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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1  
 2 An act relating to Department of Financial Services;  
 3 repealing s. 17.0315, F.S., relating to the financial  
 4 and cash management system and task force; amending s.  
 5 48.151, F.S.; providing an exception to service of  
 6 process on public entities under certain  
 7 circumstances; requiring the Department of Financial  
 8 Services to create a secure online portal as the sole  
 9 means to accept certain service of process; amending  
 10 s. 110.123, F.S.; revising definitions; authorizing  
 11 specified persons relating to the Division of  
 12 Rehabilitation and Liquidation to purchase coverage in  
 13 a state group health insurance plan at specified  
 14 premium costs; providing that the enrollment period  
 15 for the state group insurance program begins with a  
 16 specified plan year for certain persons relating to  
 17 the division; amending s. 110.131, F.S.; conforming a  
 18 cross-reference; amending s. 215.34, F.S.; deleting the  
 19 requirement for specified entities receiving certain  
 20 charged-back items to prepare a journal transfer;  
 21 amending s. 215.93, F.S.; renaming a subsystem of the  
 22 Florida Financial Management Information System;  
 23 amending s. 215.94, F.S.; conforming a provision to  
 24 changes made by the act; amending s. 216.102, F.S.;  
 25 making technical changes; amending s. 218.32, F.S.;

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

26 | revising legislative intent; providing functions of  
 27 | the Florida Open Financial Statement System; requiring  
 28 | local governments to use the system to file specified  
 29 | reports; providing requirements for the system;  
 30 | revising the list of entities with which the Chief  
 31 | Financial Officer may consult with regard to the  
 32 | system; authorizing, rather than requiring, certain  
 33 | local governmental financial statements to be filed in  
 34 | a specified format; deleting certain requirements for  
 35 | such statements; providing construction; providing  
 36 | exceptions; creating s. 395.1061, F.S.; providing  
 37 | definitions; requiring certain hospitals and hospital  
 38 | systems to demonstrate financial responsibility for  
 39 | maintaining professional liability coverage;  
 40 | prohibiting the Agency for Health Care Administration  
 41 | from issuing or renewing licenses of hospitals under  
 42 | certain circumstances; providing exemptions from  
 43 | professional liability coverage requirements; amending  
 44 | s. 440.02, F.S.; revising the definition of the term  
 45 | "employer"; amending s. 440.05, F.S.; revising  
 46 | information that must be submitted with the notice of  
 47 | election to be exempt from workers' compensation  
 48 | coverage; providing the circumstance under which the  
 49 | department must send certain electronic notifications  
 50 | to workers' compensation carriers; providing

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

51 information included in such notification; requiring  
52 certificates of election to be exempt to contain  
53 certain notice; deleting a provision requiring certain  
54 corporation officers to maintain business records;  
55 revising applicability of certificates of election to  
56 be exempt; amending s. 440.107, F.S.; revising the  
57 timeframe for certain employers to produce specified  
58 records under certain circumstances; removing the  
59 requirement that specified information be updated  
60 daily on certain website; prohibiting employers from  
61 entering a payment agreement schedule with the  
62 department unless a specified condition is met;  
63 revising circumstances that result in immediate  
64 reinstatement of stop-work orders; revising penalty  
65 assessments; amending s. 440.185, F.S.; revising the  
66 timeline and methods for workers' compensation  
67 carriers to send certain informational brochure to  
68 injured workers; revising methods by which such  
69 informational brochure is sent to employers; amending  
70 s. 440.381, F.S.; specifying workers' compensation  
71 policies that require physical onsite audits for a  
72 specified class; amending s. 497.277, F.S.; deleting a  
73 cap on transferring burial rights fees; amending s.  
74 497.369, F.S.; revising requirements for licenses by  
75 endorsement to practice embalming; amending s.

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

76 497.372, F.S.; revising the scope of funeral directing  
 77 practice; amending s. 497.374, F.S.; revising  
 78 requirements for licenses by endorsement to practice  
 79 funeral directing; amending s. 554.108, F.S.;  
 80 requiring boilers manufactured after a specified date,  
 81 rather than boilers of certain heat input, to be  
 82 stamped with a specified code symbol; revising the  
 83 boilers' information that must be filed; requiring  
 84 that specified spaces and rooms be equipped with  
 85 carbon monoxide detector devices; amending s. 554.111,  
 86 F.S.; deleting a requirement for a specified fee for a  
 87 certificate of competency; requiring applications for  
 88 boiler permits to include a specified report; revising  
 89 the purpose for special trips that the department is  
 90 required to make for boiler inspections; amending s.  
 91 554.114, F.S.; revising the schedules of penalties  
 92 against boiler insurance companies, inspection  
 93 agencies, and other persons for specified violations;  
 94 amending s. 624.307, F.S.; providing that certain  
 95 regulated persons or unauthorized insurers are  
 96 required to appoint the Chief Financial Officer as  
 97 their agents, rather than as their attorneys, to  
 98 receive service of legal process; revising the method  
 99 by which the Chief Financial Officer makes the process  
 100 available; amending s. 624.422, F.S.; requiring

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

101 insurers to file with the department email-addresses,  
102 rather than addresses, of specified persons; providing  
103 that a specified method by which process is served  
104 upon the Chief Financial Officer is the sole method of  
105 service; conforming provisions to changes made by the  
106 act; amending s. 624.423, F.S.; revising procedures  
107 for service of process; requiring the Chief Financial  
108 Officer to promptly notify certain persons of the  
109 process and to make the process available to such  
110 persons through specified means; revising the method  
111 by which records are retained; amending s. 624.610,  
112 F.S.; conforming provisions to changes made by the  
113 act; amending s. 626.015, F.S.; revising the  
114 definition of the term "unaffiliated insurance agent";  
115 amending s. 626.171, F.S.; requiring fingerprints for  
116 certain licenses to be processed in accordance with  
117 specified laws; amending s. 626.172, F.S.; revising  
118 the method by which fingerprints for applications for  
119 insurance agency licenses are submitted; deleting a  
120 fingerprint processing fee; creating s. 626.173, F.S.;  
121 providing duties for certain insurance agency persons  
122 within a specified timeframe after cessation of  
123 insurance transactions; authorizing the department to  
124 impose administrative fines against such persons for  
125 specified violations; prohibiting proceedings from

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

126 being initiated and fines from accruing unless  
 127 specified requirements are met; providing a cap on  
 128 such fines; authorizing the department to suspend or  
 129 revoke licenses under certain circumstances; providing  
 130 requirements for determining penalties and remedies;  
 131 amending s. 626.201, F.S.; conforming a provision to  
 132 changes made by the act; providing continuation of  
 133 jurisdiction of the department or office to  
 134 investigate and prosecute specified violations under  
 135 certain circumstances; amending s. 626.202, F.S.;  
 136 conforming provisions to changes made by the act;  
 137 amending s. 626.221, F.S.; adding a designation to the  
 138 list of designations that allow applicants for all-  
 139 lines adjuster license to be exempt from an  
 140 examination; amending s. 626.311, F.S.; providing an  
 141 exception to the prohibition against unaffiliated  
 142 insurance agents' holding appointments from insurers;  
 143 amending ss. 626.321, 626.601, 626.8411, and 626.8412,  
 144 F.S.; conforming provisions to changes made by the  
 145 act; amending s. 626.8417, F.S.; revising requirements  
 146 to qualify for title insurance agent licenses;  
 147 amending s. 626.8421, F.S.; requiring title agencies  
 148 to have separate appointments under certain  
 149 circumstances; amending s. 626.843, F.S.; providing  
 150 appointments of title insurance agencies; amending s.

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

151 626.8433, F.S.; requiring title insurers that  
 152 terminate appointments of title insurance agencies to  
 153 file certain information with the department; amending  
 154 s. 626.8447, F.S.; providing effects of suspension or  
 155 revocation of title insurance agency licenses;  
 156 amending s. 626.854, F.S.; revising restrictions on  
 157 public adjuster compensations; prohibiting public  
 158 adjuster compensations from being based on specified  
 159 expenses; providing an exception; prohibiting  
 160 increases of public adjuster rates of compensation  
 161 from being based on a specified fact; amending s.  
 162 626.8561, F.S.; revising the definition of the term  
 163 "public adjuster apprentice"; amending s. 626.865,  
 164 F.S.; revising requirements to qualify for public  
 165 adjuster licenses; requiring that certain bonds remain  
 166 in effect for a specified period after expiration of  
 167 the license; amending s. 626.8651, F.S.; requiring  
 168 that certain bonds remain in effect for a specified  
 169 period after expiration of the public adjuster  
 170 apprentice license; revising requirements for public  
 171 adjuster apprentices to be, act as, or hold themselves  
 172 out to be public adjust apprentices; amending s.  
 173 626.8696, F.S.; revising requirements for adjusting  
 174 firm license applications; amending s. 626.8732, F.S.;  
 175 requiring applicants for nonresident public adjuster

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

176 licenses to maintain certain bonds after the  
 177 expiration or termination of licenses; amending ss.  
 178 626.8734, 626.906, 626.912, 626.937, and 626.9953,  
 179 F.S.; conforming provisions to changes made by the  
 180 act; amending s. 633.135, F.S.; providing additional  
 181 uses for firefighter funds; amending s. 633.216, F.S.;  
 182 revising requirements for renewal of firesafety  
 183 inspector certificates; amending s. 633.336, F.S.;  
 184 revising administrative fines for violations by  
 185 certified fire protection contractors; requiring the  
 186 State Fire Marshal to adopt guidelines for penalties  
 187 and to identify mitigating and aggravating  
 188 circumstances for penalties; amending s. 633.408,  
 189 F.S.; revising requirements for the issuance of a  
 190 Firefighter Certificate of Compliance and Special  
 191 Certificate of Compliance; deleting provisions  
 192 relating to requirements to retain a Special  
 193 Certificate of Compliance; amending s. 633.414, F.S.;  
 194 providing requirements to retain a Special Certificate  
 195 of Compliance; revising requirements to retain a  
 196 Firefighter Certificate of Compliance; providing a  
 197 definition; amending ss. 648.34 and 648.355, F.S.;  
 198 conforming provisions to changes made by the act;  
 199 amending s. 648.46, F.S.; providing continuation of  
 200 jurisdiction of the department or office to



ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

201 investigate and prosecute specified violations under  
 202 certain circumstances; amending s. 766.105, F.S.;  
 203 deleting provisions relating to the duties of the  
 204 Agency for Health Care Administration and to the board  
 205 of governors of the Florida Patient's Compensation  
 206 Fund; requiring that the fund be subject to the  
 207 supervision and approval of the Chief Financial  
 208 Officer rather than the board of governors and be  
 209 dissolved on or before a specified date; providing  
 210 duties of the department before the legal dissolution  
 211 of the fund; requiring that provisions relating to the  
 212 fund be repealed on a specified date; amending ss.  
 213 945.6041 and 985.6441, F.S.; making technical changes;  
 214 providing effective dates.

215

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

217

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

219 Section 2. Subsections (1) and (3) of section 48.151,

220 Florida Statutes, are amended to read:

221 48.151 Service on statutory agents for certain persons.—

222 (1) When any law designates a public officer, board,  
 223 agency, or commission as the agent for service of process on any  
 224 person, firm, or corporation, service of process thereunder  
 225 shall be made by leaving one copy of the process with the public

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

226 officer, board, agency, or commission or in the office thereof,  
 227 or by mailing one copy to the public officer, board, agency, or  
 228 commission, except as provided in subsection (3). The public  
 229 officer, board, agency, or commission so served shall retain a  
 230 record copy and promptly send the copy served, by registered or  
 231 certified mail, to the person to be served as shown by his or  
 232 her or its records. Proof of service on the public officer,  
 233 board, agency, or commission shall be by a notice accepting the  
 234 process which shall be issued by the public officer, board,  
 235 agency, or commission promptly after service and filed in the  
 236 court issuing the process. The notice accepting service shall  
 237 state the date upon which the copy of the process was mailed by  
 238 the public officer, board, agency, or commission to the person  
 239 being served and the time for pleading prescribed by the rules  
 240 of procedure shall run from this date. The service is valid  
 241 service for all purposes on the person for whom the public  
 242 officer, board, agency, or commission is statutory agent for  
 243 service of process.

244 (3) The Chief Financial Officer ~~or his or her assistant or~~  
 245 ~~deputy or another person in charge of the office~~ is the agent  
 246 for service of process on all insurers applying for authority to  
 247 transact insurance in this state, all licensed nonresident  
 248 insurance agents, all nonresident disability insurance agents  
 249 licensed pursuant to s. 626.835, any unauthorized insurer under  
 250 s. 626.906 or s. 626.937, domestic reciprocal insurers,

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

251 fraternal benefit societies under chapter 632, warranty  
 252 associations under chapter 634, prepaid limited health service  
 253 organizations under chapter 636, and persons required to file  
 254 statements under s. 628.461. ~~As an alternative to service of~~  
 255 ~~process made by mail or personal service on the Chief Financial~~  
 256 ~~Officer, on his or her assistant or deputy, or on another person~~  
 257 ~~in charge of the office,~~ The Department of Financial Services  
 258 shall ~~may~~ create a secure online portal as the sole means ~~an~~  
 259 ~~Internet-based transmission system~~ to accept service of process  
 260 on the Chief Financial Officer under this section ~~by electronic~~  
 261 ~~transmission of documents.~~

262 Section 3. Subsections (9) through (13) of section  
 263 110.123, Florida Statutes, are renumbered as subsection (10)  
 264 through (14), respectively, paragraphs (b), (c), (f), (h), (i),  
 265 and (o) of subsection (2) and paragraph (i) of subsection (5)  
 266 are amended, and a new subsection (9) is added to that section,  
 267 to read:

268 110.123 State group insurance program.—

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

271 (b) "Enrollee" means all state officers and employees,  
 272 retired state officers and employees, surviving spouses of  
 273 deceased state officers and employees, and terminated employees  
 274 or individuals with continuation coverage who are enrolled in an  
 275 insurance plan offered by the state group insurance program. The

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

276 term "Enrollee" includes all state university officers and  
 277 employees, retired state university officers and employees,  
 278 surviving spouses of deceased state university officers and  
 279 employees, and terminated state university employees or  
 280 individuals with continuation coverage who are enrolled in an  
 281 insurance plan offered by the state group insurance program. As  
 282 used in this paragraph, state employees and retired state  
 283 employees also include employees and retired employees of the  
 284 Division of Rehabilitation and Liquidation.

285 (c) "Full-time state employees" means employees of all  
 286 branches or agencies of state government holding salaried  
 287 positions who are paid by state warrant or from agency funds and  
 288 who work or are expected to work an average of at least 30 ~~or~~  
 289 ~~more~~ hours per week; employees of the Division of Rehabilitation  
 290 and Liquidation who work or are expected to work an average of  
 291 at least 30 hours per week; employees paid from regular salary  
 292 appropriations for 8 months' employment, including university  
 293 personnel on academic contracts; and employees paid from other-  
 294 personal-services (OPS) funds as described in subparagraphs 1.  
 295 and 2. The term includes all full-time employees of the state  
 296 universities. The term does not include seasonal workers who are  
 297 paid from OPS funds.

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

300 a. Has worked an average of at least 30 hours or more per

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

301 week during the initial measurement period from April 1, 2013,  
 302 through September 30, 2013; or

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

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

307 a. Is reasonably expected to work an average of at least  
 308 30 hours or more per week; or

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

311 (f) "Part-time state employee" means an employee of any  
 312 branch or agency of state government paid by state warrant from  
 313 salary appropriations or from agency funds, or an employee of  
 314 the Division of Rehabilitation and Liquidation, ~~and~~ who is  
 315 employed for less than an average of 30 hours per week or, if on  
 316 academic contract or seasonal or other type of employment which  
 317 is less than year-round, is employed for less than 8 months  
 318 during any 12-month period, but does not include a person paid  
 319 from other-personal-services (OPS) funds. The term includes all  
 320 part-time employees of the state universities.

