

By Senator Wright

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1 A bill to be entitled
2 An act relating to the Department of Financial
3 Services; amending s. 17.56, F.S.; requiring the
4 Division of Treasury to maintain, rather than turn
5 over to the Division of Accounting and Auditing,
6 warrants drawn by the Chief Financial Officer;
7 specifying the timeframe during which such warrants
8 must be maintained; making a technical change;
9 amending s. 24.123, F.S.; adding the Chief Financial
10 Officer to a list of persons receiving the annual
11 financial audit of the Department of the Lottery;
12 specifying the date by when such audits must be
13 submitted; amending s. 215.44, F.S.; specifying the
14 date by when the State Board of Administration must
15 annually publish audited financial statements for the
16 Florida Retirement System; amending s. 215.80, F.S.;
17 specifying the date by when the board must annually
18 publish a certain report by the Division of Bond
19 Finance; amending s. 215.98, F.S.; adding the Chief
20 Financial Officer to a list of persons presented with
21 the division's annual debt affordability report;
22 revising the date by when such report must be
23 presented; creating s. 497.173, F.S.; requiring that
24 each licensed location under chapter 497, F.S., have a
25 full-time licensee in charge; requiring licensees in
26 charge to have an active license; specifying
27 limitations on licensed locations a licensee in charge
28 may serve; amending ss. 497.263 and 497.266, F.S.;
29 adding national trust companies to a list of entities

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30 where a care and maintenance trust fund may be
31 established; amending s. 497.376, F.S.; specifying
32 required educational credentials for certain
33 applicants for a combination license as both funeral
34 director and embalmer; amending s. 497.377, F.S.;
35 specifying qualifications for certain applicants for a
36 combination funeral director and embalmer intern
37 license; providing application requirements;
38 specifying limitations on, and authorized actions of,
39 interns; specifying the expiration of intern licenses;
40 authorizing the licensing authority to adopt certain
41 rules; amending s. 497.380, F.S.; revising
42 requirements for the supervision of licensed funeral
43 establishments; providing that, under certain
44 circumstances, a funeral director may serve as funeral
45 director in charge without an embalmer license or
46 combination license; amending s. 497.452, F.S.; adding
47 national trust companies to a list of entities exempt
48 from a certain preneed licensing requirement; amending
49 s. 497.453, F.S.; specifying annual trust reporting
50 requirements for certain preneed licensees or certain
51 groups of preneed licensees; defining the term "Year
52 1" and "Year 2"; authorizing the department to adopt
53 certain rules; amending s. 626.025, F.S.; conforming a
54 provision to changes made by the act; amending s.
55 626.175, F.S.; authorizing the department to issue
56 nonrenewable temporary licenses authorizing the
57 appointment of personal lines agents; deleting such
58 authorization for industrial fire or burglary agents;

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59 revising circumstances under which the department may
60 issue temporary licenses authorizing the appointment
61 of life agents; specifying circumstances under which
62 the department may issue temporary licenses
63 authorizing the appointment of personal lines agents;
64 prohibiting certain licensees from soliciting,
65 negotiating, or effecting contracts of insurance;
66 amending s. 626.221, F.S.; specifying that a certain
67 exemption from an examination requirement applies to
68 applicants for an all-lines adjuster license; amending
69 s. 626.2815, F.S.; revising the individuals that are
70 subject to a certain continuing education requirement;
71 amending s. 626.321, F.S.; deleting an examination
72 requirement for an applicant for an industrial fire
73 insurance or burglary insurance license; providing
74 that, beginning on a specified date, the license and
75 appointment may be renewed, but no new or additional
76 licenses may be issued and the license may not be
77 reinstated; deleting an examination requirement for
78 crop hail and multiple peril crop insurance licenses;
79 amending s. 626.471, F.S.; authorizing an appointing
80 entity to provide a termination notice to the
81 appointee by e-mail; providing that the e-mail must be
82 addressed to the appointee's last e-mail address of
83 record; specifying when notice by e-mail is deemed to
84 have been given; repealing s. 626.521, F.S., relating
85 to credit and character reports; amending s. 626.536,
86 F.S.; deleting a requirement for insurance agencies to
87 report certain administrative actions to the

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88 department; amending s. 626.6215, F.S.; adding certain
89 grounds for the department's discretionary refusal,
90 suspension, or revocation of an insurance agency
91 license; amending s. 626.729, F.S.; revising the
92 definition of the term "industrial fire insurance"
93 relating to burglary insurance; repealing s. 626.7355,
94 F.S., relating to a temporary license as customer
95 representative pending examination; amending ss.
96 626.8437 and 626.844, F.S.; revising certain grounds
97 for the denial of, suspension of, revocation of, or
98 refusal to renew, licenses or appointments of title
99 insurance agents or agencies; amending s. 626.8732,
100 F.S.; revising qualifications for the issuance of a
101 nonresident public adjuster's license; amending s.
102 627.7015, F.S.; requiring insurers to report mediation
103 settlements and settlement amounts to all parties
104 within a certain timeframe; amending s. 633.218, F.S.;
105 deleting a requirement that state-owned or state-
106 leased buildings be identified through use of the
107 United States National Grid Coordinate System;
108 amending s. 633.520, F.S.; authorizing the Division of
109 State Fire Marshal to adopt certain rules establishing
110 firefighter employer cancer prevention best practices;
111 amending s. 648.49, F.S.; specifying that
112 reinstatement of a bail bond agent license is
113 contingent upon filing an application with, and
114 approval by, the department; amending s. 717.123,
115 F.S.; increasing the amount of funds the department
116 must retain under the Florida Disposition of Unclaimed

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117 Property Act for certain purposes; amending s.
118 717.124, F.S.; increasing the threshold amount of
119 electronically submitted claims under which the
120 department may use alternative identity verification
121 methods; authorizing the department to develop and
122 implement specified identification verification and
123 disbursement processes for certain unclaimed property
124 accounts; authorizing the department to develop
125 processes for certain electronic submissions;
126 specifying requirements for the submission of claims
127 and recordkeeping; authorizing the department to adopt
128 rules; providing an effective date.

