

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

26 Board of Funeral, Cemetery, and Consumer Services  
27 within the Department of Financial Services;  
28 authorizing use of communications media technology for  
29 board member participation and determination of a  
30 quorum of the board; defining the term "communications  
31 media technology"; deleting a requirement for the  
32 department to adopt certain rules; making technical  
33 changes; creating s. 497.1411, F.S.; defining terms;  
34 providing for permanent disqualification of applicants  
35 for licensure under ch. 497, F.S., for certain  
36 offenses; providing for disqualifying periods for  
37 applicants for certain offenses; requiring the board  
38 to adopt rules; providing for calculation of  
39 disqualifying periods; providing conditions for  
40 licensure after completion of a disqualifying period;  
41 specifying the effect of a pardon or restoration of  
42 civil rights; providing for exemptions from  
43 disqualification if certain conditions are met;  
44 requiring an applicant for an exemption to provide  
45 certain evidence that he or she will not present a  
46 danger if licensed; granting the board the discretion  
47 to approve or deny an exemption; providing  
48 applicability; providing construction; amending s.  
49 497.142, F.S.; revising criminal history disclosure  
50 requirements for applicants seeking licensure under

51 ch. 497, F.S.; amending s. 497.157, F.S.; prohibiting  
52 persons from acting as or advertising themselves as  
53 being funeral directors, embalmers, direct disposers,  
54 or preneed sales agents unless they are so licensed;  
55 prohibiting persons from engaging in certain  
56 activities requiring licensure without holding  
57 required licenses; revising the criminal penalty for  
58 unlicensed activity; making technical changes;  
59 amending s. 497.159, F.S.; conforming a provision to  
60 changes made by the act; amending s. 552.081, F.S.;  
61 revising the definition of the term "two-component  
62 explosives" for the purpose of regulation by the  
63 Division of State Fire Marshal; amending s. 553.7921,  
64 F.S.; authorizing a contractor repairing certain  
65 existing fire alarm systems to begin work after filing  
66 an application for a required permit but before  
67 receiving the permit; providing construction; amending  
68 s. 626.2815, F.S.; revising continuing education  
69 requirements for certain persons licensed to solicit,  
70 sell, or adjust insurance; amending s. 626.371, F.S.;  
71 requiring submission of renewal appointments of  
72 certain insurance representatives within a certain  
73 timeframe; requiring the department to notify certain  
74 insurers or employers regarding inadvertent failures  
75 to appoint; requiring insurers and employers to pay

76 | certain fees and taxes within a certain timeframe;  
77 | authorizing the department to issue appointments under  
78 | certain circumstances; prohibiting the department from  
79 | considering inadvertent failures to appoint to be  
80 | violations under certain circumstances; requiring the  
81 | department to suspend an insurer's or employer's  
82 | authority to appoint licensees under certain  
83 | circumstances; amending s. 626.8443, F.S.; increasing  
84 | the maximum period of suspension of a title insurance  
85 | agent's or agency's license; making technical changes;  
86 | amending s. 626.916, F.S.; deleting a requirement for  
87 | agents to advise insureds that certain coverage may be  
88 | available for personal residential property risks to  
89 | be eligible for export under the Surplus Lines Law;  
90 | amending s. 626.9551, F.S.; prohibiting requirements  
91 | for the provision of replacement cost estimators or  
92 | certain other proprietary business information under  
93 | certain circumstances; amending s. 627.715, F.S.;  
94 | providing an exemption from a diligent effort  
95 | requirement for surplus lines agents exporting  
96 | contracts or endorsements providing flood coverage;  
97 | amending s. 633.102, F.S.; revising the authority of  
98 | certain fire protection system contractors to design  
99 | or alter certain fire protection systems; providing  
100 | for resolution of conflicts between the Florida

101 Building Code and the Florida Fire Prevention Code;  
102 amending s. 633.136, F.S.; replacing fire protection  
103 agencies in the Fire and Emergency Incident  
104 Information Reporting Program with fire service  
105 providers; revising the composition of the Fire and  
106 Emergency Incident Information System Technical  
107 Advisory Panel; defining the term "fire service  
108 provider"; amending s. 633.202, F.S.; extending a  
109 deadline for certain buildings to comply with a  
110 minimum radio signal strength requirement under the  
111 Florida Fire Prevention Code; requiring such buildings  
112 to meet certain conditions by a specified date;  
113 revising a condition that existing apartment buildings  
114 must meet by a specified date; making technical  
115 changes; creating s. 633.217, F.S.; prohibiting  
116 certain acts to influence a firesafety inspector to  
117 violate certain laws; prohibiting a firesafety  
118 inspector from knowingly and willfully accepting an  
119 attempt to influence him or her to violate certain  
120 laws; amending s. 633.402, F.S.; revising the  
121 composition of the Firefighters Employment, Standards,  
122 and Training Council; amending s. 633.416, F.S.;

123 providing that certain persons serving as volunteer  
124 firefighters may serve as a regular or permanent  
125 firefighter for a limited period, subject to certain

126 restrictions; amending s. 648.30, F.S.; prohibiting  
127 the aiding or abetting of unlicensed activity of a  
128 bail bond agent or temporary bail bond agent;  
129 providing criminal penalties; amending s. 843.08,  
130 F.S.; prohibiting false personation of personnel or  
131 representatives of the Division of Investigative and  
132 Forensic Services; amending s. 943.045, F.S.; revising  
133 the definition of the term "criminal justice agency"  
134 to include the investigations component of the  
135 department which investigates certain crimes;  
136 reenacting s. 497.141(5) (a), F.S., relating to  
137 licensing and general application procedures, to  
138 incorporate the amendment made to s. 497.142, F.S., in  
139 a reference thereto; providing effective dates.

140  
141 Be It Enacted by the Legislature of the State of Florida:

142  
143 Section 1. Paragraph (f) of subsection (2) of section  
144 20.121, Florida Statutes, is amended to read:

145 20.121 Department of Financial Services.—There is created  
146 a Department of Financial Services.

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

149 (f) The Division of Public Assistance Fraud, which shall  
150 function as a criminal justice agency for purposes of ss.

151 943.045-943.08. The division shall conduct investigations  
152 pursuant to s. 414.411 within or outside of this state as it  
153 deems necessary. If, during an investigation, the division has  
154 reason to believe that any criminal law of this state has or may  
155 have been violated, it shall refer any records supporting such  
156 violation to state or federal law enforcement or prosecutorial  
157 agencies and shall provide investigative assistance to those  
158 agencies as required.

