

**By** the Committees on Appropriations; and Banking and Insurance;  
and Senators Perry and Brandes

576-04568-20

20201404c2

1                                   A bill to be entitled  
2       An act relating to financial services; amending s.  
3       20.121, F.S.; specifying powers and duties of the  
4       Division of Public Assistance Fraud; amending s.  
5       284.30, F.S.; requiring the State Risk Management  
6       Trust Fund to provide insurance for certain  
7       firefighter cancer-related benefits; amending s.  
8       284.31, F.S.; requiring the Insurance Risk Management  
9       Trust Fund to provide a separate account for certain  
10      firefighter cancer-related benefits; amending s.  
11      284.385, F.S.; specifying a condition that must be met  
12      before such benefits may be paid from the State Risk  
13      Management Trust Fund; creating s. 284.45, F.S.;  
14      prohibiting individuals working for entities covered  
15      by the State Risk Management Trust Fund from engaging  
16      in retaliatory conduct against sexual harassment  
17      victims; defining the term "sexual harassment victim";  
18      specifying a criminal penalty for the willful and  
19      knowing dissemination of a sexual harassment victim's  
20      personal identifying information, except under certain  
21      circumstances; specifying protected personal  
22      identifying information; amending s. 497.101, F.S.;  
23      revising provisions relating to membership of the  
24      Board of Funeral, Cemetery, and Consumer Services  
25      within the Department of Financial Services; deleting  
26      a requirement for the department to adopt certain  
27      rules; creating s. 497.1411, F.S.; defining terms;  
28      providing for permanent disqualification of applicants  
29      for licensure under ch. 497, F.S., for certain

576-04568-20

20201404c2

30 offenses; providing for disqualifying periods for  
31 applicants for certain offenses; requiring the board  
32 to adopt rules; providing for calculation of  
33 disqualifying periods; providing conditions for  
34 licensure after completion of a disqualifying period;  
35 specifying the effect of a pardon or clemency;  
36 providing for exemptions from disqualification in  
37 certain circumstances; providing procedures for  
38 consideration of applications for such exemptions;  
39 providing construction; amending s. 497.142, F.S.;  
40 revising criminal history disclosure requirements for  
41 applicants seeking licensure under ch. 497, F.S.;  
42 amending s. 497.157, F.S.; prohibiting persons from  
43 acting as or advertising themselves as being funeral  
44 directors, embalmers, direct disposers, or preneed  
45 sales agents unless they are so licensed; prohibiting  
46 persons from engaging in certain activities requiring  
47 licensure without holding required licenses; revising  
48 the criminal penalty for unlicensed activity; amending  
49 s. 497.159, F.S.; conforming a provision to changes  
50 made by the act; amending s. 552.081, F.S.; revising  
51 the definition of the term "two-component explosives"  
52 for the purpose of regulation by the Division of State  
53 Fire Marshal; amending s. 553.7921, F.S.; authorizing  
54 a contractor repairing certain existing fire alarm  
55 systems to begin work after filing an application for  
56 a required permit but before receiving the permit;  
57 providing construction; amending s. 626.2815, F.S.;  
58 revising continuing education requirements for certain

576-04568-20

20201404c2

59 persons licensed to solicit, sell, or adjust  
60 insurance; amending s. 627.70132, F.S.; decreasing the  
61 timeframe in which a notice of an initial claim for  
62 loss or damage caused by the peril of windstorm or  
63 hurricane must be given to a property insurer;  
64 amending s. 633.102, F.S.; revising the authority of  
65 certain fire protection system contractors to design  
66 and alter certain systems; amending s. 633.136, F.S.;  
67 replacing fire protection agencies in the Fire and  
68 Emergency Incident Information Reporting Program with  
69 fire service providers and defining the term; revising  
70 the composition of the Fire and Emergency Incident  
71 Information System Technical Advisory Panel; amending  
72 s. 633.202, F.S.; extending a deadline for certain  
73 buildings to comply with a minimum radio signal  
74 strength requirement under the Florida Fire Prevention  
75 Code; requiring such buildings to meet certain  
76 conditions by a specified date; revising a condition  
77 that existing apartment buildings must meet by a  
78 specified date; extending the repeal date of  
79 exemptions to the Florida Fire Prevention Code which  
80 authorize doorstep refuse and recycling collection  
81 containers to be in exit access corridors in certain  
82 apartment occupancies under certain circumstances;  
83 creating s. 633.217, F.S.; prohibiting certain acts to  
84 influence a firesafety inspector to violate certain  
85 laws; prohibiting a firesafety inspector from  
86 knowingly and willfully accepting an attempt to  
87 influence him or her to violate certain laws; amending

576-04568-20

20201404c2

88 s. 633.304, F.S.; revising requirements for training  
89 courses for licensees installing or maintaining  
90 certain fire suppression equipment; amending s.  
91 633.402, F.S.; revising the composition of the  
92 Firefighters Employment, Standards, and Training  
93 Council; amending s. 633.416, F.S.; providing that  
94 certain persons serving as volunteer firefighters may  
95 serve as a regular or permanent firefighter for a  
96 limited period, subject to certain restrictions;  
97 amending s. 843.08, F.S.; prohibiting false  
98 personation of personnel or representatives of the  
99 Division of Investigative and Forensic Services;  
100 providing criminal penalties; amending s. 943.045,  
101 F.S.; revising the definition of the term "criminal  
102 justice agency" to include the investigations  
103 component of the department which investigates certain  
104 crimes; amending chapter 2019-140, L.O.F.; extending  
105 the deadline for the Florida Blockchain Task Force to  
106 submit its report to the Governor and the Legislature;  
107 providing effective dates.

108  
109 Be It Enacted by the Legislature of the State of Florida:

110  
111 Section 1. Paragraph (f) of subsection (2) of section  
112 20.121, Florida Statutes, is amended to read:

113 20.121 Department of Financial Services.—There is created a  
114 Department of Financial Services.

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

576-04568-20

20201404c2

117           (f) The Division of Public Assistance Fraud, which shall  
118 function as a criminal justice agency for purposes of ss.  
119 943.045-943.08. The division shall conduct investigations  
120 pursuant to s. 414.411 within or outside of this state as it  
121 deems necessary. If, during an investigation, the division has  
122 reason to believe that any criminal law of this state has or may  
123 have been violated, it shall refer any records tending to show  
124 such violation to state or federal law enforcement or  
125 prosecutorial agencies and shall provide investigative  
126 assistance to those agencies as required.

