

1                   A bill to be entitled  
2           An act relating to the Department of Financial  
3           Services; amending s. 17.64, F.S.; providing that  
4           electronic images of warrants, vouchers, or checks in  
5           the Division of Treasury are deemed to be original  
6           records; revising the applicable medium, from film or  
7           print to electronic, in provisions relating to copies  
8           and reproductions of records and documents of the  
9           division; amending s. 20.121, F.S.; renaming the  
10          Bureau of Fire and Arson Investigations within the  
11          Division of Investigative and Forensic Services as the  
12          Bureau of Fire, Arson, and Explosives Investigations;  
13          creating the Bureau of Insurance Fraud and the Bureau  
14          of Workers' Compensation Fraud within the division;  
15          amending s. 39.6035, F.S.; requiring certain child  
16          transition plans to address financial literacy;  
17          specifying requirements for the Department of Children  
18          and Families and community-based providers relating to  
19          a certain financial literacy curriculum offered by the  
20          department; amending s. 39.6251, F.S.; revising  
21          conditions under which certain children are eligible  
22          to remain in licensed care; amending s. 284.40, F.S.;  
23          authorizing the department to disclose certain  
24          personal identifying information of injured or  
25          deceased employees which is exempt from disclosure

26 | under the Workers' Compensation Law to department-  
27 | contracted vendors for certain purposes; amending s.  
28 | 284.50, F.S.; requiring safety coordinators of state  
29 | governmental departments to complete, within a certain  
30 | timeframe, safety coordinator training offered by the  
31 | department; requiring certain agencies to report  
32 | certain return-to-work information to the department;  
33 | requiring agencies to provide certain risk management  
34 | program information to the Division of Risk Management  
35 | for certain purposes; specifying requirements for  
36 | agencies in reviewing and responding to certain  
37 | information and communications provided by the  
38 | division; amending s. 409.1451, F.S.; revising  
39 | conditions under which a young adult is eligible for  
40 | postsecondary education services and support under the  
41 | Road-to-Independence Program; conforming a provision  
42 | to changes made by the act; amending s. 414.411, F.S.;  
43 | replacing the Department of Economic Opportunity with  
44 | the Department of Education in a list of entities to  
45 | which a public assistance recipient may be required to  
46 | provide written consent for certain investigative  
47 | inquiries and to which the department must report  
48 | investigation results; amending s. 497.168, F.S.;  
49 | providing an exemption from specified application fees  
50 | for members and certain veterans of the United States

51 Armed Forces; amending s. 497.456, F.S.; authorizing  
52 the department, on or before a specified date, to  
53 transfer up to a specified amount from the Preneed  
54 Funeral Contract Consumer Protection Trust Fund to the  
55 Regulatory Trust Fund for a certain purpose;  
56 authorizing the department to annually transfer earned  
57 or accrued interest from the Preneed Funeral Contract  
58 Consumer Protection Trust Fund to the Regulatory Trust  
59 Fund for a certain purpose; providing for expiration;  
60 amending s. 624.317, F.S.; authorizing the department  
61 to conduct investigations of any, rather than  
62 specified, agents subject to its jurisdiction;  
63 amending s. 624.34, F.S.; conforming a provision to  
64 changes made by the act; amending s. 624.4073, F.S.;  
65 prohibiting certain officers or directors of insolvent  
66 insurers from having direct or indirect control over  
67 certain selection or appointment of officers or  
68 directors, except under certain circumstances;  
69 amending ss. 624.4094, 624.501, 624.509, and 625.071,  
70 F.S.; conforming provisions to changes made by the  
71 act; amending s. 626.112, F.S.; requiring a managing  
72 general agent to hold a currently effective producer  
73 license rather than a managing general agent license;  
74 amending s. 626.171, F.S.; deleting applicability of  
75 licensing provisions as to managing general agents;

76 making a technical change; amending s. 626.202, F.S.;  
77 providing that certain applicants are not required to  
78 resubmit fingerprints to the department under certain  
79 circumstances; authorizing the department to require  
80 these applicants to file fingerprints under certain  
81 circumstances; providing an exemption from  
82 fingerprinting requirements for members and certain  
83 veterans of the United States Armed Forces; requiring  
84 such members and veterans to provide certain  
85 documentation of good standing or honorable discharge;  
86 amending s. 626.207, F.S.; conforming a provision to  
87 changes made by the act; amending s. 626.221, F.S.;  
88 adding a designation that exempts applicants for  
89 licensure as an all-lines adjuster from an examination  
90 requirement; amending s. 626.451, F.S.; deleting a  
91 requirement for law enforcement agencies and state  
92 attorney's offices to notify the department or the  
93 Office of Insurance Regulation of certain felony  
94 dispositions; deleting a requirement for the state  
95 attorney to provide the department or office a  
96 certified copy of an information or indictment against  
97 a managing general agent; conforming a provision to  
98 changes made by the act; amending s. 626.521, F.S.;  
99 revising requirements for credit and character reports  
100 secured and kept by insurers or employers appointing

101 certain insurance representatives; providing  
102 applicability; amending s. 626.731, F.S.; deleting a  
103 certain qualification for licensure as a general lines  
104 agent; amending s. 626.7351, F.S.; revising a  
105 qualification for licensure as a customer  
106 representative; amending s. 626.744, F.S.; conforming  
107 a provision to changes made by the act; amending s.  
108 626.745, F.S.; revising conditions under which service  
109 representatives and managing general agents may engage  
110 in certain activities; amending ss. 626.7451 and  
111 626.7455, F.S.; conforming provisions to changes made  
112 by the act; amending s. 626.752, F.S.; revising a  
113 requirement for the Brokering Agent's Register  
114 maintained by brokering agents; revising the limit on  
115 certain personal lines risks an insurer may receive  
116 from an agent within a specified timeframe before the  
117 insurer must comply with certain reporting  
118 requirements for that agent; amending s. 626.793,  
119 F.S.; revising the limit on certain risks that certain  
120 insurers may receive from a life agent within a  
121 specified timeframe before the insurer must comply  
122 with certain reporting requirements for that agent;  
123 amending s. 626.837, F.S.; revising the limit on  
124 certain risks that certain insurers may receive from a  
125 health agent within a specified timeframe before the

126 insurer must comply with certain reporting  
127 requirements for that agent; amending s. 626.8732,  
128 F.S.; deleting a requirement for a licensed  
129 nonresident public adjuster to submit a certain annual  
130 affidavit to the department; amending s. 626.8734,  
131 F.S.; deleting a requirement for a nonresident  
132 independent adjuster to submit a certain annual  
133 affidavit to the department; amending s. 626.88, F.S.;  
134 conforming a provision to changes made by the act;  
135 amending s. 626.927, F.S.; revising conditions under  
136 which an individual may be licensed as a surplus lines  
137 agent solely for the purpose of placing certain  
138 coverages with surplus lines insurers; amending s.  
139 626.930, F.S.; revising a requirement relating to the  
140 location of a surplus lines agent's surplus lines  
141 business records; amending s. 626.9892, F.S.;  
142 authorizing the department to pay a specified amount  
143 of rewards under the Anti-Fraud Reward Program for  
144 information leading to the arrest and conviction of  
145 persons guilty of arson; amending s. 633.302, F.S.;  
146 revising the duration of the terms of members of the  
147 Florida Fire Safety Board; amending s. 633.304, F.S.;  
148 revising circumstances under which an inactive fire  
149 equipment dealer license is void; specifying the  
150 timeframe when an inactive license must be

151 reactivated; specifying that permittees performing  
152 certain work on fire equipment may be contracted  
153 rather than employed; revising a requirement for a  
154 certain proof-of-insurance form to be provided by the  
155 insurer rather than the State Fire Marshal; amending  
156 s. 633.318, F.S.; revising a requirement for a certain  
157 proof-of-insurance form to be provided by the insurer  
158 rather than the State Fire Marshal; amending s.  
159 633.408, F.S.; specifying prerequisites and retention  
160 requirements for a Special Certificate of Compliance  
161 that authorizes an individual to serve as an  
162 administrative and command head of a fire service  
163 provider; amending s. 633.416, F.S.; authorizing fire  
164 service providers to employ honorably discharged  
165 veterans who received specified training; requiring  
166 the Division of State Fire Marshal to verify the  
167 equivalency of such training before the individual  
168 begins employment; requiring such individual to obtain  
169 a Firefighter Certificate of Compliance within a  
170 specified timeframe; making a technical change;  
171 amending s. 633.444, F.S.; deleting a requirement for  
172 the Division of State Fire Marshal to develop a  
173 staffing and funding formula for the Florida State  
174 Fire College; amending s. 648.27, F.S.; revising  
175 conditions under which a managing general agent must

176 also be licensed as a bail bond agent; conforming a  
 177 provision to changes made by the act; amending s.  
 178 648.34, F.S.; providing that certain individuals  
 179 applying for bail bond agent licensure are not  
 180 required to resubmit fingerprints to the department  
 181 under certain circumstances; authorizing the  
 182 department to require such individuals to file  
 183 fingerprints under certain circumstances; reenacting  
 184 s. 626.8734(1)(b), F.S., relating to nonresident all-  
 185 lines adjuster license qualifications, to incorporate  
 186 the amendment made to s. 626.221, F.S., in a reference  
 187 thereto; providing an effective date.

188

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

190

191 Section 1. Section 17.64, Florida Statutes, is amended to  
 192 read:

193 17.64 Division of Treasury to make reproductions of  
 194 certain warrants, records, and documents.—

195 (1) Electronic images, photographs, microphotographs, or  
 196 reproductions on film of warrants, vouchers, or checks are ~~shall~~  
 197 ~~be~~ deemed to be original records for all purposes; and any copy  
 198 or reproduction thereof ~~made from such original film~~, duly  
 199 certified by the Division of Treasury as a true and correct copy  
 200 or reproduction ~~made from such film~~, is ~~shall~~ be deemed to be a



201 transcript, exemplification, or certified copy of the original  
202 warrant, voucher, or check such copy represents, and must ~~shall~~  
203 in all cases and in all courts and places be admitted and  
204 received in evidence with the like force and effect as the  
205 original thereof might be.

