

1                   A bill to be entitled  
2           An act relating to the Department of Agriculture and  
3           Consumer Services; amending s. 288.1175, F.S.;  
4           specifying that applications for funding for certain  
5           agriculture education and promotion facilities be  
6           postmarked or electronically submitted by a certain  
7           date; amending s. 472.003, F.S.; specifying that  
8           certain persons under contract with registered or  
9           certified surveyors and mappers are not subject to the  
10          provisions of ch. 472, F.S.; amending s. 472.005,  
11          F.S.; redefining the terms "practice of surveying and  
12          mapping" and "subordinate"; amending s. 472.013, F.S.;  
13          revising the standards for when an applicant is  
14          eligible to take the licensure examination to practice  
15          as a surveyor and mapper; amending s. 472.015, F.S.;  
16          revising the qualifications for licensure by  
17          endorsement for surveyors and mappers; amending s.  
18          472.018, F.S.; revising the continuing education  
19          requirements for new surveyor and mapper licensees and  
20          renewal of surveyor and mapper licenses; authorizing  
21          the board to provide by rule the method of delivery  
22          of, criteria for, and provisions to carryover hours  
23          for continuing education requirements; deleting a  
24          requirement that the board approve courses; requiring  
25          the board to issue cease and desist orders and enact

26 | certain penalties for continuing education providers  
27 | failing to conform to board rules; requiring the  
28 | department to establish a system for the  
29 | administration of continuing education requirements  
30 | adopted by the board; amending s. 472.025, F.S.;  
31 | deleting a requirement that registrant seals be of  
32 | impression-type metal; amending s. 472.0366, F.S.;  
33 | revising the requirements for copies of evaluation  
34 | certificates that must be submitted to the Division of  
35 | Emergency Management within the Executive Office of  
36 | the Governor; requiring that certain copies of  
37 | evaluation certificates be retained in the surveyor  
38 | and mapper's records; amending s. 487.2041, F.S.;  
39 | requiring the department to adopt by rule certain  
40 | United States Environmental Protection Agency  
41 | regulations relating to labeling requirements for  
42 | pesticides and devices; amending s. 493.6101, F.S.;  
43 | specifying that a manager of a private investigative  
44 | agency may manage up to three offices, subject to  
45 | certain requirements; amending s. 493.6105, F.S.;  
46 | exempting certain partners and corporate officers from  
47 | fingerprint retention requirements; revising the  
48 | submission requirements for applications for Class "K"  
49 | licenses; amending s. 493.6107, F.S.; deleting a  
50 | specification that license fees are biennial; amending

51 s. 493.6108, F.S.; providing an authorization to the  
52 Department of Law Enforcement to release certain  
53 mental health and substance abuse history of  
54 applicants and licensees for the purpose of  
55 determining licensure eligibility; requiring licensees  
56 to notify their employer of an arrest within a  
57 specified period; amending s. 493.6112, F.S.; revising  
58 the notification requirements for changes of certain  
59 partners, officers, and employees of private  
60 investigative, security, and recovery agencies;  
61 amending s. 493.6113, F.S.; specifying that Class "G"  
62 licensees must complete requalification training for  
63 each type and caliber of firearm carried in the course  
64 of performing regulated duties; conforming  
65 terminology; amending s. 493.6115, F.S.; correcting a  
66 cross-reference regarding the conditions under which a  
67 Class "G" licensee may carry a concealed weapon;  
68 revising the conditions under which the department may  
69 issue a temporary Class "G" license; amending s.  
70 493.6118, F.S.; providing that failure of a licensee  
71 to timely notify his or her employer of an arrest is  
72 grounds for disciplinary action by the Department of  
73 Agriculture and Consumer Services; requiring the  
74 department to suspend specified licenses of a licensee  
75 arrested or formally charged with certain crimes until

76 disposition of the case; requiring the department to  
77 notify a licensee of administrative hearing rights;  
78 specifying that any hearing must be limited to a  
79 determination as to whether the licensee has been  
80 arrested or charged with a disqualifying crime;  
81 providing that the suspension may be lifted under  
82 certain circumstances; requiring the department to  
83 proceed with revocation under certain circumstances;  
84 amending s. 493.6202, F.S.; deleting a specification  
85 that license fees are biennial; amending s. 493.6203,  
86 F.S.; deleting a requirement that certain training be  
87 provided in two parts; deleting obsolete provisions;  
88 amending s. 493.6302, F.S.; deleting a specification  
89 that license fees are biennial; amending s. 493.6303,  
90 F.S.; deleting a requirement that certain training  
91 must be provided in two parts; deleting obsolete  
92 provisions; making technical changes; amending s.  
93 493.6304, F.S.; making technical changes; amending s.  
94 493.6402, F.S.; deleting a specification that license  
95 fees are biennial; amending s. 493.6403, F.S.;  
96 requiring that applicants for Class "E" and "EE"  
97 licenses submit proof of successful completion of  
98 certain training, not just complete such training;  
99 deleting an obsolete provision; amending s. 501.013,  
100 F.S.; exempting certain programs and facilities from

101 health studio regulations; amending s. 501.059, F.S.;  
102 removing a limitation on the length of time for which  
103 the department must place certain persons on a no-  
104 solicitation list; amending s. 507.04, F.S.; making a  
105 technical change; amending s. 531.37, F.S.; revising a  
106 definition; amending s. 531.61, F.S.; removing an  
107 exemption from commercial use permit requirements for  
108 taximeters and transportation measurement systems;  
109 amending s. 531.63, F.S.; removing a limitation on  
110 annual commercial use permit fees for taximeters;  
111 amending s. 534.021, F.S.; specifying that a detailed  
112 drawing, rather than a facsimile, must accompany an  
113 application for the recording of certain marks and  
114 brands; amending s. 534.041, F.S.; extending the  
115 renewal period for certain mark or brand certificates;  
116 eliminating a renewal fee; repealing s. 534.061, F.S.,  
117 relating to the transfer of ownership of cattle;  
118 amending s. 570.07, F.S.; authorizing the department  
119 to perform certain food safety inspection services  
120 relating to raw agricultural commodities; amending s.  
121 573.118, F.S.; specifying that the Division of Fruit  
122 and Vegetables, rather than the Division of Marketing  
123 and Development, must file a specified certification;  
124 amending s. 590.02, F.S.; specifying that the  
125 department has exclusive authority to enforce the

126 Florida Building Code as it relates to Florida Forest  
 127 Service facilities under the jurisdiction of the  
 128 department; amending s. 597.004, F.S.; authorizing  
 129 certain saltwater products dealers to sell certain  
 130 aquaculture products without restriction under a  
 131 specified circumstance; amending s. 604.16, F.S.;  
 132 specifying that dealers in agricultural products who  
 133 pay by credit card are exempt from certain dealer  
 134 requirements; amending s. 790.06, F.S.; revising the  
 135 requirements to obtain a license to carry a concealed  
 136 weapon or firearm; revising the requirements of the  
 137 application form; reducing the fees for concealed  
 138 weapon or firearm licenses; providing an effective  
 139 date.

140

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

142

143 Section 1. Subsection (8) of section 288.1175, Florida  
 144 Statutes, is amended to read:

145 288.1175 Agriculture education and promotion facility.—

146 (8) Applications must be postmarked or electronically  
 147 submitted by October 1 of each year. The Department of  
 148 Agriculture and Consumer Services may not recommend funding for  
 149 less than the requested amount to any applicant certified as an  
 150 agriculture education and promotion facility; however, funding

151 of certified applicants shall be subject to the amount provided  
 152 by the Legislature in the General Appropriations Act for this  
 153 program.

154 Section 2. Paragraph (d) is added to subsection (5) of  
 155 section 472.003, Florida Statutes, to read:

156 472.003 Persons not affected by ss. 472.001-472.037.—  
 157 Sections 472.001-472.037 do not apply to:

158 (5)

159 (d) Persons who are under contract with an individual  
 160 registered or legal entity certified under this chapter and who  
 161 are under the supervision of and subordinate to a person in  
 162 responsible charge registered under this chapter, to the extent  
 163 that such supervision meets standards adopted by rule by the  
 164 board.

165 Section 3. Subsections (4) and (10) of section 472.005,  
 166 Florida Statutes, are amended to read:

167 472.005 Definitions.—As used in ss. 472.001-472.037:

168 (4) (a) "Practice of surveying and mapping" means, among  
 169 other things, any professional service or work, the adequate  
 170 performance of which involves the application of special  
 171 knowledge of the principles of mathematics, the related physical  
 172 and applied sciences, and the relevant requirements of law for  
 173 adequate evidence of the act of measuring, locating,  
 174 establishing, or reestablishing lines, angles, elevations,  
 175 natural and manmade features in the air, on the surface and

176 immediate subsurface of the earth, within underground workings,  
177 and on the beds or surface of bodies of water, for the purpose  
178 of determining, establishing, describing, displaying, or  
179 interpreting the facts of size, volume, shape, topography, tidal  
180 datum planes, and legal or geodetic location or relocation, ~~and~~  
181 ~~orientation of improved or unimproved real property and~~  
182 ~~appurtenances thereto, including acreage and condominiums.~~

183 (b) The practice of surveying and mapping also includes,  
184 but is not limited to, photogrammetric control; orientation of  
185 improved or unimproved real property and appurtenances and  
186 personal property attached thereto, including acreage and  
187 condominiums; the monumentation and remonumentation of property  
188 boundaries and subdivisions; the measurement of and preparation  
189 of plans showing existing improvements after construction; the  
190 layout of proposed improvements; the preparation of descriptions  
191 for use in legal instruments of conveyance of real property and  
192 property rights; the preparation of subdivision planning maps  
193 and record plats, as provided for in chapter 177; the  
194 determination of, but not the design of, grades and elevations  
195 of roads and land in connection with subdivisions or divisions  
196 of land; and the creation and perpetuation of alignments related  
197 to maps, record plats, field note records, reports, property  
198 descriptions, and plans and drawings that represent them.

