

By the Committee on Banking and Insurance; and Senator Burgess

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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; amending s. 497.101, F.S.; revising  
24      provisions relating to membership of the Board of  
25      Funeral, Cemetery, and Consumer Services within the  
26      Department of Financial Services; authorizing use of  
27      communications media technology for board member  
28      participation and determination of a quorum of the  
29      board; defining the term "communications media

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30 technology"; deleting a requirement for the department  
31 to adopt certain rules; making technical changes;  
32 creating s. 497.1411, F.S.; defining terms; providing  
33 for permanent disqualification of applicants for  
34 licensure under ch. 497, F.S., for certain offenses;  
35 providing for disqualifying periods for applicants for  
36 certain offenses; requiring the board to adopt rules;  
37 providing for calculation of disqualifying periods;  
38 providing conditions for licensure after completion of  
39 a disqualifying period; specifying the effect of a  
40 pardon or restoration of civil rights; providing for  
41 exemptions from disqualification if certain conditions  
42 are met; requiring an applicant for an exemption to  
43 provide certain evidence that he or she will not  
44 present a danger if licensed; granting the board the  
45 discretion to approve or deny an exemption; providing  
46 applicability; providing construction; amending s.  
47 497.142, F.S.; revising criminal history disclosure  
48 requirements for applicants seeking licensure under  
49 ch. 497, F.S.; amending s. 497.157, F.S.; prohibiting  
50 persons from acting as or advertising themselves as  
51 being funeral directors, embalmers, direct disposers,  
52 or preneed sales agents unless they are so licensed;  
53 prohibiting persons from engaging in certain  
54 activities requiring licensure without holding  
55 required licenses; revising the criminal penalty for  
56 unlicensed activity; making technical changes;  
57 amending s. 497.159, F.S.; conforming a provision to  
58 changes made by the act; amending s. 552.081, F.S.;

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59 revising the definition of the term "two-component  
60 explosives" for the purpose of regulation by the  
61 Division of State Fire Marshal; amending s. 553.7921,  
62 F.S.; authorizing a contractor repairing certain  
63 existing fire alarm systems to begin work after filing  
64 an application for a required permit but before  
65 receiving the permit; providing construction; amending  
66 s. 626.2815, F.S.; revising continuing education  
67 requirements for certain persons licensed to solicit,  
68 sell, or adjust insurance; amending s. 626.371, F.S.;  
69 requiring submission of renewal appointments of  
70 certain insurance representatives within a certain  
71 timeframe; requiring the department to notify certain  
72 insurers or employers regarding inadvertent failures  
73 to appoint; requiring insurers and employers to pay  
74 certain fees and taxes within a certain timeframe;  
75 authorizing the department to issue appointments under  
76 certain circumstances; prohibiting the department from  
77 considering inadvertent failures to appoint to be  
78 violations under certain circumstances; requiring the  
79 department to suspend an insurer's or employer's  
80 authority to appoint licensees under certain  
81 circumstances; amending s. 626.8443, F.S.; increasing  
82 the maximum period of suspension of a title insurance  
83 agent's or agency's license; making technical changes;  
84 amending s. 626.916, F.S.; deleting a requirement for  
85 agents to advise insureds that certain coverage may be  
86 available for personal residential property risks to  
87 be eligible for export under the Surplus Lines Law;

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88 amending s. 626.9551, F.S.; prohibiting a person from  
89 requiring an insurance agent or agency to provide  
90 replacement cost estimators or certain other  
91 proprietary business information under certain  
92 circumstances; prohibiting an insurance agent or  
93 agency from providing replacement cost estimators or  
94 certain other proprietary business information without  
95 written authorization; amending s. 627.715, F.S.;  
96 providing an exemption from a diligent effort  
97 requirement for agents exporting contracts or  
98 endorsements providing flood coverage; amending s.  
99 633.136, F.S.; replacing fire protection agencies in  
100 the Fire and Emergency Incident Information Reporting  
101 Program with fire service providers; revising the  
102 composition of the Fire and Emergency Incident  
103 Information System Technical Advisory Panel; defining  
104 the term "fire service provider"; amending s. 633.202,  
105 F.S.; extending a deadline for certain buildings to  
106 comply with a minimum radio signal strength  
107 requirement under the Florida Fire Prevention Code;  
108 requiring such buildings to meet certain conditions by  
109 a specified date; revising a condition that existing  
110 apartment buildings must meet by a specified date;  
111 making technical changes; creating s. 633.217, F.S.;  
112 prohibiting certain acts to influence a firesafety  
113 inspector to violate certain laws; prohibiting a  
114 firesafety inspector from knowingly and intentionally  
115 requesting, soliciting, accepting, or agreeing to  
116 accept certain compensation; amending s. 633.402,

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117 F.S.; revising the composition of the Firefighters  
118 Employment, Standards, and Training Council; amending  
119 s. 633.416, F.S.; providing that certain persons  
120 serving as volunteer firefighters may serve as a  
121 regular or permanent firefighter for a limited period,  
122 subject to certain restrictions; amending s. 648.30,  
123 F.S.; prohibiting the aiding or abetting of unlicensed  
124 activity of a bail bond agent or temporary bail bond  
125 agent; providing criminal penalties; amending s.  
126 843.08, F.S.; prohibiting false personation of  
127 personnel or representatives of the Division of  
128 Investigative and Forensic Services; amending s.  
129 943.045, F.S.; revising the definition of the term  
130 "criminal justice agency" to include the  
131 investigations component of the department which  
132 investigates certain crimes; reenacting s.  
133 497.141(5)(a), F.S., relating to licensing and general  
134 application procedures, to incorporate the amendment  
135 made to s. 497.142, F.S., in a reference thereto;  
136 providing effective dates.

