

By the Committee on Banking and Insurance; and Senator Stargel

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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. 218.32, F.S.;  
23          providing legislative intent relating to the creation  
24          of the Florida Open Financial Statement System;  
25          authorizing the Chief Financial Officer to consult  
26          with certain stakeholders for input on the design and  
27          implementation of the system; specifying requirements  
28          and procedures for the Chief Financial Officer in  
29          selecting and recruiting contractors for certain

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30 purposes; requiring the Chief Financial Officer to  
31 require completion of all work by a specified date;  
32 providing that if the Chief Financial Officer deems  
33 work products adequate, all local governmental  
34 financial statements pertaining to fiscal years ending  
35 on or after a specified date must meet certain  
36 requirements; providing construction; providing an  
37 appropriation; amending s. 284.40, F.S.; authorizing  
38 the department to disclose certain personal  
39 identifying information of injured or deceased  
40 employees which is exempt from disclosure under the  
41 Workers' Compensation Law to department-contracted  
42 vendors for certain purposes; amending s. 284.50,  
43 F.S.; requiring safety coordinators of state  
44 governmental departments to complete, within a certain  
45 timeframe, safety coordinator training offered by the  
46 department; requiring certain agencies to report  
47 certain return-to-work information to the department;  
48 requiring agencies to provide certain risk management  
49 program information to the Division of Risk Management  
50 for certain purposes; specifying requirements for  
51 agencies in reviewing and responding to certain  
52 information and communications provided by the  
53 division; amending s. 409.1451, F.S.; revising  
54 conditions under which a young adult is eligible for  
55 postsecondary education services and support under the  
56 Road-to-Independence Program; conforming a provision  
57 to changes made by the act; amending s. 414.411, F.S.;

58 replacing the Department of Economic Opportunity with

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59 the Department of Education in a list of entities to  
60 which a public assistance recipient may be required to  
61 provide written consent for certain investigative  
62 inquiries and to which the department must report  
63 investigation results; amending s. 497.168, F.S.;  
64 providing an exemption from specified application fees  
65 for members and certain veterans of the United States  
66 Armed Forces; amending s. 497.456, F.S.; authorizing  
67 the department, on or before a specified date, to  
68 transfer up to a specified amount from the Preneed  
69 Funeral Contract Consumer Protection Trust Fund to the  
70 Regulatory Trust Fund for a certain purpose;  
71 authorizing the department to annually transfer earned  
72 or accrued interest from the Preneed Funeral Contract  
73 Consumer Protection Trust Fund to the Regulatory Trust  
74 Fund for a certain purpose; providing for expiration;  
75 amending s. 624.317, F.S.; authorizing the department  
76 to conduct investigations of any, rather than  
77 specified, agents subject to its jurisdiction;  
78 amending s. 624.34, F.S.; conforming a provision to  
79 changes made by the act; amending s. 624.4073, F.S.;  
80 prohibiting certain officers or directors of insolvent  
81 insurers from having direct or indirect control over  
82 certain selection or appointment of officers or  
83 directors, except under certain circumstances;  
84 amending ss. 624.4094, 624.501, 624.509, and 625.071,  
85 F.S.; conforming provisions to changes made by the  
86 act; amending s. 626.112, F.S.; requiring a managing  
87 general agent to hold a currently effective producer

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88 license rather than a managing general agent license;  
89 amending s. 626.171, F.S.; deleting applicability of  
90 licensing provisions as to managing general agents;  
91 making a technical change; amending s. 626.202, F.S.;  
92 providing that certain applicants are not required to  
93 resubmit fingerprints to the department under certain  
94 circumstances; authorizing the department to require  
95 these applicants to file fingerprints under certain  
96 circumstances; providing an exemption from  
97 fingerprinting requirements for members and certain  
98 veterans of the United States Armed Forces; requiring  
99 such members and veterans to provide certain  
100 documentation of good standing or honorable discharge;  
101 amending s. 626.207, F.S.; conforming a provision to  
102 changes made by the act; amending s. 626.221, F.S.;  
103 adding a designation that exempts applicants for  
104 licensure as an all-lines adjuster from an examination  
105 requirement; amending s. 626.451, F.S.; deleting a  
106 requirement for law enforcement agencies and state  
107 attorney's offices to notify the department or the  
108 Office of Insurance Regulation of certain felony  
109 dispositions; deleting a requirement for the state  
110 attorney to provide the department or office a  
111 certified copy of an information or indictment against  
112 a managing general agent; conforming a provision to  
113 changes made by the act; amending s. 626.521, F.S.;  
114 revising requirements for credit and character reports  
115 secured and kept by insurers or employers appointing  
116 certain insurance representatives; providing

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117 applicability; amending s. 626.731, F.S.; deleting a  
118 certain qualification for licensure as a general lines  
119 agent; amending s. 626.7351, F.S.; revising a  
120 qualification for licensure as a customer  
121 representative; amending s. 626.744, F.S.; conforming  
122 a provision to changes made by the act; amending s.  
123 626.745, F.S.; revising conditions under which service  
124 representatives and managing general agents may engage  
125 in certain activities; amending ss. 626.7451 and  
126 626.7455, F.S.; conforming provisions to changes made  
127 by the act; amending s. 626.752, F.S.; revising a  
128 requirement for the Brokering Agent's Register  
129 maintained by brokering agents; revising the limit on  
130 certain personal lines risks an insurer may receive  
131 from an agent within a specified timeframe before the  
132 insurer must comply with certain reporting  
133 requirements for that agent; amending s. 626.793,  
134 F.S.; revising the limit on certain risks that certain  
135 insurers may receive from a life agent within a  
136 specified timeframe before the insurer must comply  
137 with certain reporting requirements for that agent;  
138 amending s. 626.837, F.S.; revising the limit on  
139 certain risks that certain insurers may receive from a  
140 health agent within a specified timeframe before the  
141 insurer must comply with certain reporting  
142 requirements for that agent; amending s. 626.8732,  
143 F.S.; deleting a requirement for a licensed  
144 nonresident public adjuster to submit a certain annual  
145 affidavit to the department; amending s. 626.8734,

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146 F.S.; deleting a requirement for a nonresident  
147 independent adjuster to submit a certain annual  
148 affidavit to the department; amending s. 626.88, F.S.;  
149 conforming a provision to changes made by the act;  
150 amending s. 626.927, F.S.; revising conditions under  
151 which an individual may be licensed as a surplus lines  
152 agent solely for the purpose of placing certain  
153 coverages with surplus lines insurers; amending s.  
154 626.930, F.S.; revising a requirement relating to the  
155 location of a surplus lines agent's surplus lines  
156 business records; amending s. 626.9892, F.S.;  
157 authorizing the department to pay up a specified  
158 amount of rewards under the Anti-Fraud Reward Program  
159 for information leading to the arrest and conviction  
160 of persons guilty of arson; amending s. 633.302, F.S.;  
161 revising the term duration of certain members of the  
162 Florida Fire Safety Board; amending s. 633.304, F.S.;  
163 revising circumstances under which an inactive fire  
164 equipment dealer license is void; specifying the  
165 timeframe when an inactive license must be  
166 reactivated; specifying that permittees performing  
167 certain work on fire equipment may be contracted  
168 rather than employed; revising a requirement for a  
169 certain proof-of-insurance form to be provided by the  
170 insurer rather than the State Fire Marshal; amending  
171 s. 633.318, F.S.; revising a requirement for a certain  
172 proof-of-insurance form to be provided by the insurer  
173 rather than the State Fire Marshal; amending s.  
174 633.408, F.S.; specifying firefighter certification

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175 requirements for certain individuals employed in  
176 administrative and command positions of a fire service  
177 provider; specifying conditions for an individual to  
178 retain a Special Certificate of Compliance; amending  
179 s. 633.416, F.S.; authorizing fire service providers  
180 to employ honorably discharged veterans who received  
181 Florida-equivalent training; requiring the Division of  
182 State Fire Marshal to verify the equivalency of such  
183 training before the individual begins employment;  
184 requiring such individual to obtain a Firefighter  
185 Certificate of Compliance within a specified  
186 timeframe; making a technical change; amending s.  
187 633.444, F.S.; deleting a requirement for the Division  
188 of State Fire Marshal to develop a staffing and  
189 funding formula for the Florida State Fire College;  
190 amending s. 648.27, F.S.; revising conditions under  
191 which a managing general agent must also be licensed  
192 as a bail bond agent; conforming a provision to  
193 changes made by the act; amending s. 648.34, F.S.;  
194 providing that certain individuals applying for bail  
195 bond agent licensure are not required to resubmit  
196 fingerprints to the department under certain  
197 circumstances; authorizing the department to require  
198 such individuals to file fingerprints under certain  
199 circumstances; reenacting s. 626.8734(1)(b), F.S.,  
200 relating to nonresident all-lines adjuster license  
201 qualifications, to incorporate the amendment made to  
202 s. 626.221, F.S., in a reference thereto; providing an  
203 effective date.

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

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

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

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

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

(3) Electronic copies ~~Photographs or microphotographs in the form of film or prints~~ of any records made in compliance with ~~the provisions of~~ this section ~~shall~~ have the same force



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233 and effect as the originals ~~thereof would~~ have, and must ~~shall~~  
234 be treated as originals for the purpose of their admissibility  
235 in evidence. Duly certified or authenticated reproductions of  
236 such electronic images must ~~photographs or microphotographs~~  
237 ~~shall~~ be admitted in evidence equally with the original  
238 electronic images ~~photographs or microphotographs~~.

239 Section 2. Paragraph (e) of subsection (2) of section  
240 20.121, Florida Statutes, is amended to read:

241 20.121 Department of Financial Services.—There is created a  
242 Department of Financial Services.

