

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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 WITHDRAWN (Y/N)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

1 Committee/Subcommittee hearing bill: Insurance & Banking
 2 Subcommittee

3 Representative Fetterhoff offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 686-941 and insert:

7 periods, including with applicable fees and taxes that would
 8 have been due pursuant to s. 624.501 for such current and prior
 9 periods of appointment, shall be paid to the department.

10 (c) Upon proper appointment of the individual and payment
 11 of all fees and taxes due pursuant to paragraph (b), paragraph
 12 (3) (a), and s. 624.501 by the insurer or employer, the
 13 department may no longer consider the inadvertent failure to
 14 appoint to be a violation of this code.

15 (d) If the insurer or employer does not pay the fees and
 16 taxes due pursuant to paragraph (b) within 21 days after notice

Amendment No. 2

17 by the department, the department shall suspend the insurer's or
18 employer's authority to appoint licensees until all outstanding
19 fees and taxes have been paid.

20 Section 15. Subsection (1) of section 626.8443, Florida
21 Statutes, is amended to read:

22 626.8443 Duration of suspension or revocation.—

23 (1) The department shall, in its order suspending a title
24 insurance agent's or agency's license or appointment or in its
25 order suspending the eligibility of a person to hold or apply
26 for such license or appointment, specify the period during which
27 the suspension is to be in effect, but such period may ~~shall~~ not
28 exceed 2 years ~~1 year~~. The license, ~~or~~ appointment, or
29 eligibility will ~~shall~~ remain suspended during the period so
30 specified, subject, however, to any rescission or modification
31 of the order by the department, or modification or reversal
32 thereof by the court, prior to expiration of the suspension
33 period. A license, appointment, or eligibility that ~~which~~ has
34 been suspended may not be reinstated except upon request for
35 such reinstatement, but the department may ~~shall~~ not grant such
36 reinstatement if it finds that the circumstance or circumstances
37 for which the license, appointment, and eligibility was
38 suspended still exist or are likely to recur.

39 Section 16. Paragraph (e) of subsection (1) of section
40 626.916, Florida Statutes, is amended to read:

41 626.916 Eligibility for export.—

747305 - h1209-line 686.docx

Published On: 3/16/2021 12:36:05 PM

Amendment No. 2

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

44 ~~(c) For personal residential property risks, the~~
45 ~~retail or producing agent must advise the insured in writing~~
46 ~~that coverage may be available and may be less expensive from~~
47 ~~Citizens Property Insurance Corporation. The notice must include~~
48 ~~other information that states that assessments by Citizens~~
49 ~~Property Insurance Corporation are higher and the coverage~~
50 ~~provided by Citizens Property Insurance Corporation may be less~~
51 ~~than the property's existing coverage. If the notice is signed~~
52 ~~by the insured, it is presumed that the insured has been~~
53 ~~informed and knows that policies from Citizens Property~~
54 ~~Insurance Corporation may be less expensive, may provide less~~
55 ~~coverage, and will be accompanied by higher assessments.~~

56 Section 17. Paragraph (e) is added to subsection (1) of
57 section 626.9551, Florida Statutes, to read:

58 626.9551 Favored agent or insurer; coercion of debtors.—

59 (1) No person may:

60 (e) Require an insurance agent or agency to directly or
61 indirectly provide the replacement cost estimator or other
62 underwriting information of an insurer underwriting an insurance
63 policy covering real property, as a condition precedent or
64 condition subsequent to the lending of money or extension of
65 credit to be secured by real property, when such information is
66 the proprietary business information of an insurer, as defined

Amendment No. 2

67 in s. 624.4212(1), nor may an agent or agency provide this
68 information.

69 Section 18. Subsections (4) through (10) of section
70 627.715, Florida Statutes, are redesignated as subsections (5)
71 through (11), respectively, and a new subsection (4) is added to
72 that section, to read:

73 627.715 Flood insurance.—An authorized insurer may issue
74 an insurance policy, contract, or endorsement providing personal
75 lines residential coverage for the peril of flood or excess
76 coverage for the peril of flood on any structure or the contents
77 of personal property contained therein, subject to this section.
78 This section does not apply to commercial lines residential or
79 commercial lines nonresidential coverage for the peril of flood.
80 An insurer may issue flood insurance policies, contracts,
81 endorsements, or excess coverage on a standard, preferred,
82 customized, flexible, or supplemental basis.

