



417256

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/31/2015	.	
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The Committee on Banking and Insurance (Richter) recommended the following:

Senate Amendment to Amendment (892532)

Delete lines 29 - 743
and insert:

(1) "Appraisal" means the process defined in the property insurance contract for determining the amount of the loss once coverage is established.

(2) "Competent" means properly licensed, sufficiently qualified, and capable of performing an appraisal.

(3) "Department" means the Department of Business and



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11 Professional Regulation.

12 (4) "Independent" means not subject to control,
13 restriction, modification, or limitation by the appointing
14 party. An independent umpire shall conduct his or her
15 investigation, evaluation, and estimation without instruction by
16 an appointing party. A person may not accept an appointment as
17 an umpire if the appointment is contingent upon the umpire
18 reporting a predetermined result, analysis, or opinion, or if
19 the fee to be paid for the services of the umpire is contingent
20 upon the opinion, conclusion, or valuation reached by the
21 umpire.

22 (5) "Property insurance appraisal umpire" or "umpire" means
23 a competent, licensed, independent, and impartial third party
24 selected by the licensed appraisers for the insurer and the
25 insured to resolve issues that the licensed appraisers are
26 unable to reach an agreement on during the course of the
27 appraisal process pursuant to a residential or commercial
28 property insurance contract that is required to provide for
29 resolution of a claim dispute by appraisal as defined in the
30 property insurance contract.

31 (6) "Property insurance appraiser" or "appraiser" means a
32 third party selected by an insurer or an insured to develop an
33 appraisal for purposes of the appraisal process under a
34 residential or commercial property insurance contract that
35 provides for resolution of a claim dispute by appraisal.

36 (7) "Uniform application" means the uniform application of
37 the National Association of Insurance Commissioners for
38 nonresident agent licensing, effective January 15, 2001, or
39 subsequent versions adopted by rule by the department.



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40 468.8511 Fees.—

41 (1) The department, by rule, may establish fees to be paid
42 for application, examination, reexamination, licensing and
43 renewal, inactive status application, reactivation of inactive
44 licenses, and application for providers of continuing education.

45 The department may also establish by rule a delinquency fee.

46 Fees shall be based on department estimates of the revenue
47 required to implement the provisions of this part. Fees shall be
48 remitted with the application, examination, reexamination,
49 licensing and renewal, inactive status application, and
50 reactivation of inactive licenses, and application for providers
51 of continuing education.

52 (2) The application fee shall not exceed \$200 and is
53 nonrefundable. The examination fee shall not exceed \$200 plus
54 the actual per applicant cost to the department to purchase the
55 examination, if the department chooses to purchase the
56 examination. The examination fee shall be in an amount that
57 covers the cost of obtaining and administering the examination
58 and shall be refunded if the applicant is found ineligible to
59 sit for the examination.

60 (3) The fee for an initial license shall not exceed \$250.

61 (4) The fee for an initial certificate of authorization
62 shall not exceed \$250.

63 (5) The fee for a biennial license renewal shall not exceed
64 \$500.

65 (6) The fee for application for inactive status shall not
66 exceed \$125.

67 (7) The fee for reactivation of an inactive license shall
68 not exceed \$250.



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69 (8) The fee for applications from providers of continuing
70 education may not exceed \$600.

71 (9) The fee for fingerprinting shall be included in the
72 department's costs for each background check.

73 468.85115 Application for license as a property insurance
74 appraisal umpire.-

75 (1) The department shall not issue a license as a property
76 insurance appraisal umpire to any person except upon written
77 application previously filed with the department, with
78 qualification and advance payment of all applicable fees. Any
79 such application shall be made under oath or affirmation and
80 signed by the applicant. The department shall accept the uniform
81 application for a nonresident property insurance appraisal
82 umpire. The department may adopt revised versions of the uniform
83 application by rule.

84 (2) In the application, the applicant shall set forth:

85 (a) His or her full name, age, social security number,
86 residence address, business address, mailing address, contact
87 telephone numbers, including a business telephone number, and e-
88 mail address.