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

245 (e) The Division of Investigative and Forensic Services,   
246 which shall function as a criminal justice agency for purposes  
247 of ss. 943.045-943.08. The division may conduct investigations  
248 within or outside of this state as it deems necessary. If,  
249 during an investigation, the division has reason to believe that  
250 any criminal law of this state has or may have been violated, it  
251 shall refer any records tending to show such violation to state  
252 or federal law enforcement or prosecutorial agencies and shall  
253 provide investigative assistance to those agencies as required.  
254 The division shall include the following bureaus and office:

- 255 1. The Bureau of Forensic Services;
- 256 2. The Bureau of Fire, and Arson, and Explosives  
257 Investigations; ~~and~~
- 258 3. The Office of Fiscal Integrity, which shall have a  
259 separate budget; :-
- 260 4. The Bureau of Insurance Fraud; and
- 261 5. The Bureau of Workers' Compensation Fraud.

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

264 39.6035 Transition plan.—

265 (1) During the 180-day period after a child reaches 17  
266 years of age, the department and the community-based care  
267 provider, in collaboration with the caregiver and any other  
268 individual whom the child would like to include, shall assist  
269 the child in developing a transition plan. The required  
270 transition plan is in addition to standard case management  
271 requirements. The transition plan must address specific options  
272 for the child to use in obtaining services, including housing,  
273 health insurance, education, financial literacy, a driver  
274 license, and workforce support and employment services. The plan  
275 must also consider establishing and maintaining naturally  
276 occurring mentoring relationships and other personal support  
277 services. The transition plan may be as detailed as the child  
278 chooses. In developing the transition plan, the department and  
279 the community-based provider shall:

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

282 (b) Coordinate the transition plan with the independent  
283 living provisions in the case plan and, for a child with  
284 disabilities, the Individuals with Disabilities Education Act  
285 transition plan; ~~and.~~

286 (c) Provide information for the financial literacy  
287 curriculum for foster youth offered by the Department of  
288 Financial Services, and require completion of the curriculum  
289 with a passing score before receiving aftercare services or  
290 continuing care services as attested by the child's guardian ad

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291 litem.

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

294 39.6251 Continuing care for young adults.—

295 (2) The primary goal for a child in care is permanency. A  
296 child who is living in licensed care on his or her 18th birthday  
297 and who has not achieved permanency under s. 39.621 is eligible  
298 to remain in licensed care under the jurisdiction of the court  
299 and in the care of the department. A child is eligible to remain  
300 in licensed care if he or she is:

301 (a) Completing secondary education or a program leading to  
302 an equivalent credential;

303 (b) Enrolled in an institution that provides postsecondary  
304 or vocational education;

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

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

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

310 (f)~~(e)~~ Unable to participate in programs or activities  
311 listed in paragraphs (a)-(e) ~~(a)-(d)~~ full time due to a  
312 physical, intellectual, emotional, or psychiatric condition that  
313 limits participation. Any such barrier to participation must be  
314 supported by documentation in the child's case file or school or  
315 medical records of a physical, intellectual, or psychiatric  
316 condition that impairs the child's ability to perform one or  
317 more life activities.

318 Section 5. Section 218.32, Florida Statutes, is amended to  
319 read:

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320 218.32 Annual financial reports; local governmental  
321 entities; Florida Open Financial Statement System.—

322 (1) (a) Each local governmental entity that is determined to  
323 be a reporting entity, as defined by generally accepted  
324 accounting principles, and each independent special district as  
325 defined in s. 189.012, shall submit to the department a copy of  
326 its annual financial report for the previous fiscal year in a  
327 format prescribed by the department. The annual financial report  
328 must include a list of each local governmental entity included  
329 in the report and each local governmental entity that failed to  
330 provide financial information as required by paragraph (b). The  
331 chair of the governing body and the chief financial officer of  
332 each local governmental entity shall sign the annual financial  
333 report submitted pursuant to this subsection attesting to the  
334 accuracy of the information included in the report. The county  
335 annual financial report must be a single document that covers  
336 each county agency.

337 (b) Each component unit, as defined by generally accepted  
338 accounting principles, of a local governmental entity shall  
339 provide the local governmental entity, within a reasonable time  
340 period as established by the local governmental entity, with  
341 financial information necessary to comply with the reporting  
342 requirements contained in this section.

343 (c) Each regional planning council created under s.  
344 186.504, each local government finance commission, board, or  
345 council, and each municipal power corporation created as a  
346 separate legal or administrative entity by interlocal agreement  
347 under s. 163.01(7) shall submit to the department a copy of its  
348 audit report and an annual financial report for the previous

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349 fiscal year in a format prescribed by the department.

350 (d) Each local governmental entity that is required to  
351 provide for an audit under s. 218.39(1) must submit a copy of  
352 the audit report and annual financial report to the department  
353 within 45 days after the completion of the audit report but no  
354 later than 9 months after the end of the fiscal year.

355 (e) Each local governmental entity that is not required to  
356 provide for an audit under s. 218.39 must submit the annual  
357 financial report to the department no later than 9 months after  
358 the end of the fiscal year. The department shall consult with  
359 the Auditor General in the development of the format of annual  
360 financial reports submitted pursuant to this paragraph. The  
361 format must include balance sheet information used by the  
362 Auditor General pursuant to s. 11.45(7)(f). The department must  
363 forward the financial information contained within the annual  
364 financial reports to the Auditor General in electronic form.  
365 This paragraph does not apply to housing authorities created  
366 under chapter 421.

367 (f) If the department does not receive a completed annual  
368 financial report from a local governmental entity within the  
369 required period, it shall notify the Legislative Auditing  
370 Committee and the Special District Accountability Program of the  
371 Department of Economic Opportunity of the entity's failure to  
372 comply with the reporting requirements.

373 (g) Each local governmental entity's website must provide a  
374 link to the department's website to view the entity's annual  
375 financial report submitted to the department pursuant to this  
376 section. If the local governmental entity does not have an  
377 official website, the county government's website must provide

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378 the required link for the local governmental entity.

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

382 1. The Chief Financial Officer may consult with  
383 stakeholders, including the department, the Auditor General, a  
384 representative of a municipality or county, a representative of  
385 a special district, a municipal bond investor, and an  
386 information technology professional employed in the private  
387 sector, for input on the design and implementation of the  
388 Florida Open Financial Statement System.

389 2. The Chief Financial Officer may choose contractors to  
390 build one or more eXtensible Business Reporting Language (XBRL)  
391 taxonomies suitable for state, county, municipal, and special  
392 district financial filings and to create a software tool that  
393 enables financial statement filers to easily create XBRL  
394 documents consistent with the taxonomy or taxonomies. The Chief  
395 Financial Officer shall recruit and select contractors through  
396 an open request for proposals process pursuant to chapter 287.

397 3. The Chief Financial Officer shall require all work to be  
398 completed no later than December 31, 2021.

399 4. If the Chief Financial Officer deems the work products  
400 adequate, all local governmental financial statements pertaining  
401 to fiscal years ending on or after January 1, 2023, must be  
402 filed in XBRL format and must meet the validation requirements  
403 of the relevant taxonomy.

404 5. A local government that commences filing in XBRL format  
405 may not be required to make filings in Portable Document Format.

406 (2) The department shall annually by December 1 file a

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407 verified report with the Governor, the Legislature, the Auditor  
408 General, and the Special District Accountability Program of the  
409 Department of Economic Opportunity showing the revenues, both  
410 locally derived and derived from intergovernmental transfers,  
411 and the expenditures of each local governmental entity, regional  
412 planning council, local government finance commission, and  
413 municipal power corporation that is required to submit an annual  
414 financial report. The report must include, but is not limited  
415 to:

416 (a) The total revenues and expenditures of each local  
417 governmental entity that is a component unit included in the  
418 annual financial report of the reporting entity.

419 (b) The amount of outstanding long-term debt by each local  
420 governmental entity. For purposes of this paragraph, the term  
421 "long-term debt" means any agreement or series of agreements to  
422 pay money, which, at inception, contemplate terms of payment  
423 exceeding 1 year in duration.

424 (3) The department shall notify the President of the Senate  
425 and the Speaker of the House of Representatives of any  
426 municipality that has not reported any financial activity for  
427 the last 4 fiscal years. Such notice must be sufficient to  
428 initiate dissolution procedures as described in s.

429 165.051(1)(a). Any special law authorizing the incorporation or  
430 creation of the municipality must be included within the  
431 notification.

432 Section 6. For the 2018-2019 fiscal year, the sum of  
433 \$500,000 is appropriated from the General Revenue Fund to the  
434 Chief Financial Officer for the development of XBRL taxonomies  
435 for state, county, municipal, and special district financial

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436 filings.

437 Section 7. Section 284.40, Florida Statutes, is amended to  
438 read:

439 284.40 Division of Risk Management; disclosure of certain  
440 workers' compensation-related information by the Department of  
441 Financial Services.—

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

445 (2) The claim files maintained by the Division of Risk  
446 Management shall be confidential, shall be only for the usage by  
447 the Department of Financial Services in fulfilling its duties  
448 and responsibilities under this part, and shall be exempt from  
449 the provisions of s. 119.07(1).

450 (3) Upon certification by the division director or his or  
451 her designee to the custodian of any records maintained by the  
452 Department of Children and Families, Department of Health,  
453 Agency for Health Care Administration, or Department of Elderly  
454 Affairs that such records are necessary to investigate a claim  
455 against the Department of Children and Families, Department of  
456 Health, Agency for Health Care Administration, or Department of  
457 Elderly Affairs being handled by the Division of Risk  
458 Management, the records shall be released to the division  
459 subject to the provisions of subsection (2), any conflicting  
460 provisions as to the confidentiality of such records  
461 notwithstanding.