129
130 Be It Enacted by the Legislature of the State of Florida:

131
132 Section 1. Section 17.56, Florida Statutes, is amended to
133 read:

134 17.56 Division of Treasury to maintain ~~turn over to the~~
135 ~~Division of Accounting and Auditing~~ all warrants paid.—The
136 Division of Treasury shall maintain ~~turn over to the Division of~~
137 ~~Accounting and Auditing~~ all warrants drawn by the Chief
138 Financial Officer ~~or the Comptroller~~ and paid by the Division of
139 Treasury for a period of 10 years from the date the warrant was
140 presented for payment. ~~The warrants shall be turned over as soon~~
141 ~~as the Division of Treasury shall have recorded such warrants~~
142 ~~and charged the same against the accounts upon which such~~
143 ~~warrants are drawn.~~

144 Section 2. Subsection (3) of section 24.123, Florida
145 Statutes, is amended to read:

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146 24.123 Annual audit of financial records and reports.—

147 (3) A copy of any audit performed pursuant to this section
148 ~~must shall~~ be annually submitted by November 30 to the
149 secretary, the Governor, the President of the Senate, the
150 Speaker of the House of Representatives, the Chief Financial
151 Officer, and members of the Legislative Auditing Committee.

152 Section 3. Paragraph (d) of subsection (2) of section
153 215.44, Florida Statutes, is amended to read:

154 215.44 Board of Administration; powers and duties in
155 relation to investment of trust funds.—

156 (2)

157 (d) The board shall produce a set of financial statements
158 for the Florida Retirement System on an annual basis, which
159 shall be reported to the Legislature and audited by a commercial
160 independent third-party audit firm. For fiscal years beginning
161 on or after July 1, 2020, the board shall annually publish the
162 audited financial statements by November 30.

163 Section 4. Section 215.80, Florida Statutes, is amended to
164 read:

165 215.80 Annual report.—The division or the State Board of
166 Administration shall annually publish ~~cause to be made at least~~
167 ~~once each year~~ a comprehensive report of all debt service or
168 other sinking funds for any bonds issued by the division for the
169 state or any state agencies and the status of all such funds and
170 accounts. Copies of such report ~~must shall~~ be filed with the
171 secretary or assistant secretary of the board and ~~shall~~ be open
172 to public inspection. For fiscal years beginning on or after
173 July 1, 2020, the board shall annually publish the report by
174 November 30.

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175 Section 5. Paragraph (a) of subsection (2) of section
176 215.98, Florida Statutes, is amended to read:

177 215.98 State debt fiscal responsibility.—

178 (2) The Division of Bond Finance shall conduct a debt
179 affordability analysis each year. Proposed capital projects that
180 require funding by the issuance of additional state debt shall
181 be evaluated on the basis of the analysis to assist the Governor
182 and the Legislature in setting priorities among capital projects
183 and related appropriations.

184 (a) The Division of Bond Finance shall annually prepare a
185 debt affordability report, to be presented to the governing
186 board of the Division of Bond Finance, the President of the
187 Senate, the Speaker of the House of Representatives, ~~and~~ the
188 chair of each appropriations committee, and the Chief Financial
189 Officer by November ~~December~~ 15 of each year, for purposes of
190 providing a framework for the Legislature to evaluate and
191 establish priorities for bills that propose the authorization of
192 additional state debt during the next budget year.

193 Section 6. Section 497.173, Florida Statutes, is created to
194 read:

195 497.173 Licensee in charge.—As required under this chapter,
196 each licensed location shall have a full-time licensee in
197 charge. The licensee in charge shall have an active license and
198 may serve as the licensee in charge of no more than 4 licensed
199 locations, provided the 2 furthest locations are no more than 75
200 miles apart as measured in a straight line.

201 Section 7. Paragraph (a) of subsection (3) of section
202 497.263, Florida Statutes, is amended to read:

203 497.263 Cemetery companies; license required; licensure

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204 requirements and procedures.—

205 (3) ACTION CONCERNING APPLICATIONS.—If the licensing
206 authority finds that the applicant meets the criteria
207 established in subsection (2), the applicant shall be notified
208 that a license will be issued when all of the following
209 conditions are satisfied:

210 (a) The establishment of a care and maintenance trust fund
211 containing not less than \$50,000 has been certified by a
212 national or state trust company ~~operating pursuant to chapter~~
213 ~~660~~, a state or national bank holding trust powers, or a savings
214 and loan association holding trust powers as provided in s.
215 497.458, pursuant to a trust agreement approved by the licensing
216 authority. The \$50,000 required for the care and maintenance
217 trust fund shall be over and above the \$50,000 net worth
218 required by subsection (2).