89 (b) Proof that he or she has completed or is in the process
90 of completing any required prelicensing course.

91 (c) Whether he or she has been refused or has voluntarily
92 surrendered or has had suspended or revoked a professional
93 license by the supervising officials of any state.

94 (d) Proof that the applicant meets the requirements for
95 licensure as a property insurance appraisal umpire as required
96 under ss. 468.8511 and 468.8512, and this section.

97 (e) The applicant's gender.



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- 98 (f) The applicant's native language.
- 99 (g) The applicant's highest achieved level of education.
- 100 (h) All education requirements that the applicant has
101 completed to qualify as a property insurance appraisal umpire,
102 including the name of the course, the course provider, and the
103 course completion dates.
- 104 (3) Each application shall be accompanied by payment of any
105 applicable fee.
- 106 (4) At the time of application, the applicant must be
107 fingerprinted by a law enforcement agency or other entity
108 approved by the department and he or she must pay the
109 fingerprint processing fee in s. 468.8511. Fingerprints must be
110 processed by the Department of Law Enforcement.
- 111 (5) The Department of Law Enforcement may, to the extent
112 provided for by federal law, exchange state, multistate, and
113 federal criminal history records with the department or office
114 for the purpose of the issuance, denial, suspension, or
115 revocation of a certificate of authority, certification, or
116 license to operate in this state.
- 117 (6) The Department of Law Enforcement may accept
118 fingerprints of any other person required by statute or rule to
119 submit fingerprints to the department or office or any applicant
120 or licensee regulated by the department or office who is
121 required to demonstrate that he or she has not been convicted of
122 or pled guilty or nolo contendere to a felony or a misdemeanor.
- 123 (7) The Department of Law Enforcement shall, upon receipt
124 of fingerprints from the department or office, submit the
125 fingerprints to the Federal Bureau of Investigation for a
126 federal criminal history records check.



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127 (8) Statewide criminal records obtained through the
128 Department of Law Enforcement, federal criminal records obtained
129 through the Federal Bureau of Investigation, and local criminal
130 records obtained through local law enforcement agencies shall be
131 used by the department and office for the purpose of issuance,
132 denial, suspension, or revocation of certificates of authority,
133 certifications, or licenses issued to operate in this state.

134 (9) The department shall develop and maintain as a public
135 record a current list of licensed property insurance appraisal
136 umpires.

137 468.8512 Examinations.-

138 (1) A person desiring to be licensed as a property
139 insurance appraisal umpire must apply to the department after
140 satisfying the examination requirements of this part. The
141 following persons are exempt from the examination requirements
142 of this part:

143 (a) Retired county, circuit, and appellate judges.

144 (b) Circuit court civil certified mediators approved by the
145 Florida Supreme Court pursuant to the Florida Rules for
146 Certified and Court-Appointed Mediators.

147 (c) Mediators who are on the list of approved mediators
148 pursuant to rule 69J-166.031, Florida Administrative Code.

149 (2) An applicant may practice in this state as a property
150 insurance appraisal umpire if he or she passes the required
151 examination, is of good moral character, and meets one of the
152 following requirements:

153 (a) The applicant is currently licensed, registered,
154 certified, or approved as an engineer as defined in s. 471.005,
155 or as a retired professional engineer as defined in s. 471.005,



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156 and has taught or successfully completed 4 hours of classroom
157 coursework, approved by the department, specifically related to
158 construction, building codes, appraisal procedures, appraisal
159 preparation, and any other related material deemed appropriate
160 by the department.

161 (b) The applicant is currently or, within the 5 years
162 immediately preceding the date on which the application is filed
163 with the department, has been licensed, registered, certified,
164 or approved as a general contractor, building contractor, or
165 residential contractor as defined in s. 489.105 and has taught
166 or successfully completed 4 hours of classroom coursework,
167 approved by the department, specifically related to
168 construction, building codes, appraisal procedure, appraisal
169 preparation, and any other related material deemed appropriate
170 by the department.

