

By the Committees on Innovation, Industry, and Technology; and Banking and Insurance; and Senator Wright

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1 A bill to be entitled
2 An act relating to the Department of Financial
3 Services; amending s. 17.56, F.S.; requiring the
4 Division of Treasury to maintain, rather than turn
5 over to the Division of Accounting and Auditing,
6 warrants drawn by the Chief Financial Officer;
7 specifying the timeframe during which such warrants
8 must be maintained; making a technical change;
9 amending ss. 497.263 and 497.266, F.S.; deleting a
10 requirement that trust companies, where certain care
11 and maintenance trust funds may be established, must
12 operate pursuant to ch. 660, F.S.; amending s.
13 497.376, F.S.; specifying required educational
14 credentials for certain applicants for a combination
15 license as both funeral director and embalmer;
16 amending s. 497.377, F.S.; specifying qualifications
17 for certain applicants for a combination funeral
18 director and embalmer intern license; providing
19 application requirements; specifying limitations on
20 and authorized actions of interns; specifying the
21 expiration of intern licenses; authorizing the
22 licensing authority to adopt certain rules; amending
23 s. 497.380, F.S.; revising requirements for the
24 supervision of licensed funeral establishments by
25 funeral directors in charge; revising establishments a
26 funeral director may be in charge of; revising funeral
27 director licensing requirements for certain
28 establishments; amending s. 497.385, F.S.; revising
29 requirements for the supervision of licensed

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30 centralized embalming facilities; amending s. 497.452,
31 F.S.; deleting a requirement that trust companies must
32 operate pursuant to ch. 660, F.S., to be exempt from a
33 certain preneed licensing requirement; amending s.
34 497.453, F.S.; specifying annual trust reporting
35 requirements for certain preneed licensees or certain
36 groups of preneed licensees; defining the term "Year
37 1" and "Year 2"; authorizing the department to adopt
38 certain rules; amending s. 497.458, F.S.; deleting a
39 requirement that trust companies must operate pursuant
40 to ch. 660, F.S., to enter into certain revocable
41 trust instruments; amending s. 497.459, F.S.;
42 authorizing preneed licensees, under certain
43 circumstances, to provide certain persons with a
44 written notice of intent to perform under the preneed
45 contract; specifying where such notice must be sent;
46 providing that funds held in trust must be distributed
47 in accordance with the contract terms if certain
48 persons fail to respond to the notice within a certain
49 timeframe; providing construction; amending s.
50 497.464, F.S.; deleting a requirement that trust
51 companies must operate pursuant to ch. 660, F.S., to
52 act as trustees for certain preneed contract
53 purchasers; amending s. 497.604, F.S.; revising
54 requirements for the supervision of direct disposal
55 establishments; amending s. 497.606, F.S.; revising
56 requirements for the supervision of cinerator
57 facilities; creating s. 553.7921, F.S.; requiring
58 contractors to file a uniform fire alarm permit

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59 application with local enforcement agencies under
60 certain circumstances; requiring that such application
61 be submitted with certain other required information;
62 providing that the application may be submitted by
63 certain means if signed by certain persons; specifying
64 information required in the application; amending s.
65 626.022, F.S.; conforming a cross-reference; amending
66 s. 626.025, F.S.; conforming a provision to changes
67 made by the act; amending s. 626.175, F.S.;
68 authorizing the department to issue nonrenewable
69 temporary licenses authorizing the appointment of
70 personal lines agents; deleting such authorization for
71 industrial fire or burglary agents; revising
72 circumstances under which the department may issue
73 temporary licenses authorizing the appointment of life
74 agents; specifying circumstances under which the
75 department may issue temporary licenses authorizing
76 the appointment of personal lines agents; prohibiting
77 certain licensees from soliciting, negotiating, or
78 effecting contracts of insurance; amending s. 626.207,
79 F.S.; providing an exception from a disqualification
80 period from licensure as an insurance representative
81 for certain persons found guilty or pleading guilty or
82 nolo contendere to certain felonies; authorizing the
83 department to issue licenses on a probationary period
84 for a certain timeframe; specifying when the
85 probationary period ends; amending s. 626.221, F.S.;
86 specifying that a certain exemption from an
87 examination requirement applies to applicants for an

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88 all-lines adjuster license; amending s. 626.2815,
89 F.S.; revising the individuals that are subject to a
90 certain continuing education requirement; amending s.
91 626.321, F.S.; deleting an examination requirement for
92 an applicant for an industrial fire insurance or
93 burglary insurance license; providing that, beginning
94 on a specified date, the license and appointment may
95 be renewed, but no new or additional licenses may be
96 issued and the license may not be reinstated; deleting
97 an examination requirement for crop hail and multiple
98 peril crop insurance licenses; amending s. 626.471,
99 F.S.; authorizing an appointing entity to provide a
100 termination notice to the appointee by e-mail;
101 providing that the e-mail must be addressed to the
102 appointee's last e-mail address of record; specifying
103 when notice by e-mail is deemed to have been given;
104 repealing s. 626.521, F.S., relating to credit and
105 character reports; amending s. 626.536, F.S.; deleting
106 a requirement for insurance agencies to report certain
107 administrative actions to the department; amending s.
108 626.6215, F.S.; adding certain grounds for the
109 department's discretionary refusal, suspension, or
110 revocation of an insurance agency license; amending s.
111 626.729, F.S.; revising the definition of the term
112 "industrial fire insurance" relating to burglary
113 insurance; repealing s. 626.7355, F.S., relating to a
114 temporary license as a customer representative pending
115 examination; amending ss. 626.8437 and 626.844, F.S.;
116 revising certain grounds for the denial of, suspension

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117 of, revocation of, or refusal to renew licenses or
118 appointments of title insurance agents or agencies;
119 amending s. 626.8732, F.S.; revising qualifications
120 for the issuance of a nonresident public adjuster's
121 license; amending s. 627.7015, F.S.; requiring
122 mediators in certain property insurance claim
123 mediations to provide a certain written report to
124 certain parties at the conclusion of the mediation;
125 amending s. 633.216, F.S.; conforming a cross-
126 reference; amending s. 633.218, F.S.; deleting a
127 requirement that state-owned or state-leased buildings
128 be identified through use of the United States
129 National Grid Coordinate System; amending s. 633.306,
130 F.S.; specifying requirements for components and parts
131 of installed fire extinguishers and preengineered
132 systems; amending s. 633.312, F.S.; specifying means
133 by which local authorities having jurisdiction may
134 accept inspection reports by contractors inspecting
135 fire hydrants and fire protection systems; requiring
136 the State Fire Marshal to adopt rules implementing a
137 uniform summary inspection report and submission
138 procedures; providing requirements for such report and
139 procedures; amending s. 633.520, F.S.; authorizing the
140 Division of State Fire Marshal to adopt certain rules
141 establishing firefighter employer cancer prevention
142 best practices; amending s. 648.49, F.S.; specifying
143 that reinstatement of a bail bond agent license is
144 contingent upon filing an application with, and
145 approval by, the department; amending s. 717.124,

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146 F.S.; increasing the threshold amount of
147 electronically submitted claims under which the
148 department may use alternative identity verification
149 methods; authorizing the department to develop and
150 implement specified identification verification and
151 disbursement processes for certain unclaimed property
152 accounts; authorizing the department to develop
153 processes for certain electronic submissions;
154 specifying requirements for the submission of claims
155 and recordkeeping; authorizing the department to adopt
156 rules; providing an effective date.

