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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/27/2022	.	
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The Committee on Banking and Insurance (Boyd) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 17.0315, Florida Statutes, is repealed.

Section 2. Subsections (1) and (3) of section 48.151,
Florida Statutes, are amended to read:

48.151 Service on statutory agents for certain persons.—

(1) When any law designates a public officer, board,
agency, or commission as the agent for service of process on any



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11 person, firm, or corporation, service of process thereunder
12 shall be made by leaving one copy of the process with the public
13 officer, board, agency, or commission or in the office thereof,
14 or by mailing one copy to the public officer, board, agency, or
15 commission, except as provided in subsection (3). The public
16 officer, board, agency, or commission so served shall retain a
17 record copy and promptly send the copy served, by registered or
18 certified mail, to the person to be served as shown by his or
19 her or its records. Proof of service on the public officer,
20 board, agency, or commission shall be by a notice accepting the
21 process which shall be issued by the public officer, board,
22 agency, or commission promptly after service and filed in the
23 court issuing the process. The notice accepting service shall
24 state the date upon which the copy of the process was mailed by
25 the public officer, board, agency, or commission to the person
26 being served and the time for pleading prescribed by the rules
27 of procedure shall run from this date. The service is valid
28 service for all purposes on the person for whom the public
29 officer, board, agency, or commission is statutory agent for
30 service of process.

31 (3) The Chief Financial Officer ~~or his or her assistant or~~
32 ~~deputy or another person in charge of the office~~ is the agent
33 for service of process on all insurers applying for authority to
34 transact insurance in this state, all licensed nonresident
35 insurance agents, all nonresident disability insurance agents
36 licensed pursuant to s. 626.835, any unauthorized insurer under
37 s. 626.906 or s. 626.937, domestic reciprocal insurers,
38 fraternal benefit societies under chapter 632, warranty
39 associations under chapter 634, prepaid limited health service



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40 organizations under chapter 636, and persons required to file
41 statements under s. 628.461. ~~As an alternative to service of~~
42 ~~process made by mail or personal service on the Chief Financial~~
43 ~~Officer, on his or her assistant or deputy, or on another person~~
44 ~~in charge of the office,~~ The Department of Financial Services
45 shall may create a secure online portal as the sole means an
46 Internet-based transmission system to accept service of process
47 on the Chief Financial Officer under this section ~~by electronic~~
48 ~~transmission of documents.~~

49 Section 3. Present subsections (9) through (13) of section
50 110.123, Florida Statutes, are redesignated as subsections (10)
51 through (14), respectively, a new subsection (9) is added to
52 that section, and paragraphs (b), (c), (f), (h), (i), and (o) of
53 subsection (2) and paragraph (i) of subsection (5) are amended,
54 to read:

55 110.123 State group insurance program.—

56 (2) DEFINITIONS.—As used in ss. 110.123-110.1239, the term:

57 (b) "Enrollee" means all state officers and employees,
58 retired state officers and employees, surviving spouses of
59 deceased state officers and employees, and terminated employees
60 or individuals with continuation coverage who are enrolled in an
61 insurance plan offered by the state group insurance program. The
62 term "Enrollee" includes all state university officers and
63 employees, retired state university officers and employees,
64 surviving spouses of deceased state university officers and
65 employees, and terminated state university employees or
66 individuals with continuation coverage who are enrolled in an
67 insurance plan offered by the state group insurance program. As
68 used in this paragraph, state employees and retired state



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69 employees also include employees and retired employees of the
70 Division of Rehabilitation and Liquidation.

71 (c) "Full-time state employees" means employees of all
72 branches or agencies of state government holding salaried
73 positions who are paid by state warrant or from agency funds and
74 who work or are expected to work an average of at least 30 ~~or~~
75 more hours per week; employees of the Division of Rehabilitation
76 and Liquidation who work or are expected to work an average of
77 at least 30 hours per week; employees paid from regular salary
78 appropriations for 8 months' employment, including university
79 personnel on academic contracts; and employees paid from other-
80 personal-services (OPS) funds as described in subparagraphs 1.
81 and 2. The term includes all full-time employees of the state
82 universities. The term does not include seasonal workers who are
83 paid from OPS funds.

84 1. For persons hired before April 1, 2013, the term
85 includes any person paid from OPS funds who:

86 a. Has worked an average of at least 30 hours or more per
87 week during the initial measurement period from April 1, 2013,
88 through September 30, 2013; or

89 b. Has worked an average of at least 30 hours or more per
90 week during a subsequent measurement period.

91 2. For persons hired after April 1, 2013, the term includes
92 any person paid from OPS funds who:

93 a. Is reasonably expected to work an average of at least 30
94 hours or more per week; or

95 b. Has worked an average of at least 30 hours or more per
96 week during the person's measurement period.

97 (f) "Part-time state employee" means an employee of any



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98 branch or agency of state government paid by state warrant from
99 salary appropriations or from agency funds, or an employee of
100 the Division of Rehabilitation and Liquidation, and who is
101 employed for less than an average of 30 hours per week or, if on
102 academic contract or seasonal or other type of employment which
103 is less than year-round, is employed for less than 8 months
104 during any 12-month period, but does not include a person paid
105 from other-personal-services (OPS) funds. The term includes all
106 part-time employees of the state universities.

107 (h) "Retired state officer or employee" or "retiree" means
108 any state or state university officer or employee, or, beginning
109 with the 2023 plan year, an employee of the Division of
110 Rehabilitation and Liquidation, who retires under a state
111 retirement system or a state optional annuity or retirement
112 program or is placed on disability retirement, and who was
113 insured under the state group insurance program or the Division
114 of Rehabilitation and Liquidation's group insurance program at
115 the time of retirement, and who begins receiving retirement
116 benefits immediately after retirement from state or state
117 university office or employment. The term also includes any
118 state officer or state employee who retires under the Florida
119 Retirement System Investment Plan established under part II of
120 chapter 121 if he or she:

- 121 1. Meets the age and service requirements to qualify for
122 normal retirement as set forth in s. 121.021(29); or
123 2. Has attained the age specified by s. 72(t)(2)(A)(i) of
124 the Internal Revenue Code and has 6 years of creditable service.

125 (i) "State agency" or "agency" means any branch,
126 department, or agency of state government. "State agency" or



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127 "agency" includes any state university and the Division of
128 Rehabilitation and Liquidation for purposes of this section
129 only.

130 (o) "Surviving spouse" means the widow or widower of a
131 deceased state officer, full-time state employee, part-time
132 state employee, or retiree if such widow or widower was covered
133 as a dependent under the state group health insurance plan,
134 TRICARE supplemental insurance plan, ~~or~~ a health maintenance
135 organization plan established pursuant to this section, or the
136 Division of Rehabilitation and Liquidation's group insurance
137 program at the time of the death of the deceased officer,
138 employee, or retiree. "Surviving spouse" also means any widow or
139 widower who is receiving or eligible to receive a monthly state
140 warrant from a state retirement system as the beneficiary of a
141 state officer, full-time state employee, or retiree who died
142 prior to July 1, 1979. For the purposes of this section, any
143 such widow or widower shall cease to be a surviving spouse upon
144 his or her remarriage.

145 (5) DEPARTMENT POWERS AND DUTIES.—The department is
146 responsible for the administration of the state group insurance
147 program. The department shall initiate and supervise the program
148 as established by this section and shall adopt such rules as are
149 necessary to perform its responsibilities. To implement this
150 program, the department shall, with prior approval by the
151 Legislature:

152 (i) Contract with a single custodian to provide services
153 necessary to implement and administer the health savings
154 accounts authorized in subsection (13) ~~(12)~~.
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156 Final decisions concerning enrollment, the existence of
157 coverage, or covered benefits under the state group insurance
158 program shall not be delegated or deemed to have been delegated
159 by the department.

160 (9) COVERAGE AND ENROLLMENT PERIOD FOR EMPLOYEES, RETIREES,
161 AND WIDOWS AND WIDOWERS OF EMPLOYEES AND RETIREES OF THE
162 DIVISION OF REHABILITATION AND LIQUIDATION.—

163 (a) Beginning with the 2023 plan year:

164 1. A retired employee insured under the Division of
165 Rehabilitation and Liquidation's group insurance program, or a
166 widow or widower of an employee or of a retired employee of the
167 Division of Rehabilitation and Liquidation who is covered as a
168 dependent under the Division of Rehabilitation and Liquidation's
169 group insurance program, may purchase coverage in a state group
170 health insurance plan at the same premium cost as that for a
171 retiree or a surviving spouse, respectively, enrolled in the
172 state group insurance program.

173 2. A terminated employee of the Division of Rehabilitation
174 and Liquidation or an individual with continuation coverage who
175 is insured under the Division of Rehabilitation and
176 Liquidation's group insurance program may purchase coverage in a
177 state group health insurance plan at the same premium cost as
178 that for a terminated employee or an individual with
179 continuation coverage, respectively, enrolled in the state group
180 insurance program.

181 (b) The enrollment period for the state group insurance
182 program begins with the 2023 plan year for:

183 1. Current and retired employees of the Division of
184 Rehabilitation and Liquidation.



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185 2. Widows and widowers of employees and of retired
186 employees of the Division of Rehabilitation and Liquidation.

187 3. Terminated employees of the Division of Rehabilitation
188 and Liquidation or individuals with continuation coverage who
189 are insured under the Division of Rehabilitation and
190 Liquidation's group insurance program.

191 Section 4. Subsection (5) of section 110.131, Florida
192 Statutes, is amended to read:

193 110.131 Other-personal-services employment.—

194 (5) Beginning January 1, 2014, an other-personal-services
195 (OPS) employee who has worked an average of at least 30 or more
196 hours per week during the measurement period described in s.
197 110.123(14) (c) or (d) ~~s. 110.123(13) (c) or (d)~~, or who is
198 reasonably expected to work an average of at least 30 or more
199 hours per week following his or her employment, is eligible to
200 participate in the state group insurance program as provided
201 under s. 110.123.

202 Section 5. Paragraph (d) is added to subsection (4) of
203 section 120.541, Florida Statutes, and paragraph (a) of
204 subsection (2) and subsection (3) of that section are
205 republished, to read:

206 120.541 Statement of estimated regulatory costs.—

207 (2) A statement of estimated regulatory costs shall
208 include:

209 (a) An economic analysis showing whether the rule directly
210 or indirectly:

211 1. Is likely to have an adverse impact on economic growth,
212 private sector job creation or employment, or private sector
213 investment in excess of \$1 million in the aggregate within 5



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214 years after the implementation of the rule;

215 2. Is likely to have an adverse impact on business
216 competitiveness, including the ability of persons doing business
217 in the state to compete with persons doing business in other
218 states or domestic markets, productivity, or innovation in
219 excess of \$1 million in the aggregate within 5 years after the
220 implementation of the rule; or

221 3. Is likely to increase regulatory costs, including any
222 transactional costs, in excess of \$1 million in the aggregate
223 within 5 years after the implementation of the rule.

224 (3) If the adverse impact or regulatory costs of the rule
225 exceed any of the criteria established in paragraph (2) (a), the
226 rule shall be submitted to the President of the Senate and
227 Speaker of the House of Representatives no later than 30 days
228 prior to the next regular legislative session, and the rule may
229 not take effect until it is ratified by the Legislature.

230 (4) Subsection (3) does not apply to the adoption of:

231 (d) Schedules of maximum reimbursement allowances by the
232 three-member panel which are expressly authorized by s. 440.13.

233 Section 6. Subsection (1) of section 215.34, Florida
234 Statutes, is amended to read:

235 215.34 State funds; noncollectible items; procedure.—

236 (1) Any check, draft, or other order for the payment of
237 money in payment of any licenses, fees, taxes, commissions, or
238 charges of any sort authorized to be made under the laws of the
239 state and deposited in the State Treasury as provided herein,
240 which may be returned for any reason by the bank or other payor
241 upon which same shall have been drawn shall be forthwith
242 returned by the Chief Financial Officer for collection to the



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243 state officer, the state agency, or the entity of the judicial
244 branch making the deposit. In such case, the Chief Financial
245 Officer may issue a debit memorandum charging an account of the
246 agency, officer, or entity of the judicial branch which
247 originally received the payment. The original of the debit
248 memorandum shall state the reason for the return of the check,
249 draft, or other order and shall accompany the item being
250 returned to the officer, agency, or entity of the judicial
251 branch being charged. The officer, agency, or entity of the
252 judicial branch receiving the charged-back item shall ~~prepare a~~
253 ~~journal transfer which shall~~ debit the charge against the fund
254 or account to which the same shall have been originally
255 credited. Such procedure for handling noncollectible items shall
256 not be construed as paying funds out of the State Treasury
257 without an appropriation, but shall be considered as an
258 administrative procedure for the efficient handling of state
259 records and accounts.

260 Section 7. Paragraph (c) of subsection (1) of section
261 215.93, Florida Statutes, is amended to read:

262 215.93 Florida Financial Management Information System.—

263 (1) To provide the information necessary to carry out the
264 intent of the Legislature, there shall be a Florida Financial
265 Management Information System. The Florida Financial Management
266 Information System shall be fully implemented and shall be
267 upgraded as necessary to ensure the efficient operation of an
268 integrated financial management information system and to
269 provide necessary information for the effective operation of
270 state government. Upon the recommendation of the coordinating
271 council and approval of the board, the Florida Financial



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272 Management Information System may require data from any state
273 agency information system or information subsystem or may
274 request data from any judicial branch information system or
275 information subsystem that the coordinating council and board
276 have determined to have statewide financial management
277 significance. Each functional owner information subsystem within
278 the Florida Financial Management Information System shall be
279 developed in such a fashion as to allow for timely, positive,
280 preplanned, and prescribed data transfers between the Florida
281 Financial Management Information System functional owner
282 information subsystems and from other information systems. The
283 principal unit of the system shall be the functional owner
284 information subsystem, and the system shall include, but shall
285 not be limited to, the following:

286 (c) Financial ~~Cash~~ Management Subsystem.

287 Section 8. Subsection (3) of section 215.94, Florida
288 Statutes, is amended to read:

289 215.94 Designation, duties, and responsibilities of
290 functional owners.—

291 (3) The Chief Financial Officer shall be the functional
292 owner of the Financial ~~Cash~~ Management Subsystem. The Chief
293 Financial Officer shall design, implement, and operate the
294 subsystem in accordance with the provisions of ss. 215.90-
295 215.96. The subsystem shall include, but shall not be limited
296 to, functions for:

297 (a) Recording and reconciling credits and debits to
298 treasury fund accounts.

299 (b) Monitoring cash levels and activities in state bank
300 accounts.



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301 (c) Monitoring short-term investments of idle cash.

302 (d) Administering the provisions of the Federal Cash
303 Management Improvement Act of 1990.

304 Section 9. Subsection (3) of section 216.102, Florida
305 Statutes, is amended to read:

306 216.102 Filing of financial information; handling by Chief
307 Financial Officer; penalty for noncompliance.-

308 (3) The Chief Financial Officer shall:

309 (a) Prepare and furnish to the Auditor General annual
310 financial statements for the state on or before December 31 of
311 each year, using generally accepted accounting principles.

312 (b) Prepare and publish an annual ~~a comprehensive annual~~
313 financial report for the state in accordance with generally
314 accepted accounting principles on or before February 28 of each
315 year.

316 (c) Furnish the Governor, the President of the Senate, and
317 the Speaker of the House of Representatives with a copy of the
318 annual comprehensive ~~annual~~ financial report prepared pursuant
319 to paragraph (b).

320 (d) Notify each agency and the judicial branch of the data
321 that is required to be recorded to enhance accountability for
322 tracking federal financial assistance.

323 (e) Provide reports, as requested, to executive or judicial
324 branch entities, the President of the Senate, the Speaker of the
325 House of Representatives, and the members of the Florida
326 Congressional Delegation, detailing the federal financial
327 assistance received and disbursed by state agencies and the
328 judicial branch.

329 (f) Consult with and elicit comments from the Executive



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330 Office of the Governor on changes to the Florida Accounting
331 Information Resource Subsystem which clearly affect the
332 accounting of federal funds, so as to ensure consistency of
333 information entered into the Federal Aid Tracking System by
334 state executive and judicial branch entities. While efforts
335 shall be made to ensure the compatibility of the Florida
336 Accounting Information Resource Subsystem and the Federal Aid
337 Tracking System, any successive systems serving identical or
338 similar functions shall preserve such compatibility.

339
340 The Chief Financial Officer may furnish and publish in
341 electronic form the financial statements and the annual
342 comprehensive ~~annual~~ financial report required under paragraphs
343 (a), (b), and (c).