199 (10) "Subordinate" means a person ~~an employee~~ who performs  
200 work under the direction, supervision, and responsible charge of



201 a person who is registered under this chapter.

202 Section 4. Subsections (2) and (3) of section 472.013,  
203 Florida Statutes, are amended to read:

204 472.013 Examinations, prerequisites.—

205 (2) An applicant shall be entitled to take the licensure  
206 examination to practice in this state as a surveyor and mapper  
207 if the applicant is of good moral character and has satisfied  
208 one of the following requirements:

209 (a) The applicant has received a bachelor's degree, its  
210 equivalent, or higher in surveying and mapping or a similarly  
211 titled program, including, but not limited to, geomatics,  
212 geomatics engineering, and land surveying, ~~of 4 years or more in~~  
213 ~~a surveying and mapping degree program~~ from a college or  
214 university recognized by the board and has a specific experience  
215 record of 4 or more years as a subordinate to a professional  
216 surveyor and mapper in the active practice of surveying and  
217 mapping, which experience is of a nature indicating that the  
218 applicant was in responsible charge of the accuracy and  
219 correctness of the surveying and mapping work performed. ~~The~~  
220 ~~completed surveying and mapping degree of 4 years or more in a~~  
221 ~~surveying and mapping degree program must have included not~~  
222 ~~fewer than 32 semester hours of study, or its academic~~  
223 ~~equivalent, in the science of surveying and mapping or in board-~~  
224 ~~approved surveying and mapping-related courses.~~ Work experience  
225 acquired as a part of the education requirement may ~~shall~~ not be

226 construed as experience in responsible charge.

227 (b) The applicant has received a bachelor's degree, its  
228 equivalent, or higher in a ~~is a graduate of a 4-year~~ course of  
229 study, other than in surveying and mapping, at an accredited  
230 college or university and has a specific experience record of 6  
231 or more years as a subordinate to a registered surveyor and  
232 mapper in the active practice of surveying and mapping, 5 years  
233 of which shall be of a nature indicating that the applicant was  
234 in responsible charge of the accuracy and correctness of the  
235 surveying and mapping work performed. ~~The course of study in~~  
236 ~~disciplines other than surveying and mapping must have included~~  
237 ~~not fewer than 32 semester hours of study or its academic~~  
238 ~~equivalent.~~ The applicant must have completed a minimum of 25  
239 semester hours from a college or university approved by the  
240 board in surveying and mapping subjects or in any combination of  
241 courses in civil engineering, surveying, mapping, mathematics,  
242 photogrammetry, forestry, or land law and the physical sciences.  
243 Any of the required 25 semester hours of study completed not as  
244 a part of the bachelor's degree, its equivalent, or higher may  
245 ~~4-year course of study shall~~ be approved at the discretion of  
246 the board. Work experience acquired as a part of the education  
247 requirement may ~~shall~~ not be construed as experience in  
248 responsible charge.

249 (3) A person shall be entitled to take an examination for  
250 the purpose of determining whether he or she is qualified ~~to~~

251 ~~practice in this state as a surveyor and mapper intern if:~~

252 (a) The person is in good standing in, or is a graduate  
253 of, a bachelor degree program, its equivalent or higher, at an  
254 accredited college or university and has obtained a minimum of  
255 25 semester hours in surveying, mapping, mathematics,  
256 photogrammetry, forestry, civil engineering, or land law and the  
257 physical sciences, or any combination thereof; or

258 (b) The person has obtained, from an accredited college or  
259 university, a minimum of 15 semester hours in surveying,  
260 mapping, mathematics, photogrammetry, forestry, civil  
261 engineering, or land law and the physical sciences, or any  
262 combination thereof, and has a specific surveying and mapping  
263 experience record of 2 or more years as a subordinate to a  
264 registered surveyor and mapper.

265  
266 This subsection may not be construed as a substitute for the  
267 degree requirement to take the exams for licensure as outlined  
268 in subsection (2) ~~the person is in the final year, or is a~~  
269 ~~graduate, of an approved surveying and mapping curriculum in a~~  
270 ~~school that has been approved by the board.~~

271 Section 5. Paragraph (a) of subsection (5) of section  
272 472.015, Florida Statutes, is amended to read:

273 472.015 Licensure.—

274 (5) (a) The board shall certify as qualified for a license  
275 by endorsement an applicant who, at the time of application:

276 1. Holds a valid license to practice surveying and mapping  
277 issued before ~~prior to~~ July 1, 1999, by another state or  
278 territory of the United States; has passed a national, regional,  
279 state, or territorial licensing examination that is  
280 substantially equivalent to the examination required by s.  
281 472.013; and has a specific experience record of at least 8  
282 years as a subordinate to a registered surveyor and mapper in  
283 the active practice of surveying and mapping, 6 years of which  
284 must be of a nature indicating that the applicant was in  
285 responsible charge of the accuracy and correctness of the  
286 surveying and mapping work performed; or

287 2. Holds a valid license to practice surveying and mapping  
288 issued by another state or territory of the United States if the  
289 criteria for issuance of the license were substantially the same  
290 as the licensure criteria that existed in Florida at the time  
291 the license was issued. ~~;~~ ~~or~~

292 ~~3. Is a practicing photogrammetrist who holds the~~  
293 ~~Certified Photogrammetrist designation of the American Society~~  
294 ~~for Photogrammetry and Remote Sensing and held such designation~~  
295 ~~on or before July 1, 2005; is a graduate of a 4-year course of~~  
296 ~~study at an accredited college or university; and has a specific~~  
297 ~~experience record of 6 or more years as a subordinate to a~~  
298 ~~Certified Photogrammetrist of the American Society for~~  
299 ~~Photogrammetry and Remote Sensing in the active practice of~~  
300 ~~surveying and mapping, 5 years of which shall be of a nature~~

301 ~~indicating that the applicant was in responsible charge of the~~  
302 ~~accuracy and correctness of the surveying and mapping work~~  
303 ~~performed. The course of study must have included not fewer than~~  
304 ~~32 semester hours of study or its academic equivalent. The~~  
305 ~~applicant must have completed a minimum of 25 semester hours~~  
306 ~~from a college or university approved by the board in surveying~~  
307 ~~and mapping subjects or in any combination of courses in civil~~  
308 ~~engineering, surveying, mapping, mathematics, photogrammetry,~~  
309 ~~forestry, or land law and the physical sciences. Any of the~~  
310 ~~required 25 semester hours of study completed not as a part of~~  
311 ~~the 4 year course of study shall be approved at the discretion~~  
312 ~~of the board. Work experience acquired as a part of the~~  
313 ~~education requirement shall not be construed as experience in~~  
314 ~~responsible charge. The applicant must have applied to the~~  
315 ~~department for licensure on or before July 1, 2007.~~

316 Section 6. Section 472.018, Florida Statutes, is amended  
317 to read:

318 472.018 Continuing education.—The department may not renew  
319 a license until the licensee submits proof satisfactory to the  
320 board that during the 2 years before her or his application for  
321 renewal the licensee has completed at least 24 hours of  
322 continuing education. The board may provide by rule for  
323 continuing education hours carryover for each renewal cycle not  
324 to exceed 12 hours.

325 (1) The board shall adopt rules to establish the criteria

326 ~~and course content~~ for continuing education providers ~~courses~~.  
327 The rules may provide that up to a maximum of 25 percent of the  
328 required continuing education hours may be fulfilled by the  
329 performance of pro bono services to the indigent or to  
330 underserved populations or in areas of critical need within the  
331 state where the licensee practices. The board must require that  
332 any pro bono services be approved in advance in order to receive  
333 credit for continuing education under this section. The board  
334 shall use the standard recognized by the Federal Poverty Income  
335 Guidelines produced by the United States Department of Health  
336 and Human Services in determining indigency. The board may adopt  
337 rules that may provide that a part of the continuing education  
338 hours may be fulfilled by performing research in critical need  
339 areas or for training leading to advanced professional  
340 certification. The board may adopt rules to define underserved  
341 and critical need areas. The department shall adopt rules for  
342 the administration of continuing education requirements adopted  
343 by the board.

344 (2) The board may provide by rule the method of delivery  
345 and criteria that ~~distance learning~~ may be used to satisfy  
346 continuing education requirements.