157
158 Be It Enacted by the Legislature of the State of Florida:

159
160 Section 1. Section 17.56, Florida Statutes, is amended to
161 read:

162 17.56 Division of Treasury to maintain ~~turn over to the~~
163 ~~Division of Accounting and Auditing~~ all warrants paid.—The
164 Division of Treasury shall maintain ~~turn over to the Division of~~
165 ~~Accounting and Auditing~~ all warrants drawn by the Chief
166 Financial Officer ~~or the Comptroller~~ and paid by the Division of
167 Treasury for a period of 10 years from the date the warrant was
168 presented for payment. ~~The warrants shall be turned over as soon~~
169 ~~as the Division of Treasury shall have recorded such warrants~~
170 ~~and charged the same against the accounts upon which such~~
171 ~~warrants are drawn.~~

172 Section 2. Paragraph (a) of subsection (3) of section
173 497.263, Florida Statutes, is amended to read:

174 497.263 Cemetery companies; license required; licensure

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175 requirements and procedures.—

176 (3) ACTION CONCERNING APPLICATIONS.—If the licensing
177 authority finds that the applicant meets the criteria
178 established in subsection (2), the applicant shall be notified
179 that a license will be issued when all of the following
180 conditions are satisfied:

181 (a) The establishment of a care and maintenance trust fund
182 containing not less than \$50,000 has been certified by a trust
183 company ~~operating pursuant to chapter 660~~, a state or national
184 bank holding trust powers, or a savings and loan association
185 holding trust powers as provided in s. 497.458, pursuant to a
186 trust agreement approved by the licensing authority. The \$50,000
187 required for the care and maintenance trust fund shall be over
188 and above the \$50,000 net worth required by subsection (2).

189 Section 3. Subsection (1) of section 497.266, Florida
190 Statutes, is amended to read:

191 497.266 Care and maintenance trust fund; remedy of
192 department for noncompliance.—

193 (1) A ~~No~~ cemetery company may not establish a cemetery, or
194 operate a cemetery if already established, without providing for
195 the future care and maintenance of the cemetery, for which a
196 care and maintenance trust fund shall be established, to be
197 known as "the care and maintenance trust fund of" The
198 trust fund shall be established with a trust company ~~operating~~
199 ~~pursuant to chapter 660~~, with a state or national bank holding
200 trust powers, or with a federal or state savings and loan
201 association holding trust powers. Trust funds which are with a
202 state or national bank or savings and loan association licensed
203 in this state on October 1, 1993, shall remain in force;

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204 however, when the amount of any such trust fund exceeds the
205 amount that is insured by an agency of the Federal Government,
206 the cemetery company shall transfer that trust fund to a trust
207 company ~~operating pursuant to chapter 660~~, to a state or
208 national bank holding trust powers, or to a federal or state
209 savings and loan association holding trust powers.

210 Section 4. Section 497.376, Florida Statutes, is amended to
211 read:

212 497.376 License as funeral director and embalmer
213 permitted.—

214 (1) This chapter does not prohibit a person from holding a
215 license as an embalmer and a license as a funeral director at
216 the same time. There may be issued and renewed by the licensing
217 authority a combination license as both funeral director and
218 embalmer to persons meeting the separate requirements for both
219 licenses as set forth in this chapter. The licensing authority
220 may adopt rules providing procedures for applying for and
221 renewing such combination license. The licensing authority may
222 by rule establish application, renewal, and other fees for such
223 combination license, which fees may ~~shall~~ not exceed the sum of
224 the maximum fees for the separate funeral director and embalmer
225 license categories as provided in this chapter. A person ~~Persons~~
226 holding a combination license as a funeral director and an
227 embalmer is ~~shall be~~ subject to regulation under this chapter
228 both as a funeral director and an embalmer.

229 (2) Except as provided under s. 497.377, an applicant for a
230 combination license as both a funeral director and an embalmer
231 must hold the educational credentials required for licensure as
232 a funeral director as provided under s. 497.373(1)(d).

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233 Section 5. Section 497.377, Florida Statutes, is amended to
234 read:

235 497.377 Combination license as funeral director and
236 embalmer; ~~Concurrent~~ internships.-

237 (1) To meet internship requirements for combined licensure
238 as a funeral director and an embalmer, the internship
239 requirement for funeral directors and the internship requirement
240 for embalmers and funeral directors may be served concurrently
241 pursuant to rules adopted by the licensing authority.

242 (2) (a) An applicant who has not completed the educational
243 credentials required for a combination license as funeral
244 director and embalmer is eligible for licensure as a combination
245 funeral director and embalmer intern if the applicant:

246 1. Is currently enrolled in and attending a college
247 accredited by the American Board of Funeral Service Education
248 (ABFSE) in an ABFSE-accredited course of study in mortuary
249 science;

250 2. Has completed at least 75 percent of the course of study
251 in mortuary science, as certified by the college in which the
252 applicant is currently enrolled; and

253 3. Has taken and received a passing grade in a college
254 credit course in mortuary law or funeral service law and has
255 taken and received a passing grade in a college credit course in
256 ethics.

257 (b) An application for internship for a combination funeral
258 director and embalmer license must include the name and address
259 of the funeral director licensed under s. 497.373 or s.
260 497.374(1) and the embalmer licensed under s. 497.368 or s.
261 497.369 under whose supervision the intern will receive training

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262 and the name of the licensed funeral establishment where the
263 training will be conducted.

264 (c) A combination funeral director and embalmer intern may
265 perform only the tasks, functions, and duties relating to
266 funeral directing and embalming which are performed under the
267 direct supervision of a licensed funeral director who has an
268 active, valid license under s. 497.373 or s. 497.374(1) and an
269 embalmer who has an active, valid license under s. 497.368 or s.
270 497.369. However, a combination funeral director and embalmer
271 intern may perform those tasks, functions, and duties under the
272 general supervision of a licensed funeral director and embalmer
273 upon the intern's graduation from a college accredited by the
274 ABFSE with a degree as specified in s. 497.373(1)(d) and passage
275 of the laws and rules examination required under s.
276 497.373(2)(b) if, after 6 months of direct supervision, the
277 funeral director in charge of the internship training agency
278 certifies to the licensing agency that the intern is competent
279 to complete the internship under general supervision.

280 (d)1. A combination funeral director and embalmer intern
281 license expires 1 year after issuance and, except as provided in
282 subparagraph 2., may not be renewed.

283 2. The licensing authority may adopt rules that allow a
284 combination funeral director and embalmer intern to renew her or
285 his funeral director and embalmer intern license for an
286 additional 1-year period if the combination funeral director and
287 embalmer intern demonstrates her or his failure to complete the
288 internship before expiration of the license due to illness,
289 personal injury, or other substantial hardship beyond her or his
290 reasonable control or demonstrates that she or he has completed

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291 the requirements for licensure as a combination funeral director
292 and embalmer but is awaiting the results of a licensure
293 examination.

294 Section 6. Subsection (7) of section 497.380, Florida
295 Statutes, is amended to read:

296 497.380 Funeral establishment; licensure; display of
297 license.-

298 (7) Each licensed funeral establishment shall have a one
299 ~~full-time~~ funeral director in charge and shall have a licensed
300 funeral director reasonably available to the public during
301 normal business hours for the establishment. The ~~full-time~~
302 funeral director in charge is responsible for ensuring that the
303 facility, its operation, and all persons employed in the
304 facility comply with all applicable state and federal laws and
305 rules. A funeral director in charge, with appropriate active
306 licenses, may serve as a funeral director in charge for not more
307 than a total of 2 funeral establishments, centralized embalming
308 facilities, direct disposal establishments, or cinerator
309 facilities, as long as the 2 locations are not more than 75
310 miles apart as measured in a straight line ~~The full-time funeral~~
311 ~~director in charge must have an active license and may not be~~
312 ~~the full-time funeral director in charge of any other funeral~~
313 ~~establishment or of any other direct disposal establishment.~~
314 ~~Effective October 1, 2010,~~ The ~~full-time~~ funeral director in
315 charge must hold an active, valid funeral director license and
316 an active, valid embalmer license or combination license as a
317 funeral director and an embalmer. However, a funeral director
318 may serve as a funeral director in charge without an embalmer
319 license or combination license if the establishment does not

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320 have an embalming room on site, or may continue as the ~~full-time~~
321 funeral director in charge without an embalmer or combination
322 license if, as of September 30, 2010:

323 (a) The funeral establishment and the funeral director both
324 have active, valid licenses.