206 (2) The Division of Treasury may electronically  
207 ~~photograph, microphotograph, or reproduce on film,~~ all records  
208 and documents of the division, as the Chief Financial Officer,  
209 in his or her discretion, selects; and the division may destroy  
210 any such documents or records after they have been reproduced  
211 electronically ~~photographed~~ and filed and after audit of the  
212 division has been completed for the period embracing the dates  
213 of such documents and records.

214 (3) Electronic copies ~~Photographs or microphotographs in~~  
215 ~~the form of film or prints~~ of any records made in compliance  
216 with ~~the provisions of~~ this section ~~shall~~ have the same force  
217 and effect as the originals ~~thereof would have,~~ and must ~~shall~~  
218 be treated as originals for the purpose of their admissibility  
219 in evidence. Duly certified or authenticated reproductions of  
220 such electronic images ~~must~~ ~~photographs or microphotographs~~  
221 ~~shall~~ be admitted in evidence equally with the original  
222 electronic images ~~photographs or microphotographs.~~

223 Section 2. Paragraph (e) of subsection (2) of section  
224 20.121, Florida Statutes, is amended to read:

225 20.121 Department of Financial Services.—There is created

226 | a Department of Financial Services.

227 |       (2) DIVISIONS.—The Department of Financial Services shall  
228 | consist of the following divisions and office:

229 |       (e) The Division of Investigative and Forensic Services,   
230 | which shall function as a criminal justice agency for purposes  
231 | of ss. 943.045-943.08. The division may conduct investigations  
232 | within or outside of this state as it deems necessary. If,  
233 | during an investigation, the division has reason to believe that  
234 | any criminal law of this state has or may have been violated, it  
235 | shall refer any records tending to show such violation to state  
236 | or federal law enforcement or prosecutorial agencies and shall  
237 | provide investigative assistance to those agencies as required.  
238 | The division shall include the following bureaus and office:

- 239 |       1. The Bureau of Forensic Services;
- 240 |       2. The Bureau of Fire, ~~and~~ Arson, and Explosives  
241 | Investigations; ~~and~~
- 242 |       3. The Office of Fiscal Integrity, which shall have a  
243 | separate budget;:-
- 244 |       4. The Bureau of Insurance Fraud; and
- 245 |       5. The Bureau of Workers' Compensation Fraud.

246 |       Section 3. Subsection (1) of section 39.6035, Florida  
247 | Statutes, is amended to read:

248 |       39.6035 Transition plan.—

249 |       (1) During the 180-day period after a child reaches 17  
250 | years of age, the department and the community-based care

251 provider, in collaboration with the caregiver and any other  
252 individual whom the child would like to include, shall assist  
253 the child in developing a transition plan. The required  
254 transition plan is in addition to standard case management  
255 requirements. The transition plan must address specific options  
256 for the child to use in obtaining services, including housing,  
257 health insurance, education, financial literacy, a driver  
258 license, and workforce support and employment services. The plan  
259 must also consider establishing and maintaining naturally  
260 occurring mentoring relationships and other personal support  
261 services. The transition plan may be as detailed as the child  
262 chooses. In developing the transition plan, the department and  
263 the community-based provider shall:

264 (a) Provide the child with the documentation required  
265 pursuant to s. 39.701(3); ~~and~~

266 (b) Coordinate the transition plan with the independent  
267 living provisions in the case plan and, for a child with  
268 disabilities, the Individuals with Disabilities Education Act  
269 transition plan; ~~and.~~

270 (c) Provide information for the financial literacy  
271 curriculum for foster youth offered by the Department of  
272 Financial Services, and require completion of the curriculum  
273 with a passing score before receiving aftercare services or  
274 continuing care services as attested by the child's guardian ad  
275 litem.

276 Section 4. Subsection (2) of section 39.6251, Florida  
 277 Statutes, is amended to read:

278 39.6251 Continuing care for young adults.—

279 (2) The primary goal for a child in care is permanency. A  
 280 child who is living in licensed care on his or her 18th birthday  
 281 and who has not achieved permanency under s. 39.621 is eligible  
 282 to remain in licensed care under the jurisdiction of the court  
 283 and in the care of the department. A child is eligible to remain  
 284 in licensed care if he or she is:

285 (a) Completing secondary education or a program leading to  
 286 an equivalent credential;

287 (b) Enrolled in an institution that provides postsecondary  
 288 or vocational education;

289 (c) Participating in a program or activity designed to  
 290 promote or eliminate barriers to employment;

291 (d) Employed for at least 80 hours per month; ~~or~~

292 (e) Completing the financial literacy curriculum for  
 293 foster youth offered by the Department of Financial Services; or

294 (f) ~~(e)~~ Unable to participate in programs or activities  
 295 listed in paragraphs (a)-(e) ~~(a)-(d)~~ full time due to a  
 296 physical, intellectual, emotional, or psychiatric condition that  
 297 limits participation. Any such barrier to participation must be  
 298 supported by documentation in the child's case file or school or  
 299 medical records of a physical, intellectual, or psychiatric  
 300 condition that impairs the child's ability to perform one or

301 more life activities.

302 Section 5. Section 284.40, Florida Statutes, is amended to  
 303 read:

304 284.40 Division of Risk Management; disclosure of certain  
 305 workers' compensation-related information by the Department of  
 306 Financial Services.—

307 (1) It shall be the responsibility of the Division of Risk  
 308 Management of the Department of Financial Services to administer  
 309 this part and the provisions of s. 287.131.

310 (2) The claim files maintained by the Division of Risk  
 311 Management shall be confidential, shall be only for the usage by  
 312 the Department of Financial Services in fulfilling its duties  
 313 and responsibilities under this part, and shall be exempt from  
 314 the provisions of s. 119.07(1).

315 (3) Upon certification by the division director or his or  
 316 her designee to the custodian of any records maintained by the  
 317 Department of Children and Families, Department of Health,  
 318 Agency for Health Care Administration, or Department of Elderly  
 319 Affairs that such records are necessary to investigate a claim  
 320 against the Department of Children and Families, Department of  
 321 Health, Agency for Health Care Administration, or Department of  
 322 Elderly Affairs being handled by the Division of Risk  
 323 Management, the records shall be released to the division  
 324 subject to the provisions of subsection (2), any conflicting  
 325 provisions as to the confidentiality of such records

326 notwithstanding.

327 (4) Notwithstanding s. 440.1851, the Department of  
328 Financial Services may disclose the personal identifying  
329 information of an injured or deceased employee to a department-  
330 contracted vendor for the purpose of ascertaining a claimant's  
331 claims history to investigate the compensability of a claim or  
332 to identify and prevent fraud.

333 Section 6. Section 284.50, Florida Statutes, is amended to  
334 read:

335 284.50 Loss prevention program; safety coordinators;  
336 Interagency Advisory Council on Loss Prevention; employee  
337 recognition program; return-to-work programs; risk management  
338 programs.—

339 (1) The head of each department of state government,  
340 except the Legislature, shall designate a safety coordinator.  
341 Such safety coordinator must be an employee of the department  
342 and must hold a position which has responsibilities comparable  
343 to those of an employee in the Senior Management System. The  
344 Department of Financial Services shall provide appropriate  
345 training to the safety coordinators to permit them to  
346 effectively perform their duties within their respective  
347 departments. Within 1 year after being appointed by his or her  
348 department head, the safety coordinator shall complete safety  
349 coordinator training offered by the Department of Financial  
350 Services. Each safety coordinator shall, at the direction of his

351 or her department head:

352 (a) Develop and implement the loss prevention program, a  
353 comprehensive departmental safety program which shall include a  
354 statement of safety policy and responsibility.

355 (b) Provide for regular and periodic facility and  
356 equipment inspections.

357 (c) Investigate job-related employee accidents of his or  
358 her department.

359 (d) Establish a program to promote increased safety  
360 awareness among employees.

361 (2) There shall be an Interagency Advisory Council on Loss  
362 Prevention composed of the safety coordinators from each  
363 department and representatives designated by the Division of  
364 State Fire Marshal and the Division of Risk Management. The  
365 chair of the council is ~~shall be~~ the Director of the Division of  
366 Risk Management or his or her designee. The council shall meet  
367 at least quarterly to discuss safety problems within state  
368 government, to attempt to find solutions for these problems,  
369 and, when possible, to assist in the implementation of the  
370 solutions. If the safety coordinator of a department or office  
371 is unable to attend a council meeting, an alternate, selected by  
372 the department head or his or her designee, shall attend the  
373 meeting to represent and provide input for that department or  
374 office on the council. The council is further authorized to  
375 provide for the recognition of employees, agents, and volunteers

376 | who make exceptional contributions to the reduction and control  
377 | of employment-related accidents. The necessary expenses for the  
378 | administration of this program of recognition shall be  
379 | considered an authorized administrative expense payable from the  
380 | State Risk Management Trust Fund.

381 |         (3) The Department of Financial Services and all agencies  
382 | that are provided workers' compensation insurance coverage by  
383 | the State Risk Management Trust Fund and employ more than 3,000  
384 | full-time employees shall establish and maintain return-to-work  
385 | programs for employees who are receiving workers' compensation  
386 | benefits. The programs must ~~shall~~ have the primary goal of  
387 | enabling injured workers to remain at work or return to work to  
388 | perform job duties within the physical or mental functional  
389 | limitations and restrictions established by the workers'  
390 | treating physicians. If no limitation or restriction is  
391 | established in writing by a worker's treating physician, the  
392 | worker is ~~shall be~~ deemed to be able to fully perform the same  
393 | work duties he or she performed before the injury. Agencies  
394 | employing more than 3,000 full-time employees shall report  
395 | return-to-work information to the Department of Financial  
396 | Services to support the Department of Financial Services'  
397 | mandatory reporting requirements on agency return-to-work  
398 | efforts under s. 284.42(1)(b).