159 Section 2. Section 284.30, Florida Statutes, is amended to  
160 read:

161 284.30 State Risk Management Trust Fund; coverages to be  
162 provided.—A state self-insurance fund, designated as the "State  
163 Risk Management Trust Fund," is created to be set up by the  
164 Department of Financial Services and administered with a program  
165 of risk management, which fund is to provide insurance, as  
166 authorized by s. 284.33, for workers' compensation, general  
167 liability, fleet automotive liability, federal civil rights  
168 actions under 42 U.S.C. s. 1983 or similar federal statutes,  
169 benefits payable under s. 112.1816(2), and court-awarded  
170 attorney ~~attorney's~~ fees in other proceedings against the state  
171 except for such awards in eminent domain or for inverse  
172 condemnation or for awards by the Public Employees Relations  
173 Commission. A party to a suit in any court, to be entitled to  
174 have his or her attorney ~~attorney's~~ fees paid by the state or  
175 any of its agencies, must serve a copy of the pleading claiming

176 the fees on the Department of Financial Services; and thereafter  
177 the department shall be entitled to participate with the agency  
178 in the defense of the suit and any appeal thereof with respect  
179 to such fees.

180 Section 3. Section 284.31, Florida Statutes, is amended to  
181 read:

182 284.31 Scope and types of coverages; separate accounts.—  
183 The Insurance Risk Management Trust Fund must ~~shall~~, unless  
184 specifically excluded by the Department of Financial Services,  
185 cover all departments of the State of Florida and their  
186 employees, agents, and volunteers and must ~~shall~~ provide  
187 separate accounts for workers' compensation, general liability,  
188 fleet automotive liability, federal civil rights actions under  
189 42 U.S.C. s. 1983 or similar federal statutes, benefits payable  
190 under s. 112.1816(2), and court-awarded attorney ~~attorney's~~ fees  
191 in other proceedings against the state except for such awards in  
192 eminent domain or for inverse condemnation or for awards by the  
193 Public Employees Relations Commission. Unless specifically  
194 excluded by the Department of Financial Services, the Insurance  
195 Risk Management Trust Fund must ~~shall~~ provide fleet automotive  
196 liability coverage to motor vehicles titled to the state, or to  
197 any department of the state, when such motor vehicles are used  
198 by community transportation coordinators performing, under  
199 contract to the appropriate department of the state, services  
200 for the transportation disadvantaged under part I of chapter



201 427. Such fleet automotive liability coverage is ~~shall be~~  
202 primary and is ~~shall be~~ subject to the provisions of s. 768.28  
203 and parts II and III of chapter 284, and applicable rules  
204 adopted thereunder, and the terms and conditions of the  
205 certificate of coverage issued by the Department of Financial  
206 Services.

207 Section 4. Section 284.385, Florida Statutes, is amended  
208 to read:

209 284.385 Reporting and handling of claims.—

210 (1) All departments covered by the State Risk Management  
211 Trust Fund under this part shall immediately report all known or  
212 potential claims to the Department of Financial Services for  
213 handling, except employment complaints that ~~which~~ have not been  
214 filed with the Florida Human Relations Commission, Equal  
215 Employment Opportunity Commission, or any similar agency. When  
216 deemed necessary, the Department of Financial Services shall  
217 assign or reassign the claim to counsel. The assigned counsel  
218 shall report regularly to the Department of Financial Services  
219 or to the covered department on the status of any such claims or  
220 litigation as required by the Department of Financial Services.  
221 ~~No~~ Such claims may not claim shall be compromised or settled for  
222 monetary compensation without the prior approval of the  
223 Department of Financial Services and prior notification to the  
224 covered department. All departments shall cooperate with the  
225 Department of Financial Services in its handling of claims. The

226 Department of Financial Services and the Department of  
 227 Management Services, with the cooperation of the state attorneys  
 228 and the clerks of the courts, shall develop a system to  
 229 coordinate the exchange of information concerning claims for and  
 230 against the state, its agencies, and its subdivisions, to assist  
 231 in collection of amounts due to them. The covered department is  
 232 responsible ~~shall have the responsibility~~ for the settlement of  
 233 any claim for injunctive or affirmative relief under 42 U.S.C.  
 234 s. 1983 or similar federal or state statutes. The payment of a  
 235 settlement or judgment for any claim covered and reported under  
 236 this part may ~~shall~~ be made only from the State Risk Management  
 237 Trust Fund.

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

243 Section 5. Section 284.45, Florida Statutes, is created to  
 244 read:

245 284.45 Sexual harassment victims.—

246 (1) An individual working for an entity covered by the  
 247 State Risk Management Trust Fund may not engage in retaliatory  
 248 conduct of any kind against a sexual harassment victim. As used  
 249 in this section, the term "sexual harassment victim" means an  
 250 individual employed, or being considered for employment, with an

251 entity participating in the State Risk Management Trust Fund who  
252 becomes a victim of workplace sexual harassment through the  
253 course of employment, or while being considered for employment,  
254 with the entity.

255 (2) The willful and knowing dissemination of personal  
256 identifying information of a sexual harassment victim, which is  
257 confidential and exempt pursuant to s. 119.071(2)(n), to any  
258 party other than a governmental entity in furtherance of its  
259 official duties or pursuant to a court order is a misdemeanor of  
260 the first degree, punishable as provided in s. 775.082. For  
261 purposes of this subsection, the term "personal identifying  
262 information" includes the name of the sexual harassment victim  
263 and his or her:

264 (a) Home address;

265 (b) Home phone number;

266 (c) Cellular phone number;

267 (d) E-mail address;

268 (e) Social media account username or uniform resource  
269 locator (URL); or

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

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

274 497.101 Board of Funeral, Cemetery, and Consumer Services;  
275 membership; appointment; terms.—

276 (1) The Board of Funeral, Cemetery, and Consumer Services  
 277 is created within the Department of Financial Services and shall  
 278 consist of 10 members, 9 of whom shall be appointed by the  
 279 Governor from nominations made by the Chief Financial Officer  
 280 and confirmed by the Senate. The Chief Financial Officer shall  
 281 nominate one to three persons for each of the nine vacancies on  
 282 the board, and the Governor shall fill each vacancy on the board  
 283 by appointing one of the ~~three~~ persons nominated by the Chief  
 284 Financial Officer to fill that vacancy. If the Governor objects  
 285 to each of the ~~three~~ nominations for a vacancy, she or he shall  
 286 inform the Chief Financial Officer in writing. Upon notification  
 287 of an objection by the Governor, the Chief Financial Officer  
 288 shall submit one to three additional nominations for that  
 289 vacancy until the vacancy is filled. One member must be the  
 290 State Health Officer or her or his designee.