325 (b) The funeral director is currently the full-time funeral
326 director in charge of the funeral establishment.

327 (c) The name of the funeral director was included, as
328 required in subsection (4), in the funeral establishment's most
329 recent application for issuance or renewal of its license or was
330 included in the establishment's report of change provided under
331 paragraph (12)(c).

332 Section 7. Paragraph (b) of subsection (2) of section
333 497.385, Florida Statutes, is amended to read:

334 497.385 Removal services; refrigeration facilities;
335 centralized embalming facilities.—In order to ensure that the
336 removal, refrigeration, and embalming of all dead human bodies
337 is conducted in a manner that properly protects the public's
338 health and safety, the licensing authority shall adopt rules to
339 provide for the licensure of removal services, refrigeration
340 facilities, and centralized embalming facilities operated
341 independently of funeral establishments, direct disposal
342 establishments, and cinerator facilities.

343 (2) CENTRALIZED EMBALMING FACILITIES.—In order to ensure
344 that all funeral establishments have access to embalming
345 facilities that comply with all applicable health and safety
346 requirements, the licensing authority shall adopt rules to
347 provide for the licensure and operation of centralized embalming
348 facilities and shall require, at a minimum, the following:

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349 (b) Each licensed centralized embalming facility shall have
 350 at least one ~~full-time~~ embalmer in charge. The ~~full-time~~
 351 embalmer in charge must have an active, valid embalmer license
 352 or a combination license as a funeral director and an embalmer
 353 ~~and may not be the full-time embalmer in charge, full-time~~
 354 ~~funeral director in charge, or full-time direct disposer in~~
 355 ~~charge of any other establishment licensed under this chapter.~~
 356 An embalmer in charge, with appropriate active licenses, may
 357 also serve as a funeral director in charge under s. 497.380(7)
 358 or as a direct disposer in charge under s. 497.604(8). A funeral
 359 director in charge, with appropriate active licenses, may serve
 360 as a funeral director in charge for not more than a total of 2
 361 funeral establishments, centralized embalming facilities, direct
 362 disposal establishments, or cinerator facilities, as long as the
 363 2 locations are not more than 75 miles apart as measured in a
 364 straight line.

365 Section 8. Subsection (2) of section 497.452, Florida
 366 Statutes, is amended to read:

367 497.452 Preneed license required.—

368 (2) (a) No person may receive any funds for payment on a
 369 preneed contract who does not hold a valid preneed license.

370 (b) ~~The provisions of Paragraph (a) does de~~ not apply to a
 371 trust company ~~operating pursuant to chapter 660~~, to a national
 372 or state bank holding trust powers, or to a federal or state
 373 savings and loan association having trust powers which company,
 374 bank, or association receives any money in trust pursuant to the
 375 sale of a preneed contract.

376 Section 9. Subsection (8) of section 497.453, Florida
 377 Statutes, is amended to read:

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378 497.453 Application for preneed license, procedures and
379 criteria; renewal; reports.—

380 (8) ANNUAL TRUST REPORTS.—

381 (a) On or before April 1 of each year, the preneed licensee
382 shall file in the form prescribed by rule a full and true
383 statement as to the activities of any trust established by it
384 pursuant to this part for the preceding calendar year.

385 (b) A preneed licensee that sold, or a group of preneed
386 licensees under common control which sold in aggregate, 15,000
387 or more preneed contracts in this state in the preceding year
388 shall additionally comply with this paragraph.

389 1. As used in this paragraph, the term:

390 a. "Year 1" means a year in which a preneed licensee sells,
391 or a group of preneed licensees under common control sells in
392 aggregate, 15,000 or more preneed contracts in this state.

393 b. "Year 2" means the year immediately after Year 1.

394 2. As to each Year 1, the licensee or licensees shall,
395 during Year 2:

396 a. Prepare, with respect to each such licensee, a report of
397 Florida preneed operations in Year 1 on a form prescribed by
398 department rule;

399 b. Cause and pay for such report to be audited by an
400 independent certified public accounting firm concerning the
401 accuracy and fairness of the presentation of the data provided
402 in the report; and

403 c. By December 31 of Year 2, provide the report to the
404 division along with a written and signed opinion of the
405 certified public accounting firm concerning the accuracy and
406 fairness of the presentation of the data provided in the report.

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407 2. The report must be prepared and submitted using forms
408 and procedures specified by department rule. The department may
409 adopt rules specifying the format of the report and the
410 information to be reported.

411 Section 10. Paragraph (c) of subsection (1) of section
412 497.458, Florida Statutes, is amended to read:

413 497.458 Disposition of proceeds received on contracts.—

414 (1)

415 (c) Such deposits shall be made within 30 days after the
416 end of the calendar month in which payment is received, under
417 the terms of a revocable trust instrument entered into with a
418 trust company ~~operating pursuant to chapter 660~~, with a national
419 or state bank holding trust powers, or with a federal or state
420 savings and loan association holding trust powers.

421 Section 11. Section 497.459, Florida Statutes, is amended
422 to read:

423 497.459 Cancellation of, or default on, preneed contracts;
424 notice of intent to perform.—

425 (1) CANCELLATION BY CUSTOMER WITHIN 30 DAYS.—A purchaser,
426 by providing written notice to the preneed licensee, may cancel
427 a preneed contract within 30 days of the date that the contract
428 was executed provided that the burial rights, merchandise and
429 services have not yet been used. Upon providing such notice, the
430 purchaser shall be entitled to a complete refund of the amount
431 paid, except for the amount allocable to any burial rights,
432 merchandise or services that have been used, and shall be
433 released from all obligations under the contract. This
434 subsection shall apply to all items that are purchased as part
435 of a preneed contract, including burial rights, regardless of

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436 whether such burial rights are purchased as part of a preneed
437 contract or purchased separately.

438 (2) CANCELLATION BY PURCHASER AFTER 30 DAYS.—

439 (a) A purchaser, by providing written notice to the preneed
440 licensee, may cancel the services, facilities, and cash advance
441 items portions of a preneed contract at any time, and shall be
442 entitled to a full refund of the purchase price allocable to
443 such items. Any accumulated earnings allocable to such preneed
444 contract shall be paid to the preneed licensee upon such
445 cancellation.

446 (b) Subject to subparagraphs 1. and 2., a purchaser may
447 cancel the merchandise portion of a preneed contract by
448 providing written notice to the preneed licensee, and shall be
449 entitled to a full refund of the purchase price allocable to the
450 specific item or items of merchandise that the preneed licensee
451 cannot or does not deliver in accordance with this subsection.

452 1. Such refund shall be provided only if at the time that
453 the preneed licensee is required to fulfill its obligations
454 under the preneed contract the preneed licensee does not or
455 cannot comply with the terms of the contract by actually
456 delivering the merchandise, within a reasonable time, depending
457 upon the nature of the merchandise purchased, after having been
458 requested to do so.

459 2. In order to fulfill its obligations under the preneed
460 contract, a preneed licensee may elect either or both of the
461 following options:

462 a. Subcontract with a person located outside the preneed
463 licensee's market area to provide the merchandise; or

464 b. Provide other items of equal or greater quality.

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465 (3) REQUIRED DISCLOSURE.—Each preneed licensee shall
466 provide in conspicuous type in its contract that the contract
467 purchaser may cancel the contract and receive a full refund
468 within 30 days of the date of execution of the contract. The
469 failure to make such provision shall not impair the contract
470 purchaser's right to cancellation and refund as provided in this
471 section.