137

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

139

140 Section 1. Paragraph (f) of subsection (2) of section  
141 20.121, Florida Statutes, is amended to read:

142 20.121 Department of Financial Services.—There is created a  
143 Department of Financial Services.

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

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146 (f) The Division of Public Assistance Fraud, which shall  
147 function as a criminal justice agency for purposes of ss.  
148 943.045-943.08. The division shall conduct investigations  
149 pursuant to s. 414.411 within or outside of this state as it  
150 deems necessary. If, during an investigation, the division has  
151 reason to believe that any criminal law of this state has or may  
152 have been violated, it shall refer any records supporting such  
153 violation to state or federal law enforcement or prosecutorial  
154 agencies and shall provide investigative assistance to those  
155 agencies as required.

156 Section 2. Section 284.30, Florida Statutes, is amended to  
157 read:

158 284.30 State Risk Management Trust Fund; coverages to be  
159 provided.—A state self-insurance fund, designated as the “State  
160 Risk Management Trust Fund,” is created to be set up by the  
161 Department of Financial Services and administered with a program  
162 of risk management, which fund is to provide insurance, as  
163 authorized by s. 284.33, for workers’ compensation, general  
164 liability, fleet automotive liability, federal civil rights  
165 actions under 42 U.S.C. s. 1983 or similar federal statutes,  
166 benefits payable under s. 112.1816(2), and court-awarded  
167 attorney ~~attorney’s~~ fees in other proceedings against the state  
168 except for such awards in eminent domain or for inverse  
169 condemnation or for awards by the Public Employees Relations  
170 Commission. A party to a suit in any court, to be entitled to  
171 have his or her attorney ~~attorney’s~~ fees paid by the state or  
172 any of its agencies, must serve a copy of the pleading claiming  
173 the fees on the Department of Financial Services; and thereafter  
174 the department shall be entitled to participate with the agency

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175 in the defense of the suit and any appeal thereof with respect  
176 to such fees.

177 Section 3. Section 284.31, Florida Statutes, is amended to  
178 read:

179 284.31 Scope and types of coverages; separate accounts.—The  
180 Insurance Risk Management Trust Fund must ~~shall~~, unless  
181 specifically excluded by the Department of Financial Services,  
182 cover all departments of the State of Florida and their  
183 employees, agents, and volunteers and must ~~shall~~ provide  
184 separate accounts for workers' compensation, general liability,  
185 fleet automotive liability, federal civil rights actions under  
186 42 U.S.C. s. 1983 or similar federal statutes, benefits payable  
187 to an employee of a state agency under s. 112.1816(2), and  
188 court-awarded attorney ~~attorney's~~ fees in other proceedings  
189 against the state except for such awards in eminent domain or  
190 for inverse condemnation or for awards by the Public Employees  
191 Relations Commission. Unless specifically excluded by the  
192 Department of Financial Services, the Insurance Risk Management  
193 Trust Fund must ~~shall~~ provide fleet automotive liability  
194 coverage to motor vehicles titled to the state, or to any  
195 department of the state, when such motor vehicles are used by  
196 community transportation coordinators performing, under contract  
197 to the appropriate department of the state, services for the  
198 transportation disadvantaged under part I of chapter 427. Such  
199 fleet automotive liability coverage is ~~shall be~~ primary and is  
200 ~~shall be~~ subject to the provisions of s. 768.28 and parts II and  
201 III of chapter 284, and applicable rules adopted thereunder, and  
202 the terms and conditions of the certificate of coverage issued  
203 by the Department of Financial Services.

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204 Section 4. Section 284.385, Florida Statutes, is amended to  
205 read:

206 284.385 Reporting and handling of claims.—

207 (1) All departments covered by the State Risk Management  
208 Trust Fund under this part shall immediately report all known or  
209 potential claims to the Department of Financial Services for  
210 handling, except employment complaints that ~~which~~ have not been  
211 filed with the Florida Human Relations Commission, Equal  
212 Employment Opportunity Commission, or any similar agency. When  
213 deemed necessary, the Department of Financial Services shall  
214 assign or reassign the claim to counsel. The assigned counsel  
215 shall report regularly to the Department of Financial Services  
216 or to the covered department on the status of any such claims or  
217 litigation as required by the Department of Financial Services.  
218 ~~No~~ Such claims may not ~~claim shall~~ be compromised or settled for  
219 monetary compensation without the prior approval of the  
220 Department of Financial Services and prior notification to the  
221 covered department. All departments shall cooperate with the  
222 Department of Financial Services in its handling of claims. The  
223 Department of Financial Services and the Department of  
224 Management Services, with the cooperation of the state attorneys  
225 and the clerks of the courts, shall develop a system to  
226 coordinate the exchange of information concerning claims for and  
227 against the state, its agencies, and its subdivisions, to assist  
228 in collection of amounts due to them. The covered department is  
229 responsible ~~shall have the responsibility~~ for the settlement of  
230 any claim for injunctive or affirmative relief under 42 U.S.C.  
231 s. 1983 or similar federal or state statutes. The payment of a  
232 settlement or judgment for any claim covered and reported under



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233 this part ~~may shall~~ be made only from the State Risk Management  
234 Trust Fund.

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

240 Section 5. Section 284.45, Florida Statutes, is created to  
241 read:

242 284.45 Sexual harassment victims.-

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

252 (2) The willful and knowing dissemination of personal  
253 identifying information of a sexual harassment victim, which is  
254 confidential and exempt pursuant to s. 119.071(2)(n), to any  
255 party other than a governmental entity in furtherance of its  
256 official duties or pursuant to a court order is a misdemeanor of  
257 the first degree, punishable as provided in s. 775.082.

