

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

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1 Committee/Subcommittee hearing bill: Commerce Committee  
 2 Representative Fetterhoff offered the following:

**Amendment (with title amendment)**

Remove lines 534-907 and insert:

Section 14. Effective January 1, 2022, subsection (3) and paragraph (i) of subsection (7) of section 626.2815, Florida Statutes, are amended to read:

626.2815 Continuing education requirements.—

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

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17 ethics for insurance professionals, disciplinary trends and case  
18 studies, industry trends, premium discounts, determining  
19 suitability of products and services, and other similar  
20 insurance-related topics the department determines are relevant  
21 to legally and ethically carrying out the responsibilities of  
22 the license granted. A licensee who holds multiple insurance  
23 licenses must complete an update course that is specific to at  
24 least one of the licenses held. Except as otherwise specified,  
25 any remaining required hours of continuing education are  
26 elective and may consist of any continuing education course  
27 approved by the department under this section.

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

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

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

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

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

44 (e) An individual subject to chapter 648 must complete the  
45 4-hour ~~5-hour~~ update course and a minimum of 10 ~~9~~ hours of  
46 elective continuing education courses every 2 years.

47 (f) Elective continuing education courses for public  
48 adjusters must be specifically designed for public adjusters and  
49 approved by the department. Notwithstanding this subsection,  
50 public adjusters for workers' compensation insurance or health  
51 insurance are not required to take continuing education courses  
52 pursuant to this section.

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

55 (h) An individual teaching an approved course of  
56 instruction or lecturing at any approved seminar and attending  
57 the entire course or seminar qualifies for the same number of  
58 classroom hours as would be granted to a person taking and  
59 successfully completing such course or seminar. Credit is  
60 limited to the number of hours actually taught unless a person  
61 attends the entire course or seminar. An individual who is an  
62 official of or employed by a governmental entity in this state  
63 and serves as a professor, instructor, or in another position or  
64 office, the duties and responsibilities of which are determined  
65 by the department to require monitoring and review of insurance

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66 laws or insurance regulations and practices, is exempt from this  
67 section.

68 (i) For compliance periods beginning on or after October  
69 1, 2014, any person who holds a license as a title insurance  
70 agent must complete a minimum of 10 hours of continuing  
71 education credit every 2 years in title insurance and escrow  
72 management specific to this state and approved by the  
73 department, which must ~~shall~~ include at least 3 hours of  
74 continuing education on the subject matter of ethics, rules, or  
75 compliance with state and federal regulations relating  
76 specifically to title insurance and closing services.

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

81 (7) The following courses may be completed in order to  
82 meet the elective continuing education course requirements:

83 (i) Any part of the Claims and Litigation Management  
84 Alliance (CLM) Universal Claims Certification (UCC) professional  
85 designation: 20 ~~19~~ hours of elective continuing education and 4  
86 ~~5~~ hours of the continuing education required under subsection  
87 (3).

88 Section 15. Subsections (1) and (2) of section 626.371,  
89 Florida Statutes, are amended to read:

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90 626.371 Payment of fees, taxes for appointment period  
91 without appointment.—

92 (1) All initial and renewal appointments shall be  
93 submitted to the department on a monthly basis no later than 45  
94 days after the date of appointment and become effective on the  
95 date requested on the appointment form.

96 (2) (a) If, upon application and qualification for an  
97 initial or renewal appointment and such investigation as the  
98 department may make, ~~it appears to the department~~ determines  
99 that an individual has not been properly appointed to represent  
100 an insurer or employer, that such individual ~~who~~ was formerly  
101 licensed or is currently licensed, ~~but not properly appointed to~~  
102 ~~represent an insurer or employer~~ and that such individual ~~who~~  
103 has been actively engaged or is currently actively engaged as  
104 such an appointee, ~~but without being appointed as required,~~ the  
105 department shall ~~may~~, if it finds that such failure to be  
106 appointed was an inadvertent error on the part of the insurer or  
107 employer so represented, notify the insurer or employer of its  
108 finding and of the requirement to pay all fees and taxes due  
109 pursuant to paragraph (b) within 21 days.

110 (b) The department may ~~nevertheless~~ issue or authorize the  
111 issuance of the appointment upon the insurer's or employer's  
112 timely payment to the department of as applied for but subject  
113 ~~to the condition that, before the appointment is issued,~~ all  
114 fees and taxes that ~~which~~ would have been due had the applicant

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115 | been properly ~~se~~ appointed during such current and prior  
116 | periods, including with applicable fees and taxes that would  
117 | have been due pursuant to s. 624.501 for such current and prior  
118 | periods of appointment, ~~shall be paid to the department.~~

119 | (c) Upon proper appointment of the individual and payment  
120 | of all fees and taxes due pursuant to paragraph (b), paragraph  
121 | (3) (a), and s. 624.501 by the insurer or employer, the  
122 | department may no longer consider the inadvertent failure to  
123 | appoint to be a violation of this code.