291 (2) Two members of the board must ~~shall~~ be funeral  
 292 directors licensed under part III of this chapter who are  
 293 associated with a funeral establishment. One member of the board  
 294 must ~~shall~~ be a funeral director licensed under part III of this  
 295 chapter who is associated with a funeral establishment licensed  
 296 under part III of this chapter which ~~that~~ has a valid preneed  
 297 license issued pursuant to this chapter and who owns or operates  
 298 a cinerator facility approved under chapter 403 and licensed  
 299 under part VI of this chapter. Two members of the board must  
 300 ~~shall~~ be persons whose primary occupation is associated with a

301 cemetery company licensed pursuant to this chapter. Two ~~Three~~  
302 members of the board must ~~shall~~ be consumers who are residents  
303 of this ~~the~~ state, have never been licensed as funeral directors  
304 or embalmers, are not connected with a cemetery or cemetery  
305 company licensed pursuant to this chapter, and are not connected  
306 with the death care industry or the practice of embalming,  
307 funeral directing, or direct disposition. One of the two  
308 consumer members must ~~shall~~ be at least 60 years of age, ~~and one~~  
309 ~~shall be licensed as a certified public accountant under chapter~~  
310 473. One member of the board must be a consumer who is a  
311 resident of this state; is licensed as a certified public  
312 accountant under chapter 473; has never been licensed as a  
313 funeral director or an embalmer; is not a principal or an  
314 employee of any licensee licensed under this chapter; and does  
315 not otherwise have control, as defined in s. 497.005, over any  
316 licensee licensed under this chapter. One member of the board  
317 must ~~shall~~ be a principal of a monument establishment licensed  
318 under this chapter as a monument builder. One member must ~~shall~~  
319 be the State Health Officer or her or his designee. There may  
320 ~~shall~~ not be two or more board members who are principals or  
321 employees of the same company or partnership or group of  
322 companies or partnerships under common control.

323 (3) Board members shall be appointed for terms of 4 years,  
324 and the State Health Officer shall serve as long as that person  
325 holds that office. The designee of the State Health Officer

326 shall serve at the pleasure of the Governor. ~~When the terms of~~  
327 ~~the initial board members expire, the Chief Financial Officer~~  
328 ~~shall stagger the terms of the successor members as follows: one~~  
329 ~~funeral director, one cemetery representative, the monument~~  
330 ~~builder, and one consumer member shall be appointed for terms of~~  
331 ~~2 years, and the remaining members shall be appointed for terms~~  
332 ~~of 4 years. All subsequent terms shall be for 4 years.~~

333 (6) The board shall maintain its headquarters and records  
334 ~~of the board shall be~~ in the Division of Funeral, Cemetery, and  
335 Consumer Services of the Department of Financial Services in the  
336 City of Tallahassee. The board may be contacted through the  
337 Division of Funeral, Cemetery, and Consumer Services of the  
338 Department of Financial Services in the City of Tallahassee. The  
339 Chief Financial Officer shall annually appoint from among the  
340 board members a chair and vice chair of the board. The board  
341 shall meet at least every 6 months, and more often as necessary.  
342 Special meetings of the board shall be convened upon the  
343 direction of the Chief Financial Officer. A quorum is necessary  
344 for the conduct of business by the board. The participation by a  
345 board member in a meeting conducted through communications media  
346 technology constitutes that individual's presence at such  
347 meeting. Board members appearing at a board meeting in person as  
348 well as board members appearing through the use of  
349 communications media technology shall be counted for the  
350 determination of a quorum. As used in this subsection,

351 "communications media technology" means the electronic  
352 transmission of printed matter, audio, full-motion video,  
353 freeze-frame video, compressed video, and digital video by any  
354 method available. Unless otherwise provided by law, a majority  
355 of the board members eligible to vote constitutes a quorum for  
356 the purpose of conducting its business ~~six board members shall~~  
357 ~~constitute a quorum for the conduct of the board's business.~~

358 ~~(8) The department shall adopt rules establishing forms by~~  
359 ~~which persons may apply for membership on the board and~~  
360 ~~procedures for applying for such membership. Such forms shall~~  
361 ~~require disclosure of the existence and nature of all current~~  
362 ~~and past employments by or contracts with, and direct or~~  
363 ~~indirect affiliations or interests in, any entity or business~~  
364 ~~that at any time was licensed by the board or by the former~~  
365 ~~Board of Funeral and Cemetery Services or the former Board of~~  
366 ~~Funeral Directors and Embalmers or that is or was otherwise~~  
367 ~~involved in the death care industry, as specified by department~~  
368 ~~rule.~~

369 Section 7. Section 497.1411, Florida Statutes, is created  
370 to read:

371 497.1411 Disqualification of applicants and licensees;  
372 penalties against licensees; rulemaking.—

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

374 (a) "Applicant" means an individual applying for licensure  
375 or relicensure under this chapter, or an officer, a director, a

376 majority owner, a partner, a manager, or another person who  
377 manages or controls an entity applying for licensure or  
378 relicensure under this chapter.

379 (b) "Felony of the first degree" or "capital felony"  
380 includes all felonies designated as such in this state at the  
381 time of the commission of the offense, as well as any offense in  
382 another jurisdiction which is substantially similar to an  
383 offense so designated in this state.

384 (c) "Financial services business" means any financial  
385 activity regulated by the department, the Office of Insurance  
386 Regulation, or the Office of Financial Regulation.

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

391 (a) A felony of the first degree.

392 (b) A capital felony.

393 (c) A felony money laundering offense.

394 (d) A felony embezzlement.

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

398 (a) A 10-year disqualifying period for all felonies  
399 involving moral turpitude which are not specifically included in  
400 the permanent bar from licensure contained in subsection (2).



401        (b) A 5-year disqualifying period for all felonies to  
402 which neither the permanent bar from licensure in subsection (2)  
403 nor the 10-year disqualifying period in paragraph (a) applies.