344 Section 10. Paragraph (h) of subsection (1) of section
345 218.32, Florida Statutes, is amended, and paragraph (i) is added
346 to that subsection, to read:

347 218.32 Annual financial reports; local governmental
348 entities.-

349 (1)

350 (h) ~~It is the intent of the Legislature to create The~~
351 Florida Open Financial Statement System must serve as an
352 interactive repository for governmental financial statements.
353 This system serves as the primary reporting location for
354 government financial information. A local government shall use
355 the system to file with the department copies of all audit
356 reports compiled pursuant to ss. 11.45 and 218.39. The system
357 must be accessible to the public and must be open to inspection
358 at all times by the Legislature, the Auditor General, and the



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359 Chief Inspector General.

360 1. The Chief Financial Officer may consult with
361 stakeholders with regard to, ~~including the department, the~~
362 ~~Auditor General, a representative of a municipality or county, a~~
363 ~~representative of a special district, a municipal bond investor,~~
364 ~~and an information technology professional employed in the~~
365 ~~private sector, for input on the design and implementation of~~
366 the Florida Open Financial Statement System.

367 2. The Chief Financial Officer may choose contractors to
368 build one or more eXtensible Business Reporting Language (XBRL)
369 taxonomies suitable for state, county, municipal, and special
370 district financial filings and to create a software tool that
371 enables financial statement filers to easily create XBRL
372 documents consistent with such taxonomies. The Chief Financial
373 Officer must recruit and select contractors through an open
374 request for proposals process pursuant to chapter 287.

375 3. The Chief Financial Officer must require that all work
376 products be completed no later than December 31, 2021.

377 4. If the Chief Financial Officer deems the work products
378 adequate, all local governmental financial statements for fiscal
379 years ending on or after September 1, 2022, may ~~must~~ be filed in
380 XBRL format as prescribed by the Chief Financial Officer ~~and~~
381 ~~must meet the validation requirements of the relevant taxonomy.~~

382 5. A local government that begins filing in XBRL format may
383 not be required to make filings in Portable Document Format.

384 (i) Each local governmental entity that enters all required
385 information in the Florida Open Financial Statement System is
386 deemed to be compliant with this section, except as otherwise
387 provided in this section.



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388 Section 11. Section 395.1061, Florida Statutes, is created
389 to read:

390 395.1061 Professional liability coverage.-

391 (1) As used in this section, the term:

392 (a) "Committee" means a committee or board of a hospital
393 established to make recommendations, policies, or decisions
394 regarding patient institutional utilization, patient treatment,
395 or institutional staff privileges or to perform other
396 administrative or professional purposes or functions.

397 (b) "Covered individuals" means the officers; trustees;
398 volunteer workers; trainees; committee members, including
399 physicians, osteopathic physicians, podiatric physicians, and
400 dentists; and employees of the hospital other than employed
401 physicians licensed under chapter 458, physician assistants
402 licensed under chapter 458, osteopathic physicians licensed
403 under chapter 459, dentists licensed under chapter 466, and
404 podiatric physicians licensed under chapter 461. However, with
405 respect to a hospital, the term also includes house physicians,
406 interns, employed physician residents in a resident training
407 program, and physicians performing purely administrative duties
408 for the hospital instead of treating patients. The coverage
409 applies to the hospital and those included in the definition of
410 health care provider as provided in s. 985.6441(1).

411 (c) "Hospital system" means two or more hospitals
412 associated by common ownership or corporate affiliation.

413 (d) "House physician" means any physician, osteopathic
414 physician, podiatric physician, or dentist at a hospital,
415 except:

416 1. The physician, osteopathic physician, podiatric



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417 physician, or dentist who has staff privileges at a hospital,
418 provides emergency room services, or performs a medical or
419 dental service for a fee; or

420 2. An anesthesiologist, a pathologist, or a radiologist.

421 (e) "Occurrence" means an accident or incident, including
422 continuous or repeated exposure to certain harmful conditions,
423 which results in patient injuries.

424 (f) "Per claim" means all claims per patient arising out of
425 an occurrence.

426 (2) Each hospital, unless exempted under paragraph (3) (b),
427 must demonstrate financial responsibility for maintaining
428 professional liability coverage to pay claims and costs
429 ancillary thereto arising out of the rendering of or failure to
430 render medical care or services and for bodily injury or
431 property damage to the person or property of any patient arising
432 out of the activities of the hospital or arising out of the
433 activities of covered individuals, to the satisfaction of the
434 agency, by meeting one of the following requirements:

435 (a) Establish an escrow account in an amount equivalent to
436 \$10,000 per claim for each bed in such hospital, not to exceed a
437 \$2.5 million annual aggregate.

438 (b) Obtain professional liability coverage in an amount
439 equivalent to \$10,000 or more per claim for each bed in such
440 hospital from a private insurer, from the Joint Underwriting
441 Association established under s. 627.351(4), or through a plan
442 of self-insurance as provided in s. 627.357. However, a hospital
443 may not be required to obtain such coverage in an amount
444 exceeding a \$2.5 million annual aggregate.

445 (3) (a) Each hospital, unless exempted under paragraph (b),



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446 shall provide evidence of compliance and remain in continuous
447 compliance with the professional liability coverage provisions
448 of this section. The agency may not issue or renew the license
449 of any hospital that does not provide evidence of compliance or
450 that provides evidence of insufficient coverage.

451 (b) Any hospital operated by an agency, subdivision, or
452 instrumentality of the state is exempt from the provisions of
453 this section.

454 (4) A hospital system may meet the professional liability
455 coverage requirement with an escrow account, insurance, or self-
456 insurance policies if the \$10,000 per claim and \$2.5 million
457 annual aggregate are met for each hospital in the hospital
458 system.

459 Section 12. Section 414.40, Florida Statutes, is amended to
460 read:

461 414.40 Stop Inmate Fraud Program established; guidelines.—

462 (1) There is created within the Department of Economic
463 Opportunity ~~Financial Services~~ a Stop Inmate Fraud Program.

464 (2) The Department of Economic Opportunity ~~Financial~~
465 ~~Services~~ is directed to implement the Stop Inmate Fraud Program
466 in accordance with the following guidelines:

467 (a) The program shall establish procedures for sharing
468 public records not exempt from the public records law among
469 social services agencies regarding the identities of persons
470 incarcerated in state correctional institutions, as defined in
471 s. 944.02, and ~~or~~ in county, municipal, or regional jails or
472 other detention facilities of local governments under chapter
473 950 and ~~or~~ chapter 951 who are wrongfully receiving public
474 assistance benefits or entitlement benefits.



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475 (b) Pursuant to these procedures, the program shall have
476 access to records containing correctional information not exempt
477 from the public records law on incarcerated persons which have
478 been generated as criminal justice information. As used in this
479 paragraph, the terms "record" and "criminal justice information"
480 have the same meanings as provided in s. 943.045.

481 (c) Database searches shall be conducted of the inmate
482 population at each correctional institution or other detention
483 facility. A correctional institution or a detention facility
484 shall provide the Stop Inmate Fraud Program with the information
485 necessary to identify persons wrongfully receiving benefits in
486 the medium requested by the Stop Inmate Fraud Program if the
487 correctional institution or detention facility maintains the
488 information in that medium.

489 (d) Data obtained from correctional institutions or other
490 detention facilities shall be compared with the client files of
491 the Department of Children and Families, the Department of
492 Economic Opportunity, and other state or local agencies as
493 needed to identify persons wrongfully obtaining benefits. Data
494 comparisons shall be accomplished during periods of low
495 information demand by agency personnel to minimize inconvenience
496 to the agency.

497 (e) Results of data comparisons shall be furnished to the
498 appropriate office for use in the county in which the data
499 originated. The program may provide reports of the data it
500 obtains to appropriate state, federal, and local government
501 agencies or governmental entities, including, but not limited
502 to:

503 1. The Child Support Enforcement Program of the Department



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504 of Revenue, so that the data may be used as locator information
505 on persons being sought for purposes of child support.

506 2. The Social Security Administration, so that the data may
507 be used to reduce federal entitlement fraud within the state.

508 3. The Division of Public Assistance Fraud of the
509 Department of Financial Services, so that an investigation of
510 the fraudulent receipt of public assistance may be facilitated.

511 (f) Reports by the program to another agency or entity
512 shall be generated bimonthly, or as otherwise directed, and
513 shall be designed to accommodate that agency's or entity's
514 particular needs for data.

515 (g) Only those persons with active cases, or with cases
516 that were active during the incarceration period, shall be
517 reported, in order that the funding agency or entity, upon
518 verification of the data, may take whatever action is deemed
519 appropriate.

520 (h) For purposes of program review and analysis, each
521 agency or entity receiving data from the program shall submit
522 reports to the program which indicate the results of how the
523 data was used.

524 Section 13. Paragraph (a) of subsection (16) of section
525 440.02, Florida Statutes, is amended to read:

526 440.02 Definitions.—When used in this chapter, unless the
527 context clearly requires otherwise, the following terms shall
528 have the following meanings:

529 (16) (a) "Employer" means the state and all political
530 subdivisions thereof, all public and quasi-public corporations
531 therein, every person carrying on any employment, and the legal
532 representative of a deceased person or the receiver or trustees



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533 of any person. The term "Employer" also includes employment
534 agencies and, employee leasing companies that, ~~and similar~~
535 ~~agents who~~ provide employees to other business entities or
536 persons. If the employer is a corporation, parties in actual
537 control of the corporation, including, but not limited to, the
538 president, officers who exercise broad corporate powers,
539 directors, and all shareholders who directly or indirectly own a
540 controlling interest in the corporation, are considered the
541 employer for the purposes of ss. 440.105, 440.106, and 440.107.

542 Section 14. Effective January 1, 2023, subsections (3),
543 (4), (10), and (12) of section 440.05, Florida Statutes, are
544 amended to read:

545 440.05 Election of exemption; revocation of election;
546 notice; certification.—

547 (3) The notice of election to be exempt must be
548 electronically submitted to the department by the officer of a
549 corporation who is allowed to claim an exemption as provided by
550 this chapter and must list the name, date of birth, valid driver
551 license number or Florida identification card number, and all
552 certified or registered licenses issued pursuant to chapter 489
553 held by the person seeking the exemption, the registration
554 number of the corporation filed with the Division of
555 Corporations of the Department of State, and the percentage of
556 ownership evidencing the required ownership under this chapter.
557 The notice of election to be exempt must identify each
558 corporation that employs the person electing the exemption and
559 must list the ~~social security number or~~ federal tax
560 identification number of each such employer and the additional
561 documentation required by this section. In addition, the notice



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562 of election to be exempt must provide that the officer electing
563 an exemption is not entitled to benefits under this chapter,
564 must provide that the election does not exceed exemption limits
565 for officers provided in s. 440.02, ~~and~~ must certify that any
566 employees of the corporation whose officer elects an exemption
567 are covered by workers' compensation insurance, and must certify
568 that the officer electing an exemption has completed an online
569 workers' compensation coverage and compliance tutorial developed
570 by the department. Upon receipt of the notice of the election to
571 be exempt, receipt of all application fees, and a determination
572 by the department that the notice meets the requirements of this
573 subsection, the department shall issue a certification of the
574 election to the officer, unless the department determines that
575 the information contained in the notice is invalid. The
576 department shall revoke a certificate of election to be exempt
577 from coverage upon a determination by the department that the
578 person does not meet the requirements for exemption or that the
579 information contained in the notice of election to be exempt is
580 invalid. The certificate of election must list the name of the
581 corporation listed in the request for exemption. A new
582 certificate of election must be obtained each time the person is
583 employed by a new or different corporation that is not listed on
584 the certificate of election. Upon written request from a
585 workers' compensation carrier, the department shall send
586 thereafter an electronic notification to the carrier identifying
587 each of its policyholders for which a notice of election to be
588 exempt has been issued or for which a notice of revocation to be
589 exempt has been received ~~A notice of the certificate of election~~
590 ~~must be sent to each workers' compensation carrier identified in~~



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591 ~~the request for exemption. Upon filing a notice of revocation of~~
592 ~~election, an officer who is a subcontractor or an officer of a~~
593 ~~corporate subcontractor must notify her or his contractor. Upon~~
594 ~~revocation of a certificate of election of exemption by the~~
595 ~~department, the department shall notify the workers'~~
596 ~~compensation carriers identified in the request for exemption.~~

597 (4) The notice of election to be exempt from the provisions
598 of this chapter must contain a notice that clearly states in
599 substance the following: "Any person who, knowingly and with
600 intent to injure, defraud, or deceive the department or any
601 employer or employee, insurance company, or any other person,
602 files a notice of election to be exempt containing any false or
603 misleading information is guilty of a felony of the third
604 degree." Each person filing a notice of election to be exempt
605 shall personally sign the notice and attest that he or she has
606 reviewed, understands, and acknowledges the foregoing notice.
607 The certificate of election to be exempt must contain the
608 following notice: "This certificate of election to be exempt is
609 NOT a license issued by the Department of Business and
610 Professional Regulation (DBPR). To determine if the
611 certificateholder is required to have a license to perform work
612 or to verify the license of the certificateholder, go to (insert
613 DBPR's website address for where to find this information)."

614 ~~(10) Each officer of a corporation who is actively engaged~~
615 ~~in the construction industry and who elects an exemption from~~
616 ~~this chapter shall maintain business records as specified by the~~
617 ~~department by rule.~~

618 ~~(11)-(12)~~ Certificates of election to be exempt issued under
619 subsection (3) shall apply only to the corporate officer named



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620 on the notice of election to be exempt and ~~apply only within the~~
621 ~~scope of the business or trade listed on the notice of election~~
622 ~~to be exempt.~~

623 Section 15. Effective January 1, 2023, paragraphs (a) and
624 (d) of subsection (7) of section 440.107, Florida Statutes, are
625 amended to read:

626 440.107 Department powers to enforce employer compliance
627 with coverage requirements.—

628 (7) (a) Whenever the department determines that an employer
629 who is required to secure the payment to his or her employees of
630 the compensation provided for by this chapter has failed to
631 secure the payment of workers' compensation required by this
632 chapter or to produce the required business records under
633 subsection (5) within 21 ~~10-business~~ days after receipt of the
634 written request of the department, such failure shall be deemed
635 an immediate serious danger to public health, safety, or welfare
636 sufficient to justify service by the department of a stop-work
637 order on the employer, requiring the cessation of all business
638 operations. If the department makes such a determination, the
639 department shall issue a stop-work order within 72 hours. The
640 order shall take effect when served upon the employer or, for a
641 particular employer worksite, when served at that worksite. In
642 addition to serving a stop-work order at a particular worksite
643 which shall be effective immediately, the department shall
644 immediately proceed with service upon the employer which shall
645 be effective upon all employer worksites in the state for which
646 the employer is not in compliance. A stop-work order may be
647 served with regard to an employer's worksite by posting a copy
648 of the stop-work order in a conspicuous location at the



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649 worksite. Information related to an employer's stop-work order
650 shall be made available on the division's website, ~~be updated~~
651 ~~daily~~, and remain on the website for at least 5 years. The order
652 shall remain in effect until the department issues an order
653 releasing the stop-work order upon a finding that the employer
654 has come into compliance with the coverage requirements of this
655 chapter and has paid any penalty assessed under this section.
656 The department may issue an order of conditional release from a
657 stop-work order to an employer upon a finding that the employer
658 has complied with the coverage requirements of this chapter,
659 paid a penalty of \$1,000 as a down payment, and agreed to remit
660 periodic payments of the remaining penalty amount pursuant to a
661 payment agreement schedule with the department or pay the
662 remaining penalty amount in full. An employer may not enter into
663 a payment agreement schedule unless the employer has fully paid
664 any previous penalty assessed under this section. If an order of
665 conditional release is issued, failure by the employer to pay
666 the penalty in full or enter into a payment agreement with the
667 department within 21 ~~28~~ days after service of the first penalty
668 assessment calculation ~~stop-work order~~ upon the employer, or to
669 meet any term or condition of such penalty payment agreement,
670 shall result in the immediate reinstatement of the stop-work
671 order and the entire unpaid balance of the penalty shall become
672 immediately due.

673 (d)1. In addition to any penalty, stop-work order, or
674 injunction, the department shall assess against an ~~any~~ employer
675 who has failed to secure the payment of compensation as required
676 by this chapter a penalty equal to 2 times the amount the
677 employer would have paid in premium when applying approved



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678 manual rates to the employer's payroll during periods for which
679 it failed to secure the payment of workers' compensation
680 required by this chapter within the preceding 12-month ~~2-year~~
681 period or \$1,000, whichever is greater. However, for an employer
682 who is issued a stop-work order for materially understating or
683 concealing payroll or has been previously issued a stop-work
684 order or an order of penalty assessment, the preceding 24-month
685 period shall be used to calculate the penalty as specified in
686 this subparagraph.