472 (4) BREACH OF CONTRACT BY SELLER.—Upon breach of contract
473 or failure of the preneed licensee to provide funeral
474 merchandise or services under a preneed contract, the contract
475 purchaser shall be entitled to a refund of all money paid on the
476 contract. Such refund shall be made within 30 days after receipt
477 by the preneed licensee of the contract purchaser's written
478 request for refund.

479 (5) DEFAULT BY PURCHASER.—If a purchaser is 90 days past
480 due in making payments on a preneed contract, the contract shall
481 be considered to be in default, and the preneed licensee shall
482 be entitled to cancel the contract, withdraw all funds in trust
483 allocable to merchandise items, and retain such funds as
484 liquidated damages. Upon making such withdrawal, the preneed
485 licensee shall return all funds in trust allocable to services,
486 facilities, or cash advance items to the purchaser, provided
487 that the preneed licensee has provided the purchaser with 30
488 days' written notice of its intention to exercise any of its
489 rights under this provision. The board may by rule specify the
490 required format and content of the notice required under this
491 subsection and the manner in which the notice shall be sent.

492 (6) OTHER PROVISIONS.—

493 (a) All preneed contracts are cancelable and revocable as

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494 provided in this section, provided that a preneed contract does
495 not restrict any contract purchaser who is the beneficiary of
496 the preneed contract and who is a qualified applicant for, or a
497 recipient of, supplemental security income, temporary cash
498 assistance, or Medicaid from making her or his contract
499 irrevocable. A preneed contract that is made irrevocable
500 pursuant to this section may not be canceled during the life or
501 after the death of the contract purchaser or beneficiary as
502 described in this section. Any unexpended moneys paid on an
503 irrevocable contract shall be remitted to the Agency for Health
504 Care Administration for deposit into the Medical Care Trust Fund
505 after final disposition of the beneficiary.

506 (b) The amounts required to be refunded by this section for
507 contracts previously entered into shall be as follows:

508 1. For contracts entered into before October 1, 1993, the
509 refund amounts as amended by s. 7, chapter 83-316, Laws of
510 Florida, shall apply.

511 2. For contracts entered into on or after October 1, 1993,
512 the refund amounts as amended by s. 99, chapter 93-399, Laws of
513 Florida, shall apply.

514 (c) Persons who purchase merchandise or burial rights
515 pursuant to this chapter shall have the right to sell, alienate,
516 or otherwise transfer the merchandise or burial rights subject
517 to and in accordance with rules adopted by the licensing
518 authority.

519 (d) All refunds required to be made under this section to a
520 purchaser who has canceled a contract must be made within 30
521 days after the date written notice of cancellation is received
522 by the preneed licensee.

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523 (7) NOTICE OF INTENT TO PERFORM.-

524 (a) To facilitate the performance of a preneed contract, a
525 preneed licensee may provide to the purchaser or to the
526 beneficiary's legally authorized person written notice of the
527 preneed licensee's intent to perform upon the occurrence of the
528 earliest of any of the following events:

529 1. Fifty years after the date of execution of the preneed
530 contract by the purchaser.

531 2. The beneficiary of the preneed contract attains the age
532 of 105 years of age or older.

533 3. The social security number of the beneficiary of the
534 preneed contract, as shown on the contract, is contained within
535 the United States Social Security Administration Death Master
536 File.

537 (b) The notice in paragraph (a) must be mailed to the last
538 known mailing address of the purchaser as provided to the
539 preneed licensee. If the purchaser or the beneficiary's legally
540 authorized person fails to respond to such notice within 120
541 days after delivery of the notice, the funds held in trust must
542 be distributed in accordance with the terms of the preneed
543 contract.

544 (c) This subsection does not affect a purchaser's rights to
545 cancel the preneed contract and receive a refund or a licensee's
546 obligations to refund established by this chapter.

547 Section 12. Subsection (2) of section 497.464, Florida
548 Statutes, is amended to read:

549 497.464 Alternative preneed contracts.-

550 (2) The contract must require that a trust be established
551 by the preneed licensee on behalf of, and for the use, benefit,

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552 and protection of, the purchaser and that the trustee must be a
553 trust company ~~operating pursuant to chapter 660~~, a national or
554 state bank holding trust powers, or a federal or state savings
555 and loan association holding trust powers.

556 Section 13. Subsection (8) of section 497.604, Florida
557 Statutes, is amended to read:

558 497.604 Direct disposal establishments, license required;
559 licensing procedures and criteria; license renewal; regulation;
560 display of license.—

561 (8) SUPERVISION OF FACILITIES.—

562 (a) ~~Effective October 1, 2010~~, Each direct disposal
563 establishment shall have a one full-time licensed funeral
564 director ~~acting as the direct disposer~~ in charge, subject to s.
565 497.380(7). However, a licensed direct disposer may continue
566 acting as the direct disposer in charge, if, as of September 30,
567 2010:

568 1. The direct disposal establishment and the licensed
569 direct disposer both have active, valid licenses.

570 2. The licensed direct disposer is currently acting as the
571 direct disposer in charge of the direct disposal establishment.

572 3. The name of the licensed direct disposer was included,
573 as required in paragraph (2)(c), in the direct disposal
574 establishment's most recent application for issuance or renewal
575 of its license or was included in the establishment's notice of
576 change provided under subsection (7).

577 (b) The ~~licensed~~ funeral director in charge or ~~licensed~~
578 direct disposer in charge of a direct disposal establishment
579 must be reasonably available to the public during normal
580 business hours for the establishment ~~and may be in charge of~~

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581 ~~only one direct disposal establishment.~~ The licensed funeral
582 director in charge or ~~licensed~~ direct disposer in charge of the
583 establishment is responsible for making sure the facility, its
584 operations, and all persons employed in the facility comply with
585 all applicable state and federal laws and rules. A funeral
586 director in charge, with appropriate active licenses, may serve
587 as a funeral director in charge for not more than a total of 2
588 funeral establishments, centralized embalming facilities, direct
589 disposal establishments, or cinerator facilities, as long as the
590 2 locations are not more than 75 miles apart as measured in a
591 straight line.

592 Section 14. Subsection (8) of section 497.606, Florida
593 Statutes, is amended to read:

594 497.606 Cinerator facility, licensure required; licensing
595 procedures and criteria; license renewal; regulation.-

596 (8) SUPERVISION OF FACILITIES.-Each cinerator facility
597 shall have a ~~one full-time licensed~~ direct disposer in charge or
598 a licensed funeral director in charge for that facility. ~~Such~~
599 ~~person may be in charge of only one facility.~~ Such licensed
600 funeral director in charge or ~~licensed~~ direct disposer in charge
601 shall be responsible for making sure the facility, its
602 operations, and all persons employed in the facility comply with
603 all applicable state and federal laws and rules. A funeral
604 director in charge, with appropriate active licenses, may serve
605 as a funeral director in charge for not more than a total of 2
606 funeral establishments, centralized embalming facilities, direct
607 disposal establishments, or cinerator facilities, as long as the
608 2 locations are not more than 75 miles apart as measured in a
609 straight line.

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610 Section 15. Section 553.7921, Florida Statutes, is created
 611 to read:

612 553.7921 Uniform fire alarm permit application.-

613 (1) A contractor must file the uniform fire alarm permit
 614 application described in subsection (2) with the local
 615 enforcement agency before:

616 (a) Installing or replacing a fire alarm, if the local
 617 enforcement agency requires a plan review for the installation
 618 or replacement; or

619 (b) Repairing an existing alarm system that was previously
 620 permitted by the local enforcement agency, if the local
 621 enforcement agency requires a fire alarm permit for the repair.