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

260 497.101 Board of Funeral, Cemetery, and Consumer Services;  
261 membership; appointment; terms.-

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262 (1) The Board of Funeral, Cemetery, and Consumer Services  
263 is created within the Department of Financial Services and shall  
264 consist of 10 members, 9 of whom shall be appointed by the  
265 Governor from nominations made by the Chief Financial Officer  
266 and confirmed by the Senate. The Chief Financial Officer shall  
267 nominate one to three persons for each of the nine vacancies on  
268 the board, and the Governor shall fill each vacancy on the board  
269 by appointing one of the ~~three~~ persons nominated by the Chief  
270 Financial Officer to fill that vacancy. If the Governor objects  
271 to each of the ~~three~~ nominations for a vacancy, she or he shall  
272 inform the Chief Financial Officer in writing. Upon notification  
273 of an objection by the Governor, the Chief Financial Officer  
274 shall submit one to three additional nominations for that  
275 vacancy until the vacancy is filled. One member must be the  
276 State Health Officer or her or his designee.

277 (2) Two members of the board must ~~shall~~ be funeral  
278 directors licensed under part III of this chapter who are  
279 associated with a funeral establishment. One member of the board  
280 must ~~shall~~ be a funeral director licensed under part III of this  
281 chapter who is associated with a funeral establishment licensed  
282 under part III of this chapter which ~~that~~ has a valid preneed  
283 license issued pursuant to this chapter and who owns or operates  
284 a cinerator facility approved under chapter 403 and licensed  
285 under part VI of this chapter. Two members of the board must  
286 ~~shall~~ be persons whose primary occupation is associated with a  
287 cemetery company licensed pursuant to this chapter. Two ~~Three~~  
288 members of the board must ~~shall~~ be consumers who are residents  
289 of this ~~the~~ state, have never been licensed as funeral directors  
290 or embalmers, are not connected with a cemetery or cemetery

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291 company licensed pursuant to this chapter, and are not connected  
292 with the death care industry or the practice of embalming,  
293 funeral directing, or direct disposition. One of the two  
294 consumer members must ~~shall~~ be at least 60 years of age, ~~and one~~  
295 ~~shall be licensed as a certified public accountant under chapter~~  
296 473. One member of the board must be a consumer who is a  
297 resident of this state; is licensed as a certified public  
298 accountant under chapter 473; has never been licensed as a  
299 funeral director or an embalmer; is not a principal or an  
300 employee of any licensee licensed under this chapter; and does  
301 not otherwise have control, as defined in s. 497.005, over any  
302 licensee licensed under this chapter. One member of the board  
303 must ~~shall~~ be a principal of a monument establishment licensed  
304 under this chapter as a monument builder. One member must ~~shall~~  
305 be the State Health Officer or her or his designee. There may  
306 ~~shall~~ not be two or more board members who are principals or  
307 employees of the same company or partnership or group of  
308 companies or partnerships under common control.

309 (3) Board members shall be appointed for terms of 4 years,  
310 and the State Health Officer shall serve as long as that person  
311 holds that office. The designee of the State Health Officer  
312 shall serve at the pleasure of the Governor. ~~When the terms of~~  
313 ~~the initial board members expire, the Chief Financial Officer~~  
314 ~~shall stagger the terms of the successor members as follows: one~~  
315 ~~funeral director, one cemetery representative, the monument~~  
316 ~~builder, and one consumer member shall be appointed for terms of~~  
317 ~~2 years, and the remaining members shall be appointed for terms~~  
318 ~~of 4 years. All subsequent terms shall be for 4 years.~~

319 (6) The board shall maintain its headquarters and records

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320 ~~of the board shall be~~ in the Division of Funeral, Cemetery, and  
321 Consumer Services of the Department of Financial Services in the  
322 City of Tallahassee. The board may be contacted through the  
323 Division of Funeral, Cemetery, and Consumer Services of the  
324 Department of Financial Services in the City of Tallahassee. The  
325 Chief Financial Officer shall annually appoint from among the  
326 board members a chair and vice chair of the board. The board  
327 shall meet at least every 6 months, and more often as necessary.  
328 Special meetings of the board shall be convened upon the  
329 direction of the Chief Financial Officer. A quorum is necessary  
330 for the conduct of business by the board. The participation by a  
331 board member in a meeting conducted through communications media  
332 technology constitutes that individual's presence at such  
333 meeting. Board members appearing at a board meeting in person as  
334 well as board members appearing through the use of  
335 communications media technology shall be counted for the  
336 determination of a quorum. As used in this subsection,  
337 "communications media technology" means the electronic  
338 transmission of printed matter, audio, full-motion video,  
339 freeze-frame video, compressed video, and digital video by any  
340 method available. Unless otherwise provided by law, a majority  
341 of the board members eligible to vote constitutes a quorum for  
342 the purpose of conducting its business ~~six board members shall~~  
343 ~~constitute a quorum for the conduct of the board's business.~~

344 ~~(8) The department shall adopt rules establishing forms by~~  
345 ~~which persons may apply for membership on the board and~~  
346 ~~procedures for applying for such membership. Such forms shall~~  
347 ~~require disclosure of the existence and nature of all current~~  
348 ~~and past employments by or contracts with, and direct or~~

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349 ~~indirect affiliations or interests in, any entity or business~~  
350 ~~that at any time was licensed by the board or by the former~~  
351 ~~Board of Funeral and Cemetery Services or the former Board of~~  
352 ~~Funeral Directors and Embalmers or that is or was otherwise~~  
353 ~~involved in the death care industry, as specified by department~~  
354 ~~rule.~~

355 Section 7. Section 497.1411, Florida Statutes, is created  
356 to read:

357 497.1411 Disqualification of applicants and licensees;  
358 penalties against licensees; rulemaking.-

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

360 (a) "Applicant" means an individual applying for licensure  
361 or relicensure under this chapter, or an officer, a director, a  
362 majority owner, a partner, a manager, or another person who  
363 manages or controls an entity applying for licensure or  
364 relicensure under this chapter.

