

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 child transition
16 plans to address financial literacy by providing
17 specified information; amending s. 218.32, F.S.;
18 providing legislative intent to create the Florida
19 Open Financial Statement System; authorizing the Chief
20 Financial Officer to choose contracts to build
21 eXtensible Business Reporting language taxonomies;
22 requiring that local governmental financial statements
23 be filed in XBRL format; amending s. 284.40, F.S.;
24 authorizing the department to disclose certain
25 personal identifying information of injured or

26 | deceased employees which is exempt from disclosure
27 | under the Workers' Compensation Law to department-
28 | contracted vendors for certain purposes; amending s.
29 | 284.50, F.S.; requiring safety coordinators of state
30 | governmental departments to complete, within a certain
31 | timeframe, safety coordinator training offered by the
32 | department; requiring certain agencies to report
33 | certain return-to-work information to the department;
34 | requiring agencies to provide certain risk management
35 | program information to the Division of Risk Management
36 | for certain purposes; specifying requirements for
37 | agencies in reviewing and responding to certain
38 | information and communications provided by the
39 | division; amending s. 409.1451, F.S.; conforming a
40 | provision to changes made by the act; amending s.
41 | 414.411, F.S.; replacing the Department of Economic
42 | Opportunity with the Department of Education in a list
43 | of entities to which a public assistance recipient may
44 | be required to provide written consent for certain
45 | investigative inquiries and to which the department
46 | must report investigation results; amending s.
47 | 624.317, F.S.; authorizing the department to conduct
48 | investigations of any, rather than specified, agents
49 | subject to its jurisdiction; amending s. 624.34, F.S.;
50 | conforming a provision to changes made by the act;

51 amending s. 624.4073, F.S.; prohibiting certain
52 officers or directors of insolvent insurers from
53 having direct or indirect control over certain
54 selection or appointment of officers or directors,
55 except under certain circumstances; amending ss.
56 624.4094, 624.501, 624.509, and 625.071, F.S.;
57 conforming provisions to changes made by the act;
58 amending s. 626.112, F.S.; requiring a managing
59 general agent to hold a currently effective producer
60 license rather than a managing general agent license;
61 amending s. 626.171, F.S.; deleting applicability of
62 licensing provisions as to managing general agents;
63 making a technical change; amending s. 626.202, F.S.;
64 providing that certain applicants are not required to
65 resubmit fingerprints to the department under certain
66 circumstances; authorizing the department to require
67 these applicants to file fingerprints under certain
68 circumstances; amending s. 626.207, F.S.; conforming a
69 provision to changes made by the act; amending s.
70 626.221, F.S.; adding a designation that exempts
71 applicants for licensure as an all-lines adjuster from
72 an examination requirement; amending s. 626.451, F.S.;
73 deleting a requirement for law enforcement agencies
74 and state attorney's offices to notify the department
75 or the Office of Insurance Regulation of certain

76 felony dispositions; deleting a requirement for the
77 state attorney to provide the department or office a
78 certified copy of an information or indictment against
79 a managing general agent; conforming a provision to
80 changes made by the act; amending s. 626.521, F.S.;
81 revising requirements for credit and character reports
82 secured and kept by insurers or employers appointing
83 certain insurance representatives; providing
84 applicability; amending s. 626.731, F.S.; deleting a
85 certain qualification for licensure as a general lines
86 agent; amending s. 626.7351, F.S.; revising a
87 qualification for licensure as a customer
88 representative; amending s. 626.744, F.S.; conforming
89 a provision to changes made by the act; amending s.
90 626.745, F.S.; revising conditions under which service
91 representatives and managing general agents may engage
92 in certain activities; amending ss. 626.7451 and
93 626.7455, F.S.; conforming provisions to changes made
94 by the act; amending s. 626.752, F.S.; revising a
95 requirement for the Brokering Agent's Register
96 maintained by brokering agents; revising the limit on
97 certain personal lines risks an insurer may receive
98 from an agent within a specified timeframe before the
99 insurer must comply with certain reporting
100 requirements for that agent; amending s. 626.793,

101 F.S.; revising the limit on certain risks that certain
102 insurers may receive from a life agent within a
103 specified timeframe before the insurer must comply
104 with certain reporting requirements for that agent;
105 amending s. 626.798, F.S.; prohibiting specified life
106 agents from modifying the life insurance coverage on
107 the life of a person who is not a family member,
108 except as described; prohibiting a life agent or
109 family member of such agent from serving in specified
110 fiduciary capacities unless such agent or family
111 member meets certain fiduciary conditions; revising
112 definitions; amending s. 626.837, F.S.; revising the
113 limit on certain risks that certain insurers may
114 receive from a health agent within a specified
115 timeframe before the insurer must comply with certain
116 reporting requirements for that agent; amending s.
117 626.8732, F.S.; deleting a requirement for a licensed
118 nonresident public adjuster to submit a certain annual
119 affidavit to the department; amending s. 626.8734,
120 F.S.; deleting a requirement for a nonresident
121 independent adjuster to submit a certain annual
122 affidavit to the department; amending s. 626.88, F.S.;
123 conforming a provision to changes made by the act;
124 amending s. 626.927, F.S.; revising conditions under
125 which an individual may be licensed as a surplus lines

126 agent solely for the purpose of placing certain
127 coverages with surplus lines insurers; amending s.
128 626.930, F.S.; revising a requirement relating to the
129 location of a surplus lines agent's surplus lines
130 business records; amending s. 626.9892, F.S.;

131 authorizing the department to pay a specified amount
132 of rewards under the Anti-Fraud Reward Program for
133 information leading to the arrest and conviction of
134 persons guilty of arson; amending s. 633.302, F.S.;

135 revising the duration of the terms of members of the
136 Florida Fire Safety Board; amending s. 633.304, F.S.;

137 revising circumstances under which an inactive fire
138 equipment dealer license is void; specifying the
139 timeframe when an inactive license must be
140 reactivated; specifying that permittees performing
141 certain work on fire equipment may be contracted
142 rather than employed; revising a requirement for a
143 certain proof-of-insurance form to be provided by the
144 insurer rather than the State Fire Marshal; amending
145 s. 633.314, F.S.; authorizing fire extinguisher serial
146 numbers to be permanently affixed rather than stamped
147 to the manufacturer's identification plate; amending
148 s. 633.318, F.S.; revising a requirement for a certain
149 proof-of-insurance form to be provided by the insurer
150 rather than the State Fire Marshal; amending s.

151 633.408, F.S.; specifying prerequisites and retention
152 requirements for a Special Certificate of Compliance
153 that authorizes an individual to serve as an
154 administrative and command head of a fire service
155 provider; amending s. 633.416, F.S.; authorizing fire
156 service providers to employ honorably discharged
157 veterans who received specified training; requiring
158 the Division of State Fire Marshal to verify the
159 equivalency of such training before the individual
160 begins employment; requiring such individual to obtain
161 a Firefighter Certificate of Compliance within a
162 specified timeframe; making a technical change;
163 amending s. 633.444, F.S.; deleting a requirement for
164 the Division of State Fire Marshal to develop a
165 staffing and funding formula for the Florida State
166 Fire College; amending s. 648.27, F.S.; revising
167 conditions under which a managing general agent must
168 also be licensed as a bail bond agent; conforming a
169 provision to changes made by the act; amending s.
170 648.34, F.S.; providing that certain individuals
171 applying for bail bond agent licensure are not
172 required to resubmit fingerprints to the department
173 under certain circumstances; authorizing the
174 department to require such individuals to file
175 fingerprints under certain circumstances; reenacting

176 s. 626.8734(1)(b), F.S., relating to nonresident all-
 177 lines adjuster license qualifications, to incorporate
 178 the amendment made to s. 626.221, F.S., in a reference
 179 thereto; providing an effective date.

180

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

182

183 Section 1. Section 17.64, Florida Statutes, is amended to
 184 read:

185 17.64 Division of Treasury to make reproductions of
 186 certain warrants, records, and documents.—

187 (1) Electronic images, photographs, microphotographs, or
 188 reproductions on film of warrants, vouchers, or checks are ~~shall~~
 189 ~~be~~ deemed to be original records for all purposes; and any copy
 190 or reproduction thereof ~~made from such original film~~, duly
 191 certified by the Division of Treasury as a true and correct copy
 192 or reproduction ~~made from such film~~, is ~~shall be~~ deemed to be a
 193 transcript, exemplification, or certified copy of the original
 194 warrant, voucher, or check such copy represents, and must ~~shall~~
 195 in all cases and in all courts and places be admitted and
 196 received in evidence with the like force and effect as the
 197 original thereof might be.

198 (2) The Division of Treasury may electronically
 199 ~~photograph, microphotograph, or reproduce on film~~, all records
 200 and documents of the division, as the Chief Financial Officer,

201 in his or her discretion, selects; and the division may destroy
202 any such documents or records after they have been reproduced
203 electronically ~~photographed~~ and filed and after audit of the
204 division has been completed for the period embracing the dates
205 of such documents and records.

206 (3) Electronic copies ~~Photographs or microphotographs in~~
207 ~~the form of film or prints~~ of any records made in compliance
208 with ~~the provisions of~~ this section ~~shall~~ have the same force
209 and effect as the originals ~~thereof would~~ have, and must ~~shall~~
210 be treated as originals for the purpose of their admissibility
211 in evidence. Duly certified or authenticated reproductions of
212 such electronic images ~~must~~ ~~photographs or microphotographs~~
213 ~~shall~~ be admitted in evidence equally with the original
214 electronic images ~~photographs or microphotographs~~.