622 (2) The uniform fire alarm permit application must be
 623 submitted along with any required drawings, plans, and
 624 supporting documentation for any project where a fire alarm
 625 permit is required. Such application may be submitted
 626 electronically or by facsimile if the application is signed by
 627 the owner, contractor, or authorized representative of such
 628 person. The uniform fire alarm permit application must contain
 629 the following information:

630
 631 UNIFORM FIRE ALARM PERMIT APPLICATION

632
 633 Tax Folio No.: Application No.:

634 Owner or Representative Name:

635 Property Address:

636 City: State: Zip: Phone:

637 Fee Simple Titleholder's Name (if other than owner):

638 Fee Simple Titleholder's Address (if other than owner):

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639
 640 Description of Work: New Install Replacement
 641 Addition Other
 642 Construction Type: Proposed Use:
 643 Alarm Contractor's Name:
 644 Alarm Contractor's Address:
 645 City: State: Zip: Phone:
 646 Alarm Contractor's License No:

647
 648 Application is hereby made to obtain a permit to do the
 649 work and installation as indicated. I certify that no work or
 650 installation has commenced before the filing of this permit
 651 application. I certify that all of the foregoing information is
 652 true and accurate.

653
 654 ...(Signature of Owner, Contractor, or Agent)...
 655 Printed Name:

656
 657 Section 16. Paragraph (a) of subsection (1) of section
 658 626.022, Florida Statutes, is amended to read:

659 626.022 Scope of part.—

660 (1) This part applies as to insurance agents, service
 661 representatives, adjusters, and insurance agencies; as to any
 662 and all kinds of insurance; and as to stock insurers, mutual
 663 insurers, reciprocal insurers, and all other types of insurers,
 664 except that:

665 (a) It does not apply as to reinsurance, except that ss.
 666 626.011-626.022, ss. 626.112-626.181, ss. 626.191-626.211, ss.
 667 626.291-626.301, s. 626.331, ss. 626.342-626.511 ~~ss. 626.342-~~

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668 ~~626.521~~, ss. 626.541-626.591, and ss. 626.601-626.711 shall
 669 apply as to reinsurance intermediaries as defined in s.
 670 626.7492.

671 Section 17. Subsection (4) of section 626.025, Florida
 672 Statutes, is amended to read:

673 626.025 Consumer protections.—To transact insurance, agents
 674 shall comply with consumer protection laws, including the
 675 following, as applicable:

676 (4) The submission of credit and character reports, as
 677 required by s. 626.171 ~~or s. 626.521~~.

678 Section 18. Subsection (1) of section 626.175, Florida
 679 Statutes, is amended to read:

680 626.175 Temporary licensing.—

681 (1) The department may issue a nonrenewable temporary
 682 license for a period not to exceed 6 months authorizing the
 683 appointment of a general lines insurance agent, ~~or a life agent,~~
 684 or personal lines agent ~~an industrial fire or burglary agent,~~
 685 subject to the conditions described in this section. The fees
 686 paid for a temporary license and appointment must ~~shall~~ be as
 687 specified in s. 624.501. Fees paid may ~~shall~~ not be refunded
 688 after a temporary license has been issued.

689 (a) An applicant for a temporary license must be:

- 690 1. A natural person at least 18 years of age.
- 691 2. A United States citizen or legal alien who possesses
 692 work authorization from the United States Bureau of Citizenship
 693 and Immigration Services.

694 (b)1. In the case of a general lines agent, the department
 695 may issue a temporary license to an employee, a family member, a
 696 business associate, or a personal representative of a licensed

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697 general lines agent for the purpose of continuing or winding up
698 the business affairs of the agent or agency in the event the
699 licensed agent has died or become unable to perform his or her
700 duties because of military service or illness or other physical
701 or mental disability, subject to the following conditions:

702 a. No other individual connected with the agent's business
703 may be licensed as a general lines agent.

704 b. The proposed temporary licensee shall be qualified for a
705 regular general lines agent license under this code except as to
706 residence, examination, education, or experience.

707 c. Application for the temporary license shall have been
708 made by the applicant upon statements and affidavit filed with
709 the department on forms prescribed and furnished by the
710 department.

711 d. Under a temporary license and appointment, the licensee
712 shall not represent any insurer not last represented by the
713 agent being replaced and shall not be licensed or appointed as
714 to any additional kind, line, or class of insurance other than
715 those covered by the last existing agency appointments of the
716 replaced agent. If an insurer withdraws from the agency during
717 the temporary license period, the temporary licensee may be
718 appointed by another similar insurer but only for the period
719 remaining under the temporary license.

720 2. A regular general lines agent license may be issued to a
721 temporary licensee upon meeting the qualifications for a general
722 lines agent license under s. 626.731.

723 (c) In the case of a life agent, the department may issue a
724 temporary license:

725 1. To the executor or administrator of the estate of a

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726 deceased individual licensed and appointed as a life agent at
727 the time of death;

728 2. To a surviving next of kin of the deceased individual,
729 if no administrator or executor has been appointed and
730 qualified; however, any license and appointment under this
731 subparagraph shall be canceled upon issuance of a license to an
732 executor or administrator under subparagraph 1.; or

733 3. To an individual otherwise qualified to be licensed as
734 an agent who has completed the educational or training
735 requirements prescribed in s. 626.7851 and who is appointed ~~has~~
736 ~~successfully sat for the required examination prior to~~
737 ~~termination of such 6-month period. The department may issue~~
738 ~~this temporary license only in the case of a life agent to~~
739 represent an insurer of the industrial or ordinary-combination
740 class solely for the purpose of collecting premiums and
741 servicing in-force policies. Such licensee may not directly or
742 indirectly solicit, negotiate, or effect contracts of insurance.

743 (d) In the case of a personal lines ~~limited license~~
744 ~~authorizing appointment as an industrial fire or burglary agent,~~
745 the department may issue a temporary license:

746 1. To the executor or administrator of the estate of a
747 deceased individual who was licensed and appointed as a personal
748 lines agent at the time of his or her death;

749 2. To a surviving next of kin of the deceased individual if
750 no administrator or executor has been appointed and qualified.
751 However, a license and appointment under this subparagraph must
752 be canceled upon issuance of a license to an executor or
753 administrator under subparagraph 1.; or

754 3. To an individual otherwise qualified to be licensed as

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755 an agent, who has completed the educational or training
756 requirements prescribed in s. 626.732, and who is appointed to
757 represent an insurer of the industrial or ordinary-combination
758 class solely for the purpose of collecting premiums and
759 servicing in-force policies. Such licensee may not directly or
760 indirectly solicit, negotiate, or effect contracts of insurance
761 ~~to an individual otherwise qualified to be licensed as an agent~~
762 ~~who has completed the educational or training requirements~~
763 ~~prescribed in s. 626.732 and has successfully sat for the~~
764 ~~required examination prior to termination of the 6-month period.~~

765 Section 19. Paragraph (b) of subsection (3) of section
766 626.207, Florida Statutes, is amended to read:

767 626.207 Disqualification of applicants and licensees;
768 penalties against licensees; rulemaking authority.—

769 (3) An applicant who has been found guilty of or has
770 pleaded guilty or nolo contendere to a crime not included in
771 subsection (2), regardless of adjudication, is subject to:

772 (b) A 7-year disqualifying period for all felonies to which
773 neither the permanent bar in subsection (2) nor the 15-year
774 disqualifying period in paragraph (a) applies. Notwithstanding
775 subsection (4), an applicant who served at least half of the
776 disqualifying period may reapply for a license if, during that
777 time, the applicant has not been found guilty of or has not
778 pleaded guilty or nolo contendere to a crime. The department may
779 issue the applicant a license on a probationary basis for the
780 remainder of the disqualifying period. The applicant's
781 probationary period ends at the end of the disqualifying period.

782 Section 20. Subsection (1) and paragraph (e) of subsection
783 (2) of section 626.221, Florida Statutes, are amended to read:

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784 626.221 Examination requirement; exemptions.—

785 (1) The department may ~~shall~~ not issue any license as agent
786 or adjuster to any individual who has not qualified for, taken,
787 and passed to the satisfaction of the department a written
788 examination of the scope prescribed in s. 626.241.

