

1 A bill to be entitled
2 An act relating to the Department of Financial
3 Services; amending s. 20.121, F.S.; specifying powers
4 and duties of the Division of Public Assistance Fraud;
5 creating s. 284.45, F.S.; defining the term "sexual
6 harassment victim"; prohibiting an individual working
7 for an entity covered by the State Risk Management
8 Trust Fund from engaging in retaliatory conduct
9 against a sexual harassment victim; prohibiting the
10 release of personal identifying information of sexual
11 harassment victims; providing criminal penalties;
12 amending s. 497.101, F.S.; revising provisions
13 relating to membership of the Board of Funeral,
14 Cemetery, and Consumer Services; creating s. 497.1411,
15 F.S.; providing definitions; providing for permanent
16 disqualification of applicants for licensure under ch.
17 497, F.S., upon conviction of certain offenses;
18 providing for disqualifying periods for such
19 applicants who have been convicted of certain
20 offenses; requiring rulemaking; providing for
21 calculation of disqualifying periods; providing for
22 applicants to show rehabilitation after completion of
23 a disqualifying period; providing for the effect of a
24 pardon or clemency; providing for exemptions from
25 disqualification in certain circumstances; providing

26 | procedures for consideration of applications for such
27 | exemptions; providing an exemption from disqualifying
28 | periods for certain applicants; providing
29 | construction; amending s. 497.142, F.S.; revising
30 | provisions relating to criminal background checks for
31 | applicants under ch. 497, F.S.; amending s. 497.157,
32 | F.S.; prohibiting persons from acting as or
33 | advertising themselves as being certain persons unless
34 | they are so licensed; prohibiting persons from
35 | engaging in certain activities requiring licensure
36 | without holding required licenses; providing criminal
37 | penalties; amending s. 497.159, F.S.; deleting
38 | provisions relating to criminal penalties for persons
39 | engaging in activities requiring a license under ch.
40 | 497, F.S.; amending s. 497.459, F.S.; revising
41 | provisions relating to notice to purchasers of preneed
42 | contracts; amending s. 552.081, F.S.; revising the
43 | definition of two-component explosives for the purpose
44 | of regulation by the Division of State Fire Marshal;
45 | amending s. 553.7921, F.S.; revising requirements for
46 | repair of an existing alarm system that was previously
47 | permitted by a local enforcement agency; amending s.
48 | 633.102, F.S.; revising provisions relating to
49 | licensure for design, installation, and alteration of
50 | fire sprinklers; amending s. 633.202, F.S.; extending

51 a repeal date for provisions concerning doorstep
52 refuse and recycling collection containers in certain
53 apartment complexes; creating s. 633.217, F.S.;;
54 prohibiting certain actions to influence a firesafety
55 inspector into violating certain provisions;
56 prohibiting a firesafety inspector from knowingly and
57 willfully accepting an attempt to influence the
58 firesafety inspector into violating certain
59 provisions; amending s. 633.304, F.S.; specifying that
60 training courses offered by the State Fire College
61 must include a written and a practical element and be
62 approved by the State Fire Marshal; amending s.
63 633.416, F.S.; providing that certain persons serving
64 as volunteer firefighters may serve as a regular or
65 permanent firefighter for a limited period subject to
66 certain restrictions; amending s. 843.08, F.S.;;
67 prohibiting false personation of personnel or
68 representatives of the Division of Investigative and
69 Forensic Services; providing criminal penalties;
70 amending s. 943.045, F.S.; providing the
71 investigations component of the Department of
72 Financial Services is a criminal justice agency for
73 specified purposes; amending s. 626.2815, F.S.;;
74 revising continuing education requirements for title
75 insurance agents; amending s. 40, ch. 2019-40, Laws of

76 Florida; renaming the Florida Blockchain Task Force as
 77 the Florida Financial Technology and Blockchain Task
 78 Force; revising the duties of the task force; revising
 79 the date of a report; deleting an obsolete provision;
 80 providing effective dates.

81
 82 Be It Enacted by the Legislature of the State of Florida:

83
 84 Section 1. Paragraph (f) of subsection (2) of section
 85 20.121, Florida Statutes, is amended to read:

86 20.121 Department of Financial Services.—There is created
 87 a Department of Financial Services.

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

90 (f) The Division of Public Assistance Fraud, which shall
 91 function as a criminal justice agency for purposes of ss.
 92 943.045-943.08. The division shall conduct investigations
 93 pursuant to s. 414.411 within or outside of this state as it
 94 deems necessary. If, during an investigation, the division has
 95 reason to believe that any criminal law of this state has or may
 96 have been violated, it shall refer any records tending to show
 97 such violation to state or federal law enforcement or
 98 prosecutorial agencies and shall provide investigative
 99 assistance to those agencies as required.

100 Section 2. Section 284.45, Florida Statutes, is created to

101 read:

102 284.45 Sexual harassment victims.—

103 (1) As used in this section, the term "sexual harassment
104 victim" means an individual employed with or being considered
105 for employment with an entity participating in the State Risk
106 Management Trust Fund, who becomes a victim of workplace sexual
107 harassment, through the course of employment, or being
108 considered for employment, with such entity.

109 (2) An individual working for an entity covered by the
110 State Risk Management Trust Fund may not engage in retaliatory
111 conduct, of any kind, against a sexual harassment victim.

112 (3) (a) A person who willfully and knowingly disseminates
113 personal identifying information of a sexual harassment victim
114 to any party other than a government entity in furtherance of
115 its official duties or pursuant to a court order commits a
116 misdemeanor of the first degree, punishable as provided in s.
117 775.082.

118 (b) For purposes of this subsection, the term "personal
119 identifying information" includes the name of the victim and his
120 or her:

- 121 1. Home address;
- 122 2. Home phone number;
- 123 3. Cellular phone number;
- 124 4. E-mail address;
- 125 5. Social media account username or uniform resource

126 locator (URL); or

127 6. Any other information that could reasonably be used to
128 identify, locate, or contact the alleged victim.

129 Section 3. Subsections (1), (2), (3), (6), and (8) of
130 section 497.101, Florida Statutes, are amended to read:

131 497.101 Board of Funeral, Cemetery, and Consumer Services;
132 membership; appointment; terms.—

133 (1) The Board of Funeral, Cemetery, and Consumer Services
134 is created within the Department of Financial Services and shall
135 consist of 10 members, 9 of whom shall be appointed by the
136 Governor from nominations made by the Chief Financial Officer
137 and confirmed by the Senate. The Chief Financial Officer shall
138 nominate one to three persons for each of the nine vacancies on
139 the board, and the Governor shall fill each vacancy on the board
140 by appointing one of the ~~three~~ persons nominated by the Chief
141 Financial Officer to fill that vacancy. If the Governor objects
142 to each of the ~~three~~ nominations for a vacancy, she or he shall
143 inform the Chief Financial Officer in writing. Upon notification
144 of an objection by the Governor, the Chief Financial Officer
145 shall submit one to three additional nominations for that
146 vacancy until the vacancy is filled. One member must be the
147 State Health Officer or her or his designee.