171 (c) The applicant is currently or, within the 5 years
172 immediately preceding the date on which the application is filed
173 with the department, has been licensed or registered as an
174 architect to engage in the practice of architecture pursuant to
175 part I of chapter 481 and has taught or successfully completed 4
176 hours of classroom coursework, approved by the department,
177 specifically related to construction, building codes, appraisal
178 procedure, appraisal preparation, and any other related material
179 deemed appropriate by the department.

180 (d) The applicant is currently or, within the 5 years
181 immediately preceding the date on which the application is filed
182 with the department, has been a licensed attorney in this state
183 and has taught or successfully completed 4 hours of classroom
184 coursework, approved by the department, specifically related to



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185 construction, building codes, appraisal procedure, appraisal
186 preparation, and any other related material deemed appropriate
187 by the department.

188 (e) The applicant has received a baccalaureate degree from
189 an accredited 4-year college or university in the field of
190 engineering, architecture, or building construction and has
191 taught or successfully completed 4 hours of classroom
192 coursework, approved by the department, specifically related to
193 construction, building codes, appraisal procedure, appraisal
194 preparation, and any other related material deemed appropriate
195 by the department.

196 (f) The applicant is a currently licensed adjuster whose
197 license covers all lines of insurance except the life and
198 annuities class. The adjuster's license must include the
199 property and casualty class of insurance. The currently licensed
200 adjuster must be licensed for at least 5 years to qualify for a
201 property insurance appraisal umpire's license.

202 (g) The applicant has successfully completed 40 hours of
203 classroom coursework, approved by the department, specifically
204 related to construction, building codes, appraisal procedure,
205 appraisal preparation, property insurance, and any other related
206 material deemed appropriate by the department.

207 (3) The department shall review and approve courses of
208 study for the continuing education of property insurance
209 appraisal umpires.

210 (4) The department may not issue a license as a property
211 insurance appraisal umpire to any individual found by it to be
212 untrustworthy or incompetent or who:

213 (a) Has not filed an application with the department in



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214 accordance with s. 485.85115.

215 (b) Is not a natural person who is at least 18 years of
216 age.

217 (c) Is not a United States citizen or legal alien who
218 possesses work authorization from the United States Citizenship
219 and Immigration Services.

220 (d) Has not completed the education, experience, or
221 licensing requirements of this section.

222 (5) An incomplete application expires 6 months after the
223 date it is received by the department.

224 (6) An applicant seeking to become licensed under this part
225 may not be rejected solely by virtue of membership or lack of
226 membership in any particular appraisal organization.

227 468.8513 Licensure.-

228 (1) The department shall license any applicant who the
229 department certifies has completed the requirements of ss.
230 468.8511, 468.85115, and 468.8512.

231 (2) The department shall not issue a license by endorsement
232 to any applicant for a property insurance appraisal umpire
233 license who is under investigation in another state for any act
234 that would constitute a violation of this part until such time
235 that the investigation is complete and disciplinary proceedings
236 have been terminated.

237 468.8514 Renewal of license.-

238 (1) The department shall renew a license upon receipt of
239 the renewal application and fee and upon certification by the
240 department that the licensee has satisfactorily completed the
241 continuing education requirements of s. 468.8515.

242 (2) The department shall adopt rules establishing a



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243 procedure for the biennial renewal of licenses.

244 468.8515 Continuing education.—

245 (1) The department may not renew a license until the
246 licensee submits satisfactory proof to the department that,
247 during the 2 years before his or her application for renewal,
248 the licensee completed at least 30 hours of continuing education
249 in addition to 5 hours of ethics. Criteria and course content
250 shall be approved by the department by rule.

251 (2) The department may prescribe by rule additional
252 continuing professional education hours, not to exceed 25
253 percent of the total required hours, for failure to complete the
254 required hours by the end of the renewal period.