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

406        (4) The board shall adopt rules to administer this  
407 section. The rules must provide for additional disqualifying  
408 periods due to the commitment of multiple crimes and may include  
409 other factors reasonably related to the applicant's criminal  
410 history. The rules must provide for mitigating and aggravating  
411 factors. However, mitigation may not result in a period of  
412 disqualification of less than 5 years and may not mitigate the  
413 disqualifying periods in paragraphs (3) (b) and (c).

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

420        (6) After the disqualifying period has expired, the burden  
421 is on the applicant to demonstrate that he or she has been  
422 rehabilitated, does not pose a risk to the public, is fit and  
423 trustworthy to engage in business regulated by this chapter, and  
424 is otherwise qualified for licensure.

425        (7) Notwithstanding subsections (2) and (3), an applicant

426 who has been found guilty of, or has pleaded guilty or nolo  
427 contendere to, a crime in subsection (2) or subsection (3) and  
428 who has subsequently been granted a pardon or the restoration of  
429 civil rights pursuant to chapter 940 and s. 8, Art. IV of the  
430 State Constitution, or a pardon or the restoration of civil  
431 rights under the laws of another jurisdiction with respect to a  
432 conviction in that jurisdiction, is not barred or disqualified  
433 from licensure under this chapter. However, such a pardon or  
434 restoration of civil rights does not require the department to  
435 award such license.

436 (8) (a) The board may grant an exemption from  
437 disqualification to any person disqualified from licensure under  
438 subsection (3) if:

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

443 2. At least 5 years have elapsed since the applicant  
444 completed or has been lawfully released from confinement,  
445 supervision, or a nonmonetary condition imposed by the court for  
446 a disqualifying offense.

447 (b) For the board to grant an exemption under this  
448 subsection, the applicant must clearly and convincingly  
449 demonstrate that he or she would not pose a risk to persons or  
450 property if licensed under this chapter, evidence of which must

451 include, but need not be limited to, facts and circumstances  
452 surrounding the disqualifying offense, the time that has elapsed  
453 since the offense, the nature of the offense and harm caused to  
454 the victim, the applicant's history before and after the  
455 offense, and any other evidence or circumstances indicating that  
456 the applicant will not present a danger if licensed or  
457 certified.

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

461 (9) The disqualification periods provided in this section  
462 do not apply to the renewal of a license or to a new application  
463 for licensure if the applicant has an active license as of July  
464 1, 2021, and the applicable criminal history was considered by  
465 the board on the prior approval of any active license held by  
466 the applicant. This subsection does not affect any criminal  
467 history disclosure requirements of this chapter.

468 Section 8. Subsection (9) and paragraph (c) of subsection  
469 (10) of section 497.142, Florida Statutes, are amended to read:

470 497.142 Licensing; fingerprinting and criminal background  
471 checks.—

472 (9) If any applicant under this chapter has been, ~~within~~  
473 ~~the 10 years preceding the application under this chapter,~~  
474 convicted or found guilty of, or entered a plea of nolo  
475 contendere to, regardless of adjudication, any crime in any

476 jurisdiction, the application shall not be deemed complete until  
477 such time as the applicant provides such certified true copies  
478 of the court records evidencing the conviction, finding, or plea  
479 as required by this section or, as the licensing authority may  
480 by rule require.

481 (10)

482 (c) Crimes to be disclosed are:

483 1. Any felony ~~or misdemeanor~~, no matter when committed,  
484 ~~that was directly or indirectly related to or involving any~~  
485 ~~aspect of the practice or business of funeral directing,~~  
486 ~~embalming, direct disposition, cremation, funeral or cemetery~~  
487 ~~preneed sales, funeral establishment operations, cemetery~~  
488 ~~operations, or cemetery monument or marker sales or~~  
489 ~~installation.~~

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

495 3. Any other misdemeanor not already disclosed under  
496 subparagraph 2. which ~~subparagraph 1. that~~ was committed within  
497 the 5 years immediately preceding the application under this  
498 chapter.

499 Section 9. Subsections (2) through (5) of section 497.157,  
500 Florida Statutes, are redesignated as subsections (4) through

501 (7), respectively, new subsections (2) and (3) and subsection  
502 (8) are added to that section, and present subsection (3) of  
503 that section is amended, to read:

504 497.157 Unlicensed practice; remedies concerning  
505 violations by unlicensed persons.—

506 (2) A person may not be, act as, or advertise or hold  
507 himself or herself out to be a funeral director, an embalmer, or  
508 a direct disposer unless he or she is currently licensed by the  
509 department.

510 (3) A person may not be, act as, or advertise or hold  
511 himself or herself out to be a preneed sales agent unless he or  
512 she is currently licensed by the department and appointed by a  
513 preneed main licensee for which he or she is executing preneed  
514 contracts.

515 (5)~~(3)~~ Where the department determines that an emergency  
516 exists regarding any violation of this chapter by any unlicensed  
517 person or entity, the department may issue and serve an  
518 immediate final order upon such unlicensed person or entity, in  
519 accordance with s. 120.569(2)(n). Such an immediate final order  
520 may impose such prohibitions and requirements as are reasonably  
521 necessary to protect the public health, safety, and welfare, and  
522 is ~~shall be~~ effective when served.

523 (a) For the purpose of enforcing such an immediate final  
524 order, the department may file an emergency or other proceeding  
525 in the circuit courts of the state seeking enforcement of the

526 immediate final order by injunctive or other order of the court.  
527 The court shall issue its injunction or other order enforcing  
528 the immediate final order pending administrative resolution of  
529 the matter under subsection (4) ~~(2)~~, unless the court determines  
530 that such action would work a manifest injustice under the  
531 circumstances. Venue for judicial actions under this paragraph  
532 must ~~shall~~ be, at the election of the department, in the courts  
533 of Leon County~~,~~ or in a county where the respondent resides or  
534 has a place of business.

535 (b) After serving an immediate final order to cease and  
536 desist upon any person or entity, the department shall within 10  
537 days issue and serve upon the same person or entity an  
538 administrative complaint as set forth in subsection (4) ~~(2)~~,  
539 except that, absent order of a court to the contrary, the  
540 immediate final order will ~~shall~~ be effective throughout the  
541 pendency of proceedings under subsection (4) ~~(2)~~.