347 (3) The board may prorate the required continuing  
348 education hours in the following circumstances:

349 (a) For new licensees:

350 1. By requiring half of the required continuing education

351 hours for any applicant who becomes licensed with more than half  
352 the renewal period remaining and no continuing education for any  
353 applicant who becomes licensed with half or less than half of  
354 the renewal period remaining; or

355         2. Requiring no continuing education hours until the first  
356 full renewal cycle of the licensee.

357         (b) When the number of hours required is increased by law  
358 or the board.

359         (4) Upon the request of a licensee, the provider must also  
360 furnish to the department information regarding courses  
361 completed by the licensee, in an electronic format required by  
362 rule of the department.

363         (5) Each continuing education provider shall retain all  
364 records relating to a licensee's completion of continuing  
365 education courses for at least 4 years after completion of a  
366 course.

367         (6) A continuing education provider may not be approved,  
368 and the approval may not be renewed, unless the provider agrees  
369 in writing to provide such cooperation under this section as  
370 required by the department.

371         (7) For the purpose of determining which persons or  
372 entities must meet the reporting, recordkeeping, and access  
373 provisions of this section, the board by rule shall adopt a  
374 definition of the term "continuing education provider"  
375 applicable to the profession's continuing education

376 requirements. The intent of the rule is to ensure that all  
377 records and information necessary to carry out the requirements  
378 of this section are maintained and transmitted accordingly and  
379 to minimize disputes as to what person or entity is responsible  
380 for maintaining and reporting such records and information.

381 (8) The board shall approve the providers of continuing  
382 education. The approval of continuing education providers ~~and~~  
383 ~~courses~~ must be for a specified period of time, not to exceed 4  
384 years. An approval that does not include such a time limitation  
385 may remain in effect under this chapter or the rules adopted  
386 under this chapter.

387 (9) The department may fine, suspend, or revoke approval  
388 of any continuing education provider that fails to comply with  
389 its duties under this section. The fine may not exceed \$500 per  
390 violation. Investigations and prosecutions of a provider's  
391 failure to comply with its duties under this section shall be  
392 conducted pursuant to s. 472.033.

393 (10) The board shall issue an order requiring a person or  
394 entity to cease and desist from offering any continuing  
395 education programs for licensees, and fining, suspending, or  
396 revoking any approval of the provider previously granted by the  
397 board if the board determines that the person or entity failed  
398 to provide appropriate continuing education services ~~that~~  
399 ~~conform to approved course material~~. The fine may not exceed  
400 \$500 per violation. Investigations and prosecutions of a



401 provider's failure to comply with its duties under this section  
402 shall be conducted under s. 472.033.

403 (11) The board may establish, by rule, a fee not to exceed  
404 \$250 for anyone seeking approval to provide continuing education  
405 courses and may establish, by rule, a biennial fee not to exceed  
406 \$250 for the renewal of providership of such courses. Such  
407 postlicensure education courses are subject to the reporting,  
408 monitoring, and compliance provisions of this section.

409 (12) The department and the board may adopt rules under  
410 ss. 120.536(1) and 120.54 to administer this section.

411 (13) Each continuing education provider shall provide to  
412 the department, in an electronic format determined by the  
413 department, information regarding the continuing education  
414 status of licensees which the department determines is necessary  
415 to carry out its duties under this chapter. After a licensee  
416 completes a course, the information must be submitted  
417 electronically by the continuing education provider to the  
418 department within 30 calendar days after completion. However,  
419 beginning on the 30th day before the renewal deadline or before  
420 the renewal date, whichever occurs sooner, the continuing  
421 education provider shall electronically report such information  
422 to the department within 10 business days after completion.

423 (14) The department shall establish a system to monitor  
424 licensee compliance with continuing education requirements and  
425 to determine the continuing education status of each licensee.

426 As used in this subsection, the term "monitor" means the act of  
427 determining, for each licensee, whether the licensee is in full  
428 compliance with applicable continuing education requirements as  
429 of the date of the licensee's application for license renewal.

430 (15) The department may refuse to renew a license until  
431 the licensee has satisfied all applicable continuing education  
432 requirements. This subsection does not preclude the department  
433 or board from imposing additional penalties pursuant to this  
434 chapter or rules adopted pursuant this chapter.

435 Section 7. Subsection (1) of section 472.025, Florida  
436 Statutes, is amended to read:

437 472.025 Seals.—

438 (1) The board shall adopt, by rule, a form of seal to be  
439 used by all registrants holding valid certificates of  
440 registration, whether the registrants are corporations,  
441 partnerships, or individuals. Each registrant shall obtain a ~~an~~  
442 ~~impression-type metal~~ seal in that form; and all final drawings,  
443 plans, specifications, plats, or reports prepared or issued by  
444 the registrant in accordance with the standards of practice  
445 established by the board shall be signed by the registrant,  
446 dated, and stamped with his or her seal. This signature, date,  
447 and seal shall be evidence of the authenticity of that to which  
448 they are affixed. Each registrant may in addition register his  
449 or her seal electronically in accordance with ss. 668.001-  
450 668.006. Drawings, plans, specifications, reports, or documents

451 prepared or issued by a registrant may be transmitted  
452 electronically and may be signed by the registrant, dated, and  
453 stamped electronically with such seal in accordance with ss.  
454 668.001-668.006.

455 Section 8. Subsection (2) of section 472.0366, Florida  
456 Statutes, is amended to read:

457 472.0366 Elevation certificates; requirements for  
458 surveyors and mappers.—

459 (2) Beginning January 1, 2017, a surveyor and mapper  
460 shall, within 30 days after completion, submit to the division a  
461 copy of each elevation certificate that he or she completes. The  
462 copy must be unaltered, except that the surveyor and mapper may  
463 redact the name of the property owner. The copy need not be  
464 signed and sealed when submitted to the division; however, an  
465 original signed and sealed copy must be retained in the surveyor  
466 and mapper's records as prescribed by rule of the board.

467 Section 9. Section 487.2041, Florida Statutes, is amended  
468 to read:

469 487.2041 Enforcement of federal worker protection  
470 regulations.—The department shall, to the extent that resources  
471 are available, continue to operate under the United States  
472 Environmental Protection Agency regulations regarding the  
473 Labeling Requirement for Pesticides and Devices, 40 C.F.R. part  
474 156, and the Worker Protection Standard, 40 C.F.R. part 170,  
475 which the department shall adopt ~~adopted~~ by rule ~~during the~~

476 ~~1995-1996 fiscal year and published in the Florida~~  
477 ~~Administrative Code.~~ Any provision of this part not preempted by  
478 federal law shall continue to apply.

479 Section 10. Subsection (13) of section 493.6101, Florida  
480 Statutes, is amended to read:

481 493.6101 Definitions.—

482 (13) "Manager" means any licensee who directs the  
483 activities of licensees at any agency or branch office. The  
484 manager shall be assigned to and shall primarily operate from  
485 the agency or branch office location for which he or she has  
486 been designated as manager. The manager of a private  
487 investigative agency may, however, manage up to three offices  
488 within a 150-mile radius of the location listed on the agency's  
489 Class "A" license, provided that these three offices consist of  
490 either:

491 (a) The location listed on the agency's Class "A" license  
492 and up to two branch offices; or

493 (b) Up to three branch offices.

494 Section 11. Paragraph (j) of subsection (3) and paragraph  
495 (a) of subsection (6) of section 493.6105, Florida Statutes, are  
496 amended to read:

497 493.6105 Initial application for license.—

498 (3) The application must contain the following information  
499 concerning the individual signing the application:

500 (j) A full set of fingerprints, a fingerprint processing

501 fee, and a fingerprint retention fee. The fingerprint processing  
502 and retention fees shall be established by rule of the  
503 department based upon costs determined by state and federal  
504 agency charges and department processing costs, which must  
505 include the cost of retaining the fingerprints in the statewide  
506 automated biometric identification system established in s.  
507 943.05(2)(b) and the cost of enrolling the fingerprints in the  
508 national retained print arrest notification program as required  
509 under s. 493.6108. An applicant who has, within the immediately  
510 preceding 6 months, submitted such fingerprints and fees for  
511 licensing purposes under this chapter and who still holds a  
512 valid license is not required to submit another set of  
513 fingerprints or another fingerprint processing fee. An applicant  
514 who holds multiple licenses issued under this chapter is  
515 required to pay only a single fingerprint retention fee.  
516 Partners and corporate officers who do not possess licenses  
517 subject to renewal under s. 493.6113 are exempt from the  
518 fingerprint retention requirements of this chapter.

519 (6) In addition to the requirements under subsection (3),  
520 an applicant for a Class "K" license must:

521 (a) Submit one of the following:

522 1. The Florida Criminal Justice Standards and Training  
523 Commission Instructor Certificate and written confirmation by  
524 the commission that the applicant possesses an active firearms  
525 certification.

526           2. A valid ~~The~~ National Rifle Association Private Security  
 527 Firearm Instructor Certificate issued not more than 3 years  
 528 before the submission of the applicant's Class "K" application.

529           3. A valid firearms instructor certificate issued by a  
 530 federal law enforcement agency issued not more than 3 years  
 531 before the submission of the applicant's Class "K" application.