687 a. For an employer ~~employers~~ who has ~~have~~ not been
688 previously issued a stop-work order or order of penalty
689 assessment, the department must allow the employer to receive a
690 credit for the initial payment of the estimated annual workers'
691 compensation policy premium, as determined by the carrier, to be
692 applied to the penalty. Before applying the credit to the
693 penalty, the employer must provide the department with
694 documentation reflecting that the employer has secured the
695 payment of compensation pursuant to s. 440.38 and proof of
696 payment to the carrier. In order for the department to apply a
697 credit for an employer that has secured workers' compensation
698 for leased employees by entering into an employee leasing
699 contract with a licensed employee leasing company, the employer
700 must provide the department with a written confirmation, by a
701 representative from the employee leasing company, of the dollar
702 or percentage amount attributable to the initial estimated
703 workers' compensation expense for leased employees, and proof of
704 payment to the employee leasing company. The credit may not be
705 applied unless the employer provides the documentation and proof
706 of payment to the department within 21 ~~28~~ days after the



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707 employer's receipt of the written request to produce business
708 records for calculating the penalty under this subparagraph
709 ~~service of the stop-work order or first order of penalty~~
710 ~~assessment upon the employer.~~

711 b. For an employer ~~employers~~ who has ~~have~~ not been
712 previously issued a stop-work order or order of penalty
713 assessment, the department must reduce the final assessed
714 penalty by 25 percent if the employer has complied with
715 administrative rules adopted pursuant to subsection (5) and has
716 provided such business records to the department within 21 ~~10~~
717 ~~business~~ days after the employer's receipt of the written
718 request to produce business records for calculating the penalty
719 under this subparagraph.

720 c. For an employer who has not been previously issued a
721 stop-work order or an order of penalty assessment, the
722 department must reduce the final assessed penalty by 15 percent
723 if the employer correctly answers at least 80 percent of the
724 questions from an online workers' compensation coverage and
725 compliance tutorial, developed by the department, within 21 days
726 after the employer's receipt of the written request to produce
727 business records for calculating the penalty under this
728 subparagraph. The online tutorial must be taken in a department
729 office location identified by rule.

730
731 The \$1,000 penalty shall be assessed against the employer even
732 if the calculated penalty after the credit provided in sub-
733 subparagraph a., the ~~and~~ 25 percent reduction provided in sub-
734 subparagraph b., and the 15 percent reduction provided in sub-
735 subparagraph c., as applicable, have been applied is less than



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736 \$1,000.

737 2. Any subsequent violation within 5 years after the most
738 recent violation shall, in addition to the penalties set forth
739 in this subsection, be deemed a knowing act within the meaning
740 of s. 440.105.

741 Section 16. Subsection (12) of section 440.13, Florida
742 Statutes, is amended to read:

743 440.13 Medical services and supplies; penalty for
744 violations; limitations.—

745 (12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM
746 REIMBURSEMENT ALLOWANCES.—

747 (a) A three-member panel is created, consisting of the
748 Chief Financial Officer, or the Chief Financial Officer's
749 designee, and two members to be appointed by the Governor,
750 subject to confirmation by the Senate, one member who, on
751 account of present or previous vocation, employment, or
752 affiliation, shall be classified as a representative of
753 employers, the other member who, on account of previous
754 vocation, employment, or affiliation, shall be classified as a
755 representative of employees. The panel shall determine statewide
756 schedules of maximum reimbursement allowances for medically
757 necessary treatment, care, and attendance provided by
758 physicians, hospitals, ambulatory surgical centers, work-
759 hardening programs, pain programs, and durable medical
760 equipment. The maximum reimbursement allowances for inpatient
761 hospital care shall be based on a schedule of per diem rates, to
762 be approved by the three-member panel no later than March 1,
763 1994, to be used in conjunction with a precertification manual
764 as determined by the department, including maximum hours in



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765 which an outpatient may remain in observation status, which
766 shall not exceed 23 hours. All compensable charges for hospital
767 outpatient care shall be reimbursed at 75 percent of usual and
768 customary charges, except as otherwise provided by this
769 subsection. Annually, the three-member panel shall adopt
770 schedules of maximum reimbursement allowances for physicians,
771 hospital inpatient care, hospital outpatient care, ambulatory
772 surgical centers, work-hardening programs, and pain programs. An
773 individual physician, hospital, ambulatory surgical center, pain
774 program, or work-hardening program shall be reimbursed:

- 775 1. either The agreed-upon contract price; or
776 2. If there is no agreed-upon contract price, the lesser of
777 the provider's billed charge or the maximum reimbursement
778 allowance in the appropriate schedule.

779 (b) It is the intent of the Legislature to increase the
780 schedule of maximum reimbursement allowances for selected
781 physicians effective January 1, 2004, and to pay for the
782 increases through reductions in payments to hospitals. Revisions
783 developed pursuant to this subsection are limited to the
784 following:

785 1. Payments for outpatient physical, occupational, and
786 speech therapy provided by hospitals shall be reduced to the
787 schedule of maximum reimbursement allowances for these services
788 which applies to nonhospital providers.

789 2. Payments for scheduled outpatient nonemergency
790 radiological and clinical laboratory services that are not
791 provided in conjunction with a surgical procedure shall be
792 reduced to the schedule of maximum reimbursement allowances for
793 these services which applies to nonhospital providers.



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794 3. Outpatient reimbursement for scheduled surgeries shall
795 be reduced from 75 percent of charges to 60 percent of charges.

796 4. Maximum reimbursement for a physician licensed under
797 chapter 458 or chapter 459 shall be increased to 110 percent of
798 the reimbursement allowed by Medicare, using appropriate codes
799 and modifiers or the medical reimbursement level adopted by the
800 three-member panel as of January 1, 2003, whichever is greater.

801 5. Maximum reimbursement for surgical procedures shall be
802 increased to 140 percent of the reimbursement allowed by
803 Medicare or the medical reimbursement level adopted by the
804 three-member panel as of January 1, 2003, whichever is greater.

805 (c) As to reimbursement for a prescription medication, the
806 reimbursement amount for a prescription shall be the average
807 wholesale price plus \$4.18 for the dispensing fee. For
808 repackaged or relabeled prescription medications dispensed by a
809 dispensing practitioner as provided in s. 465.0276, the fee
810 schedule for reimbursement shall be 112.5 percent of the average
811 wholesale price, plus \$8.00 for the dispensing fee. For purposes
812 of this subsection, the average wholesale price shall be
813 calculated by multiplying the number of units dispensed times
814 the per-unit average wholesale price set by the original
815 manufacturer of the underlying drug dispensed by the
816 practitioner, based upon the published manufacturer's average
817 wholesale price published in the Medi-Span Master Drug Database
818 as of the date of dispensing. All pharmaceutical claims
819 submitted for repackaged or relabeled prescription medications
820 must include the National Drug Code of the original
821 manufacturer. Fees for pharmaceuticals and pharmaceutical
822 services shall be reimbursable at the applicable fee schedule



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823 amount except where the employer or carrier, or a service
824 company, third party administrator, or any entity acting on
825 behalf of the employer or carrier directly contracts with the
826 provider seeking reimbursement for a lower amount.

827 (d) Reimbursement for all fees and other charges for such
828 treatment, care, and attendance, including treatment, care, and
829 attendance provided by any hospital or other health care
830 provider, ambulatory surgical center, work-hardening program, or
831 pain program, must not exceed the amounts provided by the
832 uniform schedule of maximum reimbursement allowances as
833 determined by the panel or as otherwise provided in this
834 section. This subsection also applies to independent medical
835 examinations performed by health care providers under this
836 chapter. In determining the uniform schedule, the panel shall
837 first approve the data which it finds representative of
838 prevailing charges in the state for similar treatment, care, and
839 attendance of injured persons. Each health care provider, health
840 care facility, ambulatory surgical center, work-hardening
841 program, or pain program receiving workers' compensation
842 payments shall maintain records verifying their usual charges.
843 In establishing the uniform schedule of maximum reimbursement
844 allowances, the panel must consider:

845 1. The levels of reimbursement for similar treatment, care,
846 and attendance made by other health care programs or third-party
847 providers;

848 2. The impact upon cost to employers for providing a level
849 of reimbursement for treatment, care, and attendance which will
850 ensure the availability of treatment, care, and attendance
851 required by injured workers;



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852 3. The financial impact of the reimbursement allowances
853 upon health care providers and health care facilities, including
854 trauma centers as defined in s. 395.4001, and its effect upon
855 their ability to make available to injured workers such
856 medically necessary remedial treatment, care, and attendance.
857 The uniform schedule of maximum reimbursement allowances must be
858 reasonable, must promote health care cost containment and
859 efficiency with respect to the workers' compensation health care
860 delivery system, and must be sufficient to ensure availability
861 of such medically necessary remedial treatment, care, and
862 attendance to injured workers; and

863 4. The most recent average maximum allowable rate of
864 increase for hospitals determined by the Health Care Board under
865 chapter 408.

866 (e) In addition to establishing the uniform schedule of
867 maximum reimbursement allowances, the panel shall:

868 1. Take testimony, receive records, and collect data to
869 evaluate the adequacy of the workers' compensation fee schedule,
870 nationally recognized fee schedules and alternative methods of
871 reimbursement to health care providers and health care
872 facilities for inpatient and outpatient treatment and care.

873 2. Survey health care providers and health care facilities
874 to determine the availability and accessibility of workers'
875 compensation health care delivery systems for injured workers.

876 3. Survey carriers to determine the estimated impact on
877 carrier costs and workers' compensation premium rates by
878 implementing changes to the carrier reimbursement schedule or
879 implementing alternative reimbursement methods.

880 4. Submit recommendations on or before January 15, 2017,



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881 and biennially thereafter, to the President of the Senate and
882 the Speaker of the House of Representatives on methods to
883 improve the workers' compensation health care delivery system.

884
885 The department, as requested, shall provide data to the panel,
886 including, but not limited to, utilization trends in the
887 workers' compensation health care delivery system. The
888 department shall provide the panel with an annual report
889 regarding the resolution of medical reimbursement disputes and
890 any actions pursuant to subsection (8). The department shall
891 provide administrative support and service to the panel to the
892 extent requested by the panel and may adopt rules necessary to
893 administer this subsection. For prescription medication
894 purchased under the requirements of this subsection, a
895 dispensing practitioner shall not possess such medication unless
896 payment has been made by the practitioner, the practitioner's
897 professional practice, or the practitioner's practice management
898 company or employer to the supplying manufacturer, wholesaler,
899 distributor, or drug repackager within 60 days of the dispensing
900 practitioner taking possession of that medication.

901 Section 17. Subsection (3) of section 440.185, Florida
902 Statutes, is amended to read:

903 440.185 Notice of injury or death; reports; penalties for
904 violations.-

905 (3) Within 3 business days after the employer or the
906 employee informs the carrier of an injury, the carrier shall
907 send by regular mail or e-mail to the injured worker an
908 informational brochure approved by the department which sets
909 forth in clear and understandable language an explanation of the



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910 rights, benefits, procedures for obtaining benefits and
911 assistance, criminal penalties, and obligations of injured
912 workers and their employers under the Florida Workers'
913 Compensation Law. Annually, the carrier or its third-party
914 administrator shall send by regular mail or e-mail to the
915 employer an informational brochure approved by the department
916 which sets forth in clear and understandable language an
917 explanation of the rights, benefits, procedures for obtaining
918 benefits and assistance, criminal penalties, and obligations of
919 injured workers and their employers under the Florida Workers'
920 Compensation Law. All such informational brochures shall contain
921 a notice that clearly states in substance the following: "Any
922 person who, knowingly and with intent to injure, defraud, or
923 deceive any employer or employee, insurance company, or self-
924 insured program, files a statement of claim containing any false
925 or misleading information commits a felony of the third degree."

926 Section 18. Subsection (3) of section 440.381, Florida
927 Statutes, is amended to read:

928 440.381 Application for coverage; reporting payroll;
929 payroll audit procedures; penalties.—

930 (3) The Financial Services Commission, in consultation with
931 the department, shall establish by rule minimum requirements for
932 audits of payroll and classifications ~~in order~~ to ensure that
933 the appropriate premium is charged for workers' compensation
934 coverage. The rules must ~~shall~~ ensure that audits performed by
935 both carriers and employers are adequate to provide that all
936 sources of payments to employees, subcontractors, and
937 independent contractors are ~~have been~~ reviewed and that the
938 accuracy of classification of employees is ~~has been~~ verified.



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939 The rules must require ~~shall provide~~ that employers in all
940 classes other than the construction class be audited at least
941 ~~not less frequently than~~ biennially and may provide for more
942 frequent audits of employers in specified classifications based
943 on factors such as amount of premium, type of business, loss
944 ratios, or other relevant factors. ~~In no event shall~~ Employers
945 in the construction class, generating more than the amount of
946 premium required to be experience rated must, be audited at
947 least less than annually. The annual audits required for
948 construction classes must ~~shall~~ consist of physical onsite
949 audits for policies only if the estimated annual premium is
950 \$10,000 or more. Payroll verification audit rules must include,
951 but need not be limited to, the use of state and federal reports
952 of employee income, payroll and other accounting records,
953 certificates of insurance maintained by subcontractors, and
954 duties of employees. At the completion of an audit, the employer
955 or officer of the corporation and the auditor must print and
956 sign their names on the audit document and attach proof of
957 identification to the audit document.

958 Section 19. Subsection (2) of section 497.277, Florida
959 Statutes, is amended to read:

960 497.277 Other charges.—Other than the fees for the sale of
961 burial rights, burial merchandise, and burial services, no other
962 fee may be directly or indirectly charged, contracted for, or
963 received by a cemetery company as a condition for a customer to
964 use any burial right, burial merchandise, or burial service,
965 except for:

966 (2) Charges paid for transferring burial rights from one
967 purchaser to another; ~~however, no such fee may exceed \$50.~~



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968 Section 20. Paragraph (b) of subsection (1) of section
969 497.369, Florida Statutes, is amended to read:

970 497.369 Embalmers; licensure as an embalmer by endorsement;
971 licensure of a temporary embalmer.—

972 (1) The licensing authority shall issue a license by
973 endorsement to practice embalming to an applicant who has
974 remitted an examination fee set by rule of the licensing
975 authority not to exceed \$200 and who the licensing authority
976 certifies:

977 (b)1. Holds a valid license in good standing to practice
978 embalming in another state of the United States and has engaged
979 in the full-time, licensed practice of embalming in that state
980 for at least 5 years, ~~provided that, when the applicant secured~~
981 ~~her or his original license, the requirements for licensure were~~
982 ~~substantially equivalent to or more stringent than those~~
983 ~~existing in this state; or~~

984 2. Meets the qualifications for licensure in s. 497.368,
985 except that the internship requirement shall be deemed to have
986 been satisfied by 1 year's practice as a licensed embalmer in
987 another state, and has, within 10 years before ~~prior to~~ the date
988 of application, successfully completed a state, regional, or
989 national examination in mortuary science, which, as determined
990 by rule of the licensing authority, is substantially equivalent
991 to or more stringent than the examination given by the licensing
992 authority.

993 Section 21. Paragraphs (b) and (f) of subsection (1) of
994 section 497.372, Florida Statutes, are amended to read:

995 497.372 Funeral directing; conduct constituting practice of
996 funeral directing.—



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997 (1) The practice of funeral directing shall be construed to
998 consist of the following functions, which may be performed only
999 by a licensed funeral director:

1000 (b) Planning or arranging, on an at-need basis, the details
1001 of funeral services, embalming, cremation, or other services
1002 relating to the final disposition of human remains, and
1003 ~~including the removal of such remains from the state; setting~~
1004 ~~the time of the services;~~ establishing the type of services to
1005 be rendered; ~~acquiring the services of the clergy; and obtaining~~
1006 ~~vital information for the filing of death certificates and~~
1007 ~~obtaining of burial transit permits.~~

1008 (f) Directing, being in charge or apparent charge of, or
1009 supervising, directly or indirectly, any memorial service ~~held~~
1010 ~~prior to or within 72 hours of the burial or cremation,~~ if such
1011 memorial service is sold or arranged by a licensee.

