

CS/SB 1492 – Consumer Protection (Similar CS/HB 1137)

This bill amends s. 626.112, F.S., adding that “An individual, firm, partnership, corporation, association, or other entity may not act in its own name or under a trade name, directly or indirectly, as an adjusting firm unless it complies with s. 626.8696, F.S. with respect to possessing an adjusting firm license for each place of business at which it engages in an activity that may be performed only by a licensed insurance adjuster.” Additionally, the bill explains in detail when this doesn’t apply. It also adds the following to the unranked, 3rd degree felony (Level 1 by default) under this statute (in bold): “Any person who knowingly transacts insurance or otherwise engages in insurance activities in this state without a license in violation of this section **or who knowingly aids or abets an unlicensed person in transacting insurance or otherwise engaging in insurance activities in this state without a license.**”

This bill also amends s. 648.30, F.S., where licensure is required to act as a bail bond agent, with an unranked, 3rd degree felony (Level 1 by default) currently existing for a violation of this requirement. A new **unranked, 3rd degree felony (Level 1 by default)** is added for “any licensee under this chapter who knowingly aids or abets an unlicensed person in violating this section.”

Per DOC, in FY 18-19, there were no new commitments to prison for the felonies listed under s. 626.112, F.S. or s. 648.30, F.S.

CONFERENCE ADOPTED ESTIMATE: Positive Insignificant

Requested by: Senate