124 | (d) If the insurer or employer does not pay the fees and  
125 | taxes due pursuant to paragraph (b) within 21 days after notice  
126 | by the department, the department shall suspend the insurer's or  
127 | employer's authority to appoint licensees until all outstanding  
128 | fees and taxes have been paid.

129 | Section 16. Subsection (3) of section 626.7351, Florida  
130 | Statutes, is amended to read:

131 | 626.7351 Qualifications for customer representative's  
132 | license.—The department shall not grant or issue a license as  
133 | customer representative to any individual found by it to be  
134 | untrustworthy or incompetent, or who does not meet each of the  
135 | following qualifications:

136 | (3) Within 4 years preceding the date that the application  
137 | for license was filed with the department, the applicant has  
138 | earned the designation of Accredited Advisor in Insurance (AAI),  
139 | Associate in General Insurance (AINS), or Accredited Customer

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140 Service Representative (ACSR) from the Insurance Institute of  
141 America; the designation of Certified Insurance Counselor (CIC)  
142 from the Society of Certified Insurance Service Counselors; the  
143 designation of Certified Professional Service Representative  
144 (CPSR) from the National Foundation for CPSR; the designation of  
145 Certified Insurance Service Representative (CISR) from the  
146 Society of Certified Insurance Service Representatives; the  
147 designation of Certified Insurance Representative (CIR) from  
148 All-Lines Training; the designation of Professional Customer  
149 Service Representative (PCSR) from the Professional Career  
150 Institute; the designation of Insurance Customer Service  
151 Representative (ICSR) from Statewide Insurance Associates LLC;  
152 the designation of Registered Customer Service Representative  
153 (RCSR) from a regionally accredited postsecondary institution in  
154 the state whose curriculum is approved by the department and  
155 includes comprehensive analysis of basic property and casualty  
156 lines of insurance and testing which demonstrates mastery of the  
157 subject; or a degree from an accredited institution of higher  
158 learning approved by the department when the degree includes a  
159 minimum of 9 credit hours of insurance instruction, including  
160 specific instruction in the areas of property, casualty, and  
161 inland marine insurance. The department shall adopt rules  
162 establishing standards for the approval of curriculum.

163 Section 17. Subsection (1) of section 626.8443, Florida  
164 Statutes, is amended to read:

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165 626.8443 Duration of suspension or revocation.-

166 (1) The department shall, in its order suspending a title  
167 insurance agent's or agency's license or appointment or in its  
168 order suspending the eligibility of a person to hold or apply  
169 for such license or appointment, specify the period during which  
170 the suspension is to be in effect, but such period may ~~shall~~ not  
171 exceed 2 years ~~1 year~~. The license, ~~or~~ appointment, or  
172 eligibility will ~~shall~~ remain suspended during the period so  
173 specified, subject, however, to any rescission or modification  
174 of the order by the department, or modification or reversal  
175 thereof by the court, prior to expiration of the suspension  
176 period. A license, appointment, or eligibility that ~~which~~ has  
177 been suspended may not be reinstated except upon request for  
178 such reinstatement, but the department may ~~shall~~ not grant such  
179 reinstatement if it finds that the circumstance or circumstances  
180 for which the license, appointment, and eligibility was  
181 suspended still exist or are likely to recur.

182 Section 18. Paragraph (e) of subsection (1) of section  
183 626.916, Florida Statutes, is amended to read:

184 626.916 Eligibility for export.-

185 (1) No insurance coverage shall be eligible for export  
186 unless it meets all of the following conditions:

187 ~~(e) For personal residential property risks, the retail or~~  
188 ~~producing agent must advise the insured in writing that coverage~~  
189 ~~may be available and may be less expensive from Citizens~~



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190 ~~Property Insurance Corporation. The notice must include other~~  
191 ~~information that states that assessments by Citizens Property~~  
192 ~~Insurance Corporation are higher and the coverage provided by~~  
193 ~~Citizens Property Insurance Corporation may be less than the~~  
194 ~~property's existing coverage. If the notice is signed by the~~  
195 ~~insured, it is presumed that the insured has been informed and~~  
196 ~~knows that policies from Citizens Property Insurance Corporation~~  
197 ~~may be less expensive, may provide less coverage, and will be~~  
198 ~~accompanied by higher assessments.~~

199 Section 19. Paragraph (e) is added to subsection (1) of  
200 section 626.9551, Florida Statutes, to read:

201 626.9551 Favored agent or insurer; coercion of debtors.—

202 (1) No person may:

203 (e) Require an insurance agent or agency to directly or  
204 indirectly provide the replacement cost estimator or other  
205 underwriting information of an insurer underwriting an insurance  
206 policy covering real property, as a condition precedent or  
207 condition subsequent to the lending of money or extension of  
208 credit to be secured by real property, when such information is  
209 the proprietary business information of an insurer, as defined  
210 in s. 624.4212(1), nor may an agent or agency provide this  
211 information.