219 Section 8. Subsection (1) of section 497.266, Florida
220 Statutes, is amended to read:

221 497.266 Care and maintenance trust fund; remedy of
222 department for noncompliance.—

223 (1) No cemetery company may establish a cemetery, or
224 operate a cemetery if already established, without providing for
225 the future care and maintenance of the cemetery, for which a
226 care and maintenance trust fund shall be established, to be
227 known as "the care and maintenance trust fund of" The
228 trust fund shall be established with a national or state trust
229 company ~~operating pursuant to chapter 660~~, with a state or
230 national bank holding trust powers, or with a federal or state
231 savings and loan association holding trust powers. Trust funds
232 which are with a state or national bank or savings and loan

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233 association licensed in this state on October 1, 1993, shall
234 remain in force; however, when the amount of any such trust fund
235 exceeds the amount that is insured by an agency of the Federal
236 Government, the cemetery company shall transfer that trust fund
237 to a national or state trust company operating pursuant to
238 ~~chapter 660~~, to a state or national bank holding trust powers,
239 or to a federal or state savings and loan association holding
240 trust powers.

241 Section 9. Section 497.376, Florida Statutes, is amended to
242 read:

243 497.376 Combination license as funeral director and
244 embalmer permitted; required educational credentials.—

245 (1) This chapter does not prohibit a person from holding a
246 license as an embalmer and a license as a funeral director at
247 the same time. There may be issued and renewed by the licensing
248 authority a combination license as both funeral director and
249 embalmer to persons meeting the separate requirements for both
250 licenses as set forth in this chapter. The licensing authority
251 may adopt rules providing procedures for applying for and
252 renewing such combination license. The licensing authority may
253 by rule establish application, renewal, and other fees for such
254 combination license, which fees shall not exceed the sum of the
255 maximum fees for the separate funeral director and embalmer
256 license categories as provided in this chapter. Persons holding
257 a combination license as a funeral director and an embalmer
258 shall be subject to regulation under this chapter both as a
259 funeral director and an embalmer.

260 (2) Except as provided in s. 497.377, an applicant for a
261 combination license as both funeral director and embalmer must

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262 hold the educational credentials required for licensure of a
263 funeral director under s. 497.373(1)(d).

264 Section 10. Section 497.377, Florida Statutes, is amended
265 to read:

266 497.377 Combination license as funeral director and
267 embalmer; ~~Concurrent~~ internships.—

268 (1) To meet internship requirements for combined licensure
269 as a funeral director and an embalmer, the internship
270 requirement for funeral directors and the internship requirement
271 for embalmers and funeral directors may be served concurrently
272 pursuant to rules adopted by the licensing authority.

273 (2) (a) An applicant who has not completed the educational
274 credentials required for a combination license as funeral
275 director and embalmer is eligible for licensure as a combination
276 funeral director and embalmer intern if the applicant:

277 1. Is currently enrolled in and attending a college
278 accredited by the American Board of Funeral Service Education
279 (ABFSE) in an ABFSE accredited course of study in mortuary
280 science;

281 2. Has completed at least 75 percent of the course of study
282 in mortuary science, as certified by the college in which the
283 applicant is currently enrolled; and

284 3. Has taken and received a passing grade in a college
285 credit course in mortuary law or funeral service law and has
286 taken and received a passing grade in a college credit course in
287 ethics.

288 (b) An application for internship for a combination funeral
289 director and embalmer license must include the name and address
290 of the funeral director licensed under s. 497.373 or s.

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291 497.374(1) and the embalmer licensed under s. 497.368 or s.
292 497.369 under whose supervision the intern will receive training
293 and the name of the licensed funeral establishment where the
294 training will be conducted.

295 (c) A combination funeral director and embalmer intern may
296 perform only the tasks, functions, and duties relating to
297 funeral directing and embalming which are performed under the
298 direct supervision of a licensed funeral director who has an
299 active, valid license under s. 497.373 or s. 497.374(1) and an
300 embalmer who has an active, valid license under s. 497.368 or s.
301 497.369. However, a combination funeral director and embalmer
302 intern may perform those tasks, functions, and duties under the
303 general supervision of a licensed funeral director and embalmer
304 upon the intern's graduation from a college accredited by the
305 ABFSE with a degree as specified in s. 497.373(1)(d) and passage
306 of the laws and rules examination required under s.
307 497.373(2)(b) if, after 6 months of direct supervision, the
308 funeral director in charge of the internship training agency
309 certifies to the licensing agency that the intern is competent
310 to complete the internship under general supervision.

311 (d)1. A combination funeral director and embalmer intern
312 license expires 1 year after issuance and, except as provided in
313 subparagraph 2., may not be renewed.

314 2. The licensing authority may adopt rules that allow a
315 combination funeral director and embalmer intern to renew her or
316 his funeral director and embalmer intern license for an
317 additional 1-year period if the combination funeral director and
318 embalmer intern demonstrates her or his failure to complete the
319 internship before expiration of the license due to illness,

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320 personal injury, or other substantial hardship beyond her or his
321 reasonable control or demonstrates that she or he has completed
322 the requirements for licensure as a combination funeral director
323 and embalmer but is awaiting the results of a licensure
324 examination.