365 (b) "Felony of the first degree" or "capital felony"  
366 includes all felonies designated as such in this state at the  
367 time of the commission of the offense, as well as any offense in  
368 another jurisdiction which is substantially similar to an  
369 offense so designated in this state.

370 (c) "Financial services business" means any financial  
371 activity regulated by the department, the Office of Insurance  
372 Regulation, or the Office of Financial Regulation.

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

377 (a) A felony of the first degree.

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- 378       (b) A capital felony.
- 379       (c) A felony money laundering offense.
- 380       (d) A felony embezzlement.
- 381       (3) An applicant who has been found guilty of, or has  
382 pleaded guilty or nolo contendere to a crime not included in  
383 subsection (2), regardless of adjudication, is subject to:
- 384       (a) A 10-year disqualifying period for all felonies  
385 involving moral turpitude which are not specifically included in  
386 the permanent bar from licensure contained in subsection (2).
- 387       (b) A 5-year disqualifying period for all felonies to which  
388 neither the permanent bar from licensure in subsection (2) nor  
389 the 10-year disqualifying period in paragraph (a) applies.
- 390       (c) A 5-year disqualifying period for all misdemeanors  
391 directly related to the financial services business.
- 392       (4) The board shall adopt rules to administer this section.  
393 The rules must provide for additional disqualifying periods due  
394 to the commitment of multiple crimes and may include other  
395 factors reasonably related to the applicant's criminal history.  
396 The rules must provide for mitigating and aggravating factors.  
397 However, mitigation may not result in a period of  
398 disqualification of less than 5 years and may not mitigate the  
399 disqualifying periods in paragraphs (3) (b) and (c).
- 400       (5) For purposes of this section, a disqualifying period  
401 begins upon the applicant's final release from supervision or  
402 upon completion of the applicant's criminal sentence. The  
403 department may not issue a license to an applicant unless all  
404 related fines, court costs and fees, and court-ordered  
405 restitution have been paid.
- 406       (6) After the disqualifying period has expired, the burden

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407 is on the applicant to demonstrate that he or she has been  
408 rehabilitated, does not pose a risk to the public, is fit and  
409 trustworthy to engage in business regulated by this chapter, and  
410 is otherwise qualified for licensure.

411 (7) Notwithstanding subsections (2) and (3), an applicant  
412 who has been found guilty of, or has pleaded guilty or nolo  
413 contendere to, a crime in subsection (2) or subsection (3) and  
414 who has subsequently been granted a pardon or the restoration of  
415 civil rights pursuant to chapter 940 and s. 8, Art. IV of the  
416 State Constitution, or a pardon or the restoration of civil  
417 rights under the laws of another jurisdiction with respect to a  
418 conviction in that jurisdiction, is not barred or disqualified  
419 from licensure under this chapter. However, such a pardon or  
420 restoration of civil rights does not require the department to  
421 award such license.

422 (8) (a) The board may grant an exemption from  
423 disqualification to any person disqualified from licensure under  
424 subsection (3) if:

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

429 2. At least 5 years have elapsed since the applicant  
430 completed or has been lawfully released from confinement,  
431 supervision, or a nonmonetary condition imposed by the court for  
432 a disqualifying offense.

433 (b) For the board to grant an exemption under this  
434 subsection, the applicant must clearly and convincingly  
435 demonstrate that he or she would not pose a risk to persons or

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436 property if licensed under this chapter, evidence of which must  
437 include, but need not be limited to, facts and circumstances  
438 surrounding the disqualifying offense, the time that has elapsed  
439 since the offense, the nature of the offense and harm caused to  
440 the victim, the applicant's history before and after the  
441 offense, and any other evidence or circumstances indicating that  
442 the applicant will not present a danger if licensed or  
443 certified.

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

447 (9) The disqualification periods provided in this section  
448 do not apply to the renewal of a license or to a new application  
449 for licensure if the applicant has an active license as of July  
450 1, 2021, and the applicable criminal history was considered by  
451 the board on the prior approval of any active license held by  
452 the applicant. This subsection does not affect any criminal  
453 history disclosure requirements of this chapter.

454 Section 8. Subsection (9) and paragraph (c) of subsection  
455 (10) of section 497.142, Florida Statutes, are amended to read:  
456 497.142 Licensing; fingerprinting and criminal background  
457 checks.-

458 (9) If any applicant under this chapter has been, ~~within~~  
459 ~~the 10 years preceding the application under this chapter,~~  
460 convicted or found guilty of, or entered a plea of nolo  
461 contendere to, regardless of adjudication, any crime in any  
462 jurisdiction, the application shall not be deemed complete until  
463 such time as the applicant provides such certified true copies  
464 of the court records evidencing the conviction, finding, or plea



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465 as required by this section or, as the licensing authority may  
466 by rule require.

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

468 1. Any felony ~~or misdemeanor~~, no matter when committed,  
469 ~~that was directly or indirectly related to or involving any~~  
470 ~~aspect of the practice or business of funeral directing,~~  
471 ~~embalming, direct disposition, cremation, funeral or cemetery~~  
472 ~~preneed sales, funeral establishment operations, cemetery~~  
473 ~~operations, or cemetery monument or marker sales or~~  
474 ~~installation.~~

475 2. Any misdemeanor, no matter when committed, which was  
476 directly or indirectly related to the financial services  
477 business as defined in s. 497.1411 Any other felony not already  
478 disclosed under subparagraph 1. that was committed within the 20  
479 years immediately preceding the application under this chapter.