399 |         (4) The Division of Risk Management shall evaluate each  
400 | agency's risk management programs, including, but not limited



401 to, return-to-work, safety, and loss prevention programs, at  
402 least once every 5 years. Reports, including, but not limited  
403 to, any recommended corrective action, resulting from such  
404 evaluations must ~~shall~~ be provided to the head of the agency  
405 being evaluated, the Chief Financial Officer, and the director  
406 of the Division of Risk Management. The agency head must provide  
407 to the Division of Risk Management a response to all report  
408 recommendations within 45 days and a plan to implement any  
409 corrective action to be taken as part of the response. If the  
410 agency disagrees with any final report recommendations,  
411 including, but not limited to, any recommended corrective  
412 action, or if the agency fails to implement any recommended  
413 corrective action within a reasonable time, the division shall  
414 submit the evaluation report to the legislative appropriations  
415 committees. Each agency shall provide risk management program  
416 information to the Division of Risk Management to support the  
417 Division of Risk Management's mandatory evaluation and reporting  
418 requirements in this subsection.

419 (5) Each agency shall:

420 (a) Review information provided by the Division of Risk  
421 Management on claims and losses;

422 (b) Identify any discrepancies between the Division of  
423 Risk Management's records and the agency's records and report  
424 such discrepancies to the Division of Risk Management in  
425 writing; and

426        (c) Review and respond to communications from the Division  
427 of Risk Management identifying unsafe or inappropriate  
428 conditions, policies, procedures, trends, equipment, or actions  
429 or incidents that have led or may lead to accidents or claims  
430 involving the state.

431        Section 7. Paragraph (a) of subsection (2) and paragraph  
432 (b) of subsection (3) of section 409.1451, Florida Statutes, are  
433 amended to read:

434        409.1451 The Road-to-Independence Program.—

435        (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

436        (a) A young adult is eligible for services and support  
437 under this subsection if he or she:

438        1. Was living in licensed care on his or her 18th birthday  
439 or is currently living in licensed care; or was at least 16  
440 years of age and was adopted from foster care or placed with a  
441 court-approved dependency guardian after spending at least 6  
442 months in licensed care within the 12 months immediately  
443 preceding such placement or adoption;

444        2. Spent at least 6 months in licensed care before  
445 reaching his or her 18th birthday;

446        3. Earned a standard high school diploma pursuant to s.  
447 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent  
448 pursuant to s. 1003.435;

449        4. Has been admitted for enrollment as a full-time student  
450 or its equivalent in an eligible postsecondary educational

451 institution as provided in s. 1009.533. For purposes of this  
452 section, the term "full-time" means 9 credit hours or the  
453 vocational school equivalent. A student may enroll part-time if  
454 he or she has a recognized disability or is faced with another  
455 challenge or circumstance that would prevent full-time  
456 attendance. A student needing to enroll part-time for any reason  
457 other than having a recognized disability must get approval from  
458 his or her academic advisor;

459 5. Has reached 18 years of age but is not yet 23 years of  
460 age;

461 6. Has applied, with assistance from the young adult's  
462 caregiver and the community-based lead agency, for any other  
463 grants and scholarships for which he or she may qualify;

464 7. Submitted a Free Application for Federal Student Aid  
465 which is complete and error free; ~~and~~

466 8. Signed an agreement to allow the department and the  
467 community-based care lead agency access to school records; ~~and~~

468 9. Has completed with a passing score the financial  
469 literacy curriculum for foster youth offered by the Department  
470 of Financial Services.

471 (3) AFTERCARE SERVICES.—

472 (b) Aftercare services include, but are not limited to,  
473 the following:

474 1. Mentoring and tutoring.

475 2. Mental health services and substance abuse counseling.

476 3. Life skills classes, including credit management and  
 477 preventive health activities.

478 4. Parenting classes.

479 5. Job and career skills training.

480 6. Counselor consultations.

481 7. Temporary financial assistance for necessities,  
 482 including, but not limited to, education supplies,  
 483 transportation expenses, security deposits for rent and  
 484 utilities, furnishings, household goods, and other basic living  
 485 expenses.

486 8. Financial literacy skills training pursuant to s.  
 487 39.6035(1)(c).

488  
 489 The specific services to be provided under this paragraph shall  
 490 be determined by an assessment of the young adult and may be  
 491 provided by the community-based care provider or through  
 492 referrals in the community.

493 Section 8. Subsections (1) and (3) of section 414.411,  
 494 Florida Statutes, are amended to read:

495 414.411 Public assistance fraud.—

496 (1) The Department of Financial Services shall investigate  
 497 all public assistance provided to residents of the state or  
 498 provided to others by the state. In the course of such  
 499 investigation the department shall examine all records,  
 500 including electronic benefits transfer records and make inquiry

501 of all persons who may have knowledge as to any irregularity  
 502 incidental to the disbursement of public moneys, food  
 503 assistance, or other items or benefits authorizations to  
 504 recipients. All public assistance recipients, as a condition  
 505 precedent to qualification for public assistance under chapter  
 506 409, chapter 411, or this chapter, must first give in writing,  
 507 to the Agency for Health Care Administration, the Department of  
 508 Health, the Department of Education ~~Economic Opportunity~~, and  
 509 the Department of Children and Families, as appropriate, and to  
 510 the Department of Financial Services, consent to make inquiry of  
 511 past or present employers and records, financial or otherwise.

512 (3) The results of such investigation shall be reported by  
 513 the Department of Financial Services to the appropriate  
 514 legislative committees, the Agency for Health Care  
 515 Administration, the Department of Health, the Department of  
 516 Education ~~Economic Opportunity~~, and the Department of Children  
 517 and Families, and to such others as the department may  
 518 determine.

519 Section 9. Subsection (3) is added to section 497.168,  
 520 Florida Statutes, to read:

521 497.168 Members of Armed Forces in good standing with  
 522 administrative boards.—

523 (3) A member of the United States Armed Forces or a  
 524 veteran of the United States Armed Forces who was honorably  
 525 discharged within the 24-month period before the date of an

526 initial application for licensure is exempt from the initial  
527 application filing fees under ss. 497.281(1), 497.368(1)(a),  
528 497.369(1)(a), 497.369(5), 497.370(1), 497.371, 497.373(1)(a),  
529 497.373(3), 497.374(1)(a), 497.374(5), and 497.375(1)(a).

530 Section 10. Subsection (14) is added to section 497.456,  
531 Florida Statutes, to read:

532 497.456 Preneed Funeral Contract Consumer Protection Trust  
533 Fund.—

534 (14)(a) On or before August 31, 2018, the department may  
535 transfer up to \$2 million from the Preneed Funeral Contract  
536 Consumer Protection Trust Fund to the Regulatory Trust Fund for  
537 the purpose of acquiring information technology infrastructure  
538 and payment of related expenses of the licensing authority in  
539 carrying out its responsibilities under this chapter and as  
540 prescribed by rule.

541 (b) On or before August 31 of each year, the department  
542 may transfer any interest accrued or earned from investment of  
543 the funds in the Preneed Funeral Contract Consumer Protection  
544 Trust Fund during the prior fiscal year of the state, as defined  
545 in s. 216.011(1)(o), to the Regulatory Trust Fund for the  
546 purpose of providing for the payment of expenses of the  
547 licensing authority in carrying out its responsibilities under  
548 this chapter and as prescribed by rule.

549 (c) This subsection expires on August 31, 2022.

550 Section 11. Subsection (1) of section 624.317, Florida

551 Statutes, is amended to read:

552       624.317 Investigation of agents, adjusters,  
 553 administrators, service companies, and others.—If it has reason  
 554 to believe that any person has violated or is violating any  
 555 provision of this code, or upon the written complaint signed by  
 556 any interested person indicating that any such violation may  
 557 exist:

558       (1) The department shall conduct such investigation as it  
 559 deems necessary of the accounts, records, documents, and  
 560 transactions pertaining to or affecting the insurance affairs of  
 561 any ~~general agent, surplus lines agent,~~ adjuster, ~~managing~~  
 562 ~~general agent, insurance agent,~~ insurance agency, customer  
 563 representative, service representative, or other person subject  
 564 to its jurisdiction, subject to the requirements of s. 626.601.

565       Section 12. Subsection (2) of section 624.34, Florida  
 566 Statutes, is amended to read:

567       624.34 Authority of Department of Law Enforcement to  
 568 accept fingerprints of, and exchange criminal history records  
 569 with respect to, certain persons.—

570       (2) The Department of Law Enforcement may accept  
 571 fingerprints of individuals who apply for a license as an agent,  
 572 customer representative, adjuster, service representative, or  
 573 navigator, ~~or managing general agent~~ or the fingerprints of the  
 574 majority owner, sole proprietor, partners, officers, and  
 575 directors of a corporation or other legal entity that applies

576 | for licensure with the department or office under the Florida  
 577 | Insurance Code.

578 | Section 13. Section 624.4073, Florida Statutes, is amended  
 579 | to read:

580 | 624.4073 Officers and directors of insolvent insurers.—Any  
 581 | person who was an officer or director of an insurer doing  
 582 | business in this state and who served in that capacity within  
 583 | the 2-year period before ~~prior to~~ the date the insurer became  
 584 | insolvent, for any insolvency that occurs on or after July 1,  
 585 | 2002, may not thereafter serve as an officer or director of an  
 586 | insurer authorized in this state or have direct or indirect  
 587 | control over the selection or appointment of an officer or  
 588 | director through contract, trust, or by operation of law, unless  
 589 | the officer or director demonstrates that his or her personal  
 590 | actions or omissions were not a significant contributing cause  
 591 | to the insolvency.