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

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

548 497.159 Crimes.—

549 ~~(6) Any person who is not licensed under this chapter who~~  
550 ~~engages in activity requiring licensure under this chapter,~~

551 ~~commits a misdemeanor of the second degree, punishable as~~  
552 ~~provided in s. 775.082 or s. 775.083.~~

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

555 552.081 Definitions.—As used in this chapter:

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

560 Section 12. Subsection (2) of section 553.7921, Florida  
561 Statutes, is redesignated as subsection (3), a new subsection  
562 (2) is added to that section, and subsection (1) of that section  
563 is amended, to read:

564 553.7921 Fire alarm permit application to local  
565 enforcement agency.—

566 (1) A contractor must file a Uniform Fire Alarm Permit  
567 Application as provided in subsection (3) ~~(2)~~ with the local  
568 enforcement agency and must receive the fire alarm permit  
569 before:

570 ~~(a)~~ installing or replacing a fire alarm, if the local  
571 enforcement agency requires a plan review for the installation  
572 or replacement; ~~or~~

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

576        (2) If the local enforcement agency requires a fire alarm  
577 permit to repair an existing alarm system that was previously  
578 permitted by the local enforcement agency, a contractor may  
579 begin work after filing a Uniform Fire Alarm Permit Application  
580 as provided in subsection (3). A fire alarm repaired pursuant to  
581 this subsection may not be considered compliant until the  
582 required permit is issued and the local enforcement agency  
583 approves the repair.

584        Section 13. Effective January 1, 2022, subsection (3) of  
585 section 626.2815, Florida Statutes, is amended to read:

586        626.2815 Continuing education requirements.—

587        (3) Each licensee except a title insurance agent must  
588 complete a 4-hour ~~5-hour~~ update course every 2 years which is  
589 specific to the license held by the licensee. The course must be  
590 developed and offered by providers and approved by the  
591 department. The content of the course must address all lines of  
592 insurance for which examination and licensure are required and  
593 include the following subject areas: insurance law updates,  
594 ethics for insurance professionals, disciplinary trends and case  
595 studies, industry trends, premium discounts, determining  
596 suitability of products and services, and other similar  
597 insurance-related topics the department determines are relevant  
598 to legally and ethically carrying out the responsibilities of  
599 the license granted. A licensee who holds multiple insurance  
600 licenses must complete an update course that is specific to at



601 least one of the licenses held. Except as otherwise specified,  
 602 any remaining required hours of continuing education are  
 603 elective and may consist of any continuing education course  
 604 approved by the department under this section.

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

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

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

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

621 (e) An individual subject to chapter 648 must complete the  
 622 4-hour ~~5-hour~~ update course and a minimum of 10 ~~9~~ hours of  
 623 elective continuing education courses every 2 years.

624 (f) Elective continuing education courses for public  
 625 adjusters must be specifically designed for public adjusters and

626 approved by the department. Notwithstanding this subsection,  
627 public adjusters for workers' compensation insurance or health  
628 insurance are not required to take continuing education courses  
629 pursuant to this section.

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

632 (h) An individual teaching an approved course of  
633 instruction or lecturing at any approved seminar and attending  
634 the entire course or seminar qualifies for the same number of  
635 classroom hours as would be granted to a person taking and  
636 successfully completing such course or seminar. Credit is  
637 limited to the number of hours actually taught unless a person  
638 attends the entire course or seminar. An individual who is an  
639 official of or employed by a governmental entity in this state  
640 and serves as a professor, instructor, or in another position or  
641 office, the duties and responsibilities of which are determined  
642 by the department to require monitoring and review of insurance  
643 laws or insurance regulations and practices, is exempt from this  
644 section.

645 (i) For compliance periods beginning on or after October  
646 1, 2014, any person who holds a license as a title insurance  
647 agent must complete a minimum of 10 hours of continuing  
648 education credit every 2 years in title insurance and escrow  
649 management specific to this state and approved by the  
650 department, which must ~~shall~~ include at least 3 hours of

651 continuing education on the subject matter of ethics, rules, or  
652 compliance with state and federal regulations relating  
653 specifically to title insurance and closing services.

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

658 Section 14. Subsections (1) and (2) of section 626.371,  
659 Florida Statutes, are amended to read:

660 626.371 Payment of fees, taxes for appointment period  
661 without appointment.—

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

666 (2) (a) If, upon application and qualification for an  
667 initial or renewal appointment and such investigation as the  
668 department may make, ~~it appears to~~ the department determines  
669 that an individual has not been properly appointed to represent  
670 an insurer or employer, that such individual ~~who~~ was formerly  
671 licensed or is currently licensed, ~~but not properly appointed to~~  
672 ~~represent an insurer or employer~~ and that such individual ~~who~~  
673 has been actively engaged or is currently actively engaged as  
674 such an appointee, ~~but without being appointed as required,~~ the  
675 department shall ~~may~~, if it finds that such failure to be

676 appointed was an inadvertent error on the part of the insurer or  
677 employer so represented, notify the insurer or employer of its  
678 finding and of the requirement to pay all fees and taxes due  
679 pursuant to paragraph (b) within 21 days.

680 (b) The department may nevertheless issue or authorize the  
681 issuance of the appointment upon the insurer's or employer's  
682 timely payment to the department of ~~as applied for but subject~~  
683 ~~to the condition that, before the appointment is issued,~~ all  
684 fees and taxes that ~~which~~ would have been due had the applicant  
685 been properly ~~so~~ appointed during such current and prior  
686 periods, including with applicable fees that would have been due  
687 pursuant to s. 624.501 for such current and prior periods of  
688 appointment, ~~shall be paid to the department.~~

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

694 (d) If the insurer or employer does not pay the fees and  
695 taxes due pursuant to paragraph (b) within 21 days after notice  
696 by the department, the department shall suspend the insurer's or  
697 employer's authority to appoint licensees until all outstanding  
698 fees have been paid.

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

701           626.8443 Duration of suspension or revocation.—

702           (1) The department shall, in its order suspending a title  
 703 insurance agent's or agency's license or appointment or in its  
 704 order suspending the eligibility of a person to hold or apply  
 705 for such license or appointment, specify the period during which  
 706 the suspension is to be in effect, but such period may ~~shall~~ not  
 707 exceed 2 years ~~1 year~~. The license, ~~or~~ appointment, or  
 708 eligibility will ~~shall~~ remain suspended during the period so  
 709 specified, subject, however, to any rescission or modification  
 710 of the order by the department, or modification or reversal  
 711 thereof by the court, prior to expiration of the suspension  
 712 period. A license, appointment, or eligibility that ~~which~~ has  
 713 been suspended may not be reinstated except upon request for  
 714 such reinstatement, but the department may ~~shall~~ not grant such  
 715 reinstatement if it finds that the circumstance or circumstances  
 716 for which the license, appointment, and eligibility was  
 717 suspended still exist or are likely to recur.

