



Florida Insurance Council

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2020 Insurance Agent and Adjuster Bills: Post-Session Summary

March 20, 2020

Following is the Florida Insurance Council's 2020 Post Session Bill Summaries on bills relating to insurance agents and adjusters that were filed for the 2020 Legislative Session. The Report is organized by topic.

The Report is prepared by FIC General Counsel Katrina Callaway based on her review of the bill. Any changes to the summary should be sent to Katrina at kcallaway@flains.org.

Insurance Agent and Adjuster – Passed Bills

Loss Run Statements (HB 269, SB 292): Requires virtually all insurers, including surplus lines insurers, to electronically provide loss run statements for 5 years to insureds within 15 days of a request. The insurer cannot charge a fee for providing one loss run statement a year. Requires notice to the agent when the statement is provided. In lieu of providing a loss run statement, the bill allows a personal lines insurer to provide information to the consumer how to get a run from a credit reporting agency.

Insurance Agent and Adjuster – Failed Bills

Warranties and Service Agreements – Agent Licensing (HB 895, SB 1334, SB 1606): Authorizes licensed personal lines or general lines agent to advertise, solicit, negotiate, or sell motor vehicle service agreements, home warranties, and service warranties without a warranty/service agreement sales representative license.

Insurance Adjusting Firm Licensing and Regulation (HB 1137, SB 1492): Requires an adjusting firm license for each place of business with limited exceptions.

Insurance Agency Names (HB 1137, SB 1492): Prohibits newly licensed insurance agencies from having the word "Medicare" or "Medicaid" in their name.

Insurance Agent and Agency Discipline (HB 1137, SB 1492): Adds two grounds for DFS to discipline an insurance agent or agency: when they allow personal financial or medical information of a consumer to be made available to the public or when they do an in-person or telephonic solicitation of a consumer after 9 pm and before 8 am unless the consumer requests solicitation.

Public Adjuster – Contract Cancellation (HB 1137, SB 1492): Extends the cancellation period from 5 business days to 14 calendar days during a state of emergency and for 1 year after the date of loss. They also extends the period from 3 business days to 7 calendar days for other circumstances.

Public Adjuster – Estimate Of Loss (HB 1137, SB 1492): Changes the requirements for the estimate of loss done by the PA to include itemized details about the cost of repairs. Provides the policyholder an opportunity to cancel the contract without penalty or obligation if the public adjuster does not provide the estimate within 45 days from the date of the contract execution.

Sliding (HB 1137, SB 1492): Adds two new grounds for sliding which are: binding a policy without the informed consent of the property owner to be insured and mailing an invoice for payment of premium to a mortgagee or escrow agent without the prior informed consent of the property owner to be insured.

Adjuster Contact Information - Providing (HB 1137, SB 1492): Requires the adjuster assigned to a claim to provide the policyholder with contact information when the adjuster physically inspects damaged property.

Surplus Lines Agents – Foreign Venue Clause Prohibited In Surplus Lines Only (HB 1357, SB 1760): Prohibits a surplus lines agent from delivering a residential or commercial property insurance policy that contains a clause requiring litigation, arbitration, or mediation of residential or commercial property claims by surplus lines insurers outside of Florida.

Cannabis Conviction Expunction – Disclosure For Insurance Licensing (HB 1389, SB 1860): Requires persons applying for licensing with the DFS Division of Agent and Agency Services to disclose criminal history for certain cannabis convictions even though the conviction has been expunged.

Agent/Adjuster CE Requirements (HB 1077, SB 1404): Reduces the requirement for each agent licensee, except title agents, to complete a 4 hour course instead of a 5 hour one. Increases the elective continuing education requirement for licensees from 19 hours to 20 hours.

Definition Of Company Employee Adjuster (HB 1137): Amends the definition of company employee adjuster to allow an adjuster employed by an insurer's affiliate.