

Insurance & Banking Subcommittee

Wednesday, February 2, 2022
9:00 AM - 11:00 AM
Morris Hall (17 HOB)

Action Packet

Chris Sprowls
Speaker

Nick DiCeglie
Chair

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

2/2/2022 9:00AM

Location: Morris Hall (17 HOB)

Summary:

Insurance & Banking Subcommittee

Wednesday February 02, 2022 09:00 am

HB 625	Favorable	Yeas: 13	Nays: 0
HB 785	Favorable With Committee Substitute	Yeas: 14	Nays: 0
	Amendment 258867 Adopted Without Objection		
HB 837	Favorable With Committee Substitute	Yeas: 16	Nays: 0
	Amendment 747561 Adopted Without Objection		
HB 1141	Favorable With Committee Substitute	Yeas: 14	Nays: 0
	Amendment 807629 Adopted Without Objection		
HB 1307	Favorable With Committee Substitute	Yeas: 17	Nays: 0
	Amendment 018759 Adopted Without Objection		
	Amendment 589563 Adopted Without Objection		
	Amendment 733771 Withdrawn		
	Amendment 989177 Adopted Without Objection		

Committee meeting was reported out: Wednesday, February 02, 2022 1:18PM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

2/2/2022 9:00AM

Location: Morris Hall (17 HOB)

Attendance:

	Present	*Absent*	*Excused*
Nick DiCeglie (Chair)	X		
Webster Barnaby			X
Kamia Brown	X		
Fentrice Driskell	X		
Tom Fabricio	X		
Elizabeth Fetterhoff	X		
Mike Giallombardo	X		
Brett Hage	X		
Christine Hunschofsky	X		
Traci Koster	X		
Randall Maggard	X		
Michele Rayner	X		
David Smith	X		
John Snyder	X		
Allison Tant	X		
Jackie Toledo	X		
Matt Willhite	X		
Ardian Zika	X		
Totals:	**17**	**0**	**1**

Committee meeting was reported out: Wednesday, February 02, 2022 1:18PM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

2/2/2022 9:00AM

Location: Morris Hall (17 HOB)

HB 625 : Estates and Trusts

[X] *Favorable*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Webster Barnaby			X		
Kamia Brown				X	
Fentrice Driskell				X	
Tom Fabricio	X				
Elizabeth Fetterhoff	X				
Mike Giallombardo	X				
Brett Hage	X				
Christine Hunschofsky	X				
Traci Koster	X				
Randall Maggard	X				
Michele Rayner	X				
David Smith				X	
John Snyder	X				
Allison Tant				X	
Jackie Toledo	X				
Matt Willhite	X				
Ardian Zika	X				
Nick DiCeglie (Chair)	X				
	Total Yeas: 13	**Total Nays: 0**			

Appearances:

Estates and Trusts
Edenfield, Martha (Lobbyist) (Lobbyist Appearance Form Submitted) - Waive In Support
Real Property, Probate & Trust Law Section of the Florida Bar
Dean Mead 106 E. College Avenue, Suite 1200
Tallahassee, FL
Phone: (850) 999-4100

Committee meeting was reported out: Wednesday, February 02, 2022 1:18PM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

2/2/2022 9:00AM

Location: Morris Hall (17 HOB)

HB 785 : Two-way Radio Communication Enhancement Systems

[X] *Favorable With Committee Substitute*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Webster Barnaby			X		
Kamia Brown				X	
Fentrice Driskell				X	
Tom Fabricio	X				
Elizabeth Fetterhoff	X				
Mike Giallombardo	X				
Brett Hage	X				
Christine Hunschofsky	X				
Traci Koster	X				
Randall Maggard	X				
Michele Rayner	X				
David Smith	X				
John Snyder	X				
Allison Tant				X	
Jackie Toledo	X				
Matt Willhite	X				
Ardian Zika	X				
Nick DiCeglie (Chair)	X				
	Total Yeas: 14	**Total Nays: 0**			

HB 785 Amendments

Amendment 258867

[X] *Adopted Without Objection*

Appearances:

Two-way Radio Communication Enhancement Systems
Pasqualone, Jon (General Public) - Information Only
Florida Fire Marshal's Association
Executive Director
PO Box 325
Hobe City, FL 33475
Phone: 772-932-1555

Two-way Radio Communication Enhancement Systems
Pinsky, Richard (Lobbyist) - Opponent
Emergency Communication Industry of Florida
201 E. Park Ave.
Tallahassee, FL

Committee meeting was reported out: Wednesday, February 02, 2022 1:18PM

Location: Morris Hall (17 HOB)

HB 785 : Two-way Radio Communication Enhancement Systems (continued)

Appearances: (continued)

Two-way Radio Communication Enhancement Systems
Olson, Rob (General Public) - Opponent
Fire Central Soultions
9313 Old King Road South
Jacksonville, FL

Two-way Radio Communication Enhancement Systems
Rogers, Will - Information Only
American Fire Wire, Inc.
President
2248 Meridian Blvd.
Minden, NV 89423

Committee meeting was reported out: Wednesday, February 02, 2022 1:18PM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

2/2/2022 9:00AM

Location: Morris Hall (17 HOB)

HB 837 : Hurricane Loss Mitigation Program

[X] *Favorable With Committee Substitute*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Webster Barnaby			X		
Kamia Brown	X				
Fentrice Driskell	X				
Tom Fabricio	X				
Elizabeth Fetterhoff	X				
Mike Giallombardo	X				
Brett Hage	X				
Christine Hunschofsky	X				
Traci Koster	X				
Randall Maggard	X				
Michele Rayner	X				
David Smith	X				
John Snyder	X				
Allison Tant				X	
Jackie Toledo	X				
Matt Willhite	X				
Ardian Zika	X				
Nick DiCeglie (Chair)	X				
	Total Yeas: 16	**Total Nays: 0**			

HB 837 Amendments

Amendment 747561

[X] *Adopted Without Objection*

Appearances:

Hurricane Loss Mitigation Program
Chase, Ed (Lobbyist) - Waive In Support
Palm Beach County
Intergovernmental Affairs Director
301 N. Olive Ave.
West Palm Beach, FL 33401
Phone: 501-355-6266

Hurricane Loss Mitigation Program
Stewart, Nancy (Lobbyist) - Proponent
Federation of Manufactured Home Owners of Florida
Legislative Counsel
1400 Village Square Blvd., Ste 3-156
Tallahassee, FL 32312
Phone: 8950-385-7805

Committee meeting was reported out: Wednesday, February 02, 2022 1:18PM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

2/2/2022 9:00AM

Location: Morris Hall (17 HOB)

HB 1141 : Bail Bond Agents

[X] *Favorable With Committee Substitute*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Webster Barnaby			X		
Kamia Brown				X	
Fentrice Driskell				X	
Tom Fabricio	X				
Elizabeth Fetterhoff	X				
Mike Giallombardo	X				
Brett Hage	X				
Christine Hunschofsky	X				
Traci Koster	X				
Randall Maggard	X				
Michele Rayner	X				
David Smith	X				
John Snyder	X				
Allison Tant				X	
Jackie Toledo	X				
Matt Willhite	X				
Ardian Zika	X				
Nick DiCeglie (Chair)	X				
	Total Yeas: 14	**Total Nays: 0**			

HB 1141 Amendments

Amendment 807629

[X] *Adopted Without Objection*

Appearances:

Bail Bond Agents
Foster, Shawn (Lobbyist) (Lobbyist Appearance Form Submitted) - Waive In Support
Florida Bail Agents Association
5957 Riviera Ln
New Port Richey, FL
Phone: (727) 808-4131

Committee meeting was reported out: Wednesday, February 02, 2022 1:18PM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

2/2/2022 9:00AM

Location: Morris Hall (17 HOB)

HB 1307 : Citizens Property Insurance Corporation

[X] *Favorable With Committee Substitute*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Webster Barnaby			X		
Kamia Brown	X				
Fentrice Driskell	X				
Tom Fabricio	X				
Elizabeth Fetterhoff	X				
Mike Giallombardo	X				
Brett Hage	X				
Christine Hunschofsky	X				
Traci Koster	X				
Randall Maggard	X				
Michele Rayner	X				
David Smith	X				
John Snyder	X				
Allison Tant	X				
Jackie Toledo	X				
Matt Willhite	X				
Ardian Zika	X				
Nick DiCeglie (Chair)	X				
	Total Yeas: 17	**Total Nays: 0**			

