full-time bona fide employee  
 1633 may ~~shall be permitted to~~ take an examination if application for  
 1634 such examination is made within 90 days after the date of  
 1635 termination of ~~his or her~~ employment with the department or  
 1636 office.

1637 (5)~~(4)~~ Classroom and correspondence courses under  
 1638 subsections (1) and (2) ~~subsection (1)~~ must include instruction  
 1639 on the subject matter of unauthorized entities engaging in the  
 1640 business of insurance. The scope of the topic of unauthorized  
 1641 entities must ~~shall~~ include the Florida Nonprofit Multiple-  
 1642 Employer Welfare Arrangement Act and the Employee Retirement  
 1643 Income Security Act, 29 U.S.C. ss. 1001 et seq., as it relates  
 1644 to the provision of health insurance by employers and the  
 1645 regulation thereof.

1646 (6) This section does not apply to an individual holding  
 1647 only a limited license for travel insurance, motor vehicle  
 1648 rental insurance, credit insurance, in-transit and storage  
 1649 personal property insurance, or portable electronics insurance.

1650 Section 24. Section 626.8411, Florida Statutes, is amended  
 1651 to read:

1652 626.8411 Application of Florida Insurance Code provisions

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1653 to title insurance agents or agencies.—

1654 (1) The following provisions of part II, ~~as~~ applicable to

1655 general lines agents or agencies, ~~also~~ apply to title insurance

1656 agents or agencies:

1657 (a) Section 626.734, relating to liability of certain

1658 agents.

1659 ~~(b) Section 626.175, relating to temporary licenses.~~

1660 (b) ~~(e)~~ Section 626.747, relating to branch agencies.

1661 (c) Section 626.749, relating to place of business in

1662 residence.

1663 (d) Section 626.753, relating to sharing of commissions.

1664 (e) Section 626.754, relating to rights of agent following

1665 termination of appointment.

1666 (2) The following provisions of part I do not apply to

1667 title insurance agents or title insurance agencies:

1668 (a) Section 626.112(7), relating to licensing of insurance

1669 agencies.

1670 (b) Section 626.231, relating to eligibility for

1671 examination.

1672 (c) Section 626.572, relating to rebating, when allowed.

1673 (d) Section 626.172, relating to agent in full-time

1674 charge.

1675 Section 25. Subsection (1) of section 626.8419, Florida

1676 Statutes, is amended to read:

1677 626.8419 Appointment of title insurance agency.—

1678 (1) The title insurer engaging or employing the title

1679 insurance agency must file with the department, on ~~printed~~ forms

1680 furnished by the department, an application certifying that the

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1681 proposed title insurance agency meets all of the following  
 1682 requirements:

1683 (a) The agency must have obtained a fidelity bond in an  
 1684 amount, not less than \$50,000, acceptable to the insurer  
 1685 appointing the agency. If a fidelity bond is unavailable  
 1686 generally, the department must adopt rules for alternative  
 1687 methods to comply with this paragraph.

1688 (b) The agency must have obtained errors and omissions  
 1689 insurance in an amount acceptable to the insurer appointing the  
 1690 agency. The amount of the coverage may not be less than \$250,000  
 1691 per claim and an aggregate limit with a deductible no greater  
 1692 than \$10,000. If errors and omissions insurance is unavailable  
 1693 generally, the department must adopt rules for alternative  
 1694 methods to comply with this paragraph.

1695 (c) Notwithstanding s. 626.8418(2), the agency must have  
 1696 obtained a surety bond in an amount not less than \$35,000 made  
 1697 payable to the title insurer or title insurers appointing the  
 1698 agency. The surety bond must be for the benefit of any  
 1699 appointing title insurer damaged by a violation by the title  
 1700 insurance agency of its contract with the appointing title  
 1701 insurer. If the surety bond is payable to multiple title  
 1702 insurers, the surety bond must provide that each title insurer  
 1703 is to be notified in the event a claim is made upon the surety  
 1704 bond or the bond is terminated.

1705 (d) The surety bond must remain in effect and unimpaired  
 1706 as long as the agency is appointed by a title insurer. The  
 1707 agency must provide written proof to the appointing title  
 1708 insurer or insurers on an annual basis evidencing that the

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1709 surety bond is still in effect and unimpaired.

1710 (e) A title insurer may not provide the surety bond  
 1711 directly or indirectly on behalf of the agency.

1712 Section 26. Section 626.8548, Florida Statutes, is created  
 1713 to read:

1714 626.8548 "All-lines adjuster" defined.—An "all-lines  
 1715 adjuster" is a person who is self-employed or employed by an  
 1716 insurer, a wholly owned subsidiary of an insurer, or an  
 1717 independent adjusting firm or other independent adjuster, and  
 1718 who undertakes on behalf of an insurer or other insurers under  
 1719 common control or ownership to ascertain and determine the  
 1720 amount of any claim, loss, or damage payable under an insurance  
 1721 contract or undertakes to effect settlement of such claim, loss,  
 1722 or damage. The term does not apply to life insurance or annuity  
 1723 contracts.

1724 Section 27. Section 626.855, Florida Statutes, is amended  
 1725 to read:

1726 626.855 "Independent adjuster" defined.—An "independent  
 1727 adjuster" means a ~~is any~~ person licensed as an all-lines  
 1728 adjuster ~~who is self-appointed self-employed or appointed and is~~  
 1729 ~~associated with or~~ employed by an independent adjusting firm or  
 1730 other independent adjuster, and who undertakes on behalf of an  
 1731 insurer to ascertain and determine the amount of any claim,  
 1732 loss, or damage payable under an insurance contract or  
 1733 undertakes to effect settlement of such claim, loss, or damage.

1734 Section 28. Section 626.856, Florida Statutes, is amended  
 1735 to read:

1736 626.856 "Company employee adjuster" defined.—A "company

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1737 employee adjuster" means ~~is~~ a person licensed as an all-lines  
 1738 adjuster who is appointed and employed on an insurer's staff of  
 1739 adjusters or a wholly owned subsidiary of the insurer, and who  
 1740 undertakes on behalf of such insurer or other insurers under  
 1741 common control or ownership to ascertain and determine the  
 1742 amount of any claim, loss, or damage payable under a contract of  
 1743 insurance, or undertakes to effect settlement of such claim,  
 1744 loss, or damage.

