

By Senator McClain

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1                                   A bill to be entitled  
2           An act relating to the Department of Financial  
3           Services; amending s. 17.11, F.S.; revising which  
4           subsystem the Chief Financial Officer reports from;  
5           amending s. 17.13, F.S.; authorizing the replacement  
6           of the Chief Financial Officer's warrants under  
7           certain circumstances; providing that any such  
8           replacement warrant has the same validity as the  
9           original; amending s. 110.113, F.S.; deleting the  
10          department's authority to make semimonthly salary  
11          payments; amending s. 112.215, F.S.; requiring the  
12          Chief Financial Officer to adopt specified rules  
13          relating to the deferred compensation plan;  
14          authorizing certain deferred compensation plans to  
15          provide deferral of an employee's compensation in  
16          specified manners; requiring that such plans continue  
17          to be included as regular compensation for a specified  
18          purpose; prohibiting deferred compensation on a pretax  
19          basis from being included in certain computations;  
20          requiring that compensation on an after-tax Roth  
21          contribution basis be included in certain  
22          computations; deleting a provision relating to  
23          approval of a deferred compensation plan; revising the  
24          conditions under which political subdivisions' or  
25          constitutional county officers' deferred compensation  
26          plans become effective; prohibiting deferred  
27          compensation on a pretax basis from being included in  
28          certain computations; requiring that compensation on  
29          an after-tax Roth contribution basis be included in

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30 certain computations; amending s. 215.422, F.S.;

31 authorizing the Chief Financial Officer to adopt rules

32 authorizing advance payments for prepaid multiyear

33 software licenses; authorizing, rather than requiring,

34 specified interest to be paid from specified

35 appropriations; authorizing agencies to pay interest

36 from available appropriations under certain

37 circumstances; amending s. 215.89, F.S.; deleting

38 obsolete provisions; amending s. 215.93, F.S.;

39 revising the contents of the Florida Financial

40 Management Information System; amending s. 215.94,

41 F.S.; specifying that the department is the functional

42 owner of the Financial Management Subsystem; revising

43 the functions of such subsystem; conforming provisions

44 to changes made by the act; amending s. 215.985, F.S.;

45 conforming provisions to changes made by the act;

46 revising the contents of expenditure data; amending

47 ss. 216.102 and 216.141, F.S.; conforming provisions

48 to changes made by the act; amending s. 280.16, F.S.;

49 requiring the qualified public depository of first

50 deposit to investigate, make a certain determination,

51 and return funds under certain circumstances;

52 requiring such funds to be immediately returned to the

53 public depositor in provisional status until a

54 specified time; specifying that failure to complete a

55 certain process may result in suspension or

56 disqualification of the qualified public depositor;

57 amending s. 440.13, F.S.; increasing the timeframe for

58 certain health care providers to petition to resolve

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59 utilization and reimbursement disputes; revising  
60 requirements for the petitioner; revising the duties  
61 of the three-member panel that determines schedules  
62 relating to reimbursement allowances; amending s.  
63 440.38, F.S.; specifying that an employer may furnish  
64 proof that it has the financial strength to pay  
65 certain claims on behalf of its wholly or majority  
66 owned subsidiaries to secure the payment of  
67 compensation; authorizing the department to adopt  
68 rules that must be used for certain recommendations;  
69 specifying requirements for such rules; making  
70 technical changes; amending s. 440.49, F.S.; revising  
71 legislative intent and findings; revising the  
72 requirements of a required report of the Special  
73 Disability Trust Fund; requiring that the report be  
74 published on the Division of Workers' Compensation's  
75 website rather than submitted to the Governor and  
76 Legislature; prohibiting, beginning on a specified  
77 date, the division from accepting new notices and  
78 proofs of claims; specifying that certain proofs of  
79 claim are barred from reimbursement; specifying that  
80 an accepted claim is only eligible for final  
81 reimbursement under certain circumstances; requiring  
82 certain determinations in the independent actuarial  
83 report; specifying that any claim reimbursement after  
84 a certain date will be considered a final request for  
85 reimbursement; specifying that the final reimbursement  
86 will be a certain amount; requiring that final  
87 reimbursements be limited to a specified amount and

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88 may include funeral expenses under certain  
89 circumstances; requiring the department to pay  
90 approved final reimbursement requests in a specified  
91 manner; requiring that the final reimbursement  
92 extinguishes certain liability; amending s. 440.107,  
93 F.S.; authorizing the department to accept a credit  
94 card payment for a specified down payment; specifying  
95 the result if the credit card is charged back;  
96 authorizing the department to issue an order of  
97 conditional release from a certain stop-work order and  
98 enter into a payment agreement schedule under certain  
99 circumstances; creating s. 497.1411, F.S.; defining  
100 terms; specifying that certain applicants are barred  
101 from licensure under ch. 497, F.S.; specifying that  
102 certain applicants are subject to specified  
103 disqualification periods; authorizing certain  
104 applicants to apply for a license under certain  
105 circumstances; authorizing the Division of Funeral,  
106 Cemetery, and Consumer Services within the department  
107 to issue the license on a probationary basis for a  
108 specified time; requiring the Board of Funeral,  
109 Cemetery, and Consumer Services to adopt rules;  
110 specifying requirements, authorizations, and  
111 prohibitions for such rules; specifying when a  
112 disqualifying period begins; prohibiting the  
113 department from issuing a license to an applicant  
114 until it receives proof of certain payments;  
115 specifying that the applicant has certain burdens to  
116 demonstrate that he or she is qualified for licensure;

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117 specifying that certain applicants who have been  
118 granted restoration of civil rights are not barred or  
119 disqualified from licensure; specifying that such  
120 restoration does not require the department to award a  
121 license; authorizing the board to grant an exemption  
122 from disqualification under certain circumstances;  
123 specifying requirements for the applicant in order for  
124 the board to grant an exemption; specifying that the  
125 board has discretion whether to grant or deny an  
126 exemption; specifying that certain decisions are  
127 subject to ch. 120, F.S.; providing applicability and  
128 construction; amending s. 497.142, F.S.; prohibiting  
129 an application from being deemed complete under  
130 certain circumstances; revising the list of crimes to  
131 be disclosed on a license application; amending s.  
132 497.369, F.S.; revising the circumstances under which  
133 a licensing authority must issue a license by  
134 endorsement to practice embalming; deleting a  
135 presumption regarding state, regional, or national  
136 examinations; making technical changes; amending s.  
137 497.374, F.S.; revising the circumstances under which  
138 a licensing authority must issue a license by  
139 endorsement to practice funeral directing; deleting a  
140 presumption regarding state, regional, or national  
141 examinations; making technical changes; amending s.  
142 497.376, F.S.; authorizing a person to obtain a  
143 specified combination license by meeting certain  
144 requirements; revising the circumstances under which  
145 an applicant must hold certain educational

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146 credentials; amending s. 497.380, F.S.; prohibiting  
147 certain square footage required for funeral  
148 establishments from including common areas; amending  
149 s. 497.386, F.S.; revising the circumstances under  
150 which the department may enter and secure certain  
151 establishments or facilities; amending s. 497.604,  
152 F.S.; prohibiting certain square footage required for  
153 the practice of direct disposition from including  
154 common areas; amending s. 554.103, F.S.; requiring the  
155 department to adopt a specified code; making a  
156 clarifying change; amending s. 554.108, F.S.; revising  
157 applicability relating to certain inspection  
158 requirements; amending s. 554.114, F.S.; prohibiting  
159 persons from taking certain actions relating to  
160 boilers; amending s. 554.115, F.S.; revising the  
161 circumstances under which the department may deny,  
162 refuse to renew, suspend, or revoke a certificate;  
163 creating s. 554.116, F.S.; requiring owners and users  
164 to install a carbon monoxide detector or alarm on  
165 certain boilers and fire pressured vessels; creating  
166 s. 554.117, F.S.; authorizing the Division of State  
167 Fire Marshall to conduct an examination of certain  
168 boilers; requiring the division to review certain  
169 complaints; amending s. 624.307, F.S.; specifying a  
170 limitation on a required response to consumer  
171 complaints; amending s. 624.317, F.S.; requiring  
172 certain persons to respond within a specified time to  
173 a request for documents and information concerning  
174 certain investigations; specifying the requirements of

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175 such response; authorizing the department or the  
176 Office of Insurance Regulation to impose a penalty;  
177 amending s. 626.171, F.S.; deleting reinsurance  
178 intermediaries from certain application requirements;  
179 revising the list of persons from whom the department  
180 is required to accept uniform applications; making  
181 clarifying changes regarding the voluntary submission  
182 of cellular telephone numbers; revising the exemption  
183 from the application filing fee for members of the  
184 United States Armed Forces; amending s. 626.2815,  
185 F.S.; specifying that certain licensees are not  
186 required to complete continuing education elective  
187 hours; deleting a provision requiring certain  
188 licensees to complete elective continuing education  
189 courses; amending s. 626.292, F.S.; revising applicant  
190 requirements for a license transfer; amending s.  
191 626.611, F.S.; revising the grounds for denying an  
192 application for, suspending, revoking, or refusing to  
193 renew or continuing certain licenses; amending s.  
194 626.621, F.S.; revising the grounds for denying an  
195 application for, suspending, revoking, or refusing to  
196 renew or continuing certain licenses; authorizing the  
197 department to require a licensee to submit to an  
198 examination or reexamination under certain  
199 circumstances; providing construction; specifying  
200 grounds for suspension or revocation of certain  
201 licenses; amending s. 626.731, F.S.; revising the  
202 qualifications for a general lines agent's license;  
203 amending s. 626.785, F.S.; revising the qualifications

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204 for a life agent's license; amending s. 626.831, F.S.;

205 revising the qualifications for a health agent's

206 license; amending s. 626.8417, F.S.; making a

207 clarifying change; amending s. 626.843, F.S.;

208 requiring the department to cancel appointments of a

209 title agency under certain circumstances; prohibiting

210 the title insurance agency from being eligible for

211 appointment until a specified payment is made;

212 amending s. 626.8473, F.S.; requiring a title agency

213 to disclose certain fees to the consumer before

214 closing; prohibiting such agency from charging fees

215 that were not disclosed as provided in a certain

216 provision; amending s. 626.878, F.S.; requiring

217 adjusters to adhere to certain requirements;

218 prohibiting waivers of the requirements; authorizing

219 the department to adopt rules; amending s. 626.927,

220 F.S.; revising requirements for the licensing of a

221 surplus lines agent for a specified purpose; amending

222 s. 626.938, F.S.; requiring certain insureds and self-

223 insurers to maintain certain records; specifying the

224 contents of such records; requiring that such records

225 be available for examination by certain entities

226 without prior notice; requiring certain insurers or

227 captive insurance companies to file with the Florida

228 Surplus Lines Service Office a specified report;

229 amending s. 626.9541, F.S.; conforming a cross-

230 reference; amending s. 627.70151, F.S.; authorizing a

231 challenge of an appraiser's impartially and

232 disqualification of a proposed appraiser under certain



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233 conditions; amending s. 627.776, F.S.; revising  
234 applicability relating to title insurers; amending s.  
235 631.271, F.S.; requiring that certain claims be  
236 excluded from Class 2 priority and specifying how such  
237 claims must be paid; revising the list of claims that  
238 are Class 6 claims; creating s. 633.139, F.S.;

239 defining terms; creating the Florida Firefighter  
240 Recruitment Bonus Payment Program for a specified  
241 purpose; specifying that bonus payments are contingent  
242 upon appropriation and must be prorated subject to the  
243 amount of the appropriation; requiring that bonus  
244 payments be adjusted to include a specified percentage  
245 for a specified tax; requiring the department to  
246 develop a specified plan; requiring employing agencies  
247 to assist the department with the collection of  
248 certain data and provide information to the  
249 department; specifying requirements for the  
250 department's plan; requiring the department to consult  
251 quarterly with the Division of State Fire Marshal;  
252 requiring the department to submit the plan to the  
253 Executive Office of the Governor and the chairs of  
254 certain legislative appropriations committees by a  
255 specified date annually; authorizing the department to  
256 submit budget amendments; requiring that the funding  
257 allocation for the bonus payment be used for a  
258 specified sole purpose; requiring the department to  
259 adopt rules; providing for expiration; amending s.  
260 633.216, F.S.; revising the requirements for  
261 firesafety inspector training; specifying that

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262 inservice training does not allow a certain person  
263 whose certification has lapsed to continue serving as  
264 a firesafety inspector; revising requirements for  
265 rules regarding an advanced training and certification  
266 program for firesafety inspectors; amending s.  
267 634.3077, F.S.; making clarifying changes; authorizing  
268 contractual liability insurance policies to pay  
269 certain claims under certain circumstances; amending  
270 s. 634.406, F.S.; making clarifying changes;  
271 authorizing a contractual liability insurance policy  
272 to pay certain claims under certain circumstances;  
273 amending s. 648.33, F.S.; authorizing bail bond agents  
274 to collect certain amounts or fees in addition to the  
275 premium required by the insurer; amending s. 791.013,  
276 F.S.; deleting the requirement for the Division of  
277 Investigative and Forensic Services to dispose of  
278 certain samples; amending s. 1001.281, F.S.; deleting  
279 the FLAIR number for the Operating Trust Fund;  
280 amending s. 1001.282, F.S.; deleting the FLAIR number  
281 for the Administrative Trust Fund; providing an  
282 effective date.