789 (2) However, an examination is not necessary for any of the
790 following:

791 (e) An applicant who has been licensed as an all-lines
792 adjuster and appointed as an independent adjuster or company
793 employee adjuster and who files ~~if~~ an application for an all-
794 lines adjuster license licensure is filed with the department
795 within 48 months after ~~following~~ the date of cancellation or
796 expiration of the prior appointment.

797 Section 21. Paragraph (d) of subsection (3) of section
798 626.2815, Florida Statutes, is amended to read:

799 626.2815 Continuing education requirements.—

800 (3) Each licensee except a title insurance agent must
801 complete a 5-hour update course every 2 years which is specific
802 to the license held by the licensee. The course must be
803 developed and offered by providers and approved by the
804 department. The content of the course must address all lines of
805 insurance for which examination and licensure are required and
806 include the following subject areas: insurance law updates,
807 ethics for insurance professionals, disciplinary trends and case
808 studies, industry trends, premium discounts, determining
809 suitability of products and services, and other similar
810 insurance-related topics the department determines are relevant
811 to legally and ethically carrying out the responsibilities of
812 the license granted. A licensee who holds multiple insurance

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813 licenses must complete an update course that is specific to at
814 least one of the licenses held. Except as otherwise specified,
815 any remaining required hours of continuing education are
816 elective and may consist of any continuing education course
817 approved by the department under this section.

818 (d) An individual who holds a license as a customer
819 representative, ~~limited customer representative, motor vehicle~~
820 ~~physical damage and mechanical breakdown insurance agent, or an~~
821 ~~industrial fire insurance or burglary insurance agent~~ and who is
822 not a licensed life or health agent, must also complete a
823 minimum of 5 hours of continuing education courses every 2
824 years.

825 Section 22. Paragraphs (b) and (f) of subsection (1) of
826 section 626.321, Florida Statutes, are amended to read:

827 626.321 Limited licenses.—

828 (1) The department shall issue to a qualified applicant a
829 license as agent authorized to transact a limited class of
830 business in any of the following categories of limited lines
831 insurance:

832 (b) *Industrial fire insurance or burglary insurance.*—
833 License covering only industrial fire insurance or burglary
834 insurance. ~~The applicant for such a license must pass a written~~
835 ~~examination covering such insurance.~~ A licensee under this
836 paragraph may not hold a license as an agent for any other or
837 additional kind or class of insurance coverage except for life
838 insurance and health insurance. Effective July 1, 2019, all
839 licensees holding such limited license and appointment may renew
840 the license and appointment, but no new or additional licenses
841 may be issued pursuant to this paragraph and a licensee whose

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842 limited license under this paragraph has been terminated,
843 suspended, or revoked may not have such license reinstated.

844 (f) *Crop hail and multiple-peril crop insurance.*—License
845 for insurance covering crops subject to unfavorable weather
846 conditions, fire or lightning ~~lightening~~, flood, hail, insect
847 infestation, disease, or other yield-reducing conditions or
848 perils which is provided by the private insurance market, or
849 which is subsidized by the Federal Group Insurance Corporation
850 including multi-peril crop insurance. Notwithstanding any other
851 ~~provision of law~~, the limited license may be issued to a bona
852 fide salaried employee of an association chartered under the
853 Farm Credit Act of 1971, 12 U.S.C. ss. 2001 et seq., ~~who~~
854 ~~satisfactorily completes the examination prescribed by the~~
855 ~~department pursuant to s. 626.241(5).~~ The agent must be
856 appointed by, and his or her limited license requested by, a
857 licensed general lines agent. All business transacted by the
858 agent must be on behalf of, in the name of, and countersigned by
859 the agent by whom he or she is appointed. Sections 626.561 and
860 626.748, relating to records, apply to all business written
861 pursuant to this section. The licensee may be appointed by and
862 licensed for only one general lines agent or agency.

863 Section 23. Subsection (1) of section 626.471, Florida
864 Statutes, is amended to read:

865 626.471 Termination of appointment.—

866 (1) Subject to an appointee's contract rights, an
867 appointing entity may terminate its appointment of any appointee
868 at any time. Except when termination is upon a ground that ~~which~~
869 would subject the appointee to suspension or revocation of his
870 or her license and appointment under s. 626.611 or s. 626.621,

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871 and except as provided by contract between the appointing entity
872 and the appointee, the appointing entity shall give at least 60
873 days' advance written notice of its intention to terminate such
874 appointment to the appointee, ~~either~~ by delivery thereof to the
875 appointee in person, ~~or~~ by mailing it, postage prepaid, or by e-
876 mail. If delivery is by mail or e-mail, the notice must be
877 addressed to the appointee at his or her last mailing or e-mail
878 address of record with the appointing entity. Notice ~~is~~ ~~so~~
879 mailed shall be deemed to have been given when deposited in a
880 United States Postal Service mail depository or when the e-mail
881 is sent, as applicable.

882 Section 24. Section 626.521, Florida Statutes, is repealed.

883 Section 25. Section 626.536, Florida Statutes, is amended
884 to read:

885 626.536 Reporting of administrative actions.—Within 30 days
886 after the final disposition of an administrative action taken
887 against a licensee ~~or insurance agency~~ by a governmental agency
888 or other regulatory agency in this or any other state or
889 jurisdiction relating to the business of insurance, the sale of
890 securities, or activity involving fraud, dishonesty,
891 trustworthiness, or breach of a fiduciary duty, the licensee ~~or~~
892 ~~insurance agency~~ must submit a copy of the order, consent to
893 order, or other relevant legal documents to the department. The
894 department may adopt rules to administer this section.

895 Section 26. Subsection (7) is added to section 626.6215,
896 Florida Statutes, to read:

897 626.6215 Grounds for discretionary refusal, suspension, or
898 revocation of insurance agency license.—The department may, in
899 its discretion, deny, suspend, revoke, or refuse to continue the

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900 license of any insurance agency if it finds, as to any insurance
901 agency or as to any majority owner, partner, manager, director,
902 officer, or other person who manages or controls such insurance
903 agency, that any one or more of the following applicable grounds
904 exist:

905 (7) A denial, suspension, or revocation of, or any other
906 adverse administrative action against, a license to practice or
907 conduct any regulated profession, business, or vocation by this
908 state, any other state, any nation, any possession or district
909 of the United States, any court, or any lawful agency thereof.

910 Section 27. Section 626.729, Florida Statutes, is amended
911 to read:

912 626.729 "Industrial fire insurance" defined.—As used in ~~For~~
913 ~~the purposes of this code, the term~~ "industrial fire insurance"
914 means: is

915 (1) Insurance against loss by fire of either buildings and
916 other structures or contents, which may include extended
917 coverage;

918 (2) Windstorm insurance;

919 (3) Basic limits owners, landlords, or tenants liability
920 insurance with single limits of \$25,000;

921 (4) Comprehensive personal liability insurance with a
922 single limit of \$25,000; or

923 (5) Burglary insurance, under which the premiums are
924 collected quarterly or more often and the face amount of the
925 insurance provided by the policy on one risk is not more than
926 \$50,000, including the contents of such buildings and other
927 structures, and the insurer issuing such policy is operating
928 under a system of collecting a debit by its agents. A temporary

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929 ~~license for an industrial fire or burglary agent issued pursuant~~
930 ~~to s. 626.175 shall be solely for the purpose of collecting~~
931 ~~premiums and servicing in-force policies, and such licensee~~
932 ~~shall not directly or indirectly solicit, negotiate, or effect~~
933 ~~contracts of insurance.~~

