

Select Year:

The 2008 Florida Statutes

[Title XXXVII](#)

[Chapter 626](#)

[View Entire Chapter](#)

INSURANCE INSURANCE FIELD REPRESENTATIVES AND OPERATIONS

626.9531 Identification of insurers, agents, and insurance contracts.--

(1) Advertising materials and other communications developed by insurers, or other risk bearing entities authorized under this code and approved by the office to do business in this state, regarding insurance products shall clearly indicate that the communication relates to insurance products. When soliciting or selling insurance products, agents shall clearly indicate to prospective insureds that they are acting as insurance agents with regard to insurance products and identified insurers, or other risk bearing entities authorized under this code and approved by the office to do business in this state.

(2) There shall be no liability to the insured on the part of, and no cause of action of any nature shall arise against, any licensed and appointed insurance agent for the insolvency of any risk bearing entity when such entity has been duly authorized or approved by the office to do business in this state. However, if the licensed and appointed agent was a controlling producer, as defined in s. [626.7491](#)(2), of the risk bearing entity within 2 years preceding the insolvency, the agent is subject to penalty as provided in s. [626.7491](#)(8).

(3) For the purposes of this section, the term "risk bearing entity" means a reciprocal insurer as defined in s. [629.021](#), a commercial self-insurance fund as defined in s. [624.462](#), a group self-insurance fund as defined in s. [624.4621](#), a local government self-insurance fund as defined in s. [624.4622](#), a self-insured public utility as defined in s. [624.46225](#), or an independent educational institution self-insurance fund as defined in s. [624.4623](#). For the purposes of this section, the term "risk bearing entity" does not include an authorized insurer as defined in s. [624.09](#).

History.--s. 21, ch. 2001-142; s. 9, ch. 2007-199.

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