1745 Section 29. Section 626.858, Florida Statutes, is  
 1746 repealed.

1747 Section 30. Section 626.8584, Florida Statutes, is amended  
 1748 to read:

1749 626.8584 "Nonresident all-lines independent adjuster"  
 1750 defined.—A "nonresident all-lines independent adjuster" means ~~is~~  
 1751 a person who:

1752 (1) Is not a resident of this state;

1753 (2) Is ~~a~~ currently licensed as an independent adjuster in  
 1754 his or her state of residence for all lines of insurance except  
 1755 life and annuities ~~the type or kinds of insurance for which the~~  
 1756 ~~licensee intends to adjust claims in this state or, if a~~  
 1757 resident of a state that does not license such independent  
 1758 adjusters, meets the qualifications ~~has passed the department's~~  
 1759 ~~adjuster examination as prescribed in s. 626.8734(1)(b); and~~

1760 (3) Is licensed as an all-lines adjuster and self-  
 1761 appointed or appointed and a self-employed independent adjuster  
 1762 ~~or associated with or~~ employed by an independent adjusting firm  
 1763 or other independent adjuster, by an insurer admitted to do  
 1764 business in this state or a wholly-owned subsidiary of an

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1765 insurer admitted to do business in this state, or by other  
 1766 insurers under the common control or ownership of such insurer.

1767 Section 31. Section 626.863, Florida Statutes, is amended  
 1768 to read:

1769 626.863 Claims referrals to Licensed independent adjusters  
 1770 ~~required; insurers' responsibility.-~~

1771 (1) An insurer may ~~shall~~ not knowingly refer any claim or  
 1772 loss for adjustment in this state to any person purporting to be  
 1773 or acting as an independent adjuster unless the person is  
 1774 currently licensed as an all-lines adjuster and appointed as an  
 1775 independent adjuster under this code.

1776 (2) Before referring any claim or loss, the insurer shall  
 1777 ascertain from the department whether the proposed independent  
 1778 adjuster is currently licensed as an all-lines adjuster and  
 1779 appointed as an independent adjuster ~~such~~. Having ~~once~~  
 1780 ascertained that a particular person is so licensed and  
 1781 appointed, the insurer may assume that he or she will continue  
 1782 to be so licensed and appointed until the insurer has knowledge,  
 1783 or receives information from the department, to the contrary.

1784 (3) This section does not apply to catastrophe or  
 1785 emergency adjusters as provided ~~for~~ in this part.

1786 Section 32. Section 626.864, Florida Statutes, is amended  
 1787 to read:

1788 626.864 Adjuster license types.-

1789 (1) A qualified individual may be licensed ~~and appointed~~  
 1790 ~~as either:~~

1791 (a) A public adjuster; or

1792 (b) An all-lines independent adjuster; ~~or~~



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1793 ~~(c) A company employee adjuster.~~  
 1794 (2) The same individual may ~~shall~~ not be concurrently  
 1795 licensed ~~appointed~~ as a public adjuster and an all-lines  
 1796 adjuster ~~to more than one of the adjuster types referred to in~~  
 1797 ~~subsection (1).~~

1798 (3) An all-lines adjuster may be appointed as an  
 1799 independent adjuster or company employee adjuster, but not both  
 1800 concurrently.

1801 Section 33. Subsection (1) of section 626.865, Florida  
 1802 Statutes, is amended to read:

1803 626.865 Public adjuster's qualifications, bond.—

1804 (1) The department shall issue a license to an applicant  
 1805 for a public adjuster's license upon determining that the  
 1806 applicant has paid the applicable fees specified in s. 624.501  
 1807 and possesses the following qualifications:

1808 (a) Is a natural person at least 18 years of age.

1809 (b) Is a United States citizen or legal alien who  
 1810 possesses work authorization from the United States Bureau of  
 1811 Citizenship and Immigration Services ~~and a bona fide resident of~~  
 1812 ~~this state.~~

1813 (c) Is trustworthy and has such business reputation as  
 1814 would reasonably assure that the applicant will conduct his or  
 1815 her business as insurance adjuster fairly and in good faith and  
 1816 without detriment to the public.

1817 (d) Has had sufficient experience, training, or  
 1818 instruction concerning the adjusting of damages or losses under  
 1819 insurance contracts, other than life and annuity contracts, is  
 1820 sufficiently informed as to the terms and effects of the

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1821 provisions of those types of insurance contracts, and possesses  
 1822 adequate knowledge of the laws of this state relating to such  
 1823 contracts as to enable and qualify him or her to engage in the  
 1824 business of insurance adjuster fairly and without injury to the  
 1825 public or any member thereof with whom the applicant may have  
 1826 business as a public adjuster, or has been licensed and employed  
 1827 as a resident insurance company adjuster or independent adjuster  
 1828 in this state on a continual basis for the past year.

1829 (e) Is licensed as a public adjuster apprentice under s.  
 1830 626.8651 and complies with the requirements of that license  
 1831 throughout the licensure period.

1832 Section 34. Paragraph (b) of subsection (1) and subsection  
 1833 (7) of section 626.8651, Florida Statutes, are amended to read:

1834 626.8651 Public adjuster apprentice license;  
 1835 qualifications.—

1836 (1) The department shall issue a license as a public  
 1837 adjuster apprentice to an applicant who is:

1838 (b) A United States citizen or legal alien who possesses  
 1839 work authorization from the United States Bureau of Citizenship  
 1840 and Immigration Services ~~and is a resident of this state.~~

1841 (7) An appointing public adjusting firm may not maintain  
 1842 more than 12 public adjuster apprentices simultaneously.  
 1843 However, a supervising public adjuster may not be responsible  
 1844 for more than three public adjuster apprentices simultaneously  
 1845 and shall be accountable for the acts of all public adjuster  
 1846 apprentices which are related to transacting business as a  
 1847 public adjuster apprentice. This subsection does not apply to a  
 1848 public adjusting firm that adjusts claims primarily for

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1849 commercial entities with operations in more than one state and  
 1850 that does not directly or indirectly perform adjusting services  
 1851 for insurers or individual homeowners.

1852 Section 35. Section 626.866, Florida Statutes, is amended  
 1853 to read:

1854 626.866 All-lines adjuster ~~Independent adjuster's~~  
 1855 qualifications.—The department shall issue ~~a license to an~~  
 1856 ~~applicant for an~~ all-lines adjuster ~~independent adjuster's~~  
 1857 license to an applicant upon determining that the applicable  
 1858 license fee specified in s. 624.501 has been paid and that the  
 1859 applicant possesses the following qualifications:

1860 (1) Is a natural person at least 18 years of age.

1861 (2) Is a United States citizen or legal alien who  
 1862 possesses work authorization from the United States Bureau of  
 1863 Citizenship and Immigration Services and a bona fide resident of  
 1864 this state.

1865 (3) Is trustworthy and has such business reputation as  
 1866 would reasonably assure that the applicant will conduct his or  
 1867 her business as insurance adjuster fairly and in good faith and  
 1868 without detriment to the public.