HB 1307 Amendments

Amendment 018759

[X] *Adopted Without Objection*

Amendment 589563

[X] *Adopted Without Objection*

Amendment 733771

[X] *Withdrawn*

Amendment 989177

[X] *Adopted Without Objection*

Committee meeting was reported out: Wednesday, February 02, 2022 1:18PM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

2/2/2022 9:00AM

Location: Morris Hall (17 HOB)

HB 1307 : Citizens Property Insurance Corporation (continued)

Appearances:

Citizens Property Insurance Corporation
Geller, Steven (Lobbyist) (Lobbyist Appearance Form Submitted) - Proponent
Florida Association of Public Insurance Adjusters
Lawyer (or Senator, as I served for 11 years in the Senate)
110 E Broward Blvd Ste 1700
Fort Lauderdale, FL
Phone: (954) 315-3926

Amendment 018759
Citizens Property Insurance Corporation
Ashburn, Christine (Lobbyist) - Opponent
Citizens Property Insurance Corporation
Chief - Communications, Legislative & External Affairs
2101 Maryland Circle
Tallahassee, 32303
Phone: 850-513-3757

Citizens Property Insurance Corporation
Johnson, Carolyn - Waive In Support
Florida Chamber of Commerce
136 S. Bronough St.
Tallahassee, FL 32301
Phone: 521-1200

Citizens Property Insurance Corporation
Ashburn, Christine (Lobbyist) - Waive In Support
Citizens Property Insurance Corporation
Chief - Communications, Legislative & External Affairs
2101 Maryland Circle
Tallahassee, 32303
Phone: 850-513-3757

Citizens Property Insurance Presentation
Pearce, Laura (Lobbyist) - Waive In Support
Florida Association of Insurance Agents
VP & General Counsel

Committee meeting was reported out: Wednesday, February 02, 2022 1:18PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 785 (2022)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION	
ADOPTED	__ (Y/N)
ADOPTED AS AMENDED	__ (Y/N)
ADOPTED W/O OBJECTION	✓ (Y/N)
FAILED TO ADOPT	__ (Y/N)
WITHDRAWN	__ (Y/N)
OTHER	_____

Committee/Subcommittee hearing bill: Insurance & Banking Subcommittee

Representative Botana offered the following:

Amendment

Remove line 23 and insert:

buildings 75 feet or less in height with the exterior components constructed of wood frame. Evidence of wood frame construction shall be shown by the property owner providing building permit documentation which identifies the construction type as wood frame. Existing buildings

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	__ (Y/N)
ADOPTED AS AMENDED	__ (Y/N)
ADOPTED W/O OBJECTION	✓ (Y/N)
FAILED TO ADOPT	__ (Y/N)
WITHDRAWN	__ (Y/N)
OTHER	_____

Committee/Subcommittee hearing bill: Insurance & Banking Subcommittee

Representative Willhite offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (1), subsection (2), and subsection (7) of section 215.559, Florida Statutes, are amended to read:

215.559 Hurricane Loss Mitigation Program.—A Hurricane Loss Mitigation Program is established in the Division of Emergency Management.

(1) The Legislature shall annually appropriate $10 million of the moneys authorized for appropriation under s. 215.555(7)(c) from the Florida Hurricane Catastrophe Fund to the

division for the purposes set forth in this section. Of the amount:

(b) Three million dollars in funds shall be used to construct or retrofit ~~existing~~ facilities used as public hurricane shelters. Each year the division shall prioritize the use of these funds for projects included in the annual report of the Shelter Development ~~Retrofit~~ Report prepared in accordance with s. 252.385(3). The division must give funding priority to projects in regional planning council regions that have shelter deficits and to projects that maximize the use of state funds.

(2)(a) Forty percent of the total appropriation in paragraph (1)(a) shall be used to inspect and improve tie-downs for mobile homes.

(b)1. The Manufactured Housing and Mobile Home Mitigation and Enhancement Program is established. The program shall require the mitigation of damage to or the enhancement of homes for the areas of concern raised by the Department of Highway Safety and Motor Vehicles in the 2004-2005 Hurricane Reports on the effects of the 2004 and 2005 hurricanes on manufactured and mobile homes in this state. The mitigation or enhancement must include, but need not be limited to, problems associated with weakened trusses, studs, and other structural components caused by wood rot or termite damage; site-built additions; or tie-down systems and may also address any other issues deemed appropriate by the Gulf Coast State College ~~Tallahassee Community College~~,

the Federation of Manufactured Home Owners of Florida, Inc., the Florida Manufactured Housing Association, and the Department of Highway Safety and Motor Vehicles. The program shall include an education and outreach component to ensure that owners of manufactured and mobile homes are aware of the benefits of participation.

2. The program shall be a grant program that ensures that entire manufactured home communities and mobile home parks may be improved wherever practicable. The moneys appropriated for this program shall be distributed directly to the Gulf Coast State College ~~Tallahassee Community College~~ for the uses set forth under this subsection.

3. Upon evidence of completion of the program, the Citizens Property Insurance Corporation shall grant, on a pro rata basis, actuarially reasonable discounts, credits, or other rate differentials or appropriate reductions in deductibles for the properties of owners of manufactured homes or mobile homes on which fixtures or construction techniques that have been demonstrated to reduce the amount of loss in a windstorm have been installed or implemented. The discount on the premium must be applied to subsequent renewal premium amounts. Premiums of the Citizens Property Insurance Corporation must reflect the location of the home and the fact that the home has been installed in compliance with building codes adopted after Hurricane Andrew. ~~Rates resulting from the completion of the~~

~~Manufactured Housing and Mobile Home Mitigation and Enhancement Program are not considered competitive rates for the purposes of s. 627.351(6)(d)1. and 2.~~

4. On or before January 1 of each year, the Gulf Coast State College ~~Tallahassee Community College~~ shall provide a report of activities under this subsection to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must set forth the number of homes that have taken advantage of the program, the types of enhancements and improvements made to the manufactured or mobile homes and attachments to such homes, and whether there has been an increase in availability of insurance products to owners of manufactured or mobile homes.

The Gulf Coast State College ~~Tallahassee Community College~~ shall develop the programs set forth in this subsection in consultation with the Federation of Manufactured Home Owners of Florida, Inc., the Florida Manufactured Housing Association, and the Department of Highway Safety and Motor Vehicles. The moneys appropriated for the programs set forth in this subsection shall be distributed directly to the Gulf Coast State College ~~Tallahassee Community College~~ to be used as set forth in this subsection.

(7) This section is repealed June 30, 2032 ~~2022~~.

T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to the Hurricane Loss Mitigation Program; amending s. 215.559, F.S.; revising the use of certain funds from the Florida Hurricane Catastrophe Fund to also include construction of certain facilities; revising the title of a certain annual report; revising provisions to require the Manufactured Housing and Mobile Home Mitigation and Enhancement Program to be operated by Gulf Coast State College; deleting construction related to Citizens Property Insurance Corporation coverage rates; delaying the future repeal of the Hurricane Loss Mitigation Program; providing an effective date.

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION		
ADOPTED	__	(Y/N)
ADOPTED AS AMENDED	__	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	__	(Y/N)
WITHDRAWN	__	(Y/N)
OTHER	_____	

Committee/Subcommittee hearing bill: Insurance & Banking Subcommittee

Representative Plakon offered the following:

Amendment (with title amendment)

Remove lines 141-605 and insert:

Section 7. Section 648.355, Florida Statutes, is amended to read:

648.355 ~~Temporary limited license as~~ Limited surety agents and ~~agent or~~ professional bail bond agents ~~agent~~; qualifications ~~pending examination~~.—

(1) The department may, in its discretion, issue a ~~temporary~~ license as a limited surety agent or professional bail bond agent, subject to the following conditions:

(a) The applicant is a natural person at least 18 years of age and holds a high school diploma or its equivalent.

