

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Business & Professions
 2 Subcommittee

3 Representative Polsky offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsections (2) and (5) and paragraph (a) of
 8 subsection (6) of section 493.6105, Florida Statutes, are
 9 amended to read:

10 493.6105 Initial application for license.—

11 (2) Each application shall ~~must~~ be signed and verified by
 12 the applicant ~~individual under oath~~ as provided in s. 92.525.

13 (5) In addition to the requirements outlined in subsection
 14 (3), an applicant for a Class "G" license must satisfy minimum
 15 training criteria for firearms established by rule of the
 16 department, which training criteria includes, but is not limited

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17 to, 28 hours of range and classroom training taught and
18 administered by a licensed Class "K" firearms instructor
19 ~~licensee~~; however, no more than 8 hours of such training shall
20 consist of range training. Upon completion of such training, the
21 licensed Class "K" firearms instructor must submit proof of
22 completion of training for each applicant to the department
23 electronically in a manner prescribed by the department. The
24 instructor must also provide a copy of the training results to
25 the applicant who completed the training. The department may
26 waive the foregoing firearms training requirement if:

27 (a) The applicant provides proof that he or she is
28 currently certified as a law enforcement officer or correctional
29 officer pursuant to the requirements of the Criminal Justice
30 Standards and Training Commission or has successfully completed
31 the training required for certification within the last 12
32 months.

33 (b) The applicant provides proof that he or she is
34 currently certified as a federal law enforcement officer and has
35 received law enforcement firearms training administered by a
36 federal law enforcement agency.

37 (c) The applicant holds a valid Class "K" license and
38 submits a valid firearm certificate among those specified in
39 paragraph (6) (a).

40 (d) The applicant provides proof that he or she has
41 completed annual firearms training in accordance with the

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42 requirements of the federal Law Enforcement Officers Safety Act,
43 18 U.S.C. ss. 926B and 926C.

44 (6) In addition to the requirements under subsection (3),
45 an applicant for a Class "K" license must:

46 (a) Submit one of the following:

47 1. The Florida Criminal Justice Standards and Training
48 Commission Instructor Certificate and written confirmation by
49 the commission that the applicant possesses an active firearms
50 certification.

51 2. A valid National Rifle Association Private Security
52 Firearm Instructor Certificate issued not more than 3 years
53 before the submission of the applicant's Class "K" application.

54 3. A valid firearms instructor certificate issued by a
55 federal law enforcement agency issued not more than 3 years
56 before the submission of the applicant's Class "K" application.

57 4. A valid DD Form 214 as issued by the United States
58 Department of Defense not more than 3 years before the
59 submission of the applicant's Class "K" application, indicating
60 that the applicant has been honorably discharged and served in
61 the military as a firearms instructor.

62 Section 2. Paragraph (g) of subsection (1) of section
63 493.6106, Florida Statutes, is amended to read:

64 493.6106 License requirements; posting.—

65 (1) Each individual licensed by the department must:

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66 (g) Not be prohibited from purchasing or possessing a
67 firearm by state or federal law if the individual is applying
68 for a Class "G" license or a Class "K" license. The Department
69 of Law Enforcement is authorized to provide results from the
70 National Instant Criminal Background Check System and Index to
71 the department to determine eligibility for Class "G" licenses
72 or Class "K" licenses to the extent allowed under federal law.

73 Section 3. Subsection (5) of section 493.6108, Florida
74 Statutes, is amended to read:

75 493.6108 Investigation of applicants by Department of
76 Agriculture and Consumer Services.—

77 (5) A person licensed under this chapter must notify his
78 or her employer within 3 calendar days if he or she is arrested
79 for any offense. ~~If the department receives information about an~~
80 ~~arrest within the state of a person who holds a valid license~~
81 ~~issued under this chapter for a crime that could potentially~~
82 ~~disqualify the person from holding such a license, the~~
83 ~~department must provide the arrest information to the agency~~
84 ~~that employs the licensee.~~

85 Section 4. Paragraph (b) of subsection (2) of section
86 493.6109, Florida Statutes, is amended to read:

87 493.6109 Reciprocity.—

88 (2) The rules authorized in subsection (1) may be
89 promulgated only if:

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90 (b) The applicant has engaged in licensed activities for
91 at least 1 year in the other state or territory with no
92 disciplinary action against him or her; however, during a
93 declared state of emergency, the requirement that an applicant
94 be licensed for at least 1 year may be waived.