127           Section 2. Section 284.30, Florida Statutes, is amended to  
128 read:

129           284.30 State Risk Management Trust Fund; coverages to be  
130 provided.—A state self-insurance fund, designated as the “State  
131 Risk Management Trust Fund,” is created to be set up by the  
132 Department of Financial Services and administered with a program  
133 of risk management, which fund is to provide insurance, as  
134 authorized by s. 284.33, for workers’ compensation, general  
135 liability, fleet automotive liability, federal civil rights  
136 actions under 42 U.S.C. s. 1983 or similar federal statutes,  
137 benefits payable under s. 112.1816(2), and court-awarded  
138 attorney ~~attorney’s~~ fees in other proceedings against the state  
139 except for such awards in eminent domain or for inverse  
140 condemnation or for awards by the Public Employees Relations  
141 Commission. A party to a suit in any court, to be entitled to  
142 have his or her attorney ~~attorney’s~~ fees paid by the state or  
143 any of its agencies, must serve a copy of the pleading claiming  
144 the fees on the Department of Financial Services; and thereafter  
145 the department shall be entitled to participate with the agency

576-04568-20

20201404c2

146 in the defense of the suit and any appeal thereof with respect  
147 to such fees.

148 Section 3. Section 284.31, Florida Statutes, is amended to  
149 read:

150 284.31 Scope and types of coverages; separate accounts.—The  
151 Insurance Risk Management Trust Fund shall, unless specifically  
152 excluded by the Department of Financial Services, cover all  
153 departments of the State of Florida and their employees, agents,  
154 and volunteers and shall provide separate accounts for workers'  
155 compensation, general liability, fleet automotive liability,  
156 federal civil rights actions under 42 U.S.C. s. 1983 or similar  
157 federal statutes, benefits payable under s. 112.1816(2), and  
158 court-awarded attorney ~~attorney's~~ fees in other proceedings  
159 against the state except for such awards in eminent domain or  
160 for inverse condemnation or for awards by the Public Employees  
161 Relations Commission. Unless specifically excluded by the  
162 Department of Financial Services, the Insurance Risk Management  
163 Trust Fund shall provide fleet automotive liability coverage to  
164 motor vehicles titled to the state, or to any department of the  
165 state, when such motor vehicles are used by community  
166 transportation coordinators performing, under contract to the  
167 appropriate department of the state, services for the  
168 transportation disadvantaged under part I of chapter 427. Such  
169 fleet automotive liability coverage shall be primary and shall  
170 be subject to the provisions of s. 768.28 and parts II and III  
171 of chapter 284, and applicable rules adopted thereunder, and the  
172 terms and conditions of the certificate of coverage issued by  
173 the Department of Financial Services.

174 Section 4. Section 284.385, Florida Statutes, is amended to

576-04568-20

20201404c2

175 read:

176 284.385 Reporting and handling of claims.—

177 (1) All departments covered by the State Risk Management  
178 Trust Fund under this part shall immediately report all known or  
179 potential claims to the Department of Financial Services for  
180 handling, except employment complaints which have not been filed  
181 with the Florida Human Relations Commission, Equal Employment  
182 Opportunity Commission, or any similar agency. When deemed  
183 necessary, the Department of Financial Services shall assign or  
184 reassign the claim to counsel. The assigned counsel shall report  
185 regularly to the Department of Financial Services or to the  
186 covered department on the status of any such claims or  
187 litigation as required by the Department of Financial Services.  
188 No such claim shall be compromised or settled for monetary  
189 compensation without the prior approval of the Department of  
190 Financial Services and prior notification to the covered  
191 department. All departments shall cooperate with the Department  
192 of Financial Services in its handling of claims. The Department  
193 of Financial Services and the Department of Management Services,  
194 with the cooperation of the state attorneys and the clerks of  
195 the courts, shall develop a system to coordinate the exchange of  
196 information concerning claims for and against the state, its  
197 agencies, and its subdivisions, to assist in collection of  
198 amounts due to them. The covered department shall have the  
199 responsibility for the settlement of any claim for injunctive or  
200 affirmative relief under 42 U.S.C. s. 1983 or similar federal or  
201 state statutes. The payment of a settlement or judgment for any  
202 claim covered and reported under this part shall be made only  
203 from the State Risk Management Trust Fund.

576-04568-20

20201404c2

204       (2) Benefits provided under s. 112.1816(2) may not be paid  
205 from the fund until each request for any out-of-pocket  
206 deductible, copayment, or coinsurance costs and one-time cash  
207 payout has been validated and approved by the Department of  
208 Management Services.

209       Section 5. Section 284.45, Florida Statutes, is created to  
210 read:

211       284.45 Sexual harassment victims.-

212       (1) An individual working for an entity covered by the  
213 State Risk Management Trust Fund may not engage in retaliatory  
214 conduct of any kind against a sexual harassment victim. As used  
215 in this section, the term "sexual harassment victim" means an  
216 individual employed, or being considered for employment, with an  
217 entity participating in the State Risk Management Trust Fund,  
218 who becomes a victim of workplace sexual harassment through the  
219 course of employment, or while being considered for employment,  
220 with the entity.

221       (2) The willful and knowing dissemination of personal  
222 identifying information of a sexual harassment victim to any  
223 party other than a governmental entity in furtherance of its  
224 official duties or pursuant to a court order is a misdemeanor of  
225 the first degree, punishable as provided in s. 775.082. For  
226 purposes of this subsection, personal identifying information  
227 includes the name of the sexual harassment victim and his or  
228 her:

- 229       (a) Home address;  
230       (b) Home phone number;  
231       (c) Cellular phone number;  
232       (d) E-mail address;



576-04568-20

20201404c2

233 (e) Social media account username or uniform resource  
234 locator (URL); or

235 (f) Any other information that could reasonably be used to  
236 identify an alleged sexual harassment victim.

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

239 497.101 Board of Funeral, Cemetery, and Consumer Services;  
240 membership; appointment; terms.—

241 (1) The Board of Funeral, Cemetery, and Consumer Services  
242 is created within the Department of Financial Services and shall  
243 consist of 10 members, 9 of whom shall be appointed by the  
244 Governor from nominations made by the Chief Financial Officer  
245 and confirmed by the Senate. The Chief Financial Officer shall  
246 nominate one to three persons for each of the nine vacancies on  
247 the board, and the Governor shall fill each vacancy on the board  
248 by appointing one of the ~~three~~ persons nominated by the Chief  
249 Financial Officer to fill that vacancy. If the Governor objects  
250 to each of the ~~three~~ nominations for a vacancy, she or he shall  
251 inform the Chief Financial Officer in writing. Upon notification  
252 of an objection by the Governor, the Chief Financial Officer  
253 shall submit one to three additional nominations for that  
254 vacancy until the vacancy is filled. One member must be the  
255 State Health Officer or her or his designee.