212 Section 20. Subsections (4) through (10) of section  
213 627.715, Florida Statutes, are renumbered as subsections (5)

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214 through (11), respectively, and a new subsection (4) is added to  
215 that section, to read:

216       627.715 Flood insurance.—An authorized insurer may issue  
217 an insurance policy, contract, or endorsement providing personal  
218 lines residential coverage for the peril of flood or excess  
219 coverage for the peril of flood on any structure or the contents  
220 of personal property contained therein, subject to this section.  
221 This section does not apply to commercial lines residential or  
222 commercial lines nonresidential coverage for the peril of flood.  
223 An insurer may issue flood insurance policies, contracts,  
224 endorsements, or excess coverage on a standard, preferred,  
225 customized, flexible, or supplemental basis.

226       (4) An agent may export a contract or an endorsement  
227 providing flood coverage to an eligible surplus lines insurer  
228 without making a diligent effort to seek such coverage from  
229 three or more authorized insurers under s. 626.916(1)(a).

230       Section 21. Subsection (3) of section 633.102, Florida  
231 Statutes, is amended to read:

232       633.102 Definitions.—As used in this chapter, the term:

233       (3) (a) "Contractor I" means a contractor whose business  
234 includes the execution of contracts requiring the ability to lay  
235 out, fabricate, install, inspect, alter, repair, and service all  
236 types of fire protection systems, excluding preengineered  
237 systems.

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238 (b) "Contractor II" means a contractor whose business is  
239 limited to the execution of contracts requiring the ability to  
240 lay out, fabricate, install, inspect, alter, repair, and service  
241 water sprinkler systems, water spray systems, foam-water  
242 sprinkler systems, foam-water spray systems, standpipes,  
243 combination standpipes and sprinkler risers, all piping that is  
244 an integral part of the system beginning at the point of service  
245 as defined in this section, sprinkler tank heaters, air lines,  
246 thermal systems used in connection with sprinklers, and tanks  
247 and pumps connected thereto, excluding preengineered systems.

248 (c) "Contractor III" means a contractor whose business is  
249 limited to the execution of contracts requiring the ability to  
250 fabricate, install, inspect, alter, repair, and service carbon  
251 dioxide systems, foam extinguishing systems, dry chemical  
252 systems, and Halon and other chemical systems, excluding  
253 preengineered systems.

254 (d) "Contractor IV" means a contractor whose business is  
255 limited to the execution of contracts requiring the ability to  
256 lay out, fabricate, install, inspect, alter, repair, and service  
257 automatic fire sprinkler systems for detached one-family  
258 dwellings, detached two-family dwellings, and mobile homes,  
259 excluding preengineered systems and excluding single-family  
260 homes in cluster units, such as apartments, condominiums, and  
261 assisted living facilities or any building that is connected to

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262 other dwellings. A Contractor IV is limited to the scope of  
263 practice specified in NFPA 13D.

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

271  
272 ~~The definitions in~~ This subsection may not be construed to  
273 include engineers or architects within the defined terms and  
274 does ~~de~~ not limit or prohibit a licensed fire protection  
275 engineer or architect with fire protection design experience  
276 from designing any type of fire protection system. A distinction  
277 is made between system design concepts prepared by the design  
278 professional and system layout as defined in this section and  
279 typically prepared by the contractor. However, a person  
280 certified as a Contractor I or, Contractor II, ~~or Contractor IV~~  
281 ~~under this chapter~~ may design new fire protection systems of 49  
282 or fewer sprinklers; ~~and~~ may design the alteration of an  
283 existing fire sprinkler system if the alteration consists of the  
284 relocation, addition, or deletion of ~~not more than 49~~ or fewer  
285 sprinklers, notwithstanding the size of the existing fire  
286 sprinkler system; or may design the alteration of an existing