1012 Section 22. Paragraph (b) of subsection (1) of section
1013 497.374, Florida Statutes, is amended to read:

1014 497.374 Funeral directing; licensure as a funeral director
1015 by endorsement; licensure of a temporary funeral director.-

1016 (1) The licensing authority shall issue a license by
1017 endorsement to practice funeral directing to an applicant who
1018 has remitted a fee set by rule of the licensing authority not to
1019 exceed \$200 and who:

1020 (b)1. Holds a valid license in good standing to practice
1021 funeral directing in another state of the United States and has
1022 engaged in the full-time, licensed practice of funeral directing
1023 in that state for at least 5 years, ~~provided that, when the~~
1024 ~~applicant secured her or his original license, the requirements~~
1025 ~~for licensure were substantially equivalent to or more stringent~~



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1026 ~~than those existing in this state; or~~

1027 2. Meets the qualifications for licensure in s. 497.373,
1028 except that the applicant need not hold an associate degree or
1029 higher if the applicant holds a diploma or certificate from an
1030 accredited program of mortuary science, and has successfully
1031 completed a state, regional, or national examination in mortuary
1032 science or funeral service arts, which, as determined by rule of
1033 the licensing authority, is substantially equivalent to or more
1034 stringent than the examination given by the licensing authority.

1035 Section 23. Present subsection (6) of section 554.108,
1036 Florida Statutes, is redesignated as subsection (7), a new
1037 subsection (6) is added to that section, and subsection (1) of
1038 that section is amended, to read:

1039 554.108 Inspection.—

1040 (1) The inspection requirements of this chapter apply only
1041 to boilers located in public assembly locations. A ~~potable hot~~
1042 ~~water supply~~ boiler with an a-heat input of 200,000 British
1043 thermal units (Btu) per hour and above, up to an a-heat input
1044 not exceeding 400,000 Btu per hour, is exempt from inspection;
1045 however, such an exempt boiler, if manufactured after July 1,
1046 2022, but must be stamped with the A.S.M.E. code symbol.
1047 Additionally, "HLW" and the boiler's A.S.M.E data report of a
1048 boiler with an input of 200,000 to 400,000 Btu per hour must be
1049 filed as required under s. 554.103(2).

1050 (6) Each enclosed space or room containing a boiler
1051 regulated under this chapter which is fired by the direct
1052 application of energy from the combustion of fuels and which is
1053 located in any portion of a public lodging establishment under
1054 s. 509.242 shall be equipped with one or more carbon monoxide



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1055 detector devices.

1056 Section 24. Paragraphs (a) and (e) of subsection (1) and
1057 paragraph (a) of subsection (2) of section 554.111, Florida
1058 Statutes, are amended to read:

1059 554.111 Fees.—

1060 (1) The department shall charge the following fees:

1061 (a) For an applicant for a certificate of competency, the
1062 initial application fee shall be \$50, and the annual renewal fee
1063 shall be \$30. ~~The fee for examination shall be \$50.~~

1064 (e) An application for a boiler permit must include the
1065 manufacturer's data report ~~applicable certificate inspection fee~~
1066 ~~provided in paragraph (b).~~

1067 (2) Not more than an amount equal to one certificate
1068 inspection fee may be charged or collected for any and all
1069 boiler inspections in any inspection period, except as otherwise
1070 provided in this chapter.

1071 (a) When it is necessary to make a special trip for testing
1072 and verification inspections ~~to observe the application of a~~
1073 ~~hydrostatic test~~, an additional fee equal to the fee for a
1074 certificate inspection of the boiler must be charged.

1075 Section 25. Subsection (4) of section 554.114, Florida
1076 Statutes, is amended to read:

1077 554.114 Prohibitions; penalties.—

1078 (4) A boiler insurance company, authorized inspection
1079 agency, or other person in violation of this section for more
1080 than 30 days shall pay a fine of \$10 per day for the subsequent
1081 ~~first~~ 10 days of noncompliance, \$50 per day for the subsequent
1082 20 days of noncompliance, and \$100 per day for each subsequent
1083 day ~~over 20 days~~ of noncompliance thereafter.



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1084 Section 26. Subsection (9) of section 624.307, Florida
1085 Statutes, is amended to read:

1086 624.307 General powers; duties.—

1087 (9) Upon receiving service of legal process issued in any
1088 civil action or proceeding in this state against any regulated
1089 person or any unauthorized insurer under s. 626.906 or s.
1090 626.937 that ~~which~~ is required to appoint the Chief Financial
1091 Officer as its agent ~~attorney~~ to receive service of all legal
1092 process, the Chief Financial Officer shall make the process
1093 available through a secure online portal, ~~as attorney, may, in~~
1094 ~~lieu of sending the process by registered or certified mail,~~
1095 ~~send the process or make it available by any other verifiable~~
1096 ~~means, including, but not limited to, making the documents~~
1097 ~~available by electronic transmission from a secure website~~
1098 established by the department to the person last designated by
1099 the regulated person or the unauthorized insurer to receive the
1100 process. When process documents are made available
1101 electronically, the Chief Financial Officer shall promptly send
1102 a notice of receipt of service of process to the person last
1103 designated by the regulated person or unauthorized insurer to
1104 receive legal process. The notice must state the date ~~and manner~~
1105 ~~in which the copy of the process was made available to the~~
1106 regulated person or unauthorized insurer being served and
1107 contain the uniform resource locator (URL) where ~~for a hyperlink~~
1108 ~~to access files and information on the department's website to~~
1109 ~~obtain a copy of the process~~ may be obtained.

1110 Section 27. Section 624.422, Florida Statutes, is amended
1111 to read:

1112 624.422 Service of process; appointment of Chief Financial



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1113 Officer as process agent.-

1114 (1) Each licensed insurer, whether domestic, foreign, or
1115 alien, shall be deemed to have appointed the Chief Financial
1116 Officer and her or his successors in office as its agent
1117 ~~attorney~~ to receive service of all legal process issued against
1118 it in any civil action or proceeding in this state; and process
1119 so served shall be valid and binding upon the insurer.

1120 (2) Before ~~Prior to~~ its authorization to transact insurance
1121 in this state, each insurer shall file with the department
1122 designation of the name and e-mail address of the person to whom
1123 process against it served upon the Chief Financial Officer is to
1124 be made available through the department's secure online portal
1125 ~~forwarded~~. Each insurer shall also file with the department
1126 designation of the name and e-mail address of the person to whom
1127 the department shall forward civil remedy notices filed under s.
1128 624.155. The insurer may change a designation at any time by a
1129 new filing.

1130 (3) Service of process submitted through the department's
1131 secure online portal upon the Chief Financial Officer as the
1132 insurer's agent ~~attorney~~ pursuant to such an appointment shall
1133 be the sole method of service of process upon an authorized
1134 domestic, foreign, or alien insurer in this state.

1135 Section 28. Subsection (1) of section 624.423, Florida
1136 Statutes, is amended to read:

1137 624.423 Serving process.-

1138 (1) Service of process upon the Chief Financial Officer as
1139 process agent of the insurer under s. 624.422 and s. 626.937
1140 shall be made ~~by serving a copy of the process upon the Chief~~
1141 ~~Financial Officer or upon her or his assistant, deputy, or other~~



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1142 ~~person in charge of her or his office. Service may also be made~~
1143 ~~by mail or~~ electronically as provided in s. 48.151(3) ~~s. 48.151~~.
1144 Upon receiving such service, the Chief Financial Officer shall
1145 retain a record of the process ~~copy~~ and promptly notify and make
1146 ~~forward one copy of~~ the process available through the
1147 department's secure online portal ~~by registered or certified~~
1148 ~~mail or by other verifiable means,~~ as provided under s.
1149 624.307(9), to the person last designated by the insurer to
1150 receive the same, as provided under s. 624.422(2). For purposes
1151 of this section, records shall ~~may~~ be retained electronically ~~as~~
1152 ~~paper or electronic copies.~~

1153 Section 29. Paragraph (f) of subsection (3) and paragraph
1154 (d) of subsection (4) of section 624.610, Florida Statutes, are
1155 amended to read:

1156 624.610 Reinsurance.—

1157 (3)

1158 (f) If the assuming insurer is not authorized or accredited
1159 to transact insurance or reinsurance in this state pursuant to
1160 paragraph (a) or paragraph (b), the credit permitted by
1161 paragraph (c) or paragraph (d) must not be allowed unless the
1162 assuming insurer agrees in the reinsurance agreements:

1163 1.a. That in the event of the failure of the assuming
1164 insurer to perform its obligations under the terms of the
1165 reinsurance agreement, the assuming insurer, at the request of
1166 the ceding insurer, shall submit to the jurisdiction of any
1167 court of competent jurisdiction in any state of the United
1168 States, will comply with all requirements necessary to give the
1169 court jurisdiction, and will abide by the final decision of the
1170 court or of any appellate court in the event of an appeal; and



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1171 b. To designate the Chief Financial Officer, pursuant to s.
1172 48.151(3) ~~s. 48.151~~, as its true and lawful agent ~~attorney~~ upon
1173 whom may be served any lawful process in any action, suit, or
1174 proceeding instituted by or on behalf of the ceding company.

1175 2. This paragraph is not intended to conflict with or
1176 override the obligation of the parties to a reinsurance
1177 agreement to arbitrate their disputes, if this obligation is
1178 created in the agreement.

1179 (4) Credit must be allowed when the reinsurance is ceded to
1180 an assuming insurer meeting the requirements of this subsection.

1181 (d) The assuming insurer must, in a form specified by the
1182 commission:

1183 1. Agree to provide prompt written notice and explanation
1184 to the office if the assuming insurer falls below the minimum
1185 requirements set forth in paragraph (b) or paragraph (c), or if
1186 any regulatory action is taken against it for serious
1187 noncompliance with applicable law of any jurisdiction.

1188 2. Consent in writing to the jurisdiction of the courts of
1189 this state and to the designation of the Chief Financial
1190 Officer, pursuant to s. 48.151(3) ~~s. 48.151~~, as its true and
1191 lawful agent ~~attorney~~ upon whom may be served any lawful process
1192 in any action, suit, or proceeding instituted by or on behalf of
1193 the ceding insurer. This subparagraph does not limit or alter in
1194 any way the capacity of parties to a reinsurance agreement to
1195 agree to an alternative dispute resolution mechanism, except to
1196 the extent that such agreement is unenforceable under applicable
1197 insolvency or delinquency laws.

1198 3. Consent in writing to pay all final judgments, wherever
1199 enforcement is sought, obtained by a ceding insurer or its legal



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1200 successor which have been declared enforceable in the
1201 jurisdiction where the judgment was obtained.

1202 4. Confirm in writing that it will include in each
1203 reinsurance agreement a provision requiring the assuming insurer
1204 to provide security in an amount equal to 100 percent of the
1205 assuming insurer's liabilities attributable to reinsurance ceded
1206 pursuant to that agreement, if the assuming insurer resists
1207 enforcement of a final judgment that is enforceable under the
1208 law of the jurisdiction in which it was obtained or enforcement
1209 of a properly enforceable arbitration award, whether obtained by
1210 the ceding insurer or by its legal successor on behalf of its
1211 resolution estate.

1212 5. Confirm in writing that it is not presently
1213 participating in any solvent scheme of arrangement which
1214 involves this state's ceding insurers, and agree to notify the
1215 ceding insurer and the office and to provide security in an
1216 amount equal to 100 percent of the assuming insurer's
1217 liabilities to the ceding insurer if the assuming insurer enters
1218 into such a solvent scheme of arrangement. Such security must be
1219 consistent with subsection (5) or as specified by commission
1220 rule.

1221 Section 30. Present subsections (12) through (21) of
1222 section 626.015, Florida Statutes, are redesignated as
1223 subsections (13) through (22), respectively, a new subsection
1224 (12) is added to that section, and present subsection (20) of
1225 that section is amended, to read:

1226 626.015 Definitions.—As used in this part:

1227 (12) "Licensing authority" means the respective
1228 jurisdiction of the department or the office, as provided by



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1229 law.

1230 (21)~~(20)~~ "Unaffiliated insurance agent" means a licensed
1231 insurance agent, except a limited lines agent, who is self-
1232 appointed and who practices as an independent consultant in the
1233 business of analyzing or abstracting insurance policies,
1234 providing insurance advice or counseling, or making specific
1235 recommendations or comparisons of insurance products for a fee
1236 established in advance by written contract signed by the
1237 parties. An unaffiliated insurance agent may not be affiliated
1238 with an insurer, insurer-appointed insurance agent, or insurance
1239 agency contracted with or employing insurer-appointed insurance
1240 agents. A licensed adjuster who is also an unaffiliated
1241 insurance agent may obtain an adjuster appointment in order to
1242 adjust claims while holding an unaffiliated appointment on the
1243 agent license.

1244 Section 31. Subsection (4) of section 626.171, Florida
1245 Statutes, is amended to read:

1246 626.171 Application for license as an agent, customer
1247 representative, adjuster, service representative, or reinsurance
1248 intermediary.—

1249 (4) An applicant for a license issued by the department
1250 under this chapter as an agent, customer representative,
1251 adjuster, service representative, or reinsurance intermediary
1252 must submit a set of the individual applicant's fingerprints,
1253 or, if the applicant is not an individual, a set of the
1254 fingerprints of the sole proprietor, majority owner, partners,
1255 officers, and directors, to the department and must pay the
1256 fingerprint processing fee set forth in s. 624.501. Fingerprints
1257 must be processed in accordance with s. 624.34 and used to



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1258 investigate the applicant's qualifications pursuant to s.
1259 626.201. The fingerprints must be taken by a law enforcement
1260 agency, designated examination center, or other department-
1261 approved entity. The department shall require all designated
1262 examination centers to have fingerprinting equipment and to take
1263 fingerprints from any applicant or prospective applicant who
1264 pays the applicable fee. The department may not approve an
1265 application for licensure as an agent, customer service
1266 representative, adjuster, service representative, or reinsurance
1267 intermediary if fingerprints have not been submitted.

1268 Section 32. Paragraph (f) of subsection (2) of section
1269 626.172, Florida Statutes, is amended to read:

1270 626.172 Application for insurance agency license.—

1271 (2) An application for an insurance agency license must be
1272 signed by an individual required to be listed in the application
1273 under paragraph (a). An insurance agency may permit a third
1274 party to complete, submit, and sign an application on the
1275 insurance agency's behalf; however, the insurance agency is
1276 responsible for ensuring that the information on the application
1277 is true and correct and is accountable for any misstatements or
1278 misrepresentations. The application for an insurance agency
1279 license must include:

1280 (f) The fingerprints submitted in accordance with s.
1281 626.171(4) of each of the following:

1282 1. A sole proprietor;

1283 2. Each individual required to be listed in the application
1284 under paragraph (a); and

1285 3. Each individual who directs or participates in the
1286 management or control of an incorporated agency whose shares are



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1287 not traded on a securities exchange.

1288

1289 ~~Fingerprints must be taken by a law enforcement agency or other~~
1290 ~~entity approved by the department and must be accompanied by the~~
1291 ~~fingerprint processing fee specified in s. 624.501. Fingerprints~~
1292 ~~must be processed in accordance with s. 624.34. However,~~
1293 Fingerprints need not be filed for an individual who is
1294 currently licensed and appointed under this chapter. This
1295 paragraph does not apply to corporations whose voting shares are
1296 traded on a securities exchange.

1297 Section 33. Section 626.173, Florida Statutes, is created
1298 to read:

1299 626.173 Insurance agency closure; cancellation of
1300 licenses.—

1301 (1) If a licensed insurance agency permanently ceases the
1302 transaction of insurance or ceases the transaction of insurance
1303 for more than 30 days, the agent in charge, the director of the
1304 agency, or other officer listed on the original application for
1305 licensure must, within 35 days after the agency first ceases the
1306 transaction of insurance, do all of the following:

1307 (a) Cancel the insurance agency's license by completing and
1308 submitting a form prescribed by the department to notify the
1309 department of the cancellation of the license.

1310 (b) Notify all insurers by which the agency or agent in
1311 charge is appointed of the agency's cessation of operations, the
1312 date on which operations ceased, the identity of any agency or
1313 agent to which the agency's current book of business has been
1314 transferred, and the method by which agency records may be
1315 obtained during the time periods specified in ss. 626.561 and



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1316 626.748.

1317 (c) Notify all policyholders currently insured by a policy
1318 written, produced, or serviced by the agency of the agency's
1319 cessation of operations; the date on which operations ceased;
1320 and the identity of the agency or agent to which the agency's
1321 current book of business has been transferred or, if no transfer
1322 has occurred, a statement directing the policyholder to contact
1323 the insurance company for assistance in locating a licensed
1324 agent to service the policy.

1325 (d) Notify all premium finance companies through which
1326 active policies are financed of the agency's cessation of
1327 operations, the date on which operations ceased, and the
1328 identity of the agency or agent to which the agency's current
1329 book of business has been transferred.

1330 (e) Ensure that all funds held in a fiduciary capacity are
1331 properly distributed to the rightful owners.