592 | Section 14. Subsection (1) of section 624.4094, Florida  
 593 | Statutes, is amended to read:

594 | 624.4094 Bail bond premiums.—

595 | (1) The Legislature finds that a significant portion of  
 596 | bail bond premiums is retained by the licensed bail bond agents  
 597 | or appointed ~~licensed~~ managing general agents. For purposes of  
 598 | reporting in financial statements required to be filed with the  
 599 | office pursuant to s. 624.424, direct written premiums for bail  
 600 | bonds by a domestic insurer in this state shall be reported net



601 of any amounts retained by licensed bail bond agents or  
 602 appointed ~~licensed~~ managing general agents. However, in no case  
 603 shall the direct written premiums for bail bonds be less than  
 604 6.5 percent of the total consideration received by the agent for  
 605 all bail bonds written by the agent. This subsection also  
 606 applies to any determination of compliance with s. 624.4095.

607 Section 15. Paragraph (e) of subsection (19) of section  
 608 624.501, Florida Statutes, is amended to read:

609 624.501 Filing, license, appointment, and miscellaneous  
 610 fees.—The department, commission, or office, as appropriate,  
 611 shall collect in advance, and persons so served shall pay to it  
 612 in advance, fees, licenses, and miscellaneous charges as  
 613 follows:

614 (19) Miscellaneous services:

615 (e) Insurer's registration fee for agent exchanging  
 616 business more than four ~~24~~ times in a calendar year under s.  
 617 626.752, s. 626.793, or s. 626.837, registration fee per agent  
 618 per year.....\$30.00

619 Section 16. Subsection (1) of section 624.509, Florida  
 620 Statutes, is amended to read:

621 624.509 Premium tax; rate and computation.—

622 (1) In addition to the license taxes provided for in this  
 623 chapter, each insurer shall also annually, and on or before  
 624 March 1 in each year, except as to wet marine and transportation  
 625 insurance taxed under s. 624.510, pay to the Department of

626 Revenue a tax on insurance premiums, premiums for title  
627 insurance, or assessments, including membership fees and policy  
628 fees and gross deposits received from subscribers to reciprocal  
629 or interinsurance agreements, and on annuity premiums or  
630 considerations, received during the preceding calendar year, the  
631 amounts thereof to be determined as set forth in this section,  
632 to wit:

633 (a) An amount equal to 1.75 percent of the gross amount of  
634 such receipts on account of life and health insurance policies  
635 covering persons resident in this state and on account of all  
636 other types of policies and contracts, except annuity policies  
637 or contracts taxable under paragraph (b) and bail bond policies  
638 or contracts taxable under paragraph (c), covering property,  
639 subjects, or risks located, resident, or to be performed in this  
640 state, omitting premiums on reinsurance accepted, and less  
641 return premiums or assessments, but without deductions:

- 642 1. For reinsurance ceded to other insurers;  
643 2. For moneys paid upon surrender of policies or  
644 certificates for cash surrender value;  
645 3. For discounts or refunds for direct or prompt payment  
646 of premiums or assessments; and  
647 4. On account of dividends of any nature or amount paid  
648 and credited or allowed to holders of insurance policies;  
649 certificates; or surety, indemnity, reciprocal, or  
650 interinsurance contracts or agreements;

651 (b) An amount equal to 1 percent of the gross receipts on  
652 annuity policies or contracts paid by holders thereof in this  
653 state; and

654 (c) An amount equal to 1.75 percent of the direct written  
655 premiums for bail bonds, excluding any amounts retained by  
656 licensed bail bond agents or appointed ~~licensed~~ managing general  
657 agents.

658 Section 17. Section 625.071, Florida Statutes, is amended  
659 to read:

660 625.071 Special reserve for bail and judicial bonds.—In  
661 lieu of the unearned premium reserve required on surety bonds  
662 under s. 625.051, the office may require any surety insurer or  
663 limited surety insurer to set up and maintain a reserve on all  
664 bail bonds or other single-premium bonds without definite  
665 expiration date, furnished in judicial proceedings, equal to the  
666 lesser of 35 percent of the bail premiums in force or \$7 per  
667 \$1,000 of bail liability. Such reserve shall be reported as a  
668 liability in financial statements required to be filed with the  
669 office. Each insurer shall file a supplementary schedule showing  
670 bail premiums in force and bail liability and the associated  
671 special reserve for bail and judicial bonds with financial  
672 statements required by s. 624.424. Bail premiums in force do not  
673 include amounts retained by licensed bail bond agents or  
674 appointed ~~licensed~~ managing general agents, but may not be less  
675 than 6.5 percent of the total consideration received for all

676 | bail bonds in force.

677 |       Section 18. Subsection (5) of section 626.112, Florida  
678 | Statutes, is amended to read:

679 |       626.112 License and appointment required; agents, customer  
680 | representatives, adjusters, insurance agencies, service  
681 | representatives, managing general agents.-

682 |       (5) A ~~No~~ person may not ~~shall~~ be, act as, or represent or  
683 | hold himself or herself out to be a managing general agent  
684 | unless he or she then holds a currently effective producer  
685 | license and a managing general agent license ~~and~~ appointment.

686 |       Section 19. Section 626.171, Florida Statutes, is amended  
687 | to read:

688 |       626.171 Application for license as an agent, customer  
689 | representative, adjuster, service representative, ~~managing~~  
690 | ~~general agent~~, or reinsurance intermediary.-

691 |       (1) The department may not issue a license as agent,  
692 | customer representative, adjuster, service representative,  
693 | ~~managing general agent~~, or reinsurance intermediary to any  
694 | person except upon written application filed with the  
695 | department, meeting the qualifications for the license applied  
696 | for as determined by the department, and payment in advance of  
697 | all applicable fees. The application must be made under the oath  
698 | of the applicant and be signed by the applicant. An applicant  
699 | may permit a third party to complete, submit, and sign an  
700 | application on the applicant's behalf, but is responsible for

701 ensuring that the information on the application is true and  
702 correct and is accountable for any misstatements or  
703 misrepresentations. The department shall accept the uniform  
704 application for nonresident agent licensing. The department may  
705 adopt revised versions of the uniform application by rule.

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

707 (a) His or her full name, age, social security number,  
708 residence address, business address, mailing address, contact  
709 telephone numbers, including a business telephone number, and e-  
710 mail address.

711 (b) A statement indicating the method the applicant used  
712 or is using to meet any required prelicensing education,  
713 knowledge, experience, or instructional requirements for the  
714 type of license applied for.

715 (c) Whether he or she has been refused or has voluntarily  
716 surrendered or has had suspended or revoked a license to solicit  
717 insurance by the department or by the supervising officials of  
718 any state.

719 (d) Whether any insurer or any managing general agent  
720 claims the applicant is indebted under any agency contract or  
721 otherwise and, if so, the name of the claimant, the nature of  
722 the claim, and the applicant's defense thereto, if any.

723 (e) Proof that the applicant meets the requirements for  
724 the type of license for which he or she is applying.

725 (f) The applicant's gender (male or female).

726 (g) The applicant's native language.

727 (h) The highest level of education achieved by the  
728 applicant.

729 (i) The applicant's race or ethnicity (African American,  
730 white, American Indian, Asian, Hispanic, or other).

731 (j) Such other or additional information as the department  
732 may deem proper to enable it to determine the character,  
733 experience, ability, and other qualifications of the applicant  
734 to hold himself or herself out to the public as an insurance  
735 representative.

736

737 However, the application must contain a statement that an  
738 applicant is not required to disclose his or her race or  
739 ethnicity, gender, or native language, that he or she will not  
740 be penalized for not doing so, and that the department will use  
741 this information exclusively for research and statistical  
742 purposes and to improve the quality and fairness of the  
743 examinations.

744 (3) Each application must ~~shall~~ be accompanied by payment  
745 of any applicable fee.

746 (4) An applicant for a license as an agent, customer  
747 representative, adjuster, service representative, ~~managing~~  
748 ~~general agent,~~ or reinsurance intermediary must submit a set of  
749 the individual applicant's fingerprints, or, if the applicant is  
750 not an individual, a set of the fingerprints of the sole

751 proprietor, majority owner, partners, officers, and directors,  
752 to the department and must pay the fingerprint processing fee  
753 set forth in s. 624.501. Fingerprints must ~~shall~~ be used to  
754 investigate the applicant's qualifications pursuant to s.  
755 626.201. The fingerprints must ~~shall~~ be taken by a law  
756 enforcement agency, designated examination center, or other  
757 department-approved entity. The department shall require all  
758 designated examination centers to have fingerprinting equipment  
759 and to take fingerprints from any applicant or prospective  
760 applicant who pays the applicable fee. The department may not  
761 approve an application for licensure as an agent, customer  
762 service representative, adjuster, service representative,  
763 ~~managing general agent,~~ or reinsurance intermediary if  
764 fingerprints have not been submitted.

765 (5) The application for license filing fee prescribed in  
766 s. 624.501 is not subject to refund.

767 (6) Members of the United States Armed Forces and their  
768 spouses, and veterans of the United States Armed Forces who have  
769 retired within 24 months before application for licensure, are  
770 exempt from the application filing fee prescribed in s. 624.501.  
771 Qualified individuals must provide a copy of a military  
772 identification card, military dependent identification card,  
773 military service record, military personnel file, veteran  
774 record, discharge paper, ~~or separation document,~~ or a separation  
775 document that indicates such members of the United States Armed

776 Forces are currently in good standing or were honorably  
777 discharged.

778 (7) Pursuant to the federal Personal Responsibility and  
779 Work Opportunity Reconciliation Act of 1996, each party is  
780 required to provide his or her social security number in  
781 accordance with this section. Disclosure of social security  
782 numbers obtained through this requirement must ~~shall~~ be limited  
783 to the purpose of administration of the Title IV-D program for  
784 child support enforcement.