532           Section 12. Subsection (1) of section 493.6107, Florida  
 533 Statutes, is amended to read:

534           493.6107 Fees.—

535           (1) The department shall establish by rule examination and  
 536 ~~biennial~~ license fees ~~which shall~~ not to exceed the following:

537           (a) Class "M" license—manager Class "AB" agency: \$75.

538           (b) Class "G" license—statewide firearm license: \$150.

539           (c) Class "K" license—firearms instructor: \$100.

540           (d) Fee for the examination for firearms instructor: \$75.

541           Section 13. Subsections (3) and (5) of section 493.6108,  
 542 Florida Statutes, are amended to read:

543           493.6108 Investigation of applicants by Department of  
 544 Agriculture and Consumer Services.—

545           (3) The department must also investigate the mental  
 546 history and current mental and emotional fitness of any Class  
 547 "G" or Class "K" applicant and may deny a Class "G" or Class "K"  
 548 license to anyone who has a history of mental illness or drug or  
 549 alcohol abuse. Notwithstanding s. 790.065(2)(a)4.f., the  
 550 Department of Law Enforcement is authorized, for the limited

551 purpose of determining eligibility of Class "G" or Class "K"  
552 applicants and licensees under this chapter, to provide the  
553 department with mental health and substance abuse data of  
554 individuals who are prohibited from purchasing a firearm.

555 (5) A person licensed under this chapter must notify his  
556 or her employer within 3 calendar days if he or she is arrested  
557 for any offense. If the department receives information about an  
558 arrest within the state of a person who holds a valid license  
559 issued under this chapter for a crime that could potentially  
560 disqualify the person from holding such a license, the  
561 department must provide the arrest information to the agency  
562 that employs the licensee.

563 Section 14. Section 493.6112, Florida Statutes, is amended  
564 to read:

565 493.6112 Notification to Department of Agriculture and  
566 Consumer Services of changes of partner or officer or  
567 employees.—

568 (1) After filing the application, unless the department  
569 declines to issue the license or revokes it after issuance, an  
570 agency ~~or school~~ shall, within 5 working days of the withdrawal,  
571 removal, replacement, or addition of any or all partners or  
572 officers, notify and file with the department complete  
573 applications for such individuals. The agency's ~~or school's~~ good  
574 standing under this chapter shall be contingent upon the  
575 department's approval of any new partner or officer.

576 (2) Each agency ~~or school~~ shall, upon the employment or  
577 termination of employment of a licensee, report such employment  
578 or termination within 15 calendar days ~~immediately~~ to the  
579 department and, in the case of a termination, report the reason  
580 or reasons therefor. The report shall be submitted  
581 electronically in a manner ~~on a form~~ prescribed by the  
582 department.

583 Section 15. Paragraph (b) of subsection (3) of section  
584 493.6113, Florida Statutes, is amended to read:

585 493.6113 Renewal application for licensure.—

586 (3) Each licensee is responsible for renewing his or her  
587 license on or before its expiration by filing with the  
588 department an application for renewal accompanied by payment of  
589 the renewal fee and the fingerprint retention fee to cover the  
590 cost of ongoing retention in the statewide automated biometric  
591 identification system established in s. 943.05(2)(b). Upon the  
592 first renewal of a license issued under this chapter before  
593 January 1, 2017, the licensee shall submit a full set of  
594 fingerprints and fingerprint processing fees to cover the cost  
595 of entering the fingerprints into the statewide automated  
596 biometric identification system pursuant to s. 493.6108(4)(a)  
597 and the cost of enrollment in the Federal Bureau of  
598 Investigation's national retained print arrest notification  
599 program. Subsequent renewals may be completed without submission  
600 of a new set of fingerprints.



601 (b) Each Class "G" licensee shall additionally submit  
602 proof that he or she has received during each year of the  
603 license period a minimum of 4 hours of firearms requalification  
604 ~~recertification~~ training taught by a Class "K" licensee and has  
605 complied with such other health and training requirements that  
606 the department shall adopt by rule. Proof of completion of  
607 firearms requalification ~~recertification~~ training shall be  
608 submitted to the department upon completion of the training. A  
609 Class "G" licensee must successfully complete this  
610 requalification training for each type and caliber of firearm  
611 carried in the course of performing his or her regulated duties.  
612 If the licensee fails to complete the required 4 hours of annual  
613 training during the first year of the 2-year term of the  
614 license, the license shall be automatically suspended. The  
615 licensee must complete the minimum number of hours of range and  
616 classroom training required at the time of initial licensure and  
617 submit proof of completion of such training to the department  
618 before the license may be reinstated. If the licensee fails to  
619 complete the required 4 hours of annual training during the  
620 second year of the 2-year term of the license, the licensee must  
621 complete the minimum number of hours of range and classroom  
622 training required at the time of initial licensure and submit  
623 proof of completion of such training to the department before  
624 the license may be renewed. The department may waive the  
625 firearms training requirement if:

626           1. The applicant provides proof that he or she is  
627 currently certified as a law enforcement officer or correctional  
628 officer under the Criminal Justice Standards and Training  
629 Commission and has completed law enforcement firearms  
630 requalification training annually during the previous 2 years of  
631 the licensure period;

632           2. The applicant provides proof that he or she is  
633 currently certified as a federal law enforcement officer and has  
634 received law enforcement firearms training administered by a  
635 federal law enforcement agency annually during the previous 2  
636 years of the licensure period; or

637           3. The applicant submits a valid firearm certificate among  
638 those specified in s. 493.6105(6)(a) and provides proof of  
639 having completed requalification training during the previous 2  
640 years of the licensure period.

641           Section 16. Subsection (4) of section 493.6115, Florida  
642 Statutes, is amended, present paragraphs (b), (c), and (d) of  
643 subsection (12) of that section are redesignated as paragraphs  
644 (c), (d), and (e), respectively, and a new paragraph (b) is  
645 added to that subsection, to read:

646           493.6115 Weapons and firearms.—

647           (4) A Class "C" or Class "CC" licensee who is 21 years of  
648 age or older and ~~who~~ has also been issued a Class "G" license  
649 may carry, in the performance of her or his duties, a concealed  
650 firearm. A Class "D" licensee who is 21 years of age or older

651 and who has also been issued a Class "G" license may carry a  
652 concealed firearm in the performance of her or his duties under  
653 the conditions specified in s. 493.6305(3) and (4) ~~493.6305(2)~~.  
654 The Class "G" license must ~~shall~~ clearly indicate such  
655 authority. The authority of any such licensee to carry a  
656 concealed firearm is ~~shall be~~ valid in any location throughout  
657 the state, ~~in any location~~, while performing services within the  
658 scope of the license.

659 (12) The department may issue a temporary Class "G"  
660 license, on a case-by-case basis, if:

661 (b) The department has reviewed the mental health and  
662 substance abuse data provided by the Department of Law  
663 Enforcement as authorized in s. 493.6108(3) and has determined  
664 the applicant is not prohibited from licensure based upon this  
665 data.

666 Section 17. Subsection (1) of section 493.6118, Florida  
667 Statutes, is amended, and subsections (8) and (9) are added to  
668 that section, to read:

669 493.6118 Grounds for disciplinary action.—

670 (1) The following constitute grounds for which  
671 disciplinary action specified in subsection (2) may be taken by  
672 the department against any licensee, agency, or applicant  
673 regulated by this chapter, or any unlicensed person engaged in  
674 activities regulated under this chapter:—

675 (a) Fraud or willful misrepresentation in applying for or

676 obtaining a license.

677 (b) Use of any fictitious or assumed name by an agency  
678 unless the agency has department approval and qualifies under s.  
679 865.09.

680 (c) Being found guilty of or entering a plea of guilty or  
681 nolo contendere to, regardless of adjudication, or being  
682 convicted of a crime that directly relates to the business for  
683 which the license is held or sought. A plea of nolo contendere  
684 shall create a rebuttable presumption of guilt to the underlying  
685 criminal charges, and the department shall allow the individual  
686 being disciplined or denied an application for a license to  
687 present any mitigating circumstances surrounding his or her  
688 plea.

689 (d) A false statement by the licensee that any individual  
690 is or has been in his or her employ.

691 (e) A finding that the licensee or any employee is guilty  
692 of willful betrayal of a professional secret or any unauthorized  
693 release of information acquired as a result of activities  
694 regulated under this chapter.

695 (f) Proof that the applicant or licensee is guilty of  
696 fraud or deceit, or of negligence, incompetency, or misconduct,  
697 in the practice of the activities regulated under this chapter.

698 (g) Conducting activities regulated under this chapter  
699 without a license or with a revoked or suspended license.

700 (h) Failure of the licensee to maintain in full force and

701 effect the commercial general liability insurance coverage  
702 required by s. 493.6110.

703 (i) Impersonating, or permitting or aiding and abetting an  
704 employee to impersonate, a law enforcement officer or an  
705 employee of the state, the United States, or any political  
706 subdivision thereof by identifying himself or herself as a  
707 federal, state, county, or municipal law enforcement officer or  
708 official representative, by wearing a uniform or presenting or  
709 displaying a badge or credentials that would cause a reasonable  
710 person to believe that he or she is a law enforcement officer or  
711 that he or she has official authority, by displaying any  
712 flashing or warning vehicular lights other than amber colored,  
713 or by committing any act that is intended to falsely convey  
714 official status.