1332 (2) (a) The department may, in a proceeding initiated
1333 pursuant to chapter 120, impose an administrative fine against
1334 the agent in charge or director or officer of the agency found
1335 in the proceeding to have violated any provision of this
1336 section. A proceeding may not be initiated and a fine may not
1337 accrue until after the person has been notified in writing of
1338 the nature of the violation, has been afforded 10 business days
1339 to correct the violation, and has failed to do so.

1340 (b) A fine imposed under this subsection may not exceed the
1341 amounts specified in s. 626.681 per violation.

1342 (c) The department may, in addition to the imposition of an
1343 administrative fine under this subsection, suspend or revoke the
1344 license of a licensee fined under this subsection.



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1345 (d) In imposing any administrative penalty or remedy
1346 provided under this subsection, the department shall take into
1347 account the appropriateness of the penalty with respect to the
1348 size of the financial resources and the good faith of the person
1349 charged, the gravity of the violation, the history of previous
1350 violations, and other matters as justice may require.

1351 Section 34. Subsection (3) of section 626.201, Florida
1352 Statutes, is amended, and subsection (4) is added to that
1353 section, to read:

1354 626.201 Investigation.—

1355 (3) An inquiry or investigation of the applicant's
1356 qualifications, character, experience, background, and fitness
1357 must include submission of the applicant's fingerprints, in
1358 accordance with s. 626.171(4), to the Department of Law
1359 Enforcement and the Federal Bureau of Investigation and
1360 consideration of any state criminal records, federal criminal
1361 records, or local criminal records obtained from these agencies
1362 or from local law enforcement agencies.

1363 (4) The expiration, nonrenewal, or surrender of a license
1364 under this chapter does not eliminate jurisdiction of the
1365 licensing authority to investigate and prosecute for a violation
1366 committed by the licensee while licensed under this chapter. The
1367 prosecution of any matter may be initiated or continued
1368 notwithstanding the withdrawal of a complaint.

1369 Section 35. Section 626.202, Florida Statutes, is amended
1370 to read:

1371 626.202 Fingerprinting requirements.—

1372 (1) The requirements for completion and submission of
1373 fingerprints under this chapter in accordance with s. 626.171(4)



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1374 are deemed to be met when an individual currently licensed under
1375 this chapter seeks additional licensure and has previously
1376 submitted fingerprints to the department within the past 48
1377 months. However, the department may require the individual to
1378 file fingerprints if it has reason to believe that an applicant
1379 or licensee has been found guilty of, or pleaded guilty or nolo
1380 contendere to, a felony or a crime related to the business of
1381 insurance in this state or any other state or jurisdiction.

1382 (2) If there is a change in ownership or control of any
1383 entity licensed under this chapter, or if a new partner,
1384 officer, or director is employed or appointed, a set of
1385 fingerprints of the new owner, partner, officer, or director
1386 must be filed with the department or office within 30 days after
1387 the change. The acquisition of 10 percent or more of the voting
1388 securities of a licensed entity is considered a change of
1389 ownership or control. The fingerprints must be submitted in
1390 accordance with s. 626.171(4) ~~taken by a law enforcement agency~~
1391 ~~or other department-approved entity and be accompanied by the~~
1392 ~~fingerprint processing fee in s. 624.501.~~

1393 Section 36. Paragraph (j) of subsection (2) of section
1394 626.221, Florida Statutes, is amended to read:

1395 626.221 Examination requirement; exemptions.—

1396 (2) However, an examination is not necessary for any of the
1397 following:

1398 (j) An applicant for license as an all-lines adjuster who
1399 has the designation of Accredited Claims Adjuster (ACA) from a
1400 regionally accredited postsecondary institution in this state,
1401 Certified All Lines Adjuster (CALA) from Kaplan Financial
1402 Education, Associate in Claims (AIC) from the Insurance



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1403 Institute of America, Professional Claims Adjuster (PCA) from
1404 the Professional Career Institute, Professional Property
1405 Insurance Adjuster (PPIA) from the HurriClaim Training Academy,
1406 Certified Adjuster (CA) from ALL LINES Training, Certified
1407 Claims Adjuster (CCA) from AE21 Incorporated, Claims Adjuster
1408 Certified Professional (CACP) from WebCE, Inc., Accredited
1409 Insurance Claims Specialist (AICS) from Encore Claim Services,
1410 or Universal Claims Certification (UCC) from Claims and
1411 Litigation Management Alliance (CLM) whose curriculum has been
1412 approved by the department and which includes comprehensive
1413 analysis of basic property and casualty lines of insurance and
1414 testing at least equal to that of standard department testing
1415 for the all-lines adjuster license. The department shall adopt
1416 rules establishing standards for the approval of curriculum.

1417 Section 37. Subsection (6) of section 626.311, Florida
1418 Statutes, is amended to read:

1419 626.311 Scope of license.—

1420 (6) An agent who appoints his or her license as an
1421 unaffiliated insurance agent may not hold an appointment from an
1422 insurer for any license he or she holds, with the exception of
1423 an adjuster license; transact, solicit, or service an insurance
1424 contract on behalf of an insurer; interfere with commissions
1425 received or to be received by an insurer-appointed insurance
1426 agent or an insurance agency contracted with or employing
1427 insurer-appointed insurance agents; or receive compensation or
1428 any other thing of value from an insurer, an insurer-appointed
1429 insurance agent, or an insurance agency contracted with or
1430 employing insurer-appointed insurance agents for any transaction
1431 or referral occurring after the date of appointment as an



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1432 unaffiliated insurance agent. An unaffiliated insurance agent
1433 may continue to receive commissions on sales that occurred
1434 before the date of appointment as an unaffiliated insurance
1435 agent if the receipt of such commissions is disclosed when
1436 making recommendations or evaluating products for a client that
1437 involve products of the entity from which the commissions are
1438 received. An adjuster who holds an adjuster license and who is
1439 also an unaffiliated insurance agent may obtain an adjuster
1440 appointment while maintaining his or her unaffiliated insurance
1441 agent appointment and may adjust claims and receive compensation
1442 in accordance with the authority granted by the adjuster license
1443 and appointment.

1444 Section 38. Paragraph (h) of subsection (1) of section
1445 626.321, Florida Statutes, is amended to read:

1446 626.321 Limited licenses and registration.—

1447 (1) The department shall issue to a qualified applicant a
1448 license as agent authorized to transact a limited class of
1449 business in any of the following categories of limited lines
1450 insurance:

1451 (h) *Portable electronics insurance.*—License for property
1452 insurance or inland marine insurance that covers only loss,
1453 theft, mechanical failure, malfunction, or damage for portable
1454 electronics.

1455 1. The license may be issued only to:

1456 a. Employees or authorized representatives of a licensed
1457 general lines agent; or

1458 b. The lead business location of a retail vendor that sells
1459 portable electronics insurance. The lead business location must
1460 have a contractual relationship with a general lines agent.



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1461 2. Employees or authorized representatives of a licensee
1462 under subparagraph 1. may sell or offer for sale portable
1463 electronics coverage without being subject to licensure as an
1464 insurance agent if:

1465 a. Such insurance is sold or offered for sale at a licensed
1466 location or at one of the licensee's branch locations if the
1467 branch location is appointed by the licensed lead business
1468 location or its appointing insurers;

1469 b. The insurer issuing the insurance directly supervises or
1470 appoints a general lines agent to supervise the sale of such
1471 insurance, including the development of a training program for
1472 the employees and authorized representatives of vendors that are
1473 directly engaged in the activity of selling or offering the
1474 insurance; and

1475 c. At each location where the insurance is offered,
1476 brochures or other written materials that provide the
1477 information required by this subparagraph are made available to
1478 all prospective customers. The brochures or written materials
1479 may include information regarding portable electronics
1480 insurance, service warranty agreements, or other incidental
1481 services or benefits offered by a licensee.

1482 3. Individuals not licensed to sell portable electronics
1483 insurance may not be paid commissions based on the sale of such
1484 coverage. However, a licensee who uses a compensation plan for
1485 employees and authorized representatives which includes
1486 supplemental compensation for the sale of noninsurance products,
1487 in addition to a regular salary or hourly wages, may include
1488 incidental compensation for the sale of portable electronics
1489 insurance as a component of the overall compensation plan.



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1490 4. Brochures or other written materials related to portable
1491 electronics insurance must:

1492 a. Disclose that such insurance may duplicate coverage
1493 already provided by a customer's homeowners insurance policy,
1494 renters insurance policy, or other source of coverage;

1495 b. State that enrollment in insurance coverage is not
1496 required in order to purchase or lease portable electronics or
1497 services;

1498 c. Summarize the material terms of the insurance coverage,
1499 including the identity of the insurer, the identity of the
1500 supervising entity, the amount of any applicable deductible and
1501 how it is to be paid, the benefits of coverage, and key terms
1502 and conditions of coverage, such as whether portable electronics
1503 may be repaired or replaced with similar make and model
1504 reconditioned or nonoriginal manufacturer parts or equipment;

1505 d. Summarize the process for filing a claim, including a
1506 description of how to return portable electronics and the
1507 maximum fee applicable if the customer fails to comply with
1508 equipment return requirements; and

1509 e. State that an enrolled customer may cancel coverage at
1510 any time and that the person paying the premium will receive a
1511 refund of any unearned premium.

1512 5. A licensed and appointed general lines agent is not
1513 required to obtain a portable electronics insurance license to
1514 offer or sell portable electronics insurance at locations
1515 already licensed as an insurance agency, but may apply for a
1516 portable electronics insurance license for branch locations not
1517 otherwise licensed to sell insurance.

1518 6. A portable electronics license authorizes the sale of



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1519 individual policies or certificates under a group or master
1520 insurance policy. The license also authorizes the sale of
1521 service warranty agreements covering only portable electronics
1522 to the same extent as if licensed under s. 634.419 or s.
1523 634.420.

1524 7. A licensee may bill and collect the premium for the
1525 purchase of portable electronics insurance provided that:

1526 a. If the insurance is included with the purchase or lease
1527 of portable electronics or related services, the licensee
1528 clearly and conspicuously discloses that insurance coverage is
1529 included with the purchase. Disclosure of the stand-alone cost
1530 of the premium for same or similar insurance must be made on the
1531 customer's bill and in any marketing materials made available at
1532 the point of sale. If the insurance is not included, the charge
1533 to the customer for the insurance must be separately itemized on
1534 the customer's bill.

1535 b. Premiums are incidental to other fees collected, are
1536 maintained in a manner that is readily identifiable, and are
1537 accounted for and remitted to the insurer or supervising entity
1538 within 60 days of receipt. Licensees are not required to
1539 maintain such funds in a segregated account.

1540 c. All funds received by a licensee from an enrolled
1541 customer for the sale of the insurance are considered funds held
1542 in trust by the licensee in a fiduciary capacity for the benefit
1543 of the insurer. Licensees may receive compensation for billing
1544 and collection services.

1545 8. Notwithstanding any other provision of law, the terms
1546 for the termination or modification of coverage under a policy
1547 of portable electronics insurance are those set forth in the



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1548 policy.

1549 9. Notice or correspondence required by the policy, or
1550 otherwise required by law, may be provided by electronic means
1551 if the insurer or licensee maintains proof that the notice or
1552 correspondence was sent. Such notice or correspondence may be
1553 sent on behalf of the insurer or licensee by the general lines
1554 agent appointed by the insurer to supervise the administration
1555 of the program. For purposes of this subparagraph, an enrolled
1556 customer's provision of an electronic mail address to the
1557 insurer or licensee is deemed to be consent to receive notices
1558 and correspondence by electronic means if a conspicuously
1559 located disclosure is provided to the customer indicating the
1560 same.

1561 10. ~~The provisions of this chapter requiring submission of~~
1562 ~~fingerprints~~ requirements in s. 626.171(4) do not apply to
1563 licenses issued to qualified entities under this paragraph.

1564 11. A branch location that sells portable electronics
1565 insurance may, in lieu of obtaining an appointment from an
1566 insurer or warranty association, obtain a single appointment
1567 from the associated lead business location licensee and pay the
1568 prescribed appointment fee under s. 624.501 if the lead business
1569 location has a single appointment from each insurer or warranty
1570 association represented and such appointment applies to the lead
1571 business location and all of its branch locations. Branch
1572 location appointments shall be renewed 24 months after the
1573 initial appointment date of the lead business location and every
1574 24 months thereafter. Notwithstanding s. 624.501, the renewal
1575 fee applicable to such branch location appointments is \$30 per
1576 appointment.



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1577 12. For purposes of this paragraph:

1578 a. "Branch location" means any physical location in this
1579 state at which a licensee offers its products or services for
1580 sale.

1581 b. "Portable electronics" means personal, self-contained,
1582 easily carried by an individual, battery-operated electronic
1583 communication, viewing, listening, recording, gaming, computing
1584 or global positioning devices, including cell or satellite
1585 phones, pagers, personal global positioning satellite units,
1586 portable computers, portable audio listening, video viewing or
1587 recording devices, digital cameras, video camcorders, portable
1588 gaming systems, docking stations, automatic answering devices,
1589 and other similar devices and their accessories, and service
1590 related to the use of such devices.

1591 c. "Portable electronics transaction" means the sale or
1592 lease of portable electronics or a related service, including
1593 portable electronics insurance.

1594 Section 39. Subsection (5) of section 626.601, Florida
1595 Statutes, is amended to read:

1596 626.601 Improper conduct; inquiry; fingerprinting.—

1597 (5) If the department or office, after investigation, has
1598 reason to believe that an individual may have been found guilty
1599 of or pleaded guilty or nolo contendere to a felony or a crime
1600 related to the business of insurance in this or any other state
1601 or jurisdiction, the department or office may require the
1602 individual to file with the department or office a complete set
1603 of his or her fingerprints, in accordance with s. 626.171(4),
1604 which shall be accompanied by the fingerprint processing fee set
1605 forth in s. 624.501. The fingerprints shall be taken by an



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1606 authorized law enforcement agency or other department-approved
1607 entity.

1608 Section 40. Subsection (2) of section 626.7845, Florida
1609 Statutes, is amended to read:

1610 626.7845 Prohibition against unlicensed transaction of life
1611 insurance.—

1612 (2) Except as provided in s. 626.112(6), with respect to
1613 any line of authority specified in s. 626.015(13) ~~s.~~

1614 ~~626.015(12)~~, an individual may not, unless licensed as a life
1615 agent:

1616 (a) Solicit insurance or annuities or procure applications;

1617 (b) In this state, engage or hold himself or herself out as
1618 engaging in the business of analyzing or abstracting insurance
1619 policies or of counseling or advising or giving opinions to
1620 persons relative to insurance or insurance contracts, unless the
1621 individual is:

1622 1. A consulting actuary advising insurers;

1623 2. An employee of a labor union, association, employer, or
1624 other business entity, or the subsidiaries and affiliates of
1625 each, who counsels and advises such entity or entities relative
1626 to their interests and those of their members or employees under
1627 insurance benefit plans; or

1628 3. A trustee advising a settlor, a beneficiary, or a person
1629 regarding his or her interests in a trust, relative to insurance
1630 benefit plans; or

1631 (c) In this state, from this state, or with a resident of
1632 this state, offer or attempt to negotiate on behalf of another
1633 person a viatical settlement contract as defined in s. 626.9911.

1634 Section 40. Paragraph (d) of subsection (2) of section



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1635 626.8411, Florida Statutes, is amended, and paragraph (f) is
1636 added to subsection (1) of that section, to read:

1637 626.8411 Application of Florida Insurance Code provisions
1638 to title insurance agents or agencies.—

1639 (1) The following provisions applicable to general lines
1640 agents or agencies also apply to title insurance agents or
1641 agencies:

1642 (f) Section 626.172(2)(f), relating to fingerprints.

1643 (2) The following provisions of part I do not apply to
1644 title insurance agents or title insurance agencies:

1645 (d) Section 626.172, except for paragraph (2)(f) of that
1646 section, relating to agent in full-time charge.

1647 Section 41. Paragraph (b) of subsection (1) of section
1648 626.8412, Florida Statutes, is amended to read:

1649 626.8412 License and appointments required.—

1650 (1) Except as otherwise provided in this part:

1651 (b) A title insurance agent may not sell a title insurance
1652 policy issued by an insurer for which the agent and the agency
1653 do ~~es~~ not hold a current appointment.