215 Section 2. Paragraph (e) of subsection (2) of section
216 20.121, Florida Statutes, is amended to read:

217 20.121 Department of Financial Services.—There is created
218 a Department of Financial Services.

219 (2) DIVISIONS.—The Department of Financial Services shall
220 consist of the following divisions and office:

221 (e) The Division of Investigative and Forensic Services,
222 which shall function as a criminal justice agency for purposes
223 of ss. 943.045-943.08. The division may conduct investigations
224 within or outside of this state as it deems necessary. If,
225 during an investigation, the division has reason to believe that

226 any criminal law of this state has or may have been violated, it
 227 shall refer any records tending to show such violation to state
 228 or federal law enforcement or prosecutorial agencies and shall
 229 provide investigative assistance to those agencies as required.

230 The division shall include the following bureaus and office:

- 231 1. The Bureau of Forensic Services;
- 232 2. The Bureau of Fire, and Arson, and Explosives
 233 Investigations; ~~and~~
- 234 3. The Office of Fiscal Integrity, which shall have a
 235 separate budget; ~~;~~
- 236 4. The Bureau of Insurance Fraud; and
- 237 5. The Bureau of Workers' Compensation Fraud.

238 Section 3. Subsection (1) of section 39.6035, Florida
 239 Statutes, is amended to read:

240 39.6035 Transition plan.—

241 (1) During the 180-day period after a child reaches 17
 242 years of age, the department and the community-based care
 243 provider, in collaboration with the caregiver and any other
 244 individual whom the child would like to include, shall assist
 245 the child in developing a transition plan. The required
 246 transition plan is in addition to standard case management
 247 requirements. The transition plan must address specific options
 248 for the child to use in obtaining services, including housing,
 249 health insurance, education, financial literacy, a driver
 250 license, and workforce support and employment services. The plan

251 must also consider establishing and maintaining naturally
 252 occurring mentoring relationships and other personal support
 253 services. The transition plan may be as detailed as the child
 254 chooses. In developing the transition plan, the department and
 255 the community-based provider shall:

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

258 (b) Coordinate the transition plan with the independent
 259 living provisions in the case plan and, for a child with
 260 disabilities, the Individuals with Disabilities Education Act
 261 transition plan; and-

262 (c) Provide information for the financial literacy
 263 curriculum for youth offered by the Department of Financial
 264 Services.

265 Section 4. Subsection (1) of section 218.32, Florida
 266 Statutes, is amended to read:

267 218.32 Annual financial reports; local governmental
 268 entities.-

269 (1)(a) Each local governmental entity that is determined
 270 to be a reporting entity, as defined by generally accepted
 271 accounting principles, and each independent special district as
 272 defined in s. 189.012, shall submit to the department a copy of
 273 its annual financial report for the previous fiscal year in a
 274 format prescribed by the department. The annual financial report
 275 must include a list of each local governmental entity included

276 in the report and each local governmental entity that failed to
277 provide financial information as required by paragraph (b). The
278 chair of the governing body and the chief financial officer of
279 each local governmental entity shall sign the annual financial
280 report submitted pursuant to this subsection attesting to the
281 accuracy of the information included in the report. The county
282 annual financial report must be a single document that covers
283 each county agency.

284 (b) Each component unit, as defined by generally accepted
285 accounting principles, of a local governmental entity shall
286 provide the local governmental entity, within a reasonable time
287 period as established by the local governmental entity, with
288 financial information necessary to comply with the reporting
289 requirements contained in this section.

290 (c) Each regional planning council created under s.
291 186.504, each local government finance commission, board, or
292 council, and each municipal power corporation created as a
293 separate legal or administrative entity by interlocal agreement
294 under s. 163.01(7) shall submit to the department a copy of its
295 audit report and an annual financial report for the previous
296 fiscal year in a format prescribed by the department.

297 (d) Each local governmental entity that is required to
298 provide for an audit under s. 218.39(1) must submit a copy of
299 the audit report and annual financial report to the department
300 within 45 days after the completion of the audit report but no

301 later than 9 months after the end of the fiscal year.

302 (e) Each local governmental entity that is not required to
303 provide for an audit under s. 218.39 must submit the annual
304 financial report to the department no later than 9 months after
305 the end of the fiscal year. The department shall consult with
306 the Auditor General in the development of the format of annual
307 financial reports submitted pursuant to this paragraph. The
308 format must include balance sheet information used by the
309 Auditor General pursuant to s. 11.45(7)(f). The department must
310 forward the financial information contained within the annual
311 financial reports to the Auditor General in electronic form.
312 This paragraph does not apply to housing authorities created
313 under chapter 421.

314 (f) If the department does not receive a completed annual
315 financial report from a local governmental entity within the
316 required period, it shall notify the Legislative Auditing
317 Committee and the Special District Accountability Program of the
318 Department of Economic Opportunity of the entity's failure to
319 comply with the reporting requirements.

320 (g) Each local governmental entity's website must provide
321 a link to the department's website to view the entity's annual
322 financial report submitted to the department pursuant to this
323 section. If the local governmental entity does not have an
324 official website, the county government's website must provide
325 the required link for the local governmental entity.

326 (h) It is the intent of the Legislature to create the
327 Florida Open Financial Statement System, an interactive
328 repository for governmental financial statements.

329 1. The Chief Financial Officer may consult with
330 stakeholders, including the department, the Auditor General, a
331 representative of a municipality or county, a representative of
332 a special district, a municipal bond investor, and an
333 information technology professional employed in the private
334 sector, for input on the design and implementation of the
335 Florida Open Financial Statement System.

336 2. The Chief Financial Officer may choose contractors to
337 build one or more eXtensible Business Reporting Language (XBRL)
338 taxonomies suitable for state, county, municipal, and special
339 district financial filings and to create a software tool that
340 enables financial statement filers to easily create XBRL
341 documents consistent with such taxonomies. The Chief Financial
342 Officer must recruit and select contractors through an open
343 request for proposals process pursuant to chapter 287.

344 3. The Chief Financial Officer must require that all work
345 products be completed no later than December 31, 2021.

346 4. If the Chief Financial Officer deems the work products
347 adequate, all local governmental financial statements for fiscal
348 years ending on or after September 1, 2022, must be filed in
349 XBRL format and must meet the validation requirements of the
350 relevant taxonomy.

351 5. A local government that begins filing in XBRL format
352 may not be required to make filings in Portable Document Format.

353 Section 5. Section 284.40, Florida Statutes, is amended to
354 read:

355 284.40 Division of Risk Management; disclosure of certain
356 workers' compensation-related information by the Department of
357 Financial Services.—

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

361 (2) The claim files maintained by the Division of Risk
362 Management shall be confidential, shall be only for the usage by
363 the Department of Financial Services in fulfilling its duties
364 and responsibilities under this part, and shall be exempt from
365 the provisions of s. 119.07(1).

366 (3) Upon certification by the division director or his or
367 her designee to the custodian of any records maintained by the
368 Department of Children and Families, Department of Health,
369 Agency for Health Care Administration, or Department of Elderly
370 Affairs that such records are necessary to investigate a claim
371 against the Department of Children and Families, Department of
372 Health, Agency for Health Care Administration, or Department of
373 Elderly Affairs being handled by the Division of Risk
374 Management, the records shall be released to the division
375 subject to the provisions of subsection (2), any conflicting

376 provisions as to the confidentiality of such records
377 notwithstanding.

378 (4) Notwithstanding s. 440.1851, the Department of
379 Financial Services may disclose the personal identifying
380 information of an injured or deceased employee to a department-
381 contracted vendor for the purpose of ascertaining a claimant's
382 claims history to investigate the compensability of a claim or
383 to identify and prevent fraud.

384 Section 6. Section 284.50, Florida Statutes, is amended to
385 read:

386 284.50 Loss prevention program; safety coordinators;
387 Interagency Advisory Council on Loss Prevention; employee
388 recognition program; return-to-work programs; risk management
389 programs.—

390 (1) The head of each department of state government,
391 except the Legislature, shall designate a safety coordinator.
392 Such safety coordinator must be an employee of the department
393 and must hold a position which has responsibilities comparable
394 to those of an employee in the Senior Management System. The
395 Department of Financial Services shall provide appropriate
396 training to the safety coordinators to permit them to
397 effectively perform their duties within their respective
398 departments. Within 1 year after being appointed by his or her
399 department head, the safety coordinator shall complete safety
400 coordinator training offered by the Department of Financial

401 Services. Each safety coordinator shall, at the direction of his
 402 or her department head:

403 (a) Develop and implement the loss prevention program, a
 404 comprehensive departmental safety program which shall include a
 405 statement of safety policy and responsibility.

406 (b) Provide for regular and periodic facility and
 407 equipment inspections.

408 (c) Investigate job-related employee accidents of his or
 409 her department.

410 (d) Establish a program to promote increased safety
 411 awareness among employees.

412 (2) There shall be an Interagency Advisory Council on Loss
 413 Prevention composed of the safety coordinators from each
 414 department and representatives designated by the Division of
 415 State Fire Marshal and the Division of Risk Management. The
 416 chair of the council is ~~shall be~~ the Director of the Division of
 417 Risk Management or his or her designee. The council shall meet
 418 at least quarterly to discuss safety problems within state
 419 government, to attempt to find solutions for these problems,
 420 and, when possible, to assist in the implementation of the
 421 solutions. If the safety coordinator of a department or office
 422 is unable to attend a council meeting, an alternate, selected by
 423 the department head or his or her designee, shall attend the
 424 meeting to represent and provide input for that department or
 425 office on the council. The council is further authorized to

426 provide for the recognition of employees, agents, and volunteers
427 who make exceptional contributions to the reduction and control
428 of employment-related accidents. The necessary expenses for the
429 administration of this program of recognition shall be
430 considered an authorized administrative expense payable from the
431 State Risk Management Trust Fund.