321 (h) "Retired state officer or employee" or "retiree" means  
 322 any state or state university officer or employee, or, beginning  
 323 with the 2023 plan year, an employee of the Division of  
 324 Rehabilitation and Liquidation, who retires under a state  
 325 retirement system or a state optional annuity or retirement

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

326 program or is placed on disability retirement, and who was  
 327 insured under the state group insurance program or the Division  
 328 of Rehabilitation and Liquidation's group insurance program at  
 329 the time of retirement, and who begins receiving retirement  
 330 benefits immediately after retirement from state or state  
 331 university office or employment. The term also includes any  
 332 state officer or state employee who retires under the Florida  
 333 Retirement System Investment Plan established under part II of  
 334 chapter 121 if he or she:

335 1. Meets the age and service requirements to qualify for  
 336 normal retirement as set forth in s. 121.021(29); or

337 2. Has attained the age specified by s. 72(t)(2)(A)(i) of  
 338 the Internal Revenue Code and has 6 years of creditable service.

339 (i) "State agency" or "agency" means any branch,  
 340 department, or agency of state government. "State agency" or  
 341 "agency" includes any state university and the Division of  
 342 Rehabilitation and Liquidation for purposes of this section  
 343 only.

344 (o) "Surviving spouse" means the widow or widower of a  
 345 deceased state officer, full-time state employee, part-time  
 346 state employee, or retiree if such widow or widower was covered  
 347 as a dependent under the state group health insurance plan,  
 348 TRICARE supplemental insurance plan, ~~or~~ a health maintenance  
 349 organization plan established pursuant to this section, or the  
 350 Division of Rehabilitation and Liquidation's group insurance

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

351 program at the time of the death of the deceased officer,  
 352 employee, or retiree. "Surviving spouse" also means any widow or  
 353 widower who is receiving or eligible to receive a monthly state  
 354 warrant from a state retirement system as the beneficiary of a  
 355 state officer, full-time state employee, or retiree who died  
 356 prior to July 1, 1979. For the purposes of this section, any  
 357 such widow or widower shall cease to be a surviving spouse upon  
 358 his or her remarriage.

359 (5) DEPARTMENT POWERS AND DUTIES.—The department is  
 360 responsible for the administration of the state group insurance  
 361 program. The department shall initiate and supervise the program  
 362 as established by this section and shall adopt such rules as are  
 363 necessary to perform its responsibilities. To implement this  
 364 program, the department shall, with prior approval by the  
 365 Legislature:

366 (i) Contract with a single custodian to provide services  
 367 necessary to implement and administer the health savings  
 368 accounts authorized in subsection (13) ~~(12)~~.

369  
 370 Final decisions concerning enrollment, the existence of  
 371 coverage, or covered benefits under the state group insurance  
 372 program shall not be delegated or deemed to have been delegated  
 373 by the department.

374 (9) COVERAGE AND ENROLLMENT PERIOD FOR EMPLOYEES,  
 375 RETIREEES, AND WIDOWS AND WIDOWERS OF EMPLOYEES AND RETIREEES OF

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

376 THE DIVISION OF REHABILITATION AND LIQUIDATION.—

377 (a) Beginning with the 2023 plan year:

378 1. A retired employee insured under the Division of  
 379 Rehabilitation and Liquidation's group insurance program, or a  
 380 widow or widower of an employee or of a retired employee of the  
 381 Division of Rehabilitation and Liquidation who is covered as a  
 382 dependent under the Division of Rehabilitation and Liquidation's  
 383 group insurance program, may purchase coverage in a state group  
 384 health insurance plan at the same premium cost as that for a  
 385 retiree or a surviving spouse, respectively, enrolled in the  
 386 state group insurance program.

387 2. A terminated employee of the Division of Rehabilitation  
 388 and Liquidation, or an individual with continuing coverage, who  
 389 is insured under the Division of Rehabilitation and  
 390 Liquidation's group insurance program, may purchase coverage in  
 391 a state group health insurance plan at the same premium cost as  
 392 that for a terminated employee or an individual with  
 393 continuation coverage, respectively, enrolled in the state group  
 394 insurance program.

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

397 1. Current and retired employees of the Division of  
 398 Rehabilitation and Liquidation.

399 2. Widows and widowers of employees and of retired  
 400 employees of the Division of Rehabilitation and Liquidation.



ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

401           3. Terminated employees of the Division of Rehabilitation  
 402 and Liquidation, or individuals with continuation coverage, who  
 403 are insured under the Division of Rehabilitation and  
 404 Liquidation's group insurance program.

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

407           110.131 Other-personal-services employment.—

408           (5) Beginning January 1, 2014, an other-personal-services  
 409 (OPS) employee who has worked an average of at least 30 or more  
 410 hours per week during the measurement period described in s.  
 411 110.123(14)(c) or (d) ~~s. 110.123(13)(c) or (d)~~, or who is  
 412 reasonably expected to work an average of at least 30 or more  
 413 hours per week following his or her employment, is eligible to  
 414 participate in the state group insurance program as provided  
 415 under s. 110.123.

416           Section 5. Subsection (1) of section 215.34, Florida  
 417 Statutes, is amended to read:

418           215.34 State funds; noncollectible items; procedure.—

419           (1) Any check, draft, or other order for the payment of  
 420 money in payment of any licenses, fees, taxes, commissions, or  
 421 charges of any sort authorized to be made under the laws of the  
 422 state and deposited in the State Treasury as provided herein,  
 423 which may be returned for any reason by the bank or other payor  
 424 upon which same shall have been drawn shall be forthwith  
 425 returned by the Chief Financial Officer for collection to the

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

426 state officer, the state agency, or the entity of the judicial  
 427 branch making the deposit. In such case, the Chief Financial  
 428 Officer may issue a debit memorandum charging an account of the  
 429 agency, officer, or entity of the judicial branch which  
 430 originally received the payment. The original of the debit  
 431 memorandum shall state the reason for the return of the check,  
 432 draft, or other order and shall accompany the item being  
 433 returned to the officer, agency, or entity of the judicial  
 434 branch being charged. The officer, agency, or entity of the  
 435 judicial branch receiving the charged-back item shall ~~prepare a~~  
 436 ~~journal transfer which shall~~ debit the charge against the fund  
 437 or account to which the same shall have been originally  
 438 credited. Such procedure for handling noncollectible items shall  
 439 not be construed as paying funds out of the State Treasury  
 440 without an appropriation, but shall be considered as an  
 441 administrative procedure for the efficient handling of state  
 442 records and accounts.

443 Section 6. Paragraph (c) of subsection (1) of section  
 444 215.93, Florida Statutes, is amended to read:

445 215.93 Florida Financial Management Information System.—

446 (1) To provide the information necessary to carry out the  
 447 intent of the Legislature, there shall be a Florida Financial  
 448 Management Information System. The Florida Financial Management  
 449 Information System shall be fully implemented and shall be  
 450 upgraded as necessary to ensure the efficient operation of an

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

451 integrated financial management information system and to  
 452 provide necessary information for the effective operation of  
 453 state government. Upon the recommendation of the coordinating  
 454 council and approval of the board, the Florida Financial  
 455 Management Information System may require data from any state  
 456 agency information system or information subsystem or may  
 457 request data from any judicial branch information system or  
 458 information subsystem that the coordinating council and board  
 459 have determined to have statewide financial management  
 460 significance. Each functional owner information subsystem within  
 461 the Florida Financial Management Information System shall be  
 462 developed in such a fashion as to allow for timely, positive,  
 463 preplanned, and prescribed data transfers between the Florida  
 464 Financial Management Information System functional owner  
 465 information subsystems and from other information systems. The  
 466 principal unit of the system shall be the functional owner  
 467 information subsystem, and the system shall include, but shall  
 468 not be limited to, the following:

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

470 Section 7. Subsection (3) of section 215.94, Florida  
 471 Statutes, is amended to read:

472 215.94 Designation, duties, and responsibilities of  
 473 functional owners.—

474 (3) The Chief Financial Officer shall be the functional  
 475 owner of the Financial ~~Cash~~ Management Subsystem. The Chief

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

476 Financial Officer shall design, implement, and operate the  
 477 subsystem in accordance with the provisions of ss. 215.90-  
 478 215.96. The subsystem shall include, but shall not be limited  
 479 to, functions for:

480 (a) Recording and reconciling credits and debits to  
 481 treasury fund accounts.

482 (b) Monitoring cash levels and activities in state bank  
 483 accounts.

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

485 (d) Administering the provisions of the Federal Cash  
 486 Management Improvement Act of 1990.

487 Section 8. Subsection (3) of section 216.102, Florida  
 488 Statutes, is amended to read:

489 216.102 Filing of financial information; handling by Chief  
 490 Financial Officer; penalty for noncompliance.—

491 (3) The Chief Financial Officer shall:

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

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

499 (c) Furnish the Governor, the President of the Senate, and  
 500 the Speaker of the House of Representatives with a copy of the

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

501 annual comprehensive ~~annual~~ financial report prepared pursuant  
 502 to paragraph (b).

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

506 (e) Provide reports, as requested, to executive or  
 507 judicial branch entities, the President of the Senate, the  
 508 Speaker of the House of Representatives, and the members of the  
 509 Florida Congressional Delegation, detailing the federal  
 510 financial assistance received and disbursed by state agencies  
 511 and the judicial branch.

512 (f) Consult with and elicit comments from the Executive  
 513 Office of the Governor on changes to the Florida Accounting  
 514 Information Resource Subsystem which clearly affect the  
 515 accounting of federal funds, so as to ensure consistency of  
 516 information entered into the Federal Aid Tracking System by  
 517 state executive and judicial branch entities. While efforts  
 518 shall be made to ensure the compatibility of the Florida  
 519 Accounting Information Resource Subsystem and the Federal Aid  
 520 Tracking System, any successive systems serving identical or  
 521 similar functions shall preserve such compatibility.

522  
 523 The Chief Financial Officer may furnish and publish in  
 524 electronic form the financial statements and the annual  
 525 comprehensive ~~annual~~ financial report required under paragraphs

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

526 (a), (b), and (c).

527 Section 9. Paragraph (h) of subsection (1) of section  
 528 218.32, Florida Statutes, is amended, and paragraph (i) is added  
 529 to subsection (1) of that section, to read:

530 218.32 Annual financial reports; local governmental  
 531 entities.—

532 (1)

533 (h) ~~It is the intent of the Legislature to create~~ The  
 534 Florida Open Financial Statement System must serve as an  
 535 interactive repository for governmental financial statements.  
 536 This system serves as the primary reporting location for  
 537 government financial information. A local government shall use  
 538 the system to file with the department copies of all audit  
 539 reports compiled pursuant to ss. 11.45 and 218.39. The system  
 540 must be accessible to the public and must be open to inspection  
 541 at all times by the Legislature, the Auditor General, and the  
 542 Chief Inspector General.

543 1. The Chief Financial Officer may consult with  
 544 stakeholders with regard to, ~~including the department, the~~  
 545 ~~Auditor General, a representative of a municipality or county, a~~  
 546 ~~representative of a special district, a municipal bond investor,~~  
 547 ~~and an information technology professional employed in the~~  
 548 ~~private sector, for input on the design and implementation of~~  
 549 the Florida Open Financial Statement System.

550 2. The Chief Financial Officer may choose contractors to

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

551 build one or more eXtensible Business Reporting Language (XBRL)  
 552 taxonomies suitable for state, county, municipal, and special  
 553 district financial filings and to create a software tool that  
 554 enables financial statement filers to easily create XBRL  
 555 documents consistent with such taxonomies. The Chief Financial  
 556 Officer must recruit and select contractors through an open  
 557 request for proposals process pursuant to chapter 287.

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

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

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

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

571 Section 10. 395.1061, Florida Statutes, is created to  
 572 read:

573 395.1061 Professional liability coverage.—

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

575 (a) "Committee" means a committee or board of a hospital

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

576 established to make recommendations, policies, or decisions  
 577 regarding patient institutional utilization, patient treatment,  
 578 or institutional staff privileges or to perform other  
 579 administrative or professional purposes or functions.

580 (b) "Covered individuals" means the officers; trustees;  
 581 volunteer workers; trainees; committee members, including  
 582 physicians, osteopathic physicians, podiatric physicians, and  
 583 dentists; and employees of the hospital other than employed  
 584 physicians licensed under chapter 458, physician assistants  
 585 licensed under chapter 458, osteopathic physicians licensed  
 586 under chapter 459, dentists licensed under chapter 466, and  
 587 podiatric physicians licensed under chapter 461. However, with  
 588 respect to a hospital, the term also includes house physicians,  
 589 interns, employed physician residents in a resident training  
 590 program, and physicians performing purely administrative duties  
 591 for the hospital instead of treating patients.

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

594 (d) "House physician" means any physician, osteopathic  
 595 physician, podiatric physician, or dentist at a hospital,  
 596 except:

597 1. The physician, osteopathic physician, podiatric  
 598 physician, or dentist who has staff privileges at a hospital,  
 599 provides emergency room services, or performs a medical or  
 600 dental service for a fee; or



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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

601 2. An anesthesiologist, pathologist, or radiologist.

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

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

607 (2) Each hospital, unless exempted under paragraph (3) (b),  
 608 must demonstrate financial responsibility for maintaining  
 609 professional liability coverage to pay claims and costs  
 610 ancillary thereto arising out of the rendering of or failure to  
 611 render medical care or services and for bodily injury or  
 612 property damage to the person or property of any patient arising  
 613 out of the activities of the hospital or arising out of the  
 614 activities of covered individuals, to the satisfaction of the  
 615 Agency for Health Care Administration, by meeting one of the  
 616 following requirements:

617 (a) Establish an escrow account in an amount equivalent to  
 618 \$10,000 per claim for each bed in such hospital, not to exceed a  
 619 \$2.5 million annual aggregate.

620 (b) Obtain professional liability coverage in an amount  
 621 equivalent to \$10,000 or more per claim for each bed in such  
 622 hospital from a private insurer, from the Joint Underwriting  
 623 Association established under s. 627.351(4), or through a plan  
 624 of self-insurance as provided in s. 627.357. However, a hospital  
 625 may not be required to obtain such coverage in an amount

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

626 exceeding a \$2.5 million annual aggregate.

627 (3) (a) Each hospital, unless exempted under paragraph (b),  
 628 shall provide evidence of compliance and remain in continuous  
 629 compliance with the professional liability coverage provisions  
 630 of this section. The Agency for Health Care Administration may  
 631 not issue or renew the license of any hospital that does not  
 632 provide evidence of compliance or that provides evidence of  
 633 insufficient coverage.

634 (b) Any hospital operated by an agency, subdivision, or  
 635 instrumentality of the state is exempt from the provisions of  
 636 this section.

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

642 Section 11. Paragraph (a) of subsection (16) of section  
 643 440.02, Florida Statutes, is amended to read:

644 440.02 Definitions.—When used in this chapter, unless the  
 645 context clearly requires otherwise, the following terms shall  
 646 have the following meanings:

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

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

651 of any person. The term "Employer" also includes ~~employment~~  
 652 ~~agencies,~~ employee leasing companies, as defined in s.  
 653 468.520(5), and employment agencies that ~~similar agents who~~  
 654 provide their own employees to other persons. If the employer is  
 655 a corporation, parties in actual control of the corporation,  
 656 including, but not limited to, the president, officers who  
 657 exercise broad corporate powers, directors, and all shareholders  
 658 who directly or indirectly own a controlling interest in the  
 659 corporation, are considered the employer for the purposes of ss.  
 660 440.105, 440.106, and 440.107.