(b) The applicant is a United States citizen or legal alien who possesses work authorization from the United States Bureau of Citizenship and Immigration Services and is a resident of this state. An individual who is a resident of this state shall be deemed to meet the residence requirement of this paragraph, notwithstanding the existence, at the time of application for a ~~temporary~~ license, of a license in the individual's name on the records of another state as a resident licensee of such other state, if the applicant furnishes a letter of clearance satisfactory to the department that the individual's resident licenses have been canceled or changed to a nonresident basis and that the individual is in good standing.

(c) The applicant is a person of high character and approved integrity and has never been convicted of or pleaded guilty or no contest to a felony, a crime involving moral turpitude, or a crime punishable by imprisonment of 1 year or more under the law of any state, territory, or country, whether or not a judgment or conviction is entered.

(d) Within 2 ~~4~~ years before ~~prior to~~ the date of application for a ~~temporary~~ license, the applicant has successfully completed a basic certification course in the criminal justice system, consisting of not less than 120 hours of classroom instruction with a passing grade of 80 percent or higher and has successfully completed a correspondence course for bail bond agents approved by the department.

~~(e) The applicant must be employed full time at the time of licensure, and at all times throughout the existence of the temporary license, by only one licensed and appointed supervising bail bond agent, who supervises the work of the applicant and is responsible for the licensee's conduct in the bail bond business. The applicant must be appointed by the same insurers as the supervising bail bond agent. The supervising bail bond agent shall certify monthly to the department under oath, on a form prescribed by the department, the names and hours worked each week of all temporary bail bond agents. Filing a false certification is grounds for the immediate suspension of the license and imposition of a $5,000 administrative fine. The department may adopt rules that establish standards for the employment requirements.~~

(e)~~(f)~~ The application must be accompanied by an affidavit verifying proposed employment and a report as to the applicant's integrity and moral character on a form prescribed by the department and executed by the proposed employer.

(f)~~(g)~~ The applicant must file with the department statements by at least three reputable citizens who are residents of the same counties in which the applicant proposes to engage as a ~~temporary~~ licensee.

(g)~~(h)~~ The applicant's employer is responsible for the bail bonding acts of any licensee under this section.

(2) All applicable license fees, as prescribed in s. 624.501, must be paid before issuance of the ~~temporary~~ license.

~~(3) The temporary license shall be effective for 18 months, subject to earlier termination at the request of the employer or if suspended or revoked by the department.~~

(3) ~~(4)~~ The applicant shall furnish, with the application for ~~temporary~~ license, a complete set of the applicant's fingerprints and a recent credential-sized, fullface photograph of the applicant. The applicant's fingerprints shall be certified by an authorized law enforcement officer. The department shall not issue a ~~temporary~~ license under this section until the department has received a report from the Department of Law Enforcement and the Federal Bureau of Investigation relative to the existence or nonexistence of a criminal history report based on the applicant's fingerprints.

(4) ~~(5)~~ The department may collect a fee necessary to cover the cost of a character and credit report made by an established and reputable independent reporting service. The fee shall be deposited to the credit of the Insurance Regulatory Trust Fund.

(5) ~~(6) After licensure as a temporary licensee for at least 12 months, such licensee may file an application for and become eligible for a regular bail bond agent's license based on the licensee's experience in the bail bond business and education pursuant to paragraph (1)(d) and, if otherwise qualified, take the required bail bond agent's licensure~~

~~examination. The applicant and supervising bail bond agent must each file an affidavit under oath, on a form prescribed by the department, verifying the required employment of the temporary agent before issuance of the license.~~ Effective July 1, 2022, any person licensed by the department as a temporary bail bond agent may take the required bail bond agent's licensure examination and may file an application for a regular bail bond agent's license, if otherwise qualified for licensure.

~~(7) In no event shall a temporary licensee licensed under this section perform any of the functions for which a bail bond agent's license is required after expiration of the temporary license without having passed the written examination as for a regular bail bond agent's license.~~

~~(8)(a) A temporary licensee has the same authority as a licensed bail bond agent, including presenting defendants in court; apprehending, arresting, and surrendering defendants to the proper authorities; and keeping defendants under necessary surveillance. However, a temporary licensee must be accompanied by a supervising bail bond agent or an agent from the same agency when apprehending, arresting, or surrendering defendants to authorities.~~

~~(b) A temporary licensee may not execute or sign bonds, handle collateral receipts, deliver bonds to appropriate authorities, or operate an agency or branch agency separate from~~

~~the location of the supervising bail bond agent, managing general agent, or insurer by whom the licensee is employed.~~

(6) ~~(9)The department shall not issue a temporary bail bond agent's license to any individual who has held such a temporary license in this state within 2 years after the expiration of such temporary bail bond agent's license.~~ Effective July 1, 2022, the department shall not issue a temporary bail bond agent's license to any individual. Any individual currently licensed as a temporary bail bond agent may continue to be licensed in accordance with this law. If such temporary bail bond agent license expires or is terminated, suspended, or revoked, it may not be reinstated.

Section 8. Subsections (1) through (4) of section 648.382, Florida Statutes, are amended to read:

648.382 Appointment of bail bond agents ~~and temporary bail bond agents~~; effective date of appointment.—

(1) Each insurer appointing a bail bond agent ~~and each insurer, managing general agent, or bail bond agent appointing a temporary bail bond agent~~ in this state must file the appointment with the department and, at the same time, pay the applicable appointment fees and taxes. A person appointed under this section must hold a valid bail bond agent's ~~or temporary bail bond agent's~~ license.

(2) Before ~~Prior to~~ any appointment, an appropriate officer or official of the appointing insurer ~~in the case of a~~

~~bail bond agent or an insurer, managing general agent, or bail bond agent in the case of a temporary bail bond agent~~ must submit:

(a) A certified statement or affidavit to the department stating what investigation has been made concerning the proposed appointee and the proposed appointee's background and the appointing person's opinion to the best of his or her knowledge and belief as to the moral character and reputation of the proposed appointee. In lieu of such certified statement or affidavit, by authorizing the effectuation of an appointment for a licensee, the appointing entity certifies to the department that such investigation has been made and that the results of the investigation and the appointing person's opinion is that the proposed appointee is a person of good moral character and reputation and is fit to engage in the bail bond business;

(b) An affidavit under oath on a form prescribed by the department, signed by the proposed appointee, stating that premiums are not owed to any insurer and that the appointee will discharge all outstanding forfeitures and judgments on bonds previously written. If the appointee does not satisfy or discharge such forfeitures or judgments, the former insurer shall file a notice, with supporting documents, with the appointing insurer, the former agent, and the department, stating under oath that the licensee has failed to timely satisfy forfeitures and judgments on bonds written and that the

insurer has satisfied the forfeiture or judgment from its own funds. Upon receipt of such notification and supporting documents, the appointing insurer shall immediately cancel the licensee's appointment. The licensee may be reappointed only upon certification by the former insurer that all forfeitures and judgments on bonds written by the licensee have been discharged. The appointing insurer or former agent may, within 10 days, file a petition with the department seeking relief from this paragraph. Filing of the petition stays the duty of the appointing insurer to cancel the appointment until the department grants or denies the petition; and

(c) Any other information that the department reasonably requires concerning the proposed appointee.

(3) By authorizing the effectuation of an appointment for a licensee, the appointing insurer certifies to the department that the insurer will be bound by the acts of the bail bond agent acting within the scope of his or her appointment~~, and, in the case of a temporary bail bond agent, the appointing insurer, managing general agent, or bail bond agent, as the case may be, must certify to the department that he or she will supervise the temporary bail bond agent's activities~~.

(4) Each appointing insurer or~~,~~ managing general agent~~, or bail bond agent~~ must advise the department in writing within 5 days after receiving notice or learning that an appointee has been arrested for, pled guilty or nolo contendere to, or been

found guilty of, a felony or other offense punishable by imprisonment of 1 year or more under the law of any jurisdiction, whether judgment was entered or withheld by the court.

Section 9. Subsection (2) of section 648.386, Florida Statutes, is amended to read:

648.386 Qualifications for prelicensing and continuing education schools and instructors.—

(2) SCHOOLS AND CURRICULUM FOR CONTINUING EDUCATION SCHOOLS.—In order to be considered for approval and certification as an approved limited surety agent and professional bail bond agent continuing education school, such entity must:

(a) Provide a minimum of three classroom-instruction continuing education classes per calendar year.