1869 (4) Has had sufficient experience, training, or  
 1870 instruction concerning the adjusting of damage or loss under  
 1871 insurance contracts, other than life and annuity contracts, is  
 1872 sufficiently informed as to the terms and the effects of the  
 1873 provisions of such types of contracts, and possesses adequate  
 1874 knowledge of the insurance laws of this state relating to such  
 1875 contracts as to enable and qualify him or her to engage in the  
 1876 business of insurance adjuster fairly and without injury to the

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1877 public or any member thereof with whom he or she may have  
 1878 relations as an insurance adjuster and to adjust all claims in  
 1879 accordance with the policy or contract and the insurance laws of  
 1880 this state.

1881 (5) Has passed any required written examination or has met  
 1882 one of the exemptions prescribed under s. 626.221.

1883 Section 36. Section 626.867, Florida Statutes, is  
 1884 repealed.

1885 Section 37. Section 626.869, Florida Statutes, is amended  
 1886 to read:

1887 626.869 License, adjusters; continuing education.—

1888 (1) Having An applicant for a license as an all-lines  
 1889 adjuster qualifies the licensee to adjust ~~may qualify and his or~~  
 1890 ~~her license when issued may cover adjusting in any one of the~~  
 1891 ~~following classes of insurance:~~

- 1892 ~~(a) all lines of insurance except life and annuities.~~
- 1893 ~~(b) Motor vehicle physical damage insurance.~~
- 1894 ~~(c) Property and casualty insurance.~~
- 1895 ~~(d) Workers' compensation insurance.~~
- 1896 ~~(e) Health insurance.~~

1897  
 1898 ~~No examination on workers' compensation insurance or health~~  
 1899 ~~insurance shall be required for public adjusters.~~

1900 (2) All individuals who on October 1, 1990, hold an  
 1901 adjuster's license and appointment limited to fire and allied  
 1902 lines, including marine or casualty or boiler and machinery, may  
 1903 remain licensed and appointed under the limited license and may  
 1904 renew their appointment, but a ~~ne~~ license or appointment that

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1905 ~~which~~ has been terminated, not renewed, suspended, or revoked  
 1906 may not ~~shall~~ be reinstated, and ~~no~~ new or additional licenses  
 1907 or appointments may not ~~shall~~ be issued.

1908 (3) All individuals who on October 1, 2012, hold an  
 1909 adjuster's license and appointment limited to motor vehicle  
 1910 physical damage and mechanical breakdown, property and casualty,  
 1911 workers' compensation, or health insurance may remain licensed  
 1912 and appointed under such limited license and may renew their  
 1913 appointment, but a license that has been terminated, suspended,  
 1914 or revoked may not be reinstated, and new or additional licenses  
 1915 may not be issued. ~~The applicant's application for license shall~~  
 1916 ~~specify which of the foregoing classes of business the~~  
 1917 ~~application for license is to cover.~~

1918 (4)(a) An ~~Any~~ individual holding a license as a public  
 1919 adjuster or an all-lines a company employee adjuster must  
 1920 complete all continuing education requirements as specified in  
 1921 s. 626.2815. ~~or independent adjuster for 24 consecutive months~~  
 1922 ~~or longer must, beginning in his or her birth month and every 2~~  
 1923 ~~years thereafter, have completed 24 hours of courses, 2 hours of~~  
 1924 ~~which relate to ethics, in subjects designed to inform the~~  
 1925 ~~licensee regarding the current insurance laws of this state, so~~  
 1926 ~~as to enable him or her to engage in business as an insurance~~  
 1927 ~~adjuster fairly and without injury to the public and to adjust~~  
 1928 ~~all claims in accordance with the policy or contract and the~~  
 1929 ~~laws of this state.~~

1930 (b) ~~Any~~ individual holding a license as a public adjuster  
 1931 ~~for 24 consecutive months or longer, beginning in his or her~~  
 1932 ~~birth month and every 2 years thereafter, must have completed 24~~

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1933 ~~hours of courses, 2 hours of which relate to ethics, in subjects~~  
 1934 ~~designed to inform the licensee regarding the current laws of~~  
 1935 ~~this state pertaining to all lines of insurance other than life~~  
 1936 ~~and annuities, the current laws of this state pertaining to the~~  
 1937 ~~duties and responsibilities of public adjusters as set forth in~~  
 1938 ~~this part, and the current rules of the department applicable to~~  
 1939 ~~public adjusters and standard or representative policy forms~~  
 1940 ~~used by insurers, other than forms for life insurance and~~  
 1941 ~~annuities, so as to enable him or her to engage in business as~~  
 1942 ~~an adjuster fairly and without injury to the public and to~~  
 1943 ~~adjust all claims in accordance with the policy or contract and~~  
 1944 ~~laws of this state. In order to receive credit for continuing~~  
 1945 ~~education courses, public adjusters must take courses that are~~  
 1946 ~~specifically designed for public adjusters and approved by the~~  
 1947 ~~department, provided, however, no continuing education course~~  
 1948 ~~shall be required for public adjusters for workers' compensation~~  
 1949 ~~insurance or health insurance.~~

1950 ~~(c) The department shall adopt rules necessary to~~  
 1951 ~~implement and administer the continuing education requirements~~  
 1952 ~~of this subsection. For good cause shown, the department may~~  
 1953 ~~grant an extension of time during which the requirements imposed~~  
 1954 ~~by this section may be completed, but such extension of time may~~  
 1955 ~~not exceed 1 year.~~

1956 ~~(d) A nonresident public adjuster must complete the~~  
 1957 ~~continuing education requirements provided by this section;~~  
 1958 ~~provided, a nonresident public adjuster may meet the~~  
 1959 ~~requirements of this section if the continuing education~~  
 1960 ~~requirements of the nonresident public adjuster's home state are~~

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1961 ~~determined to be substantially comparable to the requirements of~~  
 1962 ~~this state's continuing education requirements and if the~~  
 1963 ~~resident's state recognizes reciprocity with this state's~~  
 1964 ~~continuing education requirements. A nonresident public adjuster~~  
 1965 ~~whose home state does not have such continuing education~~  
 1966 ~~requirements for adjusters, and who is not licensed as a~~  
 1967 ~~nonresident adjuster in a state that has continuing education~~  
 1968 ~~requirements and reciprocates with this state, must meet the~~  
 1969 ~~continuing education requirements of this section.~~

1970 (5) The regulation of continuing education for licensees,  
 1971 course providers, instructors, school officials, and monitor  
 1972 groups shall be as provided ~~for~~ in s. 626.2816.