148 (2) Two members of the board shall be funeral directors
149 licensed under part III of this chapter who are associated with
150 a funeral establishment. One member of the board shall be a

151 funeral director licensed under part III of this chapter who is
152 associated with a funeral establishment licensed under part III
153 of this chapter that has a valid preneed license issued pursuant
154 to this chapter and who owns or operates a cinerator facility
155 approved under chapter 403 and licensed under part VI of this
156 chapter. Two members of the board shall be persons whose primary
157 occupation is associated with a cemetery company licensed
158 pursuant to this chapter. Two ~~Three~~ members of the board shall
159 be consumers who are residents of the state, have never been
160 licensed as funeral directors or embalmers, are not connected
161 with a cemetery or cemetery company licensed pursuant to this
162 chapter, and are not connected with the death care industry or
163 the practice of embalming, funeral directing, or direct
164 disposition. One of the two consumer members shall be at least
165 60 years of age, ~~and one shall be licensed as a certified public~~
166 ~~accountant under chapter 473.~~ One member of the board shall be a
167 consumer who is a resident of this state; licensed as a
168 certified public accountant under chapter 473; has never been
169 licensed as a funeral director or embalmer; is not a principal
170 or employee of any licensee licensed under this chapter; and
171 does not otherwise have control, as defined in s. 497.005, over
172 any licensee licensed under this chapter. One member of the
173 board shall be a principal of a monument establishment licensed
174 under this chapter as a monument builder. One member shall be
175 the State Health Officer or her or his designee. There shall not

176 | be two or more board members who are principals or employees of
 177 | the same company or partnership or group of companies or
 178 | partnerships under common control.

179 | (3) Board members shall be appointed for terms of 4 years,
 180 | and the State Health Officer shall serve as long as that person
 181 | holds that office. The designee of the State Health Officer
 182 | shall serve at the pleasure of the Governor. ~~When the terms of~~
 183 | ~~the initial board members expire, the Chief Financial Officer~~
 184 | ~~shall stagger the terms of the successor members as follows: one~~
 185 | ~~funeral director, one cemetery representative, the monument~~
 186 | ~~builder, and one consumer member shall be appointed for terms of~~
 187 | ~~2 years, and the remaining members shall be appointed for terms~~
 188 | ~~of 4 years. All subsequent terms shall be for 4 years.~~

189 | (6) The headquarters and records of the board shall be in
 190 | the Division of Funeral, Cemetery, and Consumer Services of the
 191 | Department of Financial Services in the City of Tallahassee. The
 192 | board may be contacted through the Division of Funeral,
 193 | Cemetery, and Consumer Services of the Department of Financial
 194 | Services in the City of Tallahassee. The Chief Financial Officer
 195 | shall annually appoint from among the board members a chair and
 196 | vice chair of the board. The board shall meet at least every 6
 197 | months, and more often as necessary. Special meetings of the
 198 | board shall be convened upon the direction of the Chief
 199 | Financial Officer. A quorum is necessary for the conduct of
 200 | business by the board. Unless otherwise provided by law, a

201 majority of the board members eligible to vote shall constitute
 202 a quorum for the purpose of conducting its business ~~six board~~
 203 ~~members shall constitute a quorum for the conduct of the board's~~
 204 ~~business.~~

205 ~~(8) The department shall adopt rules establishing forms by~~
 206 ~~which persons may apply for membership on the board and~~
 207 ~~procedures for applying for such membership. Such forms shall~~
 208 ~~require disclosure of the existence and nature of all current~~
 209 ~~and past employments by or contracts with, and direct or~~
 210 ~~indirect affiliations or interests in, any entity or business~~
 211 ~~that at any time was licensed by the board or by the former~~
 212 ~~Board of Funeral and Cometary Services or the former Board of~~
 213 ~~Funeral Directors and Embalmers or that is or was otherwise~~
 214 ~~involved in the death care industry, as specified by department~~
 215 ~~rule.~~

216 Section 4. Section 497.1411, Florida Statutes, is created
 217 to read:

218 497.1411 Disqualification of applicants and licensees;
 219 penalties against licensees; rulemaking.-

220 (1) For purposes of this section, the term:

221 (a) "Applicant" means an individual applying for licensure
 222 or relicensure under this chapter, and an officer, director,
 223 majority owner, partner, manager, or other person who manages or
 224 controls an entity applying for licensure or relicensure under
 225 this chapter.

226 (b) "Felony of the first degree" and "capital felony"
 227 include all felonies designated as such in this state, at the
 228 time of the commission of the offense, as well as any offense in
 229 another jurisdiction that is substantially similar to an offense
 230 so designated in this state.

231 (c) "Financial services business" means any financial
 232 activity regulated by the Department of Financial Services, the
 233 Office of Insurance Regulation, or the Office of Financial
 234 Regulation.

235 (2) An applicant who has been found guilty of or has
 236 pleaded guilty or nolo contendere to any of the following
 237 crimes, regardless of adjudication, is permanently barred from
 238 licensure under this chapter:

- 239 (a) A felony of the first degree.
- 240 (b) A capital felony.
- 241 (c) A felony money laundering offense.
- 242 (d) A felony embezzlement.

243 (3) An applicant who has been found guilty of or has
 244 pleaded guilty or nolo contendere to a crime not included in
 245 subsection (2), regardless of adjudication, is subject to:

246 (a) A 10-year disqualifying period for all felonies
 247 involving moral turpitude that are not specifically included in
 248 the permanent bar contained in subsection (2).

249 (b) A 5-year disqualifying period for all felonies to
 250 which neither the permanent bar in subsection (2) nor the 10-

251 year disqualifying period in paragraph (a) applies.

252 (c) A 5-year disqualifying period for all misdemeanors
253 directly related to the financial services business.

254 (4) The board shall adopt rules to administer this
255 section. The rules must provide for additional disqualifying
256 periods due to the commitment of multiple crimes and may include
257 other factors reasonably related to the applicant's criminal
258 history. The rules shall provide for mitigating and aggravating
259 factors. However, mitigation may not result in a period of
260 disqualification of less than 5 years and may not mitigate the
261 disqualifying periods in paragraphs (3) (b) and (c).

262 (5) For purposes of this section, a disqualifying period
263 begins upon the applicant's final release from supervision or
264 upon completion of the applicant's criminal sentence. The
265 department may not issue a license to an applicant unless all
266 related fines, court costs and fees, and court-ordered
267 restitution have been paid.

268 (6) After the disqualifying period has expired, the burden
269 is on the applicant to demonstrate that he or she has been
270 rehabilitated, does not pose a risk to the public, is fit and
271 trustworthy to engage in business regulated by this chapter, and
272 is otherwise qualified for licensure.

273 (7) Notwithstanding subsections (2) and (3), an applicant
274 who has been found guilty of, or has pleaded guilty or nolo
275 contendere to, a crime in subsection (2) or subsection (3), and

276 has subsequently been granted a pardon or the restoration of
277 civil rights pursuant to chapter 940 and s. 8, Art. IV of the
278 State Constitution, or such pardon or the restoration of civil
279 rights under the laws of another jurisdiction with respect to a
280 conviction in that jurisdiction, is not barred or disqualified
281 from licensure under this chapter; however, such a pardon or
282 restoration of civil rights does not require the department to
283 award such license.