480 3. Any other misdemeanor not already disclosed under  
481 subparagraph 2. which ~~subparagraph 1. that~~ was committed within  
482 the 5 years immediately preceding the application under this  
483 chapter.

484 Section 9. Present subsections (2) through (5) of section  
485 497.157, Florida Statutes, are redesignated as subsections (4)  
486 through (7), respectively, new subsections (2) and (3) and  
487 subsection (8) are added to that section, and present subsection  
488 (3) of that section is amended, to read:

489 497.157 Unlicensed practice; remedies concerning violations  
490 by unlicensed persons.—

491 (2) A person may not be, act as, or advertise or hold  
492 himself or herself out to be a funeral director, an embalmer, or  
493 a direct disposer unless he or she is currently licensed by the

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494 department.

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

500 (5)~~(3)~~ Where the department determines that an emergency  
501 exists regarding any violation of this chapter by any unlicensed  
502 person or entity, the department may issue and serve an  
503 immediate final order upon such unlicensed person or entity, in  
504 accordance with s. 120.569(2)(n). Such an immediate final order  
505 may impose such prohibitions and requirements as are reasonably  
506 necessary to protect the public health, safety, and welfare, and  
507 is ~~shall be~~ effective when served.

508 (a) For the purpose of enforcing such an immediate final  
509 order, the department may file an emergency or other proceeding  
510 in the circuit courts of the state seeking enforcement of the  
511 immediate final order by injunctive or other order of the court.  
512 The court shall issue its injunction or other order enforcing  
513 the immediate final order pending administrative resolution of  
514 the matter under subsection (4) ~~(2)~~, unless the court determines  
515 that such action would work a manifest injustice under the  
516 circumstances. Venue for judicial actions under this paragraph  
517 must ~~shall~~ be, at the election of the department, in the courts  
518 of Leon County~~r~~, or in a county where the respondent resides or  
519 has a place of business.

520 (b) After serving an immediate final order to cease and  
521 desist upon any person or entity, the department shall within 10  
522 days issue and serve upon the same person or entity an

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523 administrative complaint as set forth in subsection (4) ~~(2)~~,  
524 except that, absent order of a court to the contrary, the  
525 immediate final order will ~~shall~~ be effective throughout the  
526 pendency of proceedings under subsection (4) ~~(2)~~.

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

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

533 497.159 Crimes.—

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

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

540 552.081 Definitions.—As used in this chapter:

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

545 Section 12. Present subsection (2) of section 553.7921,  
546 Florida Statutes, is redesignated as subsection (3), a new  
547 subsection (2) is added to that section, and subsection (1) of  
548 that section is amended, to read:

549 553.7921 Fire alarm permit application to local enforcement  
550 agency.—

551 (1) A contractor must file a Uniform Fire Alarm Permit

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552 Application as provided in subsection (3) ~~(2)~~ with the local  
553 enforcement agency and must receive the fire alarm permit  
554 before:

555 ~~(a) installing or replacing a fire alarm,~~ if the local  
556 enforcement agency requires a plan review for the installation  
557 or replacement; ~~or~~

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

561 (2) If the local enforcement agency requires a fire alarm  
562 permit to repair an existing alarm system that was previously  
563 permitted by the local enforcement agency, a contractor may  
564 begin work after filing a Uniform Fire Alarm Permit Application  
565 as provided in subsection (3). A fire alarm repaired pursuant to  
566 this subsection may not be considered compliant until the  
567 required permit is issued and the local enforcement agency  
568 approves the repair.

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

571 626.2815 Continuing education requirements.—

572 (3) Each licensee except a title insurance agent must  
573 complete a 4-hour ~~5-hour~~ update course every 2 years which is  
574 specific to the license held by the licensee. The course must be  
575 developed and offered by providers and approved by the  
576 department. The content of the course must address all lines of  
577 insurance for which examination and licensure are required and  
578 include the following subject areas: insurance law updates,  
579 ethics for insurance professionals, disciplinary trends and case  
580 studies, industry trends, premium discounts, determining

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581 suitability of products and services, and other similar  
582 insurance-related topics the department determines are relevant  
583 to legally and ethically carrying out the responsibilities of  
584 the license granted. A licensee who holds multiple insurance  
585 licenses must complete an update course that is specific to at  
586 least one of the licenses held. Except as otherwise specified,  
587 any remaining required hours of continuing education are  
588 elective and may consist of any continuing education course  
589 approved by the department under this section.

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

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

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

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

606 (e) An individual subject to chapter 648 must complete the  
607 4-hour ~~5-hour~~ update course and a minimum of 10 ~~9~~ hours of  
608 elective continuing education courses every 2 years.

609 (f) Elective continuing education courses for public

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610 adjusters must be specifically designed for public adjusters and  
611 approved by the department. Notwithstanding this subsection,  
612 public adjusters for workers' compensation insurance or health  
613 insurance are not required to take continuing education courses  
614 pursuant to this section.

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

617 (h) An individual teaching an approved course of  
618 instruction or lecturing at any approved seminar and attending  
619 the entire course or seminar qualifies for the same number of  
620 classroom hours as would be granted to a person taking and  
621 successfully completing such course or seminar. Credit is  
622 limited to the number of hours actually taught unless a person  
623 attends the entire course or seminar. An individual who is an  
624 official of or employed by a governmental entity in this state  
625 and serves as a professor, instructor, or in another position or  
626 office, the duties and responsibilities of which are determined  
627 by the department to require monitoring and review of insurance  
628 laws or insurance regulations and practices, is exempt from this  
629 section.