462 (4) Notwithstanding s. 440.1851, the Department of  
463 Financial Services may disclose the personal identifying  
464 information of an injured or deceased employee to a department-



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465 contracted vendor for the purpose of ascertaining a claimant's  
466 claims history to investigate the compensability of a claim or  
467 to identify and prevent fraud.

468 Section 8. Section 284.50, Florida Statutes, is amended to  
469 read:

470 284.50 Loss prevention program; safety coordinators;  
471 Interagency Advisory Council on Loss Prevention; employee  
472 recognition program; return-to-work programs; risk management  
473 programs.—

474 (1) The head of each department of state government, except  
475 the Legislature, shall designate a safety coordinator. Such  
476 safety coordinator must be an employee of the department and  
477 must hold a position which has responsibilities comparable to  
478 those of an employee in the Senior Management System. The  
479 Department of Financial Services shall provide appropriate  
480 training to the safety coordinators to permit them to  
481 effectively perform their duties within their respective  
482 departments. Within 1 year after being appointed by his or her  
483 department head, the safety coordinator shall complete safety  
484 coordinator training offered by the Department of Financial  
485 Services. Each safety coordinator shall, at the direction of his  
486 or her department head:

487 (a) Develop and implement the loss prevention program, a  
488 comprehensive departmental safety program which shall include a  
489 statement of safety policy and responsibility.

490 (b) Provide for regular and periodic facility and equipment  
491 inspections.

492 (c) Investigate job-related employee accidents of his or  
493 her department.

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494 (d) Establish a program to promote increased safety  
495 awareness among employees.

496 (2) There shall be an Interagency Advisory Council on Loss  
497 Prevention composed of the safety coordinators from each  
498 department and representatives designated by the Division of  
499 State Fire Marshal and the Division of Risk Management. The  
500 chair of the council is ~~shall be~~ the Director of the Division of  
501 Risk Management or his or her designee. The council shall meet  
502 at least quarterly to discuss safety problems within state  
503 government, to attempt to find solutions for these problems,  
504 and, when possible, to assist in the implementation of the  
505 solutions. If the safety coordinator of a department or office  
506 is unable to attend a council meeting, an alternate, selected by  
507 the department head or his or her designee, shall attend the  
508 meeting to represent and provide input for that department or  
509 office on the council. The council is further authorized to  
510 provide for the recognition of employees, agents, and volunteers  
511 who make exceptional contributions to the reduction and control  
512 of employment-related accidents. The necessary expenses for the  
513 administration of this program of recognition shall be  
514 considered an authorized administrative expense payable from the  
515 State Risk Management Trust Fund.

516 (3) The Department of Financial Services and all agencies  
517 that are provided workers' compensation insurance coverage by  
518 the State Risk Management Trust Fund and employ more than 3,000  
519 full-time employees shall establish and maintain return-to-work  
520 programs for employees who are receiving workers' compensation  
521 benefits. The programs must ~~shall~~ have the primary goal of  
522 enabling injured workers to remain at work or return to work to

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523 perform job duties within the physical or mental functional  
524 limitations and restrictions established by the workers'  
525 treating physicians. If no limitation or restriction is  
526 established in writing by a worker's treating physician, the  
527 worker is ~~shall be~~ deemed to be able to fully perform the same  
528 work duties he or she performed before the injury. Agencies  
529 employing more than 3,000 full-time employees shall report  
530 return-to-work information to the Department of Financial  
531 Services to support the Department of Financial Services'  
532 mandatory reporting requirements on agency return-to-work  
533 efforts under s. 284.42(1)(b).

534 (4) The Division of Risk Management shall evaluate each  
535 agency's risk management programs, including, but not limited  
536 to, return-to-work, safety, and loss prevention programs, at  
537 least once every 5 years. Reports, including, but not limited  
538 to, any recommended corrective action, resulting from such  
539 evaluations must ~~shall~~ be provided to the head of the agency  
540 being evaluated, the Chief Financial Officer, and the director  
541 of the Division of Risk Management. The agency head must provide  
542 to the Division of Risk Management a response to all report  
543 recommendations within 45 days and a plan to implement any  
544 corrective action to be taken as part of the response. If the  
545 agency disagrees with any final report recommendations,  
546 including, but not limited to, any recommended corrective  
547 action, or if the agency fails to implement any recommended  
548 corrective action within a reasonable time, the division shall  
549 submit the evaluation report to the legislative appropriations  
550 committees. Each agency shall provide risk management program  
551 information to the Division of Risk Management to support the

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552 Division of Risk Management's mandatory evaluation and reporting  
553 requirements in this subsection.

554 (5) Each agency shall:

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

557 (b) Identify any discrepancies between the Division of Risk  
558 Management's records and the agency's records and report such  
559 discrepancies to the Division of Risk Management in writing; and

560 (c) Review and respond to communications from the Division  
561 of Risk Management identifying unsafe or inappropriate  
562 conditions, policies, procedures, trends, equipment, or actions  
563 or incidents that have led or may lead to accidents or claims  
564 involving the state.

565 Section 9. Paragraph (a) of subsection (2) and paragraph  
566 (b) of subsection (3) of section 409.1451, Florida Statutes, are  
567 amended to read:

568 409.1451 The Road-to-Independence Program.—

569 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

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

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

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

580 3. Earned a standard high school diploma pursuant to s.

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581 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent  
 582 pursuant to s. 1003.435;

583 4. Has been admitted for enrollment as a full-time student  
 584 or its equivalent in an eligible postsecondary educational  
 585 institution as provided in s. 1009.533. For purposes of this  
 586 section, the term "full-time" means 9 credit hours or the  
 587 vocational school equivalent. A student may enroll part-time if  
 588 he or she has a recognized disability or is faced with another  
 589 challenge or circumstance that would prevent full-time  
 590 attendance. A student needing to enroll part-time for any reason  
 591 other than having a recognized disability must get approval from  
 592 his or her academic advisor;

593 5. Has reached 18 years of age but is not yet 23 years of  
 594 age;

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

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

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

602 9. Has completed with a passing score the financial  
 603 literacy curriculum for foster youth offered by the Department  
 604 of Financial Services.

605 (3) AFTERCARE SERVICES.—

606 (b) Aftercare services include, but are not limited to, the  
 607 following:

608 1. Mentoring and tutoring.

609 2. Mental health services and substance abuse counseling.

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610 3. Life skills classes, including credit management and  
611 preventive health activities.

612 4. Parenting classes.

613 5. Job and career skills training.

614 6. Counselor consultations.

615 7. Temporary financial assistance for necessities,  
616 including, but not limited to, education supplies,  
617 transportation expenses, security deposits for rent and  
618 utilities, furnishings, household goods, and other basic living  
619 expenses.

620 8. Financial literacy skills training pursuant to s.  
621 39.6035(1)(c).

622

623 The specific services to be provided under this paragraph shall  
624 be determined by an assessment of the young adult and may be  
625 provided by the community-based care provider or through  
626 referrals in the community.

627 Section 10. Subsections (1) and (3) of section 414.411,  
628 Florida Statutes, are amended to read:

629 414.411 Public assistance fraud.—

630 (1) The Department of Financial Services shall investigate  
631 all public assistance provided to residents of the state or  
632 provided to others by the state. In the course of such  
633 investigation the department shall examine all records,  
634 including electronic benefits transfer records and make inquiry  
635 of all persons who may have knowledge as to any irregularity  
636 incidental to the disbursement of public moneys, food  
637 assistance, or other items or benefits authorizations to  
638 recipients. All public assistance recipients, as a condition

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639 precedent to qualification for public assistance under chapter  
 640 409, chapter 411, or this chapter, must first give in writing,  
 641 to the Agency for Health Care Administration, the Department of  
 642 Health, the Department of Education ~~Economic Opportunity~~, and  
 643 the Department of Children and Families, as appropriate, and to  
 644 the Department of Financial Services, consent to make inquiry of  
 645 past or present employers and records, financial or otherwise.

646 (3) The results of such investigation shall be reported by  
 647 the Department of Financial Services to the appropriate  
 648 legislative committees, the Agency for Health Care  
 649 Administration, the Department of Health, the Department of  
 650 Education ~~Economic Opportunity~~, and the Department of Children  
 651 and Families, and to such others as the department may  
 652 determine.

653 Section 11. Subsection (3) is added to section 497.168,  
 654 Florida Statutes, to read:

655 497.168 Members of Armed Forces in good standing with  
 656 administrative boards.—

657 (3) A member of the United States Armed Forces or a veteran  
 658 of the United States Armed Forces who was honorably discharged  
 659 within the 24-month period before the date of an initial  
 660 application for licensure is exempt from the initial application  
 661 filing fees under ss. 497.281(1), 497.368(1)(a), 497.369(1)(a),  
 662 497.369(5), 497.370(1), 497.371, 497.373(1)(a), 497.373(3),  
 663 497.374(1)(a), 497.374(5), and 497.375(1)(a).

664 Section 12. Subsection (14) is added to section 497.456,  
 665 Florida Statutes, to read:

666 497.456 Preneed Funeral Contract Consumer Protection Trust  
 667 Fund.—

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

675       (b) On or before August 31 of each year, the department may  
676 transfer any interest accrued or earned from investment of the  
677 funds in the Preneed Funeral Contract Consumer Protection Trust  
678 Fund during the prior fiscal year of the state, as defined in s.  
679 216.011(1)(o), to the Regulatory Trust Fund for the purpose of  
680 providing for the payment of expenses of the licensing authority  
681 in carrying out its responsibilities under this chapter and as  
682 prescribed by rule.