325 Section 11. Subsection (7) of section 497.380, Florida
326 Statutes, is amended to read:

327 497.380 Funeral establishment; licensure; display of
328 license.-

329 (7) The supervision of facilities is subject to s. 497.173
330 ~~Each licensed funeral establishment shall have one full-time~~
331 ~~funeral director in charge and shall have a licensed funeral~~
332 ~~director reasonably available to the public during normal~~
333 ~~business hours for the establishment. The full-time funeral~~
334 ~~director in charge is responsible for ensuring that the~~
335 ~~facility, its operation, and all persons employed in the~~
336 ~~facility comply with all applicable state and federal laws and~~
337 ~~rules. The full-time funeral director in charge must have an~~
338 ~~active license and may not be the full-time funeral director in~~
339 ~~charge of any other funeral establishment or of any other direct~~
340 ~~disposal establishment. Effective October 1, 2010, The full-time~~
341 ~~funeral director in charge must hold an active, valid embalmer~~
342 ~~license or combination license as a funeral director and an~~
343 ~~embalmer. However, a funeral director may serve as funeral~~
344 ~~director in charge without an embalmer license or combination~~
345 ~~license if the establishment does not have an embalming room or~~
346 ~~refrigeration onsite, or may continue as the full-time funeral~~
347 ~~director in charge without an embalmer or combination license~~
348 ~~if, as of September 30, 2010:~~

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349 (a) The funeral establishment and the funeral director both
350 have active, valid licenses.

351 (b) The funeral director is currently the full-time funeral
352 director in charge of the funeral establishment.

353 (c) The name of the funeral director was included, as
354 required in subsection (4), in the funeral establishment's most
355 recent application for issuance or renewal of its license or was
356 included in the establishment's report of change provided under
357 paragraph (12) (c).

358 Section 12. Subsection (2) of section 497.452, Florida
359 Statutes, is amended to read:

360 497.452 Preneed license required.—

361 (2) (a) No person may receive any funds for payment on a
362 preneed contract who does not hold a valid preneed license.

363 (b) The provisions of paragraph (a) do not apply to a
364 national or state trust company ~~operating pursuant to chapter~~
365 ~~660~~, to a national or state bank holding trust powers, or to a
366 federal or state savings and loan association having trust
367 powers which company, bank, or association receives any money in
368 trust pursuant to the sale of a preneed contract.

369 Section 13. Subsection (8) of section 497.453, Florida
370 Statutes, is amended to read:

371 497.453 Application for preneed license, procedures and
372 criteria; renewal; reports.—

373 (8) ANNUAL TRUST REPORTS.—

374 (a) On or before April 1 of each year, the preneed licensee
375 shall file in the form prescribed by rule a full and true
376 statement as to the activities of any trust established by it
377 pursuant to this part for the preceding calendar year.

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378 (b) A preneed licensee that sold, or a group of preneed
379 licensees under common control which sold in aggregate, 15,000
380 or more preneed contracts in this state in the preceding year
381 shall additionally comply with this paragraph.

382 1. As used in this paragraph, the term:

383 a. "Year 1" means a year in which a preneed licensee sells,
384 or a group of preneed licensees under common control sells in
385 aggregate, 15,000 or more preneed contracts in this state.

386 b. "Year 2" means the year immediately after Year 1.

387 2. As to each Year 1, the licensee or licensees shall,
388 during Year 2:

389 a. Prepare, with respect to each such licensee, a report of
390 Florida preneed operations in Year 1 on a form prescribed by
391 department rule;

392 b. Cause and pay for such report to be audited by an
393 independent certified public accounting firm concerning the
394 accuracy and fairness of the presentation of the data provided
395 in the report; and

396 c. By December 31 of Year 2, provide the report to the
397 division along with a written and signed opinion of the
398 certified public accounting firm concerning the accuracy and
399 fairness of the presentation of the data reported in the report.

400 2. The report must be prepared and submitted using forms
401 and procedures specified by department rule. The department may
402 adopt rules specifying the format of the report and the
403 information to be reported.

404 Section 14. Subsection (4) of section 626.025, Florida
405 Statutes, is amended to read:

406 626.025 Consumer protections.—To transact insurance, agents

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407 shall comply with consumer protection laws, including the
408 following, as applicable:

409 (4) The submission of credit and character reports, as
410 required by s. 626.171 ~~or s. 626.521~~.

411 Section 15. Subsection (1) of section 626.175, Florida
412 Statutes, is amended to read:

413 626.175 Temporary licensing.—

414 (1) The department may issue a nonrenewable temporary
415 license for a period not to exceed 6 months authorizing the
416 appointment of a general lines insurance agent, ~~or a life agent,~~
417 or personal lines agent ~~an industrial fire or burglary agent,~~
418 subject to the conditions described in this section. The fees
419 paid for a temporary license and appointment must ~~shall~~ be as
420 specified in s. 624.501. Fees paid may ~~shall~~ not be refunded
421 after a temporary license has been issued.

422 (a) An applicant for a temporary license must be:

423 1. A natural person at least 18 years of age.

424 2. A United States citizen or legal alien who possesses
425 work authorization from the United States Bureau of Citizenship
426 and Immigration Services.

427 (b)1. In the case of a general lines agent, the department
428 may issue a temporary license to an employee, a family member, a
429 business associate, or a personal representative of a licensed
430 general lines agent for the purpose of continuing or winding up
431 the business affairs of the agent or agency in the event the
432 licensed agent has died or become unable to perform his or her
433 duties because of military service or illness or other physical
434 or mental disability, subject to the following conditions:

435 a. No other individual connected with the agent's business

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436 may be licensed as a general lines agent.

437 b. The proposed temporary licensee shall be qualified for a
438 regular general lines agent license under this code except as to
439 residence, examination, education, or experience.