255 (3) Each umpire course provider, instructor, and classroom
256 course must be approved by and registered with the department
257 before prelicensure courses for property insurance appraisal
258 umpires may be offered. Each classroom course must include a
259 written examination at the conclusion of the course and must
260 cover all of the material contained in the course. A student may
261 not receive credit for the course unless the student achieves a
262 grade of at least 75 percent on the examination.

263 (4) The department shall adopt rules establishing:

264 (a) Standards for the approval, registration, discipline,
265 or removal from registration of course providers, instructors,
266 and courses. The standards must be designed to ensure that
267 instructors have the knowledge, competence, and integrity to
268 fulfill the educational objectives of the prelicensure
269 requirements of this part.

270 (b) A process for determining compliance with the
271 prelicensure requirements of this part.



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272
273 The department shall adopt rules prescribing the forms necessary
274 to administer the prelicensure requirements of this part.

275 (5) Approval to teach prescribed or approved appraisal
276 courses does not entitle the instructor to teach any courses
277 outside the scope of this part.

278 468.8516 Inactive license.-

279 (1) A licensee may request that his or her license be
280 placed on inactive status by filing an application with the
281 department.

282 (2) A license that has become inactive may be reactivated
283 upon application to the department. The department may prescribe
284 by rule continuing education requirements as a condition for
285 reactivation of an inactive license. The continuing education
286 requirements for reactivating a license may not exceed 14 hours
287 for each year the license was inactive.

288 (3) The department shall adopt rules relating to licenses
289 that have become inactive and for the renewal of inactive
290 licenses. The department shall prescribe by rule a fee not to
291 exceed \$250 for the reactivation of an inactive license and a
292 fee not to exceed \$250 for the renewal of an inactive license.

293 468.8517 Certification of partnerships, corporations, and
294 other business entities.-The practice of, or the offer to
295 practice as, a property insurance appraisal umpire by licensees
296 through a partnership, corporation, or other business entity
297 offering property insurance appraisal umpire services to the
298 public, or by a partnership, corporation, or other business
299 entities through licensees under this part as agents, employees,
300 officers, or partners is permitted, subject to the provisions of



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301 this part. This section does not allow a corporation or other
302 business entity to hold a license to practice property insurance
303 appraisal umpire services. A partnership, corporation, or other
304 business entity is not relieved of responsibility for the
305 conduct or acts of its agents, employees, or officers by reason
306 of its compliance with this section. An individual practicing as
307 a property insurance appraisal umpire is not relieved of
308 responsibility for professional services performed by reason of
309 his or her employment or relationship with a partnership,
310 corporation, or other business entity.

311 468.8518 Grounds for compulsory refusal, suspension, or
312 revocation of an umpire's license.-The department shall deny an
313 application for, suspend, revoke, or refuse to renew or continue
314 the license or appointment of any applicant, property insurance
315 appraisal umpire or licensee and shall suspend or revoke the
316 eligibility to hold a license or appointment of any such person
317 if it finds that any one or more of the following applicable
318 grounds exist:

319 (1) Lack of one or more of the qualifications for the
320 license as specified in this part.

321 (2) Material misstatement, misrepresentation, or fraud in
322 obtaining the license or in attempting to obtain the license or
323 appointment.

324 (3) Failure to pass to the satisfaction of the department
325 any examination required under this chapter.

326 (4) That the license or appointment was willfully used, or
327 will be used, to circumvent any of the requirements or
328 prohibitions of this chapter.

329 (5) Demonstrated a lack of fitness or trustworthiness to



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330 engage as a property insurance appraisal umpire.

331 (6) Demonstrated a lack of reasonably adequate knowledge
332 and technical competence to engage in the transactions
333 authorized by the license.

334 (7) Fraudulent or dishonest practices in the conduct of
335 business under the license.

336 (8) Willful failure to comply with, or willful violation
337 of, any proper order or rule of the department or willful
338 violation of any provision of this chapter.

339 (9) Having been found guilty of or having plead guilty or
340 nolo contendere to a felony or a crime punishable by
341 imprisonment of 1 year or more under the law of the United
342 States or of any state thereof or under the law of any other
343 country which involves moral turpitude, without regard to
344 whether a judgment of conviction has been entered by the court
345 having jurisdiction of such cases.