283

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

285

286 Section 1. Subsection (2) of section 17.11, Florida  
287 Statutes, is amended to read:

288 17.11 To report disbursements made.—

289 (2) The Chief Financial Officer shall report ~~also cause to~~  
290 ~~have reported~~ from the Financial Management ~~Florida Accounting~~

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291 ~~Information Resource~~ Subsystem no less than quarterly the  
 292 disbursements that ~~which~~ agencies made to small businesses, as  
 293 defined in the Florida Small and Minority Business Assistance  
 294 Act; to certified minority business enterprises in the  
 295 aggregate; and to certified minority business enterprises broken  
 296 down into categories of minority persons, as well as gender and  
 297 nationality subgroups. This report must ~~information shall~~ be  
 298 made available to the agencies, the Office of Supplier  
 299 Diversity, the Governor, the President of the Senate, and the  
 300 Speaker of the House of Representatives. Each agency shall be  
 301 responsible for the accuracy of information entered into the  
 302 Financial Management ~~Florida Accounting Information Resource~~  
 303 Subsystem for use in this reporting.

304 Section 2. Section 17.13, Florida Statutes, is amended to  
 305 read:

306 17.13 Replacement of ~~To duplicate~~ warrants lost or  
 307 destroyed.-

308 (1) The Chief Financial Officer shall replace ~~is required~~  
 309 ~~to duplicate~~ any Chief Financial Officer's warrant ~~warrants~~ that  
 310 may have been lost or destroyed, ~~or may hereafter be lost or~~  
 311 ~~destroyed,~~ upon the owner ~~thereof~~ or the owner's agent or  
 312 attorney submitting to ~~presenting~~ the Chief Financial Officer a  
 313 ~~the~~ statement, under oath, reciting the number, date, and amount  
 314 of the ~~any~~ warrant or the best ~~and most definite~~ description in  
 315 his or her knowledge and the circumstances of its loss.; If the  
 316 Chief Financial Officer deems it necessary, the owner or the  
 317 owner's agent or attorney must ~~shall~~ file in the office of the  
 318 Chief Financial Officer a surety bond, or a bond with  
 319 securities, to be approved by a judge ~~one of the judges~~ of the

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320 circuit court or a ~~one of the justices of the~~ Supreme Court  
321 justice, in a penalty of not less than twice the amount of any  
322 warrant warrants so replaced duplicated, ~~conditioned to~~  
323 indemnify the state and any innocent warrant holders ~~thereof~~  
324 from any damages that may accrue from such replacement  
325 duplication.

326 (2) The Chief Financial Officer shall replace ~~is required~~  
327 ~~to duplicate~~ any Chief Financial Officer's warrant that has ~~may~~  
328 have been lost or destroyed, ~~or may hereafter be lost or~~  
329 ~~destroyed~~, when sent to any payee through ~~via~~ any state agency  
330 when such warrant is lost or destroyed before ~~prior to~~ being  
331 received by the payee and ~~provided~~ the director of the state  
332 agency to whom the warrant was sent submits ~~presents~~ to the  
333 Chief Financial Officer a statement, under oath, reciting the  
334 number, date, and amount of the warrant lost or destroyed, the  
335 circumstances surrounding the loss or destruction of such  
336 warrant, and any additional information that the Chief Financial  
337 Officer requests ~~shall request in regard to such~~ warrant.

338 (3) Any replacement duplicate Chief Financial Officer's  
339 warrant issued under this section ~~has in pursuance of the above~~  
340 ~~provisions shall be of~~ the same validity as the original warrant  
341 ~~was before its loss~~.

342 Section 3. Subsection (1) of section 110.113, Florida  
343 Statutes, is amended to read:

344 110.113 Pay periods for state officers and employees;  
345 salary payments by direct deposit.—

346 (1) The normal pay period for salaries of state officers  
347 and employees is ~~shall be~~ 1 month. The Department of Financial  
348 Services shall issue either monthly or biweekly salary payments

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349 by state warrants or by direct deposit pursuant to s. 17.076 ~~or~~  
350 ~~make semimonthly salary payments by direct deposit pursuant to~~  
351 ~~s. 17.076~~, as requested by the head of each state agency and  
352 approved by the Executive Office of the Governor and the  
353 Department of Financial Services.

354 Section 4. Paragraph (f) is added to subsection (4) of  
355 section 112.215, Florida Statutes, and subsection (6) of that  
356 section is amended, to read:

357 112.215 Government employees; deferred compensation  
358 program.—

359 (4)

360 (f) The Chief Financial Officer must adopt rules relating  
361 to all the material terms and conditions for benefits under the  
362 plan, including optional features of the plan permitted by 26  
363 U.S.C. s. 457.

364 (6) (a) The deferred compensation plans authorized and  
365 approved under this section may provide for the deferral of an  
366 employee's compensation on either a pretax basis or an after-tax  
367 Roth contribution basis under a qualified Roth contribution  
368 program pursuant to s. 402A of the Internal Revenue Code. Any  
369 compensation deferred under such a deferred compensation plan,  
370 including an individual's compensation deferred on either a  
371 pretax basis or an after-tax Roth contribution basis under a  
372 qualified Roth contribution program pursuant to s. 402A of the  
373 Internal Revenue Code, must continue to be included as regular  
374 compensation for the purpose of computing the retirement,  
375 pension, or social security contributions made or benefits  
376 earned by any employee. Any sum deferred on a pretax basis may  
377 not be included in the computation of any federal or state taxes

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378 withheld on behalf of any such individual at the time of  
379 deferral. Any sum deferred on an after-tax Roth contribution  
380 basis pursuant to a qualified Roth contribution program under s.  
381 402A of the Internal Revenue Code must be included in the  
382 computation of any federal or state taxes withheld on behalf of  
383 any such individual at the time of deferral ~~No deferred~~  
384 ~~compensation plan of the state shall become effective until~~  
385 ~~approved by the State Board of Administration and the Chief~~  
386 ~~Financial Officer is satisfied by opinion from such federal~~  
387 ~~agency or agencies as may be deemed necessary that the~~  
388 ~~compensation deferred thereunder and/or the investment products~~  
389 ~~purchased pursuant to the plan will not be included in the~~  
390 ~~employee's taxable income under federal or state law until it is~~  
391 ~~actually received by such employee under the terms of the plan,~~  
392 ~~and that such compensation will nonetheless be deemed~~  
393 ~~compensation at the time of deferral for the purposes of social~~  
394 ~~security coverage, for the purposes of the state retirement~~  
395 ~~system, and for any other retirement, pension, or benefit~~  
396 ~~program established by law.~~

397 (b) A ~~No~~ deferred compensation plan of a county,  
398 municipality, other political subdivision, or constitutional  
399 county officer may not shall become effective until the  
400 appropriate official or body designated under subsection (5) is  
401 satisfied that such plan of deferred compensation may provide  
402 for the deferral of an individual's compensation on either a  
403 pretax basis or an after-tax Roth contribution basis under a  
404 qualified Roth contribution program pursuant to s. 402A of the  
405 Internal Revenue Code ~~by opinion from such federal agency or~~  
406 ~~agencies as may be deemed necessary that the compensation~~

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407 ~~deferred thereunder and/or the investment products purchased~~  
408 ~~pursuant to the plan will not be included in the employee's~~  
409 ~~taxable income under federal or state law until it is actually~~  
410 ~~received by such employee under the terms of the plan,~~ and that  
411 such compensation will nonetheless be deemed compensation at the  
412 time of deferral for the purposes of social security coverage,  
413 for the purposes of the retirement system of the appropriate  
414 county, municipality, political subdivision, or constitutional  
415 county officer, and for any other retirement, pension, or  
416 benefit program established by law. Any sum deferred on a pretax  
417 basis may not be included in the computation of any federal or  
418 state taxes withheld on behalf of any such individual at the  
419 time of deferral. Any sum deferred on an after-tax Roth  
420 contribution basis pursuant to a qualified Roth contribution  
421 program under s. 402A of the Internal Revenue Code must be  
422 included in the computation of any federal or state taxes  
423 withheld on behalf of any such individual at the time of  
424 deferral.

425 Section 5. Subsections (15) and (16) of section 215.422,  
426 Florida Statutes, are amended to read:

427 215.422 Payments, warrants, and invoices; processing time  
428 limits; dispute resolution; agency or judicial branch  
429 compliance.—

430 (15) The Chief Financial Officer may adopt rules to  
431 authorize advance payments for goods and services, including,  
432 but not limited to, maintenance agreements and subscriptions,  
433 including prepaid multiyear software licenses. Such rules must  
434 ~~shall~~ provide objective criteria for determining when it is in  
435 the best interest of the state to make payments in advance and

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436 ~~must shall~~ also provide for adequate protection to ensure that  
437 such goods or services will be provided.

438 (16) ~~Nothing contained in~~ This section may not shall be  
439 construed to be an appropriation. Any interest that which  
440 becomes due and owing pursuant to this section may shall only be  
441 paid payable from the appropriation charged for such goods or  
442 services. If insufficient funds are available within the  
443 appropriation charged for such goods or services, the agency  
444 must pay the interest from an available appropriation.