1973 Section 38. Paragraph (c) of subsection (2) of section  
 1974 626.8697, Florida Statutes, is amended to read:

1975 626.8697 Grounds for refusal, suspension, or revocation of  
 1976 adjusting firm license.—

1977 (2) The department may, in its discretion, deny, suspend,  
 1978 revoke, or refuse to continue the license of any adjusting firm  
 1979 if it finds that any of the following applicable grounds exist  
 1980 with respect to the firm or any owner, partner, manager,  
 1981 director, officer, or other person who is otherwise involved in  
 1982 the operation of the firm:

1983 (c) Violation of an ~~any~~ order or rule of the department,  
 1984 office, or commission.

1985 Section 39. Subsections (1) and (5) of section 626.872,  
 1986 Florida Statutes, are amended to read:

1987 626.872 Temporary license.—

1988 (1) The department may, ~~in its discretion,~~ issue a

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1989 temporary license as an all-lines independent adjuster ~~or as a~~  
 1990 ~~company employee adjuster~~, subject to the following conditions:

1991 (a) The applicant must be an employee of an adjuster  
 1992 currently licensed by the department, ~~an employee of an~~  
 1993 authorized insurer, or ~~an employee of an~~ established adjusting  
 1994 firm or corporation who ~~which~~ is supervised by a currently  
 1995 licensed all-lines independent adjuster.

1996 ~~(b) The application must be accompanied by a certificate~~  
 1997 ~~of employment and a report as to the applicant's integrity and~~  
 1998 ~~moral character on a form prescribed by the department and~~  
 1999 ~~executed by the employer.~~

2000 ~~(b)-(c)~~ The applicant must be a natural person of at least  
 2001 18 years of age, ~~must be~~ a bona fide resident of this state,  
 2002 ~~must be~~ trustworthy, and ~~must~~ have a such business reputation  
 2003 that ~~as~~ would reasonably ensure ~~assure~~ that the applicant will  
 2004 conduct his or her business as an adjuster fairly and in good  
 2005 faith and without detriment to the public.

2006 ~~(c)-(d)~~ The applicant's employer is responsible for the  
 2007 adjustment acts of the temporary ~~any~~ licensee ~~under this~~  
 2008 ~~section.~~

2009 ~~(d)-(e)~~ The applicable license fee ~~specified~~ must be paid  
 2010 before issuance of the temporary license.

2011 ~~(e)-(f)~~ The temporary license is ~~shall be~~ effective for a  
 2012 ~~period of~~ 1 year, but is subject to earlier termination at the  
 2013 request of the employer, ~~or~~ if the licensee fails to take an  
 2014 examination as an all-lines independent adjuster ~~or company~~  
 2015 ~~employee adjuster~~ within 6 months after issuance of the  
 2016 temporary license, or if the temporary license is suspended or



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2017 | revoked by the department.

2018 |         (5) The department may ~~shall~~ not issue a temporary license  
 2019 | as an all-lines independent ~~adjuster or as a company employee~~  
 2020 | ~~adjuster~~ to an ~~any~~ individual who has ~~ever~~ held such a license  
 2021 | in this state.

2022 |         Section 40. Section 626.873, Florida Statutes, is  
 2023 | repealed.

2024 |         Section 41. Paragraph (e) of subsection (1) and subsection  
 2025 | (2) of section 626.8732, Florida Statutes, are amended to read:

2026 |             626.8732 Nonresident public adjuster's qualifications,  
 2027 | bond.—

2028 |         (1) The department shall, upon application therefor, issue  
 2029 | a license to an applicant for a nonresident public adjuster's  
 2030 | license upon determining that the applicant has paid the  
 2031 | applicable license fees required under s. 624.501 and:

2032 |             (e) Has been licensed and employed as a public adjuster in  
 2033 | the applicant's state of residence on a continual basis for the  
 2034 | past year ~~3 years~~, or, if the applicant's state of residence  
 2035 | does not issue licenses to individuals who act as public  
 2036 | adjusters, the applicant has been licensed and employed as a  
 2037 | resident insurance company or independent adjuster, ~~insurance~~  
 2038 | ~~agent, insurance broker, or other insurance representative in~~  
 2039 | his or her state of residence or any other state on a continual  
 2040 | basis for the past year ~~3 years~~. ~~This paragraph does not apply~~  
 2041 | ~~to individuals who are licensed to transact only life insurance~~  
 2042 | ~~and annuity business.~~

2043 |         (2) The applicant shall furnish the following with his or  
 2044 | her application:

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2045 (a) A complete set of his or her fingerprints. The  
2046 applicant's fingerprints must be certified by an authorized law  
2047 enforcement officer. The department may not authorize an  
2048 applicant to take the required examination or issue a  
2049 nonresident public adjuster's license to the applicant until the  
2050 department has received a report from the Florida Department of  
2051 Law Enforcement and the Federal Bureau of Investigation relative  
2052 to the existence or nonexistence of a criminal history report  
2053 based on the applicant's fingerprints.

2054 (b) If currently licensed as a resident public adjuster in  
2055 the applicant's state of residence, a certificate or letter of  
2056 authorization from the licensing authority of the applicant's  
2057 state of residence, stating that the applicant holds a current  
2058 or comparable license to act as a public adjuster and has held  
2059 the license continuously for the past year ~~3 years~~. The  
2060 certificate or letter of authorization must be signed by the  
2061 insurance commissioner or his or her deputy or the appropriate  
2062 licensing official and must disclose whether the adjuster has  
2063 ever had any license or eligibility to hold any license  
2064 declined, denied, suspended, revoked, or placed on probation or  
2065 whether an administrative fine or penalty has been levied  
2066 against the adjuster and, if so, the reason for the action.

2067 (c) If the applicant's state of residence does not require  
2068 licensure as a public adjuster and the applicant has been  
2069 licensed as a resident insurance adjuster, ~~agent, broker, or~~  
2070 ~~other insurance representative~~ in his or her state of residence  
2071 or any other state, a certificate or letter of authorization  
2072 from the licensing authority stating that the applicant holds or

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2073 has held a license to act as such an insurance adjuster, ~~agent,~~  
 2074 ~~or other insurance representative~~ and has held the license  
 2075 continuously for the past year ~~3 years~~. The certificate or  
 2076 letter of authorization must be signed by the insurance  
 2077 commissioner or his or her deputy or the appropriate licensing  
 2078 official and must disclose whether or not the adjuster, ~~agent,~~  
 2079 ~~or other insurance representative~~ has ever had any license or  
 2080 eligibility to hold any license declined, denied, suspended,  
 2081 revoked, or placed on probation or whether an administrative  
 2082 fine or penalty has been levied against the adjuster and, if so,  
 2083 the reason for the action.

2084 Section 42. Section 626.8734, Florida Statutes, is  
 2085 amended to read:

2086 626.8734 Nonresident all-lines adjuster license  
 2087 ~~independent adjuster's~~ qualifications.—

2088 (1) The department shall, ~~upon application therefor,~~ issue  
 2089 a license to an applicant for a nonresident all-lines adjuster  
 2090 ~~independent adjuster's~~ license upon determining that the  
 2091 applicant has paid the applicable license fees required under s.  
 2092 624.501 and:

2093 (a) Is a natural person at least 18 years of age.