284 (8) (a) The Board of Funeral, Cemetery, and Consumer
285 Services may grant an exemption from disqualification to any
286 person disqualified from licensure under subsection (3) if:

287 1. The applicant has paid in full any fee, fine, fund,
288 lien, civil judgment, restitution, or cost of prosecution
289 imposed by the court as part of the judgment and sentence for
290 any disqualifying offense; and

291 2. At least 5 years have elapsed since the applicant
292 completed or has been lawfully released from confinement,
293 supervision, or nonmonetary condition imposed by the court for a
294 disqualifying offense.

295 (b) For the board to grant an exemption under this
296 subsection, the applicant must clearly and convincingly
297 demonstrate that he or she would not pose a risk to persons or
298 property if licensed under this chapter, evidence of which must
299 include, but need not be limited to, facts and circumstances
300 surrounding the disqualifying offense, the time that has elapsed

301 since the offense, the nature of the offense and harm caused to
302 the victim, the applicant's history before and after the
303 offense, and any other evidence or circumstances indicating that
304 the applicant will not present a danger if licensed or
305 certified.

306 (c) The board has discretion whether to grant or deny an
307 exemption under this subsection. The board's decision is subject
308 to chapter 120.

309 (9) The disqualification periods provided in this section
310 do not apply to the renewal of a license or to a new application
311 for licensure if the applicant has an active license as of July
312 1, 2020, and the applicable criminal history was considered by
313 the board as part of the approval of the active license.

314 (10) This section does not affect any criminal history
315 disclosure requirements of chapter 497.

316 Section 5. Subsections (9) and (10) of section 497.142,
317 Florida Statutes, are amended to read:

318 497.142 Licensing; fingerprinting and criminal background
319 checks.—

320 (9) If any applicant under this chapter has been, ~~within~~
321 ~~the 10 years preceding the application under this chapter,~~
322 convicted or found guilty of, or entered a plea of nolo
323 contendere to, regardless of adjudication, any crime in any
324 jurisdiction, the application shall not be deemed complete until
325 such time as the applicant provides such certified true copies

326 of the court records evidencing the conviction, finding, or
 327 plea, as required in this section or as the licensing authority
 328 may by rule require.

329 (10) (a) When applying for any license under this chapter,
 330 every applicant must disclose the applicant's criminal records
 331 in accordance with this subsection. When applying for renewal of
 332 any license under this chapter, every licensee must disclose
 333 only those criminal offenses required to be disclosed under this
 334 subsection since the most recent renewal of her or his license
 335 or, if the license has not been renewed, since the licensee's
 336 initial application.

337 (b) The criminal record required to be disclosed shall be
 338 any crime listed in paragraph (c) for which the person or entity
 339 required to make disclosure has been convicted or to which that
 340 person or entity entered a plea of guilty or nolo contendere.
 341 Disclosure is required regardless of whether adjudication is
 342 entered or withheld by the court.

343 (c) Crimes to be disclosed are:

344 1. Any felony ~~or misdemeanor~~, no matter when committed,
 345 ~~that was directly or indirectly related to or involving any~~
 346 ~~aspect of the practice or business of funeral directing,~~
 347 ~~embalming, direct disposition, cremation, funeral or cemetery~~
 348 ~~preneed sales, funeral establishment operations, cemetery~~
 349 ~~operations, or cemetery monument or marker sales or~~
 350 ~~installation.~~

351 2. Any misdemeanor, no matter when committed, that was
352 directly or indirectly related to the financial services
353 business as defined in s. 497.1411 ~~Any other felony not already~~
354 ~~disclosed under subparagraph 1. that was committed within the 20~~
355 ~~years immediately preceding the application under this chapter.~~

356 3. Any other misdemeanor not already disclosed under
357 subparagraph 2. ~~subparagraph 1.~~ that was committed within the 5
358 years immediately preceding the application under this chapter.

359 Section 6. Subsections (2) through (5) of section 497.157,
360 Florida Statutes, are renumbered as subsections (4) through (7),
361 respectively, new subsections (2), (3) and (8) are added to that
362 section, and present subsection (3) is amended, to read:

363 497.157 Unlicensed practice; remedies concerning
364 violations by unlicensed persons.—

365 (2) A person may not be, act as, or advertise or hold
366 himself or herself out to be a funeral director, embalmer, or
367 direct disposer, unless he or she is currently licensed by the
368 department.

369 (3) A person may not be, act as, or advertise or hold
370 himself or herself out to be a preneed sales agent unless he or
371 she is currently licensed by the department and appointed by a
372 preneed main licensee for which they are executing preneed
373 contracts.

374 (5) ~~(3)~~ Where the department determines that an emergency
375 exists regarding any violation of this chapter by any unlicensed

376 person or entity, the department may issue and serve an
377 immediate final order upon such unlicensed person or entity, in
378 accordance with s. 120.569(2)(n). Such an immediate final order
379 may impose such prohibitions and requirements as are reasonably
380 necessary to protect the public health, safety, and welfare, and
381 shall be effective when served.

382 (a) For the purpose of enforcing such an immediate final
383 order, the department may file an emergency or other proceeding
384 in the circuit courts of the state seeking enforcement of the
385 immediate final order by injunctive or other order of the court.
386 The court shall issue its injunction or other order enforcing
387 the immediate final order pending administrative resolution of
388 the matter under subsection (4)~~(2)~~, unless the court determines
389 that such action would work a manifest injustice under the
390 circumstances. Venue for judicial actions under this paragraph
391 shall be, at the election of the department, in the courts of
392 Leon County, or in a county where the respondent resides or has
393 a place of business.

394 (b) After serving an immediate final order to cease and
395 desist upon any person or entity, the department shall within 10
396 days issue and serve upon the same person or entity an
397 administrative complaint as set forth in subsection (4)~~(2)~~,
398 except that, absent order of a court to the contrary, the
399 immediate final order shall be effective throughout the pendency
400 of proceedings under subsection (4)~~(2)~~.

401 (8) Any person who is not licensed under this chapter and
 402 who engages in activity requiring licensure under this chapter
 403 commits a felony of the third degree, punishable as provided in
 404 s. 775.082, s. 775.083, or s. 775.084.

405 Section 7. Subsection (6) of section 497.159, Florida
 406 Statutes, is amended to read:

407 497.159 Crimes.—

408 ~~(6) Any person who is not licensed under this chapter who~~
 409 ~~engages in activity requiring licensure under this chapter,~~
 410 ~~commits a misdemeanor of the second degree, punishable as~~
 411 ~~provided in s. 775.082 or s. 775.083.~~

412 Section 8. Subsection (7) of section 497.459, Florida
 413 Statutes, is amended to read:

414 497.459 Cancellation of, or default on, preneed contracts;
 415 required notice.—

416 (7) NOTICE TO PURCHASER OR LEGALLY AUTHORIZED PERSON.—

417 (a) To ensure the performance of unfulfilled preneed
 418 contracts, upon the occurrence of the earliest of either ~~any~~ of
 419 the following events, a preneed licensee shall provide to the
 420 purchaser or to the beneficiary's legally authorized person
 421 written notice of the preneed licensee's intent to distribute
 422 funds as described in this subsection in accordance with the
 423 terms of the preneed contract, if any such terms exist
 424 ~~obligation of the preneed licensee remains to be fulfilled under~~
 425 ~~the contract:~~

426 1. Fifty years after the date of execution of the preneed
 427 contract by the purchaser; or-

428 2. The beneficiary of the preneed contract attains the age
 429 of 105 years of age or older.