445 Section 6. Subsection (3) of section 215.89, Florida  
446 Statutes, is amended to read:

447 215.89 Charts of account.—

448 ~~(3) REPORTING STRUCTURE.—~~

449 ~~(a) The Chief Financial Officer shall accept comments from~~  
450 ~~state agencies, local governments, educational entities,~~  
451 ~~entities of higher education, and other interested parties~~  
452 ~~regarding the proposed charts of account until November 1, 2013.~~

453 ~~(b) By January 15, 2014, the Chief Financial Officer, after~~  
454 ~~consultation with affected state agencies, local governments,~~  
455 ~~educational entities, entities of higher education, and the~~  
456 ~~Auditor General, shall submit to the Governor, the President of~~  
457 ~~the Senate, and the Speaker of the House of Representatives a~~  
458 ~~report recommending a uniform charts of account which requires~~  
459 ~~specific enterprise wide information related to revenues and~~  
460 ~~expenditures of state agencies, local governments, educational~~  
461 ~~entities, and entities of higher education. The report must~~  
462 ~~include the estimated cost of adopting and implementing a~~  
463 ~~uniform enterprise-wide charts of account.~~

464 Section 7. Paragraph (b) of subsection (1) of section



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465 215.93, Florida Statutes, is amended to read:

466 215.93 Florida Financial Management Information System.—

467 (1) To provide the information necessary to carry out the  
468 intent of the Legislature, there shall be a Florida Financial  
469 Management Information System. The Florida Financial Management  
470 Information System shall be fully implemented and shall be  
471 upgraded as necessary to ensure the efficient operation of an  
472 integrated financial management information system and to  
473 provide necessary information for the effective operation of  
474 state government. Upon the recommendation of the coordinating  
475 council and approval of the board, the Florida Financial  
476 Management Information System may require data from any state  
477 agency information system or information subsystem or may  
478 request data from any judicial branch information system or  
479 information subsystem that the coordinating council and board  
480 have determined to have statewide financial management  
481 significance. Each functional owner information subsystem within  
482 the Florida Financial Management Information System shall be  
483 developed in such a fashion as to allow for timely, positive,  
484 preplanned, and prescribed data transfers between the Florida  
485 Financial Management Information System functional owner  
486 information subsystems and from other information systems. The  
487 principal unit of the system shall be the functional owner  
488 information subsystem, and the system shall include, but shall  
489 not be limited to, the following:

490 ~~(b) Florida Accounting Information Resource Subsystem.~~

491 Section 8. Subsections (2) and (3) of section 215.94,  
492 Florida Statutes, are amended to read:

493 215.94 Designation, duties, and responsibilities of

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494 functional owners.—

495 (2) The Department of Financial Services is ~~shall be~~ the  
496 functional owner of the Financial Management Florida Accounting  
497 ~~Information Resource~~ Subsystem established pursuant to ss.  
498 17.03, 215.86, 216.141, and 216.151 and further developed in  
499 accordance with ~~the provisions of~~ ss. 215.90-215.96. The  
500 subsystem must ~~shall~~ include, but is ~~shall~~ not be limited to,  
501 the following functions:

502 (a) Accounting and reporting so as to provide timely data  
503 for producing financial statements for the state in accordance  
504 with generally accepted accounting principles.

505 (b) Auditing and settling claims against the state.

506 (c) Recording and reconciling credits and debits to  
507 treasury fund accounts.

508 (d) Monitoring cash levels and activities in state bank  
509 accounts.

510 (e) Recording and reconciling credits and debits of  
511 investments of cash.

512 (f) Administering the provisions of the Federal Cash  
513 Management Improvement Act of 1990.

514 ~~(3) The Chief Financial Officer shall be the functional~~  
515 ~~owner of the Financial Management Subsystem. The Chief Financial~~  
516 ~~Officer shall design, implement, and operate the subsystem in~~  
517 ~~accordance with the provisions of ss. 215.90-215.96. The~~  
518 ~~subsystem shall include, but shall not be limited to, functions~~  
519 ~~for:~~

520 ~~(a) Recording and reconciling credits and debits to~~  
521 ~~treasury fund accounts.~~

522 ~~(b) Monitoring cash levels and activities in state bank~~

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523 ~~accounts.~~

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

525 ~~(d) Administering the provisions of the Federal Cash~~  
526 ~~Management Improvement Act of 1990.~~

527 Section 9. Paragraph (a) of subsection (4) of section  
528 215.985, Florida Statutes, is amended to read:

529 215.985 Transparency in government spending.—

530 (4) The Executive Office of the Governor, in consultation  
531 with the appropriations committees of the Senate and the House  
532 of Representatives, shall establish and maintain a website that  
533 provides information relating to the approved operating budget  
534 for each branch of state government and state agency.

535 (a) At a minimum, the information must include:

536 1. Disbursement data for each appropriation by the object  
537 code associated with each expenditure established within the  
538 Financial Management ~~Florida Accounting Information Resource~~  
539 Subsystem. Expenditure data must include the name of the payee,  
540 the date of the expenditure, the amount of the expenditure, and  
541 the voucher ~~statewide document~~ number. Such data must be  
542 searchable by the name of the payee, the paying agency, and  
543 fiscal year, and must be downloadable in a format that allows  
544 offline analysis.

545 2. For each appropriation, any adjustments, including  
546 vetoes, approved supplemental appropriations included in  
547 legislation other than the General Appropriations Act, budget  
548 amendments, other actions approved pursuant to chapter 216, and  
549 other adjustments authorized by law.

550 3. Status of spending authority for each appropriation in  
551 the approved operating budget, including released, unreleased,

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552 reserved, and disbursed balances.

553 4. Position and rate information for positions provided in  
554 the General Appropriations Act or approved through an amendment  
555 to the approved operating budget and position information for  
556 positions established in the legislative branch.

557 5. Allotments for planned expenditures of state  
558 appropriations established by state agencies in the Financial  
559 Management ~~Florida Accounting Information Resource~~ Subsystem,  
560 and the current balances of such allotments.

561 6. Trust fund balance reports, including cash available,  
562 investments, and receipts.

563 7. General revenue fund balance reports, including revenue  
564 received and amounts disbursed.

565 8. Fixed capital outlay project data, including original  
566 appropriation and disbursements throughout the life of the  
567 project.

568 9. A 10-year history of appropriations indicated by agency.

569 10. Links to state audits or reports related to the  
570 expenditure and dispersal of state funds.

571 11. Links to program or activity descriptions for which  
572 funds may be expended.

573 Section 10. Subsections (1) and (2) and paragraph (f) of  
574 subsection (3) of section 216.102, Florida Statutes, are amended  
575 to read:

576 216.102 Filing of financial information; handling by Chief  
577 Financial Officer; penalty for noncompliance.—

578 (1) By September 30 of each year, each agency supported by  
579 any form of taxation, licenses, fees, imposts, or exactions, the  
580 judicial branch, and, for financial reporting purposes, each

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581 component unit of the state as determined by the Chief Financial  
582 Officer shall prepare, using generally accepted accounting  
583 principles, and file with the Chief Financial Officer the  
584 financial and other information necessary for the preparation of  
585 annual financial statements for the State of Florida as of June  
586 30. In addition, each such agency and the judicial branch shall  
587 prepare financial statements showing the financial position and  
588 results of agency or branch operations as of June 30 for  
589 internal management purposes.

590 (a) Each state agency and the judicial branch shall record  
591 the receipt and disbursement of funds from federal sources in a  
592 form and format prescribed by the Chief Financial Officer. The  
593 access to federal funds by the administering agencies or the  
594 judicial branch may not be authorized until:

595 1. The deposit has been recorded in the Financial  
596 Management Florida Accounting Information Resource Subsystem  
597 using proper, consistent codes that designate deposits as  
598 federal funds.

599 2. The deposit and appropriate recording required by this  
600 paragraph have been verified by the office of the Chief  
601 Financial Officer.

602 (b) The Chief Financial Officer shall publish a statewide  
603 policy detailing the requirements for recording receipt and  
604 disbursement of federal funds into the Financial Management  
605 Florida Accounting Information Resource Subsystem and provide  
606 technical assistance to the agencies and the judicial branch to  
607 implement the policy.

608 (2) Financial information must be contained within the  
609 Financial Management Florida Accounting Information Resource

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610 Subsystem. Other information must be submitted in the form and  
611 format prescribed by the Chief Financial Officer.

612 (a) Each component unit shall file financial information  
613 and other information necessary for the preparation of annual  
614 financial statements with the agency or branch designated by the  
615 Chief Financial Officer by the date specified by the Chief  
616 Financial Officer.

617 (b) The state agency or branch designated by the Chief  
618 Financial Officer to receive financial information and other  
619 information from component units shall include the financial  
620 information in the Financial Management ~~Florida Accounting~~  
621 ~~Information Resource~~ Subsystem and shall include the component  
622 units' other information in its submission to the Chief  
623 Financial Officer.

624 (3) The Chief Financial Officer shall:

625 (f) Consult with and elicit comments from the Executive  
626 Office of the Governor on changes to the Financial Management  
627 ~~Florida Accounting Information Resource~~ Subsystem which clearly  
628 affect the accounting of federal funds, so as to ensure  
629 consistency of information entered into the Federal Aid Tracking  
630 System by state executive and judicial branch entities. While  
631 efforts must ~~shall~~ be made to ensure the compatibility of the  
632 Financial Management ~~Florida Accounting Information Resource~~  
633 Subsystem and the Federal Aid Tracking System, any successive  
634 systems serving identical or similar functions must ~~shall~~  
635 preserve such compatibility.

636

637 The Chief Financial Officer may furnish and publish in  
638 electronic form the financial statements and the annual

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639 comprehensive financial report required under paragraphs (a),  
640 (b), and (c).

641 Section 11. Subsection (3) of section 216.141, Florida  
642 Statutes, is amended to read:

643 216.141 Budget system procedures; planning and programming  
644 by state agencies.—

645 (3) The Chief Financial Officer, as chief fiscal officer,  
646 shall use the Financial Management Florida Accounting  
647 ~~Information Resource~~ Subsystem developed pursuant to s.  
648 215.94(2) for account purposes in the performance of and  
649 accounting for all of his or her constitutional and statutory  
650 duties and responsibilities. However, state agencies and the  
651 judicial branch continue to be responsible for maintaining  
652 accounting records necessary for effective management of their  
653 programs and functions.

654 Section 12. Subsection (4) is added to section 280.16,  
655 Florida Statutes, to read:

656 280.16 Requirements of qualified public depositories;  
657 confidentiality.—

658 (4) Within 90 days after receipt of an affidavit of fraud  
659 against a public deposit account, the qualified public  
660 depository of first deposit shall investigate and make a  
661 determination on the affidavit's accuracy and return the funds  
662 to the depositor if it has been determined that there is an act  
663 of fraud against the public deposit account. If no determination  
664 can be made within 90 days, the funds must be immediately  
665 returned to the public depositor, from the qualified public  
666 depositor of first deposit, in provisional status until such  
667 determination is completed. Failure to complete the

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668 determination process or return the funds within 90 days may  
 669 result in suspension or disqualification of the qualified public  
 670 depositor.

671 Section 13. Paragraph (a) of subsection (7) and paragraph  
 672 (j) of subsection (12) of section 440.13, Florida Statutes, are  
 673 amended to read:

674 440.13 Medical services and supplies; penalty for  
 675 violations; limitations.—

676 (7) UTILIZATION AND REIMBURSEMENT DISPUTES.—

677 (a) Any health care provider who elects to contest the  
 678 disallowance or adjustment of payment by a carrier under  
 679 subsection (6) must, within 60 ~~45~~ days after receipt of notice  
 680 of disallowance or adjustment of payment, petition the  
 681 department to resolve the dispute. The petitioner must serve, by  
 682 certified mail or by common carrier with a verifiable tracking  
 683 number, a copy of the petition on the carrier and on all  
 684 affected parties listed on the notice of disallowance or  
 685 adjustment ~~by certified mail~~. The petition must be accompanied  
 686 by all documents and records that support the allegations  
 687 contained in the petition. Failure of a petitioner to submit  
 688 such documentation to the department results in dismissal of the  
 689 petition.

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

692 (j) In addition to establishing the uniform schedule of  
 693 maximum reimbursement allowances, the panel shall:

694 1. Take testimony, receive records, and collect data to  
 695 evaluate the adequacy of the workers' compensation fee schedule,  
 696 nationally recognized fee schedules and alternative methods of



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697 reimbursement to health care providers and health care  
698 facilities for inpatient and outpatient treatment and care.

699 2. Survey health care providers and health care facilities  
700 to determine the availability and accessibility of workers'  
701 compensation health care delivery systems for injured workers.

702 3. Survey carriers to determine the estimated impact on  
703 carrier costs and workers' compensation premium rates by  
704 implementing changes to the carrier reimbursement schedule or  
705 implementing alternative reimbursement methods.