2094 (b) Has passed to the satisfaction of the department a  
 2095 written Florida all-lines adjuster ~~independent adjuster's~~  
 2096 examination of the scope prescribed in s. 626.241(6); however,  
 2097 the requirement for the examination does not apply to ~~any of the~~  
 2098 ~~following~~:

2099 1. An applicant who is licensed as an all-lines ~~a resident~~  
 2100 ~~independent~~ adjuster in his or her home state if ~~of residence~~

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2101 ~~when that state has entered into requires the passing of a~~  
 2102 ~~written examination in order to obtain the license and a~~  
 2103 ~~reciprocal agreement with the appropriate official of that state~~  
 2104 ~~has been entered into by the department; or~~

2105       2. An applicant who is licensed as a nonresident all-lines  
 2106 ~~independent~~ adjuster in a state other than his or her home state  
 2107 ~~of residence when the state of licensure requires the passing of~~  
 2108 ~~a written examination in order to obtain the license and a~~  
 2109 reciprocal agreement with the appropriate official of the state  
 2110 of licensure has been entered into with ~~by~~ the department.

2111       (c) Is licensed as an all-lines adjuster and is self  
 2112 appointed, or appointed and employed by an independent adjusting  
 2113 firm or other independent adjuster, or is an employee of an  
 2114 insurer admitted to do business in this state, a wholly owned  
 2115 subsidiary of an insurer admitted to business in this state, or  
 2116 other insurers under the common control or ownership of such  
 2117 insurers ~~self-employed or associated with or employed by an~~  
 2118 ~~independent adjusting firm or other independent adjuster.~~

2119 Applicants licensed as nonresident all-lines ~~independent~~  
 2120 adjusters under this section must be appointed as an independent  
 2121 adjuster or company employee adjuster ~~such~~ in accordance with  
 2122 ~~the provisions of~~ ss. 626.112 and 626.451. Appointment fees as  
 2123 ~~in the amount~~ specified in s. 624.501 must be paid to the  
 2124 department in advance. The appointment of a nonresident  
 2125 independent adjuster continues ~~shall continue~~ in force until  
 2126 suspended, revoked, or otherwise terminated, but is subject to  
 2127 biennial renewal or continuation by the licensee in accordance  
 2128 with ~~procedures prescribed in~~ s. 626.381 for licensees in

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2129 | general.

2130 |         (d) Is trustworthy and has such business reputation as  
 2131 | would reasonably ensure ~~assure~~ that he or she will conduct his  
 2132 | or her business as a nonresident all-lines ~~independent~~ adjuster  
 2133 | fairly and in good faith and without detriment to the public.

2134 |         (e) Has had sufficient experience, training, or  
 2135 | instruction concerning the adjusting of damages or losses under  
 2136 | insurance contracts, other than life and annuity contracts; is  
 2137 | sufficiently informed as to the terms and effects of ~~the~~  
 2138 | ~~provisions of~~ those types of insurance contracts; and possesses  
 2139 | adequate knowledge of the laws of this state relating to such  
 2140 | contracts as to enable and qualify him or her to engage in the  
 2141 | business of insurance adjuster fairly and without injury to the  
 2142 | public or any member thereof with whom he or she may have  
 2143 | business as an all-lines ~~independent~~ adjuster.

2144 |         (2) The applicant must ~~shall~~ furnish the following with  
 2145 | his or her application:

2146 |             (a) A complete set of his or her fingerprints. The  
 2147 | applicant's fingerprints must be certified by an authorized law  
 2148 | enforcement officer.

2149 |             (b) If currently licensed as an all-lines ~~a resident~~  
 2150 | ~~independent~~ adjuster in the applicant's home state ~~of residence~~,  
 2151 | a certificate or letter of authorization from the licensing  
 2152 | authority of the applicant's home state ~~of residence~~, stating  
 2153 | that the applicant holds a current license to act as an all  
 2154 | lines ~~independent~~ adjuster. ~~The~~ Such certificate or letter of  
 2155 | authorization must be signed by the insurance commissioner,  or  
 2156 | his or her deputy or the appropriate licensing official,  and

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2157 | must disclose whether the adjuster has ever had a ~~any~~ license or  
 2158 | eligibility to hold any license declined, denied, suspended,  
 2159 | revoked, or placed on probation or whether an administrative  
 2160 | fine or penalty has been levied against the adjuster and, if so,  
 2161 | the reason for the action. Such certificate or letter is not  
 2162 | required if the nonresident applicant's licensing status can be  
 2163 | verified through the Producer Database maintained by the  
 2164 | National Association of Insurance Commissioners, its affiliates,  
 2165 | or subsidiaries.

2166 |       (c) If the applicant's home state ~~of residence~~ does not  
 2167 | require licensure as an all-lines ~~independent~~ adjuster and the  
 2168 | applicant has been licensed as a resident insurance adjuster,  
 2169 | agent, broker, or other insurance representative in his or her  
 2170 | home state ~~of residence~~ or any other state within the past 3  
 2171 | years, a certificate or letter of authorization from the  
 2172 | licensing authority stating that the applicant holds or has held  
 2173 | a license to act as an insurance adjuster, agent, or other  
 2174 | insurance representative. The certificate or letter of  
 2175 | authorization must be signed by the insurance commissioner, or  
 2176 | his or her deputy or the appropriate licensing official, and  
 2177 | must disclose whether the adjuster, agent, or other insurance  
 2178 | representative has ever had a ~~any~~ license or eligibility to hold  
 2179 | any license declined, denied, suspended, revoked, or placed on  
 2180 | probation or whether an administrative fine or penalty has been  
 2181 | levied against the adjuster and, if so, the reason for the  
 2182 | action. Such certificate or letter is not required if the  
 2183 | nonresident applicant's licensing status can be verified through  
 2184 | the Producer Database maintained by the National Association of

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2185 Insurance Commissioners, its affiliates, or subsidiaries.  
 2186 (3) The usual and customary records pertaining to  
 2187 transactions under the license of a nonresident all-lines  
 2188 ~~independent~~ adjuster must be retained for at least 3 years after  
 2189 completion of the adjustment and ~~must~~ be made available in this  
 2190 state to the department upon request. The failure of a  
 2191 nonresident all-lines ~~independent~~ adjuster to properly maintain  
 2192 records and make them available to the department upon request  
 2193 constitutes grounds for the immediate suspension of the license  
 2194 issued under this section.