630 (i) For compliance periods beginning on or after October 1,  
631 2014, any person who holds a license as a title insurance agent  
632 must complete a minimum of 10 hours of continuing education  
633 credit every 2 years in title insurance and escrow management  
634 specific to this state and approved by the department, which  
635 must ~~shall~~ include at least 3 hours of continuing education on  
636 the subject matter of ethics, rules, or compliance with state  
637 and federal regulations relating specifically to title insurance  
638 and closing services.

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

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

645 626.371 Payment of fees, taxes for appointment period  
646 without appointment.—

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

651 (2) (a) If, upon application and qualification for an  
652 initial or renewal appointment and such investigation as the  
653 department may make, ~~it appears to~~ the department determines  
654 that an individual has not been properly appointed to represent  
655 an insurer or employer, that such individual who was formerly  
656 licensed or is currently licensed, ~~but not properly appointed to~~  
657 ~~represent an insurer or employer~~ and that such individual who  
658 has been actively engaged or is currently actively engaged as  
659 such an appointee, ~~but without being appointed as required,~~ the  
660 department shall ~~may~~, if it finds that such failure to be  
661 appointed was an inadvertent error on the part of the insurer or  
662 employer so represented, notify the insurer or employer of its  
663 finding and of the requirement to pay all fees and taxes due  
664 pursuant to paragraph (b) within 21 days.

665 (b) The department may ~~nevertheless~~ issue or authorize the  
666 issuance of the appointment upon the insurer's or employer's  
667 timely payment to the department of ~~as applied for but subject~~

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668 ~~to the condition that, before the appointment is issued, all~~  
669 fees and taxes that ~~which~~ would have been due had the applicant  
670 been properly ~~se~~ appointed during such current and prior  
671 periods, including with applicable fees and taxes that would  
672 have been due pursuant to s. 624.501 for such current and prior  
673 periods of appointment, ~~shall be paid to the department.~~

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

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

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

686 626.8443 Duration of suspension or revocation.—

687 (1) The department shall, in its order suspending a title  
688 insurance agent's or agency's license or appointment or in its  
689 order suspending the eligibility of a person to hold or apply  
690 for such license or appointment, specify the period during which  
691 the suspension is to be in effect, but such period may ~~shall~~ not  
692 exceed 2 years ~~1 year~~. The license, ~~or~~ appointment, or  
693 eligibility will ~~shall~~ remain suspended during the period so  
694 specified, subject, however, to any rescission or modification  
695 of the order by the department, or modification or reversal  
696 thereof by the court, prior to expiration of the suspension



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697 period. A license, appointment, or eligibility that ~~which~~ has  
698 been suspended may not be reinstated except upon request for  
699 such reinstatement, but the department may ~~shall~~ not grant such  
700 reinstatement if it finds that the circumstance or circumstances  
701 for which the license, appointment, and eligibility was  
702 suspended still exist or are likely to recur.

703 Section 16. Paragraph (e) of subsection (1) of section  
704 626.916, Florida Statutes, is amended to read:

705 626.916 Eligibility for export.—

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

708 ~~(e) For personal residential property risks, the retail or~~  
709 ~~producing agent must advise the insured in writing that coverage~~  
710 ~~may be available and may be less expensive from Citizens~~  
711 ~~Property Insurance Corporation. The notice must include other~~  
712 ~~information that states that assessments by Citizens Property~~  
713 ~~Insurance Corporation are higher and the coverage provided by~~  
714 ~~Citizens Property Insurance Corporation may be less than the~~  
715 ~~property's existing coverage. If the notice is signed by the~~  
716 ~~insured, it is presumed that the insured has been informed and~~  
717 ~~knows that policies from Citizens Property Insurance Corporation~~  
718 ~~may be less expensive, may provide less coverage, and will be~~  
719 ~~accompanied by higher assessments.~~

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

722 626.9551 Favored agent or insurer; coercion of debtors.—

723 (1) No person may:

724 (e) Require an insurance agent or agency to directly or  
725 indirectly provide the replacement cost estimator or other

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726 underwriting information of an insurer underwriting an insurance  
727 policy covering real property as a condition precedent or  
728 condition subsequent to the lending of money or extension of  
729 credit to be secured by real property when such information is  
730 the proprietary business information of an insurer as defined in  
731 s. 624.4212(1). An insurance agent or agency may not provide  
732 such information to any person without authorization from the  
733 insurer.

734 Section 18. Present subsections (4) through (10) of section  
735 627.715, Florida Statutes, are redesignated as subsections (5)  
736 through (11), respectively, and a new subsection (4) is added to  
737 that section, to read:

738 627.715 Flood insurance.—An authorized insurer may issue an  
739 insurance policy, contract, or endorsement providing personal  
740 lines residential coverage for the peril of flood or excess  
741 coverage for the peril of flood on any structure or the contents  
742 of personal property contained therein, subject to this section.  
743 This section does not apply to commercial lines residential or  
744 commercial lines nonresidential coverage for the peril of flood.  
745 An insurer may issue flood insurance policies, contracts,  
746 endorsements, or excess coverage on a standard, preferred,  
747 customized, flexible, or supplemental basis.

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

752 Section 19. Section 633.136, Florida Statutes, is amended  
753 to read:

754 633.136 Fire and Emergency Incident Information Reporting

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755 Program; duties; fire reports.—

756 (1) (a) The Fire and Emergency Incident Information  
757 Reporting Program is created within the division. The program  
758 shall:

759 1. Establish and maintain an electronic communication  
760 system capable of transmitting fire and emergency incident  
761 information to and between fire service providers ~~protection~~  
762 ~~agencies~~.