706 4. Submit recommendations on or before January 15, 2030  
707 ~~2017~~, and every 5 years ~~biennially~~ thereafter, to the President  
708 of the Senate and the Speaker of the House of Representatives on  
709 methods to improve the workers' compensation health care  
710 delivery system.

711  
712 The department, as requested, shall provide data to the panel,  
713 including, but not limited to, utilization trends in the  
714 workers' compensation health care delivery system. The  
715 department shall provide the panel with an annual report  
716 regarding the resolution of medical reimbursement disputes and  
717 any actions pursuant to subsection (8). The department shall  
718 provide administrative support and service to the panel to the  
719 extent requested by the panel. The department may adopt rules  
720 pursuant to ss. 120.536(1) and 120.54 to implement this  
721 subsection. For prescription medication purchased under the  
722 requirements of this subsection, a dispensing practitioner shall  
723 not possess such medication unless payment has been made by the  
724 practitioner, the practitioner's professional practice, or the  
725 practitioner's practice management company or employer to the

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726 supplying manufacturer, wholesaler, distributor, or drug  
727 repackager within 60 days of the dispensing practitioner taking  
728 possession of that medication.

729 Section 14. Subsection (1) of section 440.38, Florida  
730 Statutes, is amended to read:

731 440.38 Security for compensation; insurance carriers and  
732 self-insurers.—

733 (1) Every employer shall secure the payment of compensation  
734 under this chapter by doing any of the following:

735 (a) ~~By~~ Insuring and keeping insured the payment of such  
736 compensation with any stock company or mutual company or  
737 association or exchange, authorized to do business in the  
738 state.~~†~~

739 (b) ~~By~~ Furnishing satisfactory proof to the Florida Self-  
740 Insurers Guaranty Association, Incorporated, created in s.  
741 440.385, that it has the financial strength necessary to ensure  
742 timely payment of all current and future claims individually and  
743 on behalf of its wholly or majority owned subsidiaries  
744 ~~subsidiary and affiliated companies~~ with employees in this state  
745 and receiving an authorization from the department to pay such  
746 compensation directly. The association shall review the  
747 financial strength of applicants for membership, current  
748 members, and former members and make recommendations to the  
749 department regarding their qualifications to self-insure in  
750 accordance with this section and ss. 440.385 and 440.386. The  
751 department shall act in accordance with the recommendations  
752 unless it finds by clear and convincing evidence that the  
753 recommendations are erroneous.

754 1. As a condition of authorization under this paragraph

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755 ~~paragraph (a)~~, the association may recommend that the department  
756 require an employer to deposit with the association a qualifying  
757 security deposit. The association shall recommend the type and  
758 amount of the qualifying security deposit and shall prescribe  
759 conditions for the qualifying security deposit, which shall  
760 include authorization for the association to call the qualifying  
761 security deposit in the case of default to pay compensation  
762 awards and related expenses of the association. The department  
763 may adopt rules under ss. 120.54 and 120.536(1) regarding the  
764 requirements that the association must use when recommending the  
765 amount and conditions of the qualifying security deposit. Such  
766 rules must reference long-term issuer credit ratings from  
767 Moody's Ratings, S&P Global Ratings, Fitch Ratings, or an  
768 equivalent rating calculated using the methodology of one of  
769 these credit rating services. As a condition to authorization to  
770 self-insure, the employer shall provide proof that the employer  
771 has provided for competent personnel with whom to deliver  
772 benefits and to provide a safe working environment. The employer  
773 shall also provide evidence that it carries reinsurance at  
774 levels that will ensure the financial strength and actuarial  
775 soundness of such employer in accordance with rules adopted by  
776 the department. The department may by rule require that, in the  
777 event of an individual self-insurer's insolvency, such  
778 qualifying security deposits and reinsurance policies are  
779 payable to the association. Any employer securing compensation  
780 in accordance with the provisions of this paragraph shall be  
781 known as a self-insurer and shall be classed as a carrier of her  
782 or his own insurance. The employer shall, if requested, provide  
783 the association an actuarial report signed by a member of the

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784 American Academy of Actuaries providing an opinion of the  
785 appropriate present value of the reserves, using a 4-percent  
786 discount rate, for current and future compensation claims. If  
787 any member or former member of the association refuses to timely  
788 provide such a report, the association may obtain an order from  
789 a circuit court requiring the member to produce such a report  
790 and ordering any other relief that the court determines is  
791 appropriate. The association may recover all reasonable costs  
792 and attorney's fees in such proceedings.

793       2. If the employer fails to maintain the foregoing  
794 requirements, the association shall recommend to the department  
795 that the department revoke the employer's authority to self-  
796 insure, unless the employer provides to the association the  
797 certified opinion of an independent actuary who is a member of  
798 the American Academy of Actuaries as to the actuarial present  
799 value of the employer's determined and estimated future  
800 compensation payments based on cash reserves, using a 4-percent  
801 discount rate, and a qualifying security deposit equal to 1.5  
802 times the value so certified. The employer shall thereafter  
803 annually provide such a certified opinion until such time as the  
804 employer meets the requirements of subparagraph 1. The  
805 qualifying security deposit shall be adjusted at the time of  
806 each such annual report. Upon the failure of the employer to  
807 timely provide such opinion or to timely provide a security  
808 deposit in an amount equal to 1.5 times the value certified in  
809 the latest opinion, the association shall provide that  
810 information to the department along with a recommendation, and  
811 the department shall then revoke such employer's authorization  
812 to self-insure. Failure to comply with this subparagraph

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813 constitutes an immediate serious danger to the public health,  
814 safety, or welfare sufficient to justify the summary suspension  
815 of the employer's authorization to self-insure pursuant to s.  
816 120.68.

817 3. Upon the suspension or revocation of the employer's  
818 authorization to self-insure, the employer shall provide to the  
819 association the certified opinion of an independent actuary who  
820 is a member of the American Academy of Actuaries of the  
821 actuarial present value of the determined and estimated future  
822 compensation payments of the employer for claims incurred while  
823 the member exercised the privilege of self-insurance, using a  
824 discount rate of 4 percent. The employer shall provide such an  
825 opinion at 6-month intervals thereafter until such time as the  
826 latest opinion shows no remaining value of claims. With each  
827 such opinion, the employer shall deposit with the association a  
828 qualifying security deposit in an amount equal to the value  
829 certified by the actuary. The association has a cause of action  
830 against an employer, and against any successor of the employer,  
831 who fails to timely provide such opinion or who fails to timely  
832 maintain the required security deposit with the association. The  
833 association shall recover a judgment in the amount of the  
834 actuarial present value of the determined and estimated future  
835 compensation payments of the employer for claims incurred while  
836 the employer exercised the privilege of self-insurance, together  
837 with attorney's fees. For purposes of this section, the  
838 successor of an employer means any person, business entity, or  
839 group of persons or business entities, which holds or acquires  
840 legal or beneficial title to the majority of the assets or the  
841 majority of the shares of the employer.

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842 4. A qualifying security deposit shall consist, at the  
843 option of the employer, of:

844 a. Surety bonds, in a form and containing such terms as  
845 prescribed by the association, issued by a corporation surety  
846 authorized to transact surety business by the office, and whose  
847 policyholders' and financial ratings, as reported in A.M. Best's  
848 Insurance Reports, Property-Liability, are not less than "A" and  
849 "V", respectively.

850 b. Irrevocable letters of credit in favor of the  
851 association issued by financial institutions located within this  
852 state, the deposits of which are insured through the Federal  
853 Deposit Insurance Corporation.

854 5. The qualifying security deposit shall be held by the  
855 association exclusively for the benefit of workers' compensation  
856 claimants. The security shall not be subject to assignment,  
857 execution, attachment, or any legal process whatsoever, except  
858 as necessary to guarantee the payment of compensation under this  
859 chapter. No surety bond may be terminated, and no letter of  
860 credit may be allowed to expire, without 90 days' prior written  
861 notice to the association and deposit by the self-insuring  
862 employer of some other qualifying security deposit of equal  
863 value within 10 business days after such notice. Failure to  
864 provide such written notice or failure to timely provide  
865 qualifying replacement security after such notice shall  
866 constitute grounds for the association to call or sue upon the  
867 surety bond or to exercise its rights under a letter of credit.  
868 Current self-insured employers must comply with this section on  
869 or before December 31, 2001, or upon the maturity of existing  
870 security deposits, whichever occurs later. The department may

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871 specify by rule the amount of the qualifying security deposit  
 872 required prior to authorizing an employer to self-insure and the  
 873 amount of net worth required for an employer to qualify for  
 874 authorization to self-insure.~~†~~

875 (c) By entering into a contract with a public utility under  
 876 an approved utility-provided self-insurance program as set forth  
 877 in s. 624.46225 in effect as of July 1, 1983. The department  
 878 shall adopt rules to implement this paragraph.~~†~~

879 (d) By entering into an interlocal agreement with other  
 880 local governmental entities to create a local government pool  
 881 pursuant to s. 624.4622.~~†~~~~or~~

882 (e) By entering into a contract with an individual self-  
 883 insurer under an approved individual self-insurer-provided self-  
 884 insurance program as set forth in s. 624.46225. The department  
 885 may adopt rules to administer this subsection.

886 Section 15. Subsection (1) and paragraph (d) of subsection  
 887 (8) of section 440.49, Florida Statutes, are amended, and  
 888 subsection (12) is added to that section, to read:

889 440.49 Limitation of liability for subsequent injury  
 890 through Special Disability Trust Fund.—

891 (1) LEGISLATIVE INTENT AND FINDINGS.—

892 (a) Whereas it is often difficult for workers with  
 893 disabilities to achieve employment or to become reemployed  
 894 following an injury, and it is the desire of the Legislature to  
 895 facilitate the return of these workers to the workplace, it is  
 896 the purpose of this section to encourage the employment,  
 897 reemployment, and accommodation of the physically disabled by  
 898 reducing an employer's insurance premium for reemploying an  
 899 injured worker, to decrease litigation between carriers on

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900 apportionment issues, and to protect employers from excess  
901 liability for compensation and medical expense when an injury to  
902 a physically disabled worker merges with, aggravates, or  
903 accelerates her or his preexisting permanent physical impairment  
904 to cause either a greater disability or permanent impairment, or  
905 an increase in expenditures for temporary compensation or  
906 medical benefits than would have resulted from the injury alone.  
907 The department or the administrator shall inform all employers  
908 of the existence and function of the fund and shall interpret  
909 eligibility requirements liberally. However, this subsection may  
910 ~~shall~~ not be construed to create or provide any benefits for  
911 injured employees or their dependents not otherwise provided by  
912 this chapter. The entitlement of an injured employee or her or  
913 his dependents to compensation under this chapter must ~~shall~~ be  
914 determined without regard to this subsection, the provisions of  
915 which shall be considered only in determining whether an  
916 employer or carrier who has paid compensation under this chapter  
917 is entitled to reimbursement from the Special Disability Trust  
918 Fund.

919 (b) Whereas this section does not apply to accidents or  
920 injuries causing subsequent injury or disability occurring on or  
921 after January 1, 1998. The Legislature finds that the indefinite  
922 existence of the fund creates administrative costs for the  
923 administration of a decreasing number of claims. The Legislature  
924 further finds that the fund is maintained by assessments on all  
925 carriers. Florida workers' compensation carriers authorized on  
926 or after January 1, 1998, are subject to the fund assessment but  
927 do not have any claims eligible for reimbursement by the fund.  
928 Beginning July 1, 2025, it is the intent of the Legislature that



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929 the liabilities of the fund be extinguished and the fund be  
930 closed in an orderly fashion.