2195 (4) ~~After licensure as a nonresident independent adjuster,~~  
 2196 As a condition of doing business in this state as a nonresident  
 2197 independent adjuster, the appointee must ~~licensee must annually~~  
 2198 ~~on or before January 1, on a form prescribed by the department,~~  
 2199 submit an affidavit to the department certifying that the  
 2200 licensee is familiar with and understands the insurance laws and  
 2201 administrative rules of this state and the provisions of the  
 2202 contracts negotiated or to be negotiated. Compliance with this  
 2203 filing requirement is a condition precedent to the issuance,  
 2204 continuation, reinstatement, or renewal of a nonresident  
 2205 independent adjuster's appointment.

2206 Section 43. Section 626.8736, Florida Statutes, is amended  
 2207 to read:

2208 626.8736 Nonresident independent or public adjusters;  
 2209 service of process.—

2210 (1) Each licensed nonresident ~~independent or public~~  
 2211 adjuster or all-lines adjuster appointed as an independent  
 2212 adjuster shall appoint the Chief Financial Officer and his or

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2213 her successors in office as his or her attorney to receive  
 2214 service of legal process issued against such ~~the nonresident~~  
 2215 ~~independent or public~~ adjuster in this state, upon causes of  
 2216 action arising within this state out of transactions under his  
 2217 license and appointment. Service upon the Chief Financial  
 2218 Officer as attorney constitutes ~~shall constitute~~ effective legal  
 2219 service upon the nonresident independent or public adjuster.

2220 (2) The appointment of the Chief Financial Officer for  
 2221 service of process is ~~shall be~~ irrevocable ~~for~~ as long as there  
 2222 could be any cause of action against the nonresident ~~independent~~  
 2223 ~~or public~~ adjuster or all-lines adjuster appointed as an  
 2224 independent adjuster arising out of his or her insurance  
 2225 transactions in this state.

2226 (3) Duplicate copies of legal process against the  
 2227 nonresident ~~independent or public~~ adjuster or all-lines adjuster  
 2228 appointed as an independent adjuster shall be served upon the  
 2229 Chief Financial Officer by a person competent to serve a  
 2230 summons.

2231 (4) Upon receiving the service, the Chief Financial  
 2232 Officer shall ~~forthwith~~ send one of the copies of the process,  
 2233 by registered mail with return receipt requested, to the  
 2234 defendant nonresident ~~independent or public~~ adjuster or all-  
 2235 lines adjuster appointed as an independent adjuster at his or  
 2236 her last address of record with the department.

2237 (5) The Chief Financial Officer shall keep a record of the  
 2238 day and hour of service upon him or her of all legal process  
 2239 received under this section.

2240 Section 44. Subsection (1) of section 626.874, Florida



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2241 Statutes, is amended to read:

2242 626.874 Catastrophe or emergency adjusters.—

2243 (1) In the event of a catastrophe or emergency, the  
 2244 department may issue a license, for the purposes and under the  
 2245 conditions ~~which it shall fix~~ and for the period of emergency as  
 2246 it shall determine, to persons who are residents or nonresidents  
 2247 of this state, who are at least 18 years of age, who are United  
 2248 States citizens or legal aliens who possess work authorization  
 2249 from the United States Bureau of Citizenship and Immigration  
 2250 Services, and who are not licensed adjusters under this part but  
 2251 who have been designated and certified to it as qualified to act  
 2252 as adjusters by all-lines independent resident adjusters, ~~or~~ by  
 2253 an authorized insurer, or by a licensed general lines agent to  
 2254 adjust claims, losses, or damages under policies or contracts of  
 2255 insurance issued by such insurers. The fee for the license is  
 2256 ~~shall be~~ as provided in s. 624.501(12)(c).

2257 Section 45. Subsection (1) of section 626.875, Florida  
 2258 Statutes, is amended to read:

2259 626.875 Office and records.—

2260 (1) Each appointed ~~Every licensed~~ independent adjuster and  
 2261 ~~every~~ licensed public adjuster must ~~shall have and~~ maintain ~~in~~  
 2262 ~~this state~~ a place of business in this state which is accessible  
 2263 to the public and keep therein the usual and customary records  
 2264 pertaining to transactions under the license. This provision  
 2265 does ~~shall not be deemed to~~ prohibit maintenance of such an  
 2266 office in the home of the licensee.

2267 Section 46. Section 626.876, Florida Statutes, is amended  
 2268 to read:

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2269           626.876 Exclusive employment; public adjusters,  
2270 independent adjusters.—

2271           (1) An ~~No~~ individual licensed and appointed as a public  
2272 adjuster may not ~~shall~~ be ~~so~~ employed during the same period by  
2273 more than one public adjuster or public adjuster firm or  
2274 corporation.

2275           (2) An ~~No~~ individual licensed as an all-lines adjuster and  
2276 appointed as an independent adjuster may not ~~shall~~ be ~~so~~  
2277 employed during the same period by more than one independent  
2278 adjuster or independent adjuster firm or corporation.

2279           Section 47. Subsection (2) of section 626.8796, Florida  
2280 Statutes, is amended to read:

2281           626.8796 Public adjuster contracts; fraud statement.—

2282           (2) A public adjuster contract relating to a property and  
2283 casualty claim must contain the full name, permanent business  
2284 address, and license number of the public adjuster; the full  
2285 name of the public adjusting firm; and the insured's full name  
2286 and street address, together with a brief description of the  
2287 loss. The contract must state the percentage of compensation for  
2288 the public adjuster's services; the type of claim, including an  
2289 emergency claim, nonemergency claim, or supplemental claim; the  
2290 signatures of the public adjuster and all named insureds; and  
2291 the signature date. If all of the named insureds' signatures are  
2292 not available, the public adjuster must submit an affidavit  
2293 signed by the available named insureds attesting that they have  
2294 authority to enter into the contract and settle all claim issues  
2295 on behalf of the named insureds. An unaltered copy of the  
2296 executed contract must be remitted to the insurer within 30 days

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2297 after execution. A public adjusting firm that adjusts claims  
 2298 primarily for commercial entities with operations in more than  
 2299 one state and that does not directly or indirectly perform  
 2300 adjusting services for insurers or individual homeowners is  
 2301 deemed to comply with the requirements of this subsection if, at  
 2302 the time a proof of loss is submitted, the public adjusting firm  
 2303 remits to the insurer an affidavit signed by the public adjuster  
 2304 or public adjuster apprentice that identifies:

2305 (a) The full name, permanent business address, and license  
 2306 number of the public adjuster or public adjuster apprentice.

2307 (b) The full name of the public adjusting firm.

2308 (c) The insured's full name and street address, together  
 2309 with a brief description of the loss.

2310 (d) An attestation that the compensation for public  
 2311 adjusting services will not exceed the limitations provided by  
 2312 law.