432 (3) The Department of Financial Services and all agencies
433 that are provided workers' compensation insurance coverage by
434 the State Risk Management Trust Fund and employ more than 3,000
435 full-time employees shall establish and maintain return-to-work
436 programs for employees who are receiving workers' compensation
437 benefits. The programs must ~~shall~~ have the primary goal of
438 enabling injured workers to remain at work or return to work to
439 perform job duties within the physical or mental functional
440 limitations and restrictions established by the workers'
441 treating physicians. If no limitation or restriction is
442 established in writing by a worker's treating physician, the
443 worker is ~~shall be~~ deemed to be able to fully perform the same
444 work duties he or she performed before the injury. Agencies
445 employing more than 3,000 full-time employees shall report
446 return-to-work information to the Department of Financial
447 Services to support the Department of Financial Services'
448 mandatory reporting requirements on agency return-to-work
449 efforts under s. 284.42(1)(b).

450 (4) The Division of Risk Management shall evaluate each

451 agency's risk management programs, including, but not limited
452 to, return-to-work, safety, and loss prevention programs, at
453 least once every 5 years. Reports, including, but not limited
454 to, any recommended corrective action, resulting from such
455 evaluations must ~~shall~~ be provided to the head of the agency
456 being evaluated, the Chief Financial Officer, and the director
457 of the Division of Risk Management. The agency head must provide
458 to the Division of Risk Management a response to all report
459 recommendations within 45 days and a plan to implement any
460 corrective action to be taken as part of the response. If the
461 agency disagrees with any final report recommendations,
462 including, but not limited to, any recommended corrective
463 action, or if the agency fails to implement any recommended
464 corrective action within a reasonable time, the division shall
465 submit the evaluation report to the legislative appropriations
466 committees. Each agency shall provide risk management program
467 information to the Division of Risk Management to support the
468 Division of Risk Management's mandatory evaluation and reporting
469 requirements in this subsection.

470 (5) Each agency shall:

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

473 (b) Identify any discrepancies between the Division of
474 Risk Management's records and the agency's records and report
475 such discrepancies to the Division of Risk Management in

476 writing; and

477 (c) Review and respond to communications from the Division
478 of Risk Management identifying unsafe or inappropriate
479 conditions, policies, procedures, trends, equipment, or actions
480 or incidents that have led or may lead to accidents or claims
481 involving the state.

482 Section 7. Paragraph (b) of subsection (3) of section
483 409.1451, Florida Statutes, is amended to read:

484 409.1451 The Road-to-Independence Program.—

485 (3) AFTERCARE SERVICES.—

486 (b) Aftercare services include, but are not limited to,
487 the following:

- 488 1. Mentoring and tutoring.
- 489 2. Mental health services and substance abuse counseling.
- 490 3. Life skills classes, including credit management and
491 preventive health activities.
- 492 4. Parenting classes.
- 493 5. Job and career skills training.
- 494 6. Counselor consultations.
- 495 7. Temporary financial assistance for necessities,
496 including, but not limited to, education supplies,
497 transportation expenses, security deposits for rent and
498 utilities, furnishings, household goods, and other basic living
499 expenses.
- 500 8. Financial literacy skills training pursuant to s.

501 39.6035(1)(c).

502

503 The specific services to be provided under this paragraph shall
504 be determined by an assessment of the young adult and may be
505 provided by the community-based care provider or through
506 referrals in the community.

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

509 414.411 Public assistance fraud.—

510 (1) The Department of Financial Services shall investigate
511 all public assistance provided to residents of the state or
512 provided to others by the state. In the course of such
513 investigation the department shall examine all records,
514 including electronic benefits transfer records and make inquiry
515 of all persons who may have knowledge as to any irregularity
516 incidental to the disbursement of public moneys, food
517 assistance, or other items or benefits authorizations to
518 recipients. All public assistance recipients, as a condition
519 precedent to qualification for public assistance under chapter
520 409, chapter 411, or this chapter, must first give in writing,
521 to the Agency for Health Care Administration, the Department of
522 Health, the Department of Education ~~Economic Opportunity~~, and
523 the Department of Children and Families, as appropriate, and to
524 the Department of Financial Services, consent to make inquiry of
525 past or present employers and records, financial or otherwise.

526 (3) The results of such investigation shall be reported by
 527 the Department of Financial Services to the appropriate
 528 legislative committees, the Agency for Health Care
 529 Administration, the Department of Health, the Department of
 530 Education ~~Economic Opportunity~~, and the Department of Children
 531 and Families, and to such others as the department may
 532 determine.

533 Section 9. Subsection (1) of section 624.317, Florida
 534 Statutes, is amended to read:

535 624.317 Investigation of agents, adjusters,
 536 administrators, service companies, and others.—If it has reason
 537 to believe that any person has violated or is violating any
 538 provision of this code, or upon the written complaint signed by
 539 any interested person indicating that any such violation may
 540 exist:

541 (1) The department shall conduct such investigation as it
 542 deems necessary of the accounts, records, documents, and
 543 transactions pertaining to or affecting the insurance affairs of
 544 any ~~general agent, surplus lines agent,~~ adjuster, ~~managing~~
 545 ~~general agent, insurance agent,~~ insurance agency, customer
 546 representative, service representative, or other person subject
 547 to its jurisdiction, subject to the requirements of s. 626.601.

548 Section 10. Subsection (2) of section 624.34, Florida
 549 Statutes, is amended to read:

550 624.34 Authority of Department of Law Enforcement to

551 accept fingerprints of, and exchange criminal history records
 552 with respect to, certain persons.—

553 (2) The Department of Law Enforcement may accept
 554 fingerprints of individuals who apply for a license as an agent,
 555 customer representative, adjuster, service representative, or
 556 navigator, ~~or managing general agent~~ or the fingerprints of the
 557 majority owner, sole proprietor, partners, officers, and
 558 directors of a corporation or other legal entity that applies
 559 for licensure with the department or office under the Florida
 560 Insurance Code.

561 Section 11. Section 624.4073, Florida Statutes, is amended
 562 to read:

563 624.4073 Officers and directors of insolvent insurers.—Any
 564 person who was an officer or director of an insurer doing
 565 business in this state and who served in that capacity within
 566 the 2-year period before ~~prior to~~ the date the insurer became
 567 insolvent, for any insolvency that occurs on or after July 1,
 568 2002, may not thereafter serve as an officer or director of an
 569 insurer authorized in this state or have direct or indirect
 570 control over the selection or appointment of an officer or
 571 director through contract, trust, or by operation of law, unless
 572 the officer or director demonstrates that his or her personal
 573 actions or omissions were not a significant contributing cause
 574 to the insolvency.

575 Section 12. Subsection (1) of section 624.4094, Florida

576 Statutes, is amended to read:

577 624.4094 Bail bond premiums.—

578 (1) The Legislature finds that a significant portion of
 579 bail bond premiums is retained by the licensed bail bond agents
 580 or appointed ~~licensed~~ managing general agents. For purposes of
 581 reporting in financial statements required to be filed with the
 582 office pursuant to s. 624.424, direct written premiums for bail
 583 bonds by a domestic insurer in this state shall be reported net
 584 of any amounts retained by licensed bail bond agents or
 585 appointed ~~licensed~~ managing general agents. However, in no case
 586 shall the direct written premiums for bail bonds be less than
 587 6.5 percent of the total consideration received by the agent for
 588 all bail bonds written by the agent. This subsection also
 589 applies to any determination of compliance with s. 624.4095.

590 Section 13. Paragraph (e) of subsection (19) of section
 591 624.501, Florida Statutes, is amended to read:

592 624.501 Filing, license, appointment, and miscellaneous
 593 fees.—The department, commission, or office, as appropriate,
 594 shall collect in advance, and persons so served shall pay to it
 595 in advance, fees, licenses, and miscellaneous charges as
 596 follows:

597 (19) Miscellaneous services:

598 (e) Insurer's registration fee for agent exchanging
 599 business more than four ~~24~~ times in a calendar year under s.
 600 626.752, s. 626.793, or s. 626.837, registration fee per agent

601 per year.....\$30.00

602 Section 14. Subsection (1) of section 624.509, Florida
 603 Statutes, is amended to read:

604 624.509 Premium tax; rate and computation.—

605 (1) In addition to the license taxes provided for in this
 606 chapter, each insurer shall also annually, and on or before
 607 March 1 in each year, except as to wet marine and transportation
 608 insurance taxed under s. 624.510, pay to the Department of
 609 Revenue a tax on insurance premiums, premiums for title
 610 insurance, or assessments, including membership fees and policy
 611 fees and gross deposits received from subscribers to reciprocal
 612 or interinsurance agreements, and on annuity premiums or
 613 considerations, received during the preceding calendar year, the
 614 amounts thereof to be determined as set forth in this section,
 615 to wit:

616 (a) An amount equal to 1.75 percent of the gross amount of
 617 such receipts on account of life and health insurance policies
 618 covering persons resident in this state and on account of all
 619 other types of policies and contracts, except annuity policies
 620 or contracts taxable under paragraph (b) and bail bond policies
 621 or contracts taxable under paragraph (c), covering property,
 622 subjects, or risks located, resident, or to be performed in this
 623 state, omitting premiums on reinsurance accepted, and less
 624 return premiums or assessments, but without deductions:

625 1. For reinsurance ceded to other insurers;

626 2. For moneys paid upon surrender of policies or
627 certificates for cash surrender value;

628 3. For discounts or refunds for direct or prompt payment
629 of premiums or assessments; and

630 4. On account of dividends of any nature or amount paid
631 and credited or allowed to holders of insurance policies;
632 certificates; or surety, indemnity, reciprocal, or
633 interinsurance contracts or agreements;

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

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

641 Section 15. Section 625.071, Florida Statutes, is amended
642 to read:

643 625.071 Special reserve for bail and judicial bonds.—In
644 lieu of the unearned premium reserve required on surety bonds
645 under s. 625.051, the office may require any surety insurer or
646 limited surety insurer to set up and maintain a reserve on all
647 bail bonds or other single-premium bonds without definite
648 expiration date, furnished in judicial proceedings, equal to the
649 lesser of 35 percent of the bail premiums in force or \$7 per
650 \$1,000 of bail liability. Such reserve shall be reported as a

651 liability in financial statements required to be filed with the
652 office. Each insurer shall file a supplementary schedule showing
653 bail premiums in force and bail liability and the associated
654 special reserve for bail and judicial bonds with financial
655 statements required by s. 624.424. Bail premiums in force do not
656 include amounts retained by licensed bail bond agents or
657 appointed ~~licensed~~ managing general agents, but may not be less
658 than 6.5 percent of the total consideration received for all
659 bail bonds in force.

660 Section 16. Subsection (5) of section 626.112, Florida
661 Statutes, is amended to read:

662 626.112 License and appointment required; agents, customer
663 representatives, adjusters, insurance agencies, service
664 representatives, managing general agents.—

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

669 Section 17. Section 626.171, Florida Statutes, is amended
670 to read:

671 626.171 Application for license as an agent, customer
672 representative, adjuster, service representative, ~~managing~~
673 ~~general agent,~~ or reinsurance intermediary.—

674 (1) The department may not issue a license as agent,
675 customer representative, adjuster, service representative,

676 ~~managing general agent,~~ or reinsurance intermediary to any
677 person except upon written application filed with the
678 department, meeting the qualifications for the license applied
679 for as determined by the department, and payment in advance of
680 all applicable fees. The application must be made under the oath
681 of the applicant and be signed by the applicant. An applicant
682 may permit a third party to complete, submit, and sign an
683 application on the applicant's behalf, but is responsible for
684 ensuring that the information on the application is true and
685 correct and is accountable for any misstatements or
686 misrepresentations. The department shall accept the uniform
687 application for nonresident agent licensing. The department may
688 adopt revised versions of the uniform application by rule.

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

690 (a) His or her full name, age, social security number,
691 residence address, business address, mailing address, contact
692 telephone numbers, including a business telephone number, and e-
693 mail address.

694 (b) A statement indicating the method the applicant used
695 or is using to meet any required prelicensing education,
696 knowledge, experience, or instructional requirements for the
697 type of license applied for.

698 (c) Whether he or she has been refused or has voluntarily
699 surrendered or has had suspended or revoked a license to solicit
700 insurance by the department or by the supervising officials of

701 any state.

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

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

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

709 (g) The applicant's native language.

710 (h) The highest level of education achieved by the
711 applicant.

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

714 (j) Such other or additional information as the department
715 may deem proper to enable it to determine the character,
716 experience, ability, and other qualifications of the applicant
717 to hold himself or herself out to the public as an insurance
718 representative.

719

720 However, the application must contain a statement that an
721 applicant is not required to disclose his or her race or
722 ethnicity, gender, or native language, that he or she will not
723 be penalized for not doing so, and that the department will use
724 this information exclusively for research and statistical
725 purposes and to improve the quality and fairness of the

726 examinations.

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

729 (4) An applicant for a license as an agent, customer
730 representative, adjuster, service representative, ~~managing~~
731 ~~general agent,~~ or reinsurance intermediary must submit a set of
732 the individual applicant's fingerprints, or, if the applicant is
733 not an individual, a set of the fingerprints of the sole
734 proprietor, majority owner, partners, officers, and directors,
735 to the department and must pay the fingerprint processing fee
736 set forth in s. 624.501. Fingerprints must ~~shall~~ be used to
737 investigate the applicant's qualifications pursuant to s.
738 626.201. The fingerprints must ~~shall~~ be taken by a law
739 enforcement agency, designated examination center, or other
740 department-approved entity. The department shall require all
741 designated examination centers to have fingerprinting equipment
742 and to take fingerprints from any applicant or prospective
743 applicant who pays the applicable fee. The department may not
744 approve an application for licensure as an agent, customer
745 service representative, adjuster, service representative,
746 ~~managing general agent,~~ or reinsurance intermediary if
747 fingerprints have not been submitted.

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

750 (6) Members of the United States Armed Forces and their

751 spouses, and veterans of the United States Armed Forces who have
 752 retired within 24 months before application for licensure, are
 753 exempt from the application filing fee prescribed in s. 624.501.
 754 Qualified individuals must provide a copy of a military
 755 identification card, military dependent identification card,
 756 military service record, military personnel file, veteran
 757 record, discharge paper, ~~or separation document,~~ or a separation
 758 document that indicates such members of the United States Armed
 759 Forces are currently in good standing or were honorably
 760 discharged.

761 (7) Pursuant to the federal Personal Responsibility and
 762 Work Opportunity Reconciliation Act of 1996, each party is
 763 required to provide his or her social security number in
 764 accordance with this section. Disclosure of social security
 765 numbers obtained through this requirement must ~~shall~~ be limited
 766 to the purpose of administration of the Title IV-D program for
 767 child support enforcement.

768 Section 18. Section 626.202, Florida Statutes, is amended
 769 to read:

770 626.202 Fingerprinting requirements.—

771 (1) The requirements for completion and submission of
 772 fingerprints under this chapter are deemed to be met when an
 773 individual currently licensed under this chapter seeks
 774 additional licensure and has previously submitted fingerprints
 775 to the department within the past 48 months. However, the

776 department may require the individual to file fingerprints if it
777 has reason to believe that an applicant or licensee has been
778 found guilty of, or pleaded guilty or nolo contendere to, a
779 felony or a crime related to the business of insurance in this
780 state or any other state or jurisdiction.

781 (2) If there is a change in ownership or control of any
782 entity licensed under this chapter, or if a new partner,
783 officer, or director is employed or appointed, a set of
784 fingerprints of the new owner, partner, officer, or director
785 must be filed with the department or office within 30 days after
786 the change. The acquisition of 10 percent or more of the voting
787 securities of a licensed entity is considered a change of
788 ownership or control. The fingerprints must be taken by a law
789 enforcement agency or other department-approved entity and be
790 accompanied by the fingerprint processing fee in s. 624.501.

791 Section 19. Subsection (9) of section 626.207, Florida
792 Statutes, is amended to read:

793 626.207 Disqualification of applicants and licensees;
794 penalties against licensees; rulemaking authority.—

795 (9) Section 112.011 does not apply to any applicants for
796 licensure under the Florida Insurance Code, including, but not
797 limited to, agents, agencies, adjusters, adjusting firms, or
798 customer representatives, ~~or managing general agents.~~

799 Section 20. Paragraph (j) of subsection (2) of section
800 626.221, Florida Statutes, is amended to read:

801 626.221 Examination requirement; exemptions.—

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

804 (j) An applicant for license as an all-lines adjuster who
805 has the designation of Accredited Claims Adjuster (ACA) from a
806 regionally accredited postsecondary institution in this state,
807 Associate in Claims (AIC) from the Insurance Institute of
808 America, Professional Claims Adjuster (PCA) from the
809 Professional Career Institute, Professional Property Insurance
810 Adjuster (PPIA) from the HurriClaim Training Academy, Certified
811 Adjuster (CA) from ALL LINES Training, Certified Claims Adjuster
812 (CCA) from AE21 Incorporated, Claims Adjuster Certified
813 Professional (CACP) from WebCE, Inc., or Universal Claims
814 Certification (UCC) from Claims and Litigation Management
815 Alliance (CLM) whose curriculum has been approved by the
816 department and which includes comprehensive analysis of basic
817 property and casualty lines of insurance and testing at least
818 equal to that of standard department testing for the all-lines
819 adjuster license. The department shall adopt rules establishing
820 standards for the approval of curriculum.

821 Section 21. Subsection (7) of section 626.451, Florida
822 Statutes, is renumbered as subsection (6), and subsections (1)
823 and (5) and present subsection (6) of that section are amended,
824 to read:

825 626.451 Appointment of agent or other representative.—

826 (1) Each appointing entity or person designated by the
 827 department to administer the appointment process appointing an
 828 agent, adjuster, service representative, customer
 829 representative, or managing general agent in this state shall
 830 file the appointment with the department or office and, at the
 831 same time, pay the applicable appointment fee and taxes. Every
 832 appointment is ~~shall be~~ subject to the prior issuance of the
 833 appropriate agent's, adjuster's, service representative's, or
 834 customer representative's, ~~or managing general agent's~~ license.

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

840 (5)(6) Upon the filing of an information or indictment
 841 against an agent, adjuster, service representative, or customer
 842 representative, ~~or managing general agent,~~ the state attorney
 843 shall immediately furnish the department or office a certified
 844 copy of the information or indictment.