256 (2) Two members of the board shall be funeral directors  
257 licensed under part III of this chapter who are associated with  
258 a funeral establishment. One member of the board shall be a  
259 funeral director licensed under part III of this chapter who is  
260 associated with a funeral establishment licensed under part III  
261 of this chapter that has a valid preneed license issued pursuant

576-04568-20

20201404c2

262 to this chapter and who owns or operates a cinerator facility  
263 approved under chapter 403 and licensed under part VI of this  
264 chapter. Two members of the board shall be persons whose primary  
265 occupation is associated with a cemetery company licensed  
266 pursuant to this chapter. Two ~~Three~~ members of the board shall  
267 be consumers who are residents of the state, have never been  
268 licensed as funeral directors or embalmers, are not connected  
269 with a cemetery or cemetery company licensed pursuant to this  
270 chapter, and are not connected with the death care industry or  
271 the practice of embalming, funeral directing, or direct  
272 disposition. One of the two consumer members shall be at least  
273 60 years of age, ~~and one shall be licensed as a certified public~~  
274 ~~accountant under chapter 473.~~ One member of the board shall be a  
275 consumer who is a resident of this state; is licensed as a  
276 certified public accountant under chapter 473; has never been  
277 licensed as a funeral director or embalmer; is not a principal  
278 or employee of any licensee licensed under this chapter; and  
279 does not otherwise have control, as defined in s. 497.005, over  
280 any licensee licensed under this chapter. One member of the  
281 board shall be a principal of a monument establishment licensed  
282 under this chapter as a monument builder. One member shall be  
283 the State Health Officer or her or his designee. There shall not  
284 be two or more board members who are principals or employees of  
285 the same company or partnership or group of companies or  
286 partnerships under common control.

287 (3) Board members shall be appointed for terms of 4 years,  
288 and the State Health Officer shall serve as long as that person  
289 holds that office. The designee of the State Health Officer  
290 shall serve at the pleasure of the Governor. ~~When the terms of~~

576-04568-20

20201404c2

291 ~~the initial board members expire, the Chief Financial Officer~~  
292 ~~shall stagger the terms of the successor members as follows: one~~  
293 ~~funeral director, one cemetery representative, the monument~~  
294 ~~builder, and one consumer member shall be appointed for terms of~~  
295 ~~2 years, and the remaining members shall be appointed for terms~~  
296 ~~of 4 years. All subsequent terms shall be for 4 years.~~

297 (6) The headquarters and records of the board shall be in  
298 the Division of Funeral, Cemetery, and Consumer Services of the  
299 Department of Financial Services in the City of Tallahassee. The  
300 board may be contacted through the Division of Funeral,  
301 Cemetery, and Consumer Services of the Department of Financial  
302 Services in the City of Tallahassee. The Chief Financial Officer  
303 shall annually appoint from among the board members a chair and  
304 vice chair of the board. The board shall meet at least every 6  
305 months, and more often as necessary. Special meetings of the  
306 board shall be convened upon the direction of the Chief  
307 Financial Officer. A quorum is necessary for the conduct of  
308 business by the board. Unless otherwise provided by law, a  
309 majority of the board members eligible to vote shall constitute  
310 a quorum for the purpose of conducting its business ~~six board~~  
311 ~~members shall constitute a quorum for the conduct of the board's~~  
312 ~~business.~~

313 ~~(8) The department shall adopt rules establishing forms by~~  
314 ~~which persons may apply for membership on the board and~~  
315 ~~procedures for applying for such membership. Such forms shall~~  
316 ~~require disclosure of the existence and nature of all current~~  
317 ~~and past employments by or contracts with, and direct or~~  
318 ~~indirect affiliations or interests in, any entity or business~~  
319 ~~that at any time was licensed by the board or by the former~~

576-04568-20

20201404c2

320 ~~Board of Funeral and Cemetery Services or the former Board of~~  
321 ~~Funeral Directors and Embalmers or that is or was otherwise~~  
322 ~~involved in the death care industry, as specified by department~~  
323 ~~rule.~~

324 Section 7. Section 497.1411, Florida Statutes, is created  
325 to read:

326 497.1411 Disqualification of applicants and licensees;  
327 penalties against licensees; rulemaking.-

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

329 (a) "Applicant" means an individual applying for licensure  
330 or relicensure under this chapter, and an officer, a director, a  
331 majority owner, a partner, a manager, or other person who  
332 manages or controls an entity applying for licensure or  
333 relicensure under this chapter.

334 (b) "Felony of the first degree" and "capital felony"  
335 include all felonies designated as such in this state at the  
336 time of the commission of the offense, as well as any offense in  
337 another jurisdiction that is substantially similar to an offense  
338 so designated in this state.

339 (c) "Financial services business" means any financial  
340 activity regulated by the department, the Office of Insurance  
341 Regulation, or the Office of Financial Regulation.

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

346 (a) A felony of the first degree.

347 (b) A capital felony.

348 (c) A felony money laundering offense.

576-04568-20

20201404c2

349 (d) A felony embezzlement.

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

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

356 (b) A 5-year disqualifying period for all felonies to which  
357 neither the permanent bar in subsection (2) nor the 10-year  
358 disqualifying period in paragraph (a) applies.

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

361 (4) The board shall adopt rules to administer this section.  
362 The rules must provide for additional disqualifying periods due  
363 to the commitment of multiple crimes and may include other  
364 factors reasonably related to the applicant's criminal history.  
365 The rules shall provide for mitigating and aggravating factors.  
366 However, mitigation may not result in a period of  
367 disqualification of less than 5 years and may not mitigate the  
368 disqualifying periods in paragraphs (3)(b) and (c).

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

375 (6) After the disqualifying period has expired, the burden  
376 is on the applicant to demonstrate that he or she has been  
377 rehabilitated, does not pose a risk to the public, is fit and

576-04568-20

20201404c2

378 trustworthy to engage in business regulated by this chapter, and  
379 is otherwise qualified for licensure.

380 (7) Notwithstanding subsections (2) and (3), an applicant  
381 who has been found guilty of, or has pleaded guilty or nolo  
382 contendere to, a crime in subsection (2) or subsection (3) and  
383 who has subsequently been granted a pardon or the restoration of  
384 civil rights pursuant to chapter 940 and s. 8, Art. IV of the  
385 State Constitution, or a pardon or the restoration of civil  
386 rights under the laws of another jurisdiction with respect to a  
387 conviction in that jurisdiction, is not barred or disqualified  
388 from licensure under this chapter. However, such a pardon or  
389 restoration of civil rights does not require the department to  
390 award such license.

391 (8) (a) The board may grant an exemption from  
392 disqualification to any person disqualified from licensure under  
393 subsection (3) if:

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

398 2. At least 5 years have elapsed since the applicant  
399 completed or has been lawfully released from confinement,  
400 supervision, or nonmonetary condition imposed by the court for a  
401 disqualifying offense.

402 (b) For the board to grant an exemption under this  
403 subsection, the applicant must clearly and convincingly  
404 demonstrate that he or she would not pose a risk to persons or  
405 property if licensed under this chapter, evidence of which must  
406 include, but need not be limited to, facts and circumstances

576-04568-20

20201404c2

407 surrounding the disqualifying offense, the time that has elapsed  
408 since the offense, the nature of the offense and harm caused to  
409 the victim, the applicant's history before and after the  
410 offense, and any other evidence or circumstances indicating that  
411 the applicant will not present a danger if licensed or  
412 certified.

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

416 (9) The disqualification periods provided in this section  
417 do not apply to the renewal of a license or to a new application  
418 for licensure if the applicant has an active license as of July  
419 1, 2020, and the applicable criminal history was considered by  
420 the board on the prior approval of any active license held by  
421 the applicant. This subsection does not affect any criminal  
422 history disclosure requirement of this chapter.