715 (j) Commission of an act of violence or the use of force  
716 on any person except in the lawful protection of one's self or  
717 another from physical harm.

718 (k) Knowingly violating, advising, encouraging, or  
719 assisting the violation of any statute, court order, *capias*,  
720 warrant, injunction, or cease and desist order, in the course of  
721 business regulated under this chapter.

722 (l) Soliciting business for an attorney in return for  
723 compensation.

724 (m) Transferring or attempting to transfer a license  
725 issued pursuant to this chapter.

726 (n) Employing or contracting with any unlicensed or  
 727 improperly licensed person or agency to conduct activities  
 728 regulated under this chapter, or performing any act that  
 729 assists, aids, or abets a person or business entity in engaging  
 730 in unlicensed activity, when the licensure status was known or  
 731 could have been ascertained by reasonable inquiry.

732 (o) Failure or refusal to cooperate with or refusal of  
 733 access to an authorized representative of the department engaged  
 734 in an official investigation pursuant to this chapter.

735 (p) Failure of any partner, principal corporate officer,  
 736 or licensee to have his or her identification card in his or her  
 737 possession while on duty.

738 (q) Failure of any licensee to have his or her license in  
 739 his or her possession while on duty, as specified in s.  
 740 493.6111(1).

741 (r) Failure or refusal by a sponsor to certify a biannual  
 742 written report on an intern or to certify completion or  
 743 termination of an internship to the department within 15 working  
 744 days.

745 (s) Failure to report to the department any person whom  
 746 the licensee knows to be in violation of this chapter or the  
 747 rules of the department.

748 (t) Violating any provision of this chapter.

749 (u) For a Class "G" licensee, failing to timely complete  
 750 requalification ~~recertification~~ training as required in s.

751 493.6113(3)(b).

752 (v) For a Class "K" licensee, failing to maintain active  
753 certification specified under s. 493.6105(6).

754 (w) For a Class "G" or a Class "K" applicant or licensee,  
755 being prohibited from purchasing or possessing a firearm by  
756 state or federal law.

757 (x) In addition to the grounds for disciplinary action  
758 prescribed in paragraphs (a)-(t), Class "R" recovery agencies,  
759 Class "E" recovery agents, and Class "EE" recovery agent interns  
760 are prohibited from committing the following acts:

761 1. Recovering a motor vehicle, mobile home, motorboat,  
762 aircraft, personal watercraft, all-terrain vehicle, farm  
763 equipment, or industrial equipment that has been sold under a  
764 conditional sales agreement or under the terms of a chattel  
765 mortgage before authorization has been received from the legal  
766 owner or mortgagee.

767 2. Charging for expenses not actually incurred in  
768 connection with the recovery, transportation, storage, or  
769 disposal of repossessed property or personal property obtained  
770 in a repossession.

771 3. Using any repossessed property or personal property  
772 obtained in a repossession for the personal benefit of a  
773 licensee or an officer, director, partner, manager, or employee  
774 of a licensee.

775 4. Selling property recovered under the provisions of this

776 chapter, except with written authorization from the legal owner  
 777 or the mortgagee thereof.

778 5. Failing to notify the police or sheriff's department of  
 779 the jurisdiction in which the repossessed property is recovered  
 780 within 2 hours after recovery.

781 6. Failing to remit moneys collected in lieu of recovery  
 782 of a motor vehicle, mobile home, motorboat, aircraft, personal  
 783 watercraft, all-terrain vehicle, farm equipment, or industrial  
 784 equipment to the client within 10 working days.

785 7. Failing to deliver to the client a negotiable  
 786 instrument that is payable to the client, within 10 working days  
 787 after receipt of such instrument.

788 8. Falsifying, altering, or failing to maintain any  
 789 required inventory or records regarding disposal of personal  
 790 property contained in or on repossessed property pursuant to s.  
 791 493.6404(1).

792 9. Carrying any weapon or firearm when he or she is on  
 793 private property and performing duties under his or her license  
 794 whether or not he or she is licensed pursuant to s. 790.06.

795 10. Soliciting from the legal owner the recovery of  
 796 property subject to repossession after such property has been  
 797 seen or located on public or private property if the amount  
 798 charged or requested for such recovery is more than the amount  
 799 normally charged for such a recovery.

800 11. Wearing, presenting, or displaying a badge in the



801 course of performing a repossession regulated by this chapter.

802 (y) Installation of a tracking device or tracking  
803 application in violation of s. 934.425.

804 (z) Failure of any licensee to notify his or her employer  
805 within 3 calendar days if he or she is arrested for any offense.

806 (8) (a) Upon notification by a law enforcement agency, a  
807 court, or the Department of Law Enforcement and upon subsequent  
808 written verification, the department shall temporarily suspend a  
809 Class "G" or Class "K" license if the licensee is arrested or  
810 charged with a firearms-related crime that would disqualify such  
811 person from licensure under this chapter. The department shall  
812 notify the licensee suspended under this section of his or her  
813 right to a hearing pursuant to chapter 120. A hearing conducted  
814 regarding the temporary suspension must be for the limited  
815 purpose of determining whether the licensee has been arrested or  
816 charged with a disqualifying firearms-related crime.

817 (b) If the criminal case results in a nondisqualifying  
818 disposition, the department shall issue an order lifting the  
819 suspension upon the licensee's submission of a certified copy of  
820 the final resolution to the department.

821 (c) If the criminal case results in a disqualifying  
822 disposition, the suspension remains in effect and the department  
823 shall proceed with revocation proceedings pursuant to chapter  
824 120.

825 (9) (a) Upon notification by a law enforcement agency, a

826 court, or the Department of Law Enforcement and upon subsequent  
827 written verification, the department shall temporarily suspend a  
828 license if the licensee is arrested or charged with a forcible  
829 felony as defined in s. 776.08. The department shall notify the  
830 licensee suspended under this section of his or her right to a  
831 hearing pursuant to chapter 120. A hearing conducted regarding  
832 the temporary suspension must be for the limited purpose of  
833 determining whether the licensee has been arrested or charged  
834 with a forcible felony.

835 (b) If the criminal case results in a nondisqualifying  
836 disposition, the department shall issue an order lifting the  
837 suspension upon the licensee's submission of a certified copy of  
838 the final resolution to the department.

839 (c) If the criminal case results in a disqualifying  
840 disposition, the suspension remains in effect and the department  
841 shall proceed with revocation proceedings pursuant to chapter  
842 120.

843 Section 18. Subsection (1) of section 493.6202, Florida  
844 Statutes, is amended to read:

845 493.6202 Fees.—

846 (1) The department shall establish by rule examination and  
847 ~~biennial~~ license fees, ~~which shall not to~~ exceed the following:

848 (a) Class "A" license—private investigative agency: \$450.

849 (b) Class "AA" or "AB" license—branch office: \$125.

850 (c) Class "MA" license—private investigative agency

851 manager: \$75.

852 (d) Class "C" license-private investigator: \$75.

853 (e) Class "CC" license-private investigator intern: \$60.

854 Section 19. Subsection (5) and paragraphs (b) and (c) of  
855 subsection (6) of section 493.6203, Florida Statutes, are  
856 amended to read:

857 493.6203 License requirements.—In addition to the license  
858 requirements set forth elsewhere in this chapter, each  
859 individual or agency shall comply with the following additional  
860 requirements:

861 (5) ~~Effective January 1, 2008,~~ An applicant for a Class  
862 "MA," Class "M," or Class "C" license must pass an examination  
863 that covers the provisions of this chapter and is administered  
864 by the department or by a provider approved by the department.  
865 The applicant must pass the examination before applying for  
866 licensure and must submit proof with the license application on  
867 a form approved by rule of the department that he or she has  
868 passed the examination. The administrator of the examination  
869 shall verify the identity of each applicant taking the  
870 examination.

871 (a) The examination requirement in this subsection does  
872 not apply to an individual who holds a valid Class "CC," Class  
873 "C," Class "MA," or Class "M" license.

874 (b) Notwithstanding the exemption provided in paragraph  
875 (a), if the license of an applicant for relicensure has been

876 | invalid for more than 1 year, the applicant must take and pass  
877 | the examination.

878 |       (c) The department shall establish by rule the content of  
879 | the examination, the manner and procedure of its administration,  
880 | and an examination fee that may not exceed \$100.

881 |       (6)

882 |       (b) ~~Effective January 1, 2012,~~ Before submission of an  
883 | application to the department, the applicant for a Class "CC"  
884 | license must have completed a minimum of 40 hours of  
885 | professional training pertaining to general investigative  
886 | techniques and this chapter, which course is offered by a state  
887 | university or by a school, community college, college, or  
888 | university under the purview of the Department of Education, and  
889 | the applicant must pass an examination. ~~The training must be  
890 | provided in two parts, one 24-hour course and one 16-hour  
891 | course.~~ The certificate evidencing satisfactory completion of  
892 | the 40 hours of professional training must be submitted with the  
893 | application for a Class "CC" license. The training specified in  
894 | this paragraph may be provided by face-to-face presentation,  
895 | online technology, or a home study course in accordance with  
896 | rules and procedures of the Department of Education. The  
897 | administrator of the examination must verify the identity of  
898 | each applicant taking the examination.