661 Section 12. Effective January 1, 2023, subsections (11)  
 662 through (15) of section 440.05, Florida Statutes, are renumbered  
 663 as subsections (10) through (14), respectively, subsections (3)  
 664 and (4) and present subsections (10) and (12) of that section  
 665 are amended, to read:

666 440.05 Election of exemption; revocation of election;  
 667 notice; certification.—

668 (3) The notice of election to be exempt must be  
 669 electronically submitted to the department by the officer of a  
 670 corporation who is allowed to claim an exemption as provided by  
 671 this chapter and must list the name, date of birth, valid driver  
 672 license number or Florida identification card number, and all  
 673 certified or registered licenses issued pursuant to chapter 489  
 674 held by the person seeking the exemption, the registration  
 675 number of the corporation filed with the Division of

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

676 Corporations of the Department of State, and the percentage of  
677 ownership evidencing the required ownership under this chapter.  
678 The notice of election to be exempt must identify each  
679 corporation that employs the person electing the exemption and  
680 must list the ~~social security number or~~ federal tax  
681 identification number of each such employer and the additional  
682 documentation required by this section. In addition, the notice  
683 of election to be exempt must provide that the officer electing  
684 an exemption is not entitled to benefits under this chapter,  
685 must provide that the election does not exceed exemption limits  
686 for officers provided in s. 440.02, ~~and~~ must certify that any  
687 employees of the corporation whose officer elects an exemption  
688 are covered by workers' compensation insurance, and must certify  
689 that the officer electing an exemption has completed an online  
690 workers' compensation coverage and compliance tutorial developed  
691 by the department. Upon receipt of the notice of the election to  
692 be exempt, receipt of all application fees, and a determination  
693 by the department that the notice meets the requirements of this  
694 subsection, the department shall issue a certification of the  
695 election to the officer, unless the department determines that  
696 the information contained in the notice is invalid. The  
697 department shall revoke a certificate of election to be exempt  
698 from coverage upon a determination by the department that the  
699 person does not meet the requirements for exemption or that the  
700 information contained in the notice of election to be exempt is

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

701 | invalid. The certificate of election must list the name of the  
 702 | corporation listed in the request for exemption. A new  
 703 | certificate of election must be obtained each time the person is  
 704 | employed by a new or different corporation that is not listed on  
 705 | the certificate of election. Upon written request from a  
 706 | workers' compensation carrier, the department shall send  
 707 | thereafter an electronic notification to the carrier identifying  
 708 | each of its policyholders for which a notice of election to be  
 709 | exempt has been issued or for which a notice of revocation to be  
 710 | exempt has been received ~~A notice of the certificate of election~~  
 711 | ~~must be sent to each workers' compensation carrier identified in~~  
 712 | ~~the request for exemption.~~ Upon filing a notice of revocation of  
 713 | election, an officer who is a subcontractor or an officer of a  
 714 | corporate subcontractor must notify her or his contractor. ~~Upon~~  
 715 | ~~revocation of a certificate of election of exemption by the~~  
 716 | ~~department, the department shall notify the workers'~~  
 717 | ~~compensation carriers identified in the request for exemption.~~

718 |       (4) The notice of election to be exempt from the  
 719 | provisions of this chapter must contain a notice that clearly  
 720 | states in substance the following: "Any person who, knowingly  
 721 | and with intent to injure, defraud, or deceive the department or  
 722 | any employer or employee, insurance company, or any other  
 723 | person, files a notice of election to be exempt containing any  
 724 | false or misleading information is guilty of a felony of the  
 725 | third degree." Each person filing a notice of election to be

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

726 exempt shall personally sign the notice and attest that he or  
727 she has reviewed, understands, and acknowledges the foregoing  
728 notice. The certificate of election to be exempt must contain  
729 the following notice: "This certificate of election to be exempt  
730 is NOT a license issued by the Department of Business and  
731 Professional Regulation (DBPR). To determine if the  
732 certificateholder is required to have a license to perform work  
733 or to verify the license of the certificateholder, go to (insert  
734 DBPR's website address for where to find this information)."

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

739 ~~(11)-(12)~~ Certificates of election to be exempt issued  
740 under subsection (3) ~~shall~~ apply only to the corporate officer  
741 named on the notice of election to be exempt ~~and apply only~~  
742 ~~within the scope of the business or trade listed on the notice~~  
743 ~~of election to be exempt.~~

744 Section 13. Effective January 1, 2023, paragraphs (a) and  
745 (d) of subsection (7) of section 440.107, Florida Statutes, are  
746 amended to read:

747 440.107 Department powers to enforce employer compliance  
748 with coverage requirements.—

749 (7) (a) Whenever the department determines that an employer  
750 who is required to secure the payment to his or her employees of

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

751 the compensation provided for by this chapter has failed to  
 752 secure the payment of workers' compensation required by this  
 753 chapter or to produce the required business records under  
 754 subsection (5) within 21 ~~10 business~~ days after receipt of the  
 755 written request of the department, such failure shall be deemed  
 756 an immediate serious danger to public health, safety, or welfare  
 757 sufficient to justify service by the department of a stop-work  
 758 order on the employer, requiring the cessation of all business  
 759 operations. If the department makes such a determination, the  
 760 department shall issue a stop-work order within 72 hours. The  
 761 order shall take effect when served upon the employer or, for a  
 762 particular employer worksite, when served at that worksite. In  
 763 addition to serving a stop-work order at a particular worksite  
 764 which shall be effective immediately, the department shall  
 765 immediately proceed with service upon the employer which shall  
 766 be effective upon all employer worksites in the state for which  
 767 the employer is not in compliance. A stop-work order may be  
 768 served with regard to an employer's worksite by posting a copy  
 769 of the stop-work order in a conspicuous location at the  
 770 worksite. Information related to an employer's stop-work order  
 771 shall be made available on the division's website, ~~be updated~~  
 772 ~~daily~~, and remain on the website for at least 5 years. The order  
 773 shall remain in effect until the department issues an order  
 774 releasing the stop-work order upon a finding that the employer  
 775 has come into compliance with the coverage requirements of this

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

776 chapter and has paid any penalty assessed under this section.  
 777 The department may issue an order of conditional release from a  
 778 stop-work order to an employer upon a finding that the employer  
 779 has complied with the coverage requirements of this chapter,  
 780 paid a penalty of \$1,000 as a down payment, and agreed to remit  
 781 periodic payments of the remaining penalty amount pursuant to a  
 782 payment agreement schedule with the department or pay the  
 783 remaining penalty amount in full. An employer may not enter into  
 784 a payment agreement schedule unless the employer has fully paid  
 785 any previous penalty assessed under this section. If an order of  
 786 conditional release is issued, failure by the employer to pay  
 787 the penalty in full or enter into a payment agreement with the  
 788 department within 21 ~~28~~ days after service of the first penalty  
 789 assessment calculation ~~stop-work order~~ upon the employer, or to  
 790 meet any term or condition of such penalty payment agreement,  
 791 shall result in the immediate reinstatement of the stop-work  
 792 order and the entire unpaid balance of the penalty shall become  
 793 immediately due.

794 (d)1. In addition to any penalty, stop-work order, or  
 795 injunction, the department shall assess against an ~~any~~ employer  
 796 who has failed to secure the payment of compensation as required  
 797 by this chapter a penalty equal to 2 times the amount the  
 798 employer would have paid in premium when applying approved  
 799 manual rates to the employer's payroll during periods for which  
 800 it failed to secure the payment of workers' compensation



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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

801 required by this chapter within the preceding 12-month ~~2-year~~  
 802 period or \$1,000, whichever is greater. However, for an employer  
 803 who is issued a stop-work order for materially understating or  
 804 concealing payroll or has been previously issued a stop-work  
 805 order or order of penalty assessment, the preceding 24-month  
 806 period shall be used to calculate the penalty as specified in  
 807 this subparagraph.

808 a. For an employer ~~employers~~ who has ~~have~~ not been  
 809 previously issued a stop-work order or order of penalty  
 810 assessment, the department must allow the employer to receive a  
 811 credit for the initial payment of the estimated annual workers'  
 812 compensation policy premium, as determined by the carrier, to be  
 813 applied to the penalty. Before applying the credit to the  
 814 penalty, the employer must provide the department with  
 815 documentation reflecting that the employer has secured the  
 816 payment of compensation pursuant to s. 440.38 and proof of  
 817 payment to the carrier. In order for the department to apply a  
 818 credit for an employer that has secured workers' compensation  
 819 for leased employees by entering into an employee leasing  
 820 contract with a licensed employee leasing company, the employer  
 821 must provide the department with a written confirmation, by a  
 822 representative from the employee leasing company, of the dollar  
 823 or percentage amount attributable to the initial estimated  
 824 workers' compensation expense for leased employees, and proof of  
 825 payment to the employee leasing company. The credit may not be

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

826 applied unless the employer provides the documentation and proof  
 827 of payment to the department within 21 ~~28~~ days after the  
 828 employer's receipt of the written request to produce business  
 829 records for calculating the penalty under this subparagraph  
 830 ~~service of the stop-work order or first order of penalty~~  
 831 ~~assessment upon the employer.~~

832 b. For an employer ~~employers~~ who has ~~have~~ not been  
 833 previously issued a stop-work order or order of penalty  
 834 assessment, the department must reduce the final assessed  
 835 penalty by 25 percent if the employer has complied with  
 836 administrative rules adopted pursuant to subsection (5) and has  
 837 provided such business records to the department within 21 ~~10~~  
 838 ~~business~~ days after the employer's receipt of the written  
 839 request to produce business records for calculating the penalty  
 840 under this subparagraph.

841 c. For an employer who has not been previously issued a  
 842 stop-work order or order of penalty assessment, the department  
 843 must reduce the final assessed penalty by 15 percent if the  
 844 employer correctly answers at least 80 percent of the questions  
 845 from an online workers' compensation coverage and compliance  
 846 tutorial, developed by the department, within 21 days after the  
 847 employer's receipt of the written request to produce business  
 848 records for calculating the penalty under this subparagraph. The  
 849 online tutorial must be taken in a department office location  
 850 identified by rule.

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

851  
 852 ~~e.~~ The \$1,000 penalty shall be assessed against the employer  
 853 even if the calculated penalty after the credit provided in sub-  
 854 subparagraph a., the ~~and~~ 25 percent reduction provided in sub-  
 855 subparagraph b., and the 15 percent reduction provided in sub-  
 856 subparagraph c., as applicable, have been applied is less than  
 857 \$1,000.

858 2. Any subsequent violation within 5 years after the most  
 859 recent violation shall, in addition to the penalties set forth  
 860 in this subsection, be deemed a knowing act within the meaning  
 861 of s. 440.105.

862 Section 14. Subsection (3) of section 440.185, Florida  
 863 Statutes, is amended to read:

864 440.185 Notice of injury or death; reports; penalties for  
 865 violations.-

866 (3) Within 3 business days after the employer or the  
 867 employee informs the carrier of an injury, the carrier shall  
 868 send by regular mail or e-mail to the injured worker an  
 869 informational brochure approved by the department which sets  
 870 forth in clear and understandable language an explanation of the  
 871 rights, benefits, procedures for obtaining benefits and  
 872 assistance, criminal penalties, and obligations of injured  
 873 workers and their employers under the Florida Workers'  
 874 Compensation Law. Annually, the carrier or its third-party  
 875 administrator shall send by regular mail or e-mail to the

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

876 employer an informational brochure approved by the department  
 877 which sets forth in clear and understandable language an  
 878 explanation of the rights, benefits, procedures for obtaining  
 879 benefits and assistance, criminal penalties, and obligations of  
 880 injured workers and their employers under the Florida Workers'  
 881 Compensation Law. All such informational brochures shall contain  
 882 a notice that clearly states in substance the following: "Any  
 883 person who, knowingly and with intent to injure, defraud, or  
 884 deceive any employer or employee, insurance company, or self-  
 885 insured program, files a statement of claim containing any false  
 886 or misleading information commits a felony of the third degree."

887 Section 15. Subsection (3) of section 440.381, Florida  
 888 Statutes, is amended to read:

889 440.381 Application for coverage; reporting payroll;  
 890 payroll audit procedures; penalties.-

891 (3) The Financial Services Commission, in consultation  
 892 with the department, shall establish by rule minimum  
 893 requirements for audits of payroll and classifications ~~in order~~  
 894 to ensure that the appropriate premium is charged for workers'  
 895 compensation coverage. The rules must ~~shall~~ ensure that audits  
 896 performed by both carriers and employers are adequate to provide  
 897 that all sources of payments to employees, subcontractors, and  
 898 independent contractors are ~~have been~~ reviewed and that the  
 899 accuracy of classification of employees is ~~has been~~ verified.  
 900 The rules must require ~~shall provide~~ that employers in all

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

901 classes other than the construction class be audited at least  
 902 ~~not less frequently than~~ biennially and may provide for more  
 903 frequent audits of employers in specified classifications based  
 904 on factors such as amount of premium, type of business, loss  
 905 ratios, or other relevant factors. ~~In no event shall~~ Employers  
 906 in the construction class, generating more than the amount of  
 907 premium required to be experience rated must, be audited at  
 908 least less than annually. The annual audits required for  
 909 construction classes must ~~shall~~ consist of physical onsite  
 910 audits for policies only if the estimated annual premium is  
 911 \$10,000 or more. Payroll verification audit rules must include,  
 912 but need not be limited to, the use of state and federal reports  
 913 of employee income, payroll and other accounting records,  
 914 certificates of insurance maintained by subcontractors, and  
 915 duties of employees. At the completion of an audit, the employer  
 916 or officer of the corporation and the auditor must print and  
 917 sign their names on the audit document and attach proof of  
 918 identification to the audit document.

919 Section 16. Subsection (2) of section 497.277, Florida  
 920 Statutes, is amended to read:

921 497.277 Other charges.—Other than the fees for the sale of  
 922 burial rights, burial merchandise, and burial services, no other  
 923 fee may be directly or indirectly charged, contracted for, or  
 924 received by a cemetery company as a condition for a customer to  
 925 use any burial right, burial merchandise, or burial service,

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

926 | except for:

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

929 |       Section 17. Paragraph (b) of subsection (1) of section  
930 | 497.369, Florida Statutes, is amended to read:

931 |       497.369 Embalmers; licensure as an embalmer by  
932 | endorsement; licensure of a temporary embalmer.—

933 |       (1) The licensing authority shall issue a license by  
934 | endorsement to practice embalming to an applicant who has  
935 | remitted an examination fee set by rule of the licensing  
936 | authority not to exceed \$200 and who the licensing authority  
937 | certifies:

938 |       (b)1. Holds a valid license in good standing to practice  
939 | embalming in another state of the United States and has engaged  
940 | in the full-time, licensed practice of embalming in that state  
941 | for at least 5 years, ~~provided that, when the applicant secured~~  
942 | ~~her or his original license, the requirements for licensure were~~  
943 | ~~substantially equivalent to or more stringent than those~~  
944 | ~~existing in this state; or~~

945 |       2. Meets the qualifications for licensure in s. 497.368,  
946 | except that the internship requirement shall be deemed to have  
947 | been satisfied by 1 year's practice as a licensed embalmer in  
948 | another state, and has, within 10 years before ~~prior to~~ the date  
949 | of application, successfully completed a state, regional, or  
950 | national examination in mortuary science, which, as determined

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

951 by rule of the licensing authority, is substantially equivalent  
 952 to or more stringent than the examination given by the licensing  
 953 authority.

