

1                                   A bill to be entitled  
2           An act relating to private security services; amending  
3           s. 493.6105, F.S.; requiring an applicant for a Class  
4           "K" firearms instructor license to submit a certain  
5           United States Department of Defense form issued within  
6           a specified time period before submission of the  
7           application; amending s. 493.6106, F.S.; authorizing  
8           the Department of Law Enforcement to provide criminal  
9           background check results to the Department of  
10          Agriculture and Consumer Services to determine  
11          eligibility for a Class "G" license or a Class "K"  
12          license; amending s. 493.6108, F.S.; deleting a  
13          provision requiring the department to provide certain  
14          information to an agency that employs a licensee;  
15          amending s. 493.6109, F.S.; providing an exception to  
16          a certain experience requirement for an applicant  
17          during a declared state of emergency; amending s.  
18          493.6111, F.S.; authorizing the department to issue a  
19          single license card authorizing multiple classes of  
20          licensure and to issue such license card or an  
21          electronic license in a digital format; authorizing a  
22          licensee to carry a digital image of his or her  
23          license card in lieu of a physical card; amending s.  
24          493.6112, F.S.; requiring each agency to report a  
25          termination of employment for certain violations;

26 | amending s. 493.6113, F.S.; revising renewal  
27 | application requirements for Class "G" and Class "K"  
28 | licensees; requiring the department to establish by  
29 | rule the amount of a renewal application late fee;  
30 | amending s. 493.6115, F.S.; authorizing the department  
31 | to issue a temporary Class "G" license if the  
32 | applicant has been issued and currently holds  
33 | specified licenses; amending s. 493.6123, F.S.;  
34 | authorizing the department to publish certain  
35 | information online; amending ss. 493.6203 and  
36 | 493.6303, F.S.; revising and providing training  
37 | requirements for an applicant for a Class "CC" or an  
38 | initial Class "D" license; deleting provisions  
39 | relating to renewal requirements; amending s.  
40 | 493.6304, F.S.; revising application requirements for  
41 | any school, training facility, or instructor who  
42 | offers training for a Class "D" license; amending s.  
43 | 493.6403, F.S.; revising training requirements for an  
44 | applicant for an initial Class "E" or a Class "EE"  
45 | license; amending s. 493.6406, F.S.; deleting the  
46 | requirement that the licensure application be signed  
47 | under oath for any school, training facility, or  
48 | instructor who offers training for Class "E" or Class  
49 | "EE" applicants; providing an effective date.  
50 |

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

52

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

56 493.6105 Initial application for license.—

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

59 (5) In addition to the requirements outlined in subsection  
 60 (3), an applicant for a Class "G" license must satisfy minimum  
 61 training criteria for firearms established by rule of the  
 62 department, which training criteria includes, but is not limited  
 63 to, 28 hours of range and classroom training taught and  
 64 administered by a licensed Class "K" firearms instructor  
 65 ~~licensee~~; however, no more than 8 hours of such training shall  
 66 consist of range training. The department may waive the  
 67 foregoing firearms training requirement if:

68 (a) The applicant provides proof that he or she is  
 69 currently certified as a law enforcement officer or correctional  
 70 officer pursuant to the requirements of the Criminal Justice  
 71 Standards and Training Commission or has successfully completed  
 72 the training required for certification within the last 12  
 73 months.

74 (b) The applicant provides proof that he or she is  
 75 currently certified as a federal law enforcement officer and has

76 | received law enforcement firearms training administered by a  
 77 | federal law enforcement agency.

78 | (c) The applicant submits a valid firearm certificate  
 79 | among those specified in paragraph (6) (a).

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

82 | (a) Submit one of the following:

83 | 1. The Florida Criminal Justice Standards and Training  
 84 | Commission Instructor Certificate and written confirmation by  
 85 | the commission that the applicant possesses an active firearms  
 86 | certification.

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

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

93 | 4. A valid DD Form 214 as issued by the United States  
 94 | Department of Defense not more than 3 years before the  
 95 | submission of the applicant's Class "K" application, indicating  
 96 | that the applicant has been honorably discharged and served at  
 97 | least 3 years in the military as a firearms instructor.

98 | Section 2. Paragraph (g) of subsection (1) of section  
 99 | 493.6106, Florida Statutes, is amended to read:

100 | 493.6106 License requirements; posting.—

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

102 (g) Not be prohibited from purchasing or possessing a  
103 firearm by state or federal law if the individual is applying  
104 for a Class "G" license or a Class "K" license. The Department  
105 of Law Enforcement is authorized to provide results from the  
106 National Instant Criminal Background Check System and Index to  
107 the department to determine eligibility for a Class "G" license  
108 or a Class "K" license to the extent allowed under federal law.

