



902328

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/08/2022	.	
	.	
	.	
	.	

---

The Committee on Commerce and Tourism (Burgess) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Present subsections (5) through (8) of section 493.6105, Florida Statutes, are redesignated as subsections (6) through (9), respectively, a new subsection (5) is added to that section, and subsections (1) and (3) and paragraph (c) of present subsection (5) of that section are amended, to read:

493.6105 Initial application for license.—



902328

11 (1) Each individual, partner, or principal officer in a  
12 corporation, shall file with the department a complete  
13 application accompanied by an application fee not to exceed \$60,  
14 except that an applicant for a Class "CG," Class "D," or Class  
15 "G" license is not required to submit an application fee. An  
16 application fee is not required for an applicant who qualifies  
17 for the fee waiver in s. 493.6107(6). The application fee is not  
18 refundable.

19 (a) The application submitted by any individual, partner,  
20 or corporate officer must be approved by the department before  
21 the individual, partner, or corporate officer assumes his or her  
22 duties.

23 (b) Individuals who invest in the ownership of a licensed  
24 agency but do not participate in, direct, or control the  
25 operations of the agency are not required to file an  
26 application.

27 (3) The application must contain the following information  
28 concerning the individual signing the application:

29 (a) Name and any aliases.

30 (b) Age and date of birth.

31 (c) Place of birth.

32 (d) Social security number or alien registration number,  
33 whichever is applicable.

34 (e) Current residence address and mailing address.

35 (f) A statement of all criminal convictions, findings of  
36 guilt, and pleas of guilty or nolo contendere, regardless of  
37 adjudication of guilt. An applicant for a Class "CG," Class "G,"  
38 or Class "K" license who is younger than 24 years of age shall  
39 also include a statement regarding any finding of having



902328

40 committed a delinquent act in any state, territory, or country  
41 which would be a felony if committed by an adult and which is  
42 punishable by imprisonment for a term exceeding 1 year.

43 (g) One passport-type color photograph taken within the 6  
44 months immediately preceding submission of the application.

45 (h) A statement whether he or she has ever been adjudicated  
46 incompetent under chapter 744.

47 (i) A statement whether he or she has ever been committed  
48 to a mental institution under chapter 394.

49 (j) A full set of fingerprints, a fingerprint processing  
50 fee, and a fingerprint retention fee. The fingerprint processing  
51 and retention fees shall be established by rule of the  
52 department based upon costs determined by state and federal  
53 agency charges and department processing costs, which must  
54 include the cost of retaining the fingerprints in the statewide  
55 automated biometric identification system established in s.  
56 943.05(2)(b) and the cost of enrolling the fingerprints in the  
57 national retained print arrest notification program as required  
58 under s. 493.6108. An applicant who has, within the immediately  
59 preceding 6 months, submitted such fingerprints and fees for  
60 licensing purposes under this chapter and who still holds a  
61 valid license is not required to submit another set of  
62 fingerprints or another fingerprint processing fee. An applicant  
63 who holds multiple licenses issued under this chapter is  
64 required to pay only a single fingerprint retention fee.  
65 Partners and corporate officers who do not possess licenses  
66 subject to renewal under s. 493.6113 are exempt from the  
67 fingerprint retention requirements of this chapter.

68 (k) A personal inquiry waiver that allows the department to



902328

69 conduct necessary investigations to satisfy the requirements of  
70 this chapter.

71 (1) Such further facts as may be required by the department  
72 to show that the individual signing the application is of good  
73 moral character and qualified by experience and training to  
74 satisfy the requirements of this chapter.

75 (5) In addition to the requirements under subsection (3),  
76 an applicant for a Class "CG" license must submit proof that she  
77 or he:

78 (a) Has an active license to carry a concealed firearm  
79 issued pursuant to s. 790.06;

80 (b) Is a retired law enforcement officer who separated from  
81 service in good standing; who, before such separation, served as  
82 a law enforcement officer for at least 10 years; and who  
83 maintains her or his annual firearms proficiency qualification  
84 pursuant to the federal Law Enforcement Officers Safety Act; or

85 (c) Is an active law enforcement officer who maintains the  
86 annual firearms proficiency qualification required by her or his  
87 agency.

88 (6)~~(5)~~ In addition to the requirements outlined in  
89 subsection (3), an applicant for a Class "G" license must  
90 satisfy minimum training criteria for firearms established by  
91 rule of the department, which training criteria includes, but is  
92 not limited to, 28 hours of range and classroom training taught  
93 and administered by a Class "K" licensee; however, no more than  
94 8 hours of such training shall consist of range training. The  
95 department may waive the foregoing firearms training requirement  
96 if:

97 (c) The applicant submits a valid firearm certificate among



902328

98 those specified in paragraph (7) (a) ~~(6) (a)~~.