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

684       Section 13. Subsection (1) of section 624.317, Florida  
685 Statutes, is amended to read:

686       624.317 Investigation of agents, adjusters, administrators,  
687 service companies, and others.—If it has reason to believe that  
688 any person has violated or is violating any provision of this  
689 code, or upon the written complaint signed by any interested  
690 person indicating that any such violation may exist:

691       (1) The department shall conduct such investigation as it  
692 deems necessary of the accounts, records, documents, and  
693 transactions pertaining to or affecting the insurance affairs of  
694 any ~~general agent, surplus lines agent,~~ adjuster, ~~managing~~  
695 ~~general agent, insurance agent,~~ insurance agency, customer  
696 representative, service representative, or other person subject



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697 to its jurisdiction, subject to the requirements of s. 626.601.

698 Section 14. Subsection (2) of section 624.34, Florida  
699 Statutes, is amended to read:

700 624.34 Authority of Department of Law Enforcement to accept  
701 fingerprints of, and exchange criminal history records with  
702 respect to, certain persons.—

703 (2) The Department of Law Enforcement may accept  
704 fingerprints of individuals who apply for a license as an agent,  
705 customer representative, adjuster, service representative, or  
706 navigator, ~~or managing general agent~~ or the fingerprints of the  
707 majority owner, sole proprietor, partners, officers, and  
708 directors of a corporation or other legal entity that applies  
709 for licensure with the department or office under the Florida  
710 Insurance Code.

711 Section 15. Section 624.4073, Florida Statutes, is amended  
712 to read:

713 624.4073 Officers and directors of insolvent insurers.—Any  
714 person who was an officer or director of an insurer doing  
715 business in this state and who served in that capacity within  
716 the 2-year period before ~~prior to~~ the date the insurer became  
717 insolvent, for any insolvency that occurs on or after July 1,  
718 2002, may not thereafter serve as an officer or director of an  
719 insurer authorized in this state or have direct or indirect  
720 control over the selection or appointment of an officer or  
721 director through contract, trust, or by operation of law, unless  
722 the officer or director demonstrates that his or her personal  
723 actions or omissions were not a significant contributing cause  
724 to the insolvency.

725 Section 16. Subsection (1) of section 624.4094, Florida

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726 Statutes, is amended to read:

727 624.4094 Bail bond premiums.-

728 (1) The Legislature finds that a significant portion of  
729 bail bond premiums is retained by the licensed bail bond agents  
730 or appointed ~~licensed~~ managing general agents. For purposes of  
731 reporting in financial statements required to be filed with the  
732 office pursuant to s. 624.424, direct written premiums for bail  
733 bonds by a domestic insurer in this state shall be reported net  
734 of any amounts retained by licensed bail bond agents or  
735 appointed ~~licensed~~ managing general agents. However, in no case  
736 shall the direct written premiums for bail bonds be less than  
737 6.5 percent of the total consideration received by the agent for  
738 all bail bonds written by the agent. This subsection also  
739 applies to any determination of compliance with s. 624.4095.

740 Section 17. Paragraph (e) of subsection (19) of section  
741 624.501, Florida Statutes, is amended to read:

742 624.501 Filing, license, appointment, and miscellaneous  
743 fees.-The department, commission, or office, as appropriate,  
744 shall collect in advance, and persons so served shall pay to it  
745 in advance, fees, licenses, and miscellaneous charges as  
746 follows:

747 (19) Miscellaneous services:

748 (e) Insurer's registration fee for agent exchanging  
749 business more than four ~~24~~ times in a calendar year under s.  
750 626.752, s. 626.793, or s. 626.837, registration fee per agent  
751 per year.....\$30.00

752 Section 18. Subsection (1) of section 624.509, Florida  
753 Statutes, is amended to read:

754 624.509 Premium tax; rate and computation.-

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755 (1) In addition to the license taxes provided for in this  
756 chapter, each insurer shall also annually, and on or before  
757 March 1 in each year, except as to wet marine and transportation  
758 insurance taxed under s. 624.510, pay to the Department of  
759 Revenue a tax on insurance premiums, premiums for title  
760 insurance, or assessments, including membership fees and policy  
761 fees and gross deposits received from subscribers to reciprocal  
762 or interinsurance agreements, and on annuity premiums or  
763 considerations, received during the preceding calendar year, the  
764 amounts thereof to be determined as set forth in this section,  
765 to wit:

766 (a) An amount equal to 1.75 percent of the gross amount of  
767 such receipts on account of life and health insurance policies  
768 covering persons resident in this state and on account of all  
769 other types of policies and contracts, except annuity policies  
770 or contracts taxable under paragraph (b) and bail bond policies  
771 or contracts taxable under paragraph (c), covering property,  
772 subjects, or risks located, resident, or to be performed in this  
773 state, omitting premiums on reinsurance accepted, and less  
774 return premiums or assessments, but without deductions:

- 775 1. For reinsurance ceded to other insurers;  
776 2. For moneys paid upon surrender of policies or  
777 certificates for cash surrender value;  
778 3. For discounts or refunds for direct or prompt payment of  
779 premiums or assessments; and  
780 4. On account of dividends of any nature or amount paid and  
781 credited or allowed to holders of insurance policies;  
782 certificates; or surety, indemnity, reciprocal, or  
783 interinsurance contracts or agreements;

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

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

791 Section 19. Section 625.071, Florida Statutes, is amended  
792 to read:

793 625.071 Special reserve for bail and judicial bonds.—In  
794 lieu of the unearned premium reserve required on surety bonds  
795 under s. 625.051, the office may require any surety insurer or  
796 limited surety insurer to set up and maintain a reserve on all  
797 bail bonds or other single-premium bonds without definite  
798 expiration date, furnished in judicial proceedings, equal to the  
799 lesser of 35 percent of the bail premiums in force or \$7 per  
800 \$1,000 of bail liability. Such reserve shall be reported as a  
801 liability in financial statements required to be filed with the  
802 office. Each insurer shall file a supplementary schedule showing  
803 bail premiums in force and bail liability and the associated  
804 special reserve for bail and judicial bonds with financial  
805 statements required by s. 624.424. Bail premiums in force do not  
806 include amounts retained by licensed bail bond agents or  
807 appointed ~~licensed~~ managing general agents, but may not be less  
808 than 6.5 percent of the total consideration received for all  
809 bail bonds in force.

810 Section 20. Subsection (5) of section 626.112, Florida  
811 Statutes, is amended to read:

812 626.112 License and appointment required; agents, customer

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813 representatives, adjusters, insurance agencies, service  
814 representatives, managing general agents.-

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

819 Section 21. Section 626.171, Florida Statutes, is amended  
820 to read:

821 626.171 Application for license as an agent, customer  
822 representative, adjuster, service representative, ~~managing~~  
823 ~~general agent,~~ or reinsurance intermediary.-

824 (1) The department may not issue a license as agent,  
825 customer representative, adjuster, service representative,  
826 ~~managing general agent,~~ or reinsurance intermediary to any  
827 person except upon written application filed with the  
828 department, meeting the qualifications for the license applied  
829 for as determined by the department, and payment in advance of  
830 all applicable fees. The application must be made under the oath  
831 of the applicant and be signed by the applicant. An applicant  
832 may permit a third party to complete, submit, and sign an  
833 application on the applicant's behalf, but is responsible for  
834 ensuring that the information on the application is true and  
835 correct and is accountable for any misstatements or  
836 misrepresentations. The department shall accept the uniform  
837 application for nonresident agent licensing. The department may  
838 adopt revised versions of the uniform application by rule.

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

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

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842 telephone numbers, including a business telephone number, and e-  
843 mail address.

844 (b) A statement indicating the method the applicant used or  
845 is using to meet any required prelicensing education, knowledge,  
846 experience, or instructional requirements for the type of  
847 license applied for.

848 (c) Whether he or she has been refused or has voluntarily  
849 surrendered or has had suspended or revoked a license to solicit  
850 insurance by the department or by the supervising officials of  
851 any state.

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

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

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

859 (g) The applicant's native language.

860 (h) The highest level of education achieved by the  
861 applicant.

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

864 (j) Such other or additional information as the department  
865 may deem proper to enable it to determine the character,  
866 experience, ability, and other qualifications of the applicant  
867 to hold himself or herself out to the public as an insurance  
868 representative.

869

870 However, the application must contain a statement that an

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871 applicant is not required to disclose his or her race or  
872 ethnicity, gender, or native language, that he or she will not  
873 be penalized for not doing so, and that the department will use  
874 this information exclusively for research and statistical  
875 purposes and to improve the quality and fairness of the  
876 examinations.

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

879 (4) An applicant for a license as an agent, customer  
880 representative, adjuster, service representative, ~~managing~~  
881 ~~general agent~~, or reinsurance intermediary must submit a set of  
882 the individual applicant's fingerprints, or, if the applicant is  
883 not an individual, a set of the fingerprints of the sole  
884 proprietor, majority owner, partners, officers, and directors,  
885 to the department and must pay the fingerprint processing fee  
886 set forth in s. 624.501. Fingerprints must ~~shall~~ be used to  
887 investigate the applicant's qualifications pursuant to s.  
888 626.201. The fingerprints must ~~shall~~ be taken by a law  
889 enforcement agency, designated examination center, or other  
890 department-approved entity. The department shall require all  
891 designated examination centers to have fingerprinting equipment  
892 and to take fingerprints from any applicant or prospective  
893 applicant who pays the applicable fee. The department may not  
894 approve an application for licensure as an agent, customer  
895 service representative, adjuster, service representative,  
896 ~~managing general agent~~, or reinsurance intermediary if  
897 fingerprints have not been submitted.

898 (5) The application for license filing fee prescribed in s.  
899 624.501 is not subject to refund.

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900 (6) Members of the United States Armed Forces and their  
901 spouses, and veterans of the United States Armed Forces who have  
902 retired within 24 months before application for licensure, are  
903 exempt from the application filing fee prescribed in s. 624.501.  
904 Qualified individuals must provide a copy of a military  
905 identification card, military dependent identification card,  
906 military service record, military personnel file, veteran  
907 record, discharge paper, ~~or separation document,~~ or a separation  
908 document that indicates such members of the United States Armed  
909 Forces are currently in good standing or were honorably  
910 discharged.