423 Section 8. Subsection (9) and paragraph (c) of subsection  
424 (10) of section 497.142, Florida Statutes, are amended to read:  
425 497.142 Licensing; fingerprinting and criminal background  
426 checks.—

427 (9) If any applicant under this chapter has been, ~~within~~  
428 ~~the 10 years preceding the application under this chapter,~~  
429 convicted or found guilty of, or entered a plea of nolo  
430 contendere to, regardless of adjudication, any crime in any  
431 jurisdiction, the application shall not be deemed complete until  
432 such time as the applicant provides such certified true copies  
433 of the court records evidencing the conviction, finding, or plea  
434 as required by this section or, as the licensing authority may  
435 by rule require.

576-04568-20

20201404c2

436 (10) (c) Crimes to be disclosed are:

437 1. Any felony ~~or misdemeanor~~, no matter when committed,  
438 ~~that was directly or indirectly related to or involving any~~  
439 ~~aspect of the practice or business of funeral directing,~~  
440 ~~embalming, direct disposition, cremation, funeral or cemetery~~  
441 ~~preneed sales, funeral establishment operations, cemetery~~  
442 ~~operations, or cemetery monument or marker sales or~~  
443 ~~installation.~~

444 2. Any misdemeanor, no matter when committed, which was  
445 directly or indirectly related to the financial services  
446 business as defined in s. 497.1411 ~~Any other felony not already~~  
447 ~~disclosed under subparagraph 1. that was committed within the 20~~  
448 ~~years immediately preceding the application under this chapter.~~

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

452 Section 9. Present subsections (2) through (5) of section  
453 497.157, Florida Statutes, are redesignated as subsections (4)  
454 through (7), respectively, new subsections (2) and (3) and  
455 subsection (8) are added to that section, and present subsection  
456 (3) of that section is amended, to read:

457 497.157 Unlicensed practice; remedies concerning violations  
458 by unlicensed persons.—

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

463 (3) A person may not be, act as, or advertise or hold  
464 himself or herself out to be a preneed sales agent unless he or



576-04568-20

20201404c2

465 she is currently licensed by the department and appointed by a  
466 preneed main licensee for which they are executing preneed  
467 contracts.

468 (5)~~(3)~~ Where the department determines that an emergency  
469 exists regarding any violation of this chapter by any unlicensed  
470 person or entity, the department may issue and serve an  
471 immediate final order upon such unlicensed person or entity, in  
472 accordance with s. 120.569(2) (n). Such an immediate final order  
473 may impose such prohibitions and requirements as are reasonably  
474 necessary to protect the public health, safety, and welfare, and  
475 shall be effective when served.

476 (a) For the purpose of enforcing such an immediate final  
477 order, the department may file an emergency or other proceeding  
478 in the circuit courts of the state seeking enforcement of the  
479 immediate final order by injunctive or other order of the court.  
480 The court shall issue its injunction or other order enforcing  
481 the immediate final order pending administrative resolution of  
482 the matter under subsection (4) ~~(2)~~, unless the court determines  
483 that such action would work a manifest injustice under the  
484 circumstances. Venue for judicial actions under this paragraph  
485 shall be, at the election of the department, in the courts of  
486 Leon County, or in a county where the respondent resides or has  
487 a place of business.

488 (b) After serving an immediate final order to cease and  
489 desist upon any person or entity, the department shall within 10  
490 days issue and serve upon the same person or entity an  
491 administrative complaint as set forth in subsection (4) ~~(2)~~,  
492 except that, absent order of a court to the contrary, the  
493 immediate final order shall be effective throughout the pendency

576-04568-20

20201404c2

494 of proceedings under subsection (4) ~~(2)~~.

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

499 Section 10. Subsection (6) of section 497.159, Florida  
500 Statutes, is amended to read:

501 497.159 Crimes.—

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

506 Section 11. Subsection (13) of section 552.081, Florida  
507 Statutes, is amended to read:

508 552.081 Definitions.—As used in this chapter:

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

513 Section 12. Present subsection (2) of section 553.7921,  
514 Florida Statutes, is redesignated as subsection (3), a new  
515 subsection (2) is added to that section, and subsection (1) of  
516 that section is amended, to read:

517 553.7921 Fire alarm permit application to local enforcement  
518 agency.—

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

576-04568-20

20201404c2

523 ~~(a)~~ installing or replacing a fire alarm, if the local  
524 enforcement agency requires a plan review for the installation  
525 or replacement; ~~or~~

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

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

537 Section 13. Effective January 1, 2021, subsection (3) of  
538 section 626.2815, Florida Statutes, is amended to read:

539 626.2815 Continuing education requirements.—

540 (3) Each licensee except a title insurance agent must  
541 complete a 4-hour ~~5-hour~~ update course every 2 years which is  
542 specific to the license held by the licensee. The course must be  
543 developed and offered by providers and approved by the  
544 department. The content of the course must address all lines of  
545 insurance for which examination and licensure are required and  
546 include the following subject areas: insurance law updates,  
547 ethics for insurance professionals, disciplinary trends and case  
548 studies, industry trends, premium discounts, determining  
549 suitability of products and services, and other similar  
550 insurance-related topics the department determines are relevant  
551 to legally and ethically carrying out the responsibilities of

576-04568-20

20201404c2

552 the license granted. A licensee who holds multiple insurance  
553 licenses must complete an update course that is specific to at  
554 least one of the licenses held. Except as otherwise specified,  
555 any remaining required hours of continuing education are  
556 elective and may consist of any continuing education course  
557 approved by the department under this section.

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

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

564 (c) A licensee who has been licensed for 25 years or more  
565 and is a CLU or a CPCU or has a Bachelor of Science degree in  
566 risk management or insurance with evidence of 18 or more  
567 semester hours in insurance-related courses must also complete a  
568 minimum of 6 ~~5~~ hours of elective continuing education courses  
569 every 2 years.

570 (d) An individual who holds a license as a customer  
571 representative and who is not a licensed life or health agent  
572 must also complete a minimum of 6 ~~5~~ hours of continuing  
573 education courses every 2 years.

574 (e) An individual subject to chapter 648 must complete the  
575 4-hour ~~5-hour~~ update course and a minimum of 10 ~~9~~ hours of  
576 elective continuing education courses every 2 years.

577 (f) Elective continuing education courses for public  
578 adjusters must be specifically designed for public adjusters and  
579 approved by the department. Notwithstanding this subsection,  
580 public adjusters for workers' compensation insurance or health

576-04568-20

20201404c2

581 insurance are not required to take continuing education courses  
582 pursuant to this section.

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

585 (h) An individual teaching an approved course of  
586 instruction or lecturing at any approved seminar and attending  
587 the entire course or seminar qualifies for the same number of  
588 classroom hours as would be granted to a person taking and  
589 successfully completing such course or seminar. Credit is  
590 limited to the number of hours actually taught unless a person  
591 attends the entire course or seminar. An individual who is an  
592 official of or employed by a governmental entity in this state  
593 and serves as a professor, instructor, or in another position or  
594 office, the duties and responsibilities of which are determined  
595 by the department to require monitoring and review of insurance  
596 laws or insurance regulations and practices, is exempt from this  
597 section.