934 Section 28. Section 626.7355, Florida Statutes, is
935 repealed.

936 Section 29. Subsection (9) of section 626.8437, Florida
937 Statutes, is amended to read:

938 626.8437 Grounds for denial, suspension, revocation, or
939 refusal to renew license or appointment.—The department shall
940 deny, suspend, revoke, or refuse to renew or continue the
941 license or appointment of any title insurance agent or agency,
942 and it shall suspend or revoke the eligibility to hold a license
943 or appointment of such person, if it finds that as to the
944 applicant, licensee, appointee, or any principal thereof, any
945 one or more of the following grounds exist:

946 (9) Willful failure to comply with, or willful violation
947 of, any proper order or rule of the department or willful
948 violation of any provision of the Florida Insurance Code ~~this~~
949 ~~act.~~

950 Section 30. Subsection (2) of section 626.844, Florida
951 Statutes, is amended to read:

952 626.844 Grounds for discretionary refusal, suspension, or
953 revocation of license or appointment.—The department may, in its
954 discretion, deny, suspend, revoke, or refuse to renew or
955 continue the license or appointment of any title insurance agent
956 or agency, and it may suspend or revoke the eligibility to hold
957 a license or appointment of any such title insurance agent or

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958 agency if it finds that as to the applicant or licensee or
959 appointee, or any principal thereof, any one or more of the
960 following grounds exist under circumstances for which such
961 denial, suspension, revocation, or refusal is not mandatory
962 under s. 626.8437:

963 (2) Violation of any provision of the Florida Insurance
964 Code ~~this act~~ in the course of dealing under the license or
965 appointment.

966 Section 31. Paragraph (e) of subsection (1) and paragraphs
967 (b) and (c) of subsection (2) of section 626.8732, Florida
968 Statutes, are amended to read:

969 626.8732 Nonresident public adjuster's qualifications,
970 bond.—

971 (1) The department shall, upon application therefor, issue
972 a license to an applicant for a nonresident public adjuster's
973 license upon determining that the applicant has paid the
974 applicable license fees required under s. 624.501 and:

975 (e) Has been licensed and employed as a public adjuster in
976 the applicant's state of residence on a continual basis for the
977 past 6 months ~~year~~, or, if the applicant's state of residence
978 does not issue licenses to individuals who act as public
979 adjusters, the applicant has been licensed and employed as a
980 resident insurance company adjuster, a public adjuster, or an
981 independent adjuster in his or her state of residence or any
982 other state on a continual basis for the past 6 months ~~year~~.

983 (2) The applicant shall furnish the following with his or
984 her application:

985 (b) If currently licensed as a resident public adjuster in
986 the applicant's state of residence, a certificate or letter of

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987 authorization from the licensing authority of the applicant's
988 state of residence, stating that the applicant holds a current
989 or comparable license to act as a public adjuster and has held
990 the license continuously for the past 6 months ~~year~~. The
991 certificate or letter of authorization must be signed by the
992 insurance commissioner or his or her deputy or the appropriate
993 licensing official and must disclose whether the adjuster has
994 ever had any license or eligibility to hold any license
995 declined, denied, suspended, revoked, or placed on probation or
996 whether an administrative fine or penalty has been levied
997 against the adjuster and, if so, the reason for the action.

998 (c) If the applicant's state of residence does not require
999 licensure as a public adjuster and the applicant has been
1000 licensed as a resident insurance adjuster in his or her state of
1001 residence or any other state, a certificate or letter of
1002 authorization from the licensing authority stating that the
1003 applicant holds or has held a license to act as such an
1004 insurance adjuster and has held the license continuously for the
1005 past 6 months ~~year~~. The certificate or letter of authorization
1006 must be signed by the insurance commissioner or his or her
1007 deputy or the appropriate licensing official and must disclose
1008 whether or not the adjuster has ever had any license or
1009 eligibility to hold any license declined, denied, suspended,
1010 revoked, or placed on probation or whether an administrative
1011 fine or penalty has been levied against the adjuster and, if so,
1012 the reason for the action.

1013 Section 32. Subsection (6) of section 627.7015, Florida
1014 Statutes, is amended to read:

1015 627.7015 Alternative procedure for resolution of disputed

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1016 property insurance claims.—

1017 (6) (a) Mediation is nonbinding; however, if a written
1018 settlement is reached, the policyholder has 3 business days
1019 within which the policyholder may rescind the settlement unless
1020 the policyholder has cashed or deposited any check or draft
1021 disbursed to the policyholder for the disputed matters as a
1022 result of the conference. If a settlement agreement is reached
1023 and is not rescinded, it is binding and acts as a release of all
1024 specific claims that were presented in that mediation
1025 conference.

1026 (b) At the conclusion of the mediation, the mediator shall
1027 provide a written report of the results of mediation, including
1028 any settlement amount, to the insurer, the policyholder, and the
1029 policyholder's representative if the policyholder is represented
1030 at the mediation.

1031 Section 33. Subsection (1) of section 633.216, Florida
1032 Statutes, is amended to read:

1033 633.216 Inspection of buildings and equipment; orders;
1034 firesafety inspection training requirements; certification;
1035 disciplinary action.—The State Fire Marshal and her or his
1036 agents or persons authorized to enforce laws and rules of the
1037 State Fire Marshal shall, at any reasonable hour, when the State
1038 Fire Marshal has reasonable cause to believe that a violation of
1039 this chapter or s. 509.215, or a rule adopted thereunder, or a
1040 minimum firesafety code adopted by the State Fire Marshal or a
1041 local authority, may exist, inspect any and all buildings and
1042 structures which are subject to the requirements of this chapter
1043 or s. 509.215 and rules adopted thereunder. The authority to
1044 inspect shall extend to all equipment, vehicles, and chemicals

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1045 which are located on or within the premises of any such building
1046 or structure.

1047 (1) Each county, municipality, and special district that
1048 has firesafety enforcement responsibilities shall employ or
1049 contract with a firesafety inspector. Except as provided in s.
1050 633.312(2), and (3), and (4), the firesafety inspector must
1051 conduct all firesafety inspections that are required by law. The
1052 governing body of a county, municipality, or special district
1053 that has firesafety enforcement responsibilities may provide a
1054 schedule of fees to pay only the costs of inspections conducted
1055 pursuant to this subsection and related administrative expenses.
1056 Two or more counties, municipalities, or special districts that
1057 have firesafety enforcement responsibilities may jointly employ
1058 or contract with a firesafety inspector.

1059 Section 34. Paragraph (f) of subsection (1) of section
1060 633.218, Florida Statutes, is amended to read:

1061 633.218 Inspections of state buildings and premises; tests
1062 of firesafety equipment; building plans to be approved.—

1063 (1)

1064 ~~(f) A state-owned building or state-leased building or~~
1065 ~~space shall be identified through use of the United States~~
1066 ~~National Grid Coordinate System.~~

1067 Section 35. Paragraph (c) of subsection (1) of section
1068 633.306, Florida Statutes, is amended to read:

1069 633.306 Requirements for installation, inspection, and
1070 maintenance of fire suppression equipment.—

1071 (1) The requirements for installation of fire extinguishers
1072 and preengineered systems are as follows:

1073 (c) Equipment must ~~shall~~ be installed in accordance with

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1074 the applicable standards of the National Fire Protection
1075 Association and the manufacturer's drawings and specifications,
1076 using only components and parts specified by the manufacturer or
1077 listed as equal parts by a nationally recognized testing
1078 laboratory, such as Underwriters Laboratories, Inc., or Factory
1079 Mutual Laboratories, Inc.

1080 Section 36. Present subsections (4) and (5) of section
1081 633.312, Florida Statutes, are redesignated as subsections (5)
1082 and (6), respectively, and subsection (3) of that section is
1083 amended, to read:

1084 633.312 Inspection of fire control systems, fire hydrants,
1085 and fire protection systems.—

1086 (3) (a) The inspecting contractor shall provide to the
1087 building owner or hydrant owner and the local authority having
1088 jurisdiction a copy of the applicable uniform summary inspection
1089 report established under this chapter. The local authority
1090 having jurisdiction may accept uniform summary inspection
1091 reports by United States mail, by hand delivery, by electronic
1092 submission, or through a third-party vendor that collects the
1093 reports on behalf of the local authority having jurisdiction.