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

111 493.6108 Investigation of applicants by Department of  
112 Agriculture and Consumer Services.—

113 (5) A person licensed under this chapter must notify his  
114 or her employer within 3 calendar days if he or she is arrested  
115 for any offense. ~~If the department receives information about an~~  
116 ~~arrest within the state of a person who holds a valid license~~  
117 ~~issued under this chapter for a crime that could potentially~~  
118 ~~disqualify the person from holding such a license, the~~  
119 ~~department must provide the arrest information to the agency~~  
120 ~~that employs the licensee.~~

121 Section 4. Paragraph (b) of subsection (2) of section  
122 493.6109, Florida Statutes, is amended to read:

123 493.6109 Reciprocity.—

124 (2) The rules authorized in subsection (1) may be  
125 promulgated only if:

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

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

133 493.6111 License; contents; identification card.—

134 (1) All licenses issued pursuant to this chapter shall be  
135 on a form prescribed by the department and shall include the  
136 licensee's name, license number, expiration date of the license,  
137 and any other information the department deems necessary. The  
138 department may issue a single license card authorizing multiple  
139 classes of licensure and may issue such license card or an  
140 electronic license in a digital format containing a quick-  
141 response barcode identifying the individual licensure class.  
142 Class "C," Class "CC," Class "D," Class "E," Class "EE," Class  
143 "M," Class "MA," Class "MB," Class "MR," and Class "G" licenses  
144 shall be in the possession of individual licensees while on  
145 duty. A licensee may carry a digital image of his or her license  
146 card on his or her person in lieu of a physical card.

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

149 493.6112 Notification to Department of Agriculture and  
150 Consumer Services of changes of partner or officer or

151 employees.—

152 (2) Each agency shall, upon the ~~employment or~~ termination  
 153 of employment of a licensee for a violation of this chapter,  
 154 report such ~~employment or~~ termination within 15 calendar days to  
 155 the department and, ~~in the case of a termination~~, report the  
 156 reason or reasons therefor. The report shall be submitted  
 157 electronically in a manner prescribed by the department.

158 Section 7. Paragraphs (b) and (d) of subsection (3) and  
 159 subsection (4) of section 493.6113, Florida Statutes, are  
 160 amended to read:

161 493.6113 Renewal application for licensure.—

162 (3) Each licensee is responsible for renewing his or her  
 163 license on or before its expiration by filing with the  
 164 department an application for renewal accompanied by payment of  
 165 the renewal fee and the fingerprint retention fee to cover the  
 166 cost of ongoing retention in the statewide automated biometric  
 167 identification system established in s. 943.05(2)(b). Upon the  
 168 first renewal of a license issued under this chapter before  
 169 January 1, 2017, the licensee shall submit a full set of  
 170 fingerprints and fingerprint processing fees to cover the cost  
 171 of entering the fingerprints into the statewide automated  
 172 biometric identification system pursuant to s. 493.6108(4)(a)  
 173 and the cost of enrollment in the Federal Bureau of  
 174 Investigation's national retained print arrest notification  
 175 program. Subsequent renewals may be completed without submission

176 of a new set of fingerprints.

177 (b) Each Class "G" licensee shall additionally complete  
178 ~~submit proof that he or she has received~~ during each year of the  
179 license period a minimum of 4 hours of firearms requalification  
180 training taught by a Class "K" licensee and submit proof that he  
181 or she has complied with such other health and training  
182 requirements that the department shall adopt by rule. Proof of  
183 completion of firearms requalification training by each student  
184 shall be submitted electronically to the department by the Class  
185 "K" firearms instructor upon completion of the training in a  
186 manner prescribed by rule of the department. A Class "G"  
187 licensee must successfully complete this requalification  
188 training for each type and caliber of firearm carried in the  
189 course of performing his or her regulated duties. If the  
190 licensee fails to complete the required 4 hours of annual  
191 training during the first year of the 2-year term of the  
192 license, the license shall be automatically suspended. The  
193 licensee must complete the minimum number of hours of range and  
194 classroom training required at the time of initial licensure and  
195 submit proof of completion of such training to the department  
196 before the license may be reinstated. If the licensee fails to  
197 complete the required 4 hours of annual training during the  
198 second year of the 2-year term of the license, the licensee must  
199 complete the minimum number of hours of range and classroom  
200 training required at the time of initial licensure and submit



201 proof of completion of such training to the department before  
 202 the license may be renewed. The department may waive the  
 203 firearms training requirement if:

204 1. The applicant provides proof that he or she is  
 205 currently certified as a law enforcement officer or correctional  
 206 officer under the Criminal Justice Standards and Training  
 207 Commission and has completed law enforcement firearms  
 208 requalification training annually during the previous 2 years of  
 209 the licensure period;

210 2. The applicant provides proof that he or she is  
 211 currently certified as a federal law enforcement officer and has  
 212 received law enforcement firearms training administered by a  
 213 federal law enforcement agency annually during the previous 2  
 214 years of the licensure period; ~~or~~

215 3. The applicant holds a valid Class "K" license and  
 216 submits a valid firearm certificate among those specified in s.  
 217 493.6105(6) (a); ~~or and provides proof of having completed~~  
 218 ~~requalification training during the previous 2 years of the~~  
 219 ~~licensure period~~

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

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

225 1. One of the certificates specified under s. 493.6105(6)

226 as proof that he or she remains certified to provide firearms  
 227 instruction; or

228 2. Proof of having taught at least six 28-hour firearms  
 229 instruction courses to Class "G" applicants during the previous  
 230 3-year licensure period.

