

1                   A bill to be entitled  
2           An act relating to private investigative, private  
3           security, and repossession services; amending s. 493.6106,  
4           F.S.; increasing the minimum age required for certain  
5           licensees; amending s. 493.6110, F.S.; revising agency  
6           insurance requirements and limiting such requirements to  
7           security agencies; amending s. 493.6113, F.S.; conforming  
8           a provision requiring certification of insurance coverage;  
9           requiring certain licensees to complete specified  
10          continuing education; requiring the Department of  
11          Agriculture and Consumer Services to establish by rule  
12          criteria for the approval of continuing education courses  
13          and providers and the form for certificates of completion;  
14          amending s. 493.6202, F.S.; requiring the department to  
15          establish by rule certain fees relating to private  
16          investigative services; amending s. 493.6203, F.S.;  
17          requiring passage of an examination for licensure as a  
18          private investigator; providing exemption for certain  
19          licensees; requiring reexamination for relicensure under  
20          certain circumstances; requiring successful completion of  
21          certain coursework and passage of an examination for  
22          licensure as a private investigator intern; requiring the  
23          department to establish by rule the general content and  
24          the form for certificates of completion of such training  
25          and criteria for the examination; requiring reexamination  
26          for relicensure under certain circumstances; providing an  
27          effective date.  
28

29 Be It Enacted by the Legislature of the State of Florida:

30

31 Section 1. Paragraph (a) of subsection (1) of section  
32 493.6106, Florida Statutes, is amended to read:

33 493.6106 License requirements; posting.--

34 (1) Each individual licensed by the department must:

35 (a) Be at least 18 years of age, except that Class "C,"  
36 Class "MA," and Class "M" licensees must be at least 21 years of  
37 age.

38 Section 2. Section 493.6110, Florida Statutes, is amended  
39 to read:

40 493.6110 Licensee's insurance.--No Class "B" agency  
41 license shall be issued unless the applicant first files with  
42 the department a certification of insurance evidencing  
43 commercial general liability coverage ~~as delineated below~~. The  
44 coverage shall provide the department as an additional insured  
45 for the purpose of receiving all notices of modification or  
46 cancellation of such insurance. Coverage shall be written by an  
47 insurance company which is lawfully engaged to provide insurance  
48 coverage in Florida. Coverage shall provide for a combined  
49 single-limit policy in the amount of at least \$300,000, ~~which~~  
50 ~~policy shall include comprehensive general liability coverage~~  
51 ~~for death, bodily injury, property damage, and personal injury~~  
52 ~~coverage including false arrest, detention or imprisonment,~~  
53 ~~malicious prosecution, libel, slander, defamation of character,~~  
54 ~~and violation of the right of privacy.~~ Coverage shall insure for  
55 the liability of all employees licensed by the department while  
56 acting in the course of their employment.

57 (1) The licensed agency shall notify the department of any  
58 claim against such insurance.

59 (2) The licensed agency shall notify the department  
60 immediately upon cancellation of the insurance policy, whether  
61 such cancellation was initiated by the insurance company or the  
62 insured agency.

63 (3) The agency license shall be automatically suspended  
64 upon the date of cancellation unless evidence of insurance is  
65 provided to the department prior to the effective date of  
66 cancellation.

67 Section 3. Subsection (3) of section 493.6113, Florida  
68 Statutes, is amended to read:

69 493.6113 Renewal application for licensure.--

70 (3) Each licensee shall be responsible for renewing his or  
71 her license on or before its expiration by filing with the  
72 department an application for renewal accompanied by payment of  
73 the prescribed license fee.

74 (a) Each ~~Class "A,"~~ Class "B," ~~or Class "R"~~ licensee shall  
75 additionally submit on a form prescribed by the department a  
76 certification of insurance which evidences that the licensee  
77 maintains adequate commercial general liability coverage as  
78 required under s. 493.6110.

79 (b) Each Class "G" licensee shall additionally submit  
80 proof that he or she has received during each year of the  
81 license period a minimum of 4 hours of firearms recertification  
82 training taught by a Class "K" licensee and has complied with  
83 such other health and training requirements which the department  
84 may adopt by rule. If proof of a minimum of 4 hours of annual

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85 firearms recertification training cannot be provided, the  
86 renewal applicant shall complete the minimum number of hours of  
87 range and classroom training required at the time of initial  
88 licensure.

89 (c) Each Class "DS" or Class "RS" licensee shall  
90 additionally submit the current curriculum, examination, and  
91 list of instructors.

92 (d) Effective September 1, 2006, each Class "C," Class  
93 "CC," Class "M," Class "MA," Class "E," Class "EE," Class "MR,"  
94 and Class "RI" licensee shall provide proof, in a form  
95 established by rule of the department, that the licensee has  
96 completed not less than 6 hours of continuing education in  
97 Florida law and rules regulating the professions, including  
98 criminal law, court decisions, and legal opinions that impact  
99 the professions, which may include 2 hours of terrorism  
100 awareness, presented by approved providers, during the biennium  
101 since the issuance or last renewal of the license. Licensees who  
102 hold more than one license issued pursuant to this chapter shall  
103 be required to complete the continuing education only once  
104 during any biennium.

105 (e) The department shall by rule establish criteria for  
106 the continuing education and approval of providers, including  
107 requirements relating to the content of courses and provider  
108 expertise. In order to obtain approval as a provider, the person  
109 must be qualified by education or experience in the specific  
110 area of instruction to be presented.

