

2026772er

1
2 An act relating to limited licenses for portable
3 electronics or eyewear insurance; amending s. 626.321,
4 F.S.; renaming "portable electronics insurance" as
5 "portable electronics or eyewear insurance" to include
6 eyewear for purposes of insurance coverage and
7 licenses; providing construction; defining the term
8 "eyewear"; revising the definition of the term
9 "portable electronics"; deleting the obsolete
10 definition of the term "portable electronics
11 transaction"; amending ss. 626.221, 626.732, and
12 626.8685, F.S.; conforming provisions to changes made
13 by the act; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

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

19 626.321 Limited licenses and registration.—

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

24 (h) *Portable electronics or eyewear insurance.*—License for
25 property insurance or inland marine insurance that covers only
26 loss, theft, mechanical failure, malfunction, or damage for
27 portable electronics or eyewear. Such license does not require a
28 licensee to sell or offer for sale coverage for both portable
29 electronics and eyewear. This paragraph may not be construed as

2026772er

30 requiring two separate licenses to sell or offer for sale
31 portable electronics or eyewear insurance.

32 1. The license may be issued only to:

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

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

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

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

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

53 c. At each location where the insurance is offered,
54 brochures or other written materials that provide the
55 information required by this subparagraph are made available to
56 all prospective customers. The brochures or written materials
57 may include information regarding portable electronics or
58 eyewear insurance, service warranty agreements, or other

2026772er

59 incidental services or benefits offered by a licensee.

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

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

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

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

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

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

2026772er

88 equipment return requirements; and

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

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

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

105 7. A licensee may bill and collect the premium for the
106 purchase of portable electronics or eyewear insurance provided
107 that:

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

2026772er

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

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

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

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

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

2026772er

146 11. A branch location that sells portable electronics or
147 eyewear insurance may, in lieu of obtaining an appointment from
148 an insurer or warranty association, obtain a single appointment
149 from the associated lead business location licensee and pay the
150 prescribed appointment fee under s. 624.501 if the lead business
151 location has a single appointment from each insurer or warranty
152 association represented and such appointment applies to the lead
153 business location and all of its branch locations. Branch
154 location appointments shall be renewed 24 months after the
155 initial appointment date of the lead business location and every
156 24 months thereafter. Notwithstanding s. 624.501, the renewal
157 fee applicable to such branch location appointments is \$30 per
158 appointment.

159 12. For purposes of this paragraph:

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

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

167 ~~c.b.~~ "Portable electronics" means equipment that is
168 personal, self-contained, easily carried, by an individual; has
169 electrical, digital, magnetic, wireless, electromagnetic, or
170 similar capabilities; and operates using batteries, rechargeable
171 power sources, or other energy sources. The term includes
172 equipment used for communication; data processing; viewing;
173 listening; recording; gaming; computing; navigation; household,
174 health or activity monitoring; or similar uses and may also

2026772er

175 incorporate features responsive to user input or environmental
176 conditions ~~personal, self-contained, easily carried by an~~
177 ~~individual, battery-operated electronic communication, viewing,~~
178 ~~listening, recording, gaming, computing or global positioning~~
179 ~~devices, including cell or satellite phones, pagers, personal~~
180 ~~global positioning satellite units, portable computers, portable~~
181 ~~audio listening, video viewing or recording devices, digital~~
182 ~~cameras, video camcorders, portable gaming systems, docking~~
183 ~~stations, automatic answering devices, and other similar devices~~
184 ~~and their accessories, and service related to the use of such~~
185 ~~devices.~~

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

189 (4) Except as otherwise expressly provided, a person
190 applying for or holding a limited license is subject to the same
191 applicable requirements and responsibilities that apply to
192 general lines agents in general if licensed as to motor vehicle
193 physical damage and mechanical breakdown insurance, industrial
194 fire insurance or burglary insurance, motor vehicle rental
195 insurance, credit insurance, crop hail and multiple-peril crop
196 insurance, in-transit and storage personal property insurance,
197 or portable electronics or eyewear insurance; or as apply to
198 life agents or health agents in general, as applicable, if
199 licensed as to travel insurance.

200 Section 2. Paragraph (b) of subsection (2) of section
201 626.221, Florida Statutes, is amended to read:

202 626.221 Examination requirement; exemptions.-

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

2026772er

204 following:

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

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

211 626.732 Requirement as to knowledge, experience, or
212 instruction.—

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

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

220 626.8685 Portable electronics or eyewear insurance claims;
221 exemption; licensure restriction.—

222 (1) This part does not apply to any individual who collects
223 claims information from, or furnishes claims information to,
224 insureds or claimants, and who conducts data entry, including
225 entering data into an automated claims adjudication system,
226 provided that the individual is an employee of a business entity
227 licensed under this chapter, or its affiliate, and no more than
228 25 such persons are under the supervision of one licensed
229 independent adjuster or licensed agent who is exempt from
230 licensure pursuant to s. 626.862. For purposes of this
231 subsection, the term "automated claims adjudication system"
232 means a preprogrammed computer system designed for the

2026772er

233 collection, data entry, calculation, and final resolution of
234 portable electronics or eyewear insurance claims that:

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

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

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

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

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