931 (8) SPECIAL DISABILITY TRUST FUND.—

932 (d) The department or administrator shall report annually  
933 on the status of the Special Disability Trust Fund. The report  
934 must ~~shall~~ update the estimated undiscounted and discounted fund  
935 liability, as determined by an independent actuary, change in  
936 the total number of notices of claim on file with the fund in  
937 addition to the number of newly filed notices of claim, change  
938 in the number of proofs of claim processed by the fund, the  
939 estimated outstanding losses per claim using a life annuity  
940 method, the fee revenues refunded and revenues applied to pay  
941 down the liability of the fund, the average time required to  
942 reimburse accepted claims, and the average administrative costs  
943 per claim. ~~The department or administrator shall submit its~~  
944 ~~report to the Governor, the President of the Senate, and the~~  
945 ~~Speaker of the House of Representatives~~ By December 1 of each  
946 year, the report must be published on the division's website.

947 (12) FINAL REIMBURSEMENT.—

948 (a) Notwithstanding subsection (7), beginning July 1, 2026,  
949 the division may not accept new notices or proofs of claim. Any  
950 proof of claim that has not received an offer letter on or  
951 before December 31, 2026, is barred from reimbursement.

952 (b) Notwithstanding other provisions of this section, an  
953 accepted claim is only eligible for final reimbursement if the  
954 carrier submitted a request for reimbursement on an accepted  
955 claim in fiscal years 2026-2027 or 2027-2028.

956 (c) The department's or administrator's status report as  
957 specified in paragraph (8) (d) must estimate the outstanding

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958 losses for each claim. On or after July 1, 2028, any claim  
959 reimbursement will be considered a final request for  
960 reimbursement. The final reimbursement amount for the requested  
961 claim will be the estimated outstanding loss value for the claim  
962 as calculated in the 2028 edition of the report, discounted to a  
963 present value of 4 percent.

964 (d) A request for final reimbursement after the death of  
965 the claimant must be limited to the eligible benefits paid on or  
966 before the date of death and may include funeral expenses.

967 (e) The department shall pay the approved final  
968 reimbursement requests on a first-in, first-out basis reflecting  
969 the order in which the reimbursement requests were received, as  
970 funds are or become available.

971 (f) The final reimbursement made pursuant to this  
972 subsection extinguishes the liability of the fund as to that  
973 claim.

974 Section 16. Paragraph (a) of subsection (7) of section  
975 440.107, Florida Statutes, is amended to read:

976 440.107 Department powers to enforce employer compliance  
977 with coverage requirements.-

978 (7) (a) Whenever the department determines that an employer  
979 who is required to secure the payment to his or her employees of  
980 the compensation provided for by this chapter has failed to  
981 secure the payment of workers' compensation required by this  
982 chapter or to produce the required business records under  
983 subsection (5) within 21 days after receipt of the written  
984 request of the department, such failure shall be deemed an  
985 immediate serious danger to public health, safety, or welfare  
986 sufficient to justify service by the department of a stop-work

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987 order on the employer, requiring the cessation of all business  
988 operations. If the department makes such a determination, the  
989 department must ~~shall~~ issue a stop-work order within 72 hours.  
990 The order shall take effect when served upon the employer or,  
991 for a particular employer worksite, when served at that  
992 worksite. In addition to serving a stop-work order at a  
993 particular worksite which shall be effective immediately, the  
994 department shall immediately proceed with service upon the  
995 employer which shall be effective upon all employer worksites in  
996 the state for which the employer is not in compliance. A stop-  
997 work order may be served with regard to an employer's worksite  
998 by posting a copy of the stop-work order in a conspicuous  
999 location at the worksite. Information related to an employer's  
1000 stop-work order must ~~shall~~ be made available on the division's  
1001 website and remain on the website for at least 5 years. The  
1002 order must ~~shall~~ remain in effect until the department issues an  
1003 order releasing the stop-work order upon a finding that the  
1004 employer has come into compliance with the coverage requirements  
1005 of this chapter and has paid any penalty assessed under this  
1006 section. The department may issue an order of conditional  
1007 release from a stop-work order to an employer upon a finding  
1008 that the employer has complied with the coverage requirements of  
1009 this chapter, paid a penalty of \$1,000 as a down payment, and  
1010 agreed to remit periodic payments of the remaining penalty  
1011 amount pursuant to a payment agreement schedule with the  
1012 department or pay the remaining penalty amount in full. An  
1013 employer may not enter into a payment agreement schedule unless  
1014 the employer has fully paid any previous penalty assessed under  
1015 this section. If an order of conditional release is issued,

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1016 failure by the employer to pay the penalty in full or enter into  
 1017 a payment agreement with the department within 21 days after  
 1018 service of the first penalty assessment calculation upon the  
 1019 employer, or to meet any term or condition of such penalty  
 1020 payment agreement, must ~~shall~~ result in the immediate  
 1021 reinstatement of the stop-work order and the entire unpaid  
 1022 balance of the penalty becoming ~~shall become~~ immediately due.  
 1023 The department may accept a credit card payment for the \$1,000  
 1024 down payment. Chargeback of the credit card payment must result  
 1025 in the immediate reinstatement of the stop-work order and, if a  
 1026 penalty assessment calculation has been served on the employer,  
 1027 the entire unpaid balance of the penalty becomes immediately  
 1028 due, or if a penalty assessment calculation has not been served  
 1029 on the employer, the entire balance of the penalty becomes  
 1030 immediately due upon service. The department may issue an order  
 1031 of conditional release from the reinstated stop-work order upon  
 1032 payment of the \$1,000 down payment by cashier's check or money  
 1033 order and if otherwise eligible, may enter into a payment  
 1034 agreement schedule for periodic payment of the remaining penalty  
 1035 amount.

1036 Section 17. Section 497.1411, Florida Statutes, is created  
 1037 to read:

1038 497.1411 Disqualification of applicants and licenses;  
 1039 penalties against licensees; rulemaking.-

1040 (1) For purposes of this section, the term:

1041 (a) "Applicant" means an individual applying for licensure  
 1042 or relicensure under this chapter, and an officer, a director, a  
 1043 majority owner, a partner, a manager, or other person who  
 1044 manages or controls an entity applying for licensure or

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1045 relicensure under this chapter.

1046 (b) "Felony of the first degree" and "capital felony"  
1047 include such classified felonies as defined in s. 775.081.

1048 (2) An applicant who has been found guilty of or has  
1049 pleaded guilty or nolo contendere to any of the following  
1050 crimes, regardless of adjudication, is permanently barred from  
1051 licensure under this chapter:

1052 (a) A felony of the first degree.

1053 (b) A felony directly or indirectly involving conduct  
1054 regulated under this chapter.

1055 (3) An applicant who has been found guilty of or has  
1056 pleaded guilty or nolo contendere to a crime not included in  
1057 subsection (2), regardless of adjudication, is subject to:

1058 (a) A 10-year disqualifying period for all felonies  
1059 involving moral turpitude which are not specifically included in  
1060 the permanent bar contained in subsection (2).

1061 (b) A 5-year disqualifying period for all felonies to which  
1062 neither the permanent bar in subsection (2) nor the 10-year  
1063 disqualifying period in paragraph (a) applies. Notwithstanding  
1064 subsection (4), an applicant who served at least half of the  
1065 disqualifying period may apply for a license, if during that  
1066 time, the applicant has not been found guilty of or has not  
1067 pleaded guilty or nolo contendere to a crime. The division may  
1068 issue the license on a probationary basis for the remainder of  
1069 the disqualifying period. The applicant's probationary period  
1070 ends at the end of the disqualifying period.

1071 (c) A 5-year disqualifying period for all misdemeanors  
1072 directly related to this chapter.

1073 (4) The board shall adopt rules to administer this section.

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1074 The rules must specify additional disqualification periods for  
1075 applicants who have committed multiple crimes and may consider  
1076 other relevant factors related to their criminal history. The  
1077 rules must provide for mitigating and aggravating factors.  
1078 However, mitigation may not result in a period of  
1079 disqualification of less than 5 years and may not mitigate the  
1080 disqualifying periods in paragraphs (3) (b) and (c).

1081 (5) For purposes of this section, a disqualifying period  
1082 begins upon the applicant's final release from supervision or  
1083 upon completion of the applicant's criminal sentence. The  
1084 department may not issue a license to an applicant until the  
1085 applicant provides proof that all related fines, court costs and  
1086 fees, and court-ordered restitution have been paid.

1087 (6) After the disqualifying period has expired, the burden  
1088 is on the applicant to demonstrate that he or she has been  
1089 rehabilitated, does not pose a risk to the public, is fit and  
1090 trustworthy to engage in business regulated by this chapter, and  
1091 is otherwise qualified for licensure.

1092 (7) Notwithstanding subsections (2) and (3), an applicant  
1093 who has been found guilty of, or has pleaded guilty or nolo  
1094 contendere to, a crime in subsection (2) or subsection (3), and  
1095 who has subsequently been granted a pardon or the restoration of  
1096 civil rights pursuant to chapter 940 and s. 8, Art. IV of the  
1097 State Constitution, or a pardon or the restoration of civil  
1098 rights under the laws of another jurisdiction with respect to a  
1099 conviction in that jurisdiction, is not barred or disqualified  
1100 from licensure under this chapter; however, such a pardon or  
1101 restoration of civil rights does not require the department to  
1102 award such license.

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1103       (8) (a) The board may grant an exemption from  
1104 disqualification to any person disqualified from licensure under  
1105 subsection (3) if:

1106       1. The applicant has paid in full any fee, fine, fund,  
1107 lien, civil judgment, restitution, or cost of prosecution  
1108 imposed by the court as part of the judgment and sentence for  
1109 any disqualifying offense; and

1110       2. At least 5 years have elapsed since the applicant  
1111 completed or has been lawfully released from confinement,  
1112 supervision, or nonmonetary condition imposed by the court for a  
1113 disqualifying offense.

1114       (b) For the board to grant an exemption under this  
1115 subsection, the applicant must clearly and convincingly  
1116 demonstrate that he or she would not pose a risk to persons or  
1117 property if licensed under this chapter, evidence of which must  
1118 include, but need not be limited to, facts and circumstances  
1119 surrounding the disqualifying offense, the time that has elapsed  
1120 since the offense, the nature of the offense and harm caused to  
1121 the victim, the applicant's history before and after the  
1122 offense, and any other evidence or circumstances indicating that  
1123 the applicant will not present a danger if licensed or  
1124 certified.

1125       (c) The board has discretion whether to grant or deny an  
1126 exemption under this subsection. The board's decision of whether  
1127 to grant or deny an exemption is subject to chapter 120.

1128       (9) The disqualification periods provided in this section  
1129 do not apply to the renewal of a license or to a new application  
1130 for licensure if the applicant has an active license as of July  
1131 1, 2021, and the applicable criminal history was considered by

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1132 the board on the prior approval of any active license held by  
1133 the applicant. This section does not affect any criminal history  
1134 disclosure requirements of this chapter.

1135 Section 18. Subsection (9) and paragraph (c) of subsection  
1136 (10) of section 497.142, Florida Statutes, are amended to read:  
1137 497.142 Licensing; fingerprinting and criminal background  
1138 checks.—

1139 (9) If any applicant under this chapter has been, ~~within~~  
1140 ~~the 10 years preceding the application under this chapter,~~  
1141 convicted or found guilty of, or entered a plea of nolo  
1142 contendere to, regardless of adjudication, any crime in any  
1143 jurisdiction, the application may ~~shall~~ not be deemed complete  
1144 until such time as the applicant provides such certified true  
1145 copies of the court records evidencing the conviction, finding,  
1146 or plea, as required in this section or as the licensing  
1147 authority may by rule require.