785 Section 20. Section 626.202, Florida Statutes, is amended  
786 to read:

787 626.202 Fingerprinting requirements.—

788 (1) The requirements for completion and submission of  
789 fingerprints under this chapter are deemed to be met when an  
790 individual currently licensed under this chapter seeks  
791 additional licensure and has previously submitted fingerprints  
792 to the department within the past 48 months. However, the  
793 department may require the individual to file fingerprints if it  
794 has reason to believe that an applicant or licensee has been  
795 found guilty of, or pleaded guilty or nolo contendere to, a  
796 felony or a crime related to the business of insurance in this  
797 state or any other state or jurisdiction.

798 (2) The requirements for completion and submission of  
799 fingerprints under this chapter are waived for members of the  
800 United States Armed Forces and veterans of the United States



801 Armed Forces who were honorably discharged within the 24-month  
802 period before the date of an application for licensure. A  
803 qualified individual shall provide a copy of a military  
804 identification card, military service record, military personnel  
805 file, veteran record, Form DD-214, NGB Form 22, or separation  
806 document that indicates such member or veteran of the United  
807 States Armed Forces is currently in good standing or was  
808 honorably discharged.

809 (3) If there is a change in ownership or control of any  
810 entity licensed under this chapter, or if a new partner,  
811 officer, or director is employed or appointed, a set of  
812 fingerprints of the new owner, partner, officer, or director  
813 must be filed with the department or office within 30 days after  
814 the change. The acquisition of 10 percent or more of the voting  
815 securities of a licensed entity is considered a change of  
816 ownership or control. The fingerprints must be taken by a law  
817 enforcement agency or other department-approved entity and be  
818 accompanied by the fingerprint processing fee in s. 624.501.

819 Section 21. Subsection (9) of section 626.207, Florida  
820 Statutes, is amended to read:

821 626.207 Disqualification of applicants and licensees;  
822 penalties against licensees; rulemaking authority.—

823 (9) Section 112.011 does not apply to any applicants for  
824 licensure under the Florida Insurance Code, including, but not  
825 limited to, agents, agencies, adjusters, adjusting firms, or

826 customer representatives, ~~or managing general agents.~~

827 Section 22. Paragraph (j) of subsection (2) of section  
828 626.221, Florida Statutes, is amended to read:

829 626.221 Examination requirement; exemptions.—

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

832 (j) An applicant for license as an all-lines adjuster who  
833 has the designation of Accredited Claims Adjuster (ACA) from a  
834 regionally accredited postsecondary institution in this state,  
835 Associate in Claims (AIC) from the Insurance Institute of  
836 America, Professional Claims Adjuster (PCA) from the  
837 Professional Career Institute, Professional Property Insurance  
838 Adjuster (PPIA) from the HurriClaim Training Academy, Certified  
839 Adjuster (CA) from ALL LINES Training, Certified Claims Adjuster  
840 (CCA) from AE21 Incorporated, Claims Adjuster Certified  
841 Professional (CACP) from WebCE, Inc., or Universal Claims  
842 Certification (UCC) from Claims and Litigation Management  
843 Alliance (CLM) whose curriculum has been approved by the  
844 department and which includes comprehensive analysis of basic  
845 property and casualty lines of insurance and testing at least  
846 equal to that of standard department testing for the all-lines  
847 adjuster license. The department shall adopt rules establishing  
848 standards for the approval of curriculum.

849 Section 23. Subsection (7) of section 626.451, Florida  
850 Statutes, is renumbered as subsection (6), and subsections (1)

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851 and (5) and present subsection (6) of that section are amended,  
852 to read:

853 626.451 Appointment of agent or other representative.—

854 (1) Each appointing entity or person designated by the  
855 department to administer the appointment process appointing an  
856 agent, adjuster, service representative, customer  
857 representative, or managing general agent in this state shall  
858 file the appointment with the department or office and, at the  
859 same time, pay the applicable appointment fee and taxes. Every  
860 appointment is ~~shall be~~ subject to the prior issuance of the  
861 appropriate agent's, adjuster's, service representative's, or  
862 customer representative's, ~~or managing general agent's~~ license.

863 ~~(5) Any law enforcement agency or state attorney's office~~  
864 ~~that is aware that an agent, adjuster, service representative,~~  
865 ~~customer representative, or managing general agent has pleaded~~  
866 ~~guilty or nolo contendere to or has been found guilty of a~~  
867 ~~felony shall notify the department or office of such fact.~~

868 (5)(6) Upon the filing of an information or indictment  
869 against an agent, adjuster, service representative, or customer  
870 representative, ~~or managing general agent,~~ the state attorney  
871 shall immediately furnish the department or office a certified  
872 copy of the information or indictment.

873 Section 24. Section 626.521, Florida Statutes, is amended  
874 to read:

875 626.521 ~~Character,~~ Credit and character reports.—

876           (1) Before appointing ~~As to each applicant who~~ for the  
877 first time in this state an ~~is applying and qualifying for a~~  
878 ~~license as agent, adjuster, service representative, customer~~  
879 ~~representative, or managing general agent, the appointing~~  
880 ~~insurer or employer shall~~ its manager or general agent in this  
881 ~~state, in the case of agents, or the appointing general lines~~  
882 ~~agent, in the case of customer representatives, or the employer,~~  
883 ~~in the case of service representatives and of adjusters who are~~  
884 ~~not to be self-employed, shall coincidentally with such~~  
885 ~~appointment or employment~~ secure and thereafter keep on file a  
886 full detailed credit and character report ~~made by an established~~  
887 ~~and reputable independent reporting service,~~ relative to the  
888 individual so appointed ~~or employed~~. This subsection does not  
889 apply to licensees who self-appoint pursuant to s. 624.501.

890           (2) If requested by the department, the insurer, ~~manager,~~  
891 ~~general agent, general lines agent,~~ or employer, as the case may  
892 be, must ~~shall~~ furnish to the department, ~~on a form adopted and~~  
893 ~~furnished by the department,~~ such information as it reasonably  
894 requires relative to such individual and investigation.

895           (3) ~~As to an applicant for an adjuster's or reinsurance~~  
896 ~~intermediary's license who is to be self-employed, the~~  
897 ~~department may secure, at the cost of the applicant, a full~~  
898 ~~detailed credit and character report made by an established and~~  
899 ~~reputable independent reporting service relative to the~~  
900 ~~applicant.~~

901       ~~(4) Each person who for the first time in this state is~~  
 902 ~~applying and qualifying for a license as a reinsurance~~  
 903 ~~intermediary shall file with her or his application for license~~  
 904 ~~a full, detailed credit and character report for the 5-year~~  
 905 ~~period immediately prior to the date of application for license,~~  
 906 ~~made by an established and reputable independent reporting~~  
 907 ~~service, relative to the individual if a partnership or sole~~  
 908 ~~proprietorship, or the officers if a corporation or other legal~~  
 909 ~~entity.~~

910       (3)~~(5)~~ Information contained in credit or character  
 911 reports furnished to or secured by the department under this  
 912 section is confidential and exempt from ~~the provisions of s.~~  
 913 ~~119.07(1).~~

914       Section 25. Paragraph (f) of subsection (1) of section  
 915 626.731, Florida Statutes, is amended to read:

916       626.731 Qualifications for general lines agent's license.—

917       (1) The department shall not grant or issue a license as  
 918 general lines agent to any individual found by it to be  
 919 untrustworthy or incompetent or who does not meet each of the  
 920 following qualifications:

921       ~~(f) The applicant is not a service representative, a~~  
 922 ~~managing general agent in this state, or a special agent or~~  
 923 ~~similar service representative of a health insurer which also~~  
 924 ~~transacts property, casualty, or surety insurance; except that~~  
 925 ~~the president, vice president, secretary, or treasurer,~~

926 | ~~including a member of the board of directors, of a corporate~~  
 927 | ~~insurer, if otherwise qualified under and meeting the~~  
 928 | ~~requirements of this part, may be licensed and appointed as a~~  
 929 | ~~local resident agent.~~

930 | Section 26. Subsection (6) of section 626.7351, Florida  
 931 | Statutes, is amended to read:

932 | 626.7351 Qualifications for customer representative's  
 933 | license.—The department shall not grant or issue a license as  
 934 | customer representative to any individual found by it to be  
 935 | untrustworthy or incompetent, or who does not meet each of the  
 936 | following qualifications:

937 | (6) Upon the issuance of the license applied for, the  
 938 | applicant is not an agent or, a service representative, ~~or a~~  
 939 | ~~managing general agent.~~

940 | Section 27. Section 626.744, Florida Statutes, is amended  
 941 | to read:

942 | 626.744 Service representatives, ~~managing general agents;~~  
 943 | application for license.—The application for a license as  
 944 | service representative must ~~or the application for a license as~~  
 945 | ~~managing general agent shall~~ show the applicant's name,  
 946 | residence address, name of employer, position or title, type of  
 947 | work to be performed by the applicant in this state, and any  
 948 | additional information which the department may reasonably  
 949 | require.

950 | Section 28. Section 626.745, Florida Statutes, is amended

951 to read:

952       626.745 Service representatives, managing general agents;  
 953 managers; activities.—Individuals employed by insurers or their  
 954 managers, general agents, or representatives as service  
 955 representatives, and as managing general agents employed for the  
 956 purpose of or engaged in assisting agents in negotiating and  
 957 effecting contracts of insurance, shall engage in such  
 958 activities ~~when, and~~ only when licensed as or, accompanied by a  
 959 general lines ~~an~~ agent duly licensed and appointed ~~as a resident~~  
 960 ~~licensee and appointee~~ under this code.