111 (f) Approved continuing education training shall be  
112 conducted only by approved providers at various locations within

113 or outside the state at times convenient for licensees,  
 114 including weekends. Approved providers shall physically verify  
 115 the personal identity and license number of each licensee  
 116 receiving the training by presentation of the personal license  
 117 and shall issue a certificate of completion to each licensee who  
 118 completes the approved courses. The certificate shall be on a  
 119 form established by rule of the department and must be submitted  
 120 with the application for renewal of licensure.

121 Section 4. Paragraphs (f) and (g) are added to subsection  
 122 (1) of section 493.6202, Florida Statutes, to read:

123 493.6202 Fees.--

124 (1) The department shall establish by rule examination and  
 125 biennial license fees, which shall not exceed the following:

126 (f) Fee for the examination for private investigator:  
 127 \$100.

128 (g) Biennial fee for provider approval: \$200.

129 Section 5. Section 493.6203, Florida Statutes, is amended  
 130 to read:

131 493.6203 License requirements.--In addition to the license  
 132 requirements set forth elsewhere in this chapter, each  
 133 individual or agency shall comply with the following additional  
 134 requirements:

135 (1) Each agency or branch office shall designate a minimum  
 136 of one appropriately licensed individual to act as manager,  
 137 directing the activities of the Class "C" or Class "CC"  
 138 employees.

139 (2) An applicant for a Class "MA" license shall have at  
 140 least 2 years of lawfully gained, verifiable, full-time

141 experience, or training in:

142 (a) Private investigative work or related fields of work  
143 that provided equivalent experience or training;

144 (b) Work as a Class "CC" licensed intern;

145 (c) Any combination of paragraphs (a) and (b);

146 (d) Experience described in paragraph (a) for at least 1  
147 year and experience described as follows ~~in paragraph (e)~~ for ~~±~~  
148 ~~year;~~

149 ~~(e)~~ no more than 1 year ~~using~~:

150 1. College coursework related to criminal justice,  
151 criminology, or law enforcement administration; or

152 2. Successfully completed law enforcement-related training  
153 received from any federal, state, county, or municipal agency;  
154 or

155 (e)(f) Experience described in paragraph (a) for at least  
156 1 year and work in a managerial or supervisory capacity for at  
157 least 1 year.

158 (3) An applicant for a Class "M" license shall qualify for  
159 licensure as a Class "MA" manager as outlined under subsection  
160 (2) and as a Class "MB" manager as outlined under s.  
161 493.6303(2).

162 (4) An applicant for a Class "C" license shall have 2  
163 years of lawfully gained, verifiable, full-time experience, or  
164 training in one, or a combination of more than one, of the  
165 following:

166 (a) Private investigative work or related fields of work  
167 that provided equivalent experience or training.

168 (b) College coursework related to criminal justice,

169 criminology, or law enforcement administration, or successful  
 170 completion of any law enforcement-related training received from  
 171 any federal, state, county, or municipal agency, except that no  
 172 more than 1 year may be used from this category.

173 (c) Work as a Class "CC" licensed intern.

174 (5)(a) Effective March 1, 2006, an applicant for a Class  
 175 "C" license who meets the experience criteria in subsection (4)  
 176 must pass an examination on the provisions of this chapter,  
 177 which shall be administered by the department or an examination  
 178 provider approved by the department. The applicant is not  
 179 required to pass the examination prior to submission of the  
 180 application but must do so prior to issuance of the license. The  
 181 administrator of the examination must verify the identity of  
 182 each applicant taking the examination.

183 (b) The examination requirements of paragraph (a) do not  
 184 apply to any individual who holds a valid Class "CC," Class "C,"  
 185 Class "MA," or Class "M" license issued on or before March 1,  
 186 2006.

187 (c) Notwithstanding the exemption in paragraph (b), any  
 188 individual whose license has been invalid for any reason for  
 189 more than 1 year must successfully pass the examination, even if  
 190 previously taken.

191 (6)(a) Effective September 1, 2006, an applicant for a  
 192 Class "CC" license must have, within the preceding 12 months,  
 193 satisfactorily completed a minimum 40-hour course from a school,  
 194 college, or university regulated by the Department of Education  
 195 that pertains to general investigative techniques and this  
 196 chapter and shall pass an examination. The training specified in

197 this subsection may be provided by live presentation, on-line,  
198 or by home study in accordance with Department of Education  
199 rules and procedures. The administrator of the examination shall  
200 verify the identity of all applicants taking the examination.

201 (b) Upon successful completion of the approved course, the  
202 school, college, or university shall issue a certificate of  
203 completion to the applicant. The certificate shall be on a form  
204 established by rule of the department and must be submitted with  
205 the application for the Class "CC" license.

206 (c) The department shall by rule establish the general  
207 content of the training and examination criteria.

208 (d) Any individual whose Class "CC" license has been  
209 invalid for any reason for more than 1 year must complete the  
210 training, even if previously taken.

211 (7)(5) A Class "CC" licensee shall serve an internship  
212 under the direction and control of a designated sponsor, who is  
213 a Class "C," Class "MA," or Class "M" licensee.

214 (8)(6) In addition to any other requirement, an applicant  
215 for a Class "G" license shall satisfy the firearms training set  
216 forth in s. 493.6115.

217 Section 6. This act shall take effect July 1, 2005.