(b) Submit a course curriculum to the department for approval.

(c) Offer continuing education classes which are comprised of a minimum of 2 hours of approved classroom-instruction coursework and are taught by an approved supervising instructor or guest lecturer approved by the entity or the supervising instructor.

(d) For purposes of this section, the term "classroom instruction" means a course designed to be presented to a group

of students by a live instructor using lecture, video, webcast, virtual, or other audio-video presentation.

Section 10. Section 648.3875, Florida Statutes, is created to read:

648.3875 Primary bail bond agents; qualifications.—

(1) An application for designation as a primary bail bond agent must be submitted on forms prescribed by the department. The application must include the applicant's full name; and the number and date of issuance of the applicant's license issued pursuant to s. 648.27.

(2) To qualify as a primary bail bond agent, it must affirmatively appear at the time of application and throughout the period of licensure that the applicant has complied with s. 648.285 and has been licensed as a bail bond agent for the 24 months immediately preceding the appointment as a primary bail bond agent.

Section 11. Section 648.39, Florida Statutes, is amended to read:

648.39 Termination of appointment of managing general agents and~~,~~ bail bond agents~~, and temporary bail bond agents~~.—

(1) An insurer who terminates the appointment of a managing general agent or~~,~~ bail bond agent~~, or temporary bail bond agent~~ shall, within 10 days after such termination, file written notice thereof with the department together with a statement that it has given or mailed notice to the terminated

agent. Such notice filed with the department must state the reasons, if any, for such termination. Information so furnished the department is confidential and exempt from ~~the provisions of~~ s. 119.07(1).

(2) Each insurer shall, within 5 days after terminating the appointment of any managing general agent or~~,~~ bail bond agent, ~~or temporary bail bond agent,~~ give written notice thereof to each clerk of the circuit court and sheriff with whom such person is registered.

(3) An insurer that terminates the appointment of a managing general agent or~~,~~ bail bond agent~~, or temporary bail bond agent~~ may authorize such person to continue to attempt the arrest and surrender of a defendant for whom a surety bond had been written by the bail bond agent before ~~prior to~~ termination and to seek discharge of forfeitures and judgments as provided in chapter 903.

Section 12. Section 648.41, Florida Statutes, is repealed.

Section 13. Section 648.42, Florida Statutes, is amended to read:

648.42 Registration of bail bond agents.—A bail bond agent may not become a surety on an undertaking unless he or she has registered in the office of the sheriff and with the clerk of the circuit court in the county in which the bail bond agent resides. The bail bond agent may register in a like manner in any other county, and any bail bond agent shall file a certified

copy of his or her appointment by power of attorney from each insurer which he or she represents as a bail bond agent with each of such officers. Registration and filing of a certified copy of renewed power of attorney shall be performed by April 1 of each odd-numbered year. The clerk of the circuit court and the sheriff shall not permit the registration of a bail bond agent unless such bail bond agent is currently licensed by the department and appointed by an insurer ~~the department~~. ~~Nothing in this section shall prevent the registration of a temporary licensee at the jail for the purposes of enabling the licensee to perform the duties under such license as set forth in this chapter.~~

Section 14. Subsections (1) and (2) and paragraphs (c) and (d) of subsection (8) of section 648.44, Florida Statutes, are amended to read:

648.44 Prohibitions; penalty.—

(1) A bail bond agent ~~or temporary bail bond agent~~ may not:

(a) Suggest or advise the employment of, or name for employment, any particular attorney to represent his or her principal.

(b) Directly or indirectly solicit business in or on the property or grounds of a jail, prison, or other place where prisoners are confined or in or on the property or grounds of any court. The term "solicitation" includes the distribution of

business cards, print advertising, or other written or oral information directed to prisoners or potential indemnitors, unless a request is initiated by the prisoner or a potential indemnitor. Permissible print advertising in the jail is strictly limited to a listing in a telephone directory and the posting of the bail bond agent's or agency's name, address, and telephone number in a designated location within the jail.

(c) Initiate in-person or telephone solicitation after 9:00 p.m. or before 8:00 a.m., in the case of domestic violence cases, at the residence of the detainee or the detainee's family. Any solicitation not prohibited by this chapter must comply with the telephone solicitation requirements in ss. 501.059(2) and (4), 501.613, and 501.616(6).

(d) Wear or display any identification other than the department issued or approved license or approved department identification, which includes a citation of the licensee's arrest powers, in or on the property or grounds of a jail, prison, or other place where prisoners are confined or in or on the property or grounds of any court.

(e) Pay a fee or rebate or give or promise anything of value to a jailer, police officer, peace officer, or committing trial court judge or any other person who has power to arrest or to hold in custody or to any public official or public employee in order to secure a settlement, compromise, remission, or reduction of the amount of any bail bond or estreatment thereof.

(f) Pay a fee or rebate or give anything of value to an attorney in a bail bond matter, except in defense of any action on a bond.

(g) Pay a fee or rebate or give or promise anything of value to the principal or anyone in his or her behalf.

(h) Participate in the capacity of an attorney at a trial or hearing of one on whose bond he or she is surety.

(i) Loiter in or about a jail, courthouse, or where prisoners are confined.

(j) Accept anything of value from a principal for providing a bail bond except the premium and transfer fee authorized by the office, except that the bail bond agent may accept collateral security or other indemnity from the principal or another person in accordance with ~~the provisions of~~ s. 648.442, together with documentary stamp taxes, if applicable. No fees, expenses, or charges of any kind shall be permitted to be deducted from the collateral held or any return premium due, except as authorized by this chapter or rule of the department or commission. A bail bond agent may, upon written agreement with another party, receive a fee or compensation for returning to custody an individual who has fled the jurisdiction of the court or caused the forfeiture of a bond.

(k) Write more than one power of attorney per charge on a bond, except in the case of a cosurety, unless the power of attorney prohibits a cosurety.

(l) Execute a bond in this state on his or her own behalf.

(m) Execute a bond in this state if a judgment has been entered on a bond executed by the bail bond agent, which has remained unpaid for 35 days, unless the full amount of the judgment is deposited with the clerk in accordance with s. 903.27(5).

(n) Make a statement or representation to a court, unless such statement or representation is under oath. Such statement or representation may not be false, misleading, or deceptive.

(o) Attempt to collect, through threat or coercion, amounts due for the payment of any indebtedness related to the issuance of a bail bond in violation of s. 559.72.

(p) Conduct bail bond business with any person, other than the defendant, on the grounds of the jail or courthouse for the purpose of executing a bond.

(2) The following persons or classes shall not be bail bond agents~~, temporary bail bond agents,~~ or employees of a bail bond agent or a bail bond business and shall not directly or indirectly receive any benefits from the execution of any bail bond:

(a) Jailers or persons employed in any jail.

(b) Police officers or employees of any police department or law enforcement agency.

(c) Committing trial court judges, employees of a court, or employees of the clerk of any court.

(d) Sheriffs and deputy sheriffs or employees of any sheriff's department.

(e) Attorneys.

(f) Persons having the power to arrest or persons who have authority over or control of federal, state, county, or municipal prisoners.

(8)

(c) Any law enforcement agency, state attorney's office, court clerk, or insurer that is aware that a bail bond agent ~~or temporary bail bond agent~~ has been convicted of or who has pleaded guilty or no contest to a crime as described in paragraph (a) shall notify the department of this fact.

(d) Upon the filing of an information or indictment against a bail bond agent ~~or temporary bail bond agent~~, the state attorney or clerk of the circuit court shall immediately furnish the department a certified copy of the information or indictment.

Section 15. Subsection (1) of section 648.441, Florida Statutes, is amended to read:

648.441 Furnishing supplies to unlicensed bail bond agent prohibited; civil liability and penalty.—

(1) An insurer, managing general agent, or bail bond agent~~, or temporary bail bond agent~~ appointed under this chapter may not furnish to any person any blank forms, applications, stationery, business card, or other supplies to be used in

soliciting, negotiating, or effecting bail bonds until such person has received from the department a license to act as a bail bond agent and is appointed by the insurer. This section does not prohibit an unlicensed employee, under the direct supervision and control of a licensed and appointed bail bond agent, from possessing or executing in the bail bond agency, any forms, except for powers of attorney, bond forms, and collateral receipts, while acting within the scope of his or her employment.