95 Section 5. Subsection (1) of section 493.6111, Florida
96 Statutes, is amended to read:

97 493.6111 License; contents; identification card.—

98 (1) All licenses issued pursuant to this chapter shall be
99 on a form prescribed by the department and shall include the
100 licensee's name, license number, expiration date of the license,
101 and any other information the department deems necessary. The
102 department may issue a single license card that includes each
103 license obtained by the holder of the card. Such license card
104 may be issued as an electronic license in digital format that
105 contains a quick-response barcode identifying each individual
106 licensure class or may be issued as a physical license card.
107 Class "C," Class "CC," Class "D," Class "E," Class "EE," Class
108 "M," Class "MA," Class "MB," Class "MR," and Class "G" licenses
109 shall be in the possession of individual licensees while on
110 duty. A licensee may carry a digital image of his or her license
111 card on his or her person in lieu of a physical card.

112 Section 6. Subsection (2) of section 493.6112, Florida
113 Statutes, is amended to read:

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114 493.6112 Notification to Department of Agriculture and
115 Consumer Services of changes of partner or officer or
116 employees.-

117 (2) Each agency shall, upon the ~~employment or~~ termination
118 of employment of a licensee for a violation of this chapter,
119 report such ~~employment or~~ termination within 15 calendar days to
120 the department and, ~~in the case of a termination~~, report the
121 reason or reasons therefor. The report shall be submitted
122 electronically in a manner prescribed by the department.

123 Section 7. Paragraphs (b) and (d) of subsection (3) and
124 subsection (4) of section 493.6113, Florida Statutes, are
125 amended to read:

126 493.6113 Renewal application for licensure.-

127 (3) Each licensee is responsible for renewing his or her
128 license on or before its expiration by filing with the
129 department an application for renewal accompanied by payment of
130 the renewal fee and the fingerprint retention fee to cover the
131 cost of ongoing retention in the statewide automated biometric
132 identification system established in s. 943.05(2)(b). Upon the
133 first renewal of a license issued under this chapter before
134 January 1, 2017, the licensee shall submit a full set of
135 fingerprints and fingerprint processing fees to cover the cost
136 of entering the fingerprints into the statewide automated
137 biometric identification system pursuant to s. 493.6108(4)(a)
138 and the cost of enrollment in the Federal Bureau of

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139 Investigation's national retained print arrest notification
140 program. Subsequent renewals may be completed without submission
141 of a new set of fingerprints.

142 (b) Each Class "G" licensee shall additionally complete
143 ~~submit proof that he or she has received~~ during each year of the
144 license period a minimum of 4 hours of firearms requalification
145 training taught by a Class "K" licensee and submit proof that he
146 or she has complied with such other health and training
147 requirements that the department shall adopt by rule. Proof of
148 completion of firearms requalification training by each student
149 shall be submitted electronically to the department by the Class
150 "K" firearms instructor upon completion of the training in a
151 manner prescribed by rule of the department. A Class "G"
152 licensee must successfully complete this requalification
153 training for each type and caliber of firearm carried in the
154 course of performing his or her regulated duties. If the
155 licensee fails to complete the required 4 hours of annual
156 training during the first year of the 2-year term of the
157 license, the license shall be automatically suspended. The
158 licensee must complete the minimum number of hours of range and
159 classroom training required at the time of initial licensure and
160 submit proof of completion of such training to the department
161 before the license may be reinstated. If the licensee fails to
162 complete the required 4 hours of annual training during the
163 second year of the 2-year term of the license, the licensee must