954 Section 18. Paragraphs (b) and (f) of subsection (1) of  
 955 section 497.372, Florida Statutes, are amended to read:

956 497.372 Funeral directing; conduct constituting practice  
 957 of funeral directing.—

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

961 (b) Planning or arranging, on an at-need basis, the  
 962 details of funeral services, embalming, cremation, or other  
 963 services relating to the final disposition of human remains, and  
 964 ~~including the removal of such remains from the state; setting~~  
 965 ~~the time of the services;~~ establishing the type of services to  
 966 be rendered; ~~acquiring the services of the clergy; and obtaining~~  
 967 ~~vital information for the filing of death certificates and~~  
 968 ~~obtaining of burial transit permits.~~

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

973 Section 19. Paragraph (b) of subsection (1) of section  
 974 497.374, Florida Statutes, is amended to read:

975 497.374 Funeral directing; licensure as a funeral director

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

976 by endorsement; licensure of a temporary funeral director.—

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

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

988 2. Meets the qualifications for licensure in s. 497.373,  
 989 except that the applicant need not hold an associate degree or  
 990 higher if the applicant holds a diploma or certificate from an  
 991 accredited program of mortuary science, and has successfully  
 992 completed a state, regional, or national examination in mortuary  
 993 science or funeral service arts, which, as determined by rule of  
 994 the licensing authority, is substantially equivalent to or more  
 995 stringent than the examination given by the licensing authority.

996 Section 20. Subsection (6) of section 554.108, Florida  
 997 Statutes, is renumbered as subsection (7), subsection (1) is  
 998 amended, and a new subsection (6) is added to that section, to  
 999 read:

1000 554.108 Inspection.—



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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1001 (1) The inspection requirements of this chapter apply only  
 1002 to boilers located in public assembly locations. A ~~potable hot~~  
 1003 ~~water supply~~ boiler with an ~~a heat~~ input of 200,000 British  
 1004 thermal units (Btu) per hour and above, up to an ~~a heat~~ input  
 1005 not exceeding 400,000 Btu per hour, is exempt from inspection;  
 1006 however, such an exempt boiler, if manufactured after July 1,  
 1007 2022, but must be stamped with the A.S.M.E. code symbol.  
 1008 Additionally, "HLW" and the boiler's A.S.M.E data report of a  
 1009 boiler with an input of 200,000 to 400,000 Btu per hour must be  
 1010 filed as required under s. 554.103(2).

1011 (6) Each enclosed space or room containing a boiler  
 1012 regulated under this chapter which is fired by the direct  
 1013 application of energy from the combustion of fuels and which is  
 1014 located in any portion of a public lodging establishment under  
 1015 s. 509.242 shall be equipped with one or more carbon monoxide  
 1016 detector devices.

1017 Section 21. Paragraphs (a) and (e) of subsection (1) and  
 1018 paragraph (a) of subsection (2) of section 554.111, Florida  
 1019 Statutes, are amended to read:

1020 554.111 Fees.—

1021 (1) The department shall charge the following fees:

1022 (a) For an applicant for a certificate of competency, the  
 1023 initial application fee shall be \$50, and the annual renewal fee  
 1024 shall be \$30. ~~The fee for examination shall be \$50.~~

1025 (e) An application for a boiler permit must include the

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1026 ~~manufacturer's data report applicable certificate inspection fee~~  
 1027 ~~provided in paragraph (b).~~

1028 (2) Not more than an amount equal to one certificate  
 1029 inspection fee may be charged or collected for any and all  
 1030 boiler inspections in any inspection period, except as otherwise  
 1031 provided in this chapter.

1032 (a) When it is necessary to make a special trip for  
 1033 testing and verification inspections ~~to observe the application~~  
 1034 ~~of a hydrostatic test~~, an additional fee equal to the fee for a  
 1035 certificate inspection of the boiler must be charged.

1036 Section 22. Subsection (4) of section 554.114, Florida  
 1037 Statutes, is amended to read:

1038 554.114 Prohibitions; penalties.—

1039 (4) A boiler insurance company, authorized inspection  
 1040 agency, or other person in violation of this section for more  
 1041 than 30 days shall pay a fine of \$10 per day for the subsequent  
 1042 ~~first~~ 10 days of noncompliance, \$50 per day for the subsequent  
 1043 20 days of noncompliance, and \$100 per day for each subsequent  
 1044 day ~~over 20 days~~ of noncompliance thereafter.

1045 Section 23. Subsection (9) of section 624.307, Florida  
 1046 Statutes, is amended to read:

1047 624.307 General powers; duties.—

1048 (9) Upon receiving service of legal process issued in any  
 1049 civil action or proceeding in this state against any regulated  
 1050 person or any unauthorized insurer under s. 626.906 or s.

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1051 626.937 ~~that which~~ is required to appoint the Chief Financial  
 1052 Officer as its agent ~~attorney~~ to receive service of all legal  
 1053 process, the Chief Financial Officer shall make the process  
 1054 available through a secure online portal, ~~as attorney, may, in~~  
 1055 ~~lieu of sending the process by registered or certified mail,~~  
 1056 ~~send the process or make it available by any other verifiable~~  
 1057 ~~means, including, but not limited to, making the documents~~  
 1058 ~~available by electronic transmission from a secure website~~  
 1059 established by the department to the person last designated by  
 1060 the regulated person or the unauthorized insurer to receive the  
 1061 process. When process documents are made available  
 1062 electronically, the Chief Financial Officer shall promptly send  
 1063 a notice of receipt of service of process to the person last  
 1064 designated by the regulated person or unauthorized insurer to  
 1065 receive legal process. The notice must state the date ~~and manner~~  
 1066 ~~in which the copy of~~ the process was made available to the  
 1067 regulated person or unauthorized insurer being served and  
 1068 contain the uniform resource locator (URL) where ~~for a hyperlink~~  
 1069 ~~to access files and information on the department's website to~~  
 1070 ~~obtain a copy of~~ the process may be obtained.

1071 Section 24. Section 624.422, Florida Statutes, is amended  
 1072 to read:

1073 624.422 Service of process; appointment of Chief Financial  
 1074 Officer as process agent.—

1075 (1) Each licensed insurer, whether domestic, foreign, or

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1076 alien, shall be deemed to have appointed the Chief Financial  
 1077 Officer and her or his successors in office as its agent  
 1078 ~~attorney~~ to receive service of all legal process issued against  
 1079 it in any civil action or proceeding in this state; and process  
 1080 so served shall be valid and binding upon the insurer.

1081 (2) Before ~~Prior to~~ its authorization to transact  
 1082 insurance in this state, each insurer shall file with the  
 1083 department designation of the name and e-mail address of the  
 1084 person to whom process against it served upon the Chief  
 1085 Financial Officer is to be made available through the  
 1086 department's secure online portal ~~forwarded~~. Each insurer shall  
 1087 also file with the department designation of the name and e-mail  
 1088 address of the person to whom the department shall forward civil  
 1089 remedy notices filed under s. 624.155. The insurer may change a  
 1090 designation at any time by a new filing.

1091 (3) Service of process submitted through the department's  
 1092 secure online portal upon the Chief Financial Officer as the  
 1093 insurer's agent ~~attorney~~ pursuant to such an appointment shall  
 1094 be the sole method of service of process upon an authorized  
 1095 domestic, foreign, or alien insurer in this state.

1096 Section 25. Subsection (1) of section 624.423, Florida  
 1097 Statutes, is amended to read:

1098 624.423 Serving process.—

1099 (1) Service of process upon the Chief Financial Officer as  
 1100 process agent of the insurer under s. 624.422 and s. 626.937

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1101 shall be made ~~by serving a copy of the process upon the Chief~~  
 1102 ~~Financial Officer or upon her or his assistant, deputy, or other~~  
 1103 ~~person in charge of her or his office. Service may also be made~~  
 1104 ~~by mail or electronically as provided in s. 48.151(3) s. 48.151.~~  
 1105 Upon receiving such service, the Chief Financial Officer shall  
 1106 retain a record of the process ~~copy~~ and promptly notify and make  
 1107 ~~forward one copy of the process~~ available through the  
 1108 department's secure online portal ~~by registered or certified~~  
 1109 ~~mail or by other verifiable means,~~ as provided under s.  
 1110 624.307(9), to the person last designated by the insurer to  
 1111 receive the same, as provided under s. 624.422(2). For purposes  
 1112 of this section, records shall ~~may~~ be retained electronically ~~as~~  
 1113 ~~paper or electronic copies.~~

1114 Section 26. Paragraph (f) of subsection (3) and paragraph  
 1115 (d) of subsection (4) of section 624.610, Florida Statutes, are  
 1116 amended to read:

1117 624.610 Reinsurance.—

1118 (3)

1119 (f) If the assuming insurer is not authorized or  
 1120 accredited to transact insurance or reinsurance in this state  
 1121 pursuant to paragraph (a) or paragraph (b), the credit permitted  
 1122 by paragraph (c) or paragraph (d) must not be allowed unless the  
 1123 assuming insurer agrees in the reinsurance agreements:

1124 1.a. That in the event of the failure of the assuming  
 1125 insurer to perform its obligations under the terms of the

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1126 reinsurance agreement, the assuming insurer, at the request of  
 1127 the ceding insurer, shall submit to the jurisdiction of any  
 1128 court of competent jurisdiction in any state of the United  
 1129 States, will comply with all requirements necessary to give the  
 1130 court jurisdiction, and will abide by the final decision of the  
 1131 court or of any appellate court in the event of an appeal; and

1132 b. To designate the Chief Financial Officer, pursuant to  
 1133 s. 48.151(3) ~~s. 48.151~~, as its true and lawful agent ~~attorney~~  
 1134 upon whom may be served any lawful process in any action, suit,  
 1135 or proceeding instituted by or on behalf of the ceding company.

1136 2. This paragraph is not intended to conflict with or  
 1137 override the obligation of the parties to a reinsurance  
 1138 agreement to arbitrate their disputes, if this obligation is  
 1139 created in the agreement.

1140 (4) Credit must be allowed when the reinsurance is ceded  
 1141 to an assuming insurer meeting the requirements of this  
 1142 subsection.

1143 (d) The assuming insurer must, in a form specified by the  
 1144 commission:

1145 1. Agree to provide prompt written notice and explanation  
 1146 to the office if the assuming insurer falls below the minimum  
 1147 requirements set forth in paragraph (b) or paragraph (c), or if  
 1148 any regulatory action is taken against it for serious  
 1149 noncompliance with applicable law of any jurisdiction.

1150 2. Consent in writing to the jurisdiction of the courts of

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1151 | this state and to the designation of the Chief Financial  
 1152 | Officer, pursuant to s. 48.151(3) ~~s. 48.151~~, as its true and  
 1153 | lawful agent ~~attorney~~ upon whom may be served any lawful process  
 1154 | in any action, suit, or proceeding instituted by or on behalf of  
 1155 | the ceding insurer. This subparagraph does not limit or alter in  
 1156 | any way the capacity of parties to a reinsurance agreement to  
 1157 | agree to an alternative dispute resolution mechanism, except to  
 1158 | the extent that such agreement is unenforceable under applicable  
 1159 | insolvency or delinquency laws.

1160 |         3. Consent in writing to pay all final judgments, wherever  
 1161 | enforcement is sought, obtained by a ceding insurer or its legal  
 1162 | successor which have been declared enforceable in the  
 1163 | jurisdiction where the judgment was obtained.

1164 |         4. Confirm in writing that it will include in each  
 1165 | reinsurance agreement a provision requiring the assuming insurer  
 1166 | to provide security in an amount equal to 100 percent of the  
 1167 | assuming insurer's liabilities attributable to reinsurance ceded  
 1168 | pursuant to that agreement, if the assuming insurer resists  
 1169 | enforcement of a final judgment that is enforceable under the  
 1170 | law of the jurisdiction in which it was obtained or enforcement  
 1171 | of a properly enforceable arbitration award, whether obtained by  
 1172 | the ceding insurer or by its legal successor on behalf of its  
 1173 | resolution estate.

1174 |         5. Confirm in writing that it is not presently  
 1175 | participating in any solvent scheme of arrangement which

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1176 involves this state's ceding insurers, and agree to notify the  
 1177 ceding insurer and the office and to provide security in an  
 1178 amount equal to 100 percent of the assuming insurer's  
 1179 liabilities to the ceding insurer if the assuming insurer enters  
 1180 into such a solvent scheme of arrangement. Such security must be  
 1181 consistent with subsection (5) or as specified by commission  
 1182 rule.

1183 Section 27. Subsection (20) of section 626.015, Florida  
 1184 Statutes, is amended to read:

1185 626.015 Definitions.—As used in this part:

1186 (20) "Unaffiliated insurance agent" means a licensed  
 1187 insurance agent, except a limited lines agent, who is self-  
 1188 appointed and who practices as an independent consultant in the  
 1189 business of analyzing or abstracting insurance policies,  
 1190 providing insurance advice or counseling, or making specific  
 1191 recommendations or comparisons of insurance products for a fee  
 1192 established in advance by written contract signed by the  
 1193 parties. An unaffiliated insurance agent may not be affiliated  
 1194 with an insurer, insurer-appointed insurance agent, or insurance  
 1195 agency contracted with or employing insurer-appointed insurance  
 1196 agents. A licensed adjuster who is also an unaffiliated  
 1197 insurance agent may obtain an adjuster appointment in order to  
 1198 adjust claims while holding an unaffiliated appointment on the  
 1199 agent license.

1200 Section 28. Subsection (4) of section 626.171, Florida



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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1201 Statutes, is amended to read:

1202       626.171 Application for license as an agent, customer  
1203 representative, adjuster, service representative, or reinsurance  
1204 intermediary.—

1205       (4) An applicant for a license issued by the department  
1206 under this chapter ~~as an agent, customer representative,~~  
1207 ~~adjuster, service representative, or reinsurance intermediary~~  
1208 must submit a set of the individual applicant's fingerprints,  
1209 or, if the applicant is not an individual, a set of the  
1210 fingerprints of the sole proprietor, majority owner, partners,  
1211 officers, and directors, to the department and must pay the  
1212 fingerprint processing fee set forth in s. 624.501. Fingerprints  
1213 must be processed in accordance with s. 624.34 and used to  
1214 investigate the applicant's qualifications pursuant to s.  
1215 626.201. The fingerprints must be taken by a law enforcement  
1216 agency, designated examination center, or other department-  
1217 approved entity. The department shall require all designated  
1218 examination centers to have fingerprinting equipment and to take  
1219 fingerprints from any applicant or prospective applicant who  
1220 pays the applicable fee. The department may not approve an  
1221 application for licensure as an agent, customer service  
1222 representative, adjuster, service representative, or reinsurance  
1223 intermediary if fingerprints have not been submitted.

1224       Section 29. Paragraph (f) of subsection (2) of section  
1225 626.172, Florida Statutes, is amended to read:

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1226           626.172 Application for insurance agency license.—  
1227           (2) An application for an insurance agency license must be  
1228 signed by an individual required to be listed in the application  
1229 under paragraph (a). An insurance agency may permit a third  
1230 party to complete, submit, and sign an application on the  
1231 insurance agency's behalf; however, the insurance agency is  
1232 responsible for ensuring that the information on the application  
1233 is true and correct and is accountable for any misstatements or  
1234 misrepresentations. The application for an insurance agency  
1235 license must include:

1236           (f) The fingerprints, submitted in accordance with s.  
1237 626.171(4), of each of the following:

1238           1. A sole proprietor;  
1239           2. Each individual required to be listed in the  
1240 application under paragraph (a); and  
1241           3. Each individual who directs or participates in the  
1242 management or control of an incorporated agency whose shares are  
1243 not traded on a securities exchange.