Section 16. Section 648.50, Florida Statutes, is amended to read:

648.50 Effect of suspension, revocation upon associated licenses and licensees.—

(1) Upon the suspension, revocation, or refusal to renew or continue any license or appointment or the eligibility to hold a license or appointment of a bail bond agent ~~or temporary bail bond agent~~, the department shall at the same time likewise suspend or revoke all other licenses or appointments and the eligibility to hold any other such licenses or appointments which may be held by the licensee under the Florida Insurance Code.

(2) In case of the suspension or revocation of the license or appointment, or the eligibility to hold a license or appointment, of any bail bond agent, the license, appointment, or eligibility of any and all bail bond agents who are members

of a bail bond agency, whether incorporated or unincorporated, ~~and any and all temporary bail bond agents employed by such bail bond agency,~~ who knowingly are parties to the act which formed the ground for the suspension or revocation may likewise be suspended or revoked.

(3) No person whose license as a bail bond agent ~~or temporary bail bond agent~~ has been revoked or suspended shall be employed by any bail bond agent, have any ownership interest in any business involving bail bonds, or have any financial interest of any type in any bail bond business during the period of revocation or suspension.

Section 17. Present paragraphs (a) through (f) of subsection (1) of section 784.07, Florida Statutes, are redesignated as paragraphs (b) through (g), respectively, a new paragraph (a) is added to that subsection, and subsection (2) of that section is amended, to read:

784.07 Assault or battery of law enforcement officers, firefighters, emergency medical care providers, public transit employees or agents, or other specified officers; reclassification of offenses; minimum sentences.—

(1) As used in this section, the term:

(a) "Bail bond agent" means an individual licensed under chapter 648 in good standing, a professional bail bond agent as defined in s. 648.25 in good standing, or an individual licensed as a bail bond agent in another state in good standing.

(2) Whenever any person is charged with knowingly committing an assault or battery upon a law enforcement officer, a firefighter, an emergency medical care provider, a railroad special officer, a traffic accident investigation officer as described in s. 316.640, a nonsworn law enforcement agency employee who is certified as an agency inspector, a blood alcohol analyst, or a breath test operator while such employee is in uniform and engaged in processing, testing, evaluating, analyzing, or transporting a person who is detained or under arrest for DUI, a law enforcement explorer, a traffic infraction enforcement officer as described in s. 316.640, a parking enforcement specialist as defined in s. 316.640, a person licensed as a security officer as defined in s. 493.6101 and wearing a uniform that bears at least one patch or emblem that is visible at all times that clearly identifies the employing agency and that clearly identifies the person as a licensed security officer, or a security officer employed by the board of trustees of a community college, while the officer, firefighter, emergency medical care provider, railroad special officer, traffic accident investigation officer, traffic infraction enforcement officer, inspector, analyst, operator, law enforcement explorer, parking enforcement specialist, public transit employee or agent, or security officer is engaged in the lawful performance of his or her duties, the offense for which the person is charged shall be reclassified as follows:

(a) In the case of assault, from a misdemeanor of the second degree to a misdemeanor of the first degree.

(b) In the case of battery, from a misdemeanor of the first degree to a felony of the third degree. Notwithstanding any other provision of law, a person convicted of battery upon a law enforcement officer committed in furtherance of a riot or an aggravated riot prohibited under s. 870.01 shall be sentenced to a minimum term of imprisonment of 6 months.

(c) In the case of aggravated assault, from a felony of the third degree to a felony of the second degree. Notwithstanding any other provision of law, any person convicted of aggravated assault upon a law enforcement officer shall be sentenced to a minimum term of imprisonment of 3 years.

(d) In the case of aggravated battery, from a felony of the second degree to a felony of the first degree. Notwithstanding any other provision of law, any person convicted of aggravated battery of a law enforcement officer shall be sentenced to a minimum term of imprisonment of 5 years.

Section 18. Subsection (3) of Section 648.26, Florida Statutes, is amended to read:

648.26 Department of Financial Services; administration.—

(3) The papers, documents, reports, or any other investigatory records of the department are confidential and exempt from the provisions of s. 119.07(1) until such investigation is completed or ceases to be active. For the

purpose of this section, an investigation is considered "active" while the investigation is being conducted by the department with a reasonable, good faith belief that it may lead to the filing of administrative, civil, or criminal proceedings. An investigation does not cease to be active if the department is proceeding with reasonable dispatch and there is good faith belief that action may be initiated by the department or other administrative or law enforcement agency. This subsection does not prevent the department or office from disclosing the complaint or such information as it deems necessary to conduct the investigation, to update the complainant as to the status and outcome of the complaint, or to share such information with any law enforcement agency or other regulatory body.

Section 19. Subsection (3) of Section 648.46, Florida Statutes, is amended to read:

648.46 Procedure for disciplinary action against licensees.—

(3) The complaint and all information obtained pursuant to the investigation of the department are confidential and exempt from the provisions of s. 119.07(1) until such investigation is completed or ceases to be active. For the purpose of this section, an investigation is considered "active" while the investigation is being conducted by the department with a reasonable, good faith belief that it may lead to the filing of administrative, civil, or criminal proceedings. An investigation

does not cease to be active if the department is proceeding with reasonable dispatch and there is good faith belief that action may be initiated by the department or other administrative or law enforcement agency. This subsection does not prevent the department or office from disclosing the complaint or such information as it deems necessary to conduct the investigation, to update the complainant as to the status and outcome of the complaint, or to share such information with any law enforcement agency or other regulatory body.

T I T L E A M E N D M E N T

Remove line 16 and insert:
classroom instruction; defining the term "classroom instruction"; creating s. 648.3875, F.S.;

Remove line 40 and insert:
date; amending s. 648.26, F.S.; administration of investigations; amending s. 648.46, F.S.; procedure for disciplinary action against licenses

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	____	(Y/N)
ADOPTED AS AMENDED	____	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	____	(Y/N)
WITHDRAWN	____	(Y/N)
OTHER		

Committee/Subcommittee hearing bill: Insurance & Banking Subcommittee

Representative Gregory offered the following:

Amendment

Remove lines 763-839 and insert:

insurer is more than the following percent greater than the renewal premium for comparable coverage from the corporation:

(I) Five percent for policies that renew during 2023.

(II) Ten percent for policies that renew during 2024.

(III) Fifteen percent for policies that renew during 2025.

(IV) Twenty percent for polices that renew during 2026 and during all subsequent years.

If the risk is not able to obtain such offer, the risk is eligible for a standard policy including wind coverage or a basic policy including wind coverage issued by the corporation;

however, if the risk could not be insured under a standard policy including wind coverage regardless of market conditions, the risk is eligible for a basic policy including wind coverage unless rejected under subparagraph 8. ~~However, a policyholder removed from the corporation through an assumption agreement remains eligible for coverage from the corporation until the end of the assumption period.~~ The corporation shall determine the type of policy to be provided on the basis of objective standards specified in the underwriting manual and based on generally accepted underwriting practices. A policyholder removed from the corporation through an assumption agreement does not remain eligible for coverage from the corporation. However, any policy removed from the corporation through an assumption agreement may remain on the corporation's policy forms through the end of the assumption period so that corporation may continue to provide service to the policyholder for the claims that are payable by the assuming insurer.

(v) ~~(I)~~ If the risk accepts an offer of coverage through the market assistance plan or through a mechanism established by the corporation other than a plan established by s. 627.3518, before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or to

the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

(II) If the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

b. With respect to commercial lines residential risks, for a new application to the corporation for coverage, if the risk is offered coverage under a policy including wind coverage from an authorized insurer at its approved rate, the risk is not eligible for a policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 20 ~~15~~ percent greater than the premium for comparable coverage from the corporation. Whenever an offer of coverage for a commercial lines residential risk is received for a policyholder of the corporation at renewal from an authorized insurer, ~~if the offer is equal to or less than the corporation's renewal premium for comparable coverage,~~ the risk is not eligible for coverage with the corporation unless the premium for coverage from the authorized insurer is more than the following percent greater than the renewal premium for comparable coverage from the corporation:

(I) Five percent for policies that renew during 2023.

(II) Ten percent for policies that renew during 2024.