346 (10) (a) Violated a duty imposed upon her or him by law or
347 by the terms of a contract, whether written, oral, expressed, or
348 implied, in an appraisal;

349 (b) Has aided, assisted, or conspired with any other person
350 engaged in any such misconduct and in furtherance thereof; or

351 (c) Has formed an intent, design, or scheme to engage in
352 such misconduct and committed an overt act in furtherance of
353 such intent, design, or scheme.

354
355 It is immaterial to a finding that a licensee has committed a
356 violation of this subsection that the victim or intended victim
357 of the misconduct has sustained no damage or loss, that the
358 damage or loss has been settled and paid after the discovery of



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359 misconduct, or that such victim or intended victim was a
360 customer or a person in a confidential relationship with the
361 licensee or was an identified member of the general public.
362 (11) (a) Had a registration, license, or certification as an
363 umpire revoked, suspended, or otherwise acted against;
364 (b) Has had his or her registration, license, or
365 certificate to practice or conduct any regulated profession,
366 business, or vocation revoked or suspended by this or any other
367 state, any nation, or any possession or district of the United
368 States; or
369 (c) Has had an application for such registration,
370 licensure, or certification to practice or conduct any regulated
371 profession, business, or vocation denied by this or any other
372 state, any nation, or any possession or district of the United
373 States.
374 (12) (a) Made or filed a report or record, written or oral,
375 which the licensee knows to be false;
376 (b) Has willfully failed to file a report or record
377 required by state or federal law;
378 (c) Has willfully impeded or obstructed such filing; or
379 (d) Has induced another person to impede or obstruct such
380 filing.
381 (13) Accepted an appointment as an umpire if the
382 appointment is contingent upon the umpire reporting a
383 predetermined result, analysis, or opinion, or if the fee to be
384 paid for the services of the umpire is contingent upon the
385 opinion, conclusion, or valuation reached by the umpire.
386 468.85185 Grounds for discretionary denial, suspension, or
387 revocation of an umpire's license.—The department may deny an



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388 application for and suspend, revoke, or refuse to renew or
389 continue a license as a property insurance appraisal umpire if
390 the applicant or licensee has:

391 (1) Failed to timely communicate with the appraisers
392 without good cause.

393 (2) Failed or refused to exercise reasonable diligence in
394 submitting recommendations to the appraisers.

395 (3) Violated any ethical standard for property insurance
396 appraisal umpires set forth in s. 468.8519.

397 (4) Failed to inform the department in writing within 30
398 days after pleading guilty or nolo contendere to, or being
399 convicted or found guilty of, a felony.

400 (5) Failed to timely notify the department of any change in
401 business location, or has failed to fully disclose all business
402 locations from which he or she operates as a property insurance
403 appraisal umpire.

404 468.8519 Ethical standards for property insurance appraisal
405 umpires.—

406 (1) CONFIDENTIALITY.—An umpire shall maintain
407 confidentiality of all information revealed during an appraisal
408 except where disclosure is required by law.

409 (2) RECORDKEEPING.—An umpire shall maintain confidentiality
410 in the storage and disposal of records and may not disclose any
411 identifying information when materials are used for research,
412 training, or statistical compilations.

413 (3) FEES AND EXPENSES.—Fees charged for appraisal services
414 shall be reasonable and consistent with the nature of the case.
415 An umpire shall be guided by the following in determining fees:

416 (a) All charges for services as an umpire based on time may



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417 not exceed actual time spent or allocated.

418 (b) Charges for costs shall be for those actually incurred.

419 (c) An umpire may not charge, agree to, or accept as
420 compensation or reimbursement any payment, commission, or fee
421 that is based on a percentage basis, or that is contingent upon
422 arriving at a particular value or any future happening or
423 outcome of the assignment.