2313 (e) The type of claim, including an emergency claim,  
 2314 nonemergency claim, or supplemental claim.

2315 Section 48. Subsections (5), (6), and (7) of section  
 2316 626.927, Florida Statutes, are amended to read:

2317 626.927 Licensing of surplus lines agent.—

2318 ~~(5) The applicant must file and thereafter maintain the~~  
 2319 ~~bond as required under s. 626.928.~~

2320 (5)(6) Examinations as to surplus lines, as required under  
 2321 subsections (1) and (2), are shall be subject to the provisions  
 2322 of part I as applicable to applicants for licenses in general.  
 2323 ~~No such examination shall be required as to persons who held a~~  
 2324 ~~Florida surplus lines agent's license as of January 1, 1959,~~

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2325 ~~except when examinations subsequent to issuance of an initial~~  
 2326 ~~license are provided for in general under part I.~~

2327 ~~(6)-(7)~~ An ~~Any~~ individual who has been licensed by the  
 2328 department as a surplus lines agent as provided in this section  
 2329 may be subsequently appointed without additional written  
 2330 examination if his or her application for appointment is filed  
 2331 with the department within 48 months after ~~next following~~ the  
 2332 date of cancellation or expiration of the prior appointment. The  
 2333 department may, ~~in its discretion,~~ require an ~~any~~ individual to  
 2334 take and successfully pass an examination as for original  
 2335 issuance of license as a condition precedent to the  
 2336 reinstatement or continuation of the licensee's current license  
 2337 or reinstatement or continuation of the licensee's appointment.

2338 Section 49. Section 626.928, Florida Statutes, is  
 2339 repealed.

2340 Section 50. Section 626.933, Florida Statutes, is amended  
 2341 to read:

2342 626.933 Collection of tax and service fee.—If the tax or  
 2343 service fee payable by a surplus lines agent under the ~~this~~  
 2344 Surplus Lines Law is not so paid within the time prescribed, it  
 2345 ~~the same~~ shall be recoverable in a suit brought by the  
 2346 department against the surplus lines agent ~~and the surety or~~  
 2347 ~~sureties on the bond filed by the surplus lines agent under s.~~  
 2348 ~~626.928~~. The department may authorize the Florida Surplus Lines  
 2349 Service Office to file suit on its behalf. All costs and  
 2350 expenses incurred in a suit brought by the office which are not  
 2351 recoverable from the agent or surety shall be borne by the  
 2352 office.

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2353 Section 51. Subsection (1) of section 626.935, Florida  
 2354 Statutes, is amended to read:

2355 626.935 Suspension, revocation, or refusal of surplus  
 2356 lines agent's license.—

2357 (1) The department shall deny an application for, suspend,  
 2358 revoke, or refuse to renew the appointment of a surplus lines  
 2359 agent and all other licenses and appointments held by the  
 2360 licensee under this code, on ~~upon~~ any of the following grounds:

2361 (a) Removal of the licensee's office from the licensee's  
 2362 state of residence.

2363 (b) Removal of the accounts and records of his or her  
 2364 surplus lines business from this state or the licensee's state  
 2365 of residence during the period when such accounts and records  
 2366 are required to be maintained under s. 626.930.

2367 (c) Closure of the licensee's office for ~~a period of~~ more  
 2368 than 30 consecutive days.

2369 (d) Failure to make and file his or her affidavit or  
 2370 reports when due as required by s. 626.931.

2371 (e) Failure to pay the tax or service fee on surplus lines  
 2372 premiums, as provided ~~for~~ in the ~~this~~ Surplus Lines Law.

2373 ~~(f) Failure to maintain the bond as required by s.~~  
 2374 ~~626.928.~~

2375 (f) ~~(g)~~ Suspension, revocation, or refusal to renew or  
 2376 continue the license or appointment as a general lines agent,  
 2377 service representative, or managing general agent.

2378 (g) ~~(h)~~ Lack of qualifications as for an original surplus  
 2379 lines agent's license.

2380 (h) ~~(i)~~ Violation of this Surplus Lines Law.

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2381            ~~(i)-(j)~~ For any other applicable cause for which the  
 2382 license of a general lines agent could be suspended, revoked, or  
 2383 refused under s. 626.611 or s. 626.621.

2384            Section 52. Paragraph (b) of subsection (1) of section  
 2385 627.952, Florida Statutes, is amended to read:

2386            627.952 Risk retention and purchasing group agents.—

2387            (1) Any person offering, soliciting, selling, purchasing,  
 2388 administering, or otherwise servicing insurance contracts,  
 2389 certificates, or agreements for any purchasing group or risk  
 2390 retention group to any resident of this state, either directly  
 2391 or indirectly, by the use of mail, advertising, or other means  
 2392 of communication, shall obtain a license and appointment to act  
 2393 as a resident general lines agent, if a resident of this state,  
 2394 or a nonresident general lines agent if not a resident. Any such  
 2395 person shall be subject to all requirements of the Florida  
 2396 Insurance Code.

2397            (b) Any person required to be licensed and appointed under  
 2398 ~~by~~ this subsection, in order to place business through Florida  
 2399 eligible surplus lines carriers, must shall, if a resident of  
 2400 this state, be licensed and appointed as a surplus lines agent.  
 2401 ~~Any such person,~~ If not a resident of this state, such person  
 2402 must shall be licensed and appointed as a surplus lines agent in  
 2403 her or his state of residence and ~~shall~~ file and ~~thereafter~~  
 2404 maintain a fidelity bond in favor of the people of the State of  
 2405 Florida executed by a surety company admitted in this state and  
 2406 payable to the State of Florida; ~~provided,~~ however, ~~any~~  
 2407 ~~activities carried out by such nonresident~~ is pursuant to this  
 2408 ~~part shall be~~ limited to the provision of insurance for

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2409 purchasing groups. The bond must ~~shall~~ be continuous in form and  
 2410 ~~maintained~~ in the amount of not less than \$50,000, aggregate  
 2411 liability set out in s. 626.928. The bond must ~~shall~~ remain in  
 2412 force and effect until the surety is released from liability by  
 2413 the department or until the bond is canceled by the surety. The  
 2414 surety may cancel the bond and be released from further  
 2415 liability ~~thereunder~~ upon 30 days' prior written notice to the  
 2416 department. The cancellation does ~~shall~~ not affect any liability  
 2417 incurred or accrued ~~thereunder~~ before the termination of the 30-  
 2418 day period. Upon receipt of a notice of cancellation, the  
 2419 department shall immediately notify the agent.