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164 complete the minimum number of hours of range and classroom
165 training required at the time of initial licensure and submit
166 proof of completion of such training to the department before
167 the license may be renewed. The department may waive the
168 firearms training requirement if:

169 1. The applicant provides proof that he or she is
170 currently certified as a law enforcement officer or correctional
171 officer under the Criminal Justice Standards and Training
172 Commission and has completed law enforcement firearms
173 requalification training annually during the previous 2 years of
174 the licensure period;

175 2. The applicant provides proof that he or she is
176 currently certified as a federal law enforcement officer and has
177 received law enforcement firearms training administered by a
178 federal law enforcement agency annually during the previous 2
179 years of the licensure period; ~~or~~

180 3. The applicant holds a valid Class "K" license and
181 submits a valid firearm certificate among those specified in s.
182 493.6105(6) (a); ~~or and provides proof of having completed~~
183 ~~requalification training during the previous 2 years of the~~
184 ~~licensure period~~

185 4. The applicant provides proof that he or she has
186 completed annual firearms training in accordance with the
187 requirements of the federal Law Enforcement Officers Safety Act,
188 18 U.S.C. ss. 926B and 926C.

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189 (d) Each Class "K" licensee shall additionally submit:

190 1. One of the certificates specified under s. 493.6105(6)
191 as proof that he or she remains certified to provide firearms
192 instruction; or

193 2. Proof of having taught at least six 28-hour firearms
194 instruction courses to Class "G" applicants during the previous
195 3-year licensure period.

196 (4) A licensee who fails to file a renewal application on
197 or before its expiration must renew his or her license by
198 fulfilling the applicable requirements of subsection (3) and may
199 be required to pay by paying a late fee which shall not exceed
200 equal to the amount of the license fee. The department shall
201 establish by rule the amount of the late fee.

202 Section 8. Paragraph (f) is added to subsection (12) of
203 section 493.6115, Florida Statutes, to read:

204 493.6115 Weapons and firearms.—

205 (12) The department may issue a temporary Class "G"
206 license, on a case-by-case basis, if:

207 (f) The applicant has been issued and currently holds a
208 valid Class "C," Class "CC," Class "D," Class "M," Class "MA,"
209 or Class "MB" license.

210 Section 9. Subsection (3) is added to section 493.6123,
211 Florida Statutes, to read:

212 493.6123 Publication to industry.—

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213 (3) The department, at its discretion, may publish all
214 information required by this section online in lieu of paper
215 format.

216 Section 10. Paragraphs (b) and (c) of subsection (6) of
217 section 493.6203, Florida Statutes, is amended to read:

218 493.6203 License requirements.—In addition to the license
219 requirements set forth elsewhere in this chapter, each
220 individual or agency shall comply with the following additional
221 requirements:

222 (6)

223 (b) Before submission of an application to the department,
224 the applicant for a Class "CC" license must have completed a
225 minimum of 40 hours of professional training pertaining to
226 general investigative techniques and this chapter, which course
227 is offered by a state university or by a school, community
228 college, college, or university under the purview of the
229 Department of Education, and the applicant must pass an
230 examination. Training must have been completed within 3 years
231 before the date of receipt of the application. The certificate
232 evidencing satisfactory completion of the 40 hours of
233 professional training must be submitted to the department by the
234 school, community college, college, or university ~~with the~~
235 ~~application for a Class "CC" license.~~ The training specified in
236 this paragraph may be provided by face-to-face presentation,
237 online technology, or a home study course in accordance with

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238 rules and procedures of the Department of Education. The
239 administrator of the examination must verify the identity of
240 each applicant taking the examination.

241 1. Upon an applicant's successful completion of each part
242 of the approved training and passage of any required
243 examination, the school, community college, college, or
244 university shall issue a certificate of completion to the
245 applicant. The certificates must be on a form established by
246 rule of the department.

