

1 A bill to be entitled
2 An act relating to private security services; amending
3 s. 493.6105, F.S.; requiring a licensed Class "K"
4 firearms instructor to submit proof of completion of
5 specified training for certain applicants to the
6 Department of Agriculture and Consumer Services in a
7 specified manner and provide a copy of the training
8 results to the applicant; authorizing the department
9 to waive specified firearms training under certain
10 circumstances; requiring an applicant for a Class "K"
11 firearms instructor license to submit a certain United
12 States Department of Defense form issued within a
13 specified time period before submission of the
14 application; amending s. 493.6106, F.S.; authorizing
15 the Department of Law Enforcement to provide criminal
16 background check results to the Department of
17 Agriculture and Consumer Services to determine
18 eligibility for Class "G" licenses or Class "K"
19 licenses; amending s. 493.6108, F.S.; deleting a
20 provision requiring the department to provide certain
21 information to an agency that employs a licensee;
22 amending s. 493.6109, F.S.; providing an exception to
23 a certain experience requirement for an applicant
24 during a declared state of emergency; amending s.
25 493.6111, F.S.; authorizing the department to issue a

26 | single license card that includes each license
27 | obtained by the cardholder and to issue such license
28 | card as an electronic license in a digital format or a
29 | physical license card; authorizing a licensee to carry
30 | a digital image of his or her license card in lieu of
31 | a physical license card; amending s. 493.6112, F.S.;
32 | requiring each agency to report a termination of
33 | employment for certain violations; amending s.
34 | 493.6113, F.S.; revising renewal application
35 | requirements for Class "G" and Class "K" licensees;
36 | requiring the department to establish by rule the
37 | amount of a renewal application late fee; amending s.
38 | 493.6115, F.S.; authorizing the department to issue a
39 | temporary Class "G" license if the applicant has been
40 | issued and currently holds specified licenses;
41 | amending s. 493.6123, F.S.; authorizing the department
42 | to publish certain information online; amending ss.
43 | 493.6203 and 493.6303, F.S.; revising and providing
44 | training requirements for an applicant for a Class
45 | "CC" or an initial Class "D" license; deleting
46 | provisions relating to renewal requirements; amending
47 | s. 493.6301, F.S.; specifying that certain ownership
48 | and employment requirements do not apply to certain
49 | Class "D" licensees; amending s. 493.6304, F.S.;
50 | revising application requirements for any school,

51 training facility, or instructor who offers training
 52 for a Class "D" license; amending s. 493.6403, F.S.;
 53 revising training requirements for an applicant for an
 54 initial Class "E" or a Class "EE" license; amending s.
 55 493.6406, F.S.; deleting the requirement that the
 56 licensure application be signed under oath for any
 57 school, training facility, or instructor who offers
 58 training for Class "E" or Class "EE" applicants;
 59 providing an effective date.

60

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

62

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

66 493.6105 Initial application for license.—

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

69 (5) In addition to the requirements outlined in subsection
 70 (3), an applicant for a Class "G" license must satisfy minimum
 71 training criteria for firearms established by rule of the
 72 department, which training criteria includes, but is not limited
 73 to, 28 hours of range and classroom training taught and
 74 administered by a licensed Class "K" firearms instructor
 75 licensee; however, no more than 8 hours of such training shall

76 | consist of range training. Upon completion of such training, the
77 | licensed Class "K" firearms instructor must submit proof of
78 | completion of training for each applicant to the department
79 | electronically in a manner prescribed by the department. The
80 | instructor must also provide a copy of the training results to
81 | the applicant who completed the training. The department may
82 | waive the foregoing firearms training requirement if:

83 | (a) The applicant provides proof that he or she is
84 | currently certified as a law enforcement officer or correctional
85 | officer pursuant to the requirements of the Criminal Justice
86 | Standards and Training Commission or has successfully completed
87 | the training required for certification within the last 12
88 | months.

89 | (b) The applicant provides proof that he or she is
90 | currently certified as a federal law enforcement officer and has
91 | received law enforcement firearms training administered by a
92 | federal law enforcement agency.

93 | (c) The applicant holds a valid Class "K" license and
94 | submits a valid firearm certificate among those specified in
95 | paragraph (6) (a).

96 | (d) The applicant provides proof that he or she has
97 | completed annual firearms training in accordance with the
98 | requirements of the federal Law Enforcement Officers Safety Act,
99 | 18 U.S.C. ss. 926B and 926C.

100 | (6) In addition to the requirements under subsection (3),

101 an applicant for a Class "K" license must:

102 (a) Submit one of the following:

103 1. The Florida Criminal Justice Standards and Training
104 Commission Instructor Certificate and written confirmation by
105 the commission that the applicant possesses an active firearms
106 certification.

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

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

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

118 Section 2. Paragraph (g) of subsection (1) of section
119 493.6106, Florida Statutes, is amended to read:

120 493.6106 License requirements; posting.—

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

122 (g) Not be prohibited from purchasing or possessing a
123 firearm by state or federal law if the individual is applying
124 for a Class "G" license or a Class "K" license. The Department
125 of Law Enforcement is authorized to provide results from the

126 National Instant Criminal Background Check System and Index to
 127 the department to determine eligibility for Class "G" licenses
 128 or Class "K" licenses to the extent allowed under federal law.