430 ~~3. The social security number of the beneficiary of the~~
 431 ~~preneed contract, as shown on the contract, is contained within~~
 432 ~~the United States Social Security Administration Death Master~~
 433 ~~File.~~

434 (b) A preneed licensee shall conduct the analysis of its
 435 preneed contracts at least every 3 years, which period shall
 436 commence upon the first analysis conducted pursuant to this
 437 section. The first analysis by a preneed licensee shall occur by
 438 July 1 2021.

439 (c)~~(b)~~1. The notice in paragraph (a) must be provided by
 440 certified mail, registered mail, or permitted delivery service,
 441 return receipt requested, to the last known mailing address of
 442 the purchaser or the beneficiary's legally authorized person,
 443 whichever is applicable, as provided to the preneed licensee. If
 444 the notice is returned as undeliverable within 30 calendar days
 445 after the preneed licensee sent the notice, the preneed licensee
 446 ~~trustee~~ shall perform a diligent search and inquiry to obtain a
 447 different address for the purchaser or the beneficiary's legally
 448 authorized person, whichever is applicable. For purposes of this
 449 subparagraph, any address known and used by the purchaser or the
 450 beneficiary's legally authorized person, whichever is

451 applicable, for sending regular mailings or other communications
452 from the purchaser or the beneficiary's legally authorized
453 person, whichever is applicable, to the preneed licensee or any
454 address produced through a current address service or searchable
455 database shall be included with other addresses produced from
456 the diligent search and inquiry, if any. If the preneed
457 licensee's ~~trustee's~~ diligent search and inquiry produces an
458 address different from the notice address, the preneed licensee
459 ~~trustee~~ shall mail a copy of the notice by certified mail,
460 registered mail, or permitted delivery service, return receipt
461 requested, to any and all addresses produced as a result of the
462 diligent search and inquiry.

463 2. If the purchaser or the beneficiary's legally
464 authorized person, whichever is applicable, fails to respond to
465 such notice within 3 years ~~120 days~~ after delivery of the last
466 mailed notice under subparagraph 1., the funds held in trust
467 shall, within 60 days of the end of the 3-year period described
468 in this subsection and in accordance with any applicable
469 provisions of chapter 717, be distributed as follows:

470 a. The principle deposited into trust shall be remitted to
471 the Unclaimed Property Trust Fund.

472 b. Any additional funds in trust shall be remitted to the
473 preneed licensee.

474
475 Upon the occurrence of the distribution from trust, the preneed

476 licensee is absolved of all liability associated with the
477 preneed contract for which funds were distributed, including any
478 obligation to refund any monies paid by a purchaser of a preneed
479 contract. The names of the purchaser and beneficiary of any
480 preneed contract for which funds were distributed shall be
481 provided to the Division of Unclaimed Property at the time such
482 funds are remitted to the Unclaimed Property Trust Fund ~~must be~~
483 distributed in accordance with the terms of the preneed
484 contract, the trust agreement, and any applicable provisions of
485 chapter 717.

486 (d)~~(e)~~ Any purchaser or beneficiary that receives the
487 notice required under this subsection retains all rights to
488 fulfillment or cancellation of the preneed contract during the
489 time between the issuance of the notice and the distribution
490 described in subparagraph (c)2. Legally authorized persons, in
491 the priority set forth in this chapter, of the purchaser or
492 beneficiary may obtain fulfillment or cancellation of the
493 preneed contract. Such fulfillment may include identifying a new
494 beneficiary on the preneed contract. A preneed licensee shall
495 provide fulfillment or cancellation of the preneed contract upon
496 the attestation of any one legally authorized person that he or
497 she is not aware of an objection to the requested action by any
498 person in his or her priority class or a higher priority class.
499 In the event that the legally authorized person chooses to
500 identify a new beneficiary on the preneed contract, such preneed

501 contract shall be considered to be effective as of the date of
 502 the identification of the new beneficiary ~~This subsection does~~
 503 ~~not affect a purchaser's rights to cancel the preneed contract~~
 504 ~~and receive a refund or a preneed licensee's obligations to~~
 505 ~~refund established by this chapter.~~

506 (e) ~~(d)~~ The licensing authority shall have authority to
 507 adopt rules for the review and approval of notice forms used by
 508 preneed licensees to provide notice under this subsection.

509 Section 9. Subsection (13) of section 552.081, Florida
 510 Statutes, is amended to read:

511 552.081 Definitions.—As used in this chapter:

512 (13) "Two-component explosives" means any two inert
 513 components which, when mixed, become capable of detonation by
 514 any detonator ~~a No. 6 blasting cap~~, and shall be classified as a
 515 Class "A" explosive when so mixed.

516 Section 10. Subsection (2) of section 553.7921, Florida
 517 Statutes, is renumbered as subsection (3), subsection (1) of
 518 that section is amended, and a new subsection (2) is added to
 519 that section, to read:

520 553.7921 Fire alarm permit application to local
 521 enforcement agency.—

522 (1) A contractor must file a Uniform Fire Alarm Permit
 523 Application as provided in subsection (3) ~~(2)~~ with the local
 524 enforcement agency and must receive the fire alarm permit
 525 before÷

526 ~~(a)~~ installing or replacing a fire alarm if the local
 527 enforcement agency requires a plan review for the installation
 528 or replacement; ~~or~~

529 ~~(b) Repairing an existing alarm system that was previously~~
 530 ~~permitted by the local enforcement agency if the local~~
 531 ~~enforcement agency requires a fire alarm permit for the repair.~~

532 (2) If the local enforcement agency requires a fire alarm
 533 permit to repair an existing alarm system that was previously
 534 permitted by the local enforcement agency, a contractor may
 535 begin work after filing a Uniform Fire Alarm Permit Application
 536 as provided in subsection (3). A fire alarm repaired pursuant to
 537 this subsection shall not be considered compliant until the
 538 required permit has been issued and the local enforcement agency
 539 has approved the repair.

540 Section 11. Subsection (3) of section 633.102, Florida
 541 Statutes, is amended to read:

542 633.102 Definitions.—As used in this chapter, the term:

543 (3) (a) "Contractor I" means a contractor whose business
 544 includes the execution of contracts requiring the ability to lay
 545 out, fabricate, install, inspect, alter, repair, and service all
 546 types of fire protection systems, excluding preengineered
 547 systems.

548 (b) "Contractor II" means a contractor whose business is
 549 limited to the execution of contracts requiring the ability to
 550 lay out, fabricate, install, inspect, alter, repair, and service

551 water sprinkler systems, water spray systems, foam-water
552 sprinkler systems, foam-water spray systems, standpipes,
553 combination standpipes and sprinkler risers, all piping that is
554 an integral part of the system beginning at the point of service
555 as defined in this section, sprinkler tank heaters, air lines,
556 thermal systems used in connection with sprinklers, and tanks
557 and pumps connected thereto, excluding preengineered systems.