424 (4) MAINTENANCE OF RECORDS.—An umpire shall maintain
425 records necessary to support charges for services and expenses,
426 and upon request shall provide an accounting of all applicable
427 charges to the parties. An umpire licensed under this part shall
428 retain original or true copies of any contracts engaging the
429 umpire's services, appraisal reports, and supporting data
430 assembled and formulated by the umpire in preparing appraisal
431 reports for at least 5 years. The period for retaining the
432 records applicable to each engagement starts on the date of the
433 submission of the appraisal report to the client. The records
434 must be made available by the umpire for inspection and copying
435 by the department upon reasonable notice to the umpire. If an
436 appraisal has been the subject of, or has been admitted as
437 evidence in, a lawsuit, reports, and records, the appraisal must
438 be retained for at least 2 years after the date that the trial
439 ends.

440 (5) ADVERTISING.—An umpire may not engage in marketing
441 practices that contain false or misleading information. An
442 umpire shall ensure that any advertisements of the umpire's
443 qualifications, services to be rendered, or the appraisal
444 process are accurate and honest. An umpire may not make claims
445 of achieving specific outcomes or promises implying favoritism



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446 for the purpose of obtaining business.

447 (6) INTEGRITY AND IMPARTIALITY.—An umpire may not engage in
448 any business, provide any service, or perform any act that would
449 compromise the umpire’s integrity or impartiality.

450 (7) SKILL AND EXPERIENCE.—An umpire shall decline an
451 appointment or selection, withdraw, or request appropriate
452 assistance when the facts and circumstances of the appraisal are
453 beyond the umpire’s skill or experience.

454 (8) GIFTS AND SOLICITATION.—An umpire may not give or
455 accept any gift, favor, loan, or other item of value in an
456 appraisal process except for the umpire’s reasonable fee. During
457 the appraisal process, an umpire may not solicit or otherwise
458 attempt to procure future professional services.

459 Section 1. Part XVIII of chapter 468, Florida Statutes,
460 consisting of sections 468.86 through 468.8619, is created to
461 read:

462 PART XVIII

463 PROPERTY INSURANCE APPRAISERS

464 468.86 Property insurance appraiser licensing program;
465 legislative purpose; scope of part.—

466 (1) The property insurance appraiser licensing program is
467 created within the Department of Business and Professional
468 Regulation.

469 (2) The Legislature finds it necessary and in the interest
470 of the public safety and welfare, to prevent damage to real and
471 personal property, to avert economic injury to the residents of
472 this state, and to regulate persons and companies that hold
473 themselves out to the public as qualified to perform as a
474 property insurance appraiser.



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475 (3) This part applies to residential and commercial
476 residential property insurance contracts and to the umpires and
477 appraisers who participate in the appraisal process.

478 (4) A person acting as a property insurance appraiser on or
479 after October 1, 2016, must be licensed pursuant to this part.

480 (5) The department may adopt rules to administer the
481 requirements of this part.

482 468.861 Definitions.—As used in this part, the term:

483 (1) "Appraisal" means the process defined in the property
484 insurance contract for determining the amount of the loss once
485 coverage is established.

486 (2) "Competent" means properly licensed, sufficiently
487 qualified, and capable of performing an appraisal.

488 (3) "Department" means the Department of Business and
489 Professional Regulation.

490 (4) "Independent" means not subject to control,
491 restriction, modification, or limitation by the appointing
492 party. A person may not accept an appointment as an appraiser if
493 the appointment is contingent upon the appraiser reporting a
494 predetermined result, analysis, or opinion, or if the fee to be
495 paid for the services of the appraiser is contingent upon the
496 opinion, conclusion, or valuation reached by the appraiser.

497 (5) "Property insurance appraisal umpire" or "umpire" means
498 a competent, licensed, independent, and impartial third party
499 selected by the licensed appraisers for the insurer and the
500 insured to resolve issues that the licensed appraisers are
501 unable to reach an agreement on during the course of the
502 appraisal process pursuant to a residential or commercial
503 property insurance contract that is required to provide for



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504 resolution of a claim dispute by appraisal as defined in the
505 property insurance contract.