1244

1245 ~~Fingerprints must be taken by a law enforcement agency or other~~  
1246 ~~entity approved by the department and must be accompanied by the~~  
1247 ~~fingerprint processing fee specified in s. 624.501. Fingerprints~~  
1248 ~~must be processed in accordance with s. 624.34. However,~~  
1249 Fingerprints need not be filed for an individual who is  
1250 currently licensed and appointed under this chapter. This

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1251 paragraph does not apply to corporations whose voting shares are  
 1252 traded on a securities exchange.

1253 Section 30. Section 626.173, Florida Statutes, is created  
 1254 to read:

1255 626.173 Insurance agency closure; cancellation of  
 1256 licenses.-

1257 (1) If a licensed insurance agency permanently ceases the  
 1258 transacting of insurance or ceases the transacting of insurance  
 1259 for more than 30 days, the agent in charge, the director of the  
 1260 agency, or other officer listed on the original application for  
 1261 licensure must, within 35 days after the agency first ceases the  
 1262 transacting of insurance, do all of the following:

1263 (a) Cancel the insurance agency's license by completing  
 1264 and submitting a form prescribed by the department to notify the  
 1265 department of the cancellation of the license.

1266 (b) Notify all insurers by which the agency or agent in  
 1267 charge is appointed of the agency's cessation of operations, the  
 1268 date on which operations ceased, the identity of any agency or  
 1269 agent to which the agency's current book of business has been  
 1270 transferred, and the method by which agency records may be  
 1271 obtained during the time periods specified in ss. 626.561 and  
 1272 626.748.

1273 (c) Notify all policyholders currently insured by a policy  
 1274 written, produced, or serviced by the agency of the agency's  
 1275 cessation of operations; the date on which operations ceased;

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1276 and the identity of the agency or agent to which the agency's  
1277 current book of business has been transferred or, if no transfer  
1278 has occurred, a statement directing the policyholder to contact  
1279 the insurance company for assistance in locating a licensed  
1280 agent to service the policy.

1281 (d) Notify all premium finance companies through which  
1282 active policies are financed of the agency's cessation of  
1283 operations, the date on which operations ceased, and the  
1284 identity of any agency or agent to which the agency's current  
1285 book of business has been transferred.

1286 (e) Ensure that all funds held in a fiduciary capacity are  
1287 properly distributed to the rightful owners.

1288 (2)(a) The department may, in a proceeding initiated  
1289 pursuant to chapter 120, impose an administrative fine against  
1290 the agent in charge or the director or officer of the agency  
1291 found in the proceeding to have violated any provision of this  
1292 section. A proceeding may not be initiated and a fine may not  
1293 accrue until after the person has been notified in writing of  
1294 the nature of the violation and the person has been afforded 10  
1295 business days to correct the violation but has failed to do so.

1296 (b) A fine imposed under this subsection may not exceed  
1297 the amounts specified in s. 626.681 per violation.

1298 (c) The department may, in addition to the imposition of  
1299 an administrative fine under this subsection, also suspend or  
1300 revoke the license of the licensee fined under this subsection.

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1301        (d) In imposing any administrative penalty or remedy  
 1302 provided under this subsection, the department shall take into  
 1303 account the appropriateness of the penalty or remedy with  
 1304 respect to the size of the financial resources and the good  
 1305 faith of the person charged, the gravity of the violation, the  
 1306 history of previous violations, and other matters as justice may  
 1307 require.

1308        Section 31. Subsection (3) of section 626.201, Florida  
 1309 Statutes, is amended, and subsection (4) is added to that  
 1310 section, to read:

1311        626.201 Investigation.—

1312        (3) An inquiry or investigation of the applicant's  
 1313 qualifications, character, experience, background, and fitness  
 1314 must include submission of the applicant's fingerprints, in  
 1315 accordance with s. 626.171(4), to the Department of Law  
 1316 Enforcement and the Federal Bureau of Investigation and  
 1317 consideration of any state criminal records, federal criminal  
 1318 records, or local criminal records obtained from these agencies  
 1319 or from local law enforcement agencies.

1320        (4) The expiration, nonrenewal, or surrender of a license  
 1321 under this chapter does not eliminate jurisdiction of the  
 1322 department or office to investigate and prosecute for a  
 1323 violation committed by the licensee while licensed under this  
 1324 chapter. The prosecution of any matter may be initiated or  
 1325 continued notwithstanding the withdrawal of a complaint.

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1326 Section 32. Section 626.202, Florida Statutes, is amended  
 1327 to read:

1328 626.202 Fingerprinting requirements.—

1329 (1) The requirements for completion and submission of  
 1330 fingerprints under this chapter in accordance with s. 626.171(4)  
 1331 are deemed to be met when an individual currently licensed under  
 1332 this chapter seeks additional licensure and has previously  
 1333 submitted fingerprints to the department within the past 48  
 1334 months. However, the department may require the individual to  
 1335 file fingerprints if it has reason to believe that an applicant  
 1336 or licensee has been found guilty of, or pleaded guilty or nolo  
 1337 contendere to, a felony or a crime related to the business of  
 1338 insurance in this state or any other state or jurisdiction.

1339 (2) If there is a change in ownership or control of any  
 1340 entity licensed under this chapter, or if a new partner,  
 1341 officer, or director is employed or appointed, a set of  
 1342 fingerprints of the new owner, partner, officer, or director  
 1343 must be filed with the department or office within 30 days after  
 1344 the change. The acquisition of 10 percent or more of the voting  
 1345 securities of a licensed entity is considered a change of  
 1346 ownership or control. The fingerprints must be submitted in  
 1347 accordance with s. 626.171(4) ~~taken by a law enforcement agency~~  
 1348 ~~or other department-approved entity and be accompanied by the~~  
 1349 ~~fingerprint processing fee in s. 624.501.~~

1350 Section 33. Paragraph (j) of subsection (2) of section

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1351 626.221, Florida Statutes, is amended to read:

1352 626.221 Examination requirement; exemptions.—

1353 (2) However, an examination is not necessary for any of  
1354 the following:

1355 (j) An applicant for license as an all-lines adjuster who  
1356 has the designation of Accredited Claims Adjuster (ACA) from a  
1357 regionally accredited postsecondary institution in this state,  
1358 Certified All Lines Adjuster (CALA) from Kaplan Financial  
1359 Education, Associate in Claims (AIC) from the Insurance  
1360 Institute of America, Professional Claims Adjuster (PCA) from  
1361 the Professional Career Institute, Professional Property  
1362 Insurance Adjuster (PPIA) from the HurriClaim Training Academy,  
1363 Certified Adjuster (CA) from ALL LINES Training, Certified  
1364 Claims Adjuster (CCA) from AE21 Incorporated, Claims Adjuster  
1365 Certified Professional (CACP) from WebCE, Inc., Accredited  
1366 Insurance Claims Specialist (AICS) from Encore Claim Services,  
1367 or Universal Claims Certification (UCC) from Claims and  
1368 Litigation Management Alliance (CLM) whose curriculum has been  
1369 approved by the department and which includes comprehensive  
1370 analysis of basic property and casualty lines of insurance and  
1371 testing at least equal to that of standard department testing  
1372 for the all-lines adjuster license. The department shall adopt  
1373 rules establishing standards for the approval of curriculum.

1374 Section 34. Subsection (6) of section 626.311, Florida  
1375 Statutes, is amended to read:

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1376           626.311 Scope of license.—  
 1377           (6) An agent who appoints his or her license as an  
 1378 unaffiliated insurance agent may not hold an appointment from an  
 1379 insurer for any license he or she holds, with the exception of  
 1380 an adjuster license; transact, solicit, or service an insurance  
 1381 contract on behalf of an insurer; interfere with commissions  
 1382 received or to be received by an insurer-appointed insurance  
 1383 agent or an insurance agency contracted with or employing  
 1384 insurer-appointed insurance agents; or receive compensation or  
 1385 any other thing of value from an insurer, an insurer-appointed  
 1386 insurance agent, or an insurance agency contracted with or  
 1387 employing insurer-appointed insurance agents for any transaction  
 1388 or referral occurring after the date of appointment as an  
 1389 unaffiliated insurance agent. An unaffiliated insurance agent  
 1390 may continue to receive commissions on sales that occurred  
 1391 before the date of appointment as an unaffiliated insurance  
 1392 agent if the receipt of such commissions is disclosed when  
 1393 making recommendations or evaluating products for a client that  
 1394 involve products of the entity from which the commissions are  
 1395 received. An adjuster who holds an adjuster license and who is  
 1396 also an unaffiliated insurance agent may obtain an adjuster  
 1397 appointment while maintaining his or her unaffiliated insurance  
 1398 agent appointment and may adjust claims and receive compensation  
 1399 in accordance with the authority granted by the adjuster license  
 1400 and appointment.



ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1401 Section 35. Paragraph (h) of subsection (1) of section  
 1402 626.321, Florida Statutes, is amended to read:

1403 626.321 Limited licenses and registration.—

1404 (1) The department shall issue to a qualified applicant a  
 1405 license as agent authorized to transact a limited class of  
 1406 business in any of the following categories of limited lines  
 1407 insurance:

1408 (h) Portable electronics insurance.—License for property  
 1409 insurance or inland marine insurance that covers only loss,  
 1410 theft, mechanical failure, malfunction, or damage for portable  
 1411 electronics.

1412 1. The license may be issued only to:

1413 a. Employees or authorized representatives of a licensed  
 1414 general lines agent; or

1415 b. The lead business location of a retail vendor that  
 1416 sells portable electronics insurance. The lead business location  
 1417 must have a contractual relationship with a general lines agent.

1418 2. Employees or authorized representatives of a licensee  
 1419 under subparagraph 1. may sell or offer for sale portable  
 1420 electronics coverage without being subject to licensure as an  
 1421 insurance agent if:

1422 a. Such insurance is sold or offered for sale at a  
 1423 licensed location or at one of the licensee's branch locations  
 1424 if the branch location is appointed by the licensed lead  
 1425 business location or its appointing insurers;

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1426           b. The insurer issuing the insurance directly supervises  
 1427 or appoints a general lines agent to supervise the sale of such  
 1428 insurance, including the development of a training program for  
 1429 the employees and authorized representatives of vendors that are  
 1430 directly engaged in the activity of selling or offering the  
 1431 insurance; and

1432           c. At each location where the insurance is offered,  
 1433 brochures or other written materials that provide the  
 1434 information required by this subparagraph are made available to  
 1435 all prospective customers. The brochures or written materials  
 1436 may include information regarding portable electronics  
 1437 insurance, service warranty agreements, or other incidental  
 1438 services or benefits offered by a licensee.

1439           3. Individuals not licensed to sell portable electronics  
 1440 insurance may not be paid commissions based on the sale of such  
 1441 coverage. However, a licensee who uses a compensation plan for  
 1442 employees and authorized representatives which includes  
 1443 supplemental compensation for the sale of noninsurance products,  
 1444 in addition to a regular salary or hourly wages, may include  
 1445 incidental compensation for the sale of portable electronics  
 1446 insurance as a component of the overall compensation plan.

1447           4. Brochures or other written materials related to  
 1448 portable electronics insurance must:

1449           a. Disclose that such insurance may duplicate coverage  
 1450 already provided by a customer's homeowners insurance policy,

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1451 renters insurance policy, or other source of coverage;

1452       b. State that enrollment in insurance coverage is not

1453 required in order to purchase or lease portable electronics or

1454 services;

1455       c. Summarize the material terms of the insurance coverage,

1456 including the identity of the insurer, the identity of the

1457 supervising entity, the amount of any applicable deductible and

1458 how it is to be paid, the benefits of coverage, and key terms

1459 and conditions of coverage, such as whether portable electronics

1460 may be repaired or replaced with similar make and model

1461 reconditioned or nonoriginal manufacturer parts or equipment;

1462       d. Summarize the process for filing a claim, including a

1463 description of how to return portable electronics and the

1464 maximum fee applicable if the customer fails to comply with

1465 equipment return requirements; and

1466       e. State that an enrolled customer may cancel coverage at

1467 any time and that the person paying the premium will receive a

1468 refund of any unearned premium.

1469       5. A licensed and appointed general lines agent is not

1470 required to obtain a portable electronics insurance license to

1471 offer or sell portable electronics insurance at locations

1472 already licensed as an insurance agency, but may apply for a

1473 portable electronics insurance license for branch locations not

1474 otherwise licensed to sell insurance.

1475       6. A portable electronics license authorizes the sale of

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1476 individual policies or certificates under a group or master  
1477 insurance policy. The license also authorizes the sale of  
1478 service warranty agreements covering only portable electronics  
1479 to the same extent as if licensed under s. 634.419 or s.  
1480 634.420.

1481 7. A licensee may bill and collect the premium for the  
1482 purchase of portable electronics insurance provided that:

1483 a. If the insurance is included with the purchase or lease  
1484 of portable electronics or related services, the licensee  
1485 clearly and conspicuously discloses that insurance coverage is  
1486 included with the purchase. Disclosure of the stand-alone cost  
1487 of the premium for same or similar insurance must be made on the  
1488 customer's bill and in any marketing materials made available at  
1489 the point of sale. If the insurance is not included, the charge  
1490 to the customer for the insurance must be separately itemized on  
1491 the customer's bill.

1492 b. Premiums are incidental to other fees collected, are  
1493 maintained in a manner that is readily identifiable, and are  
1494 accounted for and remitted to the insurer or supervising entity  
1495 within 60 days of receipt. Licensees are not required to  
1496 maintain such funds in a segregated account.

1497 c. All funds received by a licensee from an enrolled  
1498 customer for the sale of the insurance are considered funds held  
1499 in trust by the licensee in a fiduciary capacity for the benefit  
1500 of the insurer. Licensees may receive compensation for billing

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1501 and collection services.

1502 8. Notwithstanding any other provision of law, the terms  
 1503 for the termination or modification of coverage under a policy  
 1504 of portable electronics insurance are those set forth in the  
 1505 policy.

1506 9. Notice or correspondence required by the policy, or  
 1507 otherwise required by law, may be provided by electronic means  
 1508 if the insurer or licensee maintains proof that the notice or  
 1509 correspondence was sent. Such notice or correspondence may be  
 1510 sent on behalf of the insurer or licensee by the general lines  
 1511 agent appointed by the insurer to supervise the administration  
 1512 of the program. For purposes of this subparagraph, an enrolled  
 1513 customer's provision of an electronic mail address to the  
 1514 insurer or licensee is deemed to be consent to receive notices  
 1515 and correspondence by electronic means if a conspicuously  
 1516 located disclosure is provided to the customer indicating the  
 1517 same.

1518 10. ~~The provisions of this chapter requiring submission of~~  
 1519 ~~fingerprints~~ requirements in s. 626.171(4) do not apply to  
 1520 licenses issued to qualified entities under this paragraph.

1521 11. A branch location that sells portable electronics  
 1522 insurance may, in lieu of obtaining an appointment from an  
 1523 insurer or warranty association, obtain a single appointment  
 1524 from the associated lead business location licensee and pay the  
 1525 prescribed appointment fee under s. 624.501 if the lead business

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1526 | location has a single appointment from each insurer or warranty  
1527 | association represented and such appointment applies to the lead  
1528 | business location and all of its branch locations. Branch  
1529 | location appointments shall be renewed 24 months after the  
1530 | initial appointment date of the lead business location and every  
1531 | 24 months thereafter. Notwithstanding s. 624.501, the renewal  
1532 | fee applicable to such branch location appointments is \$30 per  
1533 | appointment.