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287 fire sprinkler system if the alteration consists of the  
288 relocation or deletion of 249 or fewer sprinklers,  
289 notwithstanding the size of the existing fire sprinkler system,  
290 if there is no change of occupancy, as defined in the Florida  
291 Building Code and the Florida Fire Prevention Code, of the  
292 affected areas and there is no change in the water demand as  
293 defined in NFPA 13, "Standard for the Installation of Sprinkler  
294 Systems," and if the occupancy hazard classification as defined  
295 in NFPA 13 is reduced or remains the same as a result of the  
296 alteration. Conflicts between the Florida Building Code and the  
297 Florida Fire Prevention Code shall be resolved pursuant to s.  
298 553.73(1)(d). A person certified as a Contractor I, Contractor  
299 II, or Contractor IV may design or alter a fire protection  
300 system, the scope of which complies with NFPA 13D, "Standard for  
301 the Installation of Sprinkler Systems in One- and Two-Family  
302 Dwellings and Manufactured Homes," as adopted by the State Fire  
303 Marshal, notwithstanding the number of fire sprinklers.  
304 Contractor-developed plans may not be required by any local  
305 permitting authority to be sealed by a registered professional  
306 engineer.

307 Section 22. Section 633.136, Florida Statutes, is amended  
308 to read:

309 633.136 Fire and Emergency Incident Information Reporting  
310 Program; duties; fire reports.-

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311 (1) (a) The Fire and Emergency Incident Information  
312 Reporting Program is created within the division. The program  
313 shall:

314 1. Establish and maintain an electronic communication  
315 system capable of transmitting fire and emergency incident  
316 information to and between fire service providers ~~protection~~  
317 ~~agencies~~.

318 2. Initiate a Fire and Emergency Incident Information  
319 Reporting System that is ~~shall be~~ responsible for:

320 a. Receiving fire and emergency incident information from  
321 fire service providers ~~protection agencies~~.

322 b. Preparing and disseminating annual reports to the  
323 Governor, the President of the Senate, the Speaker of the House  
324 of Representatives, fire service providers ~~protection agencies~~,  
325 and, upon request, the public. Each report must ~~shall~~ include,  
326 but not be limited to, the information listed in the National  
327 Fire Incident Reporting System.

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

330 3. Adopt rules to effectively and efficiently implement,  
331 administer, manage, maintain, and use the Fire and Emergency  
332 Incident Information Reporting Program. The rules shall be  
333 considered minimum requirements and may ~~shall~~ not preclude a  
334 fire service provider ~~protection agency~~ from implementing its

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335 own requirements that ~~which~~ may not conflict with the rules of  
336 the division.

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

340 5. Maintain ~~Establish~~ an electronic information database  
341 that is accessible and searchable by fire service providers  
342 ~~protection agencies~~.

343 (b) The division shall consult with the Florida Forest  
344 Service of the Department of Agriculture and Consumer Services  
345 and the State Surgeon General of the Department of Health to  
346 coordinate data, ensure accuracy of the data, and limit  
347 duplication of efforts in data collection, analysis, and  
348 reporting.

349 (2) The Fire and Emergency Incident Information System  
350 Technical Advisory Panel is created within the division. The  
351 panel shall advise, review, and recommend to the State Fire  
352 Marshal with respect to the requirements of this section. The  
353 membership of the panel consists ~~shall consist~~ of the ~~following~~  
354 15 members:

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

357 ~~(b) One member from the Florida Forest Service of the~~  
358 ~~Department of Agriculture and Consumer Services, appointed by~~  
359 ~~the director of the Florida Forest Service.~~

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

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

366 Section 23. Subsection (18) of section 633.202, Florida  
367 Statutes, is amended to read:

368 633.202 Florida Fire Prevention Code.—

369 (18) The authority having jurisdiction shall determine the  
370 minimum radio signal strength for fire department communications  
371 in all new high-rise and existing high-rise buildings. Existing  
372 buildings are not required to comply with minimum radio strength  
373 for fire department communications and two-way radio system  
374 enhancement communications as required by the Florida Fire  
375 Prevention Code until January 1, 2025 ~~2022~~. However, by January  
376 1, 2024 ~~December 31, 2019~~, an existing building that is not in  
377 compliance with the requirements for minimum radio strength for  
378 fire department communications must apply for an appropriate  
379 permit for the required installation with the local government  
380 agency having jurisdiction and must demonstrate that the  
381 building will become compliant by January 1, 2025 ~~2022~~. Existing  
382 apartment buildings are not required to comply until January 1,  
383 2025. However, existing apartment buildings are required to



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384 apply for the appropriate permit for the required communications  
385 installation by January 1, 2024 ~~December 31, 2022~~.

386 -----

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

388 Remove lines 101-104 and insert:

389 extending a deadline for certain buildings to apply

390 for a specified permit; creating s. 633.217, F.S.;