718           Section 16. Paragraph (e) of subsection (1) of section  
 719 626.916, Florida Statutes, is amended to read:

720           626.916 Eligibility for export.—

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

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

726 ~~Property Insurance Corporation. The notice must include other~~  
727 ~~information that states that assessments by Citizens Property~~  
728 ~~Insurance Corporation are higher and the coverage provided by~~  
729 ~~Citizens Property Insurance Corporation may be less than the~~  
730 ~~property's existing coverage. If the notice is signed by the~~  
731 ~~insured, it is presumed that the insured has been informed and~~  
732 ~~knows that policies from Citizens Property Insurance Corporation~~  
733 ~~may be less expensive, may provide less coverage, and will be~~  
734 ~~accompanied by higher assessments.~~

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

737 626.9551 Favored agent or insurer; coercion of debtors.—

738 (1) No person may:

739 (e) Require, directly or indirectly, the provision of, and  
740 an insurance agent or a broker may not provide, directly or  
741 indirectly, as a condition precedent or condition subsequent to  
742 the lending of money or extension of credit to be secured by  
743 real property, the replacement cost estimator or other  
744 underwriting information that is proprietary business  
745 information, as defined in s. 624.4212(1), to the insurer  
746 underwriting the insurance policy covering such property.

747 Section 18. Subsections (4) through (10) of section  
748 627.715, Florida Statutes, are redesignated as subsections (5)  
749 through (11), respectively, and a new subsection (4) is added to  
750 that section, to read:

751           627.715 Flood insurance.—An authorized insurer may issue  
752 an insurance policy, contract, or endorsement providing personal  
753 lines residential coverage for the peril of flood or excess  
754 coverage for the peril of flood on any structure or the contents  
755 of personal property contained therein, subject to this section.  
756 This section does not apply to commercial lines residential or  
757 commercial lines nonresidential coverage for the peril of flood.  
758 An insurer may issue flood insurance policies, contracts,  
759 endorsements, or excess coverage on a standard, preferred,  
760 customized, flexible, or supplemental basis.

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

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

767           633.102 Definitions.—As used in this chapter, the term:

768           (3) (a) "Contractor I" means a contractor whose business  
769 includes the execution of contracts requiring the ability to lay  
770 out, fabricate, install, inspect, alter, repair, and service all  
771 types of fire protection systems, excluding preengineered  
772 systems.

773           (b) "Contractor II" means a contractor whose business is  
774 limited to the execution of contracts requiring the ability to  
775 lay out, fabricate, install, inspect, alter, repair, and service

776 water sprinkler systems, water spray systems, foam-water  
777 sprinkler systems, foam-water spray systems, standpipes,  
778 combination standpipes and sprinkler risers, all piping that is  
779 an integral part of the system beginning at the point of service  
780 as defined in this section, sprinkler tank heaters, air lines,  
781 thermal systems used in connection with sprinklers, and tanks  
782 and pumps connected thereto, excluding preengineered systems.

783 (c) "Contractor III" means a contractor whose business is  
784 limited to the execution of contracts requiring the ability to  
785 fabricate, install, inspect, alter, repair, and service carbon  
786 dioxide systems, foam extinguishing systems, dry chemical  
787 systems, and Halon and other chemical systems, excluding  
788 preengineered systems.

789 (d) "Contractor IV" means a contractor whose business is  
790 limited to the execution of contracts requiring the ability to  
791 lay out, fabricate, install, inspect, alter, repair, and service  
792 automatic fire sprinkler systems for detached one-family  
793 dwellings, detached two-family dwellings, and mobile homes,  
794 excluding preengineered systems and excluding single-family  
795 homes in cluster units, such as apartments, condominiums, and  
796 assisted living facilities or any building that is connected to  
797 other dwellings. A Contractor IV is limited to the scope of  
798 practice specified in NFPA 13D.

799 (e) "Contractor V" means a contractor whose business is  
800 limited to the execution of contracts requiring the ability to



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801 fabricate, install, inspect, alter, repair, and service the  
802 underground piping for a fire protection system using water as  
803 the extinguishing agent beginning at the point of service as  
804 defined in this act and ending no more than 1 foot above the  
805 finished floor.

806  
807 ~~The definitions in~~ This subsection may not be construed to  
808 include engineers or architects within the defined terms and  
809 does ~~de~~ not limit or prohibit a licensed fire protection  
810 engineer or architect with fire protection design experience  
811 from designing any type of fire protection system. A distinction  
812 is made between system design concepts prepared by the design  
813 professional and system layout as defined in this section and  
814 typically prepared by the contractor. However, a person  
815 certified as a Contractor I or, ~~Contractor II, or Contractor IV~~  
816 ~~under this chapter~~ may design new fire protection systems of 49  
817 or fewer sprinklers; ~~and~~ may design the alteration of an  
818 existing fire sprinkler system if the alteration consists of the  
819 relocation, addition, or deletion of ~~not more than~~ 49 or fewer  
820 sprinklers, notwithstanding the size of the existing fire  
821 sprinkler system; or may design the alteration of an existing  
822 fire sprinkler system if the alteration consists of the  
823 relocation or deletion of 249 or fewer sprinklers,  
824 notwithstanding the size of the existing fire sprinkler system,  
825 if there is no change of occupancy, as defined in the Florida

826 Building Code and the Florida Fire Prevention Code, of the  
 827 affected areas and there is no change in the water demand as  
 828 defined in NFPA 13, "Standard for the Installation of Sprinkler  
 829 Systems," and if the occupancy hazard classification as defined  
 830 in NFPA 13 is reduced or remains the same as a result of the  
 831 alteration. Conflicts between the Florida Building Code and the  
 832 Florida Fire Prevention Code shall be resolved pursuant to s.  
 833 553.73(1)(d). A person certified as a Contractor I, Contractor  
 834 II, or Contractor IV may design or alter a fire protection  
 835 system, the scope of which complies with NFPA 13D, "Standard for  
 836 the Installation of Sprinkler Systems in One- and Two-Family  
 837 Dwellings and Manufactured Homes," as adopted by the State Fire  
 838 Marshal, notwithstanding the number of fire sprinklers.  
 839 Contractor-developed plans may not be required by any local  
 840 permitting authority to be sealed by a registered professional  
 841 engineer.