1654 Section 42. Paragraph (a) of subsection (3) of section
1655 626.8417, Florida Statutes, is amended to read:

1656 626.8417 Title insurance agent licensure; exemptions.—

1657 (3) The department may not grant or issue a license as a
1658 title insurance agent to an individual who is found by the
1659 department to be untrustworthy or incompetent, who does not meet
1660 the qualifications for examination specified in s. 626.8414, or
1661 who does not meet the following qualifications:

1662 (a) Within the 4 years immediately preceding the date of
1663 the application for license, the applicant must have completed a



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1664 40-hour ~~classroom~~ course in title insurance, 3 hours of which
1665 are on the subject matter of ethics, as approved by the
1666 department, or must have had at least 12 months of experience in
1667 responsible title insurance duties, under the supervision of a
1668 licensed title insurance agent, title insurer, or attorney while
1669 working in the title insurance business as a substantially full-
1670 time, bona fide employee of a title insurance agency, title
1671 insurance agent, title insurer, or attorney who conducts real
1672 estate closing transactions and issues title insurance policies
1673 but who is exempt from licensure under subsection (4). If an
1674 applicant's qualifications are based upon the periods of
1675 employment at responsible title insurance duties, the applicant
1676 must submit, with the license application, an affidavit of the
1677 applicant and of the employer affirming the period of such
1678 employment, that the employment was substantially full time, and
1679 giving a brief abstract of the nature of the duties performed by
1680 the applicant.

1681 Section 43. Section 626.8421, Florida Statutes, is amended
1682 to read:

1683 626.8421 Number of appointments permitted or required.—A
1684 title agent and a title agency shall be required to have a
1685 separate appointment as to each insurer by which they are ~~he or~~
1686 ~~she is~~ appointed as agents ~~agent~~. As a part of each appointment
1687 there shall be a certified statement or affidavit of an
1688 appropriate officer or official of the appointing insurer
1689 stating that to the best of the insurer's knowledge and belief
1690 the applicant, or its principals in the case of a corporation or
1691 other legal entity, has met the requirements of s. 626.8417.

1692 Section 44. Subsections (1) and (2) of section 626.843,



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1693 Florida Statutes, are amended to read:

1694 626.843 Renewal, continuation, reinstatement, termination
1695 of title insurance agent's and title insurance agency's
1696 appointments appointment.—

1697 (1) Appointments ~~the appointment~~ of a title insurance agent
1698 and a title insurance agency shall continue in force until
1699 suspended, revoked, or otherwise terminated, but subject to a
1700 renewed request filed by the insurer every 24 months after the
1701 original issue dates ~~date~~ of the appointments ~~appointment~~,
1702 accompanied by payments ~~payment~~ of the renewal appointment fees
1703 ~~fee~~ and taxes as prescribed in s. 624.501.

1704 (2) Title insurance agent and title insurance agency
1705 appointments shall be renewed pursuant to s. 626.381 for
1706 insurance representatives in general.

1707 Section 45. Subsection (1) of section 626.8433, Florida
1708 Statutes, is amended to read:

1709 626.8433 Filing of reasons for terminating appointment of
1710 title insurance agent and title insurance agency; confidential
1711 information.—

1712 (1) Any title insurer that is terminating the appointment
1713 of a title insurance agent or title insurance agency, whether
1714 such termination is by direct action of the appointing title
1715 insurer or by failure to renew or continue the appointment as
1716 provided, shall file with the department a statement of the
1717 reasons, if any, for, and the facts relative to, such
1718 termination.

1719 Section 46. Section 626.8447, Florida Statutes, is amended
1720 to read:

1721 626.8447 Effect of suspension or revocation upon other



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1722 licensees, appointees.—In case of the suspension or revocation
1723 of the license and appointment of any title insurance agent or
1724 title insurance agency, the licenses and appointments of all
1725 other title insurance agents who knowingly were parties to the
1726 act that ~~which~~ formed the ground for such suspension or
1727 revocation may likewise be suspended or revoked for the same
1728 period as that of the offending title insurance agent or title
1729 insurance agency, but such suspension or revocation does ~~shall~~
1730 not prevent any title insurance agent, except the one whose
1731 license and appointment was first suspended or revoked, from
1732 being issued an appointment for some other title insurer.

1733 Section 47. Present paragraph (d) of subsection (10) of
1734 section 626.854, Florida Statutes, is redesignated as paragraph
1735 (f), and a new paragraph (d) and paragraph (e) are added to that
1736 subsection, to read:

1737 626.854 "Public adjuster" defined; prohibitions.—The
1738 Legislature finds that it is necessary for the protection of the
1739 public to regulate public insurance adjusters and to prevent the
1740 unauthorized practice of law.

1741 (10)

1742 (d) Public adjuster compensation may not be based on
1743 amounts attributable to additional living expenses, unless such
1744 compensation is affirmatively agreed to in a separate agreement
1745 that includes a disclosure in substantially the following form:
1746 "I agree to retain and compensate the public adjuster for
1747 adjusting my additional living expenses and securing payment
1748 from my insurer for amounts attributable to additional living
1749 expenses payable under the policy issued on my (home/mobile
1750 home/condominium unit)."



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1751 (e) Public adjuster compensation may not be increased based
1752 on a claim being resolved by litigation.

1753 Section 48. Section 626.8561, Florida Statutes, is amended
1754 to read:

1755 626.8561 "Public adjuster apprentice" defined.—The term
1756 "public adjuster apprentice" means a person licensed as an all-
1757 lines adjuster who:

1758 (1) Is appointed and employed or contracted by ~~a public~~
1759 ~~adjuster or~~ a public adjusting firm;

1760 (2) Assists the ~~public adjuster or~~ public adjusting firm in
1761 ascertaining and determining the amount of any claim, loss, or
1762 damage payable under an insurance contract, or who undertakes to
1763 effect settlement of such claim, loss, or damage; and

1764 (3) Satisfies the requirements of s. 626.8651.

1765 Section 49. Paragraph (e) of subsection (1) and subsection
1766 (2) of section 626.865, Florida Statutes, are amended to read:

1767 626.865 Public adjuster's qualifications, bond.—

1768 (1) The department shall issue a license to an applicant
1769 for a public adjuster's license upon determining that the
1770 applicant has paid the applicable fees specified in s. 624.501
1771 and possesses the following qualifications:

1772 (e) Has been licensed and appointed in this state as a
1773 nonresident public adjuster on a continual basis for the
1774 previous 6 months, or has been licensed as an all-lines
1775 adjuster, and has been appointed on a continual basis for the
1776 previous 6 months as a public adjuster apprentice under s.
1777 626.8561, as an independent adjuster under s. 626.855, or as a
1778 company employee adjuster under s. 626.856.

1779 (2) At the time of application for license as a public



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1780 adjuster, the applicant shall file with the department a bond
1781 executed and issued by a surety insurer authorized to transact
1782 such business in this state, in the amount of \$50,000,
1783 conditioned for the faithful performance of his or her duties as
1784 a public adjuster under the license for which the applicant has
1785 applied, and thereafter maintain the bond unimpaired throughout
1786 the existence of the license ~~and for at least 1 year after~~
1787 ~~termination of the license.~~

1788 (a) The bond ~~must shall~~ be in favor of the department and
1789 ~~must shall~~ specifically authorize recovery by the department of
1790 the damages sustained in case the licensee is guilty of fraud or
1791 unfair practices in connection with his or her business as
1792 public adjuster.

1793 (b) The bond must remain in effect for 1 year after the
1794 expiration or termination of the license.

1795 (c) The aggregate liability of the surety for all such
1796 damages ~~may not shall in no event~~ exceed the amount of the bond.
1797 ~~The Such~~ bond ~~may shall~~ not be terminated unless at least 30
1798 days' written notice is given to the licensee and filed with the
1799 department.

1800 Section 50. Paragraph (a) of subsection (1) and subsection
1801 (3) of section 626.8651, Florida Statutes, are amended to read:

1802 626.8651 Public adjuster apprentice appointment;
1803 qualifications.—

1804 (1) (a) The department shall issue an appointment as a
1805 public adjuster apprentice to a licensee who:

- 1806 1. Is licensed as an all-lines adjuster under s. 626.866;
1807 2. Has filed with the department a bond executed and issued
1808 by a surety insurer that is authorized to transact such business



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1809 in this state in the amount of \$50,000, which is conditioned
1810 upon the faithful performance of his or her duties as a public
1811 adjuster apprentice; and

1812 3. Maintains such bond unimpaired throughout the existence
1813 of the appointment. The bond must remain in effect for 1 year
1814 after the expiration or termination of the license and for at
1815 least 1 year after termination of the appointment.

1816 (3) A public adjuster apprentice has the same authority as
1817 the licensed public adjuster or public adjusting firm that
1818 employs the apprentice except that an apprentice may not execute
1819 contracts for the services of a public adjuster or public
1820 adjusting firm. An individual may not be, act as, or hold
1821 himself or herself out to be a public adjuster apprentice unless
1822 the individual is licensed as an all-lines adjuster and holds a
1823 current appointment by a licensed ~~public all-lines adjuster or a~~
1824 public adjusting firm that has designated with the department a
1825 primary ~~employs a licensed public adjuster as required by s.~~
1826 626.8695.

1827 Section 51. Section 626.8696, Florida Statutes, is amended
1828 to read:

1829 626.8696 Application for adjusting firm license.—

1830 (1) The application for an adjusting firm license must
1831 include:

1832 (a) The name of each majority owner, partner, officer, and
1833 director of the adjusting firm.

1834 (b) The resident address of each person required to be
1835 listed in the application under paragraph (a).

1836 (c) The name of the adjusting firm and its principal
1837 business address.



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1838 (d) The location of each adjusting firm office and the name
1839 under which each office conducts or will conduct business.

1840 (e) The name and license number of the designated primary
1841 adjuster for each adjusting firm location as required in s.
1842 626.8695.

1843 (f) The fingerprints of each individual required to be
1844 listed in the application under paragraph (a), filed in
1845 accordance with s. 626.171(4). However, fingerprints need not be
1846 filed for an individual who is currently licensed and appointed
1847 under this chapter.

1848 (g) Any additional information that the department
1849 requires.

1850 (2) An application for an adjusting firm license must be
1851 signed by one of the individuals required to be listed in the
1852 application under paragraph (1)(a) each owner of the firm. If
1853 ~~the firm is incorporated, the application must be signed by the~~
1854 ~~president and secretary of the corporation.~~

1855 ~~(3) Each application must be accompanied by payment of any~~
1856 ~~applicable fee as prescribed in s. 624.501.~~

1857 ~~(4) License fees are not refundable.~~

1858 ~~(5) An adjusting firm required to be licensed pursuant to~~
1859 ~~s. 626.8695 must remain so licensed for a period of 3 years from~~
1860 ~~the date of licensure, unless the license is suspended or~~
1861 ~~revoked. The department may suspend or revoke the adjusting~~
1862 ~~firm's authority to do business for activities occurring during~~
1863 ~~the time the firm is licensed, regardless of whether the~~
1864 ~~licensing period has terminated.~~

1865 Section 52. Subsection (3) of section 626.8732, Florida
1866 Statutes, is amended to read:



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1867 626.8732 Nonresident public adjuster's qualifications,
1868 bond.—

1869 (3) At the time of application for license as a nonresident
1870 public adjuster, the applicant shall file with the department a
1871 bond executed and issued by a surety insurer authorized to
1872 transact surety business in this state, in the amount of
1873 \$50,000, conditioned for the faithful performance of his or her
1874 duties as a nonresident public adjuster under the license
1875 applied for. Thereafter, the applicant shall maintain the bond
1876 unimpaired throughout the existence of the license and for 1
1877 year after the expiration or termination of the license.

1878 (a) The bond must be in favor of the department and must
1879 specifically authorize recovery by the department of the damages
1880 sustained if the licensee commits fraud or unfair practices in
1881 connection with his or her business as nonresident public
1882 adjuster.

1883 (b) The aggregate liability of the surety for all the
1884 damages may not exceed the amount of the bond. The bond may not
1885 be terminated unless at least 30 days' written notice is given
1886 to the licensee and filed with the department.

1887 Section 53. Paragraph (a) of subsection (2) of section
1888 626.8734, Florida Statutes, is amended to read:

1889 626.8734 Nonresident all-lines adjuster license
1890 qualifications.—

1891 (2) The applicant must furnish the following with his or
1892 her application:

1893 (a) A complete set of his or her fingerprints in accordance
1894 with s. 626.171(4). ~~The applicant's fingerprints must be~~
1895 ~~certified by an authorized law enforcement officer.~~



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1896 Section 54. Section 626.906, Florida Statutes, is amended
1897 to read:

1898 626.906 Acts constituting Chief Financial Officer as
1899 process agent.—Any of the following acts in this state, effected
1900 by mail or otherwise, by an unauthorized foreign insurer, alien
1901 insurer, or person representing or aiding such an insurer is
1902 equivalent to and shall constitute an appointment by such
1903 insurer or person representing or aiding such insurer of the
1904 Chief Financial Officer to be its true and lawful agent
1905 ~~attorney~~, upon whom may be served all lawful process in any
1906 action, suit, or proceeding instituted by or on behalf of an
1907 insured or beneficiary, arising out of any such contract of
1908 insurance; and any such act shall be signification of the
1909 insurer's or person's agreement that such service of process is
1910 of the same legal force and validity as personal service of
1911 process in this state upon such insurer or person representing
1912 or aiding such insurer:

1913 (1) The issuance or delivery of contracts of insurance to
1914 residents of this state or to corporations authorized to do
1915 business therein;

1916 (2) The solicitation of applications for such contracts;

1917 (3) The collection of premiums, membership fees,
1918 assessments, or other considerations for such contracts; or

1919 (4) Any other transaction of insurance.

1920 Section 55. Subsection (4) of section 626.912, Florida
1921 Statutes, is amended to read:

1922 626.912 Exemptions from ss. 626.904-626.911.—The provisions
1923 of ss. 626.904-626.911 do not apply to any action, suit, or
1924 proceeding against any unauthorized foreign insurer, alien



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1925 insurer, or person representing or aiding such an insurer
1926 arising out of any contract of insurance:

1927 (4) Issued under and in accordance with the Surplus Lines
1928 Law, when such insurer or person representing or aiding such
1929 insurer enters a general appearance or when such contract of
1930 insurance contains a provision designating the Chief Financial
1931 Officer or designating a Florida resident agent to be the true
1932 and lawful agent ~~attorney~~ of such unauthorized insurer or person
1933 representing or aiding such insurer upon whom may be served all
1934 lawful process in any action, suit, or proceeding instituted by
1935 or on behalf of an insured or person representing or aiding such
1936 insurer or beneficiary arising out of any such contract of
1937 insurance; and service of process effected on such Chief
1938 Financial Officer or such resident agent shall be deemed to
1939 confer complete jurisdiction over such unauthorized insurer or
1940 person representing or aiding such insurer in such action.

1941 Section 56. Subsections (3) and (4) of section 626.937,
1942 Florida Statutes, are amended to read:

1943 626.937 Actions against insurer; service of process.-

1944 (3) Each unauthorized insurer requesting eligibility
1945 pursuant to s. 626.918 shall file with the department its
1946 appointment of the Chief Financial Officer, on a form as
1947 furnished by the department, as its agent ~~attorney~~ to receive
1948 service of all legal process issued against it in any civil
1949 action or proceeding in this state, and agreeing that process so
1950 served shall be valid and binding upon the insurer. The
1951 appointment shall be irrevocable, shall bind the insurer and any
1952 successor in interest as to the assets or liabilities of the
1953 insurer, and shall remain in effect as long as there is



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1954 outstanding in this state any obligation or liability of the
1955 insurer resulting from its insurance transactions therein.

1956 (4) At the time of such appointment of the Chief Financial
1957 Officer as its process agent, the insurer shall file with the
1958 department designation of the name and e-mail address of the
1959 person to whom process against it served upon the Chief
1960 Financial Officer is to be made available through the
1961 department's secure online portal ~~forwarded~~. The insurer may
1962 change the designation at any time by a new filing.

1963 Section 57. Subsection (5) of section 626.9953, Florida
1964 Statutes, is amended to read:

1965 626.9953 Qualifications for registration; application
1966 required.—

1967 (5) An applicant must submit a set of his or her
1968 fingerprints in accordance with s. 626.171(4) ~~to the department~~
1969 ~~and pay the processing fee established under s. 624.501(23)~~. The
1970 department shall submit the applicant's fingerprints to the
1971 Department of Law Enforcement for processing state criminal
1972 history records checks and local criminal records checks through
1973 local law enforcement agencies and for forwarding to the Federal
1974 Bureau of Investigation for national criminal history records
1975 checks. The fingerprints shall be taken by a law enforcement
1976 agency, a designated examination center, or another department-
1977 approved entity. The department may not approve an application
1978 for registration as a navigator if fingerprints have not been
1979 submitted.