899 |       1. Upon an applicant's successful completion of each part  
900 | of the approved training and passage of any required

901 examination, the school, community college, college, or  
902 university shall issue a certificate of completion to the  
903 applicant. The certificates must be on a form established by  
904 rule of the department.

905 2. The department shall establish by rule the general  
906 content of the professional training and the examination  
907 criteria.

908 3. If the license of an applicant for relicensure is  
909 invalid for more than 1 year, the applicant must complete the  
910 required training and pass any required examination.

911 (c) ~~An individual who submits an application for a Class~~  
912 ~~"CC" license on or after September 1, 2008, through December 31,~~  
913 ~~2011, who has not completed the 16-hour course must submit proof~~  
914 ~~of successful completion of the course within 180 days after the~~  
915 ~~date the application is submitted. If documentation of~~  
916 ~~completion of the required training is not submitted by that~~  
917 ~~date, the individual's license shall be automatically suspended~~  
918 ~~until proof of the required training is submitted to the~~  
919 ~~department.~~ An individual licensed on or before August 31, 2008,  
920 is not required to complete additional training hours in order  
921 to renew an active license beyond the total required hours, and  
922 the timeframe for completion in effect at the time he or she was  
923 licensed applies.

924 Section 20. Subsection (1) of section 493.6302, Florida  
925 Statutes, is amended to read:

926 493.6302 Fees.—

927 (1) The department shall establish by rule ~~biennial~~  
 928 license fees, ~~which shall~~ not to exceed the following:

929 (a) Class "B" license—security agency: \$450.

930 (b) Class "BB" or Class "AB" license—branch office: \$125.

931 (c) Class "MB" license—security agency manager: \$75.

932 (d) Class "D" license—security officer: \$45.

933 (e) Class "DS" license—security officer school or training  
 934 facility: \$60.

935 (f) Class "DI" license—security officer school or training  
 936 facility instructor: \$60.

937 Section 21. Subsection (4) of section 493.6303, Florida  
 938 Statutes, is amended to read:

939 493.6303 License requirements.—In addition to the license  
 940 requirements set forth elsewhere in this chapter, each  
 941 individual or agency must comply with the following additional  
 942 requirements:

943 (4) (a) ~~Effective January 1, 2012,~~ An applicant for a Class  
 944 "D" license must submit proof of successful completion of a  
 945 minimum of 40 hours of professional training at a school or  
 946 training facility licensed by the department. ~~The training must~~  
 947 ~~be provided in two parts, one 24-hour course and one 16-hour~~  
 948 ~~course.~~ The department shall by rule establish the general  
 949 content and number of hours of each subject area to be taught.

950 (b) ~~An individual who submits an application for a Class~~

951 ~~"D" license on or after January 1, 2007, through December 31,~~  
952 ~~2011, who has not completed the 16-hour course must submit proof~~  
953 ~~of successful completion of the course within 180 days after the~~  
954 ~~date the application is submitted. If documentation of~~  
955 ~~completion of the required training is not submitted by that~~  
956 ~~date, the individual's license shall be automatically suspended~~  
957 ~~until proof of the required training is submitted to the~~  
958 ~~department. A person licensed before January 1, 2007, is not~~  
959 ~~required to complete additional training hours in order to renew~~  
960 ~~an active license beyond the total required hours, and the~~  
961 ~~timeframe for completion in effect at the time he or she was~~  
962 ~~licensed applies.~~

963 ~~(e) Upon reapplication for a license, an individual whose~~  
964 ~~license has been is suspended or revoked pursuant to paragraph~~  
965 ~~(b), or is expired for at least 1 year or more, is considered,~~  
966 ~~upon reapplication for a license,~~ an initial applicant and must  
967 submit proof of successful completion of 40 hours of  
968 professional training at a school or training facility licensed  
969 by the department as provided in paragraph (a) before a license  
970 is issued.

971 Section 22. Subsection (1) of section 493.6304, Florida  
972 Statutes, is amended to read:

973 493.6304 Security officer school or training facility.—

974 (1) Any school, training facility, or instructor who  
975 offers the training specified ~~outlined~~ in s. 493.6303(4) for

976 Class "D" applicants shall, before licensure of such school,  
 977 training facility, or instructor, file with the department an  
 978 application accompanied by an application fee in an amount to be  
 979 determined by rule, not to exceed \$60. The fee is ~~shall~~ not ~~be~~  
 980 refundable.

981 Section 23. Subsection (1) of section 493.6402, Florida  
 982 Statutes, is amended to read:

983 493.6402 Fees.—

984 (1) The department shall establish by rule ~~biennial~~  
 985 license fees ~~that shall~~ not to exceed the following:

- 986 (a) Class "R" license—recovery agency: \$450.
- 987 (b) Class "RR" license—branch office: \$125.
- 988 (c) Class "MR" license—recovery agency manager: \$75.
- 989 (d) Class "E" license—recovery agent: \$75.
- 990 (e) Class "EE" license—recovery agent intern: \$60.
- 991 (f) Class "RS" license—recovery agent school or training  
 992 facility: \$60.
- 993 (g) Class "RI" license—recovery agent school or training  
 994 facility instructor: \$60.

995 Section 24. Subsection (2) of section 493.6403, Florida  
 996 Statutes, is amended to read:

997 493.6403 License requirements.—

998 (2) ~~Beginning October 1, 1994,~~ An applicant for a Class  
 999 "E" or a Class "EE" license must submit proof of successful  
 1000 completion ~~have completed a minimum~~ of 40 hours of professional



1001 training at a school or training facility licensed by the  
 1002 department. The department shall by rule establish the general  
 1003 content for the training.

1004 Section 25. Subsection (6) is added to section 501.013,  
 1005 Florida Statutes, to read:

1006 501.013 Health studios; exemptions.—The following  
 1007 businesses or activities may be declared exempt from the  
 1008 provisions of ss. 501.012-501.019 upon the filing of an  
 1009 affidavit with the department establishing that the stated  
 1010 qualifications are met:

1011 (6) A program or facility that is offered by an  
 1012 organization for the exclusive use of its employees and their  
 1013 family members.

1014 Section 26. Paragraph (a) of subsection (3) of section  
 1015 501.059, Florida Statutes, is amended to read:

1016 501.059 Telephone solicitation.—

1017 (3)(a) If any residential, mobile, or telephonic paging  
 1018 device telephone subscriber notifies the department of his or  
 1019 her desire to be placed on a "no sales solicitation calls"  
 1020 listing indicating that the subscriber does not wish to receive  
 1021 unsolicited telephonic sales calls, the department shall place  
 1022 the subscriber on that listing ~~for 5 years~~.

1023 Section 27. Paragraph (a) of subsection (1) and subsection  
 1024 (3) of section 507.04, Florida Statutes, are amended to read:

1025 507.04 Required insurance coverages; liability

1026 | limitations; valuation coverage.-

1027 |       (1) LIABILITY INSURANCE.-

1028 |       (a)1. Except as provided in paragraph (b), each mover  
 1029 | operating in this state must maintain current and valid  
 1030 | liability insurance coverage of at least \$10,000 per shipment  
 1031 | for the loss or damage of household goods resulting from the  
 1032 | negligence of the mover or its employees or agents.

1033 |       2. The mover must provide the department with evidence of  
 1034 | liability insurance coverage before the mover is registered with  
 1035 | the department under s. 507.03. All insurance coverage  
 1036 | maintained by a mover must remain in effect throughout the  
 1037 | mover's registration period. A mover's failure to maintain  
 1038 | insurance coverage in accordance with this paragraph constitutes  
 1039 | an immediate threat to the public health, safety, and welfare.  
 1040 | ~~If a mover fails to maintain insurance coverage, the department~~  
 1041 | ~~may immediately suspend the mover's registration or eligibility~~  
 1042 | ~~for registration, and the mover must immediately cease operating~~  
 1043 | ~~as a mover in this state. In addition, and notwithstanding the~~  
 1044 | ~~availability of any administrative relief pursuant to chapter~~  
 1045 | ~~120, the department may seek from the appropriate circuit court~~  
 1046 | ~~an immediate injunction prohibiting the mover from operating in~~  
 1047 | ~~this state until the mover complies with this paragraph, a civil~~  
 1048 | ~~penalty not to exceed \$5,000, and court costs.~~

1049 |       (3) INSURANCE COVERAGES.-The insurance coverages required  
 1050 | under paragraph (1) (a) and subsection (2) must be issued by an

1051 insurance company or carrier licensed to transact business in  
 1052 this state under the Florida Insurance Code as designated in s.  
 1053 624.01. The department shall require a mover to present a  
 1054 certificate of insurance of the required coverages before  
 1055 issuance or renewal of a registration certificate under s.  
 1056 507.03. The department shall be named as a certificateholder in  
 1057 the certificate and must be notified at least 10 days before  
 1058 cancellation of insurance coverage. If a mover fails to maintain  
 1059 insurance coverage, the department may immediately suspend the  
 1060 mover's registration or eligibility for registration, and the  
 1061 mover must immediately cease operating as a mover in this state.  
 1062 In addition, and notwithstanding the availability of any  
 1063 administrative relief pursuant to chapter 120, the department  
 1064 may seek from the appropriate circuit court an immediate  
 1065 injunction prohibiting the mover from operating in this state  
 1066 until the mover complies with this section, a civil penalty not  
 1067 to exceed \$5,000, and court costs.