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

87 Section 19. Subsection (3) of section 633.102, Florida
88 Statutes, is amended to read:

89 633.102 Definitions.—As used in this chapter, the term:

90 (3) (a) "Contractor I" means a contractor whose business
91 includes the execution of contracts requiring the ability to lay

Amendment No. 2

92 out, fabricate, install, inspect, alter, repair, and service all
93 types of fire protection systems, excluding preengineered
94 systems.

95 (b) "Contractor II" means a contractor whose business is
96 limited to the execution of contracts requiring the ability to
97 lay out, fabricate, install, inspect, alter, repair, and service
98 water sprinkler systems, water spray systems, foam-water
99 sprinkler systems, foam-water spray systems, standpipes,
100 combination standpipes and sprinkler risers, all piping that is
101 an integral part of the system beginning at the point of service
102 as defined in this section, sprinkler tank heaters, air lines,
103 thermal systems used in connection with sprinklers, and tanks
104 and pumps connected thereto, excluding preengineered systems.

105 (c) "Contractor III" means a contractor whose business is
106 limited to the execution of contracts requiring the ability to
107 fabricate, install, inspect, alter, repair, and service carbon
108 dioxide systems, foam extinguishing systems, dry chemical
109 systems, and Halon and other chemical systems, excluding
110 preengineered systems.

111 (d) "Contractor IV" means a contractor whose business is
112 limited to the execution of contracts requiring the ability to
113 lay out, fabricate, install, inspect, alter, repair, and service
114 automatic fire sprinkler systems for detached one-family
115 dwellings, detached two-family dwellings, and mobile homes,
116 excluding preengineered systems and excluding single-family

Amendment No. 2

117 homes in cluster units, such as apartments, condominiums, and
118 assisted living facilities or any building that is connected to
119 other dwellings. A Contractor IV is limited to the scope of
120 practice specified in NFPA 13D.

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

128
129 ~~The definitions in~~ This subsection may not be construed to
130 include engineers or architects within the defined terms and
131 does ~~de~~ not limit or prohibit a licensed fire protection
132 engineer or architect with fire protection design experience
133 from designing any type of fire protection system. A distinction
134 is made between system design concepts prepared by the design
135 professional and system layout as defined in this section and
136 typically prepared by the contractor. However, a person
137 certified as a Contractor I or, Contractor II, ~~or Contractor IV~~
138 ~~under this chapter~~ may design new fire protection systems of 49
139 or fewer sprinklers; ~~and~~ may design the alteration of an
140 existing fire sprinkler system if the alteration consists of the
141 relocation, addition, or deletion of ~~not more than~~ 49 or fewer

747305 - h1209-line 686.docx

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Amendment No. 2

142 | sprinklers, notwithstanding the size of the existing fire
143 | sprinkler system; or may design the alteration of an existing
144 | fire sprinkler system if the alteration consists of the
145 | relocation or deletion of 249 or fewer sprinklers,
146 | notwithstanding the size of the existing fire sprinkler system,
147 | if there is no change of occupancy, as defined in the Florida
148 | Building Code and the Florida Fire Prevention Code, of the
149 | affected areas and there is no change in the water demand as
150 | defined in NFPA 13, "Standard for the Installation of Sprinkler
151 | Systems," and if the occupancy hazard classification as defined
152 | in NFPA 13 is reduced or remains the same as a result of the
153 | alteration. Conflicts between the Florida Building Code and the
154 | Florida Fire Prevention Code shall be resolved pursuant to s.
155 | 553.73(1)(d). A person certified as a Contractor I, Contractor
156 | II, or Contractor IV may design or alter a fire protection
157 | system, the scope of which complies with NFPA 13D, "Standard for
158 | the Installation of Sprinkler Systems in One- and Two-Family
159 | Dwellings and Manufactured Homes," as adopted by the State Fire
160 | Marshal, notwithstanding the number of fire sprinklers.
161 | Contractor-developed plans may not be required by any local
162 | permitting authority to be sealed by a registered professional
163 | engineer.