845 Section 22. Section 626.521, Florida Statutes, is amended
 846 to read:

847 626.521 ~~Character,~~ Credit and character reports.—

848 (1) Before appointing ~~As to each applicant who~~ for the
 849 first time in this state an ~~is applying and qualifying for a~~
 850 ~~license as agent, adjuster, service representative, customer~~

851 representative, or managing general agent, the appointing
852 insurer or employer shall ~~its manager or general agent in this~~
853 ~~state, in the case of agents, or the appointing general lines~~
854 ~~agent, in the case of customer representatives, or the employer,~~
855 ~~in the case of service representatives and of adjusters who are~~
856 ~~not to be self-employed, shall coincidentally with such~~
857 ~~appointment or employment~~ secure and thereafter keep on file a
858 full detailed credit and character report ~~made by an established~~
859 ~~and reputable independent reporting service,~~ relative to the
860 individual so appointed ~~or employed~~. This subsection does not
861 apply to licensees who self-appoint pursuant to s. 624.501.

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

867 (3) ~~As to an applicant for an adjuster's or reinsurance~~
868 ~~intermediary's license who is to be self-employed, the~~
869 ~~department may secure, at the cost of the applicant, a full~~
870 ~~detailed credit and character report made by an established and~~
871 ~~reputable independent reporting service relative to the~~
872 ~~applicant.~~

873 (4) ~~Each person who for the first time in this state is~~
874 ~~applying and qualifying for a license as a reinsurance~~
875 ~~intermediary shall file with her or his application for license~~

876 | ~~a full, detailed credit and character report for the 5-year~~
877 | ~~period immediately prior to the date of application for license,~~
878 | ~~made by an established and reputable independent reporting~~
879 | ~~service, relative to the individual if a partnership or sole~~
880 | ~~proprietorship, or the officers if a corporation or other legal~~
881 | ~~entity.~~

882 | (3)~~(5)~~ Information contained in credit or character
883 | reports furnished to or secured by the department under this
884 | section is confidential and exempt from ~~the provisions of s.~~
885 | 119.07(1).

886 | Section 23. Paragraph (f) of subsection (1) of section
887 | 626.731, Florida Statutes, is amended to read:

888 | 626.731 Qualifications for general lines agent's license.-

889 | (1) The department shall not grant or issue a license as
890 | general lines agent to any individual found by it to be
891 | untrustworthy or incompetent or who does not meet each of the
892 | following qualifications:

893 | ~~(f) The applicant is not a service representative, a~~
894 | ~~managing general agent in this state, or a special agent or~~
895 | ~~similar service representative of a health insurer which also~~
896 | ~~transacts property, casualty, or surety insurance; except that~~
897 | ~~the president, vice president, secretary, or treasurer,~~
898 | ~~including a member of the board of directors, of a corporate~~
899 | ~~insurer, if otherwise qualified under and meeting the~~
900 | ~~requirements of this part, may be licensed and appointed as a~~

901 ~~local resident agent.~~

902 Section 24. Subsection (6) of section 626.7351, Florida
903 Statutes, is amended to read:

904 626.7351 Qualifications for customer representative's
905 license.—The department shall not grant or issue a license as
906 customer representative to any individual found by it to be
907 untrustworthy or incompetent, or who does not meet each of the
908 following qualifications:

909 (6) Upon the issuance of the license applied for, the
910 applicant is not an agent or a service representative, ~~or a~~
911 ~~managing general agent.~~

912 Section 25. Section 626.744, Florida Statutes, is amended
913 to read:

914 626.744 Service representatives, ~~managing general agents;~~
915 application for license.—The application for a license as
916 service representative must ~~or the application for a license as~~
917 ~~managing general agent shall~~ show the applicant's name,
918 residence address, name of employer, position or title, type of
919 work to be performed by the applicant in this state, and any
920 additional information which the department may reasonably
921 require.

922 Section 26. Section 626.745, Florida Statutes, is amended
923 to read:

924 626.745 Service representatives, managing general agents;
925 managers; activities.—Individuals employed by insurers or their

926 managers, general agents, or representatives as service
 927 representatives, and as managing general agents employed for the
 928 purpose of or engaged in assisting agents in negotiating and
 929 effecting contracts of insurance, shall engage in such
 930 activities ~~when, and only when~~ licensed as or, accompanied by a
 931 general lines ~~an~~ agent duly licensed and appointed ~~as a resident~~
 932 ~~licensee and appointee~~ under this code.

933 Section 27. Subsection (11) of section 626.7451, Florida
 934 Statutes, is amended to read:

935 626.7451 Managing general agents; required contract
 936 provisions.—No person acting in the capacity of a managing
 937 general agent shall place business with an insurer unless there
 938 is in force a written contract between the parties which sets
 939 forth the responsibility for a particular function, specifies
 940 the division of responsibilities, and contains the following
 941 minimum provisions:

942 (11) An appointed ~~A licensed~~ managing general agent, when
 943 placing business with an insurer under this code, may charge a
 944 per-policy fee not to exceed \$25. ~~In no instance shall~~ The
 945 aggregate of per-policy fees for a placement of business
 946 authorized under this section, when combined with any other per-
 947 policy fee charged by the insurer, may not result in per-policy
 948 fees that ~~which~~ exceed the aggregate amount of \$25. The per-
 949 policy fee must ~~shall~~ be a component of the insurer's rate
 950 filing and must ~~shall~~ be fully earned.

951
952 For the purposes of this section and ss. 626.7453 and 626.7454,
953 the term "controlling person" or "controlling" has the meaning
954 set forth in s. 625.012(5)(b)1., and the term "controlled
955 person" or "controlled" has the meaning set forth in s.
956 625.012(5)(b)2.

957 Section 28. Subsection (1) of section 626.7455, Florida
958 Statutes, is amended to read:

959 626.7455 Managing general agent; responsibility of
960 insurer.—

961 (1) An insurer may not ~~No insurer shall~~ enter into an
962 agreement with any person to manage the business written in this
963 state by the general lines agents appointed by the insurer or
964 appointed by the managing general agent on behalf of the insurer
965 unless the person is properly licensed as an agent and appointed
966 as a managing general agent in this state. An insurer is ~~shall~~
967 ~~be~~ responsible for the acts of its managing general agent when
968 the agent acts within the scope of his or her authority.

969 Section 29. Paragraph (e) of subsection (3) and subsection
970 (5) of section 626.752, Florida Statutes, are amended to read:

971 626.752 Exchange of business.—

972 (3)

973 (e) The brokering agent shall maintain an appropriate and
974 permanent Brokering Agent's Register, which must ~~shall~~ be a
975 permanent record of ~~bound journal in which~~ chronologically

976 | numbered transactions that are entered no later than the day in
977 | which the brokering agent's application bearing the same number
978 | is signed by the applicant. The numbers must ~~shall~~ reflect an
979 | annual aggregate through numerical sequence and be preceded by
980 | the last two digits of the current year. The initial entry must
981 | ~~shall~~ contain the number of the transaction, date, time, date of
982 | binder, date on which coverage commences, name and address of
983 | applicant, type of coverage desired, name of insurer binding the
984 | risk or to whom the application is to be submitted, and the
985 | amount of any premium collected therefor. By no later than the
986 | date following policy delivery, the policy number and coverage
987 | expiration date must ~~shall~~ be added to the register.

988 | (5) Within 15 days after the last day of each month, any
989 | insurer accepting business under this section shall report to
990 | the department the name, address, telephone number, and social
991 | security number of each agent from which the insurer received
992 | more than four ~~24~~ personal lines risks during the calendar year,
993 | except for risks being removed from the Citizens Property
994 | Insurance Corporation and placed with that insurer by a
995 | brokering agent. Once the insurer has reported pursuant to this
996 | subsection an agent's name to the department, additional reports
997 | on the same agent shall not be required. However, the fee set
998 | forth in s. 624.501 must ~~shall~~ be paid for the agent by the
999 | insurer for each year until the insurer notifies the department
1000 | that the insurer is no longer accepting business from the agent

1001 pursuant to this section. The insurer may require that the agent
 1002 reimburse the insurer for the fee.

1003 Section 30. Subsection (4) of section 626.793, Florida
 1004 Statutes, is amended to read:

1005 626.793 Excess or rejected business.—

1006 (4) Within 15 days after the last day of each month, any
 1007 insurer accepting business under this section shall report to
 1008 the department the name, address, telephone number, and social
 1009 security number of each agent from which the insurer received
 1010 more than four ~~24~~ risks during the calendar year. Once the
 1011 insurer has reported an agent's name to the department pursuant
 1012 to this subsection, additional reports on the same agent shall
 1013 not be required. However, the fee set forth in s. 624.501 must
 1014 ~~shall~~ be paid for the agent by the insurer for each year until
 1015 the insurer notifies the department that the insurer is no
 1016 longer accepting business from the agent pursuant to this
 1017 section. The insurer may require that the agent reimburse the
 1018 insurer for the fee.

1019 Section 31. Section 626.798, Florida Statutes, is amended
 1020 to read:

1021 626.798 Life agent as beneficiary; prohibition.—

1022 (1) A No life agent may not place or modify ~~shall, with~~
 1023 ~~respect to the placement of~~ life insurance coverage with a life
 1024 insurer covering the life of a person who is not a family member
 1025 of the life agent, ~~handle in his or her capacity as a life agent~~

1026 ~~the placement of such coverage~~ when the life agent ~~placing the~~
1027 ~~coverage~~ or a family member of the life ~~such~~ agent is the named
1028 beneficiary under the life insurance policy, or the modification
1029 names the life agent or a family member of the life agent the
1030 named beneficiary, unless the life agent or family member of the
1031 life agent has an insurable interest in the life of such person.