1148 (10)

1149 (c) Crimes to be disclosed are:

1150 1. Any felony ~~or misdemeanor, no matter when committed,~~  
1151 ~~that was directly or indirectly related to or involving any~~  
1152 ~~aspect of the practice or business of funeral directing,~~  
1153 ~~embalming, direct disposition, cremation, funeral or cemetery~~  
1154 ~~preneed sales, funeral establishment operations, cemetery~~  
1155 ~~operations, or cemetery monument or marker sales or~~  
1156 ~~installation.~~

1157 2. Any misdemeanor, no matter when committed, which was  
1158 directly or indirectly related to the practice or activities  
1159 regulated under this chapter ~~Any other felony not already~~  
1160 ~~disclosed under subparagraph 1. that was committed within the 20~~



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1161 ~~years immediately preceding the application under this chapter.~~

1162 3. Any other misdemeanor not already disclosed under  
1163 subparagraph 2. ~~which 1. that~~ was committed within the 5 years  
1164 immediately preceding the application under this chapter.

1165 Section 19. Present paragraphs (c) and (d) of subsection  
1166 (1) of section 497.369, Florida Statutes, are redesignated as  
1167 paragraphs (d) and (e), respectively, a new paragraph (c) is  
1168 added to that subsection, and paragraph (b) of that subsection,  
1169 subsection (2), and paragraph (a) of present subsection (5) of  
1170 that section are amended, to read:

1171 497.369 Embalmers; licensure as an embalmer by endorsement;  
1172 licensure of a temporary embalmer.—

1173 (1) The licensing authority shall issue a license by  
1174 endorsement to practice embalming to an applicant who has  
1175 remitted an examination fee set by rule of the licensing  
1176 authority not to exceed \$200 and who the licensing authority  
1177 certifies:

1178 (b)1. Has submitted proof satisfactory to the licensing  
1179 authority that the applicant is at least 18 years of age and is  
1180 a recipient of a high school diploma or its equivalent; or

1181 2. Holds a valid license in good standing to practice  
1182 embalming in another state of the United States and has engaged  
1183 in the full-time, licensed practice of embalming in that state  
1184 for at least 5 years. ~~;~~ ~~or~~

1185 (c)1. Has submitted an application for licensure by  
1186 endorsement based upon experience acquired in the deathcare  
1187 industry in another state. To meet the qualifications for such  
1188 licensure based upon experience, an applicant must hold a valid  
1189 license in good standing to practice embalming in another state

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1190 of the United States and have engaged in the full-time, licensed  
1191 practice of embalming in that state for at least 5 years. If the  
1192 applicant's proven experience is more than 5 years but less than  
1193 10 years, the applicant must additionally have passed an  
1194 examination on the subjects of the theory and practice of  
1195 embalming, restorative art, pathology, anatomy, microbiology,  
1196 chemistry, hygiene, public health and sanitation, and local,  
1197 state, and federal laws and rules relating to the disposition of  
1198 dead human bodies; however, the licensing authority may by rule  
1199 approve the use of a national examination, such as the embalming  
1200 examination prepared by the Conference of Funeral Service  
1201 Examining Boards, in lieu of part of this examination  
1202 requirement. If the applicant's proven experience in the  
1203 deathcare industry of another state exceeds 10 years, the  
1204 applicant does not need to meet this examination requirement.

1205       2. Alternatively, an applicant may submit an application  
1206 for licensure by endorsement based upon education related to the  
1207 deathcare industry obtained in another state. To meet the  
1208 qualifications for such licensure based upon education, an  
1209 applicant must meet ~~Meets~~ the qualifications for licensure in s.  
1210 497.368, have except that the internship requirement shall be  
1211 deemed to have been satisfied by 1 year's practice as a licensed  
1212 embalmer in another state, and has, within 10 years before the  
1213 date of application, successfully completed a state, regional,  
1214 or national examination in mortuary science which, as determined  
1215 by rule of the licensing authority, and have completed a 1-year  
1216 internship under a licensed embalmer, except that the internship  
1217 requirement is deemed to have been satisfied if the applicant  
1218 has held a valid license in good standing to practice embalming

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1219 in another state of the United States and has engaged in the  
1220 full-time, licensed practice of embalming in that state for at  
1221 least 1 year ~~is substantially equivalent to or more stringent~~  
1222 ~~than the examination given by the licensing authority.~~

1223 ~~(2) State, regional, or national examinations and~~  
1224 ~~requirements for licensure in another state shall be presumed to~~  
1225 ~~be substantially equivalent to or more stringent than the~~  
1226 ~~examination and requirements in this state unless found~~  
1227 ~~otherwise by rule of the licensing authority.~~

1228 (4) (a) ~~(5) (a)~~ ~~There may be adopted by~~ The licensing  
1229 authority may adopt rules authorizing an applicant who has met  
1230 the requirements of subsection (1) ~~paragraphs (1) (b) and (c)~~ and  
1231 who is awaiting an opportunity to take the examination required  
1232 by subsection (3) ~~(4)~~ to be licensed as a temporary licensed  
1233 embalmer. A temporary licensed embalmer may work as an embalmer  
1234 in a licensed funeral establishment under the general  
1235 supervision of a licensed embalmer. Such temporary license shall  
1236 expire 60 days after the date of the next available examination  
1237 required under subsection (3) ~~(4)~~; however, the temporary  
1238 license may be renewed one time under the same conditions as  
1239 initial issuance. The fee for issuance or renewal of an embalmer  
1240 temporary license shall be set by rule of the licensing  
1241 authority but may not exceed \$200. The fee required in this  
1242 subsection shall be nonrefundable and in addition to the fee  
1243 required in subsection (1).

1244 Section 20. Present paragraphs (b), (c), and (d) of  
1245 subsection (1) of section 497.374, Florida Statutes, are  
1246 redesignated as paragraphs (c), (d), and (e), respectively, a  
1247 new paragraph (b) is added to that subsection, and present

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1248 paragraph (b) of that subsection and subsections (3) and (5) are  
1249 amended, to read:

1250 497.374 Funeral directing; licensure as a funeral director  
1251 by endorsement; licensure of a temporary funeral director.—

1252 (1) The licensing authority shall issue a license by  
1253 endorsement to practice funeral directing to an applicant who  
1254 has remitted a fee set by rule of the licensing authority not to  
1255 exceed \$200 and who:

1256 (b) Submitted proof satisfactory to the licensing authority  
1257 that the applicant is at least 18 years of age and is a  
1258 recipient of a high school diploma or equivalent.

1259 (c)1. ~~(b)1.~~ Submitted an application for licensure by  
1260 endorsement based upon experience acquired in the deathcare  
1261 industry in another state. To meet the qualifications for such  
1262 licensure based upon experience, an applicant must hold a valid  
1263 license in good standing to practice funeral directing in  
1264 another state of the United States and have engaged in the full-  
1265 time, licensed practice of funeral directing in that state for  
1266 at least 5 years. If the applicant's proven experience is more  
1267 than 5 years but less than 10 years, the applicant must  
1268 additionally have passed an examination on the theory and  
1269 practice of funeral directing and funeral service arts; however,  
1270 the licensing authority may approve by rule the use of a  
1271 national examination, such as the funeral services arts  
1272 examination prepared by the Conference of Funeral Service  
1273 Examining Boards, in lieu of this examination requirement. If  
1274 the applicant's proven experience in the deathcare industry of  
1275 another state exceeds 10 years, the applicant does not need to  
1276 meet this examination requirement.  ~~Holds a valid license in good~~

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1277 ~~standing to practice funeral directing in another state of the~~  
 1278 ~~United States and has engaged in the full-time, licensed~~  
 1279 ~~practice of funeral directing in that state for at least 5~~  
 1280 ~~years; or~~

1281 2. Alternatively, an applicant may submit an application  
 1282 for licensure by endorsement based upon education related to the  
 1283 deathcare industry obtained in another state. To meet the  
 1284 qualifications for such licensure based upon education, an  
 1285 applicant must meet Meets the qualifications for licensure in s.  
 1286 497.373, except that the applicant need not hold an associate  
 1287 degree or higher if the applicant holds a diploma or certificate  
 1288 from an accredited program of mortuary science, and have ~~has~~  
 1289 successfully completed a state, regional, or national  
 1290 examination in mortuary science or funeral service arts ~~which,~~  
 1291 as determined by rule of the licensing authority and have  
 1292 completed a 1-year internship under a licensed funeral director,  
 1293 except that the internship requirement shall be deemed to have  
 1294 been satisfied if the applicant has held a valid license in good  
 1295 standing to practice funeral directing in another state of the  
 1296 United States and engaged in the full-time, licensed practice of  
 1297 funeral directing in that state for at least 1 year, ~~is~~  
 1298 ~~substantially equivalent to or more stringent than the~~  
 1299 ~~examination given by the licensing authority.~~

1300 ~~(3) State, regional, or national examinations and~~  
 1301 ~~requirements for licensure in another state shall be presumed to~~  
 1302 ~~be substantially equivalent to or more stringent than the~~  
 1303 ~~examination and requirements in this state unless found~~  
 1304 ~~otherwise by rule of the licensing authority.~~

1305 (4) (5) The licensing authority may adopt ~~There may be~~

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1306 ~~adopted~~ rules authorizing an applicant who has met the  
1307 requirements of subsection (1) ~~paragraphs (1) (b) and (c)~~ and who  
1308 is awaiting an opportunity to take the examination required by  
1309 subsection (3) ~~(4)~~ to obtain a license as a temporary funeral  
1310 director. A licensed temporary funeral director may work as a  
1311 funeral director in a licensed funeral establishment under the  
1312 general supervision of a funeral director licensed under  
1313 subsection (1) or s. 497.373. Such license shall expire 60 days  
1314 after the date of the next available examination required under  
1315 subsection (3) ~~(4)~~; however, the temporary license may be  
1316 renewed one time under the same conditions as initial issuance.  
1317 The fee for initial issuance or renewal of a temporary license  
1318 under this subsection shall be set by rule of the licensing  
1319 authority but may not exceed \$200. The fee required in this  
1320 subsection shall be nonrefundable and in addition to the fee  
1321 required in subsection (1). A member of the United States Armed  
1322 Forces, such member's spouse, and a veteran of the United States  
1323 Armed Forces who separated from service within the 2 years  
1324 preceding application for licensure are exempt from the initial  
1325 issuance fee. To qualify for the initial issuance fee exemption,  
1326 an applicant must provide a copy of a military identification  
1327 card, military dependent identification card, military service  
1328 record, military personnel file, veteran record, discharge  
1329 paper, or separation document that indicates such member is  
1330 currently in good standing or such veteran was honorably  
1331 discharged.

1332 Section 21. Section 497.376, Florida Statutes, is amended  
1333 to read:

1334 497.376 License as funeral director and embalmer

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1335 permitted.—

1336 (1) This chapter does not prohibit a person from holding a  
1337 license as an embalmer and a license as a funeral director at  
1338 the same time. There may be issued and renewed by the licensing  
1339 authority a combination license as both funeral director and  
1340 embalmer to persons meeting the separate requirements for both  
1341 licenses as set forth in this chapter. The licensing authority  
1342 may adopt rules providing procedures for applying for and  
1343 renewing such combination license. Such combination license may  
1344 be obtained by meeting the requirements for licensure by  
1345 examination set out in ss. 497.368 and 497.374.

1346 (2) The licensing authority may by rule establish  
1347 application, renewal, and other fees for such combination  
1348 license, which fees may not exceed the sum of the maximum fees  
1349 for the separate funeral director and embalmer license  
1350 categories as provided in this chapter. A person holding a  
1351 combination license as a funeral director and an embalmer is  
1352 subject to regulation under this chapter both as a funeral  
1353 director and an embalmer.

1354 ~~(2)~~ Except as provided in s. 497.377, an applicant for a  
1355 combination license as both a funeral director and an embalmer,  
1356 obtained by meeting the requirements for licensure by  
1357 examination set out in ss. 497.368 and 497.374, must hold the  
1358 educational credentials required for licensure of a funeral  
1359 director under s. 497.373(1)(d).