558 (c) "Contractor III" means a contractor whose business is
559 limited to the execution of contracts requiring the ability to
560 fabricate, install, inspect, alter, repair, and service carbon
561 dioxide systems, foam extinguishing systems, dry chemical
562 systems, and Halon and other chemical systems, excluding
563 preengineered systems.

564 (d) "Contractor IV" means a contractor whose business is
565 limited to the execution of contracts requiring the ability to
566 lay out, fabricate, install, inspect, alter, repair, and service
567 automatic fire sprinkler systems for detached one-family
568 dwellings, detached two-family dwellings, and mobile homes,
569 excluding preengineered systems and excluding single-family
570 homes in cluster units, such as apartments, condominiums, and
571 assisted living facilities or any building that is connected to
572 other dwellings. A Contractor IV is limited to the scope of
573 practice specified in NFPA 13D.

574 (e) "Contractor V" means a contractor whose business is
575 limited to the execution of contracts requiring the ability to

576 fabricate, install, inspect, alter, repair, and service the
577 underground piping for a fire protection system using water as
578 the extinguishing agent beginning at the point of service as
579 defined in this act and ending no more than 1 foot above the
580 finished floor.

581
582 The definitions in this subsection may not be construed to
583 include engineers or architects and do not limit or prohibit a
584 licensed fire protection engineer or architect with fire
585 protection design experience from designing any type of fire
586 protection system. A distinction is made between system design
587 concepts prepared by the design professional and system layout
588 as defined in this section and typically prepared by the
589 contractor. However, a person certified as a Contractor I or
590 Contractor II, ~~or Contractor IV~~ under this chapter may design
591 new fire protection systems of 49 or fewer sprinklers; ~~and~~ may
592 design the alteration of an existing fire sprinkler system if
593 the alteration consists of the ~~relocation, addition, or deletion~~
594 of ~~not more than~~ 49 or fewer sprinklers, notwithstanding the
595 size of the existing fire sprinkler system; or may design the
596 alteration of an existing fire sprinkler system if the
597 alteration consists of the relocation or deletion of 249 or
598 fewer sprinklers, notwithstanding the size of the existing fire
599 sprinkler system, if there is no change of occupancy, as defined
600 in the Florida Building Code, of the affected areas and there is

601 no change in the water demand as defined in National Fire
602 Protection Association publication NFPA No. 13 "Standard for the
603 Installation of Sprinkler Systems," and if the occupancy hazard
604 classification as defined in NFPA No. 13 is reduced or remains
605 the same as a result of the alteration. A person certified as a
606 Contractor I, Contractor II, or Contractor IV may design or
607 alter a fire protection system, the scope of which complies with
608 NFPA 13D, Standard for the Installation of Sprinkler Systems in
609 One- and Two-Family Dwellings and Manufactured Homes, as adopted
610 by the State Fire Marshal, notwithstanding the number of fire
611 sprinklers. Contractor-developed plans may not be required by
612 any local permitting authority to be sealed by a registered
613 professional engineer.

614 Section 12. Paragraph (e) of subsection (20) of section
615 633.202, Florida Statutes, is amended, and paragraphs (a)
616 through (d) of that subsection are republished, to read:

617 633.202 Florida Fire Prevention Code.—

618 (20) (a) In apartment occupancies with enclosed corridors
619 served by interior or exterior exit stairs, doorstep refuse and
620 recycling collection containers, which stand upright on their
621 own and do not leak liquids when standing upright, must be
622 allowed in exit access corridors when all of the following
623 conditions exist:

624 1. The maximum doorstep refuse and recycling collection
625 container size does not exceed 13 gallons.

626 2. Waste, which is in a doorstep refuse and recycling
627 collection container, is not placed in the exit access corridors
628 for single periods exceeding 5 hours.

629 3. Doorstep refuse and recycling collection containers do
630 not occupy the exit access corridors for single periods
631 exceeding 12 hours.

632 4. Doorstep refuse and recycling collection containers do
633 not reduce the means of egress width below that required under
634 NFPA Life Safety Code 101:31, as adopted under the Florida Fire
635 Prevention Code.

636 5. Management staff have written policies and procedures
637 in place and enforce them to ensure compliance with this
638 paragraph, and, upon request, provide a copy of such policies
639 and procedures to the authority having jurisdiction.

640 (b) In apartment occupancies with open-air corridors or
641 balconies served by exterior exit stairs, doorstep refuse and
642 recycling collection containers, which stand upright on their
643 own and do not leak liquids when standing upright, must be
644 allowed in exit access corridors when all of the following
645 conditions exist:

646 1. The maximum doorstep refuse and recycling collection
647 container size does not exceed 27 gallons.

648 2. Waste, which is in a doorstep refuse and recycling
649 collection container, is not placed in the exit access corridors
650 for single periods exceeding 5 hours.

651 3. Doorstep refuse and recycling collection containers do
 652 not reduce the means of egress width below that required under
 653 NFPA Life Safety Code 101:31, as adopted under the Florida Fire
 654 Prevention Code.

655 4. Management staff have written policies and procedures
 656 in place and enforce them to ensure compliance with this
 657 paragraph, and, upon request, provide a copy of such policies
 658 and procedures to the authority having jurisdiction.

659 (c) The authority having jurisdiction may approve
 660 alternative containers and storage arrangements that are
 661 demonstrated to provide an equivalent level of safety to that
 662 provided under paragraphs (a) and (b).

663 (d) The authority having jurisdiction shall allow
 664 apartment occupancies a phase-in period until December 31, 2020,
 665 to comply with this subsection.

666 (e) This subsection is repealed on July 1, 2024 ~~2021~~.

667 Section 13. Section 633.217, Florida Statutes, is created
 668 to read:

669 633.217 Influencing a firesafety inspector; prohibited
 670 acts.—

671 (1) A person may not influence a firesafety inspector by:

672 (a) Threatening, coercing, tricking, or attempting to
 673 threaten, coerce, or trick, the firesafety inspector into
 674 violating any provision of the Florida Fire Prevention Code, any
 675 rule adopted by the State Fire Marshal, or any provision of this

676 chapter.

677 (b) Offering any compensation to the firesafety inspector
678 to induce a violation of the Florida Fire Prevention Code, any
679 rule adopted by the State Fire Marshal, or any provision of this
680 chapter.

681 (2) A firesafety inspector may not knowingly and willfully
682 accept an attempt by a person to influence the firesafety
683 inspector into violating any provision of the Florida Fire
684 Prevention Code, any rule adopted by the State Fire Marshal, or
685 any provision of this chapter.

686 Section 14. Paragraphs (d), (g), and (h) of subsection (4)
687 of section 633.304, Florida Statutes, are amended to read:

688 633.304 Fire suppression equipment; license to install or
689 maintain.—

690 (4)

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

694 1. The applicant has submitted to the State Fire Marshal
695 evidence of registration as a Florida corporation or evidence of
696 compliance with s. 865.09.