(III) Fifteen percent for policies that renew during 2025.

(IV) Twenty percent for policies that renew during 2026 and during all subsequent years.

If the risk is not able to obtain any such offer, the risk is eligible for a policy including wind coverage issued by the corporation. ~~However,~~ A policyholder removed from the corporation through an assumption agreement does not remain ~~remains~~ eligible for coverage from the corporation ~~until the end of the assumption period~~. However, any policy removed from the corporation through an assumption agreement may remain on the corporation's policy forms through the end of the assumption period so that corporation may continue to provide service to the policyholder for the claims that are payable by the assuming insurer.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1307 (2022)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	____	(Y/N)
ADOPTED AS AMENDED	____	(Y/N)
ADOPTED W/O OBJECTION	____	(Y/N)
FAILED TO ADOPT	____	(Y/N)
WITHDRAWN	✓	(Y/N)
OTHER		

Committee/Subcommittee hearing bill: Insurance & Banking Subcommittee

Representative Gregory offered the following:

Amendment (with title amendment)

Remove lines 940-945 and insert:

the board of governors.

T I T L E A M E N D M E N T

Remove line 19 and insert:

making technical changes; eliminating costs of reinsurance in rates under certain circumstances; specifying the

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	__ (Y/N)
ADOPTED AS AMENDED	__ (Y/N)
ADOPTED W/O OBJECTION	✓ (Y/N)
FAILED TO ADOPT	__ (Y/N)
WITHDRAWN	__ (Y/N)
OTHER	____

Committee/Subcommittee hearing bill: Insurance & Banking Subcommittee

Representative Gregory offered the following:

Amendment (with title amendment)

Remove lines 1597-1779 and insert:

3. If a policyholder receives a take-out offer from an authorized insurer, the risk is no longer eligible for coverage with the corporation unless the premium for coverage from the authorized insurer is more than the following percent greater than the renewal premium for comparable coverage from the corporation:

(I) Five percent for policies effective on or after January 1, 2023.

(II) Ten percent for policies effective on or after January 1, 2024.

(III) Fifteen percent for policies effective on or after January 1, 2025.

(IV) Twenty percent for policies effective on or after January 1, 2026 and in all subsequent years.

~~4~~3. The corporation must provide written notice to the policyholder and the agent of record regarding all insurers requesting to take out the policy, which ~~and regarding the policyholder's option to accept a take-out offer or to reject all take-out offers and to remain with the corporation. The notice~~ must be in a format prescribed by the corporation and include, for each take-out offer:

a. The amount of the estimated premium;

b. A description of the coverage; and

c. A comparison of the estimated premium and coverage offered by the insurer to the estimated premium and coverage provided by the corporation.

Section 3. Section 627.3517, Florida Statutes, is amended to read:

627.3517 Consumer choice.—No provision of s. 627.351, s. 627.3511, or s. 627.3515 shall be construed to impair the right of any insurance risk apportionment plan policyholder, upon receipt of any keep-out ~~keepout~~ or take-out offer, to retain his or her current agent, so long as that agent is duly licensed and appointed by the insurance risk apportionment plan or otherwise

authorized to place business with the insurance risk apportionment plan. This right may ~~shall~~ not be canceled, suspended, impeded, abridged, or otherwise compromised by any rule, plan of operation, or depopulation plan, whether through keep-out ~~keepout~~, take-out, midterm assumption, or any other means, of any insurance risk apportionment plan or depopulation plan, including, but not limited to, those described in s. 627.351, s. 627.3511, or s. 627.3515. The commission shall adopt any rules necessary to cause any insurance risk apportionment plan or market assistance plan under such sections to demonstrate that the operations of the plan do not interfere with, promote, or allow interference with the rights created under this section. If the policyholder's current agent is unable or unwilling to be appointed with the insurer making the take-out or keep-out ~~keepout~~ offer, the policyholder is ~~shall~~ not ~~be~~ disqualified from participation in the appropriate insurance risk apportionment plan because of an offer of coverage in the voluntary market. An offer of full property insurance coverage by the insurer currently insuring either the ex-wind or wind-only coverage on the policy to which the offer applies is ~~shall~~ not ~~be~~ considered a take-out or keep-out ~~keepout~~ offer. Any rule, plan of operation, or plan of depopulation, through keep-out ~~keepout~~, take-out, midterm assumption, or any other means, of any property insurance risk apportionment plan under s. 627.351(2) or (6) is subject to ss.

627.351(2)(b) and (6)(c) and 627.3511(4).

Section 4. Section 627.3518, Florida Statutes, is amended to read:

627.3518 Citizens Property Insurance Corporation policyholder eligibility clearinghouse program. ~~The purpose of this section is to provide a framework for the corporation to implement a clearinghouse program by January 1, 2014.~~

(1) As used in this section, the term:

(a) "Corporation" means Citizens Property Insurance Corporation.

(b) "Exclusive agent" means any licensed insurance agent that has, by contract, agreed to act exclusively for one company or group of affiliated insurance companies and is disallowed by the provisions of that contract to directly write for any other unaffiliated insurer absent express consent from the company or group of affiliated insurance companies.

(c) "Independent agent" means any licensed insurance agent not described in paragraph (b).

(d) "Program" means the clearinghouse created under this section.

(2) In order to confirm eligibility with the corporation and to enhance access of new applicants for coverage and existing policyholders of the corporation to offers of coverage from authorized insurers, the corporation shall establish a program for personal residential risks in order to facilitate

the diversion of ineligible applicants and existing policyholders from the corporation into the voluntary insurance market. The corporation shall also develop appropriate procedures for facilitating the diversion of ineligible applicants and existing policyholders for commercial residential coverage into the private insurance market ~~and shall report such procedures to the President of the Senate and the Speaker of the House of Representatives by January 1, 2014~~.

(3) The corporation board shall establish the clearinghouse program as an organizational unit within the corporation. The program shall have all the rights and responsibilities in carrying out its duties as a licensed general lines agent, but may not be required to employ or engage a licensed general lines agent or to maintain an insurance agency license to carry out its activities in the solicitation and placement of insurance coverage. In establishing the program, the corporation may:

(a) Require all new applications, and all policies due for renewal, to be submitted for coverage to the program in order to facilitate obtaining an offer of coverage from an authorized insurer before binding or renewing coverage by the corporation.

(b) Employ or otherwise contract with individuals or other entities for appropriate administrative or professional services to effectuate the plan within the corporation in accordance with the applicable purchasing requirements under s. 627.351.

(c) Enter into contracts with any authorized insurer to participate in the program and accept an appointment by such insurer.

(d) Provide funds to operate the program. Insurers and agents participating in the program are not required to pay a fee to offset or partially offset the cost of the program or use the program for renewal of policies initially written through the clearinghouse.

(e) Develop an enhanced application that includes information to assist private insurers in determining whether to make an offer of coverage through the program.

(f) For personal lines residential risks, require, before approving all new applications for coverage by the corporation, that every application be subject to a period of 2 business days when any insurer participating in the program may select the application for coverage. The insurer may issue a binder on any policy selected for coverage for a period of at least 30 days but not more than 60 days.

(4) Any authorized insurer may participate in the program; however, participation is not mandatory for any insurer. Insurers making offers of coverage to new applicants or renewal policyholders through the program:

(a) May not be required to individually appoint any agent whose customer is underwritten and bound through the program.

Notwithstanding s. 626.112, insurers are not required to appoint any agent on a policy underwritten through the program for as long as that policy remains with the insurer. Insurers may, at their election, appoint any agent whose customer is initially underwritten and bound through the program. In the event an insurer accepts a policy from an agent who is not appointed pursuant to this paragraph, and thereafter elects to accept a policy from such agent, the provisions of s. 626.112 requiring appointment apply to the agent.

(b) Must enter into a limited agency agreement with each agent that is not appointed in accordance with paragraph (a) and whose customer is underwritten and bound through the program.

(c) Must enter into its standard agency agreement with each agent whose customer is underwritten and bound through the program when that agent has been appointed by the insurer pursuant to s. 626.112.

(d) Must comply with s. 627.4133(2).

(e) May participate through their single-designated managing general agent or broker; however, the provisions of paragraph (6)(a) regarding ownership, control, and use of the expirations continue to apply.