842 Section 20. Section 633.136, Florida Statutes, is amended  
 843 to read:

844 633.136 Fire and Emergency Incident Information Reporting  
 845 Program; duties; fire reports.—

846 (1) (a) The Fire and Emergency Incident Information  
 847 Reporting Program is created within the division. The program  
 848 shall:

849 1. Establish and maintain an electronic communication  
 850 system capable of transmitting fire and emergency incident

851 information to and between fire service providers ~~protection~~  
 852 agencies.

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

855 a. Receiving fire and emergency incident information from  
 856 fire service providers ~~protection agencies~~.

857 b. Preparing and disseminating annual reports to the  
 858 Governor, the President of the Senate, the Speaker of the House  
 859 of Representatives, fire service providers ~~protection agencies~~,  
 860 and, upon request, the public. Each report must ~~shall~~ include,  
 861 but not be limited to, the information listed in the National  
 862 Fire Incident Reporting System.

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

865 3. Adopt rules to effectively and efficiently implement,  
 866 administer, manage, maintain, and use the Fire and Emergency  
 867 Incident Information Reporting Program. The rules shall be  
 868 considered minimum requirements and may ~~shall~~ not preclude a  
 869 fire service provider ~~protection agency~~ from implementing its  
 870 own requirements that ~~which~~ may not conflict with the rules of  
 871 the division.

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

875 5. Maintain ~~Establish~~ an electronic information database

876 that is accessible and searchable by fire service providers  
877 ~~protection agencies~~.

878 (b) The division shall consult with the Florida Forest  
879 Service of the Department of Agriculture and Consumer Services  
880 and the State Surgeon General of the Department of Health to  
881 coordinate data, ensure accuracy of the data, and limit  
882 duplication of efforts in data collection, analysis, and  
883 reporting.

884 (2) The Fire and Emergency Incident Information System  
885 Technical Advisory Panel is created within the division. The  
886 panel shall advise, review, and recommend to the State Fire  
887 Marshal with respect to the requirements of this section. The  
888 membership of the panel consists ~~shall consist~~ of the following  
889 15 members:

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

892 ~~(b) One member from the Florida Forest Service of the~~  
893 ~~Department of Agriculture and Consumer Services, appointed by~~  
894 ~~the director of the Florida Forest Service.~~

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

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

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

903 633.202 Florida Fire Prevention Code.—

904 (18) The authority having jurisdiction shall determine the  
 905 minimum radio signal strength for fire department communications  
 906 in all new high-rise and existing high-rise buildings. Existing  
 907 buildings are not required to comply with minimum radio strength  
 908 for fire department communications and two-way radio system  
 909 enhancement communications as required by the Florida Fire  
 910 Prevention Code until January 1, 2023 ~~2022~~. However, by January  
 911 1, 2022 ~~December 31, 2019~~, an existing building that is not in  
 912 compliance with the requirements for minimum radio strength for  
 913 fire department communications must have completed a minimum  
 914 radio strength assessment ~~apply for an appropriate permit~~ for  
 915 the required installation with the local government agency  
 916 having jurisdiction and must demonstrate that the building will  
 917 become compliant by January 1, 2023 ~~2022~~. Existing apartment  
 918 buildings are not required to comply until January 1, 2025.  
 919 However, existing apartment buildings must have completed a  
 920 minimum radio strength assessment ~~are required to apply for the~~  
 921 ~~appropriate permit~~ for the required communications installation  
 922 by December 31, 2022.

923 Section 22. Section 633.217, Florida Statutes, is created  
 924 to read:

925 633.217 Influencing a firesafety inspector; prohibited

926 acts.—

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

928 (a) Threatening, coercing, tricking, or attempting to  
 929 threaten, coerce, or trick the firesafety inspector into  
 930 violating any provision of the Florida Fire Prevention Code, any  
 931 rule adopted by the State Fire Marshal, or any provision of this  
 932 chapter.

933 (b) Offering any compensation to the firesafety inspector  
 934 to induce a violation of the Florida Fire Prevention Code, any  
 935 rule adopted by the State Fire Marshal, or any provision of this  
 936 chapter.

937 (2) A firesafety inspector may not knowingly and willfully  
 938 accept an attempt by a person to influence the firesafety  
 939 inspector into violating any provision of the Florida Fire  
 940 Prevention Code, any rule adopted by the State Fire Marshal, or  
 941 any provision of this chapter.

942 Section 23. Subsection (1) of section 633.402, Florida  
 943 Statutes, is amended to read:

944 633.402 Firefighters Employment, Standards, and Training  
 945 Council; organization; meetings; quorum; compensation; seal;  
 946 special powers; firefighter training.—

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

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

950 1. Two fire chiefs appointed by the Florida Fire Chiefs

951 Association.

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

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

956 4. One individual appointed by the Florida League of  
957 Cities.

958 5. One individual appointed by the Florida Association of  
959 Counties.

960 6. One individual appointed by the Florida Association of  
961 Special Districts.

962 7. One individual appointed by the Florida Fire Marshals'  
963 and Inspectors' Association.

964 8. One employee of the Florida Forest Service of the  
965 Department of Agriculture and Consumer Services appointed by the  
966 director of the Florida Forest Service.

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

968 10. One director or instructor of a state-certified  
969 firefighting training facility appointed by the State Fire  
970 Marshal.

971 11. One individual ~~The remaining member, who shall be~~  
972 appointed by the State Fire Marshal, who may not be a member or  
973 representative of the firefighting profession or of any local  
974 government.

975 12. One individual from the Department of Health,

976 appointed by the Surgeon General.

977 (b) To be eligible for appointment as a member under  
978 subparagraph (a)1., subparagraph (a)2., subparagraph (a)3.,  
979 subparagraph (a)8., or subparagraph (a)10., a person must have  
980 had at least 4 years' experience in the firefighting profession.  
981 Members shall serve only as long as they continue to meet the  
982 criteria under which they were appointed, or unless a member has  
983 failed to appear at three consecutive and properly noticed  
984 meetings unless excused by the chair.