1980 Section 58. Paragraphs (e) and (f) are added to subsection
1981 (4) of section 633.135, Florida Statutes, to read:

1982 633.135 Firefighter Assistance Grant Program.—



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1983 (4) Funds shall be used to:
1984 (e) Purchase other equipment and tools that improve
1985 firesafety and fire rescue capabilities for firefighters.
1986 (f) Purchase protective clothing and equipment compliant
1987 with NFPA 1977, "Standard on Protective Clothing and Equipment
1988 for Wildland Fire Fighting and Urban Interface Fire Fighting."
1989 Section 59. Subsections (4) and (5) of section 633.216,
1990 Florida Statutes, are amended to read:
1991 633.216 Inspection of buildings and equipment; orders;
1992 firesafety inspection training requirements; certification;
1993 disciplinary action.—The State Fire Marshal and her or his
1994 agents or persons authorized to enforce laws and rules of the
1995 State Fire Marshal shall, at any reasonable hour, when the State
1996 Fire Marshal has reasonable cause to believe that a violation of
1997 this chapter or s. 509.215, or a rule adopted thereunder, or a
1998 minimum firesafety code adopted by the State Fire Marshal or a
1999 local authority, may exist, inspect any and all buildings and
2000 structures which are subject to the requirements of this chapter
2001 or s. 509.215 and rules adopted thereunder. The authority to
2002 inspect shall extend to all equipment, vehicles, and chemicals
2003 which are located on or within the premises of any such building
2004 or structure.
2005 (4) Every firesafety inspector certificate is valid for a
2006 period of 4 years from the date of issuance. Renewal of
2007 certification is subject to the affected person's completing
2008 proper application for renewal and meeting all of the
2009 requirements for renewal as established under this chapter or by
2010 rule adopted under this chapter, which must include completion
2011 of at least 54 hours during the preceding 4-year period of



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2012 continuing education as required by the rule of the department
2013 ~~or, in lieu thereof, successful passage of an examination as~~
2014 ~~established by the department.~~

2015 ~~(5) A previously certified firesafety inspector whose~~
2016 ~~certification has lapsed for 8 years or more must repeat the~~
2017 ~~fire safety inspector training as specified by the division.~~

2018 Section 60. Paragraph (b) of subsection (4) and paragraphs
2019 (a) and (c) of subsection (6) of section 633.408, Florida
2020 Statutes, are amended to read:

2021 633.408 Firefighter and volunteer firefighter training and
2022 certification.—

2023 (4) The division shall issue a Firefighter Certificate of
2024 Compliance to an individual who does all of the following:

2025 (b) Passes the Minimum Standards Course certification
2026 ~~examination~~ within 12 months after completing the required
2027 courses.

2028 (6) (a) The division may issue a Special Certificate of
2029 Compliance to an individual who does all of the following:

2030 1. Satisfactorily completes the course established by rule
2031 by the division and successfully passes any examination
2032 corresponding to such course ~~in paragraph (1)(b)~~ to obtain a
2033 Special Certificate of Compliance.

2034 2. ~~Passes the examination established in paragraph (1)(b)~~
2035 ~~to obtain a Special Certificate of Compliance.~~

2036 3. Possesses the qualifications in s. 633.412.

2037 ~~(c) In order to retain a Special Certificate of Compliance,~~
2038 ~~every 4 years an individual must:~~

2039 1. ~~Be active as a firefighter;~~

2040 2. ~~Maintain a current and valid fire service instructor~~



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2041 ~~certificate, instruct at least 40 hours during the 4-year~~
2042 ~~period, and provide proof of such instruction to the division,~~
2043 ~~which proof must be registered in an electronic database~~
2044 ~~designated by the division; or~~

2045 ~~3. Within 6 months before the 4-year period expires,~~
2046 ~~successfully complete a Firefighter Retention Refresher Course~~
2047 ~~consisting of a minimum of 40 hours of training as prescribed by~~
2048 ~~rule.~~

2049 Section 61. Subsections (1) and (4) of section 633.414,
2050 Florida Statutes, are amended to read:

2051 633.414 Retention of firefighter and volunteer firefighter
2052 certifications.—

2053 (1) In order for a firefighter to retain her or his
2054 Firefighter Certificate of Compliance or Special Certificate of
2055 Compliance, every 4 years he or she must meet the requirements
2056 for renewal provided in this chapter and by rule, which must
2057 include at least one of the following:

2058 (a) Be active as a firefighter. As used in this section,
2059 the term "active" means being employed as a firefighter or
2060 providing service as a volunteer firefighter as evidenced by the
2061 individual's name appearing on a fire service provider's
2062 employment roster in the Florida State Fire College database or
2063 a letter by the fire service provider attesting to dates of
2064 employment.

2065 (b) Maintain a current and valid fire service instructor
2066 certificate, instruct at least 40 hours during the 4-year
2067 period, and provide proof of such instruction to the division,
2068 which proof must be registered in an electronic database
2069 designated by the division.



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2070 (c) Before the expiration of the certificate ~~Within 6~~
2071 ~~months before the 4-year period expires~~, successfully complete a
2072 Firefighter Retention Refresher Course consisting of a minimum
2073 of 40 hours of training to be prescribed by rule.

2074 (d) Before the expiration of the certificate ~~Within 6~~
2075 ~~months before the 4-year period expires~~, successfully retake and
2076 pass the Minimum Standards Course examination pursuant to s.
2077 633.408.

2078 ~~(4) For the purposes of this section, the term "active"~~
2079 ~~means being employed as a firefighter or providing service as a~~
2080 ~~volunteer firefighter for a cumulative period of 6 months within~~
2081 ~~a 4-year period.~~

2082
2083 The 4-year period may, in the discretion of the department, be
2084 extended to 12 months after discharge from military service if
2085 the military service does not exceed 3 years, but in no event
2086 more than 6 years from the date of issue or renewal, if
2087 applicable, for an honorably discharged veteran of the United
2088 States Armed Forces or the spouse of such a veteran. A qualified
2089 individual must provide a copy of a military identification
2090 card, military dependent identification card, military service
2091 record, military personnel file, veteran record, discharge
2092 paper, or separation document that indicates such member is
2093 currently in good standing or such veteran is honorably
2094 discharged.

2095 Section 62. Subsection (4) of section 648.34, Florida
2096 Statutes, is amended to read:

2097 648.34 Bail bond agents; qualifications.—

2098 (4) The applicant shall furnish, with his or her



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2099 application, a complete set of his or her fingerprints in
2100 accordance with s. 626.171(4) and a recent credential-sized,
2101 fullface photograph of the applicant. ~~The applicant's~~
2102 ~~fingerprints shall be certified by an authorized law enforcement~~
2103 ~~officer.~~ The department shall not authorize an applicant to take
2104 the required examination until the department has received a
2105 report from the Department of Law Enforcement and the Federal
2106 Bureau of Investigation relative to the existence or
2107 nonexistence of a criminal history report based on the
2108 applicant's fingerprints.

2109 Section 63. Subsection (4) of section 648.355, Florida
2110 Statutes, is amended to read:

2111 648.355 Temporary limited license as limited surety agent
2112 or professional bail bond agent; pending examination.—

2113 (4) The applicant shall furnish, with the application for
2114 temporary license, a complete set of the applicant's
2115 fingerprints in accordance with s. 626.171(4) and a recent
2116 credential-sized, fullface photograph of the applicant. ~~The~~
2117 ~~applicant's fingerprints shall be certified by an authorized law~~
2118 ~~enforcement officer.~~ The department shall not issue a temporary
2119 license under this section until the department has received a
2120 report from the Department of Law Enforcement and the Federal
2121 Bureau of Investigation relative to the existence or
2122 nonexistence of a criminal history report based on the
2123 applicant's fingerprints.

2124 Section 64. Subsection (4) is added to section 648.46,
2125 Florida Statutes, to read:

2126 648.46 Procedure for disciplinary action against
2127 licensees.—



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2128 (4) The expiration, nonrenewal, or surrender of licensure
2129 under this chapter does not eliminate the jurisdiction of the
2130 licensing authority to investigate and prosecute for a violation
2131 committed by a licensee while licensed under this chapter. The
2132 prosecution of any matter may be initiated or continued
2133 notwithstanding the withdrawal of a complaint.

2134 Section 65. Paragraph (d) of subsection (2) and paragraphs
2135 (b), (c), and (e) of subsection (3) of section 766.105, Florida
2136 Statutes, are amended, and paragraph (i) is added to subsection
2137 (3) and subsection (4) is added to that section, to read:

2138 766.105 Florida Patient's Compensation Fund.—

2139 (2) COVERAGE.—

2140 (d)1. Any health care provider who participates in the fund
2141 and who does not meet the provisions of paragraph (b) shall not
2142 be covered by the fund.

2143 2. Annually, the Agency for Health Care Administration
2144 shall require documentation by each hospital that such hospital
2145 is in compliance, and will remain in compliance, with the
2146 provisions of this section. ~~The agency shall review the~~
2147 ~~documentation and then deliver the documentation to the board of~~
2148 ~~governors. At least 60 days before the time a license will be~~
2149 ~~issued or renewed, the agency shall request from the board of~~
2150 ~~governors a certification that each hospital is in compliance~~
2151 ~~with the provisions of this section. The board of governors~~
2152 ~~shall not be liable under the law for any erroneous~~
2153 ~~certification. The agency may not issue or renew the license of~~
2154 ~~any hospital which has not been certified by the board of~~
2155 ~~governors. The license of any hospital that fails to remain in~~
2156 ~~compliance or fails to provide such documentation shall be~~



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2157 ~~revoked or suspended by the agency.~~

2158 (3) THE FUND.—

2159 (b) *Fund administration and operation.*—

2160 1. The fund shall operate subject to the supervision and
2161 approval of the Chief Financial Officer or his or her designee ~~a~~
2162 ~~board of governors consisting of a representative of the~~
2163 ~~insurance industry appointed by the Chief Financial Officer, an~~
2164 ~~attorney appointed by The Florida Bar, a representative of~~
2165 ~~physicians appointed by the Florida Medical Association, a~~
2166 ~~representative of physicians' insurance appointed by the Chief~~
2167 ~~Financial Officer, a representative of physicians' self-~~
2168 ~~insurance appointed by the Chief Financial Officer, two~~
2169 ~~representatives of hospitals appointed by the Florida Hospital~~
2170 ~~Association, a representative of hospital insurance appointed by~~
2171 ~~the Chief Financial Officer, a representative of hospital self-~~
2172 ~~insurance appointed by the Chief Financial Officer, a~~
2173 ~~representative of the osteopathic physicians' or podiatric~~
2174 ~~physicians' insurance or self-insurance appointed by the Chief~~
2175 ~~Financial Officer, and a representative of the general public~~
2176 ~~appointed by the Chief Financial Officer. The board of governors~~
2177 ~~shall, during the first meeting after June 30 of each year,~~
2178 ~~choose one of its members to serve as chair of the board and~~
2179 ~~another member to serve as vice chair of the board. The members~~
2180 ~~of the board shall be appointed to serve terms of 4 years,~~
2181 ~~except that the initial appointments of a representative of the~~
2182 ~~general public by the Chief Financial Officer, an attorney by~~
2183 ~~The Florida Bar, a representative of physicians by the Florida~~
2184 ~~Medical Association, and one of the two representatives of the~~
2185 ~~Florida Hospital Association shall be for terms of 3 years;~~



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2186 ~~thereafter, such representatives shall be appointed for terms of~~
2187 ~~4 years. Subsequent to initial appointments for 4-year terms,~~
2188 ~~the representative of the osteopathic physicians' or podiatric~~
2189 ~~physicians' insurance or self-insurance appointed by the Chief~~
2190 ~~Financial Officer and the representative of hospital self-~~
2191 ~~insurance appointed by the Chief Financial Officer shall be~~
2192 ~~appointed for 2-year terms; thereafter, such representatives~~
2193 ~~shall be appointed for terms of 4 years. Each appointed member~~
2194 ~~may designate in writing to the chair an alternate to act in the~~
2195 ~~member's absence or incapacity. A member of the board, or the~~
2196 ~~member's alternate, may be reimbursed from the assets of the~~
2197 ~~fund for expenses incurred by him or her as a member, or~~
2198 ~~alternate member, of the board and for committee work, but he or~~
2199 ~~she may not otherwise be compensated by the fund for his or her~~
2200 ~~service as a board member or alternate.~~

2201 2. There shall be no liability on the part of, and no cause
2202 of action of any nature shall arise against, the fund or its
2203 agents or employees, professional advisers or consultants, the
2204 Chief Financial Officer or his or her designee ~~members of the~~
2205 ~~board of governors or their alternates~~, or the Department of
2206 Financial Services or the Office of Insurance Regulation of the
2207 Financial Services Commission or their representatives for any
2208 action taken by them in the performance of their powers and
2209 duties pursuant to this section.

2210 (c) *Powers of the fund.*—The fund has the power to:

2211 1. Sue and be sued, and appear and defend, in all actions
2212 and proceedings in its name to the same extent as a natural
2213 person.

2214 2. Adopt, change, amend, and repeal a plan of operation,



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2215 not inconsistent with law, for the regulation and administration
2216 of the affairs of the fund. The plan and any changes thereto
2217 shall be filed with the Office of Insurance Regulation of the
2218 Financial Services Commission and are all subject to its
2219 approval before implementation by the fund. All fund members,
2220 board members, and employees shall comply with the plan of
2221 operation.

2222 3. Have and exercise all powers necessary or convenient to
2223 effect any or all of the purposes for which the fund is created.

2224 4. Enter into such contracts as are necessary or proper to
2225 carry out the provisions and purposes of this section.

2226 5. Employ or retain such persons as are necessary to
2227 perform the administrative and financial transactions and
2228 responsibilities of the fund and to perform other necessary or
2229 proper functions unless prohibited by law.

2230 6. Take such legal action as may be necessary to avoid
2231 payment of improper claims.

2232 7. Indemnify any ~~employee, agent, member of the board of~~
2233 ~~governors or his or her alternate, or~~ person acting on behalf of
2234 the fund in an official capacity, for expenses, including
2235 attorney's fees, judgments, fines, and amounts paid in
2236 settlement actually and reasonably incurred by him or her in
2237 connection with any action, suit, or proceeding, including any
2238 appeal thereof, arising out of his or her capacity in acting on
2239 behalf of the fund, if he or she acted in good faith and in a
2240 manner he or she reasonably believed to be in, or not opposed
2241 to, the best interests of the fund and, with respect to any
2242 criminal action or proceeding, he or she had reasonable cause to
2243 believe his or her conduct was lawful.



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2244 (e) *Fund accounting and audit.*—

2245 1. Money shall be withdrawn from the fund only upon a
2246 voucher as authorized by the Chief Financial Officer or his or
2247 her designee ~~board of governors~~.

2248 2. All books, records, and audits of the fund shall be open
2249 for reasonable inspection to the general public, except that a
2250 claim file in possession of the fund, fund members, and their
2251 insurers is confidential and exempt from the provisions of s.
2252 119.07(1) and s. 24(a), Art. I of the State Constitution until
2253 termination of litigation or settlement of the claim, although
2254 medical records and other portions of the claim file may remain
2255 confidential and exempt as otherwise provided by law. Any book,
2256 record, document, audit, or asset acquired by, prepared for, or
2257 paid for by the fund is subject to the authority of the Chief
2258 Financial Officer or his or her designee ~~board of governors~~,
2259 which shall be responsible therefor.

2260 3. Persons authorized to receive deposits, issue vouchers,
2261 or withdraw or otherwise disburse any fund moneys shall post a
2262 blanket fidelity bond in an amount reasonably sufficient to
2263 protect fund assets. The cost of such bond shall be paid from
2264 the fund.

2265 4. Annually, the fund shall furnish, upon request, audited
2266 financial reports to any fund participant and to the Office of
2267 Insurance Regulation and the Joint Legislative Auditing
2268 Committee. The reports shall be prepared in accordance with
2269 accepted accounting procedures and shall include income and such
2270 other information as may be required by the Office of Insurance
2271 Regulation or the Joint Legislative Auditing Committee.

2272 5. Any money held in the fund shall be invested in



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2273 ~~interest-bearing investments by the board of governors of the~~
2274 ~~fund as administrator.~~ However, in no case may any such money be
2275 invested in the stock of any insurer participating in the Joint
2276 Underwriting Association authorized by s. 627.351(4) or in the
2277 parent company of, or company owning a controlling interest in,
2278 such insurer. All income derived from such investments shall be
2279 credited to the fund.

2280 6. Any health care provider participating in the fund may
2281 withdraw from such participation only at the end of a fiscal
2282 year; however, such health care provider shall remain subject to
2283 any assessment or any refund pertaining to any year in which
2284 such member participated in the fund.