598 (i) For compliance periods beginning on or after October 1,  
599 2014, any person who holds a license as a title insurance agent  
600 must complete a minimum of 10 hours of continuing education  
601 credit every 2 years in title insurance and escrow management  
602 specific to this state and approved by the department, which  
603 shall include at least 3 hours of continuing education on the  
604 subject matter of ethics, rules, or compliance with state and  
605 federal regulations relating specifically to title insurance and  
606 closing services.

607 (j) For a licensee who is an active participant in an  
608 association, 2 hours of elective continuing education credit per  
609 calendar year may be approved by the department, if properly

576-04568-20

20201404c2

610 reported by the association.

611 Section 14. Section 627.70132, Florida Statutes, is amended  
612 to read:

613 627.70132 Notice of windstorm or hurricane claim.—An  
614 initial claim under an insurance policy that provides property  
615 insurance, as defined in s. 624.604, for loss or damage caused  
616 by the peril of windstorm or hurricane is barred unless notice  
617 of the initial claim was given to the insurer in accordance with  
618 the terms of the policy within 24 months after the hurricane  
619 first made landfall or the windstorm caused the covered damage.

620 A ~~claim~~, supplemental claim~~,~~ or reopened claim under an  
621 insurance policy that provides property insurance, as defined in  
622 s. 624.604, for loss or damage caused by the peril of windstorm  
623 or hurricane is barred unless notice of the ~~claim~~, supplemental  
624 claim~~,~~ or reopened claim was given to the insurer in accordance  
625 with the terms of the policy within 3 years after the hurricane  
626 first made landfall or the windstorm caused the covered damage.  
627 For purposes of this section, the term "supplemental claim" or  
628 "reopened claim" means any additional claim for recovery from  
629 the insurer for losses from the same hurricane or windstorm  
630 which the insurer has previously adjusted pursuant to the  
631 initial claim. This section does not affect any applicable  
632 limitation on civil actions provided in s. 95.11 for claims,  
633 supplemental claims, or reopened claims timely filed under this  
634 section.

635 Section 15. Subsection (3) of section 633.102, Florida  
636 Statutes, is amended to read:

637 633.102 Definitions.—As used in this chapter, the term:

638 (3) (a) "Contractor I" means a contractor whose business

576-04568-20

20201404c2

639 includes the execution of contracts requiring the ability to lay  
640 out, fabricate, install, inspect, alter, repair, and service all  
641 types of fire protection systems, excluding preengineered  
642 systems.

643 (b) "Contractor II" means a contractor whose business is  
644 limited to the execution of contracts requiring the ability to  
645 lay out, fabricate, install, inspect, alter, repair, and service  
646 water sprinkler systems, water spray systems, foam-water  
647 sprinkler systems, foam-water spray systems, standpipes,  
648 combination standpipes and sprinkler risers, all piping that is  
649 an integral part of the system beginning at the point of service  
650 as defined in this section, sprinkler tank heaters, air lines,  
651 thermal systems used in connection with sprinklers, and tanks  
652 and pumps connected thereto, excluding preengineered systems.

653 (c) "Contractor III" means a contractor whose business is  
654 limited to the execution of contracts requiring the ability to  
655 fabricate, install, inspect, alter, repair, and service carbon  
656 dioxide systems, foam extinguishing systems, dry chemical  
657 systems, and Halon and other chemical systems, excluding  
658 preengineered systems.

659 (d) "Contractor IV" means a contractor whose business is  
660 limited to the execution of contracts requiring the ability to  
661 lay out, fabricate, install, inspect, alter, repair, and service  
662 automatic fire sprinkler systems for detached one-family  
663 dwellings, detached two-family dwellings, and mobile homes,  
664 excluding preengineered systems and excluding single-family  
665 homes in cluster units, such as apartments, condominiums, and  
666 assisted living facilities or any building that is connected to  
667 other dwellings. A Contractor IV is limited to the scope of

576-04568-20

20201404c2

668 practice specified in NFPA 13D.

669 (e) "Contractor V" means a contractor whose business is  
670 limited to the execution of contracts requiring the ability to  
671 fabricate, install, inspect, alter, repair, and service the  
672 underground piping for a fire protection system using water as  
673 the extinguishing agent beginning at the point of service as  
674 defined in this act and ending no more than 1 foot above the  
675 finished floor.

676

677 The definitions in this subsection may not be construed to  
678 include engineers or architects and do not limit or prohibit a  
679 licensed fire protection engineer or architect with fire  
680 protection design experience from designing any type of fire  
681 protection system. A distinction is made between system design  
682 concepts prepared by the design professional and system layout  
683 as defined in this section and typically prepared by the  
684 contractor. However, a person certified as a Contractor I or  
685 Contractor II, ~~or Contractor IV~~ under this chapter may design  
686 new fire protection systems of 49 or fewer sprinklers; ~~and~~ may  
687 design the alteration of an existing fire sprinkler system if  
688 the alteration consists of the relocation, addition, or deletion  
689 of ~~not more than~~ 49 or fewer sprinklers, notwithstanding the  
690 size of the existing fire sprinkler system; or may design the  
691 alteration of an existing fire sprinkler system if the  
692 alteration consists of the relocation or deletion of 249 or  
693 fewer sprinklers, notwithstanding the size of the existing fire  
694 sprinkler system, if there is no change of occupancy, as defined  
695 in the Florida Building Code, of the affected areas and there is  
696 no change in the water demand as defined in National Fire



576-04568-20

20201404c2

697 Protection Association publication NFPA 13 "Standard for the  
698 Installation of Sprinkler Systems," and if the occupancy hazard  
699 classification as defined in NFPA 13 is reduced or remains the  
700 same as a result of the alteration. A person certified as a  
701 Contractor I, Contractor II, or Contractor IV may design or  
702 alter a fire protection system, the scope of which complies with  
703 NFPA 13D, Standard for the Installation of Sprinkler Systems in  
704 One- and Two-Family Dwellings and Manufactured Homes, as adopted  
705 by the State Fire Marshal, notwithstanding the number of fire  
706 sprinklers. Contractor-developed plans may not be required by  
707 any local permitting authority to be sealed by a registered  
708 professional engineer.

709 Section 16. Section 633.136, Florida Statutes, is amended  
710 to read:

711 633.136 Fire and Emergency Incident Information Reporting  
712 Program; duties; fire reports.—

713 (1) (a) The Fire and Emergency Incident Information  
714 Reporting Program is created within the division. The program  
715 shall:

716 1. Establish and maintain an electronic communication  
717 system capable of transmitting fire and emergency incident  
718 information to and between fire service providers ~~protection~~  
719 ~~agencies~~.

720 2. Initiate a Fire and Emergency Incident Information  
721 Reporting System that shall be responsible for:

722 a. Receiving fire and emergency incident information from  
723 fire service providers ~~protection agencies~~.