440 c. Application for the temporary license shall have been
441 made by the applicant upon statements and affidavit filed with
442 the department on forms prescribed and furnished by the
443 department.

444 d. Under a temporary license and appointment, the licensee
445 shall not represent any insurer not last represented by the
446 agent being replaced and shall not be licensed or appointed as
447 to any additional kind, line, or class of insurance other than
448 those covered by the last existing agency appointments of the
449 replaced agent. If an insurer withdraws from the agency during
450 the temporary license period, the temporary licensee may be
451 appointed by another similar insurer but only for the period
452 remaining under the temporary license.

453 2. A regular general lines agent license may be issued to a
454 temporary licensee upon meeting the qualifications for a general
455 lines agent license under s. 626.731.

456 (c) In the case of a life agent, the department may issue a
457 temporary license:

458 1. To the executor or administrator of the estate of a
459 deceased individual licensed and appointed as a life agent at
460 the time of death;

461 2. To a surviving next of kin of the deceased individual,
462 if no administrator or executor has been appointed and
463 qualified; however, any license and appointment under this
464 subparagraph shall be canceled upon issuance of a license to an

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465 executor or administrator under subparagraph 1.; or

466 3. To an individual otherwise qualified to be licensed as
467 an agent who has completed the educational or training
468 requirements prescribed in s. 626.7851 and who is appointed ~~has~~
469 ~~successfully sat for the required examination prior to~~
470 ~~termination of such 6-month period. The department may issue~~
471 ~~this temporary license only in the case of a life agent to~~
472 ~~represent an insurer of the industrial or ordinary-combination~~
473 ~~class solely for the purpose of collecting premiums and~~
474 ~~servicing in-force policies. Such licensee may not directly or~~
475 ~~indirectly solicit, negotiate, or effect contracts of insurance.~~

476 (d) In the case of a personal lines ~~limited license~~
477 ~~authorizing appointment as an industrial fire or burglary agent,~~
478 the department may issue a temporary license:

479 1. To the executor or administrator of the estate of a
480 deceased individual who was licensed and appointed as a personal
481 lines agent at the time of his or her death;

482 2. To a surviving next of kin of the deceased individual if
483 no administrator or executor has been appointed and qualified.
484 However, a license and appointment under this subparagraph must
485 be canceled upon issuance of a license to an executor or
486 administrator under subparagraph 1.; or

487 3. To an individual otherwise qualified to be licensed as
488 an agent, who has completed the educational or training
489 requirements prescribed in s. 626.732 and who is appointed to
490 represent an insurer of the industrial or ordinary-combination
491 class solely for the purpose of collecting premiums and
492 servicing in-force policies. Such licensee may not directly or
493 indirectly solicit, negotiate, or effect contracts of insurance

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494 ~~to an individual otherwise qualified to be licensed as an agent~~
495 ~~who has completed the educational or training requirements~~
496 ~~prescribed in s. 626.732 and has successfully sat for the~~
497 ~~required examination prior to termination of the 6-month period.~~

498 Section 16. Paragraph (e) of subsection (2) of section
499 626.221, Florida Statutes, is amended to read:

500 626.221 Examination requirement; exemptions.—

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

503 (e) An applicant for an all-lines adjuster license who has
504 been licensed as an all-lines adjuster and appointed as an
505 independent adjuster or company employee adjuster if an
506 application for licensure is filed with the department within 48
507 months following the date of cancellation or expiration of the
508 prior appointment.

509 Section 17. Paragraph (d) of subsection (3) of section
510 626.2815, Florida Statutes, is amended to read:

511 626.2815 Continuing education requirements.—

512 (3) Each licensee except a title insurance agent must
513 complete a 5-hour update course every 2 years which is specific
514 to the license held by the licensee. The course must be
515 developed and offered by providers and approved by the
516 department. The content of the course must address all lines of
517 insurance for which examination and licensure are required and
518 include the following subject areas: insurance law updates,
519 ethics for insurance professionals, disciplinary trends and case
520 studies, industry trends, premium discounts, determining
521 suitability of products and services, and other similar
522 insurance-related topics the department determines are relevant

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523 to legally and ethically carrying out the responsibilities of
524 the license granted. A licensee who holds multiple insurance
525 licenses must complete an update course that is specific to at
526 least one of the licenses held. Except as otherwise specified,
527 any remaining required hours of continuing education are
528 elective and may consist of any continuing education course
529 approved by the department under this section.

530 (d) An individual who holds a license as a customer
531 representative, ~~limited customer representative, motor vehicle~~
532 ~~physical damage and mechanical breakdown insurance agent, or an~~
533 ~~industrial fire insurance or burglary insurance agent~~ and who is
534 not a licensed life or health agent, must also complete a
535 minimum of 5 hours of continuing education courses every 2
536 years.

537 Section 18. Paragraphs (b) and (f) of subsection (1) of
538 section 626.321, Florida Statutes, are amended to read:

539 626.321 Limited licenses.—

540 (1) The department shall issue to a qualified applicant a
541 license as agent authorized to transact a limited class of
542 business in any of the following categories of limited lines
543 insurance:

544 (b) *Industrial fire insurance or burglary insurance.*—
545 License covering only industrial fire insurance or burglary
546 insurance. ~~The applicant for such a license must pass a written~~
547 ~~examination covering such insurance.~~ A licensee under this
548 paragraph may not hold a license as an agent for any other or
549 additional kind or class of insurance coverage except for life
550 insurance and health insurance. Effective July 1, 2019, all
551 licensees holding such limited license and appointment may renew

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552 the license and appointment, but no new or additional licenses
553 may be issued pursuant to this paragraph and a licensee whose
554 limited license under this paragraph has been terminated,
555 suspended, or revoked may not have such license reinstated.