164 | Section 20. Section 633.136, Florida Statutes, is amended
165 | to read:

Amendment No. 2

166 633.136 Fire and Emergency Incident Information Reporting
167 Program; duties; fire reports.—

168 (1) (a) The Fire and Emergency Incident Information
169 Reporting Program is created within the division. The program
170 shall:

171 1. Establish and maintain an electronic communication
172 system capable of transmitting fire and emergency incident
173 information to and between fire service providers ~~protection~~
174 ~~agencies~~.

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

177 a. Receiving fire and emergency incident information from
178 fire service providers ~~protection agencies~~.

179 b. Preparing and disseminating annual reports to the
180 Governor, the President of the Senate, the Speaker of the House
181 of Representatives, fire service providers ~~protection agencies~~,
182 and, upon request, the public. Each report must ~~shall~~ include,
183 but not be limited to, the information listed in the National
184 Fire Incident Reporting System.

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

187 3. Adopt rules to effectively and efficiently implement,
188 administer, manage, maintain, and use the Fire and Emergency
189 Incident Information Reporting Program. The rules shall be
190 considered minimum requirements and may ~~shall~~ not preclude a

747305 - h1209-line 686.docx

Published On: 3/16/2021 12:36:05 PM

Amendment No. 2

191 fire service provider ~~protection agency~~ from implementing its
192 own requirements that ~~which~~ may not conflict with the rules of
193 the division.

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

197 5. ~~Maintain~~ Establish an electronic information database
198 that is accessible and searchable by fire service providers
199 ~~protection agencies~~.

200 (b) The division shall consult with the Florida Forest
201 Service of the Department of Agriculture and Consumer Services
202 and the State Surgeon General of the Department of Health to
203 coordinate data, ensure accuracy of the data, and limit
204 duplication of efforts in data collection, analysis, and
205 reporting.

206 (2) The Fire and Emergency Incident Information System
207 Technical Advisory Panel is created within the division. The
208 panel shall advise, review, and recommend to the State Fire
209 Marshal with respect to the requirements of this section. The
210 membership of the panel consists ~~shall consist~~ of the following
211 15 members:

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

Amendment No. 2

214 ~~(b) One member from the Florida Forest Service of the~~
215 ~~Department of Agriculture and Consumer Services, appointed by~~
216 ~~the director of the Florida Forest Service.~~

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

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

223 Section 21. Subsection (18) of section 633.202, Florida
224 Statutes, is amended to read:

225 633.202 Florida Fire Prevention Code.—

226 (18) The authority having jurisdiction shall determine the
227 minimum radio signal strength for fire department communications
228 in all new high-rise and existing high-rise buildings. Existing
229 buildings are not required to comply with minimum radio strength
230 for fire department communications and two-way radio system
231 enhancement communications as required by the Florida Fire
232 Prevention Code until January 1, 2023 ~~2022~~. However, by January
233 1, 2022 ~~December 31, 2019~~, an existing building that is not in
234 compliance with the requirements for minimum radio strength for
235 fire department communications must have completed a minimum
236 radio strength assessment ~~apply for an appropriate permit~~ for
237 the required installation with the local government agency
238 having jurisdiction and must demonstrate that the building will

Amendment No. 2

239 become compliant by January 1, ~~2023~~ 2022. Existing apartment
240 buildings are not required to comply until January 1, 2025.
241 However, existing apartment buildings must have completed a
242 minimum radio strength assessment ~~are required to apply for the~~
243 ~~appropriate permit~~ for the required communications installation
244 by December 31, 2022.

245 Section 22. Section 633.217, Florida Statutes, is created
246 to read:

247 633.217 Influencing a firesafety inspector; prohibited
248 acts.—

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

250 (a) Threatening, coercing, tricking, or attempting to
251 threaten, coerce, or trick the firesafety inspector into
252 violating any provision of the Florida Fire Prevention Code, any
253 rule adopted by the State Fire Marshal, or any provision of this
254 chapter.

255 (b) Offering any compensation to the firesafety inspector
256 to induce a violation of the Florida Fire Prevention Code, any
257 rule adopted by the State Fire Marshal, or any provision of this
258 chapter.

259 (2) A firesafety inspector may not knowingly and
260 intentionally request, solicit, accept, or agree to accept
261 compensation offered as described in paragraph (1) (b).

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Amendment No. 2

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

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Remove lines 118-120 and insert:
inspector from knowingly and intentionally requesting,
soliciting, accepting, or agreeing to accept
compensation offered to induce a violation of certain
laws; amending s. 633.402, F.S.; revising the