247 2. The department shall establish by rule the general
248 content of the professional training and the examination
249 criteria.

250 ~~3. If the license of an applicant for relicensure is~~
251 ~~invalid for more than 1 year, the applicant must complete the~~
252 ~~required training and pass any required examination.~~

253 ~~(c) An individual licensed on or before August 31, 2008,~~
254 ~~is not required to complete additional training hours in order~~
255 ~~to renew an active license beyond the total required hours, and~~
256 ~~the timeframe for completion in effect at the time he or she was~~
257 ~~licensed applies.~~

258 Section 11. Subsection (4) of section 493.6301, Florida
259 Statutes, is amended to read:

260 493.6301 Classes of licenses.—

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261 (4) A Class "D" licensee must ~~shall~~ own or be an employee
262 of a Class "B" security agency or branch office. However, this
263 subsection does not apply to ~~include~~ those individuals who:

264 (a) Are exempt under s. 493.6102(4) but ~~who~~ possess a
265 Class "D" license solely for the purpose of holding a Class "G"
266 license; or

267 (b) Carry a firearm in the course of their duties as a
268 security officer employed by a church or by an ecclesiastical or
269 a denominational organization that has an established physical
270 place of worship in this state at which nonprofit religious
271 services and activities are regularly conducted or by a church
272 cemetery to provide security on the property of the church,
273 organization, or cemetery.

274 Section 12. Subsection (4) of section 493.6303, Florida
275 Statutes, is amended to read:

276 493.6303 License requirements.—In addition to the license
277 requirements set forth elsewhere in this chapter, each
278 individual or agency must comply with the following additional
279 requirements:

280 (4) (a) An applicant for an initial a Class "D" license
281 must successfully complete ~~submit proof of successful completion~~
282 ~~of~~ a minimum of 40 hours of professional training at a school or
283 training facility licensed by the department within 3 years
284 before the date of receipt of the application. The department
285 shall by rule establish the general content and number of hours

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286 of each subject area to be taught. Upon completion of such
287 training, the school or training facility shall submit the
288 results directly to the department electronically in a manner
289 prescribed by rule of the department. The school or training
290 facility shall also provide a copy of the training results to
291 the trainee.

292 (b) The training required in paragraph (a) may be
293 conducted by in-person or online instruction, or a combination
294 thereof, as provided by the department in rule. All approved
295 online training shall be conducted through a secure website of
296 the school or training facility, provided that the applicant's
297 identity, attendance, and successful completion of such training
298 are verified. The department shall adopt by rule what portion of
299 the 40 hours of training may be conducted online, any method of
300 delivery and security protocols for online training, and any
301 other rules necessary for the regulation of schools providing
302 in-person or online training ~~Upon reapplication for a license,~~
303 ~~an individual whose license has been expired for 1 year or more~~
304 ~~is considered an initial applicant and must submit proof of~~
305 ~~successful completion of 40 hours of professional training at a~~
306 ~~school or training facility licensed by the department as~~
307 ~~provided in paragraph (a) before a license is issued.~~

308 Section 13. Subsection (2) of section 493.6304, Florida
309 Statutes, is amended to read:

310 493.6304 Security officer school or training facility.—

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311 (2) The application shall be signed and verified by the
312 applicant ~~under oath~~ as provided in s. 92.525 and must contain,
313 at a minimum, the following information:

314 (a) The name and address of the school or training
315 facility and, if the applicant is an individual, her or his
316 name, address, and social security or alien registration number.

317 (b) The street address and, if applicable, the website
318 address of the place at which the training is to be conducted.

319 (c) A copy of the training curriculum and final
320 examination to be administered.