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507 third party selected by an insurer or an insured to develop an
508 appraisal for purposes of the appraisal process under a
509 residential or commercial property insurance contract that
510 provides for resolution of a claim dispute by appraisal.

511 (7) "Uniform application" means the uniform application of
512 the National Association of Insurance Commissioners for
513 nonresident agent licensing, effective January 15, 2001, or
514 subsequent versions adopted by rule by the department.

515 468.8611 Fees.—

516 (1) The department, by rule, may establish fees to be paid
517 for application, examination, reexamination, licensing and
518 renewal, inactive status application, reactivation of inactive
519 licenses, and application for providers of continuing education.
520 The department may also establish by rule a delinquency fee.

521 Fees shall be based on department estimates of the revenue
522 required to implement the provisions of this part. Fees shall be
523 remitted with the application, examination, reexamination,
524 licensing and renewal, inactive status application, reactivation
525 of inactive licenses, and application for providers of
526 continuing education.

527 (2) The application fee shall not exceed \$200 and is
528 nonrefundable. The examination fee shall not exceed \$200 plus
529 the actual per applicant cost to the department to purchase the
530 examination, if the department chooses to purchase the
531 examination. The examination fee shall be in an amount that
532 covers the cost of obtaining and administering the examination



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533 and shall be refunded if the applicant is found ineligible to
534 sit for the examination.

535 (3) The fee for an initial license shall not exceed \$250.

536 (4) The fee for an initial certificate of authorization
537 shall not exceed \$250.

538 (5) The fee for a biennial license renewal shall not exceed
539 \$500.

540 (6) The fee for application for inactive status shall not
541 exceed \$125.

542 (7) The fee for reactivation of an inactive license shall
543 not exceed \$250.

544 (8) The fee for applications from providers of continuing
545 education may not exceed \$600.

546 (9) The fee for fingerprinting shall be included in the
547 department's costs for the background check.

548 468.86115 Application for license as a property insurance
549 appraiser.-

550 (1) The department shall not issue a license as a property
551 insurance appraiser to any person except upon written
552 application previously filed with the department, with
553 qualification and advance payment of all applicable fees. Any
554 such application shall be made under oath or affirmation and
555 signed by the applicant. The department shall accept the uniform
556 application for a nonresident property insurance appraiser. The
557 department may adopt revised versions of the uniform application
558 by rule.

559 (2) In the application, the applicant shall set forth:

560 (a) His or her full name, age, social security number,
561 residence address, business address, mailing address, contact



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562 telephone numbers, including a business telephone number, and e-
563 mail address.

564 (b) Proof that he or she has completed or is in the process
565 of completing any required prelicensing course.

566 (c) Whether he or she has been refused or has voluntarily
567 surrendered or has had suspended or revoked a professional
568 license by the supervising officials of any state.

569 (d) Proof that the applicant meets the requirements of
570 licensure as a property insurance appraiser as required under
571 ss. 468.8611 and 468.8612, and this section.

572 (e) The applicant's gender.

573 (f) The applicant's native language.

574 (g) The applicant's highest achieved level of education.

575 (h) All education requirements that the applicant has
576 completed to qualify as a property insurance appraiser,
577 including the name of the course, the course provider, and the
578 course completion dates.

579 (3) Each application shall be accompanied by payment of any
580 applicable fee.

581 (4) At the time of application, the applicant must be
582 fingerprinted by a law enforcement agency or other entity
583 approved by the department, and he or she must pay the
584 fingerprint processing fee in s. 468.8611. Fingerprints must be
585 processed by the Department of Law Enforcement.

586 (5) The Department of Law Enforcement may, to the extent
587 provided for by federal law, exchange state, multistate, and
588 federal criminal history records with the department or office
589 for the purpose of the issuance, denial, suspension, or
590 revocation of a certificate of authority, certification, or



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591 license to operate in this state.

