

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Berfield offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 22 and 23 insert:

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6 Section 1. Paragraph (i) of subsection (1) of section  
7 626.321, Florida Statutes, is amended to read:

8 626.321 Limited licenses.--

9 (1) The department shall issue to a qualified individual,  
10 or a qualified individual or entity under paragraphs (c), (d),  
11 (e), and (i), a license as agent authorized to transact a  
12 limited class of business in any of the following categories:

13 (i) In-transit and storage personal property insurance;  
14 communications equipment property insurance, ~~or~~ communications

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15 equipment inland marine insurance, and communications equipment  
16 service warranty agreement sales.--

17 1. A license covering only the insurance of personal  
18 property not held for resale, covering the risks of  
19 transportation or storage in rented or leased motor vehicles,  
20 trailers, or self-service storage facilities, as the latter are  
21 defined in s. 83.803, may be issued, without examination, only  
22 to employees or authorized representatives of lessors who rent  
23 or lease motor vehicles, trailers, or self-service storage  
24 facilities and who are authorized by an insurer to issue  
25 certificates or other evidences of insurance to lessees of such  
26 motor vehicles, trailers, or self-service storage facilities  
27 under an insurance policy issued to the lessor. A person  
28 licensed under this paragraph shall give a prospective purchaser  
29 of in-transit or storage personal property insurance written  
30 notice that his or her homeowner's policy may provide coverage  
31 for the loss of personal property and that the purchase of such  
32 insurance is not required under the lease terms.

33 2. A license covering only communications equipment, for  
34 the loss, theft, mechanical failure, malfunction of or damage  
35 to, communications equipment. The license may be issued only to:

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

38 b. The lead ~~Each~~ business location of a retail vendor of  
39 communications equipment and its branch locations; or

40 c. Employees, agents, or authorized representatives of a  
41 retail vendor of communications equipment.

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42  
43 The license authorizes the sale of such policies, or  
44 certificates under a group master policy, only with respect to  
45 the sale of, or provision of communications service for,  
46 communications equipment. A general lines agent is not required  
47 to obtain a license under this subparagraph to offer or sell  
48 communications equipment property insurance or communication  
49 equipment inland marine insurance. The license also authorizes  
50 sales of service warranty agreements covering only  
51 communications equipment to the same extent as if licensed under  
52 s. 634.419 or s. 634.420. The provisions of this chapter  
53 requiring submission of fingerprints do not apply to  
54 communications equipment licenses issued to qualified entities  
55 under this subparagraph. Licensees offering policies under this  
56 subparagraph must receive initial training from, and have a  
57 contractual relationship with, a general lines agent. For the  
58 purposes of this subparagraph, the term "communications  
59 equipment" means handsets, pagers, personal digital assistants,  
60 portable computers, automatic answering devices, and other  
61 devices or accessories used to originate or receive  
62 communications signals or service, and includes services related  
63 to the use of such devices, such as consumer access to a  
64 wireless network; however, the term does not include  
65 telecommunications switching equipment, transmission wires, cell  
66 site transceiver equipment, or other equipment and systems used  
67 by telecommunications companies to provide telecommunications  
68 service to consumers. A branch location of a retail vendor of

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69 communications equipment licensed pursuant to paragraph (2)(b)  
70 may, in lieu of obtaining an appointment from an insurer or  
71 warranty association as provided in paragraph (2)(c), obtain a  
72 single appointment from the associated lead business location  
73 licensee licensed under paragraph (2)(a) and pay the prescribed  
74 appointment fee under s. 624.501 provided the lead business  
75 location has a single appointment from each insurer or warranty  
76 association represented and such appointment provides that it  
77 applies to the lead business location and all of its branch  
78 locations. Any branch location individually appointed by an  
79 insurer under paragraph (2)(c) prior to January 1, 2006, may  
80 replace its appointments with an appointment from its lead  
81 location at no charge. Branch location appointments shall be  
82 renewed on the first annual anniversary of licensure of the lead  
83 business location occurring more than 24 months after the  
84 initial appointment date and every 24 months thereafter.  
85 Notwithstanding s. 624.501, after July 1, 2006, the renewal fee  
86 applicable to such branch location appointments shall be \$30 per  
87 appointment.

88 Section 2. Paragraph (f) of subsection (1) of section  
89 626.731, Florida Statutes, is amended to read:

90 626.731 Qualifications for general lines agent's  
91 license.--

92 (1) The department shall not grant or issue a license as  
93 general lines agent to any individual found by it to be  
94 untrustworthy or incompetent or who does not meet each of the  
95 following qualifications:

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96 (f) The applicant is not a service representative, a  
 97 managing general agent licensed in this state, or a special  
 98 agent or similar service representative of a health insurer  
 99 which also transacts property, casualty, or surety insurance;  
 100 except that the president, vice president, secretary, or  
 101 treasurer, including a member of the board of directors, of a  
 102 corporate insurer, if otherwise qualified under and meeting the  
 103 requirements of this part, may be licensed and appointed as a  
 104 local resident agent.

105  
 106 ===== T I T L E A M E N D M E N T =====

107  
108 Remove line 6 and insert:

109  
 110 An act relating to warranty associations; amending s.  
 111 626.321, F.S.; including service warranty agreement sales  
 112 covering communications equipment under certain limited  
 113 licensing provisions; providing for additional appointment  
 114 authority for certain licensed branch locations of a  
 115 communications equipment retail vendor; revising certain  
 116 application, appointment, and licensing requirements for  
 117 certain entities; providing for payment of appointment  
 118 fees; providing an exception; requiring renewals of  
 119 appointments; providing for a renewal fee; amending s.  
 120 626.731, F.S.; revising a qualification for licensure as a  
 121 general lines agent;

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