(f) Must pay to the producing agent a commission equal to that paid by the corporation or the usual and customary commission paid by the insurer for that line of business, whichever is greater.

(5) Notwithstanding s. 627.3517, any applicant for new coverage from the corporation is not eligible for coverage from the corporation if provided an offer of coverage from an authorized insurer through the program at a premium that is at or below the eligibility threshold established in s. 627.351(6)(c)5.a. Whenever an offer of coverage for a personal lines risk is received for a policyholder of the corporation at renewal from an authorized insurer through the program, ~~if the offer is equal to or less than the corporation's renewal premium for comparable coverage,~~ the risk is not eligible for coverage with the corporation if the offer is at or below the eligibility threshold specified in s. 627.351(6)(c)5.a. In the event that an offer of coverage for a new applicant is received from an authorized insurer through the program, and the premium offered exceeds the eligibility threshold specified ~~contained~~ in s. 627.351(6)(c)5.a., the applicant or insured may elect to accept such coverage, or may elect to accept or continue coverage with the corporation. In the event that an offer of coverage for a personal lines risk is received from an authorized insurer at renewal through the program, and the premium offered is at or below the eligibility threshold specified in s. 627.351(6)(c)5.a. ~~more than the corporation's renewal premium for comparable coverage~~, the insured is not eligible to ~~may elect to accept such coverage, or may elect to accept or~~ continue coverage with the corporation. Section

627.351(6)(c)5.a.(I) does not apply to an offer of coverage from an authorized insurer obtained through the program. ~~An applicant for coverage from the corporation who was declared ineligible for coverage at renewal by the corporation in the previous 36 months due to an offer of coverage pursuant to this subsection shall be considered a renewal under this section if the corporation determines that the authorized insurer making the offer of coverage pursuant to this subsection continues to insure the applicant and increased the rate on the policy in excess of the increase allowed for the corporation under s. 627.351(6)(n)5.~~

T I T L E A M E N D M E N T

Remove lines 39-47 and insert:

record status; making technical changes; revising eligibility for the corporation when insurers request to take out a policy; revising the notice that must be provided by the corporation when insurers request to take out a policy; amending s. 627.3517, F.S.; making technical changes; amending s. 627.3518, F.S.; deleting obsolete provisions relating to the purpose of the corporation's clearinghouse program and reporting requirements; revising procedures for determining eligibility of a risk for coverage with the corporation; revising renewal

status after insurers request to take out a policy; providing an effective

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	____	(Y/N)
ADOPTED AS AMENDED	____	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	____	(Y/N)
WITHDRAWN	____	(Y/N)
OTHER		

Committee/Subcommittee hearing bill: Insurance & Banking Subcommittee

Representative Gregory offered the following:

Amendment (with title amendment)

Remove lines 940-945 and insert:

the board of governors. ~~If catastrophe reinsurance is not available at reasonable rates, the corporation need not purchase it, but the corporation shall include the costs of reinsurance to cover its projected 100-year probable maximum loss in its rate calculations even if it does not purchase catastrophe reinsurance.~~

T I T L E A M E N D M E N T

Remove line 19 and insert:

Making technical changes; eliminated costs of reinsurance in rates under certain circumstances; specifying the

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1307 (2022)

Amendment No. X 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	____	(Y/N)
ADOPTED AS AMENDED	____	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	____	(Y/N)
WITHDRAWN	____	(Y/N)
OTHER		

Committee/Subcommittee hearing bill: Insurance & Banking Subcommittee

Representative Gregory offered the following:

Amendment (with title amendment)

Remove lines 940-945 and insert:

the board of governors.

T I T L E A M E N D M E N T

Remove line 19 and insert:

making technical changes; eliminating costs of reinsurance in rates under certain circumstances; specifying the

If catastrophe reinsurance is not available at reasonable rates the Corporation need not purchase it, but the Corporation shall include the costs of reinsurance to cover its projected 100-year probable maximum loss in the rate calculations even if it does not purchase catastrophe reinsurance.

38803317

w/s

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: **Insurance & Banking Subcommittee**

Meeting Date: **February 02, 2022 9:00 AM**

- [x] Bill/PCS/PCB Number: **HB 625 : Estates and Trusts**
- [ ] Amendment Barcode Number: **N/A**
- [ ] Presentation/Workshop Topic: **N/A**

Name: **Edenfield, Martha**

Representing: **Real Property, Probate & Trust Law Section of the Florida Bar**

Title:

Address: **Dean Mead, 106 E. College Avenue, Suite 1200**

City: **Tallahassee** State/Zip: **FL**

Phone Number: **(850) 999-4100**

- [x] Registered Lobbyist
- [ ] State Employee
- [ ] I Wish to Appear in Person
- [ ] Appearing in response to subpoena
- [ ] Appearing in response to an inquiry for information made by member, committee or staff
- [ ] Appearing at the written request of the chair
- [ ] Judge or elected officer appearing in official capacity
- [x] Lobbyist Appearance Form Submitted

Bill
Waive In Support
Amendment

H-16e (Revised 1/4/2021)

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill [X] Amendment [ ]

Bill/PCS/PCB Number: 785

Amendment Barcode Number: _____

Name: Jon Pasqualone

Representing: FL Fire Marshals & Inspectors Assoc.

Title: Executive Director

Address: PO Box 325

City: Hobe Sound State/Zip: FL 33475

Phone Number: 772/932 1555 Meeting Date: 3/2/22

Committee/Subcommittee: B&I

Presentation/Workshop Topic: Radio Comm.

Registered Lobbyist: YES [ ] NO [X]

State Employee: YES [ ] NO [X]

[X] I wish to speak

[ ] Appearing in response to an inquiry for information made by member, committee, or staff

[ ] Appearing in response to subpoena

[ ] Appearing at the written request of the chair

[ ] Judge or elected officer appearing in official capacity

[ ] Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent [ ] Opponent [ ] Waive in Support [ ] Waive in Opposition [ ] Info only [X]

Amendment: Proponent [ ] Opponent [ ] Waive in Support [ ] Waive in Opposition [ ] Info only [ ]

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: Insurance + Banking

Meeting Date: 2/2/22

- [x] Bill/PCS/PCB Number: 785
- [ ] Amendment Barcode Number:
- [ ] Presentation/Workshop Topic:

Name: Richard Pinsky

Representing: Emergency Communications Industry of Florida

Title:

Address: 201 E Park Ave.

City: Tallahassee State/Zip: FL

Phone Number:

Registered Lobbyist: YES [x] * NO [ ]

**Registered lobbyists must have a House appearance record on file with the Public Integrity & Elections Committee (Rule 17.1(h))*

State Employee: YES [ ] NO [x]

- [x] I wish to speak at the meeting
- [ ] Appearing in response to an inquiry for information made by member, committee, or staff
- [ ] Appearing in response to subpoena
- [ ] Appearing at the written request of the chair
- [ ] Judge or elected officer appearing in official capacity

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill:	Proponent [ ]	Opponent [x]	Waive in Support [ ]	Waive in Opposition [ ]	Info only [ ]
Amendment:	Proponent [ ]	Opponent [ ]	Waive in Support [ ]	Waive in Opposition [ ]	Info only [ ]

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill [X] Amendment [ ]

Bill/PCS/PCB Number: 785

Amendment Barcode Number: _____

Name: Rob Olson

Representing: Fire Control Services

Title: _____

Address: 9313 Old Kings Road South

City: Jacksonville State/Zip: FL 32257

Phone Number: _____ Meeting Date: Feb. 2nd

Committee/Subcommittee: Insurance + Banking

Presentation/Workshop Topic: _____

Registered Lobbyist: YES [ ] NO [X]

State Employee: YES [ ] NO [X]

[X] I wish to speak

[ ] Appearing in response to an inquiry for information made by member, committee, or staff

[ ] Appearing in response to subpoena

[ ] Appearing at the written request of the chair

[ ] Judge or elected officer appearing in official capacity

[ ] Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent [ ] Opponent [X] Waive in Support [ ] Waive in Opposition [ ] Info only [ ]

Amendment: Proponent [ ] Opponent [ ] Waive in Support [ ] Waive in Opposition [ ] Info only [ ]