99 Section 2. Paragraphs (f) and (g) of subsection (1) and  
100 subsection (3) of section 493.6106, Florida Statutes, are  
101 amended to read:

102 493.6106 License requirements; posting.—

103 (1) Each individual licensed by the department must:

104 (f) Be a citizen or permanent legal resident alien of the  
105 United States or have appropriate authorization issued by the  
106 United States Citizenship and Immigration Services of the United  
107 States Department of Homeland Security.

108 1. An applicant for a Class "C," Class "CC," Class "D,"  
109 Class "DI," Class "E," Class "EE," Class "M," Class "MA," Class  
110 "MB," Class "MR," or Class "RI" license who is not a United  
111 States citizen must submit proof of current employment  
112 authorization issued by the United States Citizenship and  
113 Immigration Services or proof that she or he is deemed a  
114 permanent legal resident alien by the United States Citizenship  
115 and Immigration Services.

116 2. An applicant for a Class "CG," Class "G," or Class "K"  
117 license who is not a United States citizen must submit proof  
118 that she or he is deemed a permanent legal resident alien by the  
119 United States Citizenship and Immigration Services.

120 3. An applicant for an agency or school license who is not  
121 a United States citizen or permanent legal resident alien must  
122 submit documentation issued by the United States Citizenship and  
123 Immigration Services stating that she or he is lawfully in the  
124 United States and is authorized to own and operate the type of  
125 agency or school for which she or he is applying. An employment  
126 authorization card issued by the United States Citizenship and



902328

127 Immigration Services is not sufficient documentation.

128 (g) Not be prohibited from purchasing or possessing a  
129 firearm by state or federal law if the individual is applying  
130 for a Class "CG," Class "G," ~~license~~ or a Class "K" license.

131 (3) Each Class "C," Class "CC," Class "CG," Class "D,"  
132 Class "DI," Class "E," Class "EE," Class "G," Class "K," Class  
133 "M," Class "MA," Class "MB," Class "MR," or Class "RI" licensee  
134 shall notify the division in writing within 10 days of a change  
135 in her or his residence or mailing address.

136 Section 3. Subsection (4) of section 493.6111, Florida  
137 Statutes, is amended to read:

138 493.6111 License; contents; identification card.—

139 (4) Notwithstanding the existence of a valid Florida  
140 corporate registration, an agency or school licensee may not  
141 conduct activities regulated under this chapter under any  
142 fictitious name without prior written authorization from the  
143 department to use that name in the conduct of activities  
144 regulated under this chapter. The department may not authorize  
145 the use of a name that is so similar to that of a public officer  
146 or agency, or of that used by another licensee, that the public  
147 may be confused or misled thereby. The authorization for the use  
148 of a fictitious name must require, as a condition precedent to  
149 the use of such name, the filing of a certificate of engaging in  
150 business under a fictitious name under s. 865.09. A licensee may  
151 not conduct business under more than one name except as  
152 separately licensed nor shall the license be valid to protect  
153 any licensee who is engaged in the business under any name other  
154 than that specified in the license. An agency desiring to change  
155 its licensed name must notify the department and, except upon



902328

156 renewal, pay a fee not to exceed \$30 for each license requiring  
157 revision including those of all licensed employees except Class  
158 "CG," Class "D," or Class "G" licensees. Upon the return of such  
159 licenses to the department, revised licenses shall be provided.

160 Section 4. Subsections (2), (4), (5), (6), (8), and (9) of  
161 section 493.6115, Florida Statutes, are amended to read:

162 493.6115 Weapons and firearms.—

163 (2) (a) Only Class "C," Class "CC," Class "D," Class "M,"  
164 Class "MA," or Class "MB" licensees are permitted to bear a  
165 firearm in the performance of their duties only if ~~and any~~ such  
166 licensee also has ~~who bears a firearm shall also have~~ a Class  
167 "G" license.

168 (b) Class "C" and Class "CC" licensees are permitted to  
169 bear a firearm in the performance of their duties only if such  
170 licensee also has a "Class "CG" or Class "G" license.