1094 (b) The State Fire Marshal shall adopt rules to implement a
1095 uniform summary inspection report and submission procedures to
1096 be used by all third-party vendors and local authorities having
1097 jurisdiction. For purposes of this section, a uniform summary
1098 inspection report must record the address where the fire
1099 protection system or hydrant is located, the company and person
1100 conducting the inspection and their license number, the date of
1101 the inspection, and the fire protection system or hydrant
1102 inspection status, including a brief summary of each deficiency,

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1103 critical deficiency, noncritical deficiency, or impairment
1104 found. A contractor's detailed inspection report is not required
1105 to follow the uniform summary inspection report format. The
1106 State Fire Marshal shall establish by rule a submission
1107 procedure for each means provided under paragraph (a) by which a
1108 local authority having jurisdiction may accept uniform summary
1109 inspection reports. Each of the submission procedures must allow
1110 a contractor to attach additional documents with the submission
1111 of a uniform summary inspection report, including a physical
1112 copy of the contractor's detailed inspection report. A
1113 submission procedure may not require a contractor to submit
1114 information contained within the detailed inspection report
1115 unless the information is required to be included in the uniform
1116 summary inspection report.

1117 (4) The maintenance of fire hydrant and fire protection
1118 systems as well as corrective actions on deficient systems is
1119 the responsibility of the owner of the system or hydrant.
1120 Equipment requiring periodic testing or operation to ensure its
1121 maintenance shall be tested or operated as specified in the Fire
1122 Prevention Code, Life Safety Code, National Fire Protection
1123 Association standards, or as directed by the appropriate
1124 authority, provided that such appropriate authority may not
1125 require a sprinkler system not required by the Fire Prevention
1126 Code, Life Safety Code, or National Fire Protection Association
1127 standards to be removed regardless of its condition. This
1128 section does not prohibit governmental entities from inspecting
1129 and enforcing firesafety codes.

1130 Section 37. Section 633.520, Florida Statutes, is amended
1131 to read:

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1132 633.520 Safety; firefighter employer responsibilities;
1133 division rules.—

1134 (1) Every firefighter employer shall furnish and use safety
1135 devices and safeguards, adopt and use methods and processes
1136 reasonably adequate to render such an employment and place of
1137 employment safe, and do every other thing reasonably necessary
1138 to protect the lives, health, and safety of such firefighter
1139 employees. As used in this section, the terms "safe" and
1140 "safety," as applied to any employment or place of employment,
1141 mean such freedom from danger as is reasonably necessary for the
1142 protection of the lives, health, and safety of firefighter
1143 employees, including conditions and methods of sanitation and
1144 hygiene. Safety devices and safeguards required to be furnished
1145 by the firefighter employer by this section or by the division
1146 under authority of this section do not include personal apparel
1147 and protective devices that replace personal apparel normally
1148 worn by firefighter employees during regular working hours.

1149 (2) The division shall adopt rules to establish employer
1150 cancer prevention best practices relating to personal protective
1151 equipment, decontamination, fire suppression apparatus, and fire
1152 stations.

1153 Section 38. Subsection (1) of section 648.49, Florida
1154 Statutes, is amended to read:

1155 648.49 Duration of suspension or revocation.—

1156 (1) The department shall, in its order suspending a license
1157 or appointment or in its order suspending the eligibility of a
1158 person to hold or apply for such a license or appointment,
1159 specify the period during which the suspension is to be in
1160 effect, but such period may not exceed 2 years. The license, ~~or~~

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1161 appointment, or ~~and~~ eligibility to hold a license or appointment
1162 must ~~shall~~ remain suspended during the period so specified,
1163 subject, however, to any rescission or modification of the order
1164 by the department, or modification or reversal thereof by the
1165 court, prior to expiration of the suspension period. A license
1166 or appointment that ~~which~~ has been suspended may not be
1167 reinstated, nor may ~~shall~~ the eligibility to hold such license
1168 or appointment be reinstated, except upon the filing and
1169 approval of an application for ~~request for such~~ reinstatement.7
1170 ~~but~~ The department may not approve an application for ~~grant such~~
1171 reinstatement if it finds that the circumstances for which the
1172 license or appointment was suspended still exist or are likely
1173 to recur. In each case involving suspension, the department has
1174 the discretion to require the former licensee to successfully
1175 complete a basic certification course in the criminal justice
1176 system, consisting of not less than 80 hours approved by the
1177 department.

1178 Section 39. Present subsection (8) of section 717.124,
1179 Florida Statutes, is redesignated as subsection (11), a new
1180 subsection (8) and subsections (9) and (10) are added to that
1181 section, and subsection (7) of that section is amended, to read:

1182 717.124 Unclaimed property claims.—

1183 (7) The department may allow an apparent owner to
1184 electronically submit a claim for unclaimed property to the
1185 department. If a claim is submitted electronically for \$5,000
1186 ~~\$1,000~~ or less, the department may use a method of identity
1187 verification other than a copy of a valid driver license, other
1188 government-issued photographic identification, or a sworn
1189 notarized statement. The department may adopt rules to implement

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1190 this subsection.

1191 (8) Notwithstanding any other provision of this chapter,
1192 the department may develop and implement an identification
1193 verification and disbursement process whereby accounts valued at
1194 \$2,000 or less, after receipt by the department and after being
1195 added to the unclaimed property database, may be disbursed to an
1196 apparent owner after the department has verified that the
1197 apparent owner is living and has verified the apparent owner's
1198 correct, current address. The department shall include with the
1199 payment a notification and an explanation of the dollar amount,
1200 source, and property type of each account included in the
1201 disbursement. The department may adopt rules to administer this
1202 subsection.

1203 (9) Notwithstanding any other provision of this chapter,
1204 the department may develop and implement a verification and
1205 disbursement process whereby accounts, after receipt by the
1206 department and after being added to the unclaimed property
1207 database, for which the apparent owner is a governmental agency
1208 of this state or subdivision thereof; a county government of
1209 this state or a subdivision thereof; a public school district of
1210 this state or a subdivision thereof; a municipality of this
1211 state or a subdivision thereof; or a special taxing district of
1212 this state or authority may be disbursed to the apparent owner
1213 entity or to the successor entity. The department shall include
1214 with the payment a notification and explanation of the dollar
1215 amount, source, and property type of each account included in
1216 the disbursement. The department may adopt rules to administer
1217 this subsection.

1218 (10) Notwithstanding any other provision of this chapter,

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1219 the department may develop a process whereby a registered
1220 claimant's representative may electronically submit to the
1221 department electronic images of completed claims and claim-
1222 related documents pursuant to this chapter, including limited
1223 powers of attorney and purchase agreements that have been
1224 personally signed and dated by a claimant or by a seller
1225 pursuant to s. 717.135 or s. 717.1351, after the original
1226 documents provided by the claimant or by the seller to the
1227 claimant's representative are physically received and in the
1228 claimant's representative's possession for any respective claim.
1229 Each claim filed by a registered claimant's representative must
1230 include a statement by the claimant's representative or buyer
1231 accurately attesting that all documents are true copies of the
1232 original documents and that all original documents are
1233 physically in the possession of the claimant's representative or
1234 buyer. All original documents must be kept in original form, by
1235 claim number, under the secure control of the claimant's
1236 representative or buyer and must be made available for
1237 inspection by the department or other governmental agencies in
1238 accordance with s. 717.1315. The department may adopt rules to
1239 administer this subsection.

1240 Section 40. This act shall take effect July 1, 2019.