724 b. Preparing and disseminating annual reports to the  
725 Governor, the President of the Senate, the Speaker of the House

576-04568-20

20201404c2

726 of Representatives, fire service providers ~~protection agencies~~,  
727 and, upon request, the public. Each report shall include, but  
728 not be limited to, the information listed in the National Fire  
729 Incident Reporting System.

730 c. Upon request, providing other states and federal  
731 agencies with fire and emergency incident data of this state.

732 3. Adopt rules to effectively and efficiently implement,  
733 administer, manage, maintain, and use the Fire and Emergency  
734 Incident Information Reporting Program. The rules shall be  
735 considered minimum requirements and shall not preclude a fire  
736 service provider ~~protection agency~~ from implementing its own  
737 requirements which may not conflict with the rules of the  
738 division.

739 4. By rule, establish procedures and a format for each fire  
740 service provider ~~protection agency~~ to voluntarily monitor its  
741 records and submit reports to the program.

742 5. Maintain ~~Establish~~ an electronic information database  
743 that is accessible and searchable by fire service providers  
744 ~~protection agencies~~.

745 (b) The division shall consult with the Florida Forest  
746 Service of the Department of Agriculture and Consumer Services  
747 and the State Surgeon General of the Department of Health to  
748 coordinate data, ensure accuracy of the data, and limit  
749 duplication of efforts in data collection, analysis, and  
750 reporting.

751 (2) The Fire and Emergency Incident Information System  
752 Technical Advisory Panel is created within the division. The  
753 panel shall advise, review, and recommend to the State Fire  
754 Marshal with respect to the requirements of this section. The

576-04568-20

20201404c2

755 membership of the panel shall consist of the following 15  
756 members:

757 ~~(a) The current 13 members~~ of the Firefighters Employment,  
758 Standards, and Training Council as established in s. 633.402.

759 ~~(b) One member from the Florida Forest Service of the~~  
760 ~~Department of Agriculture and Consumer Services, appointed by~~  
761 ~~the director of the Florida Forest Service.~~

762 ~~(c) One member from the Department of Health, appointed by~~  
763 ~~the State Surgeon General.~~

764 (3) As used in ~~For the purpose of~~ this section, the term  
765 "fire service provider" has the same meaning as in s. 633.102  
766 ~~"fire protection agency" shall be defined by rule by the~~  
767 ~~division.~~

768 Section 17. Subsections (18) and (20) of section 633.202,  
769 Florida Statutes, are amended to read:

770 633.202 Florida Fire Prevention Code.—

771 (18) The authority having jurisdiction shall determine the  
772 minimum radio signal strength for fire department communications  
773 in all new high-rise and existing high-rise buildings. Existing  
774 buildings are not required to comply with minimum radio strength  
775 for fire department communications and two-way radio system  
776 enhancement communications as required by the Florida Fire  
777 Prevention Code until January 1, 2023 ~~2022~~. However, by January  
778 1, 2022 ~~December 31, 2019~~, an existing building that is not in  
779 compliance with the requirements for minimum radio strength for  
780 fire department communications must have completed a minimum  
781 radio strength assessment ~~apply for an appropriate permit~~ for  
782 the required installation with the local government agency  
783 having jurisdiction and must demonstrate that the building will

576-04568-20

20201404c2

784 become compliant by January 1, 2023 ~~2022~~. Existing apartment  
785 buildings are not required to comply until January 1, 2025.  
786 However, existing apartment buildings must have completed a  
787 minimum radio strength assessment ~~are required to apply for the~~  
788 ~~appropriate permit~~ for the required communications installation  
789 by December 31, 2022.

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

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

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

801 3. Doorstep refuse and recycling collection containers do  
802 not occupy the exit access corridors for single periods  
803 exceeding 12 hours.

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

808 5. Management staff have written policies and procedures in  
809 place and enforce them to ensure compliance with this paragraph,  
810 and, upon request, provide a copy of such policies and  
811 procedures to the authority having jurisdiction.

812 (b) In apartment occupancies with open-air corridors or

576-04568-20

20201404c2

813 balconies served by exterior exit stairs, doorstep refuse and  
814 recycling collection containers, which stand upright on their  
815 own and do not leak liquids when standing upright, must be  
816 allowed in exit access corridors when all of the following  
817 conditions exist:

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

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

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

827 4. Management staff have written policies and procedures in  
828 place and enforce them to ensure compliance with this paragraph,  
829 and, upon request, provide a copy of such policies and  
830 procedures to the authority having jurisdiction.

831 (c) The authority having jurisdiction may approve  
832 alternative containers and storage arrangements that are  
833 demonstrated to provide an equivalent level of safety to that  
834 provided under paragraphs (a) and (b).

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

838 (e) This subsection is repealed on January 1, 2024 ~~July 1,~~  
839 ~~2021~~.

840 Section 18. Section 633.217, Florida Statutes, is created  
841 to read:

576-04568-20

20201404c2

842 633.217 Influencing a firesafety inspector; prohibited  
843 acts.—

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

845 (a) Threatening, coercing, tricking, or attempting to  
846 threaten, coerce, or trick the firesafety inspector into  
847 violating any provision of the Florida Fire Prevention Code, any  
848 rule adopted by the State Fire Marshal, or any provision of this  
849 chapter.

850 (b) Offering any compensation to the firesafety inspector  
851 to induce a violation of the Florida Fire Prevention Code, any  
852 rule adopted by the State Fire Marshal, or any provision of this  
853 chapter.

854 (2) A firesafety inspector may not knowingly and willfully  
855 accept an attempt by a person to influence the firesafety  
856 inspector into violating any provision of the Florida Fire  
857 Prevention Code, any rule adopted by the State Fire Marshal, or  
858 any provision of this chapter.

859 Section 19. Paragraphs (d), (g), and (h) of subsection (4)  
860 of section 633.304, Florida Statutes, are amended to read:

861 633.304 Fire suppression equipment; license to install or  
862 maintain.—

863 (4)

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

867 1. The applicant has submitted to the State Fire Marshal  
868 evidence of registration as a Florida corporation or evidence of  
869 compliance with s. 865.09.

870 2. The State Fire Marshal or his or her designee has by

576-04568-20

20201404c2

871 inspection determined that the applicant possesses the equipment  
872 required for the class of license sought. The State Fire Marshal  
873 shall give an applicant a reasonable opportunity to correct any  
874 deficiencies discovered by inspection. To obtain such  
875 inspection, an applicant with facilities located outside this  
876 state must:

877 a. Provide a notarized statement from a professional  
878 engineer licensed by the applicant's state of domicile  
879 certifying that the applicant possesses the equipment required  
880 for the class of license sought and that all such equipment is  
881 operable; or

882 b. Allow the State Fire Marshal or her or his designee to  
883 inspect the facility. All costs associated with the State Fire  
884 Marshal's inspection must be paid by the applicant. The State  
885 Fire Marshal, in accordance with s. 120.54, may adopt rules to  
886 establish standards for the calculation and establishment of the  
887 amount of costs associated with any inspection conducted by the  
888 State Fire Marshal under this section. Such rules must include  
889 procedures for invoicing and receiving funds in advance of the  
890 inspection.