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

765 a. Receiving fire and emergency incident information from  
766 fire service providers ~~protection agencies~~.

767 b. Preparing and disseminating annual reports to the  
768 Governor, the President of the Senate, the Speaker of the House  
769 of Representatives, fire service providers ~~protection agencies~~,  
770 and, upon request, the public. Each report must ~~shall~~ include,  
771 but not be limited to, the information listed in the National  
772 Fire Incident Reporting System.

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

775 3. Adopt rules to effectively and efficiently implement,  
776 administer, manage, maintain, and use the Fire and Emergency  
777 Incident Information Reporting Program. The rules shall be  
778 considered minimum requirements and may ~~shall~~ not preclude a  
779 fire service provider ~~protection agency~~ from implementing its  
780 own requirements that ~~which~~ may not conflict with the rules of  
781 the division.

782 4. By rule, establish procedures and a format for each fire  
783 service provider ~~protection agency~~ to voluntarily monitor its

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784 records and submit reports to the program.

785 5. Maintain ~~Establish~~ an electronic information database  
786 that is accessible and searchable by fire service providers  
787 ~~protection agencies~~.

788 (b) The division shall consult with the Florida Forest  
789 Service of the Department of Agriculture and Consumer Services  
790 and the State Surgeon General of the Department of Health to  
791 coordinate data, ensure accuracy of the data, and limit  
792 duplication of efforts in data collection, analysis, and  
793 reporting.

794 (2) The Fire and Emergency Incident Information System  
795 Technical Advisory Panel is created within the division. The  
796 panel shall advise, review, and recommend to the State Fire  
797 Marshal with respect to the requirements of this section. The  
798 membership of the panel consists ~~shall consist~~ of the following  
799 15 members:

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

802 ~~(b) One member from the Florida Forest Service of the~~  
803 ~~Department of Agriculture and Consumer Services, appointed by~~  
804 ~~the director of the Florida Forest Service.~~

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

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

811 Section 20. Subsection (18) of section 633.202, Florida  
812 Statutes, is amended to read:

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813 633.202 Florida Fire Prevention Code.—

814 (18) The authority having jurisdiction shall determine the  
815 minimum radio signal strength for fire department communications  
816 in all new high-rise and existing high-rise buildings. Existing  
817 buildings are not required to comply with minimum radio strength  
818 for fire department communications and two-way radio system  
819 enhancement communications as required by the Florida Fire  
820 Prevention Code until January 1, 2023 ~~2022~~. However, by January  
821 1, 2022 ~~December 31, 2019~~, an existing building that is not in  
822 compliance with the requirements for minimum radio strength for  
823 fire department communications must have completed a minimum  
824 radio strength assessment ~~apply for an appropriate permit~~ for  
825 the required installation with the local government agency  
826 having jurisdiction and must demonstrate that the building will  
827 become compliant by January 1, 2023 ~~2022~~. Existing apartment  
828 buildings are not required to comply until January 1, 2025.  
829 However, existing apartment buildings must have completed a  
830 minimum radio strength assessment ~~are required to apply for the~~  
831 ~~appropriate permit~~ for the required communications installation  
832 by December 31, 2022.

833 Section 21. Section 633.217, Florida Statutes, is created  
834 to read:

835 633.217 Influencing a firesafety inspector; prohibited  
836 acts.—

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

838 (a) Threatening, coercing, tricking, or attempting to  
839 threaten, coerce, or trick the firesafety inspector into  
840 violating any provision of the Florida Fire Prevention Code, any  
841 rule adopted by the State Fire Marshal, or any provision of this

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842 chapter.

843 (b) Offering any compensation to the firesafety inspector  
844 to induce a violation of the Florida Fire Prevention Code, any  
845 rule adopted by the State Fire Marshal, or any provision of this  
846 chapter.

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

850 Section 22. Subsection (1) of section 633.402, Florida  
851 Statutes, is amended to read:

852 633.402 Firefighters Employment, Standards, and Training  
853 Council; organization; meetings; quorum; compensation; seal;  
854 special powers; firefighter training.—

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

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

858 1. Two fire chiefs appointed by the Florida Fire Chiefs  
859 Association.

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

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

864 4. One individual appointed by the Florida League of  
865 Cities.

866 5. One individual appointed by the Florida Association of  
867 Counties.

868 6. One individual appointed by the Florida Association of  
869 Special Districts.

870 7. One individual appointed by the Florida Fire Marshals'

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871 and Inspectors' Association.

872 8. One employee of the Florida Forest Service of the  
873 Department of Agriculture and Consumer Services appointed by the  
874 director of the Florida Forest Service.

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

876 10. One director or instructor of a state-certified  
877 firefighting training facility appointed by the State Fire  
878 Marshal.

879 11. One individual ~~The remaining member, who shall be~~  
880 appointed by the State Fire Marshal, who may not be a member or  
881 representative of the firefighting profession or of any local  
882 government.

883 12. One individual from the Department of Health, appointed  
884 by the Surgeon General.

885 (b) To be eligible for appointment as a member under  
886 subparagraph (a)1., subparagraph (a)2., subparagraph (a)3.,  
887 subparagraph (a)8., or subparagraph (a)10., a person must have  
888 had at least 4 years' experience in the firefighting profession.  
889 Members shall serve only as long as they continue to meet the  
890 criteria under which they were appointed, or unless a member has  
891 failed to appear at three consecutive and properly noticed  
892 meetings unless excused by the chair.

