

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 645 (2026)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u> (Y/N)
ADOPTED AS AMENDED	<u> </u> (Y/N)
ADOPTED W/O OBJECTION	<u> </u> (Y/N)
FAILED TO ADOPT	<u> </u> (Y/N)
WITHDRAWN	<u> </u> (Y/N)
OTHER	<u> </u>

1 Committee/Subcommittee hearing bill: Commerce Committee
2 Representative Smith offered the following:

3

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

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

8 626.321 Limited licenses and registration.—

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

13 (h) Portable electronics or eyewear insurance.—License for
14 property insurance or inland marine insurance that covers only
15 loss, theft, mechanical failure, malfunction, or damage for
16 portable electronics or eyewear. Such license allows a licensee

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17 to sell or offer for sale coverage for both portable electronics
18 and eyewear, but does not require a licensee to sell or offer
19 for sale both types of coverages.

20 1. The license may be issued only to:

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

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

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

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

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

41 c. At each location where the insurance is offered,
42 brochures or other written materials that provide the

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information required by this subparagraph are made available to all prospective customers. The brochures or written materials may include information regarding portable electronics or eyewear insurance, service warranty agreements, or other incidental services or benefits offered by a licensee.

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

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

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

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

c. Summarize the material terms of the insurance coverage, including the identity of the insurer, the identity of the supervising entity, the amount of any applicable deductible and how it is to be paid, the benefits of coverage, and key terms

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and conditions of coverage, such as whether portable electronics or eyewear may be repaired or replaced with similar make and model reconditioned or nonoriginal manufacturer parts or equipment;

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

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

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

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

7. A licensee may bill and collect the premium for the purchase of portable electronics or eyewear insurance provided

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95 that:

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

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

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

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

119 9. Notice or correspondence required by the policy, or
120 otherwise required by law, may be provided by electronic means

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121 if the insurer or licensee maintains proof that the notice or
122 correspondence was sent. Such notice or correspondence may be
123 sent on behalf of the insurer or licensee by the general lines
124 agent appointed by the insurer to supervise the administration
125 of the program. For purposes of this subparagraph, an enrolled
126 customer's provision of an electronic mail address to the
127 insurer or licensee is deemed to be consent to receive notices
128 and correspondence by electronic means if a conspicuously
129 located disclosure is provided to the customer indicating the
130 same.

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

134 11. A branch location that sells portable electronics or
135 eyewear insurance may, in lieu of obtaining an appointment from
136 an insurer or warranty association, obtain a single appointment
137 from the associated lead business location licensee and pay the
138 prescribed appointment fee under s. 624.501 if the lead business
139 location has a single appointment from each insurer or warranty
140 association represented and such appointment applies to the lead
141 business location and all of its branch locations. Branch
142 location appointments shall be renewed 24 months after the
143 initial appointment date of the lead business location and every
144 24 months thereafter. Notwithstanding s. 624.501, the renewal
145 fee applicable to such branch location appointments is \$30 per
146 appointment.

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147 12. For purposes of this paragraph:

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

151 b. "Eyewear" means smart glasses and nonelectronic eyewear.

152 As used in this sub-subparagraph, the term "nonelectronic
153 eyewear" includes prescription and nonprescription eyeglasses
154 and sunglasses.

155 c.b. "Portable electronics" means equipment that is
156 personal, self-contained, easily carried, by an individual; has
157 electrical, digital, magnetic, wireless, electromagnetic, or
158 similar capabilities; and operates using batteries, rechargeable
159 power sources, or other energy sources. The term includes
160 equipment used for communication, data processing, viewing,
161 listening, recording, gaming, computing, navigation, household,
162 health or activity monitoring, or similar uses and may also
163 incorporate features responsive to user input or environmental
164 conditions ~~personal, self-contained, easily carried by an~~
165 ~~individual, battery-operated electronic communication, viewing,~~
166 ~~listening, recording, gaming, computing or global positioning~~
167 ~~devices, including cell or satellite phones, pagers, personal~~
168 ~~global positioning satellite units, portable computers, portable~~
169 ~~audio listening, video viewing or recording devices, digital~~
170 ~~cameras, video camcorders, portable gaming systems, docking~~
171 ~~stations, automatic answering devices, and other similar devices~~
172 ~~and their accessories, and service related to the use of such~~

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173 devices.

174 ~~e. "Portable electronics transaction" means the sale or~~
175 ~~lease of portable electronics or a related service, including~~
176 ~~portable electronics insurance.~~177 (4) Except as otherwise expressly provided, a person
178 applying for or holding a limited license is subject to the same
179 applicable requirements and responsibilities that apply to
180 general lines agents in general if licensed as to motor vehicle
181 physical damage and mechanical breakdown insurance, industrial
182 fire insurance or burglary insurance, motor vehicle rental
183 insurance, credit insurance, crop hail and multiple-peril crop
184 insurance, in-transit and storage personal property insurance,
185 or portable electronics or eyewear insurance; or as apply to
186 life agents or health agents in general, as applicable, if
187 licensed as to travel insurance.188 **Section 2. Paragraph (b) of subsection (2) of section
189 626.221, Florida Statutes, is amended to read:**

190 626.221 Examination requirement; exemptions.—

191 (2) However, an examination is not necessary for any of the
192 following:193 (b) An applicant for a limited license as agent for travel
194 insurance, motor vehicle rental insurance, credit insurance, in-
195 transit and storage personal property insurance, or portable
196 electronics or eyewear insurance under s. 626.321.197 **Section 3. Subsection (7) of section 626.732, Florida
198 Statutes, is amended to read:**

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199 626.732 Requirement as to knowledge, experience, or
200 instruction.—

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

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

208 626.8685 Portable electronics or eyewear insurance claims;
209 exemption; licensure restriction.—

210 (1) This part does not apply to any individual who collects
211 claims information from, or furnishes claims information to,
212 insureds or claimants, and who conducts data entry, including
213 entering data into an automated claims adjudication system,
214 provided that the individual is an employee of a business entity
215 licensed under this chapter, or its affiliate, and no more than
216 25 such persons are under the supervision of one licensed
217 independent adjuster or licensed agent who is exempt from
218 licensure pursuant to s. 626.862. For purposes of this
219 subsection, the term "automated claims adjudication system"
220 means a preprogrammed computer system designed for the
221 collection, data entry, calculation, and final resolution of
222 portable electronics or eyewear insurance claims that:

223 (a) May be used only by a licensed independent adjuster,
224 licensed agent, or supervised individual operating pursuant to

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225 this subsection;

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

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

231 (2) Notwithstanding any other provision of law, a resident
232 of Canada may not be licensed as a nonresident independent
233 adjuster for purposes of adjusting portable electronics
234 insurance or eyewear claims unless the person has successfully
235 obtained an adjuster's license in another state.

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

237 -----
238 **T I T L E A M E N D M E N T**

239 Remove everything before the enacting clause and insert:

240 A bill to be entitled
241 An act relating to limited agent licenses; amending s.
242 626.321, F.S.; renaming "portable electronics
243 insurance" as "portable electronics or eyewear
244 insurance" to include eyewear for purposes of
245 insurance coverage and licenses; providing
246 construction; defining the term "eyewear"; revising
247 the definition of the term "portable electronics";
248 deleting the obsolete definition of the term "portable
249 electronics transaction"; amending ss. 626.221,
250 626.732, and 626.8685, F.S.; conforming provisions to

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changes made by the act; providing an effective date.

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