891 3. The applicant has submitted to the State Fire Marshal  
892 proof of insurance providing coverage for comprehensive general  
893 liability for bodily injury and property damage, products  
894 liability, completed operations, and contractual liability. The  
895 State Fire Marshal shall adopt rules providing for the amounts  
896 of such coverage, but such amounts may not be less than \$300,000  
897 for Class A or Class D licenses, \$200,000 for Class B licenses,  
898 and \$100,000 for Class C licenses; and the total coverage for  
899 any class of license held in conjunction with a Class D license

576-04568-20

20201404c2

900 may not be less than \$300,000. The State Fire Marshal may, at  
901 any time after the issuance of a license or its renewal, require  
902 upon demand, and in no event more than 30 days after notice of  
903 such demand, the licensee to provide proof of insurance, on the  
904 insurer's form, containing confirmation of insurance coverage as  
905 required by this chapter. Failure, for any length of time, to  
906 provide proof of insurance coverage as required must result in  
907 the immediate suspension of the license until proof of proper  
908 insurance is provided to the State Fire Marshal. An insurer that  
909 provides such coverage shall notify the State Fire Marshal of  
910 any change in coverage or of any termination, cancellation, or  
911 nonrenewal of any coverage.

912 4. The applicant applies to the State Fire Marshal,  
913 provides proof of experience, and successfully completes a  
914 prescribed training course that includes both written and  
915 practical training offered at ~~by~~ the State Fire College and ~~or~~  
916 ~~an equivalent course~~ approved by the State Fire Marshal as  
917 applicable to the class of license being sought. This  
918 subparagraph does not apply to any holder of or applicant for a  
919 permit under paragraph (g) or to a business organization or a  
920 governmental entity seeking initial licensure or renewal of an  
921 existing license solely for the purpose of inspecting,  
922 servicing, repairing, marking, recharging, and maintaining fire  
923 extinguishers used and located on the premises of and owned by  
924 such organization or entity.

925 5. The applicant has a current retestor identification  
926 number that is appropriate for the license for which the  
927 applicant is applying and that is listed with the United States  
928 Department of Transportation.



576-04568-20

20201404c2

929           6. The applicant has passed, with a grade of at least 70  
930 percent, a written examination testing his or her knowledge of  
931 the rules and statutes governing the activities authorized by  
932 the license and demonstrating his or her knowledge and ability  
933 to perform those tasks in a competent, lawful, and safe manner.  
934 Such examination must be developed and administered by the State  
935 Fire Marshal, or his or her designee in accordance with policies  
936 and procedures of the State Fire Marshal. An applicant shall pay  
937 a nonrefundable examination fee of \$50 for each examination or  
938 reexamination scheduled. A reexamination may not be scheduled  
939 sooner than 30 days after any administration of an examination  
940 to an applicant. An applicant may not be permitted to take an  
941 examination for any level of license more than a total of four  
942 times during 1 year, regardless of the number of applications  
943 submitted. As a prerequisite to licensure of the applicant, he  
944 or she:

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

946           b. Must have 4 years of proven experience as a fire  
947 equipment permittee at a level equal to or greater than the  
948 level of license applied for or have a combination of education  
949 and experience determined to be equivalent thereto by the State  
950 Fire Marshal. Having held a permit at the appropriate level for  
951 the required period constitutes the required experience.

952           c. Must not have been convicted of a felony or a crime  
953 punishable by imprisonment of 1 year or more under the law of  
954 the United States or of any state thereof or under the law of  
955 any other country. "Convicted" means a finding of guilt or the  
956 acceptance of a plea of guilty or nolo contendere in any federal  
957 or state court or a court in any other country, without regard

576-04568-20

20201404c2

958 to whether a judgment of conviction has been entered by the  
959 court having jurisdiction of the case. If an applicant has been  
960 convicted of any such felony, the applicant is excluded from  
961 licensure for a period of 4 years after expiration of sentence  
962 or final release by the Florida Commission on Offender Review  
963 unless the applicant, before the expiration of the 4-year  
964 period, has received a full pardon or has had her or his civil  
965 rights restored.

966

967 This subparagraph does not apply to any holder of or applicant  
968 for a permit under paragraph (g) or to a business organization  
969 or a governmental entity seeking initial licensure or renewal of  
970 an existing license solely for the purpose of inspecting,  
971 servicing, repairing, marking, recharging, hydrotesting, and  
972 maintaining fire extinguishers used and located on the premises  
973 of and owned by such organization or entity.

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

977 1. Submitted a nonrefundable examination fee in the amount  
978 of \$50.

979 2. Successfully completed a training course that includes  
980 both written and practical training offered at by the State Fire  
981 College and or an equivalent course approved by the State Fire  
982 Marshal as applicable to the class of license being sought.

983 3. Passed, with a grade of at least 70 percent, a written  
984 examination testing his or her knowledge of the rules and  
985 statutes governing the activities authorized by the permit and  
986 demonstrating his or her knowledge and ability to perform those

576-04568-20

20201404c2

987 tasks in a competent, lawful, and safe manner. Such examination  
988 must be developed and administered by the State Fire Marshal in  
989 accordance with the policies and procedures of the State Fire  
990 Marshal. An examination fee must be paid for each examination  
991 scheduled. A reexamination may not be scheduled sooner than 30  
992 days after any administration of an examination to an applicant.  
993 An applicant may not be permitted to take an examination for any  
994 level of permit more than four times during 1 year, regardless  
995 of the number of applications submitted. As a prerequisite to  
996 taking the permit examination, the applicant must be at least 16  
997 years of age.

998 (h) An applicant for a license or permit under this section  
999 who fails the examination may take it three more times during  
1000 the 1-year period after he or she originally filed an  
1001 application for the examination. If the applicant fails the  
1002 examination within 1 year after the application date and he or  
1003 she seeks to retake the examination, he or she must file a new  
1004 application, pay the application and examination fees, and  
1005 successfully complete a prescribed training course that includes  
1006 both written and practical training offered at by the State Fire  
1007 College and ~~or an equivalent~~ course approved by the State Fire  
1008 Marshal as applicable to the class of license being sought. The  
1009 applicant may not submit a new application within 6 months after  
1010 the date of his or her fourth reexamination. An applicant who  
1011 passes the examination but does not meet the remaining  
1012 qualifications prescribed by law and rule within 1 year after  
1013 the application date must file a new application, pay the  
1014 application and examination fee, successfully complete a  
1015 prescribed training course that includes both written and

576-04568-20

20201404c2

1016 practical training offered at ~~approved by~~ the State Fire College  
1017 and or an equivalent course approved by the State Fire Marshal  
1018 as applicable to the class of license being sought, and pass the  
1019 written examination.

1020 Section 20. Subsection (1) of section 633.402, Florida  
1021 Statutes, is amended to read:

1022 633.402 Firefighters Employment, Standards, and Training  
1023 Council; organization; meetings; quorum; compensation; seal;  
1024 special powers; firefighter training.-

1025 (1) There is created within the department a Firefighters  
1026 Employment, Standards, and Training Council of 15 ~~14~~ members.