1032 (2) A life ~~However, the~~ agent or a family member of the
1033 life ~~such~~ agent may not serve ~~be designated~~ as a trustee or
1034 guardian or accept authority to act under a ~~be granted~~ power of
1035 attorney for any person the life agent conducts insurance
1036 business with, unless he or she is:

1037 (a) A family member of the ~~person~~ ~~policy owner~~ or insured;
1038 or,

1039 (b)1. Acting as a fiduciary;

1040 2. Licensed as a certified public accountant under s.
1041 473.308; and

1042 3.a. Registered under s. 203 of the Investment Advisers
1043 Act of 1940 as an investment adviser, or a representative
1044 thereof, and compliant with the notice filing requirements of s.
1045 517.1201; or

1046 b. Registered under s. 517.12, as a dealer, investment
1047 adviser, or associated person ~~or is a bank or trust company duly~~
1048 ~~authorized to act as a fiduciary.~~

1049 (3) For the purposes of this section: ~~the phrase~~

1050 (a) "not a Family member," ~~with respect to a life agent,~~

1051 means an individual who is ~~not~~ related to the life agent as
 1052 father, mother, son, daughter, brother, sister, grandfather,
 1053 grandmother, uncle, aunt, first cousin, nephew, niece, husband,
 1054 wife, father-in-law, mother-in-law, brother-in-law, sister-in-
 1055 law, stepfather, stepmother, stepson, stepdaughter, stepbrother,
 1056 stepsister, half brother, or half sister.

1057 ~~(b) For the purposes of this section, the term~~ "Insurable
 1058 interest" means that the life agent or family member of the life
 1059 agent has an actual, lawful, and substantial economic interest
 1060 in the safety and preservation of the life of the insured or a
 1061 reasonable expectation of benefit or advantage from the
 1062 continued life of the insured.

1063 Section 32. Subsection (5) of section 626.837, Florida
 1064 Statutes, is amended to read:

1065 626.837 Excess or rejected business.—

1066 (5) Within 15 days after the last day of each month, any
 1067 insurer accepting business under this section shall report to
 1068 the department the name, address, telephone number, and social
 1069 security number of each agent from which the insurer received
 1070 more than four ~~24~~ risks during the calendar year. Once the
 1071 insurer has reported pursuant to this subsection an agent's name
 1072 to the department, additional reports on the same agent shall
 1073 not be required. However, the fee set forth in s. 624.501 must
 1074 ~~shall~~ be paid for the agent by the insurer for each year until
 1075 the insurer notifies the department that the insurer is no

1076 longer accepting business from the agent pursuant to this
 1077 section. The insurer may require that the agent reimburse the
 1078 insurer for the fee.

1079 Section 33. Subsection (5) of section 626.8732, Florida
 1080 Statutes, is amended to read:

1081 626.8732 Nonresident public adjuster's qualifications,
 1082 bond.—

1083 ~~(5) After licensure as a nonresident public adjuster, as a~~
 1084 ~~condition of doing business in this state, the licensee must~~
 1085 ~~annually on or before January 1, on a form prescribed by the~~
 1086 ~~department, submit an affidavit certifying that the licensee is~~
 1087 ~~familiar with and understands the insurance code and rules~~
 1088 ~~adopted thereunder and the provisions of the contracts~~
 1089 ~~negotiated or to be negotiated. Compliance with this filing~~
 1090 ~~requirement is a condition precedent to the issuance,~~
 1091 ~~continuation, reinstatement, or renewal of a nonresident public~~
 1092 ~~adjuster's appointment.~~

1093 Section 34. Subsection (4) of section 626.8734, Florida
 1094 Statutes, is amended to read:

1095 626.8734 Nonresident all-lines adjuster license
 1096 qualifications.—

1097 ~~(4) As a condition of doing business in this state as a~~
 1098 ~~nonresident independent adjuster, the appointee must submit an~~
 1099 ~~affidavit to the department certifying that the licensee is~~
 1100 ~~familiar with and understands the insurance laws and~~

1101 ~~administrative rules of this state and the provisions of the~~
1102 ~~contracts negotiated or to be negotiated. Compliance with this~~
1103 ~~filing requirement is a condition precedent to the issuance,~~
1104 ~~continuation, reinstatement, or renewal of a nonresident~~
1105 ~~independent adjuster's appointment.~~

1106 Section 35. Paragraph (h) of subsection (1) of section
1107 626.88, Florida Statutes, is amended to read:

1108 626.88 Definitions.—For the purposes of this part, the
1109 term:

1110 (1) "Administrator" is any person who directly or
1111 indirectly solicits or effects coverage of, collects charges or
1112 premiums from, or adjusts or settles claims on residents of this
1113 state in connection with authorized commercial self-insurance
1114 funds or with insured or self-insured programs which provide
1115 life or health insurance coverage or coverage of any other
1116 expenses described in s. 624.33(1) or any person who, through a
1117 health care risk contract as defined in s. 641.234 with an
1118 insurer or health maintenance organization, provides billing and
1119 collection services to health insurers and health maintenance
1120 organizations on behalf of health care providers, other than any
1121 of the following persons:

1122 (h) A person appointed ~~licensed~~ as a managing general
1123 agent in this state, whose activities are limited exclusively to
1124 the scope of activities conveyed under such appointment ~~license~~.

1125

1126 A person who provides billing and collection services to health
 1127 insurers and health maintenance organizations on behalf of
 1128 health care providers shall comply with the provisions of ss.
 1129 627.6131, 641.3155, and 641.51(4).

1130 Section 36. Section 626.927, Florida Statutes, is amended
 1131 to read:

1132 626.927 Licensing of surplus lines agent.—

1133 ~~(1) Any individual while licensed and appointed as a~~
 1134 ~~resident general lines agent as to property, casualty, and~~
 1135 ~~surety insurances, and who is deemed by the department to have~~
 1136 ~~had sufficient experience in the insurance business to be~~
 1137 ~~competent for the purpose, and who, within the 4 years~~
 1138 ~~immediately preceding the date the application was submitted,~~
 1139 ~~has a minimum of 1 year's experience working for a licensed~~
 1140 ~~surplus lines agent or who has successfully completed 60 class~~
 1141 ~~hours in surplus and excess lines in a course approved by the~~
 1142 ~~department, may be licensed as a surplus lines agent, upon~~
 1143 ~~taking and successfully passing a written examination as to~~
 1144 ~~surplus lines, as given by the department.~~

1145 (1)(2) Any individual, while licensed as and ~~appointed as~~
 1146 ~~a managing general agent as defined in s. 626.015, or service~~
 1147 ~~representative as defined in s. 626.015, and who otherwise~~
 1148 ~~possesses all of the other qualifications of a general lines~~
 1149 ~~agent under this code, and who has a minimum of 1 year of year's~~
 1150 ~~experience working for a licensed surplus lines agent or who has~~

1151 successfully completed 60 class hours in surplus and excess
1152 lines in a course approved by the department, may, upon taking
1153 and successfully passing a written examination as to surplus
1154 lines, as given by the department, be licensed as a surplus
1155 lines agent solely for the purpose of placing with surplus lines
1156 insurers property, marine, casualty, or surety coverages
1157 originated by general lines agents; ~~except that no examination~~
1158 ~~as for a general lines agent's license shall be required of any~~
1159 ~~managing general agent or service representative who held a~~
1160 ~~Florida surplus lines agent's license as of January 1, 1959.~~

1161 (2)~~(3)~~ Application for the license shall be made to the
1162 department on forms as designated and furnished by it.

1163 (3)~~(4)~~ License and appointment fees in the amount
1164 specified in s. 624.501 shall be paid to the department in
1165 advance. The license and appointment of a surplus lines agent
1166 continue in force until suspended, revoked, or otherwise
1167 terminated. The appointment of a surplus lines agent continues
1168 in force until suspended, revoked, or terminated, but is subject
1169 to biennial renewal or continuation by the licensee in
1170 accordance with procedures prescribed in s. 626.381 for agents
1171 in general.

1172 (4)~~(5)~~ Examinations as to surplus lines, as required under
1173 subsection ~~subsections~~ (1) ~~and (2)~~, are subject to the
1174 provisions of part I as applicable to applicants for licenses in
1175 general.

1176 (5)~~(6)~~ An individual who has been licensed by the
 1177 department as a surplus lines agent as provided in this section
 1178 may be subsequently appointed without additional written
 1179 examination if his or her application for appointment is filed
 1180 with the department within 48 months after the date of
 1181 cancellation or expiration of the prior appointment. The
 1182 department may require an individual to take and successfully
 1183 pass an examination as for original issuance of license as a
 1184 condition precedent to the reinstatement or continuation of the
 1185 licensee's current license or reinstatement or continuation of
 1186 the licensee's appointment.

1187 Section 37. Subsection (3) of section 626.930, Florida
 1188 Statutes, is amended to read:

1189 626.930 Records of surplus lines agent.—

1190 (3) Each surplus lines agent shall maintain all surplus
 1191 lines business records in his or her general lines agency
 1192 office, ~~if licensed as a general lines agent, or in his or her~~
 1193 ~~managing general agency office, if licensed as a managing~~
 1194 ~~general agent or the full-time salaried employee of such general~~
 1195 ~~agent.~~

1196 Section 38. Subsection (2) of section 626.9892, Florida
 1197 Statutes, is amended to read:

1198 626.9892 Anti-Fraud Reward Program; reporting of insurance
 1199 fraud.—

1200 (2) The department may pay rewards of up to \$25,000 to

1201 persons providing information leading to the arrest and
 1202 conviction of persons committing crimes investigated by the
 1203 department arising from violations of s. 440.105, s. 624.15, s.
 1204 626.9541, s. 626.989, s. 790.164, s. 790.165, s. 790.166, s.
 1205 806.01, s. 806.031, s. 806.10, s. 806.111, s. 817.233, or s.
 1206 817.234.