556 (f) *Crop hail and multiple-peril crop insurance.*—License
557 for insurance covering crops subject to unfavorable weather
558 conditions, fire or lightning ~~lightening~~, flood, hail, insect
559 infestation, disease, or other yield-reducing conditions or
560 perils which is provided by the private insurance market, or
561 which is subsidized by the Federal Group Insurance Corporation
562 including multi-peril crop insurance. Notwithstanding any other
563 ~~provision of law~~, the limited license may be issued to a bona
564 fide salaried employee of an association chartered under the
565 Farm Credit Act of 1971, 12 U.S.C. ss. 2001 et seq., ~~who~~
566 ~~satisfactorily completes the examination prescribed by the~~
567 ~~department pursuant to s. 626.241(5).~~ The agent must be
568 appointed by, and his or her limited license requested by, a
569 licensed general lines agent. All business transacted by the
570 agent must be on behalf of, in the name of, and countersigned by
571 the agent by whom he or she is appointed. Sections 626.561 and
572 626.748, relating to records, apply to all business written
573 pursuant to this section. The licensee may be appointed by and
574 licensed for only one general lines agent or agency.

575 Section 19. Subsection (1) of section 626.471, Florida
576 Statutes, is amended to read:

577 626.471 Termination of appointment.—

578 (1) Subject to an appointee's contract rights, an
579 appointing entity may terminate its appointment of any appointee
580 at any time. Except when termination is upon a ground that ~~which~~

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581 would subject the appointee to suspension or revocation of his
582 or her license and appointment under s. 626.611 or s. 626.621,
583 and except as provided by contract between the appointing entity
584 and the appointee, the appointing entity shall give at least 60
585 days' advance written notice of its intention to terminate such
586 appointment to the appointee, ~~either~~ by delivery thereof to the
587 appointee in person, ~~or~~ by mailing it, postage prepaid, or by e-
588 mail. If delivery is by mail or e-mail, the notice must be
589 addressed to the appointee at his or her last mailing or e-mail
590 address of record with the appointing entity. Notice ~~is so~~
591 ~~mailed shall be~~ deemed to have been given when deposited in a
592 United States Postal Service mail depository or when the e-mail
593 is sent, as applicable.

594 Section 20. Section 626.521, Florida Statutes, is repealed.

595 Section 21. Section 626.536, Florida Statutes, is amended
596 to read:

597 626.536 Reporting of administrative actions.—Within 30 days
598 after the final disposition of an administrative action taken
599 against a licensee ~~or insurance agency~~ by a governmental agency
600 or other regulatory agency in this or any other state or
601 jurisdiction relating to the business of insurance, the sale of
602 securities, or activity involving fraud, dishonesty,
603 trustworthiness, or breach of a fiduciary duty, the licensee ~~or~~
604 ~~insurance agency~~ must submit a copy of the order, consent to
605 order, or other relevant legal documents to the department. The
606 department may adopt rules to administer this section.

607 Section 22. Subsection (7) is added to section 626.6215,
608 Florida Statutes, to read:

609 626.6215 Grounds for discretionary refusal, suspension, or

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610 revocation of insurance agency license.—The department may, in
 611 its discretion, deny, suspend, revoke, or refuse to continue the
 612 license of any insurance agency if it finds, as to any insurance
 613 agency or as to any majority owner, partner, manager, director,
 614 officer, or other person who manages or controls such insurance
 615 agency, that any one or more of the following applicable grounds
 616 exist:

617 (7) A denial, suspension, or revocation of, or any other
 618 adverse administrative action against, a license to practice or
 619 conduct any regulated profession, business, or vocation by this
 620 state, any other state, any nation, any possession or district
 621 of the United States, any court, or any lawful agency thereof.

622 Section 23. Section 626.729, Florida Statutes, is amended
 623 to read:

624 626.729 "Industrial fire insurance" defined.—As used in For
 625 ~~the purposes of~~ this code, the term "industrial fire insurance"
 626 means: is

627 (1) Insurance against loss by fire of either buildings and
 628 other structures or contents, which may include extended
 629 coverage;

630 (2) Windstorm insurance;

631 (3) Basic limits owners, landlords, or tenants liability
 632 insurance with single limits of \$25,000;

633 (4) Comprehensive personal liability insurance with a
 634 single limit of \$25,000; or

635 (5) Burglary insurance, under which the premiums are
 636 collected quarterly or more often and the face amount of the
 637 insurance provided by the policy on one risk is not more than
 638 \$50,000, including the contents of such buildings and other

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639 ~~structures, and the insurer issuing such policy is operating~~
640 ~~under a system of collecting a debit by its agents. A temporary~~
641 ~~license for an industrial fire or burglary agent issued pursuant~~
642 ~~to s. 626.175 shall be solely for the purpose of collecting~~
643 ~~premiums and servicing in force policies, and such licensee~~
644 ~~shall not directly or indirectly solicit, negotiate, or effect~~
645 ~~contracts of insurance.~~