1027 (a) The members shall be appointed as follows:

1028 1. Two fire chiefs appointed by the Florida Fire Chiefs  
1029 Association.

1030 2. Two firefighters, who are not officers, appointed by the  
1031 Florida Professional Firefighters Association.

1032 3. Two firefighter officers, who are not fire chiefs,  
1033 appointed by the State Fire Marshal.

1034 4. One individual appointed by the Florida League of  
1035 Cities.

1036 5. One individual appointed by the Florida Association of  
1037 Counties.

1038 6. One individual appointed by the Florida Association of  
1039 Special Districts.

1040 7. One individual appointed by the Florida Fire Marshals'  
1041 and Inspectors' Association.

1042 8. One employee of the Florida Forest Service of the  
1043 Department of Agriculture and Consumer Services appointed by the  
1044 director of the Florida Forest Service.

576-04568-20

20201404c2

1045 9. One individual appointed by the State Fire Marshal.

1046 10. One director or instructor of a state-certified  
 1047 firefighting training facility appointed by the State Fire  
 1048 Marshal.

1049 11. One individual ~~The remaining member, who shall be~~  
 1050 appointed by the State Fire Marshal, who may not be a member or  
 1051 representative of the firefighting profession or of any local  
 1052 government.

1053 12. One individual from the Department of Health, appointed  
 1054 by the Surgeon General.

1055 (b) To be eligible for appointment as a member under  
 1056 subparagraph (a)1., subparagraph (a)2., subparagraph (a)3.,  
 1057 subparagraph (a)8., or subparagraph (a)10., a person must have  
 1058 had at least 4 years' experience in the firefighting profession.  
 1059 Members shall serve only as long as they continue to meet the  
 1060 criteria under which they were appointed, or unless a member has  
 1061 failed to appear at three consecutive and properly noticed  
 1062 meetings unless excused by the chair.

1063 Section 21. Subsection (1) of section 633.416, Florida  
 1064 Statutes, is amended to read:

1065 633.416 Firefighter employment and volunteer firefighter  
 1066 service; saving clause.—

1067 (1) A fire service provider may not employ an individual  
 1068 to:

1069 (a) Extinguish fires for the protection of life or property  
 1070 or to supervise individuals who perform such services unless the  
 1071 individual holds a current and valid Firefighter Certificate of  
 1072 Compliance. However, a person who is currently serving as a  
 1073 volunteer firefighter and holds a volunteer firefighter

576-04568-20

20201404c2

1074 certificate of completion with a fire service provider, who is  
1075 then employed as a regular or permanent firefighter by such fire  
1076 service provider, may function, for a period of 1 year under the  
1077 direct supervision of an individual holding a valid firefighter  
1078 certificate of compliance, in the same capacity in which he or  
1079 she acted as a volunteer firefighter, provided that he or she  
1080 has completed all training required by the volunteer  
1081 organization. Under no circumstance can this period extend  
1082 beyond 1 year either collectively or consecutively from the  
1083 start of employment to obtain a Firefighter Certificate of  
1084 Compliance; or

1085 (b) Serve as the administrative and command head of a fire  
1086 service provider for a period in excess of 1 year unless the  
1087 individual holds a current and valid Firefighter Certificate of  
1088 Compliance or Special Certificate of Compliance.

1089 Section 22. Section 843.08, Florida Statutes, is amended to  
1090 read:

1091 843.08 False personation.—A person who falsely assumes or  
1092 pretends to be a firefighter, a sheriff, an officer of the  
1093 Florida Highway Patrol, an officer of the Fish and Wildlife  
1094 Conservation Commission, an officer of the Department of  
1095 Environmental Protection, ~~a fire or arson investigator of the~~  
1096 ~~Department of Financial Services,~~ an officer of the Department  
1097 of Financial Services, any personnel or representative of the  
1098 Division of Investigative and Forensic Services, an officer of  
1099 the Department of Corrections, a correctional probation officer,  
1100 a deputy sheriff, a state attorney or an assistant state  
1101 attorney, a statewide prosecutor or an assistant statewide  
1102 prosecutor, a state attorney investigator, a coroner, a police

576-04568-20

20201404c2

1103 officer, a lottery special agent or lottery investigator, a  
1104 beverage enforcement agent, a school guardian as described in s.  
1105 30.15(1)(k), a security officer licensed under chapter 493, any  
1106 member of the Florida Commission on Offender Review or any  
1107 administrative aide or supervisor employed by the commission,  
1108 any personnel or representative of the Department of Law  
1109 Enforcement, or a federal law enforcement officer as defined in  
1110 s. 901.1505, and takes upon himself or herself to act as such,  
1111 or to require any other person to aid or assist him or her in a  
1112 matter pertaining to the duty of any such officer, commits a  
1113 felony of the third degree, punishable as provided in s.  
1114 775.082, s. 775.083, or s. 775.084. However, a person who  
1115 falsely personates any such officer during the course of the  
1116 commission of a felony commits a felony of the second degree,  
1117 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
1118 If the commission of the felony results in the death or personal  
1119 injury of another human being, the person commits a felony of  
1120 the first degree, punishable as provided in s. 775.082, s.  
1121 775.083, or s. 775.084.

1122 Section 23. Paragraph (f) is added to subsection (11) of  
1123 section 943.045, Florida Statutes, to read:

1124 943.045 Definitions; ss. 943.045-943.08.—The following  
1125 words and phrases as used in ss. 943.045-943.08 shall have the  
1126 following meanings:

1127 (11) "Criminal justice agency" means:

1128 (f) The investigations component of the Department of  
1129 Financial Services which investigates the crimes of fraud and  
1130 official misconduct in all public assistance given to residents  
1131 of the state or provided to others by the state.

576-04568-20

20201404c2

1132 Section 24. Effective upon this act becoming a law,  
1133 subsection (3) of section 40 of chapter 2019-140, Laws of  
1134 Florida, is amended to read:

1135 Section 40. (3) The task force shall submit a report to the  
1136 Governor, the President of the Senate, and the Speaker of the  
1137 House of Representatives and present its findings to the  
1138 appropriate legislative committees in each house of the  
1139 Legislature by January 31, 2021 ~~within 180 days after the~~  
1140 ~~initial meeting of the task force~~. The report must include:

1141 (a) A general description of the costs and benefits of  
1142 state and local government agencies using blockchain technology.

1143 (b) Recommendations concerning the feasibility of  
1144 implementing blockchain technology in the state and the best  
1145 approach to finance the cost of implementation.

1146 (c) Recommendations for specific implementations to be  
1147 developed by relevant state agencies.

1148 (d) Any draft legislation the task force deems appropriate  
1149 to implement such blockchain technologies.

1150 (e) Identification of one pilot project that may be  
1151 implemented in the state.

1152 (f) Any other information deemed relevant by the task  
1153 force.

1154 Section 25. Except as otherwise expressly provided in this  
1155 act and except for this section, which shall take effect upon  
1156 this act becoming a law, this act shall take effect July 1,  
1157 2020.