1534 |       12. For purposes of this paragraph:

1535 |       a. "Branch location" means any physical location in this  
1536 | state at which a licensee offers its products or services for  
1537 | sale.

1538 |       b. "Portable electronics" means personal, self-contained,  
1539 | easily carried by an individual, battery-operated electronic  
1540 | communication, viewing, listening, recording, gaming, computing  
1541 | or global positioning devices, including cell or satellite  
1542 | phones, pagers, personal global positioning satellite units,  
1543 | portable computers, portable audio listening, video viewing or  
1544 | recording devices, digital cameras, video camcorders, portable  
1545 | gaming systems, docking stations, automatic answering devices,  
1546 | and other similar devices and their accessories, and service  
1547 | related to the use of such devices.

1548 |       c. "Portable electronics transaction" means the sale or  
1549 | lease of portable electronics or a related service, including  
1550 | portable electronics insurance.

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1551 Section 36. Subsection (5) of section 626.601, Florida  
 1552 Statutes, is amended to read:

1553 626.601 Improper conduct; inquiry; fingerprinting.—

1554 (5) If the department or office, after investigation, has  
 1555 reason to believe that an individual may have been found guilty  
 1556 of or pleaded guilty or nolo contendere to a felony or a crime  
 1557 related to the business of insurance in this or any other state  
 1558 or jurisdiction, the department or office may require the  
 1559 individual to file with the department or office a complete set  
 1560 of his or her fingerprints, in accordance with s. 626.171(4),  
 1561 which shall be accompanied by the fingerprint processing fee set  
 1562 forth in s. 624.501. The fingerprints shall be taken by an  
 1563 authorized law enforcement agency or other department-approved  
 1564 entity.

1565 Section 37. Paragraph (d) of subsection (2) of section  
 1566 626.8411, Florida Statutes, is amended, and paragraph (f) is  
 1567 added to subsection (1) of that section, to read:

1568 626.8411 Application of Florida Insurance Code provisions  
 1569 to title insurance agents or agencies.—

1570 (1) The following provisions applicable to general lines  
 1571 agents or agencies also apply to title insurance agents or  
 1572 agencies:

1573 (f) Section 626.172(2)(f), relating to fingerprints.

1574 (2) The following provisions of part I do not apply to  
 1575 title insurance agents or title insurance agencies:

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1576 (d) Section 626.172, except for paragraph (2)(f) of that  
 1577 section, relating to agent in full-time charge.

1578 Section 38. Paragraph (b) of subsection (1) of section  
 1579 626.8412, Florida Statutes, is amended to read:

1580 626.8412 License and appointments required.—

1581 (1) Except as otherwise provided in this part:

1582 (b) A title insurance agent may not sell a title insurance  
 1583 policy issued by an insurer for which the agent and the agency  
 1584 do ~~does~~ not hold a current appointment.

1585 Section 39. Paragraph (a) of subsection (3) of section  
 1586 626.8417, Florida Statutes, is amended to read:

1587 626.8417 Title insurance agent licensure; exemptions.—

1588 (3) The department may not grant or issue a license as a  
 1589 title insurance agent to an individual who is found by the  
 1590 department to be untrustworthy or incompetent, who does not meet  
 1591 the qualifications for examination specified in s. 626.8414, or  
 1592 who does not meet the following qualifications:

1593 (a) Within the 4 years immediately preceding the date of  
 1594 the application for license, the applicant must have completed a  
 1595 40-hour ~~classroom~~ course in title insurance, 3 hours of which  
 1596 are on the subject matter of ethics, as approved by the  
 1597 department, or must have had at least 12 months of experience in  
 1598 responsible title insurance duties, under the supervision of a  
 1599 licensed title insurance agent, title insurer, or attorney while  
 1600 working in the title insurance business as a substantially full-



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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1601 time, bona fide employee of a title insurance agency, title  
 1602 insurance agent, title insurer, or attorney who conducts real  
 1603 estate closing transactions and issues title insurance policies  
 1604 but who is exempt from licensure under subsection (4). If an  
 1605 applicant's qualifications are based upon the periods of  
 1606 employment at responsible title insurance duties, the applicant  
 1607 must submit, with the license application, an affidavit of the  
 1608 applicant and of the employer affirming the period of such  
 1609 employment, that the employment was substantially full time, and  
 1610 giving a brief abstract of the nature of the duties performed by  
 1611 the applicant.

1612 Section 40. Section 626.8421, Florida Statutes, is amended  
 1613 to read:

1614 626.8421 Number of appointments permitted or required.—A  
 1615 title agent and a title agency shall be required to have a  
 1616 separate appointment as to each insurer by which they are ~~he or~~  
 1617 ~~she is~~ appointed as agents ~~agent~~. As a part of each appointment  
 1618 there shall be a certified statement or affidavit of an  
 1619 appropriate officer or official of the appointing insurer  
 1620 stating that to the best of the insurer's knowledge and belief  
 1621 the applicant, or its principals in the case of a corporation or  
 1622 other legal entity, has met the requirements of s. 626.8417.

1623 Section 41. Subsections (1) and (2) of section 626.843,  
 1624 Florida Statutes, are amended to read:

1625 626.843 Renewal, continuation, reinstatement, termination

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1626 of title insurance agent's and title insurance agency's  
 1627 appointments ~~appointment~~.-

1628 (1) Appointments ~~the appointment~~ of a title insurance  
 1629 agent and a title insurance agency shall continue in force until  
 1630 suspended, revoked, or otherwise terminated, but subject to a  
 1631 renewed request filed by the insurer every 24 months after the  
 1632 original issue dates ~~date~~ of the appointments ~~appointment~~,  
 1633 accompanied by payments ~~payment~~ of the renewal appointment fees  
 1634 ~~fee~~ and taxes as prescribed in s. 624.501.

1635 (2) Title insurance agent and title insurance agency  
 1636 appointments shall be renewed pursuant to s. 626.381 for  
 1637 insurance representatives in general.

1638 Section 42. Subsection (1) of section 626.8433, Florida  
 1639 Statutes, is amended to read:

1640 626.8433 Filing of reasons for terminating appointments  
 1641 ~~appointment~~ of title insurance agent and title insurance agency;  
 1642 confidential information.-

1643 (1) Any title insurer that is terminating the appointment  
 1644 of a title insurance agent or title insurance agency, whether  
 1645 such termination is by direct action of the appointing title  
 1646 insurer or by failure to renew or continue the appointment as  
 1647 provided, shall file with the department a statement of the  
 1648 reasons, if any, for, and the facts relative to, such  
 1649 termination.

1650 Section 43. Section 626.8447, Florida Statutes, is amended

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1651 to read:

1652           626.8447 Effect of suspension or revocation upon other  
 1653 licensees, appointees.—In case of the suspension or revocation  
 1654 of the license and appointment of any title insurance agent or  
 1655 title insurance agency, the licenses and appointments of all  
 1656 other title insurance agents who knowingly were parties to the  
 1657 act that ~~which~~ formed the ground for such suspension or  
 1658 revocation may likewise be suspended or revoked for the same  
 1659 period as that of the offending title insurance agent or title  
 1660 insurance agency, but such suspension or revocation does ~~shall~~  
 1661 not prevent any title insurance agent, except the one whose  
 1662 license and appointment was first suspended or revoked, from  
 1663 being issued an appointment for some other title insurer.

1664           Section 44. Paragraph (d) of subsection (10) of section  
 1665 626.854, Florida Statutes, is redesignated as paragraph (f),  
 1666 paragraphs (a) and (b) of that subsection are amended, and a new  
 1667 paragraph (d) and paragraph (e) are added to that subsection, to  
 1668 read:

1669           626.854 "Public adjuster" defined; prohibitions.—The  
 1670 Legislature finds that it is necessary for the protection of the  
 1671 public to regulate public insurance adjusters and to prevent the  
 1672 unauthorized practice of law.

1673           (10) (a) If a public adjuster enters into a contract with  
 1674 an insured or claimant to reopen a claim or file a supplemental  
 1675 claim that seeks additional payments for a claim that has been

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1676 | previously paid in part or in full or settled by the insurer,  
1677 | the public adjuster may not charge, agree to, or accept from any  
1678 | source compensation, payment, commission, fee, or any other  
1679 | thing of value based on a previous settlement or previous claim  
1680 | payments by the insurer for the same cause of loss. The charge,  
1681 | compensation, payment, commission, fee, or any other thing of  
1682 | value must be based only on the claim payments or settlements  
1683 | paid to the insured, exclusive of attorney fees and costs,  
1684 | ~~settlement~~ obtained through the work of the public adjuster  
1685 | after entering into the contract with the insured or claimant.  
1686 | Compensation for the reopened or supplemental claim may not  
1687 | exceed 20 percent of the reopened or supplemental claim payment.  
1688 | In no event shall the contracts described in this paragraph  
1689 | exceed the limitations in paragraph (b).

1690 |       (b) A public adjuster may not charge, agree to, or accept  
1691 | from any source compensation, payment, commission, fee, or any  
1692 | other thing of value in excess of:

1693 |       1. Ten percent of the amount of insurance claim payments  
1694 | or settlements, exclusive of attorney fees and costs, paid to  
1695 | the insured ~~made~~ by the insurer for claims based on events that  
1696 | are the subject of a declaration of a state of emergency by the  
1697 | Governor. This provision applies to claims made during the year  
1698 | after the declaration of emergency. After that year, the  
1699 | limitations in subparagraph 2. apply.

1700 |       2. Twenty percent of the amount of insurance claim

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1701 payments or settlements, exclusive of attorney fees and costs,  
 1702 paid to the insured ~~made~~ by the insurer for claims that are not  
 1703 based on events that are the subject of a declaration of a state  
 1704 of emergency by the Governor.

1705 (d) Public adjuster compensation may not be based on  
 1706 amounts attributable to additional living expenses, unless such  
 1707 compensation is affirmatively agreed to in a separate agreement  
 1708 that includes a disclosure in substantially the following form:  
 1709 "I agree to retain and compensate the public adjuster for  
 1710 adjusting my additional living expenses and securing payment  
 1711 from my insurer for amounts attributable to additional living  
 1712 expenses payable under the policy issued on my (home/mobile  
 1713 home/condominium unit)."

1714 (e) Public adjuster rate of compensation may not be  
 1715 increased based solely on the fact that the claim is litigated.

1716 Section 45. Section 626.8561, Florida Statutes, is amended  
 1717 to read:

1718 626.8561 "Public adjuster apprentice" defined.—The term  
 1719 "public adjuster apprentice" means a person licensed as an all-  
 1720 lines adjuster who:

1721 (1) Is appointed and employed or contracted by ~~a public~~  
 1722 ~~adjuster or~~ a public adjusting firm;

1723 (2) Assists the ~~public adjuster or~~ public adjusting firm  
 1724 in ascertaining and determining the amount of any claim, loss,  
 1725 or damage payable under an insurance contract, or who undertakes

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1726 to effect settlement of such claim, loss, or damage; and  
 1727 (3) Satisfies the requirements of s. 626.8651.  
 1728 Section 46. Paragraph (e) of subsection (1) and subsection  
 1729 (2) of section 626.865, Florida Statutes, are amended to read:  
 1730 626.865 Public adjuster's qualifications, bond.—  
 1731 (1) The department shall issue a license to an applicant  
 1732 for a public adjuster's license upon determining that the  
 1733 applicant has paid the applicable fees specified in s. 624.501  
 1734 and possesses the following qualifications:  
 1735 (e) Has been licensed and appointed in this state as a  
 1736 nonresident public adjuster on a continual basis for the  
 1737 previous 6 months, or has been licensed as an all-lines  
 1738 adjuster, and has been appointed on a continual basis for the  
 1739 previous 6 months as a public adjuster apprentice under s.  
 1740 626.8561, as an independent adjuster under s. 626.855, or as a  
 1741 company employee adjuster under s. 626.856.  
 1742 (2) At the time of application for license as a public  
 1743 adjuster, the applicant shall file with the department a bond  
 1744 executed and issued by a surety insurer authorized to transact  
 1745 such business in this state, in the amount of \$50,000,  
 1746 conditioned for the faithful performance of his or her duties as  
 1747 a public adjuster under the license for which the applicant has  
 1748 applied, and thereafter maintain the bond unimpaired throughout  
 1749 the existence of the license ~~and for at least 1 year after~~  
 1750 ~~termination of the license.~~

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1751           (a) The bond must ~~shall~~ be in favor of the department and  
 1752 must ~~shall~~ specifically authorize recovery by the department of  
 1753 the damages sustained in case the licensee is guilty of fraud or  
 1754 unfair practices in connection with his or her business as  
 1755 public adjuster.

1756           (b) The bond must remain in effect for 1 year after the  
 1757 expiration or termination of the license.

1758           (c) The aggregate liability of the surety for all such  
 1759 damages may not ~~shall in no event~~ exceed the amount of the bond.  
 1760 The ~~Such~~ bond may ~~shall~~ not be terminated unless at least 30  
 1761 days' written notice is given to the licensee and filed with the  
 1762 department.

1763           Section 47. Paragraph (a) of subsection (1) and subsection  
 1764 (3) of section 626.8651, Florida Statutes, are amended to read:

1765           626.8651 Public adjuster apprentice appointment;  
 1766 qualifications.—

1767           (1)(a) The department shall issue an appointment as a  
 1768 public adjuster apprentice to a licensee who:

1769           1. Is licensed as an all-lines adjuster under s. 626.866;

1770           2. Has filed with the department a bond executed and  
 1771 issued by a surety insurer that is authorized to transact such  
 1772 business in this state in the amount of \$50,000, which is  
 1773 conditioned upon the faithful performance of his or her duties  
 1774 as a public adjuster apprentice; and

1775           3. Maintains such bond unimpaired throughout the existence

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1776 of the appointment. The bond must remain in effect for 1 year  
 1777 after the expiration or termination of the license ~~and for at~~  
 1778 ~~least 1 year after termination of the appointment.~~

1779 (3) A public adjuster apprentice has the same authority as  
 1780 the licensed public adjuster or public adjusting firm that  
 1781 employs the apprentice except that an apprentice may not execute  
 1782 contracts for the services of a public adjuster or public  
 1783 adjusting firm. An individual may not be, act as, or hold  
 1784 himself or herself out to be a public adjuster apprentice unless  
 1785 the individual is licensed as an all-lines adjuster and holds a  
 1786 current appointment by a licensed ~~public all-lines adjuster or a~~  
 1787 public adjusting firm that has designated with the department a  
 1788 primary ~~employs a licensed public adjuster~~ as required by s.  
 1789 626.8695.

1790 Section 48. Section 626.8696, Florida Statutes, is amended  
 1791 to read:

1792 626.8696 Application for adjusting firm license.—

1793 (1) The application for an adjusting firm license must  
 1794 include:

1795 (a) The name of each majority owner, partner, officer, and  
 1796 director of the adjusting firm.

1797 (b) The resident address of each person required to be  
 1798 listed in the application under paragraph (a).

1799 (c) The name of the adjusting firm and its principal  
 1800 business address.



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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1801 (d) The location of each adjusting firm office and the  
 1802 name under which each office conducts or will conduct business.

1803 (e) The name and license number of the designated primary  
 1804 adjuster for each adjusting firm location as required in s.  
 1805 626.8695.

1806 (f) The fingerprints of each individual required to be  
 1807 listed in the application under paragraph (a), filed in  
 1808 accordance with s. 626.171(4). However, fingerprints need not be  
 1809 filed for an individual who is currently licensed and appointed  
 1810 under this chapter.

1811 (g)~~(e)~~ Any additional information that the department  
 1812 requires.