697 2. The State Fire Marshal or his or her designee has by
698 inspection determined that the applicant possesses the equipment
699 required for the class of license sought. The State Fire Marshal
700 shall give an applicant a reasonable opportunity to correct any

701 deficiencies discovered by inspection. To obtain such
702 inspection, an applicant with facilities located outside this
703 state must:

704 a. Provide a notarized statement from a professional
705 engineer licensed by the applicant's state of domicile
706 certifying that the applicant possesses the equipment required
707 for the class of license sought and that all such equipment is
708 operable; or

709 b. Allow the State Fire Marshal or her or his designee to
710 inspect the facility. All costs associated with the State Fire
711 Marshal's inspection must be paid by the applicant. The State
712 Fire Marshal, in accordance with s. 120.54, may adopt rules to
713 establish standards for the calculation and establishment of the
714 amount of costs associated with any inspection conducted by the
715 State Fire Marshal under this section. Such rules must include
716 procedures for invoicing and receiving funds in advance of the
717 inspection.

718 3. The applicant has submitted to the State Fire Marshal
719 proof of insurance providing coverage for comprehensive general
720 liability for bodily injury and property damage, products
721 liability, completed operations, and contractual liability. The
722 State Fire Marshal shall adopt rules providing for the amounts
723 of such coverage, but such amounts may not be less than \$300,000
724 for Class A or Class D licenses, \$200,000 for Class B licenses,
725 and \$100,000 for Class C licenses; and the total coverage for

726 any class of license held in conjunction with a Class D license
727 may not be less than \$300,000. The State Fire Marshal may, at
728 any time after the issuance of a license or its renewal, require
729 upon demand, and in no event more than 30 days after notice of
730 such demand, the licensee to provide proof of insurance, on the
731 insurer's form, containing confirmation of insurance coverage as
732 required by this chapter. Failure, for any length of time, to
733 provide proof of insurance coverage as required must result in
734 the immediate suspension of the license until proof of proper
735 insurance is provided to the State Fire Marshal. An insurer that
736 provides such coverage shall notify the State Fire Marshal of
737 any change in coverage or of any termination, cancellation, or
738 nonrenewal of any coverage.

739 4. The applicant applies to the State Fire Marshal,
740 provides proof of experience, and successfully completes a
741 prescribed training course that includes both written and
742 practical training offered at ~~by~~ the State Fire College and ~~or~~
743 ~~an equivalent course~~ approved by the State Fire Marshal as
744 applicable to the class of license being sought. This
745 subparagraph does not apply to any holder of or applicant for a
746 permit under paragraph (g) or to a business organization or a
747 governmental entity seeking initial licensure or renewal of an
748 existing license solely for the purpose of inspecting,
749 servicing, repairing, marking, recharging, and maintaining fire
750 extinguishers used and located on the premises of and owned by

751 such organization or entity.

752 5. The applicant has a current retestor identification
753 number that is appropriate for the license for which the
754 applicant is applying and that is listed with the United States
755 Department of Transportation.

756 6. The applicant has passed, with a grade of at least 70
757 percent, a written examination testing his or her knowledge of
758 the rules and statutes governing the activities authorized by
759 the license and demonstrating his or her knowledge and ability
760 to perform those tasks in a competent, lawful, and safe manner.
761 Such examination must be developed and administered by the State
762 Fire Marshal, or his or her designee in accordance with policies
763 and procedures of the State Fire Marshal. An applicant shall pay
764 a nonrefundable examination fee of \$50 for each examination or
765 reexamination scheduled. A reexamination may not be scheduled
766 sooner than 30 days after any administration of an examination
767 to an applicant. An applicant may not be permitted to take an
768 examination for any level of license more than a total of four
769 times during 1 year, regardless of the number of applications
770 submitted. As a prerequisite to licensure of the applicant, he
771 or she:

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

773 b. Must have 4 years of proven experience as a fire
774 equipment permittee at a level equal to or greater than the
775 level of license applied for or have a combination of education

776 and experience determined to be equivalent thereto by the State
777 Fire Marshal. Having held a permit at the appropriate level for
778 the required period constitutes the required experience.

779 c. Must not have been convicted of a felony or a crime
780 punishable by imprisonment of 1 year or more under the law of
781 the United States or of any state thereof or under the law of
782 any other country. "Convicted" means a finding of guilt or the
783 acceptance of a plea of guilty or nolo contendere in any federal
784 or state court or a court in any other country, without regard
785 to whether a judgment of conviction has been entered by the
786 court having jurisdiction of the case. If an applicant has been
787 convicted of any such felony, the applicant is excluded from
788 licensure for a period of 4 years after expiration of sentence
789 or final release by the Florida Commission on Offender Review
790 unless the applicant, before the expiration of the 4-year
791 period, has received a full pardon or has had her or his civil
792 rights restored.

793

794 This subparagraph does not apply to any holder of or applicant
795 for a permit under paragraph (g) or to a business organization
796 or a governmental entity seeking initial licensure or renewal of
797 an existing license solely for the purpose of inspecting,
798 servicing, repairing, marking, recharging, hydrotesting, and
799 maintaining fire extinguishers used and located on the premises
800 of and owned by such organization or entity.

801 (g) A permit of any class may not be issued or renewed to
802 a person by the division, and a permit of any class does not
803 remain operative, unless the person has:

804 1. Submitted a nonrefundable examination fee in the amount
805 of \$50.

806 2. Successfully completed a training course that includes
807 both written and practical training offered at ~~by~~ the State Fire
808 College and ~~or an equivalent~~ course approved by the State Fire
809 Marshal as applicable to the class of license being sought.

810 3. Passed, with a grade of at least 70 percent, a written
811 examination testing his or her knowledge of the rules and
812 statutes governing the activities authorized by the permit and
813 demonstrating his or her knowledge and ability to perform those
814 tasks in a competent, lawful, and safe manner. Such examination
815 must be developed and administered by the State Fire Marshal in
816 accordance with the policies and procedures of the State Fire
817 Marshal. An examination fee must be paid for each examination
818 scheduled. A reexamination may not be scheduled sooner than 30
819 days after any administration of an examination to an applicant.
820 An applicant may not be permitted to take an examination for any
821 level of permit more than four times during 1 year, regardless
822 of the number of applications submitted. As a prerequisite to
823 taking the permit examination, the applicant must be at least 16
824 years of age.

825 (h) An applicant for a license or permit under this

826 section who fails the examination may take it three more times
827 during the 1-year period after he or she originally filed an
828 application for the examination. If the applicant fails the
829 examination within 1 year after the application date and he or
830 she seeks to retake the examination, he or she must file a new
831 application, pay the application and examination fees, and
832 successfully complete a prescribed training course that includes
833 both written and practical training offered at ~~by~~ the State Fire
834 College and ~~or an equivalent~~ course approved by the State Fire
835 Marshal as applicable to the class of license being sought. The
836 applicant may not submit a new application within 6 months after
837 the date of his or her fourth reexamination. An applicant who
838 passes the examination but does not meet the remaining
839 qualifications prescribed by law and rule within 1 year after
840 the application date must file a new application, pay the
841 application and examination fee, successfully complete a
842 prescribed training course that includes both written and
843 practical training offered at ~~approved by~~ the State Fire College
844 and ~~or an equivalent~~ course approved by the State Fire Marshal
845 as applicable to the class of license being sought, and pass the
846 written examination.