911 (7) Pursuant to the federal Personal Responsibility and  
912 Work Opportunity Reconciliation Act of 1996, each party is  
913 required to provide his or her social security number in  
914 accordance with this section. Disclosure of social security  
915 numbers obtained through this requirement must ~~shall~~ be limited  
916 to the purpose of administration of the Title IV-D program for  
917 child support enforcement.

918 Section 22. Section 626.202, Florida Statutes, is amended  
919 to read:

920 626.202 Fingerprinting requirements.-

921 (1) The requirements for completion and submission of  
922 fingerprints under this chapter are deemed to be met when an  
923 individual currently licensed under this chapter seeks  
924 additional licensure and has previously submitted fingerprints  
925 to the department within the past 48 months. However, the  
926 department may require the individual to file fingerprints if it  
927 has reason to believe that an applicant or licensee has been  
928 found guilty of, or pleaded guilty or nolo contendere to, a



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929 felony or a crime related to the business of insurance in this  
930 state or any other state or jurisdiction.

931 (2) The requirements for completion and submission of  
932 fingerprints under this chapter are waived for members of the  
933 United States Armed Forces and veterans of the United States  
934 Armed Forces who were honorably discharged within the 24-month  
935 period before the date of an application for licensure. A  
936 qualified individual shall provide a copy of a military  
937 identification card, military service record, military personnel  
938 file, veteran record, Form DD-214, NGB Form 22, or separation  
939 document that indicates such member or veteran of the United  
940 States Armed Forces is currently in good standing or was  
941 honorably discharged.

942 (3) If there is a change in ownership or control of any  
943 entity licensed under this chapter, or if a new partner,  
944 officer, or director is employed or appointed, a set of  
945 fingerprints of the new owner, partner, officer, or director  
946 must be filed with the department or office within 30 days after  
947 the change. The acquisition of 10 percent or more of the voting  
948 securities of a licensed entity is considered a change of  
949 ownership or control. The fingerprints must be taken by a law  
950 enforcement agency or other department-approved entity and be  
951 accompanied by the fingerprint processing fee in s. 624.501.

952 Section 23. Subsection (9) of section 626.207, Florida  
953 Statutes, is amended to read:

954 626.207 Disqualification of applicants and licensees;  
955 penalties against licensees; rulemaking authority.—

956 (9) Section 112.011 does not apply to any applicants for  
957 licensure under the Florida Insurance Code, including, but not

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958 limited to, agents, agencies, adjusters, adjusting firms, or  
959 customer representatives, ~~or managing general agents.~~

960 Section 24. Paragraph (j) of subsection (2) of section  
961 626.221, Florida Statutes, is amended to read:

962 626.221 Examination requirement; exemptions.—

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

965 (j) An applicant for license as an all-lines adjuster who  
966 has the designation of Accredited Claims Adjuster (ACA) from a  
967 regionally accredited postsecondary institution in this state,  
968 Associate in Claims (AIC) from the Insurance Institute of  
969 America, Professional Claims Adjuster (PCA) from the  
970 Professional Career Institute, Professional Property Insurance  
971 Adjuster (PPIA) from the HurriClaim Training Academy, Certified  
972 Adjuster (CA) from ALL LINES Training, Certified Claims Adjuster  
973 (CCA) from AE21 Incorporated, Claims Adjuster Certified  
974 Professional (CACP) from WebCE, Inc., or Universal Claims  
975 Certification (UCC) from Claims and Litigation Management  
976 Alliance (CLM) whose curriculum has been approved by the  
977 department and which includes comprehensive analysis of basic  
978 property and casualty lines of insurance and testing at least  
979 equal to that of standard department testing for the all-lines  
980 adjuster license. The department shall adopt rules establishing  
981 standards for the approval of curriculum.

982 Section 25. Present subsections (6) and (7) of section  
983 626.451, Florida Statutes, are redesignated as subsections (5)  
984 and (6), respectively, and subsections (1) and (5) and present  
985 subsection (6) of that section are amended, to read:

986 626.451 Appointment of agent or other representative.—

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987 (1) Each appointing entity or person designated by the  
 988 department to administer the appointment process appointing an  
 989 agent, adjuster, service representative, customer  
 990 representative, or managing general agent in this state shall  
 991 file the appointment with the department or office and, at the  
 992 same time, pay the applicable appointment fee and taxes. Every  
 993 appointment is ~~shall be~~ subject to the prior issuance of the  
 994 appropriate agent's, adjuster's, service representative's, or  
 995 customer representative's, ~~or managing general agent's~~ license.

996 ~~(5) Any law enforcement agency or state attorney's office~~  
 997 ~~that is aware that an agent, adjuster, service representative,~~  
 998 ~~customer representative, or managing general agent has pleaded~~  
 999 ~~guilty or nolo contendere to or has been found guilty of a~~  
 1000 ~~felony shall notify the department or office of such fact.~~

1001 (5)(6) Upon the filing of an information or indictment  
 1002 against an agent, adjuster, service representative, or customer  
 1003 representative, ~~or managing general agent,~~ the state attorney  
 1004 shall immediately furnish the department or office a certified  
 1005 copy of the information or indictment.

1006 Section 26. Section 626.521, Florida Statutes, is amended  
 1007 to read:

1008 626.521 ~~Character,~~ Character, Credit and character reports.—

1009 (1) Before appointing ~~As to each applicant who~~ for the  
 1010 first time in this state an ~~is applying and qualifying for a~~  
 1011 ~~license as~~ agent, adjuster, service representative, customer  
 1012 representative, or managing general agent, the appointing  
 1013 insurer or employer shall ~~its manager or general agent in this~~  
 1014 ~~state, in the case of agents, or the appointing general lines~~  
 1015 ~~agent, in the case of customer representatives, or the employer,~~

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1016 ~~in the case of service representatives and of adjusters who are~~  
1017 ~~not to be self-employed, shall coincidentally with such~~  
1018 ~~appointment or employment secure and thereafter keep on file a~~  
1019 ~~full detailed credit and character report made by an established~~  
1020 ~~and reputable independent reporting service,~~ relative to the  
1021 individual so appointed ~~or employed~~. This subsection does not  
1022 apply to licensees who self-appoint pursuant to s. 624.501.

1023 (2) If requested by the department, the insurer, ~~manager,~~  
1024 ~~general agent, general lines agent,~~ or employer, as the case may  
1025 be, must ~~shall~~ furnish to the department, ~~on a form adopted and~~  
1026 ~~furnished by the department,~~ such information as it reasonably  
1027 requires relative to such individual and investigation.

1028 (3) ~~As to an applicant for an adjuster's or reinsurance~~  
1029 ~~intermediary's license who is to be self-employed, the~~  
1030 ~~department may secure, at the cost of the applicant, a full~~  
1031 ~~detailed credit and character report made by an established and~~  
1032 ~~reputable independent reporting service relative to the~~  
1033 ~~applicant.~~

1034 (4) Each person who for the first time in this state is  
1035 applying and qualifying for a license as a reinsurance  
1036 intermediary shall file with her or his application for license  
1037 a full, detailed credit and character report for the 5-year  
1038 period ~~immediately prior to the date of application for license,~~  
1039 ~~made by an established and reputable independent reporting~~  
1040 ~~service, relative to the individual if a partnership or sole~~  
1041 ~~proprietorship, or the officers if a corporation or other legal~~  
1042 ~~entity.~~

1043 (3) ~~(5)~~ Information contained in credit or character reports  
1044 furnished to or secured by the department under this section is

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1045 confidential and exempt from ~~the provisions of~~ s. 119.07(1).

1046 Section 27. Paragraph (f) of subsection (1) of section  
1047 626.731, Florida Statutes, is amended to read:

1048 626.731 Qualifications for general lines agent's license.-

1049 (1) The department shall not grant or issue a license as  
1050 general lines agent to any individual found by it to be  
1051 untrustworthy or incompetent or who does not meet each of the  
1052 following qualifications:

1053 ~~(f) The applicant is not a service representative, a~~  
1054 ~~managing general agent in this state, or a special agent or~~  
1055 ~~similar service representative of a health insurer which also~~  
1056 ~~transacts property, casualty, or surety insurance; except that~~  
1057 ~~the president, vice president, secretary, or treasurer,~~  
1058 ~~including a member of the board of directors, of a corporate~~  
1059 ~~insurer, if otherwise qualified under and meeting the~~  
1060 ~~requirements of this part, may be licensed and appointed as a~~  
1061 ~~local resident agent.~~

1062 Section 28. Subsection (6) of section 626.7351, Florida  
1063 Statutes, is amended to read:

1064 626.7351 Qualifications for customer representative's  
1065 license.-The department shall not grant or issue a license as  
1066 customer representative to any individual found by it to be  
1067 untrustworthy or incompetent, or who does not meet each of the  
1068 following qualifications:

1069 (6) Upon the issuance of the license applied for, the  
1070 applicant is not an agent or, ~~a service representative, or a~~  
1071 ~~managing general agent.~~

1072 Section 29. Section 626.744, Florida Statutes, is amended  
1073 to read:

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1074           626.744 Service representatives, ~~managing general agents;~~  
1075 application for license.—The application for a license as  
1076 service representative must ~~or the application for a license as~~  
1077 ~~managing general agent shall~~ show the applicant's name,  
1078 residence address, name of employer, position or title, type of  
1079 work to be performed by the applicant in this state, and any  
1080 additional information which the department may reasonably  
1081 require.