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill ☑ Amendment ☐

Bill/PCS/PCB Number: 785

Amendment Barcode Number: _____

Name: Will Rogers

Representing: American Fire Wire, Inc

Title: President

Address: 2248 Meridian Blvd Ste H ~~Ste~~

City: Minden State/Zip: NV 89423

Phone Number: _____ Meeting Date: 2/2/2022

Committee/Subcommittee: Insurance & Banking

Presentation/Workshop Topic: _____

Registered Lobbyist: YES ☐ NO ☑

State Employee: YES ☐ NO ☑

☑ I wish to speak

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing in response to subpoena

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☐ Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☑

Amendment: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

W/S

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill [X] Amendment [ ]

Bill/PCS/PCB Number: 837

Amendment Barcode Number: _____

Name: Ed Chase

Representing: Palm Beach County

Title: Intergovernmental Affairs Dir

Address: 301 N Olive Ave

City: West Palm Bch State/Zip: FL 33401

Phone Number: 561 355-6266 Meeting Date: 2/2/22

Committee/Subcommittee: Insurance + Banking

Presentation/Workshop Topic: _____

Registered Lobbyist: YES [X] NO [ ]

State Employee: YES [ ] NO [X]

- [ ] I wish to speak
- [ ] Appearing in response to an inquiry for information made by member, committee, or staff
- [ ] Appearing in response to subpoena
- [ ] Appearing at the written request of the chair
- [ ] Judge or elected officer appearing in official capacity
- [ ] Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent [X] Opponent [ ] Waive in Support [X] Waive in Opposition [ ] Info only [ ]

Amendment: Proponent [ ] Opponent [ ] Waive in Support [ ] Waive in Opposition [ ] Info only [ ]

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill [X] Amendment [ ]

(Bill)/PCS/PCB Number: 837

Amendment Barcode Number: _____

Name: Nancy Stewart

Representing: Federation of Manufactured Home Owners of FL (FMO)

Title: Legislative Counsel

Address: 1400 Village Square Blvd Ste 3-156

City: Tallahassee State/Zip: FL 32312

Phone Number: 850-385-7805 Meeting Date: 2/2/2022

Committee/(Subcommittee): Insurance & Banking

Presentation/Workshop Topic: _____

Registered Lobbyist: YES [X] NO [ ]

State Employee: YES [ ] NO [X]

[X] I wish to speak

[ ] Appearing in response to an inquiry for information made by member, committee, or staff

[ ] Appearing in response to subpoena

[ ] Appearing at the written request of the chair

[ ] Judge or elected officer appearing in official capacity

[ ] Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent [X] Opponent [ ] Waive in Support [ ] Waive in Opposition [ ] Info only [ ]

Amendment: Proponent [ ] Opponent [ ] Waive in Support [ ] Waive in Opposition [ ] Info only [ ]

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COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: **Insurance & Banking Subcommittee**

Meeting Date: **February 02, 2022 9:00 AM**

- [x] Bill/PCS/PCB Number: **HB 1141 : Bail Bond Agents**
- [ ] Amendment Barcode Number: **N/A**
- [ ] Presentation/Workshop Topic: **N/A**

Name: **Foster, Shawn**

Representing: **Florida Bail Agents Association**

Title:

Address: **5957 Riviera Ln**

City: **New Port Richey** State/Zip: **FL**

Phone Number: **(727) 808-4131**

- [x] Registered Lobbyist
- [ ] State Employee
- [ ] I Wish to Appear in Person
- [ ] Appearing in response to subpoena
- [ ] Appearing in response to an inquiry for information made by member, committee or staff
- [ ] Appearing at the written request of the chair
- [ ] Judge or elected officer appearing in official capacity
- [x] Lobbyist Appearance Form Submitted

Bill
Waive In Support
Amendment

63181050

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: **Insurance & Banking Subcommittee**

Meeting Date: **February 02, 2022 9:00 AM**

- [x] Bill/PCS/PCB Number: **HB 1307 : Citizens Property Insurance Corporation**
- [ ] Amendment Barcode Number: **N/A**
- [ ] Presentation/Workshop Topic: **N/A**

Name: **Geller, Steven**

Representing: **Florida Association of Public Insurance Adjusters**

Title: **Lawyer (or Senator, as I served for 11 years in the Senate)**

Address: **110 E Broward Blvd Ste 1700**

City: **Fort Lauderdale** State/Zip: **FL**

Phone Number: **(954) 315-3926**

- [x] Registered Lobbyist
- [ ] State Employee
- [x] I Wish to Appear in Person
- [ ] Appearing in response to subpoena
- [ ] Appearing in response to an inquiry for information made by member, committee or staff
- [ ] Appearing at the written request of the chair
- [ ] Judge or elected officer appearing in official capacity
- [x] Lobbyist Appearance Form Submitted

Bill
Proponent
Amendment

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill ☐ Amendment ☒

Bill/PCS/PCB Number: 1307

Amendment Barcode Number: ~~733771~~ #2 #4

Name: Christine Ashburn

Representing: Citizens Property Insurance Corp.

Title: Chief - Communications, Legislative & Ext. Affairs

Address: 2101 Maryland Circle

City: Tallahassee State/Zip: FL 32312

Phone Number: 850-513-3746 Meeting Date: 2/2/22

Committee/~~Subcommittee~~: Insurance & Banking

Presentation/Workshop Topic: _____

Registered Lobbyist: YES ☒ NO ☐

State Employee: YES ☐ NO ☒

☒ I wish to speak

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing in response to subpoena

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☐ Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

Amendment: Proponent ☐ Opponent ☒ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill ☑ Amendment ☐

Bill/PCS/PCB Number: 1307

Amendment Barcode Number: _____

Name: Carolyn Johnson

Representing: FL Chamber of Commerce

Title: _____

Address: 136 S. Bronough St.

City: Tallahassee State/Zip: FL 32301

Phone Number: 521-1200 Meeting Date: 2/2/22

Committee/Subcommittee: Fl. Insurance & Banking

Presentation/Workshop Topic: Citizens

Registered Lobbyist: YES ☑ NO ☐

State Employee: YES ☐ NO ☑

☐ I wish to speak

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing in response to subpoena

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☐ Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☐ Opponent ☐ Waive in Support ☑ Waive in Opposition ☐ Info only ☐

Amendment: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

W/S

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill [X] Amendment [ ]

Bill/PCS/PCB Number: 1307

Amendment Barcode Number: _____

Name: Christine Ashburn

Representing: Citizens Property Insurance Corp.

Title: Chief - Communications, Legislative + External Affairs

Address: 2101 Maryland Circle

City: Tallahassee State/Zip: FL 32312

Phone Number: 850-513-3744 Meeting Date: 2/2/22

Committee/Subcommittee: Insurance + Banking

Presentation/Workshop Topic: _____

Registered Lobbyist: YES [X] NO [ ]

State Employee: YES [ ] NO [X]

- [ ] I wish to speak
- [ ] Appearing in response to an inquiry for information made by member, committee, or staff
- [ ] Appearing in response to subpoena
- [ ] Appearing at the written request of the chair
- [ ] Judge or elected officer appearing in official capacity
- [ ] Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill:	Proponent	[X]	Opponent	[ ]	Waive in Support	[X]	Waive in Opposition	[ ]	Info only [ ]
Amendment:	Proponent	[ ]	Opponent	[ ]	Waive in Support	[ ]	Waive in Opposition	[ ]	Info only [ ]

w/s

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill ☑ Amendment ☐

Bill/PCS/PCB Number: HB 1307

Amendment Barcode Number: _____

Name: Laura Pearce

Representing: Florida Association of Insurance Agents

Title: VP & General Counsel

Address: _____

City: _____ State/Zip: _____

Phone Number: _____ Meeting Date: 2/2/22

Committee/Subcommittee: House Insurance & Banking

Presentation/Workshop Topic: Citizens Property Insurance

Registered Lobbyist: YES ☑ NO ☐

State Employee: YES ☐ NO ☐

☐ I wish to speak Waive in Support

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing in response to subpoena

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☐ Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill:	Proponent	☑	Opponent	☐	Waive in Support	☑	Waive in Opposition	☐	Info only ☐
Amendment:	Proponent	☐	Opponent	☐	Waive in Support	☐	Waive in Opposition	☐	Info only ☐