171 (4) A Class "C" or Class "CC" licensee who is 21 years of  
172 age or older and has also been issued a Class "CG" or Class "G"  
173 license may carry, in the performance of her or his duties, a  
174 concealed firearm. A Class "D" licensee who is 21 years of age  
175 or older and has also been issued a Class "G" license may carry  
176 a concealed firearm in the performance of her or his duties  
177 under the conditions specified in s. 493.6305(3) and (4). The  
178 Class "CG" or Class "G" license must clearly indicate such  
179 authority. The authority of any such licensee to carry a  
180 concealed firearm is valid in any location throughout the state  
181 while performing services within the scope of the license.

182 (5) (a) The Class "G" license shall remain in effect only  
183 during the period the applicant is employed as a Class "C,"  
184 Class "CC," Class "D," Class "MA," Class "MB," or Class "M"



902328

185 licensee.

186 (b) The Class "CG" license shall remain in effect only  
187 during the period the applicant is employed as a Class "C" or  
188 Class "CC" licensee.

189 (6) In addition to any other firearm approved by the  
190 department, a licensee who has been issued a Class "CG" or Class  
191 "G" license may carry a .38 caliber revolver; or a .380 caliber  
192 or 9 millimeter semiautomatic pistol; or a .357 caliber revolver  
193 with .38 caliber ammunition only; or a .40 caliber handgun; or a  
194 .45 ACP handgun while performing duties authorized under this  
195 chapter. A licensee may not carry more than two firearms upon  
196 her or his person when performing her or his duties. A licensee  
197 may only carry a firearm of the specific type and caliber with  
198 which she or he is qualified pursuant to the firearms training  
199 referenced in subsection (8) or s. 493.6113(3)(b).

200 (8) A Class "G" applicant must satisfy the minimum training  
201 criteria as set forth in s. 493.6105(6) ~~s. 493.6105(5)~~ and as  
202 established by rule of the department.

203 (9) Whenever a Class "CG" or Class "G" licensee discharges  
204 her or his firearm in the course of her or his duties, the Class  
205 "CG" or Class "G" licensee and the agency by which she or he is  
206 employed shall, within 5 working days, submit to the department  
207 an explanation describing the nature of the incident, the  
208 necessity for using the firearm, and a copy of any report  
209 prepared by a law enforcement agency. The department may revoke  
210 or suspend the Class "CG" or Class "G" licensee's license and  
211 the licensed agency's agency license if this requirement is not  
212 met.

213 Section 5. Present paragraphs (x), (y), and (z) of





902328

214 subsection (1) of section 493.6118, Florida Statutes, are  
215 redesignated as paragraphs (y), (z), and (aa), respectively, a  
216 new paragraph (x) is added to that subsection, and paragraphs  
217 (v) and (w) of that subsection and paragraph (a) of subsection  
218 (8) of that section are amended, to read:

219 493.6118 Grounds for disciplinary action.—

220 (1) The following constitute grounds for which disciplinary  
221 action specified in subsection (2) may be taken by the  
222 department against any licensee, agency, or applicant regulated  
223 by this chapter, or any unlicensed person engaged in activities  
224 regulated under this chapter:

225 (v) For a Class "K" licensee, failing to maintain active  
226 certification specified under s. 493.6105(7) ~~s. 493.6105(6)~~.

227 (w) For a Class "CG," Class "G," or ~~a~~ Class "K" applicant  
228 or licensee, being prohibited from purchasing or possessing a  
229 firearm by state or federal law.

230 (x) For a Class "CG" licensee, failing to maintain active  
231 certification or licensure under s. 493.6105(5).

232 (8) (a) Upon notification by a law enforcement agency, a  
233 court, or the Department of Law Enforcement and upon subsequent  
234 written verification, the department shall temporarily suspend a  
235 Class "CG," Class "G," or Class "K" license if the licensee is  
236 arrested or charged with a firearms-related crime that would  
237 disqualify such person from licensure under this chapter. The  
238 department shall notify the licensee suspended under this  
239 section of his or her right to a hearing pursuant to chapter  
240 120. A hearing conducted regarding the temporary suspension must  
241 be for the limited purpose of determining whether the licensee  
242 has been arrested or charged with a disqualifying firearms-



902328

243 related crime.

244 Section 6. Subsection (7) of section 493.6201, Florida  
245 Statutes, is amended to read:

246 493.6201 Classes of licenses.—

247 (7) (a) Only Class "M," or Class "MA," Class "C," or Class  
248 "CC" licensees are permitted to bear a firearm during the  
249 performance of their duties only if, and any such licensee also  
250 has who bears a firearm shall also have a Class "G" license.

251 (b) Class "C" and Class "CC" licensees are permitted to  
252 bear a firearm during the performance of their duties only if  
253 such licensee also has a "Class "CG" or Class "G" license.

