

By the Committee on General Government Appropriations; and
Senator Argenziano

601-2304-06

1 A bill to be entitled
2 An act relating to private investigative,
3 private security, and repossession services;
4 amending s. 493.6106, F.S.; increasing the
5 minimum age required for certain licensees;
6 amending s. 493.6113, F.S.; conforming a
7 provision requiring certification of insurance
8 coverage; requiring certain licensees to
9 complete specified continuing education;
10 requiring the Department of Agriculture and
11 Consumer Services to establish by rule criteria
12 for the approval of continuing education
13 courses and providers and the form for
14 certificates of completion; amending s.
15 493.6202, F.S.; requiring the department to
16 establish by rule certain fees relating to
17 private investigative services; amending s.
18 493.6203, F.S.; requiring passage of an
19 examination for licensure as a private
20 investigator; providing an exemption for
21 certain licensees; requiring reexamination for
22 relicensure under certain circumstances;
23 requiring successful completion of certain
24 coursework and passage of an examination for
25 licensure as a private investigator intern;
26 requiring the department to establish by rule
27 the general content and the form for
28 certificates of completion of such training and
29 criteria for the examination; requiring
30 reexamination for relicensure under certain
31 circumstances; amending s. 493.6406, F.S.;

1 revising the information that is required to be
2 included in an application for licensure as a
3 repossession services school or training
4 facility; providing an effective date.
5

6 Be It Enacted by the Legislature of the State of Florida:
7

8 Section 1. Paragraph (a) of subsection (1) of section
9 493.6106, Florida Statutes, is amended to read:

10 493.6106 License requirements; posting.--

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

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

15 Section 2. Subsection (3) of section 493.6113, Florida
16 Statutes, is amended to read:

17 493.6113 Renewal application for licensure.--

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

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

27 (b) Each Class "G" licensee shall additionally submit
28 proof that he or she has received during each year of the
29 license period a minimum of 4 hours of firearms
30 recertification training taught by a Class "K" licensee and
31 has complied with such other health and training requirements

1 | which the department may adopt by rule. If proof of a minimum
2 | of 4 hours of annual firearms recertification training cannot
3 | be provided, the renewal applicant shall complete the minimum
4 | number of hours of range and classroom training required at
5 | the time of initial licensure.

6 | (c) Each Class "DS" or Class "RS" licensee shall
7 | additionally submit the current curriculum, examination, and
8 | list of instructors.

9 | (d) Effective September 1, 2007, each Class "C," Class
10 | "CC," Class "M," Class "MA," Class "E," Class "EE," Class
11 | "MR," and Class "RI" licensee shall provide proof, in a form
12 | established by rule of the department, that the licensee has
13 | completed not less than 6 hours of continuing education in
14 | Florida law and rules regulating the professions, including
15 | criminal law, court decisions, and legal opinions that impact
16 | the professions, which may include 2 hours of terrorism
17 | awareness, presented by approved providers, during the
18 | biennium since the issuance or last renewal of the license.
19 | Licensees who hold more than one license issued pursuant to
20 | this chapter shall be required to complete the continuing
21 | education only once during any biennium.

22 | (e) The department shall by rule establish criteria
23 | for the continuing education and approval of providers,
24 | including requirements relating to the content of courses and
25 | provider expertise. In order to obtain approval as a provider,
26 | the person must be qualified by education or experience in the
27 | specific area of instruction to be presented.

28 | (f) Approved continuing education training shall be
29 | conducted only by approved providers on-line or live at
30 | various locations within or outside the state at times
31 | convenient for licensees, including weekends. Before entering

1 the room where the live training occurs, each licensee shall
2 present his or her personal license to the approved provider,
3 who shall physically verify the personal identity and license
4 number of the licensee. The approved provider shall issue a
5 certificate of completion to each licensee who completes the
6 approved courses. Approved providers of on-line training shall
7 use a security program that verifies the license number and
8 identity of the licensees in a manner approved by rule of the
9 department. On-line training shall make the 6-hour curriculum
10 and a 1-hour exam available in hourly increments. On-line
11 providers shall issue a certificate of completion upon
12 favorable completion of the examination. In accordance with
13 the department's authority to enforce standards established in
14 this section, live and on-line programs must be accessible by
15 a representative of the department without notice or
16 special-access requirements. The certificate of completion for
17 live or on-line training shall be on a form established by
18 rule of the department and must be submitted with the
19 application for renewal of licensure.