1207 Section 39. Subsection (3) of section 633.302, Florida
 1208 Statutes, is amended to read:

1209 633.302 Florida Fire Safety Board; membership; duties;
 1210 meetings; officers; quorum; compensation; seal.-

1211 (3) The State Fire Marshal's term on the board, or that of
 1212 her or his designee, shall coincide with the State Fire
 1213 Marshal's term of office. ~~Of the other six members of the board,~~
 1214 ~~one member shall be appointed for a term of 1 year, one member~~
 1215 ~~for a term of 2 years, two members for terms of 3 years, and two~~
 1216 ~~members for terms of 4 years.~~ All terms are for 4 years and
 1217 expire on June 30 of the last year of the term. When the term of
 1218 a member expires, the State Fire Marshal shall appoint a member
 1219 to fill the vacancy for a term of 4 years. The State Fire
 1220 Marshal may remove any appointed member for cause. A vacancy in
 1221 the membership of the board for any cause must ~~shall~~ be filled
 1222 by appointment by the State Fire Marshal for the balance of the
 1223 unexpired term.

1224 Section 40. Subsection (2), paragraph (a) of subsection
 1225 (3), and paragraphs (b), (c), and (d) of subsection (4) of

1226 section 633.304, Florida Statutes, are amended to read:

1227 633.304 Fire suppression equipment; license to install or
1228 maintain.—

1229 (2) A person who holds a valid fire equipment dealer
1230 license may maintain such license in an inactive status during
1231 which time he or she may not engage in any work under the
1232 definition of the license held. An inactive status license is
1233 ~~shall be void after 4 years after the approval date of the~~
1234 inactive status application. To maintain inactive status, the
1235 inactive licensee must submit proof of continuing education and
1236 the inactive status fee before December 31 of each odd-numbered
1237 year or when the license is renewed, whichever comes first. An
1238 ~~inactive status license may not be reactivated unless the~~
1239 ~~continuing education requirements of this chapter have been~~
1240 ~~fulfilled.~~

1241 (3) Each individual actually performing the work of
1242 servicing, recharging, repairing, hydrotesting, installing,
1243 testing, or inspecting fire extinguishers or preengineered
1244 systems must possess a valid and subsisting permit issued by the
1245 division. Permittees are limited as to specific type of work
1246 performed to allow work no more extensive than the class of
1247 license held by the licensee under whom the permittee is
1248 working. Permits will be issued by the division as follows:

1249 (a) Portable permit: "Portable permittee" means a person
1250 who is limited to performing work no more extensive than the

1251 | employing or contractually related licensee in the servicing,
 1252 | recharging, repairing, installing, or inspecting all types of
 1253 | portable fire extinguishers.

1254 |
 1255 | Any fire equipment permittee licensed pursuant to this
 1256 | subsection who does not want to engage in servicing, inspecting,
 1257 | recharging, repairing, hydrotesting, or installing halon
 1258 | equipment must file an affidavit on a form provided by the
 1259 | division so stating. Permits will be issued by the division to
 1260 | show the work authorized thereunder. It is unlawful, unlicensed
 1261 | activity for a person or firm to falsely hold himself or herself
 1262 | out to perform any service, inspection, recharge, repair,
 1263 | hydrotest, or installation except as specifically described in
 1264 | the permit.

1265 | (4)

1266 | (b) After initial licensure, each licensee or permittee
 1267 | must successfully complete a course or courses of continuing
 1268 | education for fire equipment technicians of at least 16 hours. A
 1269 | license or permit may not be renewed unless the licensee or
 1270 | permittee produces documentation of the completion of at least
 1271 | 16 hours of continuing education for fire equipment technicians
 1272 | during the biennial licensure period. A person who is both a
 1273 | licensee and a permittee shall ~~be required to~~ complete 16 hours
 1274 | of continuing education during each renewal period. Each
 1275 | licensee shall ensure that all permittees in his or her

1276 employment or through a contractual agreement meet their
1277 continuing education requirements. The State Fire Marshal shall
1278 adopt rules describing the continuing education requirements and
1279 shall have the authority upon reasonable belief, to audit a fire
1280 equipment dealer to determine compliance with continuing
1281 education requirements.

1282 (c) The forms of such licenses and permits and
1283 applications therefor must ~~shall~~ be prescribed by the State Fire
1284 Marshal; in addition to such other information and data as that
1285 officer determines is appropriate and required for such forms,
1286 there must ~~shall~~ be included in such forms the following
1287 matters. Each such application must be in such form as to
1288 provide that the data and other information set forth therein
1289 shall be sworn to by the applicant or, if a corporation, by an
1290 officer thereof. An application for a permit must include the
1291 name of the licensee employing, or contractually related to,
1292 such permittee, and the permit issued in pursuance of such
1293 application must also set forth the name of such licensee. A
1294 permit is valid solely for use by the holder thereof in his or
1295 her employment by, or contractual relationship with, the
1296 licensee named in the permit.

1297 (d) A license of any class may not be issued or renewed by
1298 the division and a license of any class does not remain
1299 operative unless:

1300 1. The applicant has submitted to the State Fire Marshal

1301 evidence of registration as a Florida corporation or evidence of
1302 compliance with s. 865.09.

1303 2. The State Fire Marshal or his or her designee has by
1304 inspection determined that the applicant possesses the equipment
1305 required for the class of license sought. The State Fire Marshal
1306 shall give an applicant a reasonable opportunity to correct any
1307 deficiencies discovered by inspection. To obtain such
1308 inspection, an applicant with facilities located outside this
1309 state must:

1310 a. Provide a notarized statement from a professional
1311 engineer licensed by the applicant's state of domicile
1312 certifying that the applicant possesses the equipment required
1313 for the class of license sought and that all such equipment is
1314 operable; or

1315 b. Allow the State Fire Marshal or her or his designee to
1316 inspect the facility. All costs associated with the State Fire
1317 Marshal's inspection must ~~shall~~ be paid by the applicant. The
1318 State Fire Marshal, in accordance with s. 120.54, may adopt
1319 rules to establish standards for the calculation and
1320 establishment of the amount of costs associated with any
1321 inspection conducted by the State Fire Marshal under this
1322 section. Such rules must ~~shall~~ include procedures for invoicing
1323 and receiving funds in advance of the inspection.

1324 3. The applicant has submitted to the State Fire Marshal
1325 proof of insurance providing coverage for comprehensive general

1326 liability for bodily injury and property damage, products
1327 liability, completed operations, and contractual liability. The
1328 State Fire Marshal shall adopt rules providing for the amounts
1329 of such coverage, but such amounts may not be less than \$300,000
1330 for Class A or Class D licenses, \$200,000 for Class B licenses,
1331 and \$100,000 for Class C licenses; and the total coverage for
1332 any class of license held in conjunction with a Class D license
1333 may not be less than \$300,000. The State Fire Marshal may, at
1334 any time after the issuance of a license or its renewal, require
1335 upon demand, and in no event more than 30 days after notice of
1336 such demand, the licensee to provide proof of insurance, on the
1337 insurer's a form ~~provided by the State Fire Marshal~~, containing
1338 confirmation of insurance coverage as required by this chapter.
1339 Failure, for any length of time, to provide proof of insurance
1340 coverage as required must ~~shall~~ result in the immediate
1341 suspension of the license until proof of proper insurance is
1342 provided to the State Fire Marshal. An insurer that ~~which~~
1343 provides such coverage shall notify the State Fire Marshal of
1344 any change in coverage or of any termination, cancellation, or
1345 nonrenewal of any coverage.

1346 4. The applicant applies to the State Fire Marshal,
1347 provides proof of experience, and successfully completes a
1348 prescribed training course offered by the State Fire College or
1349 an equivalent course approved by the State Fire Marshal. This
1350 subparagraph does not apply to any holder of or applicant for a

1351 permit under paragraph (g) or to a business organization or a
1352 governmental entity seeking initial licensure or renewal of an
1353 existing license solely for the purpose of inspecting,
1354 servicing, repairing, marking, recharging, and maintaining fire
1355 extinguishers used and located on the premises of and owned by
1356 such organization or entity.

1357 5. The applicant has a current retestor identification
1358 number that is appropriate for the license for which the
1359 applicant is applying and that is listed with the United States
1360 Department of Transportation.

1361 6. The applicant has passed, with a grade of at least 70
1362 percent, a written examination testing his or her knowledge of
1363 the rules and statutes governing the activities authorized by
1364 the license and demonstrating his or her knowledge and ability
1365 to perform those tasks in a competent, lawful, and safe manner.
1366 Such examination must ~~shall~~ be developed and administered by the
1367 State Fire Marshal, or his or her designee in accordance with
1368 policies and procedures of the State Fire Marshal. An applicant
1369 shall pay a nonrefundable examination fee of \$50 for each
1370 examination or reexamination scheduled. A reexamination may not
1371 be scheduled sooner than 30 days after any administration of an
1372 examination to an applicant. An applicant may not be permitted
1373 to take an examination for any level of license more than a
1374 total of four times during 1 year, regardless of the number of
1375 applications submitted. As a prerequisite to licensure of the

1376 applicant, he or she:

1377 a. Must be at least 18 years of age.