254 Section 7. Paragraphs (b) and (d) of subsection (3) of  
255 section 493.6113, Florida Statutes, is amended to read:

256 493.6113 Renewal application for licensure.—

257 (3) Each licensee is responsible for renewing his or her  
258 license on or before its expiration by filing with the  
259 department an application for renewal accompanied by payment of  
260 the renewal fee and the fingerprint retention fee to cover the  
261 cost of ongoing retention in the statewide automated biometric  
262 identification system established in s. 943.05(2) (b). Upon the  
263 first renewal of a license issued under this chapter before  
264 January 1, 2017, the licensee shall submit a full set of  
265 fingerprints and fingerprint processing fees to cover the cost  
266 of entering the fingerprints into the statewide automated  
267 biometric identification system pursuant to s. 493.6108(4) (a)  
268 and the cost of enrollment in the Federal Bureau of  
269 Investigation's national retained print arrest notification  
270 program. Subsequent renewals may be completed without submission  
271 of a new set of fingerprints.



902328

272 (b) Each Class "G" licensee shall additionally submit proof  
273 that he or she has received during each year of the license  
274 period a minimum of 4 hours of firearms requalification training  
275 taught by a Class "K" licensee and has complied with such other  
276 health and training requirements that the department shall adopt  
277 by rule. Proof of completion of firearms requalification  
278 training shall be submitted to the department upon completion of  
279 the training. A Class "G" licensee must successfully complete  
280 this requalification training for each type and caliber of  
281 firearm carried in the course of performing his or her regulated  
282 duties. If the licensee fails to complete the required 4 hours  
283 of annual training during the first year of the 2-year term of  
284 the license, the license shall be automatically suspended. The  
285 licensee must complete the minimum number of hours of range and  
286 classroom training required at the time of initial licensure and  
287 submit proof of completion of such training to the department  
288 before the license may be reinstated. If the licensee fails to  
289 complete the required 4 hours of annual training during the  
290 second year of the 2-year term of the license, the licensee must  
291 complete the minimum number of hours of range and classroom  
292 training required at the time of initial licensure and submit  
293 proof of completion of such training to the department before  
294 the license may be renewed. The department may waive the  
295 firearms training requirement if:

296 1. The applicant provides proof that he or she is currently  
297 certified as a law enforcement officer or correctional officer  
298 under the Criminal Justice Standards and Training Commission and  
299 has completed law enforcement firearms requalification training  
300 annually during the previous 2 years of the licensure period;



902328

301           2. The applicant provides proof that he or she is currently  
302 certified as a federal law enforcement officer and has received  
303 law enforcement firearms training administered by a federal law  
304 enforcement agency annually during the previous 2 years of the  
305 licensure period; or

306           3. The applicant submits a valid firearm certificate among  
307 those specified in s. 493.6105(7) (a) ~~s. 493.6105(6) (a)~~ and  
308 provides proof of having completed requalification training  
309 during the previous 2 years of the licensure period.

310           (d) Each Class "K" licensee shall additionally submit one  
311 of the certificates specified under s. 493.6105(7) ~~s.~~  
312 ~~493.6105(6)~~ as proof that he or she remains certified to provide  
313 firearms instruction.

314           Section 8. This act shall take effect July 1, 2022.

315  
316 ===== T I T L E   A M E N D M E N T =====

317 And the title is amended as follows:

318           Delete everything before the enacting clause  
319 and insert:

320                                   A bill to be entitled  
321           An act relating to private investigative services;  
322           amending s. 493.6105, F.S.; exempting Class "CG"  
323           license applicants from an application fee; providing  
324           application requirements for Class "CG" licenses;  
325           amending s. 493.6106, F.S.; providing requirements for  
326           Class "CG" licensees; amending s. 493.6111, F.S.;  
327           exempting licensed agencies from certain fees relating  
328           to license revisions; amending s. 493.6115, F.S.;  
329           revising requirements relating to certain licensees



902328

330 carrying firearms; specifying that Class "CG" licenses  
331 remain in effect only while the applicant is employed  
332 as a Class "C" or Class "CC" licensee; conforming  
333 provisions to changes made by the act; amending s.  
334 493.6118, F.S.; specifying when the Department of  
335 Agriculture and Consumer Services may take  
336 disciplinary action against Class "CG" licensees;  
337 conforming a cross-reference; amending s. 493.6201,  
338 F.S.; revising requirements relating to certain  
339 licensees carrying firearms; amending s. 493.6113,  
340 F.S.; conforming cross-references; providing an  
341 effective date.