1082           Section 30. Section 626.745, Florida Statutes, is amended  
1083 to read:

1084           626.745 Service representatives, managing general agents;  
1085 managers; activities.—Individuals employed by insurers or their  
1086 managers, general agents, or representatives as service  
1087 representatives, and as managing general agents employed for the  
1088 purpose of or engaged in assisting agents in negotiating and  
1089 effecting contracts of insurance, shall engage in such  
1090 activities ~~when, and only when~~ licensed as or, accompanied by a  
1091 general lines ~~an~~ agent duly licensed and appointed ~~as a resident~~  
1092 ~~licensee and appointee~~ under this code.

1093           Section 31. Subsection (11) of section 626.7451, Florida  
1094 Statutes, is amended to read:

1095           626.7451 Managing general agents; required contract  
1096 provisions.—No person acting in the capacity of a managing  
1097 general agent shall place business with an insurer unless there  
1098 is in force a written contract between the parties which sets  
1099 forth the responsibility for a particular function, specifies  
1100 the division of responsibilities, and contains the following  
1101 minimum provisions:

1102           (11) An appointed ~~A licensed~~ managing general agent, when

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1103 placing business with an insurer under this code, may charge a  
1104 per-policy fee not to exceed \$25. ~~In no instance shall~~ The  
1105 aggregate of per-policy fees for a placement of business  
1106 authorized under this section, when combined with any other per-  
1107 policy fee charged by the insurer, may not result in per-policy  
1108 fees that ~~which~~ exceed the aggregate amount of \$25. The per-  
1109 policy fee must ~~shall~~ be a component of the insurer's rate  
1110 filing and must ~~shall~~ be fully earned.

1111  
1112 For the purposes of this section and ss. 626.7453 and 626.7454,  
1113 the term "controlling person" or "controlling" has the meaning  
1114 set forth in s. 625.012(5)(b)1., and the term "controlled  
1115 person" or "controlled" has the meaning set forth in s.  
1116 625.012(5)(b)2.

1117 Section 32. Subsection (1) of section 626.7455, Florida  
1118 Statutes, is amended to read:

1119 626.7455 Managing general agent; responsibility of  
1120 insurer.—

1121 (1) An insurer may not ~~No insurer shall~~ enter into an  
1122 agreement with any person to manage the business written in this  
1123 state by the general lines agents appointed by the insurer or  
1124 appointed by the managing general agent on behalf of the insurer  
1125 unless the person is properly licensed as an agent and appointed  
1126 as a managing general agent in this state. An insurer is ~~shall~~  
1127 ~~be~~ responsible for the acts of its managing general agent when  
1128 the agent acts within the scope of his or her authority.

1129 Section 33. Paragraph (e) of subsection (3) and subsection  
1130 (5) of section 626.752, Florida Statutes, are amended to read:

1131 626.752 Exchange of business.—

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1132 (3)

1133 (e) The brokering agent shall maintain an appropriate and  
1134 permanent Brokering Agent's Register, which must ~~shall~~ be a  
1135 permanent record of ~~bound journal in which~~ chronologically  
1136 numbered transactions that are entered no later than the day in  
1137 which the brokering agent's application bearing the same number  
1138 is signed by the applicant. The numbers must ~~shall~~ reflect an  
1139 annual aggregate through numerical sequence and be preceded by  
1140 the last two digits of the current year. The initial entry must  
1141 ~~shall~~ contain the number of the transaction, date, time, date of  
1142 binder, date on which coverage commences, name and address of  
1143 applicant, type of coverage desired, name of insurer binding the  
1144 risk or to whom the application is to be submitted, and the  
1145 amount of any premium collected therefor. By no later than the  
1146 date following policy delivery, the policy number and coverage  
1147 expiration date must ~~shall~~ be added to the register.

1148 (5) Within 15 days after the last day of each month, any  
1149 insurer accepting business under this section shall report to  
1150 the department the name, address, telephone number, and social  
1151 security number of each agent from which the insurer received  
1152 more than four ~~24~~ personal lines risks during the calendar year,  
1153 except for risks being removed from the Citizens Property  
1154 Insurance Corporation and placed with that insurer by a  
1155 brokering agent. Once the insurer has reported pursuant to this  
1156 subsection an agent's name to the department, additional reports  
1157 on the same agent shall not be required. However, the fee set  
1158 forth in s. 624.501 must ~~shall~~ be paid for the agent by the  
1159 insurer for each year until the insurer notifies the department  
1160 that the insurer is no longer accepting business from the agent



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1161 pursuant to this section. The insurer may require that the agent  
1162 reimburse the insurer for the fee.

1163 Section 34. Subsection (4) of section 626.793, Florida  
1164 Statutes, is amended to read:

1165 626.793 Excess or rejected business.—

1166 (4) Within 15 days after the last day of each month, any  
1167 insurer accepting business under this section shall report to  
1168 the department the name, address, telephone number, and social  
1169 security number of each agent from which the insurer received  
1170 more than four ~~24~~ risks during the calendar year. Once the  
1171 insurer has reported an agent's name to the department pursuant  
1172 to this subsection, additional reports on the same agent shall  
1173 not be required. However, the fee set forth in s. 624.501 must  
1174 ~~shall~~ be paid for the agent by the insurer for each year until  
1175 the insurer notifies the department that the insurer is no  
1176 longer accepting business from the agent pursuant to this  
1177 section. The insurer may require that the agent reimburse the  
1178 insurer for the fee.

1179 Section 35. Subsection (5) of section 626.837, Florida  
1180 Statutes, is amended to read:

1181 626.837 Excess or rejected business.—

1182 (5) Within 15 days after the last day of each month, any  
1183 insurer accepting business under this section shall report to  
1184 the department the name, address, telephone number, and social  
1185 security number of each agent from which the insurer received  
1186 more than four ~~24~~ risks during the calendar year. Once the  
1187 insurer has reported pursuant to this subsection an agent's name  
1188 to the department, additional reports on the same agent shall  
1189 not be required. However, the fee set forth in s. 624.501 must

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1190 shall be paid for the agent by the insurer for each year until  
1191 the insurer notifies the department that the insurer is no  
1192 longer accepting business from the agent pursuant to this  
1193 section. The insurer may require that the agent reimburse the  
1194 insurer for the fee.

1195 Section 36. Subsection (5) of section 626.8732, Florida  
1196 Statutes, is amended to read:

1197 626.8732 Nonresident public adjuster's qualifications,  
1198 bond.—

1199 ~~(5) After licensure as a nonresident public adjuster, as a~~  
1200 ~~condition of doing business in this state, the licensee must~~  
1201 ~~annually on or before January 1, on a form prescribed by the~~  
1202 ~~department, submit an affidavit certifying that the licensee is~~  
1203 ~~familiar with and understands the insurance code and rules~~  
1204 ~~adopted thereunder and the provisions of the contracts~~  
1205 ~~negotiated or to be negotiated. Compliance with this filing~~  
1206 ~~requirement is a condition precedent to the issuance,~~  
1207 ~~continuation, reinstatement, or renewal of a nonresident public~~  
1208 ~~adjuster's appointment.~~

1209 Section 37. Subsection (4) of section 626.8734, Florida  
1210 Statutes, is amended to read:

1211 626.8734 Nonresident all-lines adjuster license  
1212 qualifications.—

1213 ~~(4) As a condition of doing business in this state as a~~  
1214 ~~nonresident independent adjuster, the appointee must submit an~~  
1215 ~~affidavit to the department certifying that the licensee is~~  
1216 ~~familiar with and understands the insurance laws and~~  
1217 ~~administrative rules of this state and the provisions of the~~  
1218 ~~contracts negotiated or to be negotiated. Compliance with this~~

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1219 ~~filing requirement is a condition precedent to the issuance,~~  
1220 ~~continuation, reinstatement, or renewal of a nonresident~~  
1221 ~~independent adjuster's appointment.~~

1222 Section 38. Paragraph (h) of subsection (1) of section  
1223 626.88, Florida Statutes, is amended to read:

1224 626.88 Definitions.—For the purposes of this part, the  
1225 term:

1226 (1) "Administrator" is any person who directly or  
1227 indirectly solicits or effects coverage of, collects charges or  
1228 premiums from, or adjusts or settles claims on residents of this  
1229 state in connection with authorized commercial self-insurance  
1230 funds or with insured or self-insured programs which provide  
1231 life or health insurance coverage or coverage of any other  
1232 expenses described in s. 624.33(1) or any person who, through a  
1233 health care risk contract as defined in s. 641.234 with an  
1234 insurer or health maintenance organization, provides billing and  
1235 collection services to health insurers and health maintenance  
1236 organizations on behalf of health care providers, other than any  
1237 of the following persons:

1238 (h) A person appointed ~~licensed~~ as a managing general agent  
1239 in this state, whose activities are limited exclusively to the  
1240 scope of activities conveyed under such appointment ~~license~~.

1241  
1242 A person who provides billing and collection services to health  
1243 insurers and health maintenance organizations on behalf of  
1244 health care providers shall comply with the provisions of ss.  
1245 627.6131, 641.3155, and 641.51(4).