847 Section 15. Subsection (1) of section 633.416, Florida
848 Statutes, is amended to read:

849 633.416 Firefighter employment and volunteer firefighter
850 service; saving clause.-

851 (1) A fire service provider may not employ an individual
 852 to:

853 (a) Extinguish fires for the protection of life or
 854 property or to supervise individuals who perform such services
 855 unless the individual holds a current and valid Firefighter
 856 Certificate of Compliance. However, a person who is currently
 857 serving as a volunteer firefighter and holds a volunteer
 858 firefighter certificate of completion with a fire service
 859 provider, who is then employed as a regular or permanent
 860 firefighter, by such fire service provider, may function, for a
 861 period of 1 year under the direct supervision of an individual
 862 holding a valid firefighter certificate of compliance, in the
 863 same capacity in which he or she acted as a volunteer
 864 firefighter, provided that he or she has completed all training
 865 required by the volunteer organization. Under no circumstance
 866 can this period extend beyond 1 year either collectively or
 867 consecutively from the start of employment to obtain a
 868 Firefighter Certificate of Compliance; or

869 (b) Serve as the administrative and command head of a fire
 870 service provider for a period in excess of 1 year unless the
 871 individual holds a current and valid Firefighter Certificate of
 872 Compliance or Special Certificate of Compliance.

873 Section 16. Section 843.08, Florida Statutes, is amended
 874 to read:

875 843.08 False personation.—A person who falsely assumes or

876 | pretends to be a firefighter, a sheriff, an officer of the
877 | Florida Highway Patrol, an officer of the Fish and Wildlife
878 | Conservation Commission, an officer of the Department of
879 | Environmental Protection, ~~a fire or arson investigator of the~~
880 | ~~Department of Financial Services,~~ an officer of the Department
881 | of Financial Services, or any personnel or representative of the
882 | Division of Investigative and Forensic Services, an officer of
883 | the Department of Corrections, a correctional probation officer,
884 | a deputy sheriff, a state attorney or an assistant state
885 | attorney, a statewide prosecutor or an assistant statewide
886 | prosecutor, a state attorney investigator, a coroner, a police
887 | officer, a lottery special agent or lottery investigator, a
888 | beverage enforcement agent, a school guardian as described in s.
889 | 30.15(1)(k), a security officer licensed under chapter 493, any
890 | member of the Florida Commission on Offender Review or any
891 | administrative aide or supervisor employed by the commission,
892 | any personnel or representative of the Department of Law
893 | Enforcement, or a federal law enforcement officer as defined in
894 | s. 901.1505, and takes upon himself or herself to act as such,
895 | or to require any other person to aid or assist him or her in a
896 | matter pertaining to the duty of any such officer, commits a
897 | felony of the third degree, punishable as provided in s.
898 | 775.082, s. 775.083, or s. 775.084. However, a person who
899 | falsely personates any such officer during the course of the
900 | commission of a felony commits a felony of the second degree,

901 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
902 If the commission of the felony results in the death or personal
903 injury of another human being, the person commits a felony of
904 the first degree, punishable as provided in s. 775.082, s.
905 775.083, or s. 775.084.

906 Section 17. Paragraph (f) is added to subsection (11) of
907 section 943.045, Florida Statutes, to read:

908 943.045 Definitions; ss. 943.045-943.08.—The following
909 words and phrases as used in ss. 943.045-943.08 shall have the
910 following meanings:

911 (11) "Criminal justice agency" means:

912 (f) The investigations component of the Department of
913 Financial Services, which investigates the crimes of fraud and
914 official misconduct in all public assistance given to residents
915 of the state or provided to others by the state.

916 Section 18. Effective January 1, 2021, subsection (3) of
917 section 626.2815, Florida Statutes, is amended to read:

918 626.2815 Continuing education requirements.—

919 (3) Each licensee except a title insurance agent must
920 complete a 4-hour ~~5-hour~~ update course every 2 years which is
921 specific to the license held by the licensee. The course must be
922 developed and offered by providers and approved by the
923 department. The content of the course must address all lines of
924 insurance for which examination and licensure are required and
925 include the following subject areas: insurance law updates,

926 ethics for insurance professionals, disciplinary trends and case
927 studies, industry trends, premium discounts, determining
928 suitability of products and services, and other similar
929 insurance-related topics the department determines are relevant
930 to legally and ethically carrying out the responsibilities of
931 the license granted. A licensee who holds multiple insurance
932 licenses must complete an update course that is specific to at
933 least one of the licenses held. Except as otherwise specified,
934 any remaining required hours of continuing education are
935 elective and may consist of any continuing education course
936 approved by the department under this section.

937 (a) Except as provided in paragraphs (b), (c), (d), (e),
938 (i), and (j), each licensee must also complete 20 ~~19~~ hours of
939 elective continuing education courses every 2 years.

940 (b) A licensee who has been licensed for 6 or more years
941 must also complete a minimum of 16 ~~15~~ hours of elective
942 continuing education every 2 years.

943 (c) A licensee who has been licensed for 25 years or more
944 and is a CLU or a CPCU or has a Bachelor of Science degree in
945 risk management or insurance with evidence of 18 or more
946 semester hours in insurance-related courses must also complete a
947 minimum of 5 hours of elective continuing education courses
948 every 2 years.

949 (d) An individual who holds a license as a customer
950 representative and who is not a licensed life or health agent

951 must also complete a minimum of 6 ~~5~~ hours of continuing
952 education courses every 2 years.

953 (e) An individual subject to chapter 648 must complete the
954 4-hour ~~5-hour~~ update course and a minimum of 10 ~~9~~ hours of
955 elective continuing education courses every 2 years.

956 (f) Elective continuing education courses for public
957 adjusters must be specifically designed for public adjusters and
958 approved by the department. Notwithstanding this subsection,
959 public adjusters for workers' compensation insurance or health
960 insurance are not required to take continuing education courses
961 pursuant to this section.

962 (g) Excess hours accumulated during any 2-year compliance
963 period may be carried forward to the next compliance period.

964 (h) An individual teaching an approved course of
965 instruction or lecturing at any approved seminar and attending
966 the entire course or seminar qualifies for the same number of
967 classroom hours as would be granted to a person taking and
968 successfully completing such course or seminar. Credit is
969 limited to the number of hours actually taught unless a person
970 attends the entire course or seminar. An individual who is an
971 official of or employed by a governmental entity in this state
972 and serves as a professor, instructor, or in another position or
973 office, the duties and responsibilities of which are determined
974 by the department to require monitoring and review of insurance
975 laws or insurance regulations and practices, is exempt from this

976 section.

977 (i) For compliance periods beginning on or after October
978 1, 2014, any person who holds a license as a title insurance
979 agent must complete a minimum of 10 hours of continuing
980 education credit every 2 years in title insurance and escrow
981 management specific to this state and approved by the
982 department, which shall include at least 3 hours of continuing
983 education on the subject matter of ethics, rules, or compliance
984 with state and federal regulations relating specifically to
985 title insurance and closing services.

986 (j) For a licensee who is an active participant in an
987 association, 2 hours of elective continuing education credit per
988 calendar year may be approved by the department, if properly
989 reported by the association.

990 Section 19. Section 40 of chapter 2019-140, Laws of
991 Florida, is amended to read:

992 Section 40. (1) The Legislature finds that:

993 (a) Blockchain technology and distributed ledger
994 technology allow the secure recording of transactions through
995 cryptographic algorithms and distributed record sharing, and
996 such technology has reached a point where the opportunities for
997 efficiency, cost savings, and cybersecurity deserve study.