961       Section 29. Subsection (11) of section 626.7451, Florida  
 962 Statutes, is amended to read:

963       626.7451 Managing general agents; required contract  
 964 provisions.—No person acting in the capacity of a managing  
 965 general agent shall place business with an insurer unless there  
 966 is in force a written contract between the parties which sets  
 967 forth the responsibility for a particular function, specifies  
 968 the division of responsibilities, and contains the following  
 969 minimum provisions:

970       (11) An appointed ~~A licensed~~ managing general agent, when  
 971 placing business with an insurer under this code, may charge a  
 972 per-policy fee not to exceed \$25. ~~In no instance shall~~ The  
 973 aggregate of per-policy fees for a placement of business  
 974 authorized under this section, when combined with any other per-  
 975 policy fee charged by the insurer, may not result in per-policy

976 | fees that ~~which~~ exceed the aggregate amount of \$25. The per-  
 977 | policy fee must ~~shall~~ be a component of the insurer's rate  
 978 | filing and must ~~shall~~ be fully earned.

979 |  
 980 | For the purposes of this section and ss. 626.7453 and 626.7454,  
 981 | the term "controlling person" or "controlling" has the meaning  
 982 | set forth in s. 625.012(5)(b)1., and the term "controlled  
 983 | person" or "controlled" has the meaning set forth in s.  
 984 | 625.012(5)(b)2.

985 | Section 30. Subsection (1) of section 626.7455, Florida  
 986 | Statutes, is amended to read:

987 | 626.7455 Managing general agent; responsibility of  
 988 | insurer.—

989 | (1) An insurer may not ~~No insurer shall~~ enter into an  
 990 | agreement with any person to manage the business written in this  
 991 | state by the general lines agents appointed by the insurer or  
 992 | appointed by the managing general agent on behalf of the insurer  
 993 | unless the person is properly licensed as an agent and appointed  
 994 | as a managing general agent in this state. An insurer is ~~shall~~  
 995 | ~~be~~ responsible for the acts of its managing general agent when  
 996 | the agent acts within the scope of his or her authority.

997 | Section 31. Paragraph (e) of subsection (3) and subsection  
 998 | (5) of section 626.752, Florida Statutes, are amended to read:

999 | 626.752 Exchange of business.—

1000 | (3)



1001 (e) The brokering agent shall maintain an appropriate and  
1002 permanent Brokering Agent's Register, which must ~~shall~~ be a  
1003 permanent record of bound journal in which chronologically  
1004 numbered transactions that are entered no later than the day in  
1005 which the brokering agent's application bearing the same number  
1006 is signed by the applicant. The numbers must ~~shall~~ reflect an  
1007 annual aggregate through numerical sequence and be preceded by  
1008 the last two digits of the current year. The initial entry must  
1009 ~~shall~~ contain the number of the transaction, date, time, date of  
1010 binder, date on which coverage commences, name and address of  
1011 applicant, type of coverage desired, name of insurer binding the  
1012 risk or to whom the application is to be submitted, and the  
1013 amount of any premium collected therefor. By no later than the  
1014 date following policy delivery, the policy number and coverage  
1015 expiration date must ~~shall~~ be added to the register.

1016 (5) Within 15 days after the last day of each month, any  
1017 insurer accepting business under this section shall report to  
1018 the department the name, address, telephone number, and social  
1019 security number of each agent from which the insurer received  
1020 more than four ~~24~~ personal lines risks during the calendar year,  
1021 except for risks being removed from the Citizens Property  
1022 Insurance Corporation and placed with that insurer by a  
1023 brokering agent. Once the insurer has reported pursuant to this  
1024 subsection an agent's name to the department, additional reports  
1025 on the same agent shall not be required. However, the fee set

1026 | forth in s. 624.501 must ~~shall~~ be paid for the agent by the  
 1027 | insurer for each year until the insurer notifies the department  
 1028 | that the insurer is no longer accepting business from the agent  
 1029 | pursuant to this section. The insurer may require that the agent  
 1030 | reimburse the insurer for the fee.

1031 |       Section 32. Subsection (4) of section 626.793, Florida  
 1032 | Statutes, is amended to read:

1033 |           626.793 Excess or rejected business.—

1034 |       (4) Within 15 days after the last day of each month, any  
 1035 | insurer accepting business under this section shall report to  
 1036 | the department the name, address, telephone number, and social  
 1037 | security number of each agent from which the insurer received  
 1038 | more than four ~~24~~ risks during the calendar year. Once the  
 1039 | insurer has reported an agent's name to the department pursuant  
 1040 | to this subsection, additional reports on the same agent shall  
 1041 | not be required. However, the fee set forth in s. 624.501 must  
 1042 | ~~shall~~ be paid for the agent by the insurer for each year until  
 1043 | the insurer notifies the department that the insurer is no  
 1044 | longer accepting business from the agent pursuant to this  
 1045 | section. The insurer may require that the agent reimburse the  
 1046 | insurer for the fee.

1047 |       Section 33. Subsection (5) of section 626.837, Florida  
 1048 | Statutes, is amended to read:

1049 |           626.837 Excess or rejected business.—

1050 |       (5) Within 15 days after the last day of each month, any

1051 insurer accepting business under this section shall report to  
 1052 the department the name, address, telephone number, and social  
 1053 security number of each agent from which the insurer received  
 1054 more than four ~~24~~ risks during the calendar year. Once the  
 1055 insurer has reported pursuant to this subsection an agent's name  
 1056 to the department, additional reports on the same agent shall  
 1057 not be required. However, the fee set forth in s. 624.501 must  
 1058 ~~shall~~ be paid for the agent by the insurer for each year until  
 1059 the insurer notifies the department that the insurer is no  
 1060 longer accepting business from the agent pursuant to this  
 1061 section. The insurer may require that the agent reimburse the  
 1062 insurer for the fee.

1063 Section 34. Subsection (5) of section 626.8732, Florida  
 1064 Statutes, is amended to read:

1065 626.8732 Nonresident public adjuster's qualifications,  
 1066 bond.—

1067 ~~(5) After licensure as a nonresident public adjuster, as a~~  
 1068 ~~condition of doing business in this state, the licensee must~~  
 1069 ~~annually on or before January 1, on a form prescribed by the~~  
 1070 ~~department, submit an affidavit certifying that the licensee is~~  
 1071 ~~familiar with and understands the insurance code and rules~~  
 1072 ~~adopted thereunder and the provisions of the contracts~~  
 1073 ~~negotiated or to be negotiated. Compliance with this filing~~  
 1074 ~~requirement is a condition precedent to the issuance,~~  
 1075 ~~continuation, reinstatement, or renewal of a nonresident public~~

1076 ~~adjuster's appointment.~~

1077 Section 35. Subsection (4) of section 626.8734, Florida  
 1078 Statutes, is amended to read:

1079 626.8734 Nonresident all-lines adjuster license  
 1080 qualifications.—

1081 ~~(4) As a condition of doing business in this state as a~~  
 1082 ~~nonresident independent adjuster, the appointee must submit an~~  
 1083 ~~affidavit to the department certifying that the licensee is~~  
 1084 ~~familiar with and understands the insurance laws and~~  
 1085 ~~administrative rules of this state and the provisions of the~~  
 1086 ~~contracts negotiated or to be negotiated. Compliance with this~~  
 1087 ~~filing requirement is a condition precedent to the issuance,~~  
 1088 ~~continuation, reinstatement, or renewal of a nonresident~~  
 1089 ~~independent adjuster's appointment.~~

1090 Section 36. Paragraph (h) of subsection (1) of section  
 1091 626.88, Florida Statutes, is amended to read:

1092 626.88 Definitions.—For the purposes of this part, the  
 1093 term:

1094 (1) "Administrator" is any person who directly or  
 1095 indirectly solicits or effects coverage of, collects charges or  
 1096 premiums from, or adjusts or settles claims on residents of this  
 1097 state in connection with authorized commercial self-insurance  
 1098 funds or with insured or self-insured programs which provide  
 1099 life or health insurance coverage or coverage of any other  
 1100 expenses described in s. 624.33(1) or any person who, through a

1101 health care risk contract as defined in s. 641.234 with an  
 1102 insurer or health maintenance organization, provides billing and  
 1103 collection services to health insurers and health maintenance  
 1104 organizations on behalf of health care providers, other than any  
 1105 of the following persons:

1106 (h) A person appointed ~~licensed~~ as a managing general  
 1107 agent in this state, whose activities are limited exclusively to  
 1108 the scope of activities conveyed under such appointment ~~license~~.

1109  
 1110 A person who provides billing and collection services to health  
 1111 insurers and health maintenance organizations on behalf of  
 1112 health care providers shall comply with the provisions of ss.  
 1113 627.6131, 641.3155, and 641.51(4).