1068 Section 28. Subsection (1) of section 531.37, Florida  
 1069 Statutes, is amended to read:

1070 531.37 Definitions.—As used in this chapter:

1071 (1) "Weights and measures" means all weights and measures  
 1072 of every kind, instruments, and devices for weighing and  
 1073 measuring, and any appliance and accessories associated with any  
 1074 or all such instruments and devices, excluding taximeters,  
 1075 transportation measurement systems, and those weights and

1076 | measures used for the purpose of inspecting the accuracy of  
 1077 | devices used in conjunction with aviation fuel.

1078 |       Section 29. Subsection (1) of section 531.61, Florida  
 1079 | Statutes, is amended to read:

1080 |           531.61 Exemptions from permit requirement.—Commercial  
 1081 | weights or measures instruments or devices are exempt from the  
 1082 | requirements of ss. 531.60-531.66 if:

1083 |       ~~(1) The device is a taximeter that is licensed, permitted,~~  
 1084 | ~~or registered by a municipality, county, or other local~~  
 1085 | ~~government and is tested for accuracy and compliance with state~~  
 1086 | ~~standards by the local government in cooperation with the state~~  
 1087 | ~~as authorized in s. 531.421.~~

1088 |       Section 30. Paragraph (g) of subsection (2) of section  
 1089 | 531.63, Florida Statutes, is amended to read:

1090 |           531.63 Maximum permit fees.—The commercial use permit fees  
 1091 | established for weights or measures instruments or devices shall  
 1092 | be in an amount necessary to administer this chapter but may not  
 1093 | exceed the amounts provided in this section.

1094 |       (2) For other measuring devices, the annual permit fees  
 1095 | per device may not exceed the following:

1096 |       ~~(g) Taximeters — \$50.~~

1097 |       Section 31. Section 534.021, Florida Statutes, is amended  
 1098 | to read:

1099 |           534.021 Recording of marks or brands.—The department shall  
 1100 | be the recorder of livestock marks or brands, and the marks or

1101 brands may not be recorded elsewhere in the state. Any livestock  
1102 owner who uses a mark or brand to identify her or his livestock  
1103 must register the mark or brand by applying to the department.  
1104 The application must be made on a form prescribed by the  
1105 department and must be accompanied by a detailed drawing  
1106 ~~facsimile~~ of the brand applied for and a statement identifying  
1107 the county in which the applicant has or expects to have  
1108 livestock bearing the mark or brand to be recorded. The  
1109 department shall, upon its satisfaction that the application  
1110 meets the requirements of this chapter, record the mark or brand  
1111 for exclusive statewide use by the applicant. If an application  
1112 is made to record a mark or brand previously recorded, the  
1113 department shall determine whether the county in which the mark  
1114 or brand will be used is near enough to another county in which  
1115 the previously recorded mark or brand is used to cause confusion  
1116 or to aid theft or dishonesty, and if so, the department must  
1117 decline to admit to record the mark or brand. If a conflict  
1118 arises between the owner of any recorded mark or brand and  
1119 another claiming the right to record the same mark or brand, the  
1120 department must give preference to the present owner. The  
1121 department shall charge and collect at the time of recording a  
1122 fee of \$10 for each mark or brand. A person may not use any mark  
1123 or brand to which another has a prior right of record. It is  
1124 unlawful to brand any animal with a brand not registered with  
1125 the department.

1126 Section 32. Section 534.041, Florida Statutes, is amended  
1127 to read:

1128 534.041 Renewal of certificate of mark or brand.—The  
1129 registration of a mark or brand entitles the registered owner to  
1130 exclusive ownership and use of the mark or brand for a period  
1131 ending at midnight on the last day of the month 10 ~~5~~ years after  
1132 ~~from~~ the date of registration. Upon application, registration  
1133 may be renewed, ~~upon application and payment of a renewal fee of~~  
1134 ~~\$5,~~ for successive 10-year ~~5-year~~ periods, each ending at  
1135 midnight on the last day of the month 10 ~~5~~ years after ~~from~~ the  
1136 date of renewal. At least 60 days before ~~prior to~~ the expiration  
1137 of a registration, the department shall notify by letter the  
1138 registered owner of the mark or brand that, upon application for  
1139 renewal and payment of the renewal fee, the department will  
1140 issue a renewal certificate granting the registered owner  
1141 exclusive ownership and use of the mark or brand for another 10-  
1142 year ~~5-year~~ period ending at midnight on the last day of the  
1143 month 10 ~~5~~ years after ~~from~~ the date of renewal. Failure to make  
1144 application for renewal within the month of expiration of a  
1145 registration will cause the department to send a second notice  
1146 to the registered owner by mail at her or his last known  
1147 address. Failure of the registered owner to make application for  
1148 renewal within 30 days after receipt of the second notice will  
1149 cause the owner's mark or brand to be placed on an inactive list  
1150 for a period of 12 months, after which it will be canceled and

1151 | become subject to registration by another person.

1152 |       Section 33. Section 534.061, Florida Statutes, is  
 1153 | repealed.

1154 |       Section 34. Subsection (45) is added to section 570.07,  
 1155 | Florida Statutes, to read:

1156 |       570.07 Department of Agriculture and Consumer Services;  
 1157 | functions, powers, and duties.—The department shall have and  
 1158 | exercise the following functions, powers, and duties:

1159 |       (45) To perform food safety inspection services where raw  
 1160 | agricultural commodities are grown, produced, harvested, held,  
 1161 | packed, or repacked.

1162 |       Section 35. Subsection (1) of section 573.118, Florida  
 1163 | Statutes, is amended to read:

1164 |       573.118 Assessment; funds; review of accounts; loans.—

1165 |       (1) To provide funds to defray the necessary expenses  
 1166 | incurred by the department in the formulation, issuance,  
 1167 | administration, and enforcement of any marketing order, every  
 1168 | person engaged in the production, distributing, or handling of  
 1169 | agricultural commodities within this state, and directly  
 1170 | affected by any marketing order, shall pay to the department, at  
 1171 | such times and in such installments as the department may  
 1172 | prescribe, such person's pro rata share of necessary expenses.  
 1173 | Each person's share of expenses shall be that proportion which  
 1174 | the total volume of agricultural commodities produced,  
 1175 | distributed, or handled by the person during the current

1176 marketing season, or part thereof covered by such marketing  
1177 order, is of the total volume of the commodities produced,  
1178 distributed, or handled by all such persons during the same  
1179 current marketing season or part thereof. The department, after  
1180 receiving the recommendations of the advisory council, shall fix  
1181 the rate of assessment on the volume of agricultural commodities  
1182 sold or some other equitable basis. For convenience of  
1183 collection, upon request of the department, handlers of the  
1184 commodities shall pay any producer assessments. Handlers paying  
1185 assessments for and on behalf of any producers may collect the  
1186 producer assessments from any moneys owed by the handlers to the  
1187 producers. The collected assessments shall be deposited into the  
1188 appropriate trust fund and used for the sole purpose of  
1189 implementing the marketing order for which the assessment was  
1190 collected. The department is not subject to s. 287.057 in the  
1191 expenditure of these funds. However, the director of the  
1192 Division of Fruit and Vegetables ~~Marketing and Development~~ shall  
1193 file with the internal auditor of the department a certification  
1194 of conditions and circumstances justifying each contract or  
1195 agreement entered into without competitive bidding.

1196 Section 36. Paragraph (b) of subsection (4) of section  
1197 590.02, Florida Statutes, is amended to read:

1198 590.02 Florida Forest Service; powers, authority, and  
1199 duties; liability; building structures; Withlacoochee Training  
1200 Center.—



1201 (4)

1202 (b) Notwithstanding s. 553.80(1), the department shall

1203 exclusively enforce the Florida Building Code as it pertains to

1204 wildfire, ~~and law enforcement,~~ and other Florida Forest Service

1205 facilities under the jurisdiction of the department.

1206 Section 37. Paragraph (a) of subsection (5) of section

1207 597.004, Florida Statutes, is amended to read:

1208 597.004 Aquaculture certificate of registration.—

1209 (5) SALE OF AQUACULTURE PRODUCTS.—

1210 (a) Aquaculture products, except shellfish, snook, and any

1211 fish of the genus *Micropterus*, and prohibited and restricted

1212 freshwater and marine species identified by rules of the Fish

1213 and Wildlife Conservation Commission, may be sold by an

1214 aquaculture producer certified pursuant to this section or by a

1215 dealer licensed pursuant to part VII of chapter 379 without

1216 restriction so long as the product origin can be identified.