1360 Section 22. Subsection (1) of section 497.380, Florida  
1361 Statutes, is amended to read:

1362 497.380 Funeral establishment; licensure; display of  
1363 license.—

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1364 (1) A funeral establishment shall be a place at a specific  
 1365 street address or location consisting of at least 1,250  
 1366 contiguous interior square feet and shall maintain or make  
 1367 arrangements for capacity for the refrigeration and storage of  
 1368 dead human bodies handled and stored by the establishment and a  
 1369 preparation room equipped with necessary ventilation and  
 1370 drainage and containing necessary instruments for embalming dead  
 1371 human bodies or shall make arrangements for a preparation room  
 1372 as established by rule. For purposes of this subsection, the  
 1373 1,250 contiguous interior square feet may not include any square  
 1374 footage designated in the cooperative documents as common areas.

1375 Section 23. Subsection (5) of section 497.386, Florida  
 1376 Statutes, is amended to read:

1377 497.386 Storage, preservation, and transportation of human  
 1378 remains.—

1379 (5) In the event of an emergency situation, including the  
 1380 abandonment of any establishments or facilities licensed under  
 1381 this chapter ~~or any medical examiner's facility, morgue, or~~  
 1382 ~~cemetary holding facility,~~ the department may enter and secure  
 1383 such establishment or, facility, ~~or morgue~~ during or outside of  
 1384 normal business hours and remove human remains and cremated  
 1385 remains from the establishment or, facility, ~~or morgue~~. For  
 1386 purposes of this subsection, the department shall determine  
 1387 whether ~~if~~ a facility is abandoned and whether ~~if~~ there is an  
 1388 emergency situation. A licensee or licensed facility that  
 1389 accepts transfer of human remains and cremated remains from the  
 1390 department pursuant to this subsection may not be held liable  
 1391 for the condition of any human remains or cremated remains at  
 1392 the time of transfer.



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1393 Section 24. Paragraph (b) of subsection (9) of section  
1394 497.604, Florida Statutes, is amended to read:

1395 497.604 Direct disposal establishments, license required;  
1396 licensing procedures and criteria; license renewal; regulation;  
1397 display of license.—

1398 (9) REGULATION OF DIRECT DISPOSAL ESTABLISHMENTS.—

1399 (b) The practice of direct disposition must be engaged in  
1400 at a fixed location of at least 625 contiguous interior  
1401 ~~contiguous~~ square feet and must maintain or make arrangements  
1402 for suitable capacity for the refrigeration and storage of dead  
1403 human bodies handled and stored by the establishment. For  
1404 purposes of this subsection, the 625 contiguous interior square  
1405 feet may not include any square footage designated in the  
1406 cooperative documents as common areas.

1407 Section 25. Subsections (1) and (2) of section 554.103,  
1408 Florida Statutes, are amended to read:

1409 554.103 Boiler code.—The department shall adopt by rule a  
1410 State Boiler Code for the safe construction, installation,  
1411 inspection, maintenance, and repair of boilers in this state.  
1412 The rules adopted shall be based upon and shall at all times  
1413 follow generally accepted nationwide engineering standards,  
1414 formulas, and practices pertaining to boiler construction and  
1415 safety.

1416 (1) The department shall adopt the latest version of the an  
1417 ~~existing~~ code for new construction and installation known as the  
1418 Boiler and Pressure Vessel Code of the American Society of  
1419 Mechanical Engineers, including all amendments and  
1420 interpretations to the A.S.M.E. Boiler and Pressure Vessel Code  
1421 approved by the A.S.M.E. Council on Codes and Standards

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1422 subsequent to the adoption of the State Boiler Code, and when so  
1423 adopted by the department, such amendments and interpretations  
1424 become a part of the State Boiler Code.

1425 (2) The installer of any boiler placed in use in this state  
1426 after January 1, 2018, must, before installing the boiler, apply  
1427 on a form adopted by rule of the department for an application ~~a~~  
1428 ~~permit~~ to install the boiler from the chief boiler inspector.  
1429 The application must include the boiler's A.S.M.E.  
1430 manufacturer's data report and other documents required by the  
1431 State Boiler Code before the boiler is placed in service. The  
1432 installer must contact the chief boiler inspector to schedule an  
1433 inspection for each boiler no later than 7 days before the  
1434 boiler is placed in service.

1435 Section 26. Subsection (1) of section 554.108, Florida  
1436 Statutes, is amended to read:

1437 554.108 Inspection.—

1438 (1) The inspection requirements of this chapter apply only  
1439 to boilers that are regulated by this chapter ~~located in public~~  
1440 ~~assembly locations~~. A boiler with an input of 200,000 British  
1441 thermal units (Btu) per hour and above, up to an input not  
1442 exceeding 400,000 Btu per hour, is exempt from inspection;  
1443 however, such an exempt boiler, if manufactured after July 1,  
1444 2022, must be stamped with the A.S.M.E. code symbol.  
1445 Additionally, the A.S.M.E. data report of a boiler with an input  
1446 of 200,000 to 400,000 Btu per hour must be filed as required  
1447 under s. 554.103(2).

1448 Section 27. Subsection (1) of section 554.114, Florida  
1449 Statutes, is amended to read:

1450 554.114 Prohibitions; penalties.—

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- 1451 (1) A person may not do any of the following:
- 1452 (a) Operate a boiler that is regulated by this chapter ~~at a~~  
 1453 ~~public assembly location~~ without a valid certificate of  
 1454 operation for that boiler.†
- 1455 (b) Use a certificate of operation for any boiler other  
 1456 than for the boiler for which it was issued.†
- 1457 (c) Operate a boiler for which the certificate of operation  
 1458 has been suspended, revoked, or not renewed.† ~~or~~
- 1459 (d) Inspect any boiler regulated under this chapter without  
 1460 having a valid certificate of competency.
- 1461 Section 28. Paragraph (d) of subsection (1) of section  
 1462 554.115, Florida Statutes, is amended to read:
- 1463 554.115 Disciplinary proceedings.—
- 1464 (1) The department may deny, refuse to renew, suspend, or  
 1465 revoke a certificate of operation upon proof that:
- 1466 (d) The owner of a boiler:
- 1467 1. Operated a boiler that is regulated by this chapter ~~at a~~  
 1468 ~~public assembly location~~ without a valid certificate of  
 1469 operation for that boiler;
- 1470 2. Used a certificate of operation for a boiler other than  
 1471 the boiler for which the certificate of operation was issued;
- 1472 3. Gave false or forged information to the department, to  
 1473 an authorized inspection agency, or to another boiler inspector  
 1474 for the purpose of obtaining a certificate of operation;
- 1475 4. Operated a boiler after the certificate of operation for  
 1476 the boiler expired, was not renewed, or was suspended or  
 1477 revoked;
- 1478 5. Operated a boiler that is in an unsafe condition; or
- 1479 6. Operated a boiler in a manner that is contrary to the

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1480 requirements of this chapter or any rule adopted under this  
1481 chapter.

1482 Section 29. Section 554.116, Florida Statutes, is created  
1483 to read:

1484 554.116 Carbon monoxide.—The owner or user shall install a  
1485 carbon monoxide detector or alarm on all boilers and fire  
1486 pressured vessels that are regulated by this chapter.

1487 Section 30. Section 554.117, Florida Statutes, is created  
1488 to read:

1489 554.117 Conduct of an examination of any boiler.—

1490 (1) In accordance with s. 633.112, the Division of State  
1491 Fire Marshal may conduct an examination of any boiler covered by  
1492 this chapter.

1493 (2) The division shall, upon receipt of a complaint, review  
1494 the nature of the complaint and conduct an examination if  
1495 necessary.

1496 Section 31. Paragraph (b) of subsection (10) of section  
1497 624.307, Florida Statutes, is amended to read:

1498 624.307 General powers; duties.—

1499 (10)

1500 (b) Notwithstanding any provision in chapter 634, any  
1501 person licensed or issued a certificate of authority or made an  
1502 eligible surplus lines insurer by the department or the office  
1503 shall respond, in writing or electronically, to the division  
1504 within 14 days after receipt of a written request for documents  
1505 and information from the division concerning a consumer  
1506 complaint. The response must address the issues and allegations  
1507 raised in the complaint and include any requested documents  
1508 concerning the consumer complaint not subject to attorney-client

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1509 or work-product privilege. The division may impose an  
1510 administrative penalty for failure to comply with this paragraph  
1511 of up to \$5,000 per violation upon any entity licensed by the  
1512 department or the office and up to \$1,000 per violation by any  
1513 individual licensed by the department or the office.

1514 Section 32. Section 624.317, Florida Statutes, is amended  
1515 to read:

1516 624.317 Investigation of agents, adjusters, administrators,  
1517 service companies, and others.—

1518 (1) If it has reason to believe that any person has  
1519 violated or is violating any provision of this code, or upon the  
1520 written complaint signed by any interested person indicating  
1521 that any such violation may exist:

1522 (a)~~(1)~~ The department must ~~shall~~ conduct such investigation  
1523 as it deems necessary of the accounts, records, documents, and  
1524 transactions pertaining to or affecting the insurance affairs of  
1525 any agent, adjuster, insurance agency, customer representative,  
1526 service representative, or other person subject to its  
1527 jurisdiction, subject to the requirements of s. 626.601.

1528 (b)~~(2)~~ The office must ~~shall~~ conduct such investigation as  
1529 it deems necessary of the accounts, records, documents, and  
1530 transactions pertaining to or affecting the insurance affairs of  
1531 any:

1532 1.~~(a)~~ Administrator, service company, or other person  
1533 subject to its jurisdiction.

1534 2.~~(b)~~ Person having a contract or power of attorney under  
1535 which she or he enjoys in fact the exclusive or dominant right  
1536 to manage or control an insurer.

1537 3.~~(c)~~ Person engaged in or proposing to be engaged in the

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1538 promotion or formation of:

1539 ~~a.1.~~ A domestic insurer;

1540 ~~b.2.~~ An insurance holding corporation; or

1541 ~~c.3.~~ A corporation to finance a domestic insurer or in the  
1542 production of the domestic insurer's business.

1543 (2) Any person licensed or issued a certificate of  
1544 authority by the department or the office shall, in writing or  
1545 electronically, respond to the department or office within 14  
1546 days after receipt of a written request for documents and  
1547 information from the department or office concerning records  
1548 pertinent to an ongoing investigation. The response must address  
1549 the issues and allegations raised in the investigation and  
1550 include any requested documents not subject to attorney-client  
1551 or work-product privilege. The department or office may impose  
1552 an administrative penalty for failure to comply with this  
1553 subsection of up to \$5,000 per violation upon any person  
1554 licensed or issued a certificate of authority by the department  
1555 or office.

1556 Section 33. Section 626.171, Florida Statutes, is amended  
1557 to read:

1558 626.171 Application for license as an agent, customer  
1559 representative, adjuster, or service representative, ~~or~~  
1560 ~~reinsurance intermediary.~~

1561 (1) The department may not issue a license as agent,  
1562 customer representative, adjuster, or service representative, ~~or~~  
1563 ~~reinsurance intermediary~~ to any person except upon written  
1564 application filed with the department, meeting the  
1565 qualifications for the license applied for as determined by the  
1566 department, and payment in advance of all applicable fees. The

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1567 application must be made under the oath of the applicant and be  
1568 signed by the applicant. An applicant may permit a third party  
1569 to complete, submit, and sign an application on the applicant's  
1570 behalf, but is responsible for ensuring that the information on  
1571 the application is true and correct and is accountable for any  
1572 misstatements or misrepresentations. The department shall accept  
1573 the uniform application for resident and nonresident agent and  
1574 adjuster licensing. The department may adopt revised versions of  
1575 the uniform application by rule.

1576 (2) In the application, the applicant must include ~~shall~~  
1577 ~~set forth~~:

1578 (a) The applicant's ~~His or her~~ full name, age, social  
1579 security number, residence address, business address, mailing  
1580 address, contact telephone numbers, including a business  
1581 telephone number, and e-mail address.