1114 Section 37. Subsection (2) of section 626.927, Florida  
 1115 Statutes, is amended to read:

1116 626.927 Licensing of surplus lines agent.-

1117 (2) Any individual, while licensed as ~~and appointed as a~~  
 1118 ~~managing general agent as defined in s. 626.015, or service~~  
 1119 ~~representative as defined in s. 626.015, and who otherwise~~  
 1120 ~~possesses all of the other qualifications of a general lines~~  
 1121 agent under this code, and who has a minimum of 1 year of ~~year's~~  
 1122 experience working for a licensed surplus lines agent or who has  
 1123 successfully completed 60 class hours in surplus and excess  
 1124 lines in a course approved by the department, may, upon taking  
 1125 and successfully passing a written examination as to surplus

1126 lines, as given by the department, be licensed as a surplus  
1127 lines agent solely for the purpose of placing with surplus lines  
1128 insurers property, marine, casualty, or surety coverages  
1129 originated by general lines agents; ~~except that no examination~~  
1130 ~~as for a general lines agent's license shall be required of any~~  
1131 ~~managing general agent or service representative who held a~~  
1132 ~~Florida surplus lines agent's license as of January 1, 1959.~~

1133 Section 38. Subsection (3) of section 626.930, Florida  
1134 Statutes, is amended to read:

1135 626.930 Records of surplus lines agent.—

1136 (3) Each surplus lines agent shall maintain all surplus  
1137 lines business records in his or her general lines agency  
1138 office, ~~if licensed as a general lines agent,~~ or in his or her  
1139 managing general agency office, ~~if licensed as a managing~~  
1140 ~~general agent or the full-time salaried employee of such general~~  
1141 ~~agent.~~

1142 Section 39. Subsection (2) of section 626.9892, Florida  
1143 Statutes, is amended to read:

1144 626.9892 Anti-Fraud Reward Program; reporting of insurance  
1145 fraud.—

1146 (2) The department may pay rewards of up to \$25,000 to  
1147 persons providing information leading to the arrest and  
1148 conviction of persons committing crimes investigated by the  
1149 department arising from violations of s. 440.105, s. 624.15, s.  
1150 626.9541, s. 626.989, s. 790.164, s. 790.165, s. 790.166, s.

1151 806.01, s. 806.031, s. 806.10, s. 806.111, s. 817.233, or s.  
1152 817.234.

1153 Section 40. Subsection (3) of section 633.302, Florida  
1154 Statutes, is amended to read:

1155 633.302 Florida Fire Safety Board; membership; duties;  
1156 meetings; officers; quorum; compensation; seal.—

1157 (3) The State Fire Marshal's term on the board, or that of  
1158 her or his designee, shall coincide with the State Fire  
1159 Marshal's term of office. ~~Of the other six members of the board,~~  
1160 ~~one member shall be appointed for a term of 1 year, one member~~  
1161 ~~for a term of 2 years, two members for terms of 3 years, and two~~  
1162 ~~members for terms of 4 years.~~ All terms are for 4 years and  
1163 expire on June 30 of the last year of the term. When the term of  
1164 a member expires, the State Fire Marshal shall appoint a member  
1165 to fill the vacancy for a term of 4 years. The State Fire  
1166 Marshal may remove any appointed member for cause. A vacancy in  
1167 the membership of the board for any cause must ~~shall~~ be filled  
1168 by appointment by the State Fire Marshal for the balance of the  
1169 unexpired term.

1170 Section 41. Subsection (2), paragraph (a) of subsection  
1171 (3), and paragraphs (b), (c), and (d) of subsection (4) of  
1172 section 633.304, Florida Statutes, are amended to read:

1173 633.304 Fire suppression equipment; license to install or  
1174 maintain.—

1175 (2) A person who holds a valid fire equipment dealer

1176 license may maintain such license in an inactive status during  
1177 which time he or she may not engage in any work under the  
1178 definition of the license held. An inactive status license is  
1179 ~~shall be void after 4 years after the approval date of the~~  
1180 inactive status application. To maintain inactive status, the  
1181 inactive licensee must submit proof of continuing education and  
1182 the inactive status fee before December 31 of each odd-numbered  
1183 year or when the license is renewed, whichever comes first. An  
1184 ~~inactive status license may not be reactivated unless the~~  
1185 ~~continuing education requirements of this chapter have been~~  
1186 ~~fulfilled.~~

1187 (3) Each individual actually performing the work of  
1188 servicing, recharging, repairing, hydrotesting, installing,  
1189 testing, or inspecting fire extinguishers or preengineered  
1190 systems must possess a valid and subsisting permit issued by the  
1191 division. Permittees are limited as to specific type of work  
1192 performed to allow work no more extensive than the class of  
1193 license held by the licensee under whom the permittee is  
1194 working. Permits will be issued by the division as follows:

1195 (a) Portable permit: "Portable permittee" means a person  
1196 who is limited to performing work no more extensive than the  
1197 employing or contractually related licensee in the servicing,  
1198 recharging, repairing, installing, or inspecting all types of  
1199 portable fire extinguishers.

1200



1201 Any fire equipment permittee licensed pursuant to this  
1202 subsection who does not want to engage in servicing, inspecting,  
1203 recharging, repairing, hydrotesting, or installing halon  
1204 equipment must file an affidavit on a form provided by the  
1205 division so stating. Permits will be issued by the division to  
1206 show the work authorized thereunder. It is unlawful, unlicensed  
1207 activity for a person or firm to falsely hold himself or herself  
1208 out to perform any service, inspection, recharge, repair,  
1209 hydrotest, or installation except as specifically described in  
1210 the permit.

1211 (4)

1212 (b) After initial licensure, each licensee or permittee  
1213 must successfully complete a course or courses of continuing  
1214 education for fire equipment technicians of at least 16 hours. A  
1215 license or permit may not be renewed unless the licensee or  
1216 permittee produces documentation of the completion of at least  
1217 16 hours of continuing education for fire equipment technicians  
1218 during the biennial licensure period. A person who is both a  
1219 licensee and a permittee shall ~~be required to~~ complete 16 hours  
1220 of continuing education during each renewal period. Each  
1221 licensee shall ensure that all permittees in his or her  
1222 employment or through a contractual agreement meet their  
1223 continuing education requirements. The State Fire Marshal shall  
1224 adopt rules describing the continuing education requirements and  
1225 shall have the authority upon reasonable belief, to audit a fire

1226 equipment dealer to determine compliance with continuing  
 1227 education requirements.

1228 (c) The forms of such licenses and permits and  
 1229 applications therefor must ~~shall~~ be prescribed by the State Fire  
 1230 Marshal; in addition to such other information and data as that  
 1231 officer determines is appropriate and required for such forms,  
 1232 there must ~~shall~~ be included in such forms the following  
 1233 matters. Each such application must be in such form as to  
 1234 provide that the data and other information set forth therein  
 1235 shall be sworn to by the applicant or, if a corporation, by an  
 1236 officer thereof. An application for a permit must include the  
 1237 name of the licensee employing, or contractually related to,  
 1238 such permittee, and the permit issued in pursuance of such  
 1239 application must also set forth the name of such licensee. A  
 1240 permit is valid solely for use by the holder thereof in his or  
 1241 her employment by, or contractual relationship with, the  
 1242 licensee named in the permit.

1243 (d) A license of any class may not be issued or renewed by  
 1244 the division and a license of any class does not remain  
 1245 operative unless:

1246 1. The applicant has submitted to the State Fire Marshal  
 1247 evidence of registration as a Florida corporation or evidence of  
 1248 compliance with s. 865.09.

1249 2. The State Fire Marshal or his or her designee has by  
 1250 inspection determined that the applicant possesses the equipment

1251 required for the class of license sought. The State Fire Marshal  
 1252 shall give an applicant a reasonable opportunity to correct any  
 1253 deficiencies discovered by inspection. To obtain such  
 1254 inspection, an applicant with facilities located outside this  
 1255 state must:

1256 a. Provide a notarized statement from a professional  
 1257 engineer licensed by the applicant's state of domicile  
 1258 certifying that the applicant possesses the equipment required  
 1259 for the class of license sought and that all such equipment is  
 1260 operable; or

1261 b. Allow the State Fire Marshal or her or his designee to  
 1262 inspect the facility. All costs associated with the State Fire  
 1263 Marshal's inspection must ~~shall~~ be paid by the applicant. The  
 1264 State Fire Marshal, in accordance with s. 120.54, may adopt  
 1265 rules to establish standards for the calculation and  
 1266 establishment of the amount of costs associated with any  
 1267 inspection conducted by the State Fire Marshal under this  
 1268 section. Such rules must ~~shall~~ include procedures for invoicing  
 1269 and receiving funds in advance of the inspection.

1270 3. The applicant has submitted to the State Fire Marshal  
 1271 proof of insurance providing coverage for comprehensive general  
 1272 liability for bodily injury and property damage, products  
 1273 liability, completed operations, and contractual liability. The  
 1274 State Fire Marshal shall adopt rules providing for the amounts  
 1275 of such coverage, but such amounts may not be less than \$300,000

1276 for Class A or Class D licenses, \$200,000 for Class B licenses,  
1277 and \$100,000 for Class C licenses; and the total coverage for  
1278 any class of license held in conjunction with a Class D license  
1279 may not be less than \$300,000. The State Fire Marshal may, at  
1280 any time after the issuance of a license or its renewal, require  
1281 upon demand, and in no event more than 30 days after notice of  
1282 such demand, the licensee to provide proof of insurance, on the  
1283 insurer's a form ~~provided by the State Fire Marshal~~, containing  
1284 confirmation of insurance coverage as required by this chapter.  
1285 Failure, for any length of time, to provide proof of insurance  
1286 coverage as required must ~~shall~~ result in the immediate  
1287 suspension of the license until proof of proper insurance is  
1288 provided to the State Fire Marshal. An insurer that ~~which~~  
1289 provides such coverage shall notify the State Fire Marshal of  
1290 any change in coverage or of any termination, cancellation, or  
1291 nonrenewal of any coverage.

1292 4. The applicant applies to the State Fire Marshal,  
1293 provides proof of experience, and successfully completes a  
1294 prescribed training course offered by the State Fire College or  
1295 an equivalent course approved by the State Fire Marshal. This  
1296 subparagraph does not apply to any holder of or applicant for a  
1297 permit under paragraph (g) or to a business organization or a  
1298 governmental entity seeking initial licensure or renewal of an  
1299 existing license solely for the purpose of inspecting,  
1300 servicing, repairing, marking, recharging, and maintaining fire

1301 extinguishers used and located on the premises of and owned by  
1302 such organization or entity.