321 Section 14. Subsection (2) of section 493.6403, Florida
322 Statutes, is amended to read:

323 493.6403 License requirements.—

324 (2) An applicant for an initial a Class "E" or a Class
325 "EE" license must successfully complete ~~submit proof of~~
326 ~~successful completion of~~ 40 hours of professional training at a
327 school or training facility licensed by the department within 3
328 years before the date of receipt of the application. The
329 department shall by rule establish the general content for the
330 training. Upon completion of such training, the school or
331 training facility shall submit the results directly to the
332 department electronically in a manner prescribed by rule of the
333 department. The school or training facility shall also provide a
334 copy of the training results to the trainee.

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335 Section 15. Subsection (2) of section 493.6406, Florida
336 Statutes, is amended to read:

337 493.6406 Recovery agent school or training facility.-

338 (2) The application must be signed and verified by the
339 applicant ~~under oath~~ as provided in s. 92.525 and shall contain,
340 at a minimum, the following information:

341 (a) The name and address of the school or training
342 facility and, if the applicant is an individual, his or her
343 name, address, and social security or alien registration number.

344 (b) The street address of the place at which the training
345 is to be conducted or the street address of the Class "RS"
346 school offering Internet-based or correspondence training.

347 (c) A copy of the training curriculum and final
348 examination to be administered.

349 Section 16. This act shall take effect July 1, 2020.

350

351 -----

352 **T I T L E A M E N D M E N T**

353 Remove everything before the enacting clause and insert:

354 A bill to be entitled

355 An act relating to private security services; amending

356 s. 493.6105, F.S.; requiring a licensed Class "K"

357 firearms instructor to submit proof of completion of

358 specified training for certain applicants to the

359 Department of Agriculture and Consumer Services and

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360 provide a copy of the training results to the
361 applicant; authorizing the department to waive
362 specified firearms training under certain
363 circumstances; requiring an applicant for a Class "K"
364 firearms instructor license to submit a certain United
365 States Department of Defense form issued within a
366 specified time period before submission of the
367 application; amending s. 493.6106, F.S.; authorizing
368 the Department of Law Enforcement to provide criminal
369 background check results to the Department of
370 Agriculture and Consumer Services to determine
371 eligibility for a Class "G" license or a Class "K"
372 license; amending s. 493.6108, F.S.; deleting a
373 provision requiring the department to provide certain
374 information to an agency that employs a licensee;
375 amending s. 493.6109, F.S.; providing an exception to
376 a certain experience requirement for an applicant
377 during a declared state of emergency; amending s.
378 493.6111, F.S.; authorizing the department to issue a
379 single license card authorizing multiple classes of
380 licensure and to issue such license card or an
381 electronic license in a digital format; authorizing a
382 licensee to carry a digital image of his or her
383 license card in lieu of a physical card; amending s.
384 493.6112, F.S.; requiring each agency to report a

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385 termination of employment for certain violations;
386 amending s. 493.6113, F.S.; revising renewal
387 application requirements for Class "G" and Class "K"
388 licensees; requiring the department to establish by
389 rule the amount of a renewal application late fee;
390 amending s. 493.6115, F.S.; authorizing the department
391 to issue a temporary Class "G" license if the
392 applicant has been issued and currently holds
393 specified licenses; amending s. 493.6123, F.S.;;
394 authorizing the department to publish certain
395 information online; amending ss. 493.6203 and
396 493.6303, F.S.; revising and providing training
397 requirements for an applicant for a Class "CC" or an
398 initial Class "D" license; deleting provisions
399 relating to renewal requirements; amending s.
400 493.6301, F.S.; specifying that certain ownership and
401 employment requirements do not apply to certain Class
402 "D" licensees; amending s. 493.6304, F.S.; revising
403 application requirements for any school, training
404 facility, or instructor who offers training for a
405 Class "D" license; amending s. 493.6403, F.S.;;
406 revising training requirements for an applicant for an
407 initial Class "E" or a Class "EE" license; amending s.
408 493.6406, F.S.; deleting the requirement that the
409 licensure application be signed under oath for any

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410 | school, training facility, or instructor who offers
411 | training for Class "E" or Class "EE" applicants;
412 | providing an effective date.