1378 b. Must have 4 years of proven experience as a fire
1379 equipment permittee at a level equal to or greater than the
1380 level of license applied for or have a combination of education
1381 and experience determined to be equivalent thereto by the State
1382 Fire Marshal. Having held a permit at the appropriate level for
1383 the required period constitutes the required experience.

1384 c. Must not have been convicted of a felony or a crime
1385 punishable by imprisonment of 1 year or more under the law of
1386 the United States or of any state thereof or under the law of
1387 any other country. "Convicted" means a finding of guilt or the
1388 acceptance of a plea of guilty or nolo contendere in any federal
1389 or state court or a court in any other country, without regard
1390 to whether a judgment of conviction has been entered by the
1391 court having jurisdiction of the case. If an applicant has been
1392 convicted of any such felony, the applicant is ~~shall be~~ excluded
1393 from licensure for a period of 4 years after expiration of
1394 sentence or final release by the Florida Commission on Offender
1395 Review unless the applicant, before the expiration of the 4-year
1396 period, has received a full pardon or has had her or his civil
1397 rights restored.

1398
1399 This subparagraph does not apply to any holder of or applicant
1400 for a permit under paragraph (g) or to a business organization

1401 or a governmental entity seeking initial licensure or renewal of
 1402 an existing license solely for the purpose of inspecting,
 1403 servicing, repairing, marking, recharging, hydrotesting, and
 1404 maintaining fire extinguishers used and located on the premises
 1405 of and owned by such organization or entity.

1406 Section 41. Subsection (2) of section 633.314, Florida
 1407 Statutes, is amended to read:

1408 633.314 Sale or use of certain types of fire extinguishers
 1409 prohibited; penalty.—

1410 (2) It is unlawful for any person, directly or through an
 1411 agent, to sell, offer for sale, or give in this state any make,
 1412 type, or model of fire extinguisher, either new or used, unless
 1413 such make, type, or model of extinguisher has first been tested
 1414 and is currently approved or listed by Underwriters
 1415 Laboratories, Inc., Factory Mutual Laboratories, Inc., or
 1416 another testing laboratory recognized by the State Fire Marshal
 1417 as nationally recognized in accordance with procedures adopted
 1418 by rule, taking into account the laboratory's facilities,
 1419 procedures, use of nationally recognized standards, and any
 1420 other criteria reasonably calculated to reach an informed
 1421 determination, and unless such extinguisher carries an
 1422 Underwriters Laboratories, Inc., or manufacturer's serial
 1423 number. Such serial number must ~~shall~~ be permanently affixed
 1424 ~~stamped~~ on the manufacturer's identification and instruction
 1425 plate.

1426 Section 42. Subsection (7) of section 633.318, Florida
 1427 Statutes, is amended to read:

1428 633.318 Certificate application and issuance; permit
 1429 issuance; examination and investigation of applicant.—

1430 (7) The State Fire Marshal may, at any time subsequent to
 1431 the issuance of the certificate or its renewal, require, upon
 1432 demand and in no event more than 30 days after notice of the
 1433 demand, the certificateholder to provide proof of insurance
 1434 coverage on the insurer's ~~a form provided by the State Fire~~
 1435 ~~Marshal~~ containing confirmation of insurance coverage as
 1436 required by this chapter. Failure to provide proof of insurance
 1437 coverage as required, for any length of time, shall result in
 1438 the immediate suspension of the certificate until proof of
 1439 insurance is provided to the State Fire Marshal.

1440 Section 43. Paragraph (b) of subsection (6) of section
 1441 633.408, Florida Statutes, is amended to read:

1442 633.408 Firefighter and volunteer firefighter training and
 1443 certification.—

1444 (6)

1445 (b) A Special Certificate of Compliance only authorizes an
 1446 individual to serve as an administrative and command head of a
 1447 fire service provider.

1448 1. An individual desiring to obtain a Special Certificate
 1449 of Compliance may not be employed as a fire chief, fire
 1450 coordinator, fire director, or fire administrator for a period

1451 of more than 1 year without obtaining certification.

1452 2. An individual desiring to obtain a Special Certificate
 1453 of Compliance may not serve as a command officer or function in
 1454 a position dictating incident outcomes or objectives before
 1455 achieving certification.

1456 3. Retention requirements for a Special Certificate of
 1457 Compliance must be similar to those provided in s. 633.414.

1458 Section 44. Subsection (1) of section 633.416, Florida
 1459 Statutes, is amended, present subsections (7) and (8) of that
 1460 section are renumbered as subsections (8) and (9), respectively,
 1461 and a new subsection (7) is added to that section, to read:

1462 633.416 Firefighter employment and volunteer firefighter
 1463 service; saving clause.—

1464 (1) A fire service provider may not employ an individual
 1465 to:

1466 (a) Extinguish fires for the protection of life or
 1467 property or to supervise individuals who perform such services
 1468 unless the individual holds a current and valid Firefighter
 1469 Certificate of Compliance; or

1470 (b) Serve as the administrative and command head of a fire
 1471 service provider for a period in excess of 1 year unless the
 1472 individual holds a current and valid Firefighter Certificate of
 1473 Compliance or Special Certificate of Compliance pursuant to s.
 1474 633.408.

1475 (7) A fire service provider may employ veterans who were

1476 honorably discharged and who received training equivalent to the
1477 requirements under this chapter. The standard of equivalency of
1478 training must be verified by the division before such an
1479 individual's employment begins. Such individual must obtain a
1480 Firefighter Certificate of Compliance within 24 months after
1481 employment.

1482 Section 45. Paragraph (e) of subsection (1) of section
1483 633.444, Florida Statutes, is amended to read:

1484 633.444 Division powers and duties; Florida State Fire
1485 College.—

1486 (1) The division, in performing its duties related to the
1487 Florida State Fire College, specified in this part, shall:

1488 ~~(e) Develop a staffing and funding formula for the Florida~~
1489 ~~State Fire College. The formula must include differential~~
1490 ~~funding levels for various types of programs, must be based on~~
1491 ~~the number of full-time equivalent students and information~~
1492 ~~obtained from scheduled attendance counts taken the first day of~~
1493 ~~each program, and must provide the basis for the legislative~~
1494 ~~budget request. As used in this section, a full-time equivalent~~
1495 ~~student is equal to a minimum of 900 hours in a technical~~
1496 ~~certificate program and 400 hours in a degree-seeking program.~~
1497 ~~The funding formula must be as prescribed pursuant to s.~~
1498 ~~1011.62, must include procedures to document daily attendance,~~
1499 ~~and must require that attendance records be retained for audit~~
1500 ~~purposes.~~

1501 Section 46. Subsection (8) of section 648.27, Florida
1502 Statutes, is amended to read:

1503 648.27 Licenses and appointments; general.-

1504 (8) ~~An application for a managing general agent's license~~
1505 ~~must be made by an insurer who proposes to employ or appoint an~~
1506 ~~individual, partnership, association, or corporation as a~~
1507 ~~managing general agent. Such application shall contain the~~
1508 ~~information required by s. 626.744, and the applicant shall pay~~
1509 ~~the same fee as a managing general agent licensed pursuant to~~
1510 ~~that section.~~ An individual who is appointed as a managing
1511 general agent to supervise or manage bail bond business written
1512 in this state must also be licensed as a bail bond agent. In the
1513 case of an entity, at least one owner, officer, or director at
1514 each office location must be licensed as a bail bond agent.

1515 Section 47. Present subsection (6) of section 648.34,
1516 Florida Statutes, is renumbered as subsection (7), and a new
1517 subsection (6) is added to that section, to read:

1518 648.34 Bail bond agents; qualifications.-

1519 (6) The requirements for completion and submission of
1520 fingerprints under this chapter are deemed to be met when an
1521 individual currently licensed under this chapter seeks
1522 additional licensure and has previously submitted fingerprints
1523 to the department in support of an application for licensure
1524 under this chapter within the past 48 months. However, the
1525 department may require the individual to file fingerprints if it

1526 has reason to believe that an applicant or licensee has been
1527 found guilty of, or pleaded guilty or nolo contendere to, a
1528 felony or a crime related to the business of insurance in this
1529 or any other state or jurisdiction.

1530 Section 48. For the purpose of incorporating the amendment
1531 made by this act to section 626.221, Florida Statutes, in a
1532 reference thereto, paragraph (b) of subsection (1) of section
1533 626.8734, Florida Statutes, is reenacted to read:

1534 626.8734 Nonresident all-lines adjuster license
1535 qualifications.—

1536 (1) The department shall issue a license to an applicant
1537 for a nonresident all-lines adjuster license upon determining
1538 that the applicant has paid the applicable license fees required
1539 under s. 624.501 and:

1540 (b) Has passed to the satisfaction of the department a
1541 written Florida all-lines adjuster examination of the scope
1542 prescribed in s. 626.241(6); however, the requirement for the
1543 examination does not apply to:

1544 1. An applicant who is licensed as an all-lines adjuster
1545 in his or her home state if that state has entered into a
1546 reciprocal agreement with the department;

1547 2. An applicant who is licensed as a nonresident all-lines
1548 adjuster in a state other than his or her home state and a
1549 reciprocal agreement with the appropriate official of the state
1550 of licensure has been entered into with the department; or

CS/CS/CS/HB 1073

2018

1551 3. An applicant who holds a certification set forth in s.
1552 626.221(2)(j).
1553 Section 49. This act shall take effect July 1, 2018.