1246 Section 39. Subsection (2) of section 626.927, Florida  
1247 Statutes, is amended to read:

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1248 626.927 Licensing of surplus lines agent.-

1249 (2) Any individual, while licensed as ~~and appointed as a~~  
1250 ~~managing general agent as defined in s. 626.015, or service~~  
1251 ~~representative as defined in s. 626.015, and who otherwise~~  
1252 ~~possesses all of the other qualifications of a general lines~~  
1253 ~~agent under this code, and who has a minimum of 1 year of year's~~  
1254 ~~experience working for a licensed surplus lines agent or who has~~  
1255 ~~successfully completed 60 class hours in surplus and excess~~  
1256 ~~lines in a course approved by the department, may, upon taking~~  
1257 ~~and successfully passing a written examination as to surplus~~  
1258 ~~lines, as given by the department, be licensed as a surplus~~  
1259 ~~lines agent solely for the purpose of placing with surplus lines~~  
1260 ~~insurers property, marine, casualty, or surety coverages~~  
1261 ~~originated by general lines agents; except that no examination~~  
1262 ~~as for a general lines agent's license shall be required of any~~  
1263 ~~managing general agent or service representative who held a~~  
1264 ~~Florida surplus lines agent's license as of January 1, 1959.~~

1265 Section 40. Subsection (3) of section 626.930, Florida  
1266 Statutes, is amended to read:

1267 626.930 Records of surplus lines agent.-

1268 (3) Each surplus lines agent shall maintain all surplus  
1269 lines business records in his or her general lines agency  
1270 office, ~~if licensed as a general lines agent, or in his or her~~  
1271 ~~managing general agency office, if licensed as a managing~~  
1272 ~~general agent or the full-time salaried employee of such general~~  
1273 ~~agent.~~

1274 Section 41. Subsection (2) of section 626.9892, Florida  
1275 Statutes, is amended to read:

1276 626.9892 Anti-Fraud Reward Program; reporting of insurance

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1277 fraud.-

1278 (2) The department may pay rewards of up to \$25,000 to  
1279 persons providing information leading to the arrest and  
1280 conviction of persons committing crimes investigated by the  
1281 department arising from violations of s. 440.105, s. 624.15, s.  
1282 626.9541, s. 626.989, s. 790.164, s. 790.165, s. 790.166, s.  
1283 806.01, s. 806.031, s. 806.10, s. 806.111, s. 817.233, or s.  
1284 817.234.

1285 Section 42. Subsection (3) of section 633.302, Florida  
1286 Statutes, is amended to read:

1287 633.302 Florida Fire Safety Board; membership; duties;  
1288 meetings; officers; quorum; compensation; seal.-

1289 (3) The State Fire Marshal's term on the board, or that of  
1290 her or his designee, must ~~shall~~ coincide with the State Fire  
1291 Marshal's term of office. ~~Of the other six members of the board,~~  
1292 ~~one member shall be appointed for a term of 1 year, one member~~  
1293 ~~for a term of 2 years, two members for terms of 3 years, and two~~  
1294 ~~members for terms of 4 years.~~ All other terms are 4 years and  
1295 expire on June 30 of the last year of the term. When the term of  
1296 a member expires, the State Fire Marshal shall appoint a member  
1297 to fill the vacancy for a term of 4 years. The State Fire  
1298 Marshal may remove any appointed member for cause. A vacancy in  
1299 the membership of the board for any cause must ~~shall~~ be filled  
1300 by appointment by the State Fire Marshal for the balance of the  
1301 unexpired term.

1302 Section 43. Subsection (2), paragraph (a) of subsection  
1303 (3), and paragraphs (b), (c), and (d) of subsection (4) of  
1304 section 633.304, Florida Statutes, are amended to read:

1305 633.304 Fire suppression equipment; license to install or

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1306 maintain.-

1307 (2) A person who holds a valid fire equipment dealer  
1308 license may maintain such license in an inactive status during  
1309 which time he or she may not engage in any work under the  
1310 definition of the license held. An inactive status license is  
1311 ~~shall be void after 4 years or when the license is renewed,~~  
1312 ~~whichever comes first.~~ However, an inactive status license must  
1313 be reactivated before December 31 of each odd-numbered year. An  
1314 inactive status license may not be reactivated unless the  
1315 continuing education requirements of this chapter have been  
1316 fulfilled.

1317 (3) Each individual actually performing the work of  
1318 servicing, recharging, repairing, hydrotesting, installing,  
1319 testing, or inspecting fire extinguishers or preengineered  
1320 systems must possess a valid and subsisting permit issued by the  
1321 division. Permittees are limited as to specific type of work  
1322 performed to allow work no more extensive than the class of  
1323 license held by the licensee under whom the permittee is  
1324 working. Permits will be issued by the division as follows:

1325 (a) Portable permit: "Portable permittee" means a person  
1326 who is limited to performing work no more extensive than the  
1327 employing or contractually related licensee in the servicing,  
1328 recharging, repairing, installing, or inspecting all types of  
1329 portable fire extinguishers.

1330  
1331 Any fire equipment permittee licensed pursuant to this  
1332 subsection who does not want to engage in servicing, inspecting,  
1333 recharging, repairing, hydrotesting, or installing halon  
1334 equipment must file an affidavit on a form provided by the

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1335 division so stating. Permits will be issued by the division to  
1336 show the work authorized thereunder. It is unlawful, unlicensed  
1337 activity for a person or firm to falsely hold himself or herself  
1338 out to perform any service, inspection, recharge, repair,  
1339 hydrotest, or installation except as specifically described in  
1340 the permit.

1341 (4)

1342 (b) After initial licensure, each licensee or permittee  
1343 must successfully complete a course or courses of continuing  
1344 education for fire equipment technicians of at least 16 hours. A  
1345 license or permit may not be renewed unless the licensee or  
1346 permittee produces documentation of the completion of at least  
1347 16 hours of continuing education for fire equipment technicians  
1348 during the biennial licensure period. A person who is both a  
1349 licensee and a permittee shall ~~be required to~~ complete 16 hours  
1350 of continuing education during each renewal period. Each  
1351 licensee shall ensure that all permittees in his or her  
1352 employment or through a contractual agreement meet their  
1353 continuing education requirements. The State Fire Marshal shall  
1354 adopt rules describing the continuing education requirements and  
1355 shall have the authority upon reasonable belief, to audit a fire  
1356 equipment dealer to determine compliance with continuing  
1357 education requirements.

1358 (c) The forms of such licenses and permits and applications  
1359 therefor must ~~shall~~ be prescribed by the State Fire Marshal; in  
1360 addition to such other information and data as that officer  
1361 determines is appropriate and required for such forms, there  
1362 must ~~shall~~ be included in such forms the following matters. Each  
1363 such application must be in such form as to provide that the

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1364 data and other information set forth therein shall be sworn to  
1365 by the applicant or, if a corporation, by an officer thereof. An  
1366 application for a permit must include the name of the licensee  
1367 employing, or contractually related to, such permittee, and the  
1368 permit issued in pursuance of such application must also set  
1369 forth the name of such licensee. A permit is valid solely for  
1370 use by the holder thereof in his or her employment by, or  
1371 contractual relationship with, the licensee named in the permit.

1372 (d) A license of any class may not be issued or renewed by  
1373 the division and a license of any class does not remain  
1374 operative unless:

1375 1. The applicant has submitted to the State Fire Marshal  
1376 evidence of registration as a Florida corporation or evidence of  
1377 compliance with s. 865.09.

1378 2. The State Fire Marshal or his or her designee has by  
1379 inspection determined that the applicant possesses the equipment  
1380 required for the class of license sought. The State Fire Marshal  
1381 shall give an applicant a reasonable opportunity to correct any  
1382 deficiencies discovered by inspection. To obtain such  
1383 inspection, an applicant with facilities located outside this  
1384 state must:

1385 a. Provide a notarized statement from a professional  
1386 engineer licensed by the applicant's state of domicile  
1387 certifying that the applicant possesses the equipment required  
1388 for the class of license sought and that all such equipment is  
1389 operable; or

1390 b. Allow the State Fire Marshal or her or his designee to  
1391 inspect the facility. All costs associated with the State Fire  
1392 Marshal's inspection must ~~shall~~ be paid by the applicant. The



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1393 State Fire Marshal, in accordance with s. 120.54, may adopt  
1394 rules to establish standards for the calculation and  
1395 establishment of the amount of costs associated with any  
1396 inspection conducted by the State Fire Marshal under this  
1397 section. Such rules must ~~shall~~ include procedures for invoicing  
1398 and receiving funds in advance of the inspection.

1399       3. The applicant has submitted to the State Fire Marshal  
1400 proof of insurance providing coverage for comprehensive general  
1401 liability for bodily injury and property damage, products  
1402 liability, completed operations, and contractual liability. The  
1403 State Fire Marshal shall adopt rules providing for the amounts  
1404 of such coverage, but such amounts may not be less than \$300,000  
1405 for Class A or Class D licenses, \$200,000 for Class B licenses,  
1406 and \$100,000 for Class C licenses; and the total coverage for  
1407 any class of license held in conjunction with a Class D license  
1408 may not be less than \$300,000. The State Fire Marshal may, at  
1409 any time after the issuance of a license or its renewal, require  
1410 upon demand, and in no event more than 30 days after notice of  
1411 such demand, the licensee to provide proof of insurance, on the  
1412 insurer's ~~a form provided by the State Fire Marshal~~, containing  
1413 confirmation of insurance coverage as required by this chapter.  
1414 Failure, for any length of time, to provide proof of insurance  
1415 coverage as required must ~~shall~~ result in the immediate  
1416 suspension of the license until proof of proper insurance is  
1417 provided to the State Fire Marshal. An insurer that ~~which~~  
1418 provides such coverage shall notify the State Fire Marshal of  
1419 any change in coverage or of any termination, cancellation, or  
1420 nonrenewal of any coverage.

1421       4. The applicant applies to the State Fire Marshal,

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1422 provides proof of experience, and successfully completes a  
1423 prescribed training course offered by the State Fire College or  
1424 an equivalent course approved by the State Fire Marshal. This  
1425 subparagraph does not apply to any holder of or applicant for a  
1426 permit under paragraph (g) or to a business organization or a  
1427 governmental entity seeking initial licensure or renewal of an  
1428 existing license solely for the purpose of inspecting,  
1429 servicing, repairing, marking, recharging, and maintaining fire  
1430 extinguishers used and located on the premises of and owned by  
1431 such organization or entity.

1432 5. The applicant has a current retestor identification  
1433 number that is appropriate for the license for which the  
1434 applicant is applying and that is listed with the United States  
1435 Department of Transportation.