1303         5. The applicant has a current retestor identification  
1304 number that is appropriate for the license for which the  
1305 applicant is applying and that is listed with the United States  
1306 Department of Transportation.

1307         6. The applicant has passed, with a grade of at least 70  
1308 percent, a written examination testing his or her knowledge of  
1309 the rules and statutes governing the activities authorized by  
1310 the license and demonstrating his or her knowledge and ability  
1311 to perform those tasks in a competent, lawful, and safe manner.  
1312 Such examination must ~~shall~~ be developed and administered by the  
1313 State Fire Marshal, or his or her designee in accordance with  
1314 policies and procedures of the State Fire Marshal. An applicant  
1315 shall pay a nonrefundable examination fee of \$50 for each  
1316 examination or reexamination scheduled. A reexamination may not  
1317 be scheduled sooner than 30 days after any administration of an  
1318 examination to an applicant. An applicant may not be permitted  
1319 to take an examination for any level of license more than a  
1320 total of four times during 1 year, regardless of the number of  
1321 applications submitted. As a prerequisite to licensure of the  
1322 applicant, he or she:

1323             a. Must be at least 18 years of age.

1324             b. Must have 4 years of proven experience as a fire  
1325 equipment permittee at a level equal to or greater than the

1326 level of license applied for or have a combination of education  
 1327 and experience determined to be equivalent thereto by the State  
 1328 Fire Marshal. Having held a permit at the appropriate level for  
 1329 the required period constitutes the required experience.

1330 c. Must not have been convicted of a felony or a crime  
 1331 punishable by imprisonment of 1 year or more under the law of  
 1332 the United States or of any state thereof or under the law of  
 1333 any other country. "Convicted" means a finding of guilt or the  
 1334 acceptance of a plea of guilty or nolo contendere in any federal  
 1335 or state court or a court in any other country, without regard  
 1336 to whether a judgment of conviction has been entered by the  
 1337 court having jurisdiction of the case. If an applicant has been  
 1338 convicted of any such felony, the applicant is ~~shall be~~ excluded  
 1339 from licensure for a period of 4 years after expiration of  
 1340 sentence or final release by the Florida Commission on Offender  
 1341 Review unless the applicant, before the expiration of the 4-year  
 1342 period, has received a full pardon or has had her or his civil  
 1343 rights restored.

1344  
 1345 This subparagraph does not apply to any holder of or applicant  
 1346 for a permit under paragraph (g) or to a business organization  
 1347 or a governmental entity seeking initial licensure or renewal of  
 1348 an existing license solely for the purpose of inspecting,  
 1349 servicing, repairing, marking, recharging, hydrotesting, and  
 1350 maintaining fire extinguishers used and located on the premises

1351 of and owned by such organization or entity.

1352 Section 42. Subsection (7) of section 633.318, Florida  
 1353 Statutes, is amended to read:

1354 633.318 Certificate application and issuance; permit  
 1355 issuance; examination and investigation of applicant.—

1356 (7) The State Fire Marshal may, at any time subsequent to  
 1357 the issuance of the certificate or its renewal, require, upon  
 1358 demand and in no event more than 30 days after notice of the  
 1359 demand, the certificateholder to provide proof of insurance  
 1360 coverage on the insurer's ~~a form provided by the State Fire~~  
 1361 ~~Marshal~~ containing confirmation of insurance coverage as  
 1362 required by this chapter. Failure to provide proof of insurance  
 1363 coverage as required, for any length of time, shall result in  
 1364 the immediate suspension of the certificate until proof of  
 1365 insurance is provided to the State Fire Marshal.

1366 Section 43. Paragraph (b) of subsection (6) of section  
 1367 633.408, Florida Statutes, is amended to read:

1368 633.408 Firefighter and volunteer firefighter training and  
 1369 certification.—

1370 (6)

1371 (b) A Special Certificate of Compliance only authorizes an  
 1372 individual to serve as an administrative and command head of a  
 1373 fire service provider.

1374 1. An individual desiring to obtain a Special Certificate  
 1375 of Compliance may not be employed as a fire chief, fire

1376 coordinator, fire director, or fire administrator for a period  
 1377 of more than 1 year without obtaining certification.

1378 2. An individual desiring to obtain a Special Certificate  
 1379 of Compliance may not serve as a command officer or function in  
 1380 a position dictating incident outcomes or objectives before  
 1381 achieving certification.

1382 3. Retention requirements for a Special Certificate of  
 1383 Compliance must be similar to those provided in s. 633.414.

1384 Section 44. Subsection (1) of section 633.416, Florida  
 1385 Statutes, is amended, present subsections (7) and (8) of that  
 1386 section are renumbered as subsections (8) and (9), respectively,  
 1387 and a new subsection (7) is added to that section, to read:

1388 633.416 Firefighter employment and volunteer firefighter  
 1389 service; saving clause.—

1390 (1) A fire service provider may not employ an individual  
 1391 to:

1392 (a) Extinguish fires for the protection of life or  
 1393 property or to supervise individuals who perform such services  
 1394 unless the individual holds a current and valid Firefighter  
 1395 Certificate of Compliance; or

1396 (b) Serve as the administrative and command head of a fire  
 1397 service provider for a period in excess of 1 year unless the  
 1398 individual holds a current and valid Firefighter Certificate of  
 1399 Compliance or Special Certificate of Compliance pursuant to s.  
 1400 633.408.



1401           (7) A fire service provider may employ veterans who were  
 1402 honorably discharged and who received training equivalent to the  
 1403 requirements under this chapter. The standard of equivalency of  
 1404 training must be verified by the division before such an  
 1405 individual's employment begins. Such individual must obtain a  
 1406 Firefighter Certificate of Compliance within 24 months after  
 1407 employment.

1408           Section 45. Paragraph (e) of subsection (1) of section  
 1409 633.444, Florida Statutes, is amended to read:

1410           633.444 Division powers and duties; Florida State Fire  
 1411 College.—

1412           (1) The division, in performing its duties related to the  
 1413 Florida State Fire College, specified in this part, shall:

1414           ~~(e) Develop a staffing and funding formula for the Florida~~  
 1415 ~~State Fire College. The formula must include differential~~  
 1416 ~~funding levels for various types of programs, must be based on~~  
 1417 ~~the number of full-time equivalent students and information~~  
 1418 ~~obtained from scheduled attendance counts taken the first day of~~  
 1419 ~~each program, and must provide the basis for the legislative~~  
 1420 ~~budget request. As used in this section, a full-time equivalent~~  
 1421 ~~student is equal to a minimum of 900 hours in a technical~~  
 1422 ~~certificate program and 400 hours in a degree-seeking program.~~  
 1423 ~~The funding formula must be as prescribed pursuant to s.~~  
 1424 ~~1011.62, must include procedures to document daily attendance,~~  
 1425 ~~and must require that attendance records be retained for audit~~

1426 ~~purposes.~~

1427 Section 46. Subsection (8) of section 648.27, Florida  
 1428 Statutes, is amended to read:

1429 648.27 Licenses and appointments; general.—

1430 (8) ~~An application for a managing general agent's license~~  
 1431 ~~must be made by an insurer who proposes to employ or appoint an~~  
 1432 ~~individual, partnership, association, or corporation as a~~  
 1433 ~~managing general agent. Such application shall contain the~~  
 1434 ~~information required by s. 626.744, and the applicant shall pay~~  
 1435 ~~the same fee as a managing general agent licensed pursuant to~~  
 1436 ~~that section.~~ An individual who is appointed as a managing  
 1437 general agent to supervise or manage bail bond business written  
 1438 in this state must also be licensed as a bail bond agent. In the  
 1439 case of an entity, at least one owner, officer, or director at  
 1440 each office location must be licensed as a bail bond agent.

1441 Section 47. Present subsection (6) of section 648.34,  
 1442 Florida Statutes, is renumbered as subsection (7), and a new  
 1443 subsection (6) is added to that section, to read:

1444 648.34 Bail bond agents; qualifications.—

1445 (6) The requirements for completion and submission of  
 1446 fingerprints under this chapter are deemed to be met when an  
 1447 individual currently licensed under this chapter seeks  
 1448 additional licensure and has previously submitted fingerprints  
 1449 to the department in support of an application for licensure  
 1450 under this chapter within the past 48 months. However, the

1451 department may require the individual to file fingerprints if it  
1452 has reason to believe that an applicant or licensee has been  
1453 found guilty of, or pleaded guilty or nolo contendere to, a  
1454 felony or a crime related to the business of insurance in this  
1455 or any other state or jurisdiction.

1456 Section 48. For the purpose of incorporating the amendment  
1457 made by this act to section 626.221, Florida Statutes, in a  
1458 reference thereto, paragraph (b) of subsection (1) of section  
1459 626.8734, Florida Statutes, is reenacted to read:

1460 626.8734 Nonresident all-lines adjuster license  
1461 qualifications.—

1462 (1) The department shall issue a license to an applicant  
1463 for a nonresident all-lines adjuster license upon determining  
1464 that the applicant has paid the applicable license fees required  
1465 under s. 624.501 and:

1466 (b) Has passed to the satisfaction of the department a  
1467 written Florida all-lines adjuster examination of the scope  
1468 prescribed in s. 626.241(6); however, the requirement for the  
1469 examination does not apply to:

1470 1. An applicant who is licensed as an all-lines adjuster  
1471 in his or her home state if that state has entered into a  
1472 reciprocal agreement with the department;

1473 2. An applicant who is licensed as a nonresident all-lines  
1474 adjuster in a state other than his or her home state and a  
1475 reciprocal agreement with the appropriate official of the state

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1476 | of licensure has been entered into with the department; or  
1477 |       3. An applicant who holds a certification set forth in s.  
1478 | 626.221(2)(j).  
1479 |       Section 49. This act shall take effect July 1, 2018.