592 (6) The Department of Law Enforcement may accept
593 fingerprints of any other person required by statute or rule to
594 submit fingerprints to the department or office or any applicant
595 or licensee regulated by the department or office who is
596 required to demonstrate that he or she has not been convicted of
597 or pled guilty or nolo contendere to a felony or a misdemeanor.

598 (7) The Department of Law Enforcement shall, upon receipt
599 of fingerprints from the department or office, submit the
600 fingerprints to the Federal Bureau of Investigation for a
601 federal criminal history records check.

602 (8) Statewide criminal records obtained through the
603 Department of Law Enforcement, federal criminal records obtained
604 through the Federal Bureau of Investigation, and local criminal
605 records obtained through local law enforcement agencies shall be
606 used by the department and office for the purpose of issuance,
607 denial, suspension, or revocation of certificates of authority,
608 certifications, or licenses issued to operate in this state.

609 (9) The department shall develop and maintain as a public
610 record a current list of licensed property insurance appraisers.

611 468.8612 Examinations.-

612 (1) A person desiring to be licensed as a property
613 insurance appraiser must apply to the department after
614 satisfying the examination requirements of this part. The
615 following persons are exempt from the examination requirements
616 of this part:

617 (a) Retired county, circuit, and appellate judges.

618 (b) Circuit court civil certified mediators approved by the
619 Florida Supreme Court pursuant to the Florida Rules for



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620 Certified and Court-Appointed Mediators.

621 (c) Mediators who are on the list of approved mediators
622 pursuant to rule 69J-166.031, Florida Administrative Code.

623 (2) An applicant may practice in this state as a property
624 insurance appraiser if he or she passes the required
625 examination, is of good moral character, and meets one of the
626 following requirements:

627 (a) The applicant is currently licensed, registered,
628 certified, or approved as an engineer as defined in s. 471.005,
629 or as a retired professional engineer as defined in s. 471.005,
630 and has taught or successfully completed 4 hours of classroom
631 coursework, approved by the department, specifically related to
632 construction, building codes, appraisal procedures, appraisal
633 preparation, and any other related material deemed appropriate
634 by the department.

635 (b) The applicant is currently or, within the 5 years
636 immediately preceding the date on which the application is filed
637 with the department, has been licensed, registered, certified,
638 or approved as a general contractor, building contractor, or
639 residential contractor as defined in s. 489.105 and has taught
640 or successfully completed 4 hours of classroom coursework,
641 approved by the department, specifically related to
642 construction, building codes, appraisal procedure, appraisal
643 preparation, and any other related material deemed appropriate
644 by the department.

645 (c) The applicant is currently or, within the 5 years
646 immediately preceding the date on which the application is filed
647 with the department, has been licensed or registered as an
648 architect to engage in the practice of architecture pursuant to



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649 part I of chapter 481 and has taught or successfully completed 4
650 hours of classroom coursework, approved by the department,
651 specifically related to construction, building codes, appraisal
652 procedure, appraisal preparation, and any other related material
653 deemed appropriate by the department.

654 (d) The applicant is currently or, within the 5 years
655 immediately preceding the date on which the application is filed
656 with the department, has been a licensed attorney in this state
657 and has taught or successfully completed 4 hours of classroom
658 coursework, approved by the department, specifically related to
659 construction, building codes, appraisal procedure, appraisal
660 preparation, and any other related material deemed appropriate
661 by the department.

662 (e) The applicant has received a baccalaureate degree from
663 an accredited 4-year college or university in the field of
664 engineering, architecture, or building construction and has
665 taught or successfully completed 4 hours of classroom
666 coursework, approved by the department, specifically related to
667 construction, building codes, appraisal procedure, appraisal
668 preparation, and any other related material deemed appropriate
669 by the department.

670 (f) The applicant is a currently licensed adjuster whose
671 license covers all lines of insurance except the life and
672 annuities class. The adjuster's license must include the
673 property and casualty class of insurance. The currently licensed
674 adjuster must be licensed for at least 3 years to qualify for a
675 property insurance appraiser's license.

676 (g) The applicant has successfully completed 40 hours of