1813 (2) An application for an adjusting firm license must be  
 1814 signed by one of the individuals required to be listed in the  
 1815 application under paragraph (1)(a) each owner of the firm. If  
 1816 ~~the firm is incorporated, the application must be signed by the~~  
 1817 ~~president and secretary of the corporation.~~

1818 ~~(3) Each application must be accompanied by payment of any~~  
 1819 ~~applicable fee as prescribed in s. 624.501.~~

1820 ~~(4) License fees are not refundable.~~

1821 ~~(5) An adjusting firm required to be licensed pursuant to~~  
 1822 ~~s. 626.8695 must remain so licensed for a period of 3 years from~~  
 1823 ~~the date of licensure, unless the license is suspended or~~  
 1824 ~~revoked. The department may suspend or revoke the adjusting~~  
 1825 ~~firm's authority to do business for activities occurring during~~

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1826 | ~~the time the firm is licensed, regardless of whether the~~  
 1827 | ~~licensing period has terminated.~~

1828 | Section 49. Subsection (3) of section 626.8732, Florida  
 1829 | Statutes, is amended to read:

1830 | 626.8732 Nonresident public adjuster's qualifications,  
 1831 | bond.—

1832 | (3) At the time of application for license as a  
 1833 | nonresident public adjuster, the applicant shall file with the  
 1834 | department a bond executed and issued by a surety insurer  
 1835 | authorized to transact surety business in this state, in the  
 1836 | amount of \$50,000, conditioned for the faithful performance of  
 1837 | his or her duties as a nonresident public adjuster under the  
 1838 | license applied for. Thereafter, the applicant shall maintain  
 1839 | the bond unimpaired throughout the existence of the license and  
 1840 | for 1 year after the expiration or termination of the license.

1841 | (a) The bond must be in favor of the department and must  
 1842 | specifically authorize recovery by the department of the damages  
 1843 | sustained if the licensee commits fraud or unfair practices in  
 1844 | connection with his or her business as nonresident public  
 1845 | adjuster.

1846 | (b) The aggregate liability of the surety for all the  
 1847 | damages may not exceed the amount of the bond. The bond may not  
 1848 | be terminated unless at least 30 days' written notice is given  
 1849 | to the licensee and filed with the department.

1850 | Section 50. Paragraph (a) of subsection (2) of section

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1851 626.8734, Florida Statutes, is amended to read:

1852 626.8734 Nonresident all-lines adjuster license  
 1853 qualifications.—

1854 (2) The applicant must furnish the following with his or  
 1855 her application:

1856 (a) A complete set of his or her fingerprints in  
 1857 accordance with s. 626.171(4). ~~The applicant's fingerprints must~~  
 1858 ~~be certified by an authorized law enforcement officer.~~

1859 Section 51. Section 626.906, Florida Statutes, is amended  
 1860 to read:

1861 626.906 Acts constituting Chief Financial Officer as  
 1862 process agent.—Any of the following acts in this state, effected  
 1863 by mail or otherwise, by an unauthorized foreign insurer, alien  
 1864 insurer, or person representing or aiding such an insurer is  
 1865 equivalent to and shall constitute an appointment by such  
 1866 insurer or person representing or aiding such insurer of the  
 1867 Chief Financial Officer to be its true and lawful agent  
 1868 ~~attorney~~, upon whom may be served all lawful process in any  
 1869 action, suit, or proceeding instituted by or on behalf of an  
 1870 insured or beneficiary, arising out of any such contract of  
 1871 insurance; and any such act shall be signification of the  
 1872 insurer's or person's agreement that such service of process is  
 1873 of the same legal force and validity as personal service of  
 1874 process in this state upon such insurer or person representing  
 1875 or aiding such insurer:

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1876 (1) The issuance or delivery of contracts of insurance to  
 1877 residents of this state or to corporations authorized to do  
 1878 business therein;

1879 (2) The solicitation of applications for such contracts;

1880 (3) The collection of premiums, membership fees,  
 1881 assessments, or other considerations for such contracts; or

1882 (4) Any other transaction of insurance.

1883 Section 52. Subsection (4) of section 626.912, Florida  
 1884 Statutes, is amended to read:

1885 626.912 Exemptions from ss. 626.904-626.911.—The  
 1886 provisions of ss. 626.904-626.911 do not apply to any action,  
 1887 suit, or proceeding against any unauthorized foreign insurer,  
 1888 alien insurer, or person representing or aiding such an insurer  
 1889 arising out of any contract of insurance:

1890 (4) Issued under and in accordance with the Surplus Lines  
 1891 Law, when such insurer or person representing or aiding such  
 1892 insurer enters a general appearance or when such contract of  
 1893 insurance contains a provision designating the Chief Financial  
 1894 Officer or designating a Florida resident agent to be the true  
 1895 and lawful agent ~~attorney~~ of such unauthorized insurer or person  
 1896 representing or aiding such insurer upon whom may be served all  
 1897 lawful process in any action, suit, or proceeding instituted by  
 1898 or on behalf of an insured or person representing or aiding such  
 1899 insurer or beneficiary arising out of any such contract of  
 1900 insurance; and service of process effected on such Chief

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1901 Financial Officer or such resident agent shall be deemed to  
 1902 confer complete jurisdiction over such unauthorized insurer or  
 1903 person representing or aiding such insurer in such action.

1904 Section 53. Subsections (3) and (4) of section 626.937,  
 1905 Florida Statutes, are amended to read:

1906 626.937 Actions against insurer; service of process.—

1907 (3) Each unauthorized insurer requesting eligibility  
 1908 pursuant to s. 626.918 shall file with the department its  
 1909 appointment of the Chief Financial Officer, on a form as  
 1910 furnished by the department, as its agent ~~attorney~~ to receive  
 1911 service of all legal process issued against it in any civil  
 1912 action or proceeding in this state, and agreeing that process so  
 1913 served shall be valid and binding upon the insurer. The  
 1914 appointment shall be irrevocable, shall bind the insurer and any  
 1915 successor in interest as to the assets or liabilities of the  
 1916 insurer, and shall remain in effect as long as there is  
 1917 outstanding in this state any obligation or liability of the  
 1918 insurer resulting from its insurance transactions therein.

1919 (4) At the time of such appointment of the Chief Financial  
 1920 Officer as its process agent, the insurer shall file with the  
 1921 department designation of the name and e-mail address of the  
 1922 person to whom process against it served upon the Chief  
 1923 Financial Officer is to be made available through the  
 1924 department's secure online portal ~~forwarded~~. The insurer may  
 1925 change the designation at any time by a new filing.

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1926 Section 54. Subsection (5) of section 626.9953, Florida  
 1927 Statutes, is amended to read:

1928 626.9953 Qualifications for registration; application  
 1929 required.—

1930 (5) An applicant must submit a set of his or her  
 1931 fingerprints in accordance with s. 626.171(4) ~~to the department~~  
 1932 ~~and pay the processing fee established under s. 624.501(23)~~. The  
 1933 department shall submit the applicant's fingerprints to the  
 1934 Department of Law Enforcement for processing state criminal  
 1935 history records checks and local criminal records checks through  
 1936 local law enforcement agencies and for forwarding to the Federal  
 1937 Bureau of Investigation for national criminal history records  
 1938 checks. The fingerprints shall be taken by a law enforcement  
 1939 agency, a designated examination center, or another department-  
 1940 approved entity. The department may not approve an application  
 1941 for registration as a navigator if fingerprints have not been  
 1942 submitted.

1943 Section 55. Paragraphs (e) and (f) are added to subsection  
 1944 (4) of section 633.135, Florida Statutes, to read:

1945 633.135 Firefighter Assistance Grant Program.—

1946 (4) Funds shall be used to:

1947 (e) Purchase other equipment and tools that improve  
 1948 firesafety and fire rescue capabilities for firefighters.

1949 (f) Purchase protective clothing and equipment compliant  
 1950 with NFPA 1977, "Standard on Protective Clothing and Equipment

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CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1951 | for Wildland Fire Fighting and Urban Interface Fire Fighting."

1952 | Section 56. Subsections (6) through (9) of section  
 1953 | 633.216, Florida Statutes, are renumbered as subsections (5)  
 1954 | through (8), respectively, and subsection (4) and present  
 1955 | subsection (5) of that section are amended, to read:

1956 | 633.216 Inspection of buildings and equipment; orders;  
 1957 | firesafety inspection training requirements; certification;  
 1958 | disciplinary action.—The State Fire Marshal and her or his  
 1959 | agents or persons authorized to enforce laws and rules of the  
 1960 | State Fire Marshal shall, at any reasonable hour, when the State  
 1961 | Fire Marshal has reasonable cause to believe that a violation of  
 1962 | this chapter or s. 509.215, or a rule adopted thereunder, or a  
 1963 | minimum firesafety code adopted by the State Fire Marshal or a  
 1964 | local authority, may exist, inspect any and all buildings and  
 1965 | structures which are subject to the requirements of this chapter  
 1966 | or s. 509.215 and rules adopted thereunder. The authority to  
 1967 | inspect shall extend to all equipment, vehicles, and chemicals  
 1968 | which are located on or within the premises of any such building  
 1969 | or structure.

1970 | (4) Every firesafety inspector certificate is valid for a  
 1971 | period of 4 years from the date of issuance. Renewal of  
 1972 | certification is subject to the affected person's completing  
 1973 | proper application for renewal and meeting all of the  
 1974 | requirements for renewal as established under this chapter or by  
 1975 | rule adopted under this chapter, which must include completion

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

1976 of at least 54 hours during the preceding 4-year period of  
 1977 continuing education as required by the rule of the department  
 1978 ~~or, in lieu thereof, successful passage of an examination as~~  
 1979 ~~established by the department.~~

1980 ~~(5) A previously certified firesafety inspector whose~~  
 1981 ~~certification has lapsed for 8 years or more must repeat the~~  
 1982 ~~fire safety inspector training as specified by the division.~~

1983 Section 57. Subsection (5) of section 633.336, Florida  
 1984 Statutes, is amended to read:

1985 633.336 Contracting without certificate prohibited;  
 1986 violations; penalty.—

1987 (5) In addition to the penalties provided in subsection  
 1988 (4), a fire protection contractor certified under this chapter  
 1989 or a person who violates any provision of this section or who  
 1990 commits any act constituting cause for disciplinary action is  
 1991 subject to:

1992 (a) Suspension or revocation of the certificate and  
 1993 ~~administrative fines~~ pursuant to s. 633.338; and

1994 (b) An administrative fine of up to \$10,000 in any one  
 1995 proceeding for violations of subsection (1) or subsection (2),  
 1996 and if applicable, may be in addition to or in lieu of  
 1997 suspension or revocation of a certificate.

1998  
 1999 The State Fire Marshal shall adopt by rule guidelines that  
 2000 specify a range of designated penalties under this subsection



ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2001 based upon the severity and repetition of specific offenses and  
 2002 shall identify mitigating and aggravating circumstances that  
 2003 allow the State Fire Marshal to impose a penalty other than that  
 2004 provided for in the guidelines, and for variations and a range  
 2005 of penalties permitted under such circumstances.

2006 Section 58. Paragraph (b) of subsection (4) and paragraphs  
 2007 (a) and (c) of subsection (6) of section 633.408, Florida  
 2008 Statutes, are amended to read:

2009 633.408 Firefighter and volunteer firefighter training and  
 2010 certification.—

2011 (4) The division shall issue a Firefighter Certificate of  
 2012 Compliance to an individual who does all of the following:

2013 (b) Passes the Minimum Standards Course certification  
 2014 ~~examination~~ within 12 months after completing the required  
 2015 courses.

2016 (6)(a) The division may issue a Special Certificate of  
 2017 Compliance to an individual who does all of the following:

2018 1. Satisfactorily completes the course established by rule  
 2019 by the division and successfully passes any examination  
 2020 corresponding to such course ~~in paragraph (1)(b)~~ to obtain a  
 2021 Special Certificate of Compliance.

2022 ~~2. Passes the examination established in paragraph (1)(b)~~  
 2023 ~~to obtain a Special Certificate of Compliance.~~

2024 ~~2.3.~~ Possesses the qualifications in s. 633.412.

2025 ~~(c) In order to retain a Special Certificate of~~

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2026 ~~Compliance, every 4 years an individual must:~~  
 2027 ~~1. Be active as a firefighter;~~  
 2028 ~~2. Maintain a current and valid fire service instructor~~  
 2029 ~~certificate, instruct at least 40 hours during the 4-year~~  
 2030 ~~period, and provide proof of such instruction to the division,~~  
 2031 ~~which proof must be registered in an electronic database~~  
 2032 ~~designated by the division; or~~  
 2033 ~~3. Within 6 months before the 4-year period expires,~~  
 2034 ~~successfully complete a Firefighter Retention Refresher Course~~  
 2035 ~~consisting of a minimum of 40 hours of training as prescribed by~~  
 2036 ~~rule.~~

2037 Section 59. Subsections (5), (6), and (7) of section  
 2038 633.414, Florida Statutes, are renumbered as subsections (4),  
 2039 (5), and (6) respectively, and subsection (1) and present  
 2040 subsection (4) of that section are amended, to read:

2041 633.414 Retention of firefighter and volunteer firefighter  
 2042 certifications.—

2043 (1) In order for a firefighter to retain her or his  
 2044 Firefighter Certificate of Compliance or Special Certificate of  
 2045 Compliance, every 4 years he or she must meet the requirements  
 2046 for renewal provided in this chapter and by rule, which must  
 2047 include at least one of the following:

2048 (a) Be active as a firefighter. As used in this section,  
 2049 the term "active" means being employed as a firefighter or  
 2050 providing service as a volunteer firefighter as evidenced by the

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2051 individual's name appearing on a fire service provider's  
 2052 employment roster in the Florida State Fire College database or  
 2053 a letter by the fire service provider attesting to dates of  
 2054 employment.

2055 (b) Maintain a current and valid fire service instructor  
 2056 certificate, instruct at least 40 hours during the 4-year  
 2057 period, and provide proof of such instruction to the division,  
 2058 which proof must be registered in an electronic database  
 2059 designated by the division.

2060 (c) Before the expiration of the certificate ~~Within 6~~  
 2061 ~~months before the 4-year period expires,~~ successfully complete a  
 2062 Firefighter Retention Refresher Course consisting of a minimum  
 2063 of 40 hours of training to be prescribed by rule.

2064 (d) Before the expiration of the certificate ~~Within 6~~  
 2065 ~~months before the 4-year period expires,~~ successfully retake and  
 2066 pass the Minimum Standards Course examination pursuant to s.  
 2067 633.408.

2068 ~~(4) For the purposes of this section, the term "active"~~  
 2069 ~~means being employed as a firefighter or providing service as a~~  
 2070 ~~volunteer firefighter for a cumulative period of 6 months within~~  
 2071 ~~a 4-year period.~~

2072  
 2073 The 4-year period may, in the discretion of the department, be  
 2074 extended to 12 months after discharge from military service if  
 2075 the military service does not exceed 3 years, but in no event

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2076 | more than 6 years from the date of issue or renewal, if  
 2077 | applicable, for an honorably discharged veteran of the United  
 2078 | States Armed Forces or the spouse of such a veteran. A qualified  
 2079 | individual must provide a copy of a military identification  
 2080 | card, military dependent identification card, military service  
 2081 | record, military personnel file, veteran record, discharge  
 2082 | paper, or separation document that indicates such member is  
 2083 | currently in good standing or such veteran is honorably  
 2084 | discharged.