646 Section 24. Section 626.7355, Florida Statutes, is
647 repealed.

648 Section 25. Subsection (9) of section 626.8437, Florida
649 Statutes, is amended to read:

650 626.8437 Grounds for denial, suspension, revocation, or
651 refusal to renew license or appointment.—The department shall
652 deny, suspend, revoke, or refuse to renew or continue the
653 license or appointment of any title insurance agent or agency,
654 and it shall suspend or revoke the eligibility to hold a license
655 or appointment of such person, if it finds that as to the
656 applicant, licensee, appointee, or any principal thereof, any
657 one or more of the following grounds exist:

658 (9) Willful failure to comply with, or willful violation
659 of, any proper order or rule of the department or willful
660 violation of any provision of the Florida Insurance Code ~~this~~
661 ~~act.~~

662 Section 26. Subsection (2) of section 626.844, Florida
663 Statutes, is amended to read:

664 626.844 Grounds for discretionary refusal, suspension, or
665 revocation of license or appointment.—The department may, in its
666 discretion, deny, suspend, revoke, or refuse to renew or
667 continue the license or appointment of any title insurance agent

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668 or agency, and it may suspend or revoke the eligibility to hold
669 a license or appointment of any such title insurance agent or
670 agency if it finds that as to the applicant or licensee or
671 appointee, or any principal thereof, any one or more of the
672 following grounds exist under circumstances for which such
673 denial, suspension, revocation, or refusal is not mandatory
674 under s. 626.8437:

675 (2) Violation of any provision of the Florida Insurance
676 Code ~~this act~~ in the course of dealing under the license or
677 appointment.

678 Section 27. Paragraph (e) of subsection (1) and paragraphs
679 (b) and (c) of subsection (2) of section 626.8732, Florida
680 Statutes, are amended to read:

681 626.8732 Nonresident public adjuster's qualifications,
682 bond.—

683 (1) The department shall, upon application therefor, issue
684 a license to an applicant for a nonresident public adjuster's
685 license upon determining that the applicant has paid the
686 applicable license fees required under s. 624.501 and:

687 (e) Has been licensed and employed as a public adjuster in
688 the applicant's state of residence on a continual basis for the
689 past 6 months ~~year~~, or, if the applicant's state of residence
690 does not issue licenses to individuals who act as public
691 adjusters, the applicant has been licensed and employed as a
692 resident insurance company adjuster, a public adjuster, or an
693 independent adjuster in his or her state of residence or any
694 other state on a continual basis for the past 6 months ~~year~~.

695 (2) The applicant shall furnish the following with his or
696 her application:

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697 (b) If currently licensed as a resident public adjuster in
698 the applicant's state of residence, a certificate or letter of
699 authorization from the licensing authority of the applicant's
700 state of residence, stating that the applicant holds a current
701 or comparable license to act as a public adjuster and has held
702 the license continuously for the past 6 months ~~year~~. The
703 certificate or letter of authorization must be signed by the
704 insurance commissioner or his or her deputy or the appropriate
705 licensing official and must disclose whether the adjuster has
706 ever had any license or eligibility to hold any license
707 declined, denied, suspended, revoked, or placed on probation or
708 whether an administrative fine or penalty has been levied
709 against the adjuster and, if so, the reason for the action.

710 (c) If the applicant's state of residence does not require
711 licensure as a public adjuster and the applicant has been
712 licensed as a resident insurance adjuster in his or her state of
713 residence or any other state, a certificate or letter of
714 authorization from the licensing authority stating that the
715 applicant holds or has held a license to act as such an
716 insurance adjuster and has held the license continuously for the
717 past 6 months ~~year~~. The certificate or letter of authorization
718 must be signed by the insurance commissioner or his or her
719 deputy or the appropriate licensing official and must disclose
720 whether or not the adjuster has ever had any license or
721 eligibility to hold any license declined, denied, suspended,
722 revoked, or placed on probation or whether an administrative
723 fine or penalty has been levied against the adjuster and, if so,
724 the reason for the action.

725 Section 28. Subsection (5) of section 627.7015, Florida

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726 Statutes, is amended to read:

727 627.7015 Alternative procedure for resolution of disputed
728 property insurance claims.—

729 (5) All statements made and documents produced at a
730 mediation conference shall be deemed to be settlement
731 negotiations in anticipation of litigation within the scope of
732 s. 90.408. A settlement through mediation, including the
733 settlement amount, must be reported to all parties by the
734 insurer within 10 days after the conclusion of the mediation
735 conference. All parties to the mediation must negotiate in good
736 faith and must have the authority to immediately settle the
737 claim. Mediators are deemed to be agents of the department and
738 shall have the immunity from suit provided in s. 44.107.

739 Section 29. Paragraph (f) of subsection (1) of section
740 633.218, Florida Statutes, is amended to read:

741 633.218 Inspections of state buildings and premises; tests
742 of firesafety equipment; building plans to be approved.—

743 (1)

744 ~~(f) A state-owned building or state-leased building or~~
745 ~~space shall be identified through use of the United States~~
746 ~~National Grid Coordinate System.~~

747 Section 30. Section 633.520, Florida Statutes, is amended
748 to read:

749 633.520 Safety; firefighter employer responsibilities;
750 division rules.—

751 (1) Every firefighter employer shall furnish and use safety
752 devices and safeguards, adopt and use methods and processes
753 reasonably adequate to render such an employment and place of
754 employment safe, and do every other thing reasonably necessary

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755 to protect the lives, health, and safety of such firefighter
756 employees. As used in this section, the terms "safe" and
757 "safety," as applied to any employment or place of employment,
758 mean such freedom from danger as is reasonably necessary for the
759 protection of the lives, health, and safety of firefighter
760 employees, including conditions and methods of sanitation and
761 hygiene. Safety devices and safeguards required to be furnished
762 by the firefighter employer by this section or by the division
763 under authority of this section do not include personal apparel
764 and protective devices that replace personal apparel normally
765 worn by firefighter employees during regular working hours.