1436 6. The applicant has passed, with a grade of at least 70  
1437 percent, a written examination testing his or her knowledge of  
1438 the rules and statutes governing the activities authorized by  
1439 the license and demonstrating his or her knowledge and ability  
1440 to perform those tasks in a competent, lawful, and safe manner.  
1441 Such examination must ~~shall~~ be developed and administered by the  
1442 State Fire Marshal, or his or her designee in accordance with  
1443 policies and procedures of the State Fire Marshal. An applicant  
1444 shall pay a nonrefundable examination fee of \$50 for each  
1445 examination or reexamination scheduled. A reexamination may not  
1446 be scheduled sooner than 30 days after any administration of an  
1447 examination to an applicant. An applicant may not be permitted  
1448 to take an examination for any level of license more than a  
1449 total of four times during 1 year, regardless of the number of  
1450 applications submitted. As a prerequisite to licensure of the

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1451 applicant, he or she:

1452 a. Must be at least 18 years of age.

1453 b. Must have 4 years of proven experience as a fire  
1454 equipment permittee at a level equal to or greater than the  
1455 level of license applied for or have a combination of education  
1456 and experience determined to be equivalent thereto by the State  
1457 Fire Marshal. Having held a permit at the appropriate level for  
1458 the required period constitutes the required experience.

1459 c. Must not have been convicted of a felony or a crime  
1460 punishable by imprisonment of 1 year or more under the law of  
1461 the United States or of any state thereof or under the law of  
1462 any other country. "Convicted" means a finding of guilt or the  
1463 acceptance of a plea of guilty or nolo contendere in any federal  
1464 or state court or a court in any other country, without regard  
1465 to whether a judgment of conviction has been entered by the  
1466 court having jurisdiction of the case. If an applicant has been  
1467 convicted of any such felony, the applicant is ~~shall be~~ excluded  
1468 from licensure for a period of 4 years after expiration of  
1469 sentence or final release by the Florida Commission on Offender  
1470 Review unless the applicant, before the expiration of the 4-year  
1471 period, has received a full pardon or has had her or his civil  
1472 rights restored.

1473  
1474 This subparagraph does not apply to any holder of or applicant  
1475 for a permit under paragraph (g) or to a business organization  
1476 or a governmental entity seeking initial licensure or renewal of  
1477 an existing license solely for the purpose of inspecting,  
1478 servicing, repairing, marking, recharging, hydrotesting, and  
1479 maintaining fire extinguishers used and located on the premises

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1480 of and owned by such organization or entity.

1481 Section 44. Subsection (7) of section 633.318, Florida  
1482 Statutes, is amended to read:

1483 633.318 Certificate application and issuance; permit  
1484 issuance; examination and investigation of applicant.—

1485 (7) The State Fire Marshal may, at any time subsequent to  
1486 the issuance of the certificate or its renewal, require, upon  
1487 demand and in no event more than 30 days after notice of the  
1488 demand, the certificateholder to provide proof of insurance  
1489 coverage on the insurer's a form ~~provided by the State Fire~~  
1490 ~~Marshal~~ containing confirmation of insurance coverage as  
1491 required by this chapter. Failure to provide proof of insurance  
1492 coverage as required, for any length of time, shall result in  
1493 the immediate suspension of the certificate until proof of  
1494 insurance is provided to the State Fire Marshal.

1495 Section 45. Paragraph (b) of subsection (6) of section  
1496 633.408, Florida Statutes, is amended, and paragraph (c) is  
1497 added to that subsection, to read:

1498 633.408 Firefighter and volunteer firefighter training and  
1499 certification.—

1500 (6)

1501 (b) A Special Certificate of Compliance only authorizes an  
1502 individual to serve as an administrative and command head of a  
1503 fire service provider.

1504 1. An individual employed as a fire chief, fire  
1505 coordinator, fire director, or fire administrator must obtain a  
1506 Special Certificate of Compliance within 1 year after beginning  
1507 employment.

1508 2. Before beginning employment as a command officer or in a

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1509 position directing incident outcomes, an individual must obtain  
1510 a Certificate of Compliance or a Special Certificate of  
1511 Compliance.

1512 (c) In order to retain a Special Certificate of Compliance,  
1513 every 4 years an individual must:

1514 1. Be active as a firefighter;

1515 2. Maintain a current and valid Fire Service Instructor  
1516 Certificate, instruct at least 40 hours during the 4-year  
1517 period, and provide proof of such instruction to the division,  
1518 which proof must be registered in an electronic database  
1519 designated by the division; or

1520 3. Within 6 months before the 4-year period expires,  
1521 successfully complete a Firefighter Retention Refresher Course  
1522 consisting of a minimum of 40 hours of training as prescribed by  
1523 rule.

1524 Section 46. Subsection (1) of section 633.416, Florida  
1525 Statutes, is amended, present subsections (7) and (8) of that  
1526 section are redesignated as subsections (8) and (9),  
1527 respectively, and a new subsection (7) is added to that section,  
1528 to read:

1529 633.416 Firefighter employment and volunteer firefighter  
1530 service; saving clause.—

1531 (1) A fire service provider may not employ an individual  
1532 to:

1533 (a) Extinguish fires for the protection of life or property  
1534 or to supervise individuals who perform such services unless the  
1535 individual holds a current and valid Firefighter Certificate of  
1536 Compliance; or

1537 (b) Serve as the administrative and command head of a fire

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1538 service provider for a period in excess of 1 year unless the  
1539 individual holds a current and valid Firefighter Certificate of  
1540 Compliance or Special Certificate of Compliance pursuant to s.  
1541 633.408.

1542 (7) A fire service provider may employ veterans who were  
1543 honorably discharged and who received Florida-equivalent  
1544 training. The standard of equivalency of training must be  
1545 verified by the division before such an individual's employment  
1546 begins. Such individual must obtain a Firefighter Certificate of  
1547 Compliance within 24 months after employment.

1548 Section 47. Paragraph (e) of subsection (1) of section  
1549 633.444, Florida Statutes, is amended to read:

1550 633.444 Division powers and duties; Florida State Fire  
1551 College.—

1552 (1) The division, in performing its duties related to the  
1553 Florida State Fire College, specified in this part, shall:

1554 ~~(e) Develop a staffing and funding formula for the Florida~~  
1555 ~~State Fire College. The formula must include differential~~  
1556 ~~funding levels for various types of programs, must be based on~~  
1557 ~~the number of full-time equivalent students and information~~  
1558 ~~obtained from scheduled attendance counts taken the first day of~~  
1559 ~~each program, and must provide the basis for the legislative~~  
1560 ~~budget request. As used in this section, a full-time equivalent~~  
1561 ~~student is equal to a minimum of 900 hours in a technical~~  
1562 ~~certificate program and 400 hours in a degree-seeking program.~~  
1563 ~~The funding formula must be as prescribed pursuant to s.~~  
1564 ~~1011.62, must include procedures to document daily attendance,~~  
1565 ~~and must require that attendance records be retained for audit~~  
1566 ~~purposes.~~

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1567 Section 48. Subsection (8) of section 648.27, Florida  
1568 Statutes, is amended to read:

1569 648.27 Licenses and appointments; general.—

1570 ~~(8) An application for a managing general agent's license~~  
1571 ~~must be made by an insurer who proposes to employ or appoint an~~  
1572 ~~individual, partnership, association, or corporation as a~~  
1573 ~~managing general agent. Such application shall contain the~~  
1574 ~~information required by s. 626.744, and the applicant shall pay~~  
1575 ~~the same fee as a managing general agent licensed pursuant to~~  
1576 ~~that section.~~ An individual who is appointed as a managing  
1577 general agent to supervise or manage bail bond business written  
1578 in this state must also be licensed as a bail bond agent. In the  
1579 case of an entity, at least one owner, officer, or director at  
1580 each office location must be licensed as a bail bond agent.

1581 Section 49. Present subsection (6) of section 648.34,  
1582 Florida Statutes, is redesignated as subsection (7), and a new  
1583 subsection (6) is added to that section, to read:

1584 648.34 Bail bond agents; qualifications.—

1585 (6) The requirements for completion and submission of  
1586 fingerprints under this chapter are deemed to be met when an  
1587 individual currently licensed under this chapter seeks  
1588 additional licensure and has previously submitted fingerprints  
1589 to the department in support of an application for licensure  
1590 under this chapter within the past 48 months. However, the  
1591 department may require the individual to file fingerprints if it  
1592 has reason to believe that an applicant or licensee has been  
1593 found guilty of, or pleaded guilty or nolo contendere to, a  
1594 felony or a crime related to the business of insurance in this  
1595 or any other state or jurisdiction.

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1596 Section 50. For the purpose of incorporating the amendment  
1597 made by this act to section 626.221, Florida Statutes, in a  
1598 reference thereto, paragraph (b) of subsection (1) of section  
1599 626.8734, Florida Statutes, is reenacted to read:

1600 626.8734 Nonresident all-lines adjuster license  
1601 qualifications.—

1602 (1) The department shall issue a license to an applicant  
1603 for a nonresident all-lines adjuster license upon determining  
1604 that the applicant has paid the applicable license fees required  
1605 under s. 624.501 and:

1606 (b) Has passed to the satisfaction of the department a  
1607 written Florida all-lines adjuster examination of the scope  
1608 prescribed in s. 626.241(6); however, the requirement for the  
1609 examination does not apply to:

1610 1. An applicant who is licensed as an all-lines adjuster in  
1611 his or her home state if that state has entered into a  
1612 reciprocal agreement with the department;

1613 2. An applicant who is licensed as a nonresident all-lines  
1614 adjuster in a state other than his or her home state and a  
1615 reciprocal agreement with the appropriate official of the state  
1616 of licensure has been entered into with the department; or

1617 3. An applicant who holds a certification set forth in s.  
1618 626.221(2)(j).

1619 Section 51. This act shall take effect July 1, 2018.