2420 Section 53. Subsections (1) and (2) of section 635.051,  
 2421 Florida Statutes, are amended to read:

2422 635.051 Licensing and appointment of mortgage guaranty  
 2423 insurance agents.—

2424 (1) Effective October 1, 2012, a person may not transact  
 2425 mortgage guaranty insurance unless licensed and appointed as a  
 2426 credit insurance agent in accordance with the applicable  
 2427 provisions of the insurance code. Mortgage guaranty licenses  
 2428 held by persons on October 1, 2012, shall be transferred to a  
 2429 credit insurance agent license. Persons who wish to obtain a new  
 2430 license identification card that reflects this change must  
 2431 submit the \$5 fee as prescribed in s. 624.501(15). Agents of  
 2432 ~~mortgage guaranty insurers shall be licensed and appointed and~~  
 2433 ~~shall be subject to the same qualifications and requirements~~  
 2434 ~~applicable to general lines agents under the laws of this state,~~  
 2435 ~~except that:~~

2436 ~~(a) Particular preliminary specialized education or~~

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2437 ~~training is not required of an applicant for such an agent's~~  
 2438 ~~license, and continuing education is not required for renewal of~~  
 2439 ~~the agent's appointment if, as part of the application for~~  
 2440 ~~license and appointment, the insurer guarantees that the~~  
 2441 ~~applicant will receive the necessary training to enable him or~~  
 2442 ~~her properly to hold himself or herself out to the public as a~~  
 2443 ~~mortgage guaranty insurance agent and if the department, in its~~  
 2444 ~~discretion, accepts such guaranty;~~

2445 ~~(b) The agent's license and appointment shall be a limited~~  
 2446 ~~license, limited to the handling of mortgage guaranty insurance~~  
 2447 ~~only; and~~

2448 ~~(c) An examination may be required of an applicant for~~  
 2449 ~~such a license if the insurer fails to provide the guaranty~~  
 2450 ~~described in paragraph (a).~~

2451 (2) Any general lines agent licensed under chapter 626 is  
 2452 qualified to represent a mortgage guaranty insurer without  
 2453 additional licensure examination.

2454 Section 54. Subsection (1) of section 648.34, Florida  
 2455 Statutes, is amended to read:

2456 648.34 Bail bond agents; qualifications.—

2457 (1) An application for licensure as a bail bond agent must  
 2458 be submitted on forms prescribed by the department. The  
 2459 application must include the applicant's full name; date of  
 2460 birth; social security number; residence, business, and mailing  
 2461 addresses; contact telephone numbers, including a business  
 2462 telephone number; and e-mail address.

2463 Section 55. Subsection (2) of section 648.38, Florida  
 2464 Statutes, is amended to read:



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2465           648.38 Licensure examination for bail bond agents; time;  
2466 place; fees; scope.—

2467           (2) The department or a person designated by the  
2468 department shall provide ~~mail written~~ notice of the time and  
2469 place of the examination to each applicant for licensure  
2470 required to take an examination who will be eligible to take the  
2471 examination as of the examination date. The notice shall be e-  
2472 mailed ~~so mailed, postage prepaid, and addressed~~ to the  
2473 applicant at the e-mail ~~his or her~~ address shown on his or her  
2474 application for licensure ~~or at such other address as requested~~  
2475 ~~by the applicant in writing filed with the department prior to~~  
2476 ~~the mailing of the notice.~~ Notice shall be deemed given when so  
2477 mailed.

2478           Section 56. Section 648.385, Florida Statutes, is amended  
2479 to read:

2480           648.385 Continuing education required; application;  
2481 exceptions; requirements; penalties.—

2482           (1) The purpose of this section is to establish  
2483 requirements and standards for continuing education courses for  
2484 persons authorized to write bail bonds in this state.

2485           (2) ~~(a)~~ Each person subject to ~~the provisions of this~~  
2486 chapter must complete a minimum of 14 hours of continuing  
2487 education courses every 2 years as specified in s. 626.2815 ~~in~~  
2488 ~~courses approved by the department. Compliance with continuing~~  
2489 ~~education requirements is a condition precedent to the issuance,~~  
2490 ~~continuation, or renewal of any appointment subject to the~~  
2491 ~~provisions of this chapter.~~

2492           ~~(b)~~ ~~A person teaching any approved course of instruction~~

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2493 ~~or lecturing at any approved seminar and attending the entire~~  
 2494 ~~course or seminar shall qualify for the same number of classroom~~  
 2495 ~~hours as would be granted to a person taking and successfully~~  
 2496 ~~completing such course, seminar, or program. Credit shall be~~  
 2497 ~~limited to the number of hours actually taught unless a person~~  
 2498 ~~attends the entire course or seminar.~~

2499 ~~(c) For good cause shown, the department may grant an~~  
 2500 ~~extension of time during which the requirements imposed by this~~  
 2501 ~~section may be completed, but such extension of time may not~~  
 2502 ~~exceed 1 year.~~

2503 ~~(3) (a) Any bail-related course developed or sponsored by~~  
 2504 ~~any authorized insurer or recognized bail bond agents'~~  
 2505 ~~association, or any independent study program of instruction,~~  
 2506 ~~subject to approval by the department, qualifies for the~~  
 2507 ~~equivalency of the number of classroom hours assigned to such~~  
 2508 ~~course by the department. However, unless otherwise provided in~~  
 2509 ~~this section, continuing education credit may not be credited~~  
 2510 ~~toward meeting the requirements of this section unless the~~  
 2511 ~~course is provided by classroom instruction or results in a~~  
 2512 ~~monitored examination.~~

2513 ~~(b) Each person or entity sponsoring a course for~~  
 2514 ~~continuing education credit must furnish, within 30 days after~~  
 2515 ~~completion of the course, in a form satisfactory to the~~  
 2516 ~~department or its designee, a written and certified roster~~  
 2517 ~~showing the name and license number of all persons successfully~~  
 2518 ~~completing such course and requesting credit, accompanied by the~~  
 2519 ~~required fee. The department shall refuse to issue, continue, or~~  
 2520 ~~renew the appointment of any bail bond agent who has not had the~~

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2521 ~~continuing education requirements certified unless the agent has~~  
2522 ~~been granted an extension by the department.~~

2523 Section 57. Section 648.421, Florida Statutes, is amended  
2524 to read:

2525 648.421 Notice of change of address or telephone number.—  
2526 Each licensee under this chapter shall notify in writing the  
2527 department, insurer, managing general agent, and the clerk of  
2528 each court in which the licensee is registered within 10 working  
2529 days after a change in the licensee's principal business address  
2530 or telephone number. The licensee shall also notify the  
2531 department within 10 working days after a change of the name,  
2532 address, or telephone number of each agency or firm for which he  
2533 or she writes bonds and any change in the licensee's name, home  
2534 address, e-mail address, or telephone number.

2535 Section 58. Except as otherwise expressly provided in this  
2536 act, this act shall take effect October 1, 2012.