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

131 493.6108 Investigation of applicants by Department of
 132 Agriculture and Consumer Services.—

133 (5) A person licensed under this chapter must notify his
 134 or her employer within 3 calendar days if he or she is arrested
 135 for any offense. ~~If the department receives information about an~~
 136 ~~arrest within the state of a person who holds a valid license~~
 137 ~~issued under this chapter for a crime that could potentially~~
 138 ~~disqualify the person from holding such a license, the~~
 139 ~~department must provide the arrest information to the agency~~
 140 ~~that employs the licensee.~~

141 Section 4. Paragraph (b) of subsection (2) of section
 142 493.6109, Florida Statutes, is amended to read:

143 493.6109 Reciprocity.—

144 (2) The rules authorized in subsection (1) may be
 145 promulgated only if:

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

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

153 493.6111 License; contents; identification card.—

154 (1) All licenses issued pursuant to this chapter shall be
 155 on a form prescribed by the department and shall include the
 156 licensee's name, license number, expiration date of the license,
 157 and any other information the department deems necessary. The
 158 department may issue a single license card that includes each
 159 license obtained by the cardholder. Such license card may be
 160 issued as an electronic license in a digital format that
 161 contains a quick-response barcode identifying each individual
 162 licensure class or may be issued as a physical license card.
 163 Class "C," Class "CC," Class "D," Class "E," Class "EE," Class
 164 "M," Class "MA," Class "MB," Class "MR," and Class "G" licenses
 165 shall be in the possession of individual licensees while on
 166 duty. A licensee may carry a digital image of his or her license
 167 card on his or her person in lieu of a physical license card.

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

170 493.6112 Notification to Department of Agriculture and
 171 Consumer Services of changes of partner or officer or
 172 employees.—

173 (2) Each agency shall, upon the ~~employment or~~ termination
 174 of employment of a licensee for a violation of this chapter,
 175 report such ~~employment or~~ termination within 15 calendar days to

176 the department and, ~~in the case of a termination,~~ report the
177 reason or reasons therefor. The report shall be submitted
178 electronically in a manner prescribed by the department.

179 Section 7. Paragraphs (b) and (d) of subsection (3) and
180 subsection (4) of section 493.6113, Florida Statutes, are
181 amended to read:

182 493.6113 Renewal application for licensure.—

183 (3) Each licensee is responsible for renewing his or her
184 license on or before its expiration by filing with the
185 department an application for renewal accompanied by payment of
186 the renewal fee and the fingerprint retention fee to cover the
187 cost of ongoing retention in the statewide automated biometric
188 identification system established in s. 943.05(2)(b). Upon the
189 first renewal of a license issued under this chapter before
190 January 1, 2017, the licensee shall submit a full set of
191 fingerprints and fingerprint processing fees to cover the cost
192 of entering the fingerprints into the statewide automated
193 biometric identification system pursuant to s. 493.6108(4)(a)
194 and the cost of enrollment in the Federal Bureau of
195 Investigation's national retained print arrest notification
196 program. Subsequent renewals may be completed without submission
197 of a new set of fingerprints.

198 (b) Each Class "G" licensee shall additionally complete
199 ~~submit proof that he or she has received~~ during each year of the
200 license period a minimum of 4 hours of firearms requalification

201 training taught by a Class "K" licensee and submit proof that he
202 or she has complied with such other health and training
203 requirements that the department shall adopt by rule. Proof of
204 completion of firearms requalification training by each student
205 shall be submitted electronically to the department by the Class
206 "K" firearms instructor upon completion of the training in a
207 manner prescribed by rule of the department. A Class "G"
208 licensee must successfully complete this requalification
209 training for each type and caliber of firearm carried in the
210 course of performing his or her regulated duties. If the
211 licensee fails to complete the required 4 hours of annual
212 training during the first year of the 2-year term of the
213 license, the license shall be automatically suspended. The
214 licensee must complete the minimum number of hours of range and
215 classroom training required at the time of initial licensure and
216 submit proof of completion of such training to the department
217 before the license may be reinstated. If the licensee fails to
218 complete the required 4 hours of annual training during the
219 second year of the 2-year term of the license, the licensee must
220 complete the minimum number of hours of range and classroom
221 training required at the time of initial licensure and submit
222 proof of completion of such training to the department before
223 the license may be renewed. The department may waive the
224 firearms training requirement if:
225 1. The applicant provides proof that he or she is

226 currently certified as a law enforcement officer or correctional
227 officer under the Criminal Justice Standards and Training
228 Commission and has completed law enforcement firearms
229 requalification training annually during the previous 2 years of
230 the licensure period;

231 2. The applicant provides proof that he or she is
232 currently certified as a federal law enforcement officer and has
233 received law enforcement firearms training administered by a
234 federal law enforcement agency annually during the previous 2
235 years of the licensure period; ~~or~~

236 3. The applicant holds a valid Class "K" license and
237 submits a valid firearm certificate among those specified in s.
238 493.6105(6) (a); or

239 4. The applicant provides proof that he or she has
240 completed annual firearms training in accordance with the
241 requirements of the federal Law Enforcement Officers Safety Act,
242 18 U.S.C. ss. 926B and 926C and provides proof of having
243 completed requalification training during the previous 2 years
244 of the licensure period.