985 Section 24. Subsection (1) of section 633.416, Florida  
986 Statutes, is amended to read:

987 633.416 Firefighter employment and volunteer firefighter  
988 service; saving clause.—

989 (1) A fire service provider may not employ an individual  
990 to:

991 (a) Extinguish fires for the protection of life or  
992 property or to supervise individuals who perform such services  
993 unless the individual holds a current and valid Firefighter  
994 Certificate of Compliance. However, a person who is currently  
995 serving as a volunteer firefighter and holds a volunteer  
996 firefighter certificate of completion with a fire service  
997 provider, who is then employed as a regular or permanent  
998 firefighter by such fire service provider, may function, for a  
999 period of 1 year under the direct supervision of an individual  
1000 holding a valid Firefighter Certificate of Compliance, in the



1001 same capacity in which he or she acted as a volunteer  
 1002 firefighter, provided that he or she has completed all training  
 1003 required by the volunteer organization. Under no circumstance  
 1004 can this period extend beyond 1 year either collectively or  
 1005 consecutively from the start of employment to obtain a  
 1006 Firefighter Certificate of Compliance; or

1007 (b) Serve as the administrative and command head of a fire  
 1008 service provider for a period in excess of 1 year unless the  
 1009 individual holds a current and valid Firefighter Certificate of  
 1010 Compliance or Special Certificate of Compliance.

1011 Section 25. Section 648.30, Florida Statutes, is amended  
 1012 to read:

1013 648.30 Licensure and appointment required; prohibited  
 1014 acts; penalties.-

1015 (1) A person may not act in the capacity of a bail bond  
 1016 agent or temporary bail bond agent or perform any of the  
 1017 functions, duties, or powers prescribed for bail bond agents or  
 1018 temporary bail bond agents under this chapter unless that person  
 1019 is qualified, licensed, and appointed as provided in this  
 1020 chapter.

1021 (2) A person may not represent himself or herself to be a  
 1022 bail enforcement agent, bounty hunter, or other similar title in  
 1023 this state.

1024 (3) A person, other than a certified law enforcement  
 1025 officer, may not apprehend, detain, or arrest a principal on a

1026 | bond, wherever issued, unless that person is qualified,  
 1027 | licensed, and appointed as provided in this chapter or licensed  
 1028 | as a bail bond agent or bail bond enforcement agent, or holds an  
 1029 | equivalent license by the state where the bond was written.

1030 |       (4) Any person who violates this section commits a felony  
 1031 | of the third degree, punishable as provided in s. 775.082, s.  
 1032 | 775.083, or s. 775.084.

1033 |       (5) Any licensee under this chapter who knowingly aids or  
 1034 | abets an unlicensed person in violating this section commits a  
 1035 | felony of the third degree, punishable as provided in s.  
 1036 | 775.082, s. 775.083, or s. 775.084.

1037 |       Section 26. Section 843.08, Florida Statutes, is amended  
 1038 | to read:

1039 |       843.08 False personation.—A person who falsely assumes or  
 1040 | pretends to be a firefighter, a sheriff, an officer of the  
 1041 | Florida Highway Patrol, an officer of the Fish and Wildlife  
 1042 | Conservation Commission, an officer of the Department of  
 1043 | Environmental Protection, ~~a fire or arson investigator of the~~  
 1044 | ~~Department of Financial Services,~~ an officer of the Department  
 1045 | of Financial Services, any personnel or representative of the  
 1046 | Division of Investigative and Forensic Services, an officer of  
 1047 | the Department of Corrections, a correctional probation officer,  
 1048 | a deputy sheriff, a state attorney or an assistant state  
 1049 | attorney, a statewide prosecutor or an assistant statewide  
 1050 | prosecutor, a state attorney investigator, a coroner, a police

1051 officer, a lottery special agent or lottery investigator, a  
 1052 beverage enforcement agent, a school guardian as described in s.  
 1053 30.15(1)(k), a security officer licensed under chapter 493, any  
 1054 member of the Florida Commission on Offender Review or any  
 1055 administrative aide or supervisor employed by the commission,  
 1056 any personnel or representative of the Department of Law  
 1057 Enforcement, or a federal law enforcement officer as defined in  
 1058 s. 901.1505, and takes upon himself or herself to act as such,  
 1059 or to require any other person to aid or assist him or her in a  
 1060 matter pertaining to the duty of any such officer, commits a  
 1061 felony of the third degree, punishable as provided in s.  
 1062 775.082, s. 775.083, or s. 775.084. However, a person who  
 1063 falsely personates any such officer during the course of the  
 1064 commission of a felony commits a felony of the second degree,  
 1065 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
 1066 If the commission of the felony results in the death or personal  
 1067 injury of another human being, the person commits a felony of  
 1068 the first degree, punishable as provided in s. 775.082, s.  
 1069 775.083, or s. 775.084.

1070 Section 27. Paragraph (f) is added to subsection (11) of  
 1071 section 943.045, Florida Statutes, to read:

1072 943.045 Definitions; ss. 943.045-943.08.—The following  
 1073 words and phrases as used in ss. 943.045-943.08 shall have the  
 1074 following meanings:

1075 (11) "Criminal justice agency" means:

1076           (f) The investigations component of the Department of  
 1077 Financial Services which investigates the crimes of fraud and  
 1078 official misconduct in all public assistance given to residents  
 1079 of this state or provided to others by the state.

1080           Section 28. For the purpose of incorporating the amendment  
 1081 made by this act to section 497.142, Florida Statutes, in a  
 1082 reference thereto, paragraph (a) of subsection (5) of section  
 1083 497.141, Florida Statutes, is reenacted to read:

1084           497.141 Licensing; general application procedures.—

1085           (5)(a) The licensing authority may not issue, and  
 1086 effective July 1, 2011, may not renew, a license under this  
 1087 chapter to an applicant that has a criminal record required to  
 1088 be disclosed under s. 497.142(10) unless the applicant  
 1089 demonstrates that issuance of the license, according to rules  
 1090 adopted by the licensing authority, does not create a danger to  
 1091 the public. A licensee who previously disclosed her or his  
 1092 criminal record upon initial application or renewal of her or  
 1093 his license must disclose only a criminal offense for which the  
 1094 licensee was convicted or entered a plea of guilty or nolo  
 1095 contendere since the most recent renewal of her or his license  
 1096 or, if the license has not been renewed, since the licensee's  
 1097 initial application.

1098           Section 29. Except as otherwise expressly provided in this  
 1099 act and except for this section, which shall take effect upon  
 1100 this act becoming a law, this act shall take effect July 1,

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