1217 Section 38. Subsection (2) of section 604.16, Florida

1218 Statutes, is amended to read:

1219 604.16 Exceptions to provisions of ss. 604.15-604.34.—

1220 Except for s. 604.22(2), the provisions of ss. 604.15-604.34 do

1221 not apply to:

1222 (2) A dealer in agricultural products who pays at the time

1223 of purchase with United States cash currency or a cash

1224 equivalent, such as a money order, cashier's check, wire

1225 transfer, electronic funds transfer, or PIN-based debit

1226 transaction, or who pays with a credit card as defined in s.  
 1227 658.995(2)(a).

1228 Section 39. Subsections (2) and (4) and paragraph (b) of  
 1229 subsection (5) of section 790.06, Florida Statutes, are amended  
 1230 to read:

1231 790.06 License to carry concealed weapon or firearm.—

1232 (2) The Department of Agriculture and Consumer Services  
 1233 shall issue a license if the applicant:

1234 (a) Is a resident of the United States and a citizen of  
 1235 the United States or a permanent resident alien of the United  
 1236 States, as determined by the United States Bureau of Citizenship  
 1237 and Immigration Services, or is a consular security official of  
 1238 a foreign government that maintains diplomatic relations and  
 1239 treaties of commerce, friendship, and navigation with the United  
 1240 States and is certified as such by the foreign government and by  
 1241 the appropriate embassy in this country;

1242 (b) Is 21 years of age or older;

1243 (c) Does not suffer from a physical infirmity which  
 1244 prevents the safe handling of a weapon or firearm;

1245 (d) Is not ineligible to possess a firearm pursuant to s.  
 1246 790.23 by virtue of having been convicted of a felony;

1247 (e) Has not been: ~~committed for the abuse of a controlled~~  
 1248 ~~substance or been~~

1249 1. Found guilty of a crime under the provisions of chapter  
 1250 893 or similar laws of any other state relating to controlled

1251 substances within a 3-year period immediately preceding the date  
1252 on which the application is submitted; or

1253 2. Committed for the abuse of a controlled substance under  
1254 chapter 397 or under the provisions of former chapter 396 or  
1255 similar laws of any other state. An applicant who has been  
1256 granted relief from firearms disabilities pursuant to s.  
1257 790.065(2)(a)4.d. or pursuant to the law of the state in which  
1258 the commitment occurred is deemed not to be committed for the  
1259 abuse of a controlled substance under this subparagraph;

1260 (f) Does not chronically and habitually use alcoholic  
1261 beverages or other substances to the extent that his or her  
1262 normal faculties are impaired. It shall be presumed that an  
1263 applicant chronically and habitually uses alcoholic beverages or  
1264 other substances to the extent that his or her normal faculties  
1265 are impaired if the applicant has been ~~committed under chapter~~  
1266 ~~397 or under the provisions of former chapter 396 or has been~~  
1267 convicted under s. 790.151 or has been deemed a habitual  
1268 offender under s. 856.011(3), or has had two or more convictions  
1269 under s. 316.193 or similar laws of any other state, within the  
1270 3-year period immediately preceding the date on which the  
1271 application is submitted;

1272 (g) Desires a legal means to carry a concealed weapon or  
1273 firearm for lawful self-defense;

1274 (h) Demonstrates competence with a firearm by any one of  
1275 the following:

- 1276           1. Completion of any hunter education or hunter safety  
 1277 course approved by the Fish and Wildlife Conservation Commission  
 1278 or a similar agency of another state;
- 1279           2. Completion of any National Rifle Association firearms  
 1280 safety or training course;
- 1281           3. Completion of any firearms safety or training course or  
 1282 class available to the general public offered by a law  
 1283 enforcement agency, junior college, college, or private or  
 1284 public institution or organization or firearms training school,  
 1285 using instructors certified by the National Rifle Association,  
 1286 Criminal Justice Standards and Training Commission, or the  
 1287 Department of Agriculture and Consumer Services;
- 1288           4. Completion of any law enforcement firearms safety or  
 1289 training course or class offered for security guards,  
 1290 investigators, special deputies, or any division or subdivision  
 1291 of a law enforcement agency or security enforcement;
- 1292           5. Presents evidence of equivalent experience with a  
 1293 firearm through participation in organized shooting competition  
 1294 or military service;
- 1295           6. Is licensed or has been licensed to carry a firearm in  
 1296 this state or a county or municipality of this state, unless  
 1297 such license has been revoked for cause; or
- 1298           7. Completion of any firearms training or safety course or  
 1299 class conducted by a state-certified or National Rifle  
 1300 Association certified firearms instructor;

1301  
 1302 A photocopy of a certificate of completion of any of the courses  
 1303 or classes; an affidavit from the instructor, school, club,  
 1304 organization, or group that conducted or taught such course or  
 1305 class attesting to the completion of the course or class by the  
 1306 applicant; or a copy of any document that shows completion of  
 1307 the course or class or evidences participation in firearms  
 1308 competition shall constitute evidence of qualification under  
 1309 this paragraph. A person who conducts a course pursuant to  
 1310 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as  
 1311 an instructor, attests to the completion of such courses, must  
 1312 maintain records certifying that he or she observed the student  
 1313 safely handle and discharge the firearm in his or her physical  
 1314 presence and that the discharge of the firearm included live  
 1315 fire using a firearm and ammunition as defined in s. 790.001;  
 1316 (i) Has not been adjudicated an incapacitated person under  
 1317 s. 744.331, or similar laws of any other state. An applicant who  
 1318 has been granted relief from firearms disabilities pursuant to  
 1319 s. 790.065(2)(a)4.d. or pursuant to the law of the state in  
 1320 which the adjudication occurred is deemed not to have been  
 1321 adjudicated an incapacitated person under this paragraph, ~~unless~~  
 1322 ~~5 years have elapsed since the applicant's restoration to~~  
 1323 ~~capacity by court order;~~  
 1324 (j) Has not been committed to a mental institution under  
 1325 chapter 394, or similar laws of any other state. An applicant

1326 who has been granted relief from firearms disabilities pursuant  
1327 to s. 790.065(2)(a)4.d. or pursuant to the law of the state in  
1328 which the commitment occurred is deemed not to have been  
1329 committed in a mental institution under this paragraph, unless  
1330 the applicant produces a certificate from a licensed  
1331 psychiatrist that he or she has not suffered from disability for  
1332 at least 5 years before the date of submission of the  
1333 application;

1334 (k) Has not had adjudication of guilt withheld or  
1335 imposition of sentence suspended on any felony unless 3 years  
1336 have elapsed since probation or any other conditions set by the  
1337 court have been fulfilled, or expunction has occurred;

1338 (l) Has not had adjudication of guilt withheld or  
1339 imposition of sentence suspended on any misdemeanor crime of  
1340 domestic violence unless 3 years have elapsed since probation or  
1341 any other conditions set by the court have been fulfilled, or  
1342 the record has been expunged;

1343 (m) Has not been issued an injunction that is currently in  
1344 force and effect and that restrains the applicant from  
1345 committing acts of domestic violence or acts of repeat violence;  
1346 and

1347 (n) Is not prohibited from purchasing or possessing a  
1348 firearm by any other provision of Florida or federal law.

1349 (4) The application shall be completed, under oath, on a  
1350 form adopted by the Department of Agriculture and Consumer

1351 Services and shall include:

1352 (a) The name, address, place of birth, date of birth, and

1353 race of the applicant;

1354 (b) A statement that the applicant is in compliance with

1355 criteria contained within subsections (2) and (3);

1356 (c) A statement that the applicant has been furnished a

1357 copy of or a website link to this chapter and is knowledgeable

1358 of its provisions;

1359 (d) A conspicuous warning that the application is executed

1360 under oath and that a false answer to any question, or the

1361 submission of any false document by the applicant, subjects the

1362 applicant to criminal prosecution under s. 837.06;

1363 (e) A statement that the applicant desires a concealed

1364 weapon or firearms license as a means of lawful self-defense;

1365 and

1366 (f) Directions for an applicant who is a servicemember, as

1367 defined in s. 250.01, or a veteran, as defined in s. 1.01, to

1368 request expedited processing of his or her application.

1369 (5) The applicant shall submit to the Department of

1370 Agriculture and Consumer Services or an approved tax collector

1371 pursuant to s. 790.0625:

1372 (b) A nonrefundable license fee of up to \$55 ~~\$60~~ if he or

1373 she has not previously been issued a statewide license or of up

1374 to \$45 ~~\$50~~ for renewal of a statewide license. The cost of

1375 processing fingerprints as required in paragraph (c) shall be

1376 borne by the applicant. However, an individual holding an active  
1377 certification from the Criminal Justice Standards and Training  
1378 Commission as a law enforcement officer, correctional officer,  
1379 or correctional probation officer as defined in s. 943.10(1),  
1380 (2), (3), (6), (7), (8), or (9) is exempt from the licensing  
1381 requirements of this section. If such individual wishes to  
1382 receive a concealed weapon or firearm license, he or she is  
1383 exempt from the background investigation and all background  
1384 investigation fees but must pay the current license fees  
1385 regularly required to be paid by nonexempt applicants. Further,  
1386 a law enforcement officer, a correctional officer, or a  
1387 correctional probation officer as defined in s. 943.10(1), (2),  
1388 or (3) is exempt from the required fees and background  
1389 investigation for 1 year after his or her retirement.

1390 Section 40. This act shall take effect July 1, 2017.