2285 (i) Dissolution of the fund.—The fund shall operate subject
2286 to the supervision of the Chief Financial Officer or his or her
2287 designee, pursuant to the policies and procedures and under the
2288 auspices of the Department of Financial Services, Division of
2289 Rehabilitation and Liquidation, until the department executes a
2290 legal dissolution of the fund on or before December 31, 2023.
2291 Before the legal dissolution of the fund, the Department of
2292 Financial Services must:

2293 1. Obtain all existing records and retain necessary records
2294 of the fund pursuant to law.

2295 2. Identify all remaining property held by the fund and
2296 attempt to return such property to its owners and, for property
2297 that cannot be returned to the owner, transfer such property to
2298 the Department of Financial Services, Division of Unclaimed
2299 Property.

2300 3. Make a final accounting of the finances of the fund.

2301 4. Ensure that the fund has met all its obligations



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2302 pursuant to structured settlements, annuities, or other
2303 instruments established to pay covered claims, and, if the fund
2304 has not done so, attempt to meet such obligations before final
2305 and complete dissolution of the fund.

2306 5. Sell or otherwise dispose of all physical assets of the
2307 fund.

2308 6. Execute a legal dissolution of the fund.

2309 7. Transfer any remaining money or assets of the fund to
2310 the Chief Financial Officer for deposit in the General Revenue
2311 Fund.

2312 (4) REPEAL.—This section is repealed January 1, 2024.

2313 Section 66. Paragraph (b) of subsection (1) of section
2314 945.6041, Florida Statutes, is amended to read:

2315 945.6041 Inmate medical services.—

2316 (1) As used in this section, the term:

2317 (b) "Health care provider" means:

2318 1. A hospital licensed under chapter 395.

2319 2. A physician or physician assistant licensed under
2320 chapter 458.

2321 3. An osteopathic physician or physician assistant licensed
2322 under chapter 459.

2323 4. A podiatric physician licensed under chapter 461.

2324 5. A health maintenance organization certificated under
2325 part I of chapter 641.

2326 6. An ambulatory surgical center licensed under chapter
2327 395.

2328 7. A professional association, partnership, corporation,
2329 joint venture, or other association established by the
2330 individuals set forth in subparagraphs 2., 3., and 4. for



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2331 professional activity.
2332 8. Other medical facility.
2333 a. As used in this subparagraph, the term "other medical
2334 facility" means:
2335 (I) A facility the primary purpose of which is to provide
2336 human medical diagnostic services, or a facility providing
2337 nonsurgical human medical treatment which discharges patients on
2338 the same working day that the patients are admitted; and
2339 (II) A facility that is not part of a hospital.
2340 b. The term does not include a facility existing for the
2341 primary purpose of performing terminations of pregnancy, or an
2342 office maintained by a physician or dentist for the practice of
2343 medicine has the same meaning as provided in s. 766.105.
2344 Section 67. Paragraph (a) of subsection (1) of section
2345 985.6441, Florida Statutes, is amended to read:
2346 985.6441 Health care services.—
2347 (1) As used in this section, the term:
2348 (a) "Health care provider" means:
2349 1. A hospital licensed under chapter 395.
2350 2. A physician or physician assistant licensed under
2351 chapter 458.
2352 3. An osteopathic physician or physician assistant licensed
2353 under chapter 459.
2354 4. A podiatric physician licensed under chapter 461.
2355 5. A health maintenance organization certificated under
2356 part I of chapter 641.
2357 6. An ambulatory surgical center licensed under chapter
2358 395.
2359 7. A professional association, partnership, corporation,



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2360 joint venture, or other association established by the
2361 individuals set forth in subparagraphs 2., 3., and 4. for
2362 professional activity.

2363 8. Other medical facility.

2364 a. As used in this subparagraph, the term "other medical
2365 facility" means:

2366 (I) A facility the primary purpose of which is to provide
2367 human medical diagnostic services, or a facility providing
2368 nonsurgical human medical treatment which discharges patients on
2369 the same working day that the patients are admitted; and

2370 (II) A facility that is not part of a hospital.

2371 b. The term does not include a facility existing for the
2372 primary purpose of performing terminations of pregnancy, or an
2373 office maintained by a physician or dentist for the practice of
2374 medicine has the same meaning as provided in s. 766.105.

2375 Section 68. All powers, duties, functions, records,
2376 offices, personnel, associated administrative support positions,
2377 property, pending issues, existing contracts, administrative
2378 authority, and administrative rules relating to the Stop Inmate
2379 Fraud Program within the Department of Financial Services are
2380 transferred by a type two transfer as defined in s. 20.06(2),
2381 Florida Statutes, to the Department of Economic Opportunity.

2382 Section 69. Except as otherwise expressly provided in this
2383 act, this act shall take effect July 1, 2022.

2384
2385 ===== T I T L E A M E N D M E N T =====

2386 And the title is amended as follows:

2387 Delete everything before the enacting clause
2388 and insert:



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2389 A bill to be entitled
2390 An act relating to the Department of Financial
2391 Services; repealing s. 17.0315, F.S., relating to the
2392 financial and cash management system and task force;
2393 amending s. 48.151, F.S.; providing an exception to
2394 service of process on public entities under certain
2395 circumstances; deleting the Chief Financial Officer's
2396 assistant or deputy or another person in charge of the
2397 office as agents for service of process on insurers;
2398 requiring the Department of Financial Services to
2399 create a secure online portal as the sole means to
2400 accept certain service of process; amending s.
2401 110.123, F.S.; revising definitions; authorizing
2402 specified persons relating to the Division of
2403 Rehabilitation and Liquidation to purchase coverage in
2404 a state group health insurance plan at specified
2405 premium costs; providing that the enrollment period
2406 for the state group insurance program begins with a
2407 specified plan year for certain persons relating to
2408 the division; amending s. 110.131, F.S.; conforming a
2409 cross-reference; amending s. 120.541, F.S.; revising
2410 applicability of certain provisions relating to a
2411 specified proposed rule; amending s. 215.34, F.S.;
2412 deleting the requirement for specified entities
2413 receiving certain charged-back items to prepare a
2414 journal transfer; amending s. 215.93, F.S.; renaming a
2415 subsystem of the Florida Financial Management
2416 Information System; amending s. 215.94, F.S.;
2417 conforming a provision to changes made by the act;



2418 amending s. 216.102, F.S.; making technical changes;
2419 amending s. 218.32, F.S.; revising legislative intent;
2420 providing functions of the Florida Open Financial
2421 Statement System; requiring local governments to use
2422 the system to file specified reports; providing
2423 requirements for the system; revising the list of
2424 entities with which the Chief Financial Officer may
2425 consult with regard to the system; authorizing, rather
2426 than requiring, certain local governmental financial
2427 statements to be filed in a specified format; deleting
2428 certain requirements for such statements; providing
2429 construction; providing an exception; creating s.
2430 395.1061, F.S.; defining terms; requiring certain
2431 hospitals to demonstrate financial responsibility for
2432 maintaining professional liability coverage;
2433 specifying requirements for such financial
2434 responsibility; requiring hospitals to provide
2435 evidence of compliance and to remain in compliance;
2436 prohibiting the Agency for Health Care Administration
2437 from issuing or renewing licenses of hospitals under
2438 certain circumstances; providing exemptions from
2439 professional liability coverage requirements;
2440 authorizing hospital systems to meet such professional
2441 liability coverage requirements in a specified manner;
2442 amending s. 414.40, F.S.; transferring the Stop Inmate
2443 Fraud Program from the Department of Financial
2444 Services to the Department of Economic Opportunity;
2445 authorizing the program to provide reports of certain
2446 data to the Division of Public Assistance Fraud for a



2447 specified purpose; amending s. 440.02, F.S.; revising
2448 the definition of the term "employer"; amending s.
2449 440.05, F.S.; revising information that must be
2450 submitted with the notice of election to be exempt
2451 from workers' compensation coverage; specifying the
2452 circumstances under which the Department of Financial
2453 Services is required to send certain notifications to
2454 workers' compensation carriers; requiring such
2455 notifications to be electronic; requiring certificates
2456 of election to be exempt to contain a specified
2457 notice; deleting a provision requiring certain
2458 corporation officers to maintain business records;
2459 revising applicability of certificates of election to
2460 be exempt; amending s. 440.107, F.S.; revising the
2461 timeframe for certain employers to produce specified
2462 records under certain circumstances; prohibiting
2463 employers who failed to secure payment of workers'
2464 compensation from entering a payment agreement
2465 schedule with the department unless a specified
2466 condition is met; revising circumstances that result
2467 in immediate reinstatement of stop-work orders;
2468 revising penalty assessments; amending s. 440.13,
2469 F.S.; revising statewide schedules of maximum
2470 reimbursement allowances for medically necessary
2471 treatment, care, and attendance; authorizing the
2472 department to adopt rules; amending s. 440.185, F.S.;
2473 revising the timeline and methods for workers'
2474 compensation carriers to send a certain informational
2475 brochure to injured workers; revising methods by which



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2476 such informational brochure is sent to employers;
2477 amending s. 440.381, F.S.; specifying workers'
2478 compensation policies that require physical onsite
2479 audits for a specified class; amending s. 497.277,
2480 F.S.; deleting a cap on transferring burial rights
2481 fees; amending s. 497.369, F.S.; revising requirements
2482 for licenses by endorsement to practice embalming;
2483 amending s. 497.372, F.S.; revising the scope of
2484 funeral directing practice; amending s. 497.374, F.S.;
2485 revising requirements for licenses by endorsement to
2486 practice funeral directing; amending s. 554.108, F.S.;
2487 requiring boilers manufactured after a specified date,
2488 rather than boilers of certain heat input, to be
2489 stamped with a specified code symbol; revising the
2490 boilers' information that must be filed; requiring
2491 that specified spaces and rooms be equipped with
2492 carbon monoxide detector devices; amending s. 554.111,
2493 F.S.; deleting a requirement for a specified fee for a
2494 certificate of competency; requiring applications for
2495 boiler permits to include a specified report; revising
2496 the purpose for special trips that the department is
2497 required to make for boiler inspections; amending s.
2498 554.114, F.S.; revising the schedules of penalties
2499 against boiler insurance companies, inspection
2500 agencies, and other persons for specified violations;
2501 amending s. 624.307, F.S.; providing that certain
2502 regulated persons or unauthorized insurers are
2503 required to appoint the Chief Financial Officer as
2504 their agents, rather than as their attorneys, to



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2505 receive service of legal process; revising the method
2506 by which the Chief Financial Officer makes the process
2507 available; requiring the Chief Financial Officer to
2508 promptly send notice of receipt of service of process;
2509 revising requirements for the contents of such notice;
2510 amending s. 624.422, F.S.; requiring insurers to file
2511 with the department e-mail addresses, rather than
2512 addresses, of specified persons; providing that a
2513 specified method by which process is served upon the
2514 Chief Financial Officer is the sole method of service;
2515 conforming provisions to changes made by the act;
2516 amending s. 624.423, F.S.; revising procedures for
2517 service of process; requiring the Chief Financial
2518 Officer to promptly notify certain persons of the
2519 process and to make the process available to such
2520 persons through specified means; revising the method
2521 by which records are retained; amending s. 624.610,
2522 F.S.; conforming provisions to changes made by the
2523 act; amending s. 626.015, F.S.; defining the term
2524 "licensing authority"; revising the definition of the
2525 term "unaffiliated insurance agent"; amending s.
2526 626.171, F.S.; requiring fingerprints for certain
2527 licenses to be processed in accordance with specified
2528 laws; amending s. 626.172, F.S.; revising the method
2529 by which fingerprints for applications for insurance
2530 agency licenses are submitted; deleting a fingerprint
2531 processing fee; creating s. 626.173, F.S.; providing
2532 duties for certain insurance agency persons within a
2533 specified timeframe after cessation of insurance



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2534 transactions; authorizing the department to impose
2535 administrative fines against such persons for
2536 specified violations; prohibiting the initiation of
2537 certain proceedings and imposition of fines until
2538 specified prerequisites are completed; providing a cap
2539 on such fines; authorizing the department to suspend
2540 or revoke licenses under certain circumstances;
2541 providing requirements for determining penalties and
2542 remedies; amending s. 626.201, F.S.; conforming a
2543 provision to changes made by the act; providing
2544 continuation of jurisdiction of the licensing
2545 authority to investigate and prosecute specified
2546 violations under certain circumstances; amending s.
2547 626.202, F.S.; conforming provisions to changes made
2548 by the act; amending s. 626.221, F.S.; adding a
2549 designation to the list of designations that allow
2550 applicants for an all-lines adjuster license to be
2551 exempt from an examination; amending s. 626.311, F.S.;
2552 providing an exception to the prohibition against
2553 unaffiliated insurance agents holding appointments
2554 from insurers; authorizing certain adjusters to obtain
2555 adjuster appointments while maintaining unaffiliated
2556 insurance agent appointments and to adjust claims and
2557 receive certain compensation; amending ss. 626.321 and
2558 626.601, F.S.; conforming provisions to changes made
2559 by the act; amending s. 626.7845, F.S.; conforming a
2560 cross-reference; amending ss. 626.8411 and 626.8412,
2561 F.S.; conforming provisions to changes made by the
2562 act; amending s. 626.8417, F.S.; revising requirements



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2563 to qualify for title insurance agent licenses;
2564 amending s. 626.8421, F.S.; requiring title agencies
2565 to have separate appointments under certain
2566 circumstances; amending s. 626.843, F.S.; providing
2567 requirements for appointments of title insurance
2568 agencies; amending s. 626.8433, F.S.; requiring title
2569 insurers that terminate appointments of title
2570 insurance agencies to file certain information with
2571 the department; amending s. 626.8447, F.S.; providing
2572 effects of suspension or revocation of title insurance
2573 agency licenses; amending s. 626.854, F.S.; providing
2574 restrictions on public adjuster compensation;
2575 providing exceptions to such restrictions; amending s.
2576 626.8561, F.S.; revising the definition of the term
2577 "public adjuster apprentice"; amending s. 626.865,
2578 F.S.; revising requirements to qualify for public
2579 adjuster licenses; requiring that certain bonds remain
2580 in effect for a specified period after expiration of
2581 the license; amending s. 626.8651, F.S.; requiring
2582 that certain bonds remain in effect for a specified
2583 period after expiration of a public adjuster
2584 apprentice license; revising requirements for public
2585 adjuster apprentices to be, act as, or hold themselves
2586 out to be public adjuster apprentices; amending s.
2587 626.8696, F.S.; revising requirements for adjusting
2588 firm license applications; amending s. 626.8732, F.S.;
2589 requiring applicants for nonresident public adjuster
2590 licenses to maintain certain bonds after the
2591 expiration or termination of licenses; amending ss.



2592 626.8734, 626.906, 626.912, 626.937, and 626.9953,
2593 F.S.; conforming provisions to changes made by the
2594 act; amending s. 633.135, F.S.; providing additional
2595 uses for firefighter funds; amending s. 633.216, F.S.;
2596 revising requirements for renewal of firesafety
2597 inspector certificates; amending s. 633.408, F.S.;
2598 revising requirements for the issuance of a
2599 Firefighter Certificate of Compliance and Special
2600 Certificate of Compliance; deleting provisions
2601 relating to requirements to retain a Special
2602 Certificate of Compliance; amending s. 633.414, F.S.;
2603 providing requirements to retain a Special Certificate
2604 of Compliance; revising requirements to retain a
2605 Firefighter Certificate of Compliance; redefining the
2606 term "active"; amending ss. 648.34 and 648.355, F.S.;
2607 conforming provisions to changes made by the act;
2608 amending s. 648.46, F.S.; providing continuation of
2609 jurisdiction of the licensing authority to investigate
2610 and prosecute specified violations under certain
2611 circumstances; amending s. 766.105, F.S.; deleting
2612 requirements and procedures for the certification of
2613 hospital compliance with the Florida Patient's
2614 Compensation Fund; providing that the fund is subject
2615 to the supervision and approval of the Chief Financial
2616 Officer or his or her designee, rather than the board
2617 of governors; conforming provisions to changes made by
2618 the act; providing for supervision of the fund until
2619 dissolution; specifying duties of the Department of
2620 Financial Services before dissolution of the fund;



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2621 providing for future repeal; amending ss. 945.6041 and
2622 985.6441, F.S.; revising the definition of the term
2623 "health care provider"; defining the term "other
2624 medical facility"; transferring the Stop Inmate Fraud
2625 Program within the Department of Financial Services to
2626 the Department of Economic Opportunity by a type two
2627 transfer; providing effective dates.