231 (4) A licensee who fails to file a renewal application on  
 232 or before its expiration must renew his or her license by  
 233 fulfilling the applicable requirements of subsection (3) and may  
 234 be required to pay ~~by paying~~ a late fee which shall not exceed  
 235 ~~equal to~~ the amount of the license fee. The department shall  
 236 establish by rule the amount of the late fee.

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

239 493.6115 Weapons and firearms.—

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

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

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

247 493.6123 Publication to industry.—

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

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

253 493.6203 License requirements.—In addition to the license  
254 requirements set forth elsewhere in this chapter, each  
255 individual or agency shall comply with the following additional  
256 requirements:

257 (6)

258 (b) Before submission of an application to the department,  
259 the applicant for a Class "CC" license must have completed a  
260 minimum of 40 hours of professional training pertaining to  
261 general investigative techniques and this chapter, which course  
262 is offered by a state university or by a school, community  
263 college, college, or university under the purview of the  
264 Department of Education, and the applicant must pass an  
265 examination. Training must have been completed within 3 years  
266 after the date of receipt of the application. The certificate  
267 evidencing satisfactory completion of the 40 hours of  
268 professional training must be submitted to the department by the  
269 school, community college, college, or university ~~with the~~  
270 ~~application for a Class "CC" license.~~ The training specified in  
271 this paragraph may be provided by face-to-face presentation,  
272 online technology, or a home study course in accordance with  
273 rules and procedures of the Department of Education. The  
274 administrator of the examination must verify the identity of  
275 each applicant taking the examination.

276 1. Upon an applicant's successful completion of each part  
277 of the approved training and passage of any required  
278 examination, the school, community college, college, or  
279 university shall issue a certificate of completion to the  
280 applicant. The certificates must be on a form established by  
281 rule of the department.

282 2. The department shall establish by rule the general  
283 content of the professional training and the examination  
284 criteria.

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

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

293 Section 11. Subsection (4) of section 493.6303, Florida  
294 Statutes, is amended to read:

295 493.6303 License requirements.—In addition to the license  
296 requirements set forth elsewhere in this chapter, each  
297 individual or agency must comply with the following additional  
298 requirements:

299 (4) (a) An applicant for an initial a Class "D" license  
300 must successfully complete ~~submit proof of successful completion~~

301 ~~of~~ a minimum of 40 hours of professional training at a school or  
302 training facility licensed by the department within 3 years  
303 after the date of receipt of the application. The department  
304 shall by rule establish the general content and number of hours  
305 of each subject area to be taught. Upon completion of such  
306 training, the school or training facility shall submit the  
307 results directly to the department electronically in a manner  
308 prescribed by rule of the department. The school or training  
309 facility shall also provide a copy of the training results to  
310 the trainee.

311 (b) The training required in paragraph (a) may be  
312 conducted by in-person or online instruction, or a combination  
313 thereof, as provided by the department in rule. All approved  
314 online training shall be conducted through a secure website of  
315 the school or training facility, provided that the applicant's  
316 identity, attendance, and successful completion of such training  
317 are verified. The department shall adopt by rule what portion of  
318 the 40 hours of training may be conducted online, any method of  
319 delivery and security protocols for online training, and any  
320 other rules necessary for the regulation of schools providing  
321 in-person or online training ~~Upon reapplication for a license,~~  
322 ~~an individual whose license has been expired for 1 year or more~~  
323 ~~is considered an initial applicant and must submit proof of~~  
324 ~~successful completion of 40 hours of professional training at a~~  
325 ~~school or training facility licensed by the department as~~

326 ~~provided in paragraph (a) before a license is issued.~~

327 Section 12. Subsection (2) of section 493.6304, Florida  
328 Statutes, is amended to read:

329 493.6304 Security officer school or training facility.—

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

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

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

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

340 Section 13. Subsection (2) of section 493.6403, Florida  
341 Statutes, is amended to read:

342 493.6403 License requirements.—

343 (2) An applicant for an initial a Class "E" or a Class  
344 "EE" license must successfully complete ~~submit proof of~~  
345 ~~successful completion of~~ 40 hours of professional training at a  
346 school or training facility licensed by the department within 3  
347 years after the date of receipt of the application. The  
348 department shall by rule establish the general content for the  
349 training. Upon completion of such training, the school or  
350 training facility shall submit the results directly to the

HB 1353

2020

351 department electronically in a manner prescribed by rule of the  
352 department. The school or training facility shall also provide a  
353 copy of the training results to the trainee.

354 Section 14. Subsection (2) of section 493.6406, Florida  
355 Statutes, is amended to read:

356 493.6406 Recovery agent school or training facility.—

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

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

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

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

368 Section 15. This act shall take effect July 1, 2020.