766 (2) The division shall adopt rules to establish employer
767 cancer prevention best practices relating to personal protective
768 equipment, decontamination, fire suppression apparatus, and fire
769 stations.

770 Section 31. Subsection (1) of section 648.49, Florida
771 Statutes, is amended to read:

772 648.49 Duration of suspension or revocation.—

773 (1) The department shall, in its order suspending a license
774 or appointment or in its order suspending the eligibility of a
775 person to hold or apply for such a license or appointment,
776 specify the period during which the suspension is to be in
777 effect, but such period may not exceed 2 years. The license, ~~or~~
778 appointment, or and eligibility to hold a license or appointment
779 must shall remain suspended during the period so specified; ~~r~~
780 subject, however, to any rescission or modification of the order
781 by the department, or modification or reversal thereof by the
782 court, prior to expiration of the suspension period. A license
783 or appointment that ~~which~~ has been suspended may not be

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784 reinstated, nor may ~~shall~~ the eligibility to hold such license
785 or appointment be reinstated, except upon the filing and
786 approval of an application for ~~request for such~~ reinstatement.~~7~~
787 ~~but~~ The department may not approve an application for ~~grant such~~
788 reinstatement if it finds that the circumstances for which the
789 license or appointment was suspended still exist or are likely
790 to recur. In each case involving suspension, the department has
791 the discretion to require the former licensee to successfully
792 complete a basic certification course in the criminal justice
793 system, consisting of not less than 80 hours approved by the
794 department.

795 Section 32. Subsection (1) of section 717.123, Florida
796 Statutes, is amended to read:

797 717.123 Deposit of funds.—

798 (1) All funds received under this chapter, including the
799 proceeds from the sale of unclaimed property under s. 717.122,
800 shall forthwith be deposited by the department in the Unclaimed
801 Property Trust Fund. The department shall retain, from funds
802 received under this chapter, an amount not exceeding \$30 ~~\$15~~
803 million from which the department shall make prompt payment of
804 claims allowed by the department and shall pay the costs
805 incurred by the department in administering and enforcing this
806 chapter. All remaining funds received by the department under
807 this chapter shall be deposited by the department into the State
808 School Fund.

809 Section 33. Present subsection (8) of section 717.124,
810 Florida Statutes, is redesignated as subsection (11), a new
811 subsection (8) and subsections (9) and (10) are added to that
812 section, and subsection (7) of that section is amended, to read:

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813 717.124 Unclaimed property claims.—

814 (7) The department may allow an apparent owner to
815 electronically submit a claim for unclaimed property to the
816 department. If a claim is submitted electronically for \$5,000
817 ~~\$1,000~~ or less, the department may use a method of identity
818 verification other than a copy of a valid driver license, other
819 government-issued photographic identification, or a sworn
820 notarized statement. The department may adopt rules to implement
821 this subsection.

822 (8) Notwithstanding any other provision of this chapter,
823 the department may develop and implement an identification
824 verification and disbursement process by which accounts valued
825 at \$2,000 or less, after receipt by the department and after
826 being added to the unclaimed property database, may be disbursed
827 to an apparent owner after the department has verified that the
828 apparent owner is living and has verified the apparent owner's
829 correct, current address. The department shall include with the
830 payment a notification and an explanation of the dollar amount,
831 source, and property type of each account included in the
832 disbursement. The department may adopt rules to administer this
833 subsection.

834 (9) Notwithstanding any other provision of this chapter,
835 the department may develop and implement a verification and
836 disbursement process by which accounts, after receipt by the
837 department and after being added to the unclaimed property
838 database, for which the apparent owner is a governmental agency
839 of this state or subdivision thereof; a county government of
840 this state or a subdivision thereof; a public school district of
841 this state or a subdivision thereof; a municipality of this

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842 state or a subdivision thereof; or a special taxing district of
843 this state or authority, may be disbursed to the apparent owner
844 entity or to the successor entity. The department shall include
845 with the payment a notification and explanation of the dollar
846 amount, source, and property type of each account included in
847 the disbursement. The department may adopt rules to administer
848 this subsection.

849 (10) Notwithstanding any other provision of this chapter,
850 the department may develop a process by which a registered
851 claimant's representative may electronically submit to the
852 department electronic images of completed claims and claim-
853 related documents pursuant to this chapter, including limited
854 powers of attorney and purchase agreements that have been
855 personally signed and dated by a claimant or by a seller
856 pursuant to s. 717.135 or s. 717.1351, after the original
857 documents provided by the claimant or by the seller to the
858 claimant's representative are physically received and in the
859 claimant's representative's possession for any respective claim.
860 Each claim filed by a registered claimant's representative must
861 include a statement by the claimant's representative or buyer
862 accurately attesting that all documents are true copies of the
863 original documents and that all original documents are
864 physically in the possession of the claimant's representative or
865 buyer. All original documents must be kept in original form, by
866 claim number, under the secure control of the claimant's
867 representative or buyer and must be made available for
868 inspection by the department or other governmental agencies in
869 accordance with s. 717.1315. The department may adopt rules to
870 administer this subsection.

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Section 34. This act shall take effect July 1, 2019.