998 (b) Blockchain technology is a promising way to facilitate
999 more efficient government service delivery models and economies
1000 of scale, including facilitating safe paperless transactions and

1001 recordkeeping that are nearly impervious to cyberattacks and
1002 data destruction.

1003 (c) Blockchain technology can reduce the prevalence of
1004 disparate government computer systems, databases, and custom-
1005 built software interfaces; reduce costs associated with
1006 maintenance and implementation; streamline information sharing;
1007 and allow more areas of the state to electronically participate
1008 in government services.

1009 (d) Nations, other states, and municipalities across the
1010 world are studying and implementing governmental reforms that
1011 bolster trust and reduce bureaucracy through verifiable open
1012 source blockchain technology in a variety of areas, including,
1013 but not limited to, medical and health records, land records,
1014 banking, tax and fee payments, smart contracts, professional
1015 accrediting, and property auctions.

1016 (e) It is in the public interest to establish a Florida
1017 Financial Technology and Blockchain Task Force comprised of
1018 government and industry representatives to study the ways in
1019 which state, county, and municipal governments can benefit from
1020 a transition to a blockchain-based system for recordkeeping,
1021 security, and service delivery and to develop and submit
1022 recommendations to the Governor and the Legislature concerning
1023 the potential for implementation of blockchain-based systems
1024 that promote government efficiencies, better services for
1025 citizens, economic development, and safer cyber-secure

1026 interaction between government and the public.

1027 (2) The Florida Financial Technology and Blockchain Task
1028 Force, a task force as defined in s. 20.03, Florida Statutes, is
1029 established within the Department of Financial Services to
1030 explore and develop a master plan for fostering the expansion of
1031 financial technology and the blockchain industry in the state,
1032 to recommend policies and state investments to help make this
1033 state a leader in financial and blockchain technologies
1034 ~~technology~~, and to issue a report to the Governor and the
1035 Legislature. The task force shall study if and how state,
1036 county, and municipal governments can benefit from a transition
1037 to a blockchain-based system for recordkeeping, data security,
1038 financial transactions, and service delivery and identify ways
1039 to improve government interaction with businesses and the
1040 public. The task force shall also consider financial technology
1041 innovations related to money transmitters and payment instrument
1042 sellers, as those terms are defined in s. 560.103, Florida
1043 Statutes, including mediums of exchange that are in electronic
1044 or digital form, and identify new products and services that
1045 could lead to business growth in the state.

1046 (a) The master plan shall:

1047 1. Identify the economic growth and development
1048 opportunities presented by financial and blockchain technologies
1049 ~~technology~~.

1050 2. Assess the existing blockchain industry in the state.

1051 3. Identify innovative and successful blockchain
 1052 applications currently used by industry and other governments to
 1053 determine viability for state applications.

1054 4. Review workforce needs and academic programs required
 1055 to build blockchain technology expertise across all relevant
 1056 industries.

1057 5. Make recommendations to the Governor and the
 1058 Legislature that will promote innovation and economic growth by
 1059 reducing barriers to and expediting the expansion of the state's
 1060 financial technology and blockchain industries ~~industry~~.

1061 (b) The task force shall consist of 13 members. Membership
 1062 shall be as follows:

1063 1. Three agency heads or executive directors of cabinet
 1064 agencies, or their designees, appointed by the Governor.

1065 2. Four members of the public or private sector with
 1066 knowledge and experience in blockchain technology, appointed by
 1067 the Governor.

1068 3. Three members from the public or private sector with
 1069 knowledge and experience in blockchain technology, appointed by
 1070 the Chief Financial Officer.

1071 4. One member from the private sector with knowledge and
 1072 experience in blockchain technology, appointed by the President
 1073 of the Senate.

1074 5. One member from the private sector with knowledge and
 1075 experience in blockchain technology, appointed by the Speaker of

1076 the House of Representatives.

1077 6. One certified public accountant licensed pursuant to
1078 chapter 473 with knowledge and experience in blockchain
1079 technology, appointed by the Governor.

1080

1081 Members of the task force shall reflect the ethnic diversity of
1082 the state.

1083 (c) Within 90 days after the effective date of this act, a
1084 majority of the members of the task force must be appointed and
1085 the task force shall hold its first meeting. The task force
1086 shall elect one of its members to serve as chair. Members of the
1087 task force shall serve for the duration of the existence of the
1088 task force. Any vacancy that occurs shall be filled in the same
1089 manner as the original appointment. Task force members shall
1090 serve without compensation, and are not entitled to
1091 reimbursement for per diem or travel expenses.

1092 (d) The task force shall study blockchain technology,
1093 including, but not limited to, the following:

1094 1. Opportunities and risks associated with using
1095 blockchain and distributed ledger technology for state and local
1096 governments.

1097 2. Different types of blockchains, both public and
1098 private, and different consensus algorithms.

1099 3. Projects and cases currently under development in other
1100 states and local governments, and how these cases could be

1101 applied in this state.

1102 4. Ways the Legislature can modify general law to support
 1103 secure paperless recordkeeping, increase cybersecurity, improve
 1104 interactions with citizens, and encourage blockchain innovation
 1105 for businesses in the state.

1106 5. Identifying potential economic incentives for companies
 1107 investing in blockchain technologies in collaboration with the
 1108 state.

1109 6. Recommending projects for potential blockchain
 1110 solutions, including, but not limited to, use cases for state
 1111 agencies that would improve services for citizens or businesses.

1112 7. Identifying the technical skills necessary to develop
 1113 blockchain technology and ensuring that instruction in such
 1114 skills is available at secondary and postsecondary educational
 1115 institutions in this state.

1116 (3) The task force shall submit a report to the Governor,
 1117 the President of the Senate, and the Speaker of the House of
 1118 Representatives and present its findings to the appropriate
 1119 legislative committees in each house of the Legislature by
 1120 January 31, 2021 ~~within 180 days after the initial meeting of~~
 1121 ~~the task force~~. The report must include:

1122 (a) A general description of the costs and benefits of
 1123 state and local government agencies using blockchain technology.

1124 (b) Recommendations concerning the feasibility of
 1125 implementing blockchain technology in the state and the best

1126 approach to finance the cost of implementation.

1127 (c) Recommendations for specific implementations to be
1128 developed by relevant state agencies.

1129 (d) Any draft legislation the task force deems appropriate
1130 to implement such blockchain technologies.

1131 (e) Identification of one pilot project that may be
1132 implemented in the state.

1133 (f) Any other information deemed relevant by the task
1134 force.

1135 (4) The task force is entitled to the assistance and
1136 services of any state agency, board, bureau, or commission as
1137 necessary and available for the purposes of this section.

1138 (5) The Department of Financial Services shall provide
1139 support staff for the task force and any relevant studies, data,
1140 and materials in its possession to assist the task force in the
1141 performance of its duties.

1142 (6) The task force shall terminate upon submission of the
1143 report and the presentation of findings.

1144 ~~(7) This section shall take effect upon this act becoming~~
1145 ~~a law.~~

1146 Section 20. Except as otherwise expressly provided in this
1147 act and except for this section, which shall take effect upon
1148 this act becoming a law, this act shall take effect July 1,
1149 2020.