20 Section 3. Paragraphs (f) and (g) are added to
21 subsection (1) of section 493.6202, Florida Statutes, to read:

22 493.6202 Fees.--

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

26 (f) Fee for the examination for private investigator:
27 \$100.

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

29 Section 4. Section 493.6203, Florida Statutes, is
30 amended to read:

31

1 493.6203 License requirements.--In addition to the
2 license requirements set forth elsewhere in this chapter, each
3 individual or agency shall comply with the following
4 additional requirements:

5 (1) Each agency or branch office shall designate a
6 minimum of one appropriately licensed individual to act as
7 manager, directing the activities of the Class "C" or Class
8 "CC" employees.

9 (2) An applicant for a Class "MA" license shall have
10 at least 2 years of lawfully gained, verifiable, full-time
11 experience, or training in:

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

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

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

16 (d) Experience described in paragraph (a) for at least
17 1 year and experience described as follows ~~in paragraph (e)~~
18 for ~~1 year~~;

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

20 1. College coursework related to criminal justice,
21 criminology, or law enforcement administration; or

22 2. Successfully completed law enforcement-related
23 training received from any federal, state, county, or
24 municipal agency; or

25 ~~(e)(f)~~ Experience described in paragraph (a) for at
26 least 1 year and work in a managerial or supervisory capacity
27 for at least 1 year.

28 (3) An applicant for a Class "M" license shall qualify
29 for licensure as a Class "MA" manager as outlined under
30 subsection (2) and as a Class "MB" manager as outlined under
31 s. 493.6303(2).

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

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

7 (b) College coursework related to criminal justice,
8 criminology, or law enforcement administration, or successful
9 completion of any law enforcement-related training received
10 from any federal, state, county, or municipal agency, except
11 that no more than 1 year may be used from this category.

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

13 (5)(a) Effective March 1, 2007, an applicant for a
14 Class "C" license who meets the experience criteria in
15 subsection (4) must pass an examination on the provisions of
16 this chapter, which shall be administered by the department or
17 an examination provider approved by the department. The
18 applicant is not required to pass the examination prior to
19 submission of the application but must do so prior to issuance
20 of the license. The administrator of the examination must
21 verify the identity of each applicant taking the examination.

22 (b) The examination requirements of paragraph (a) do
23 not apply to any individual who holds a valid Class "CC,"
24 Class "C," Class "MA," or Class "M" license issued on or
25 before March 1, 2007.

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

30 (6)(a) Effective September 1, 2007, an applicant for a
31 Class "CC" license must have, within the preceding 12 months,

1 satisfactorily completed a minimum 40-hour course from a
2 school, college, or university regulated by the Department of
3 Education, which course pertains to general investigative
4 techniques and this chapter, and shall pass an examination.
5 The training specified in this subsection may be provided by
6 live presentation, on line, or by home study in accordance
7 with Department of Education rules and procedures. The
8 administrator of the examination shall verify the identity of
9 all applicants taking the examination.

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

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

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

20 ~~(7)(5)~~ A Class "CC" licensee shall serve an internship
21 under the direction and control of a designated sponsor, who
22 is a Class "C," Class "MA," or Class "M" licensee.

23 ~~(8)(6)~~ In addition to any other requirement, an
24 applicant for a Class "G" license shall satisfy the firearms
25 training set forth in s. 493.6115.

26 Section 5. Subsection (2) of section 493.6406, Florida
27 Statutes, is amended to read:

28 493.6406 Repossession services school or training
29 facility.--

30 (2) The application shall be signed and notarized and
31 shall contain, at a minimum, the following information:

1 (a) The name and address of the school or training
2 facility and, if the applicant is an individual, his or her
3 name, address, and social security or alien registration
4 number.

5 ~~(b) The street address of the place at which the~~
6 ~~training is to be conducted.~~

7 (b)(c) A copy of the training curriculum and final
8 examination to be administered.

9 Section 6. This act shall take effect July 1, 2006.

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11 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
12 COMMITTEE SUBSTITUTE FOR
13 Senate Bill 726

14 Adds procedures that allow required continuing education for
15 private investigators, private security, and repossession
16 services to be completed on-line in addition to class room
17 courses.

18 Eliminates the requirement that a street address of the
19 training facility be shown on the application for licensure as
20 a repossession services school or training facility.