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

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

249 2. Proof of having taught at least six 28-hour firearms
250 instruction courses to Class "G" applicants during the previous

251 3-year licensure period.

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

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

260 493.6115 Weapons and firearms.—

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

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

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

268 493.6123 Publication to industry.—

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

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

274 493.6203 License requirements.—In addition to the license
 275 requirements set forth elsewhere in this chapter, each

276 individual or agency shall comply with the following additional
277 requirements:

278 (6)

279 (b) Before submission of an application to the department,
280 the applicant for a Class "CC" license must have completed a
281 minimum of 40 hours of professional training pertaining to
282 general investigative techniques and this chapter, which course
283 is offered by a state university or by a school, community
284 college, college, or university under the purview of the
285 Department of Education, and the applicant must pass an
286 examination. Training must have been completed within 3 years
287 before the date of receipt of the application. The certificate
288 evidencing satisfactory completion of the 40 hours of
289 professional training must be submitted to the department by the
290 school, community college, college, or university ~~with the~~
291 ~~application for a Class "CC" license.~~ The training specified in
292 this paragraph may be provided by face-to-face presentation,
293 online technology, or a home study course in accordance with
294 rules and procedures of the Department of Education. The
295 administrator of the examination must verify the identity of
296 each applicant taking the examination.

297 1. Upon an applicant's successful completion of each part
298 of the approved training and passage of any required
299 examination, the school, community college, college, or
300 university shall issue a certificate of completion to the

301 applicant. The certificates must be on a form established by
302 rule of the department.

303 2. The department shall establish by rule the general
304 content of the professional training and the examination
305 criteria.

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

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

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

316 493.6301 Classes of licenses.—

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

320 (a) Are exempt under s. 493.6102(4) but who possess a
321 Class "D" license solely for the purpose of holding a Class "G"
322 license; or

323 (b) Carry a firearm in the course of their duties as a
324 security officer employed by a church or by an ecclesiastical or
325 a denominational organization that has an established physical

326 place of worship in this state at which nonprofit religious
 327 services and activities are regularly conducted or by a church
 328 cemetery to provide security on the property of the church,
 329 organization, or cemetery.

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

332 493.6303 License requirements.—In addition to the license
 333 requirements set forth elsewhere in this chapter, each
 334 individual or agency must comply with the following additional
 335 requirements:

336 (4) (a) An applicant for an initial a Class "D" license
 337 must successfully complete ~~submit proof of successful completion~~
 338 ~~of~~ a minimum of 40 hours of professional training at a school or
 339 training facility licensed by the department within 3 years
 340 before the date of receipt of the application. The department
 341 shall by rule establish the general content and number of hours
 342 of each subject area to be taught. Upon completion of such
 343 training, the school or training facility shall submit the
 344 results directly to the department electronically in a manner
 345 prescribed by rule of the department. The school or training
 346 facility shall also provide a copy of the training results to
 347 the trainee.

348 (b) The training required in paragraph (a) may be
 349 conducted by in-person or online instruction, or a combination
 350 thereof, as provided by the department in rule. All approved

351 online training shall be conducted through a secure website of
352 the school or training facility, provided that the applicant's
353 identity, attendance, and successful completion of such training
354 are verified. The department shall adopt by rule what portion of
355 the 40 hours of training may be conducted online, any method of
356 delivery and security protocols for online training, and any
357 other rules necessary for the regulation of schools providing
358 in-person or online training ~~Upon reapplication for a license,~~
359 ~~an individual whose license has been expired for 1 year or more~~
360 ~~is considered an initial applicant and must submit proof of~~
361 ~~successful completion of 40 hours of professional training at a~~
362 ~~school or training facility licensed by the department as~~
363 ~~provided in paragraph (a) before a license is issued.~~

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

366 493.6304 Security officer school or training facility.—

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

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

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

375 (c) A copy of the training curriculum and final

376 examination to be administered.

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

379 493.6403 License requirements.—

380 (2) An applicant for an initial ~~a~~ Class "E" or a Class
 381 "EE" license must successfully complete ~~submit proof of~~
 382 ~~successful completion of~~ 40 hours of professional training at a
 383 school or training facility licensed by the department within 3
 384 years before the date of receipt of the application. The
 385 department shall by rule establish the general content for the
 386 training. Upon completion of such training, the school or
 387 training facility shall submit the results directly to the
 388 department electronically in a manner prescribed by rule of the
 389 department. The school or training facility shall also provide a
 390 copy of the training results to the trainee.

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

393 493.6406 Recovery agent school or training facility.—

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

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

400 (b) The street address of the place at which the training

401 is to be conducted at the street address of the Class "RS"
402 school offering Internet-based or correspondence training.

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

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