2085 |       Section 60. Subsection (4) of section 648.34, Florida  
 2086 | Statutes, is amended to read:

2087 |       648.34 Bail bond agents; qualifications.—

2088 |       (4) The applicant shall furnish, with his or her  
 2089 | application, a complete set of his or her fingerprints in  
 2090 | accordance with s. 626.171(4) and a recent credential-sized,  
 2091 | fullface photograph of the applicant. ~~The applicant's~~  
 2092 | ~~fingerprints shall be certified by an authorized law enforcement~~  
 2093 | ~~officer.~~ The department shall not authorize an applicant to take  
 2094 | the required examination until the department has received a  
 2095 | report from the Department of Law Enforcement and the Federal  
 2096 | Bureau of Investigation relative to the existence or  
 2097 | nonexistence of a criminal history report based on the  
 2098 | applicant's fingerprints.

2099 |       Section 61. Subsection (4) of section 648.355, Florida  
 2100 | Statutes, is amended to read:

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2101           648.355 Temporary limited license as limited surety agent  
2102 or professional bail bond agent; pending examination.—

2103           (4) The applicant shall furnish, with the application for  
2104 temporary license, a complete set of the applicant's  
2105 fingerprints in accordance with s. 626.171(4) and a recent  
2106 credential-sized, fullface photograph of the applicant. ~~The~~  
2107 ~~applicant's fingerprints shall be certified by an authorized law~~  
2108 ~~enforcement officer.~~ The department shall not issue a temporary  
2109 license under this section until the department has received a  
2110 report from the Department of Law Enforcement and the Federal  
2111 Bureau of Investigation relative to the existence or  
2112 nonexistence of a criminal history report based on the  
2113 applicant's fingerprints.

2114           Section 62. Subsection (4) is added to section 648.46,  
2115 Florida Statutes, to read:

2116           648.46 Procedure for disciplinary action against  
2117 licensees.—

2118           (4) The expiration, nonrenewal, or surrender of licensure  
2119 under this chapter does not eliminate the jurisdiction of the  
2120 department or office to investigate and prosecute for a  
2121 violation committed by a licensee while licensed under this  
2122 chapter. The prosecution of any matter may be initiated or  
2123 continued notwithstanding the withdrawal of a complaint.

2124           Section 63. Paragraph (d) of subsection (2) and paragraphs  
2125 (b), (c), and (e) of subsection (3) of section 766.105, Florida

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2126 Statutes, are amended, and paragraph (i) is added to subsection  
 2127 (3) and subsection (4) is added to that section, to read:

2128 766.105 Florida Patient's Compensation Fund.—

2129 (2) COVERAGE.—

2130 (d)1. Any health care provider who participates in the  
 2131 fund and who does not meet the provisions of paragraph (b) shall  
 2132 not be covered by the fund.

2133 2. Annually, the Agency for Health Care Administration  
 2134 shall require documentation by each hospital that such hospital  
 2135 is in compliance, and will remain in compliance, with the  
 2136 provisions of this section. ~~The agency shall review the~~  
 2137 ~~documentation and then deliver the documentation to the board of~~  
 2138 ~~governors. At least 60 days before the time a license will be~~  
 2139 ~~issued or renewed, the agency shall request from the board of~~  
 2140 ~~governors a certification that each hospital is in compliance~~  
 2141 ~~with the provisions of this section. The board of governors~~  
 2142 ~~shall not be liable under the law for any erroneous~~  
 2143 ~~certification. The agency may not issue or renew the license of~~  
 2144 ~~any hospital which has not been certified by the board of~~  
 2145 ~~governors. The license of any hospital that fails to remain in~~  
 2146 ~~compliance or fails to provide such documentation shall be~~  
 2147 ~~revoked or suspended by the agency.~~

2148 (3) THE FUND.—

2149 (b) Fund administration and operation.—

2150 1. The fund shall operate subject to the supervision and

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2151 approval of the Chief Financial Officer or his or her designee a  
 2152 ~~board of governors consisting of a representative of the~~  
 2153 ~~insurance industry appointed by the Chief Financial Officer, an~~  
 2154 ~~attorney appointed by The Florida Bar, a representative of~~  
 2155 ~~physicians appointed by the Florida Medical Association, a~~  
 2156 ~~representative of physicians' insurance appointed by the Chief~~  
 2157 ~~Financial Officer, a representative of physicians' self-~~  
 2158 ~~insurance appointed by the Chief Financial Officer, two~~  
 2159 ~~representatives of hospitals appointed by the Florida Hospital~~  
 2160 ~~Association, a representative of hospital insurance appointed by~~  
 2161 ~~the Chief Financial Officer, a representative of hospital self-~~  
 2162 ~~insurance appointed by the Chief Financial Officer, a~~  
 2163 ~~representative of the osteopathic physicians' or podiatric~~  
 2164 ~~physicians' insurance or self-insurance appointed by the Chief~~  
 2165 ~~Financial Officer, and a representative of the general public~~  
 2166 ~~appointed by the Chief Financial Officer. The board of governors~~  
 2167 ~~shall, during the first meeting after June 30 of each year,~~  
 2168 ~~choose one of its members to serve as chair of the board and~~  
 2169 ~~another member to serve as vice chair of the board. The members~~  
 2170 ~~of the board shall be appointed to serve terms of 4 years,~~  
 2171 ~~except that the initial appointments of a representative of the~~  
 2172 ~~general public by the Chief Financial Officer, an attorney by~~  
 2173 ~~The Florida Bar, a representative of physicians by the Florida~~  
 2174 ~~Medical Association, and one of the two representatives of the~~  
 2175 ~~Florida Hospital Association shall be for terms of 3 years;~~

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2176 ~~thereafter, such representatives shall be appointed for terms of~~  
 2177 ~~4 years. Subsequent to initial appointments for 4-year terms,~~  
 2178 ~~the representative of the osteopathic physicians' or podiatric~~  
 2179 ~~physicians' insurance or self-insurance appointed by the Chief~~  
 2180 ~~Financial Officer and the representative of hospital self-~~  
 2181 ~~insurance appointed by the Chief Financial Officer shall be~~  
 2182 ~~appointed for 2-year terms; thereafter, such representatives~~  
 2183 ~~shall be appointed for terms of 4 years. Each appointed member~~  
 2184 ~~may designate in writing to the chair an alternate to act in the~~  
 2185 ~~member's absence or incapacity. A member of the board, or the~~  
 2186 ~~member's alternate, may be reimbursed from the assets of the~~  
 2187 ~~fund for expenses incurred by him or her as a member, or~~  
 2188 ~~alternate member, of the board and for committee work, but he or~~  
 2189 ~~she may not otherwise be compensated by the fund for his or her~~  
 2190 ~~service as a board member or alternate.~~

2191       2. There shall be no liability on the part of, and no  
 2192 cause of action of any nature shall arise against, the fund or  
 2193 its agents or employees, professional advisers or consultants,  
 2194 the Chief Financial Officer or his or her designee ~~members of~~  
 2195 ~~the board of governors or their alternates,~~ or the Department of  
 2196 Financial Services or the Office of Insurance Regulation of the  
 2197 Financial Services Commission or their representatives for any  
 2198 action taken by them in the performance of their powers and  
 2199 duties pursuant to this section.

2200       (c) Powers of the fund.—The fund has the power to:



ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2201           1. Sue and be sued, and appear and defend, in all actions  
 2202 and proceedings in its name to the same extent as a natural  
 2203 person.

2204           2. Adopt, change, amend, and repeal a plan of operation,  
 2205 not inconsistent with law, for the regulation and administration  
 2206 of the affairs of the fund. The plan and any changes thereto  
 2207 shall be filed with the Office of Insurance Regulation of the  
 2208 Financial Services Commission and are all subject to its  
 2209 approval before implementation by the fund. All fund members,  
 2210 board members, and employees shall comply with the plan of  
 2211 operation.

2212           3. Have and exercise all powers necessary or convenient to  
 2213 effect any or all of the purposes for which the fund is created.

2214           4. Enter into such contracts as are necessary or proper to  
 2215 carry out the provisions and purposes of this section.

2216           5. Employ or retain such persons as are necessary to  
 2217 perform the administrative and financial transactions and  
 2218 responsibilities of the fund and to perform other necessary or  
 2219 proper functions unless prohibited by law.

2220           6. Take such legal action as may be necessary to avoid  
 2221 payment of improper claims.

2222           7. Indemnify any ~~employee, agent, member of the board of~~  
 2223 ~~governors or his or her alternate, or~~ person acting on behalf of  
 2224 the fund in an official capacity, for expenses, including  
 2225 attorney's fees, judgments, fines, and amounts paid in

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2226 settlement actually and reasonably incurred by him or her in  
 2227 connection with any action, suit, or proceeding, including any  
 2228 appeal thereof, arising out of his or her capacity in acting on  
 2229 behalf of the fund, if he or she acted in good faith and in a  
 2230 manner he or she reasonably believed to be in, or not opposed  
 2231 to, the best interests of the fund and, with respect to any  
 2232 criminal action or proceeding, he or she had reasonable cause to  
 2233 believe his or her conduct was lawful.

2234 (e) Fund accounting and audit.—

2235 1. Money shall be withdrawn from the fund only upon a  
 2236 voucher as authorized by the Chief Financial Officer or his or  
 2237 her designee ~~board of governors~~.

2238 2. All books, records, and audits of the fund shall be  
 2239 open for reasonable inspection to the general public, except  
 2240 that a claim file in possession of the fund, fund members, and  
 2241 their insurers is confidential and exempt from the provisions of  
 2242 s. 119.07(1) and s. 24(a), Art. I of the State Constitution  
 2243 until termination of litigation or settlement of the claim,  
 2244 although medical records and other portions of the claim file  
 2245 may remain confidential and exempt as otherwise provided by law.  
 2246 Any book, record, document, audit, or asset acquired by,  
 2247 prepared for, or paid for by the fund is subject to the  
 2248 authority of the Chief Financial Officer or his or her designee  
 2249 ~~board of governors~~, which shall be responsible therefor.

2250 3. Persons authorized to receive deposits, issue vouchers,

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2251 or withdraw or otherwise disburse any fund moneys shall post a  
 2252 blanket fidelity bond in an amount reasonably sufficient to  
 2253 protect fund assets. The cost of such bond shall be paid from  
 2254 the fund.

2255 4. Annually, the fund shall furnish, upon request, audited  
 2256 financial reports to any fund participant and to the Office of  
 2257 Insurance Regulation and the Joint Legislative Auditing  
 2258 Committee. The reports shall be prepared in accordance with  
 2259 accepted accounting procedures and shall include income and such  
 2260 other information as may be required by the Office of Insurance  
 2261 Regulation or the Joint Legislative Auditing Committee.

2262 5. Any money held in the fund shall be invested in  
 2263 interest-bearing investments ~~by the board of governors of the~~  
 2264 ~~fund as administrator~~. However, in no case may any such money be  
 2265 invested in the stock of any insurer participating in the Joint  
 2266 Underwriting Association authorized by s. 627.351(4) or in the  
 2267 parent company of, or company owning a controlling interest in,  
 2268 such insurer. All income derived from such investments shall be  
 2269 credited to the fund.

2270 6. Any health care provider participating in the fund may  
 2271 withdraw from such participation only at the end of a fiscal  
 2272 year; however, such health care provider shall remain subject to  
 2273 any assessment or any refund pertaining to any year in which  
 2274 such member participated in the fund.

2275 (i) Dissolution of the fund.—The fund shall operate

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2276 subject to the supervision of the Chief Financial Officer or his  
 2277 or her designee, pursuant to the policies and procedures and  
 2278 under the auspices of the Department of Financial Services'  
 2279 Division of Rehabilitation and Liquidation, until the department  
 2280 executes a legal dissolution of the fund on or before December  
 2281 31, 2023. Before the legal dissolution of the fund, the  
 2282 Department of Financial Services must:

- 2283 1. Obtain all existing records and retain necessary  
 2284 records of the fund pursuant to law.
- 2285 2. Identify all remaining property held by the fund and  
 2286 attempt to return such property to its owners and, for property  
 2287 that cannot be returned to the owner, transfer such property to  
 2288 the Department of Financial Services' Division of Unclaimed  
 2289 Property.
- 2290 3. Make a final accounting of the finances of the fund.
- 2291 4. Ensure that the fund has met all its obligations  
 2292 pursuant to structured settlements, annuities, or other  
 2293 instruments established to pay covered claims and, if the fund  
 2294 has not done so, attempt to meet such obligations before final  
 2295 and complete dissolution of the fund.
- 2296 5. Sell or otherwise dispose of all physical assets of the  
 2297 fund.
- 2298 6. Execute a legal dissolution of the fund.
- 2299 7. Transfer any remaining money or assets of the fund to  
 2300 the Chief Financial Officer for deposit in the General Revenue

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2301 Fund.

2302 (4) REPEAL.—This section is repealed January 1, 2024.

2303 Section 64. Paragraph (b) of subsection (1) of section

2304 945.6041, Florida Statutes, is amended to read:

2305 945.6041 Inmate medical services.—

2306 (1) As used in this section, the term:

2307 (b) "Health care provider" means:

2308 1. A hospital licensed under chapter 395.

2309 2. A physician or physician assistant licensed under

2310 chapter 458.

2311 3. An osteopathic physician or physician assistant

2312 licensed under chapter 459.

2313 4. A podiatric physician licensed under chapter 461.

2314 5. A health maintenance organization certificated under

2315 part I of chapter 641.

2316 6. An ambulatory surgical center licensed under chapter

2317 395.

2318 7. A professional association, partnership, corporation,

2319 joint venture, or other association established by the

2320 individuals set forth in subparagraphs 2., 3., and 4. for

2321 professional activity.

2322 8. Other medical facility.

2323 a. As used in this subparagraph, the term "other medical

2324 facility" means:

2325 (I) A facility the primary purpose of which is to provide

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2326 human medical diagnostic services, or a facility providing  
 2327 nonsurgical human medical treatment which discharges patients on  
 2328 the same working day that the patients are admitted; and

2329 (II) A facility that is not part of a hospital.

2330 b. The term does not include a facility existing for the  
 2331 primary purpose of performing terminations of pregnancy, or an  
 2332 office maintained by a physician or dentist for the practice of  
 2333 medicine ~~has the same meaning as provided in s. 766.105.~~

2334 Section 65. Paragraph (a) of subsection (1) of section  
 2335 985.6441, Florida Statutes, is amended to read:

2336 985.6441 Health care services.—

2337 (1) As used in this section, the term:

2338 (a) "Health care provider" means:

2339 1. A hospital licensed under chapter 395.

2340 2. A physician or physician assistant licensed under  
 2341 chapter 458.

2342 3. An osteopathic physician or physician assistant  
 2343 licensed under chapter 459.

2344 4. A podiatric physician licensed under chapter 461.

2345 5. A health maintenance organization certificated under  
 2346 part I of chapter 641.

2347 6. An ambulatory surgical center licensed under chapter  
 2348 395.

2349 7. A professional association, partnership, corporation,  
 2350 joint venture, or other association established by the

ENROLLED

CS/CS/CS/HB 959, Engrossed 1

2022 Legislature

2351 individuals set forth in subparagraphs 2., 3., and 4. for  
 2352 professional activity.

2353 8. Other medical facility.

2354 a. As used in this subparagraph, the term "other medical  
 2355 facility" means:

2356 (I) A facility the primary purpose of which is to provide  
 2357 human medical diagnostic services, or a facility providing  
 2358 nonsurgical human medical treatment which discharges patients on  
 2359 the same working day that the patients are admitted; and

2360 (II) A facility that is not part of a hospital.

2361 b. The term does not include a facility existing for the  
 2362 primary purpose of performing terminations of pregnancy, or an  
 2363 office maintained by a physician or dentist for the practice of  
 2364 medicine ~~has the same meaning as provided in s. 766.105.~~

2365 Section 66. Except as otherwise expressly provided in this  
 2366 act, this act shall take effect July 1, 2022.