893 Section 23. Subsection (1) of section 633.416, Florida  
894 Statutes, is amended to read:

895 633.416 Firefighter employment and volunteer firefighter  
896 service; saving clause.—

897 (1) A fire service provider may not employ an individual  
898 to:

899 (a) Extinguish fires for the protection of life or property

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900 or to supervise individuals who perform such services unless the  
901 individual holds a current and valid Firefighter Certificate of  
902 Compliance. However, a person who is currently serving as a  
903 volunteer firefighter and holds a volunteer firefighter  
904 certificate of completion with a fire service provider, who is  
905 then employed as a regular or permanent firefighter by such fire  
906 service provider, may function, for a period of 1 year under the  
907 direct supervision of an individual holding a valid Firefighter  
908 Certificate of Compliance, in the same capacity in which he or  
909 she acted as a volunteer firefighter, provided that he or she  
910 has completed all training required by the volunteer  
911 organization. Under no circumstance can this period extend  
912 beyond 1 year either collectively or consecutively from the  
913 start of employment to obtain a Firefighter Certificate of  
914 Compliance; or

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

919 Section 24. Section 648.30, Florida Statutes, is amended to  
920 read:

921 648.30 Licensure and appointment required; prohibited acts;  
922 penalties.—

923 (1) A person may not act in the capacity of a bail bond  
924 agent or temporary bail bond agent or perform any of the  
925 functions, duties, or powers prescribed for bail bond agents or  
926 temporary bail bond agents under this chapter unless that person  
927 is qualified, licensed, and appointed as provided in this  
928 chapter.



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

932 (3) A person, other than a certified law enforcement  
933 officer, may not apprehend, detain, or arrest a principal on a  
934 bond, wherever issued, unless that person is qualified,  
935 licensed, and appointed as provided in this chapter or licensed  
936 as a bail bond agent or bail bond enforcement agent, or holds an  
937 equivalent license by the state where the bond was written.

938 (4) Any person who violates this section commits a felony  
939 of the third degree, punishable as provided in s. 775.082, s.  
940 775.083, or s. 775.084.

941 (5) Any licensee under this chapter who knowingly aids or  
942 abets an unlicensed person in violating this section commits a  
943 felony of the third degree, punishable as provided in s.  
944 775.082, s. 775.083, or s. 775.084.

945 Section 25. Section 843.08, Florida Statutes, is amended to  
946 read:

947 843.08 False personation.—A person who falsely assumes or  
948 pretends to be a firefighter, a sheriff, an officer of the  
949 Florida Highway Patrol, an officer of the Fish and Wildlife  
950 Conservation Commission, an officer of the Department of  
951 Environmental Protection, ~~a fire or arson investigator of the~~  
952 ~~Department of Financial Services~~, an officer of the Department  
953 of Financial Services, any personnel or representative of the  
954 Division of Investigative and Forensic Services, an officer of  
955 the Department of Corrections, a correctional probation officer,  
956 a deputy sheriff, a state attorney or an assistant state  
957 attorney, a statewide prosecutor or an assistant statewide

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958 prosecutor, a state attorney investigator, a coroner, a police  
959 officer, a lottery special agent or lottery investigator, a  
960 beverage enforcement agent, a school guardian as described in s.  
961 30.15(1)(k), a security officer licensed under chapter 493, any  
962 member of the Florida Commission on Offender Review or any  
963 administrative aide or supervisor employed by the commission,  
964 any personnel or representative of the Department of Law  
965 Enforcement, or a federal law enforcement officer as defined in  
966 s. 901.1505, and takes upon himself or herself to act as such,  
967 or to require any other person to aid or assist him or her in a  
968 matter pertaining to the duty of any such officer, commits a  
969 felony of the third degree, punishable as provided in s.  
970 775.082, s. 775.083, or s. 775.084. However, a person who  
971 falsely personates any such officer during the course of the  
972 commission of a felony commits a felony of the second degree,  
973 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
974 If the commission of the felony results in the death or personal  
975 injury of another human being, the person commits a felony of  
976 the first degree, punishable as provided in s. 775.082, s.  
977 775.083, or s. 775.084.

978 Section 26. Paragraph (f) is added to subsection (11) of  
979 section 943.045, Florida Statutes, to read:

980 943.045 Definitions; ss. 943.045-943.08.—The following  
981 words and phrases as used in ss. 943.045-943.08 shall have the  
982 following meanings:

983 (11) "Criminal justice agency" means:

984 (f) The investigations component of the Department of  
985 Financial Services which investigates the crimes of fraud and  
986 official misconduct in all public assistance given to residents

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987 of this state or provided to others by the state.

988 Section 27. For the purpose of incorporating the amendment  
989 made by this act to section 497.142, Florida Statutes, in a  
990 reference thereto, paragraph (a) of subsection (5) of section  
991 497.141, Florida Statutes, is reenacted to read:

992 497.141 Licensing; general application procedures.—

993 (5) (a) The licensing authority may not issue, and effective  
994 July 1, 2011, may not renew, a license under this chapter to an  
995 applicant that has a criminal record required to be disclosed  
996 under s. 497.142(10) unless the applicant demonstrates that  
997 issuance of the license, according to rules adopted by the  
998 licensing authority, does not create a danger to the public. A  
999 licensee who previously disclosed her or his criminal record  
1000 upon initial application or renewal of her or his license must  
1001 disclose only a criminal offense for which the licensee was  
1002 convicted or entered a plea of guilty or nolo contendere since  
1003 the most recent renewal of her or his license or, if the license  
1004 has not been renewed, since the licensee's initial application.

1005 Section 28. Except as otherwise expressly provided in this  
1006 act and except for this section, which shall take effect upon  
1007 this act becoming a law, this act shall take effect July 1,  
1008 2021.