1582 (b) A statement indicating the method the applicant used or  
1583 is using to meet any required prelicensing education, knowledge,  
1584 experience, or instructional requirements for the type of  
1585 license applied for.

1586 (c) Whether the applicant ~~he or she~~ has been refused or has  
1587 voluntarily surrendered or has had suspended or revoked a  
1588 license to solicit insurance by the department or by the  
1589 supervising officials of any state.

1590 (d) Whether any insurer or any managing general agent  
1591 claims the applicant is indebted under any agency contract or  
1592 otherwise and, if so, the name of the claimant, the nature of  
1593 the claim, and the applicant's defense thereto, if any.

1594 (e) Proof that the applicant meets the requirements for the  
1595 type of license for which he or she is applying.

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- 1596 (f) The applicant's gender (male or female).
- 1597 (g) The applicant's native language.
- 1598 (h) The highest level of education achieved by the  
1599 applicant.
- 1600 (i) The applicant's race or ethnicity (African American,  
1601 white, American Indian, Asian, Hispanic, or other).
- 1602 (j) Such other or additional information as the department  
1603 may deem proper to enable it to determine the character,  
1604 experience, ability, and other qualifications of the applicant  
1605 to hold himself or herself out to the public as an insurance  
1606 representative.
- 1607
- 1608 However, the application must contain a statement that an  
1609 applicant is not required to disclose his or her race or  
1610 ethnicity, gender, or native language, that he or she will not  
1611 be penalized for not doing so, and that the department will use  
1612 this information exclusively for research and statistical  
1613 purposes and to improve the quality and fairness of the  
1614 examinations. The department may ~~shall~~ make provisions for  
1615 applicants, voluntarily, to submit their cellular telephone  
1616 numbers as part of the application process solely ~~on a voluntary~~  
1617 ~~basis only~~ for the purpose of two-factor authentication of  
1618 secure login credentials ~~only~~.
- 1619 (3) Each application must be accompanied by payment of any  
1620 applicable fee.
- 1621 (4) An applicant for a license issued by the department  
1622 under this chapter must submit a set of the individual  
1623 applicant's fingerprints, or, if the applicant is not an  
1624 individual, a set of the fingerprints of the sole proprietor,



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1625 majority owner, partners, officers, and directors, to the  
1626 department and must pay the fingerprint processing fee set forth  
1627 in s. 624.501. Fingerprints must be processed in accordance with  
1628 s. 624.34 and used to investigate the applicant's qualifications  
1629 pursuant to s. 626.201. The fingerprints must be taken by a law  
1630 enforcement agency or other department-approved entity. The  
1631 department may not approve an application for licensure as an  
1632 agent, customer ~~service~~ representative, adjuster, or service  
1633 representative, ~~or reinsurance intermediary~~ if fingerprints have  
1634 not been submitted.

1635 (5) The application for license filing fee prescribed in s.  
1636 624.501 is not subject to refund.

1637 (6) Members of the United States Armed Forces and their  
1638 spouses, and veterans of the United States Armed Forces who have  
1639 separated from service ~~within 24 months~~ before application for  
1640 licensure, are exempt from the application filing fee prescribed  
1641 in s. 624.501. Qualified individuals must provide a copy of a  
1642 military identification card, military dependent identification  
1643 card, military service record, military personnel file, veteran  
1644 record, discharge paper or separation document that indicates  
1645 such members are currently in good standing or such veterans  
1646 were honorably discharged.

1647 (7) Pursuant to the federal Personal Responsibility and  
1648 Work Opportunity Reconciliation Act of 1996, each party is  
1649 required to provide his or her social security number in  
1650 accordance with this section. Disclosure of social security  
1651 numbers obtained through this requirement must be limited to the  
1652 purpose of administration of the Title IV-D program for child  
1653 support enforcement.

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1654 Section 34. Paragraph (c) of subsection (3) of section  
1655 626.2815, Florida Statutes, is amended to read:

1656 626.2815 Continuing education requirements.—

1657 (3) Each licensee except a title insurance agent must  
1658 complete a 4-hour update course every 2 years which is specific  
1659 to the license held by the licensee. The course must be  
1660 developed and offered by providers and approved by the  
1661 department. The content of the course must address all lines of  
1662 insurance for which examination and licensure are required and  
1663 include the following subject areas: insurance law updates,  
1664 ethics for insurance professionals, disciplinary trends and case  
1665 studies, industry trends, premium discounts, determining  
1666 suitability of products and services, and other similar  
1667 insurance-related topics the department determines are relevant  
1668 to legally and ethically carrying out the responsibilities of  
1669 the license granted. A licensee who holds multiple insurance  
1670 licenses must complete an update course that is specific to at  
1671 least one of the licenses held. Except as otherwise specified,  
1672 any remaining required hours of continuing education are  
1673 elective and may consist of any continuing education course  
1674 approved by the department under this section.

1675 (c) A licensee who has been licensed for 25 years or more  
1676 is not required to complete any continuing education elective  
1677 hours if it is determined that the licensee also possesses one  
1678 of the following qualifications:

- 1679 1. Has received a chartered life underwriter designation;  
1680 2. Has received a chartered property and casualty  
1681 underwriter designation; or  
1682 3. Has received a bachelor of science degree or higher in

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1683 risk management or insurance, with evidence of 18 or more  
1684 semester hours in insurance-related courses ~~and is a CLU or a~~  
1685 ~~CPCU or has a Bachelor of Science degree or higher in risk~~  
1686 ~~management or insurance with evidence of 18 or more semester~~  
1687 ~~hours in insurance-related courses must also complete a minimum~~  
1688 ~~of 6 hours of elective continuing education courses every 2~~  
1689 ~~years.~~

1690 Section 35. Paragraph (c) of subsection (2) of section  
1691 626.292, Florida Statutes, is amended to read:

1692 626.292 Transfer of license from another state.—

1693 (2) To qualify for a license transfer, an individual  
1694 applicant must meet the following requirements:

1695 (c) The individual must submit a completed application for  
1696 this state which is received by the department within 90 days  
1697 after the date the individual became a resident of this state,  
1698 along with payment of the applicable fees set forth in s.  
1699 624.501 and submission of the following documents:

1700 1. A certification issued by the appropriate official of  
1701 the applicant's home state identifying the type of license and  
1702 lines of authority under the license and stating that, ~~at the~~  
1703 ~~time the license from the home state was canceled,~~ the applicant  
1704 was in good standing in that state or that the state's Producer  
1705 Database records, maintained by the National Association of  
1706 Insurance Commissioners, its affiliates, or subsidiaries,  
1707 indicate that the agent or all-lines adjuster is or was licensed  
1708 in good standing for the line of authority requested.

1709 2. A set of the applicant's fingerprints in accordance with  
1710 s. 626.171(4).

1711 Section 36. Paragraph (h) of subsection (1) of section

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1712 626.611, Florida Statutes, is amended to read:

1713 626.611 Grounds for compulsory refusal, suspension, or  
 1714 revocation of agent's, title agency's, adjuster's, customer  
 1715 representative's, service representative's, or managing general  
 1716 agent's license or appointment.—

1717 (1) The department shall deny an application for, suspend,  
 1718 revoke, or refuse to renew or continue the license or  
 1719 appointment of any applicant, agent, title agency, adjuster,  
 1720 customer representative, service representative, or managing  
 1721 general agent, and it shall suspend or revoke the eligibility to  
 1722 hold a license or appointment of any such person, if it finds  
 1723 that as to the applicant, licensee, or appointee any one or more  
 1724 of the following applicable grounds exist:

1725 (h) Demonstrated lack of technical ability ~~reasonably~~  
 1726 ~~adequate knowledge~~ and ~~technical~~ competence in the duties and  
 1727 responsibilities deemed necessary by the department to engage in  
 1728 the transactions authorized by the license or appointment.

1729 Section 37. Subsections (10) and (16) of section 626.621,  
 1730 Florida Statutes, are amended to read:

1731 626.621 Grounds for discretionary refusal, suspension, or  
 1732 revocation of agent's, adjuster's, customer representative's,  
 1733 service representative's, or managing general agent's license or  
 1734 appointment.—The department may, in its discretion, deny an  
 1735 application for, suspend, revoke, or refuse to renew or continue  
 1736 the license or appointment of any applicant, agent, adjuster,  
 1737 customer representative, service representative, or managing  
 1738 general agent, and it may suspend or revoke the eligibility to  
 1739 hold a license or appointment of any such person, if it finds  
 1740 that as to the applicant, licensee, or appointee any one or more

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1741 of the following applicable grounds exist under circumstances  
1742 for which such denial, suspension, revocation, or refusal is not  
1743 mandatory under s. 626.611:

1744 (10) Failure to inform the department in writing within 30  
1745 days after pleading guilty or nolo contendere to, or being  
1746 convicted or found guilty of, any felony or a crime punishable  
1747 by imprisonment of 1 year or more, or a misdemeanor directly  
1748 related to the financial services business, under the law of the  
1749 United States or of any state thereof, or under the law of any  
1750 other country without regard to whether a judgment of conviction  
1751 has been entered by the court having jurisdiction of the case.

1752 (16) Taking an action that allows the personal financial or  
1753 medical information of a consumer or customer to be made  
1754 available or accessible to the general public, regardless of the  
1755 format in which the record is stored.

1756 (a) The department, having good cause to believe that a  
1757 licensee does not possess the proper knowledge as to the kinds  
1758 of insurance for which the person is licensed, and of the  
1759 pertinent provisions of the laws of this state, may, at any  
1760 time, require him or her to submit to an examination or  
1761 reexamination. Good cause as used in this paragraph must be  
1762 construed to mean that a licensee's history of consumer  
1763 complaints, violations of the insurance code, warnings, or other  
1764 evidence is sufficient to indicate that he or she is not  
1765 qualified to be licensed to transact insurance in this state.

1766 (b) Refusal or neglect of the licensee to submit to, or  
1767 failing to secure a passing grade on, such examination or  
1768 reexamination within 30 days after a written demand to retest  
1769 shall be grounds for suspension or revocation of his or her

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1770 license.

1771 Section 38. Subsection (1) of section 626.731, Florida  
1772 Statutes, is amended to read:

1773 626.731 Qualifications for general lines agent's license.—

1774 (1) The department may ~~shall~~ not grant or issue a license  
1775 as general lines agent to any individual found by it to be  
1776 untrustworthy or incompetent or who does not meet each all of  
1777 the following qualifications:

1778 (a) The applicant is a natural person at least 18 years of  
1779 age.

1780 (b) The applicant is a United States citizen or legal alien  
1781 who possesses work authorization from the United States Bureau  
1782 of Citizenship and Immigration Services and is a bona fide  
1783 resident of this state. ~~An individual who is a bona fide  
1784 resident of this state shall be deemed to meet the residence  
1785 requirement of this paragraph, notwithstanding the existence at  
1786 the time of application for license of a license in his or her  
1787 name on the records of another state as a resident licensee of  
1788 such other state, if the applicant furnishes a letter of  
1789 clearance satisfactory to the department that the resident  
1790 licenses have been canceled or changed to a nonresident basis  
1791 and that he or she is in good standing.~~

1792 (c) The applicant's place of business will be located in  
1793 this state and he or she will be actively engaged in the  
1794 business of insurance and will maintain a place of business, the  
1795 location of which is identifiable by and accessible to the  
1796 public.

1797 (d) The license is not being sought for the purpose of  
1798 writing or handling controlled business, in violation of s.

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1799 626.730.

1800 (e) The applicant is qualified as to knowledge, experience,  
1801 or instruction in the business of insurance and meets the  
1802 requirements provided in s. 626.732.

1803 (f) The applicant has passed any required examination for  
1804 license required under s. 626.221.

1805 Section 39. Subsection (2) of section 626.785, Florida  
1806 Statutes, is amended to read:

1807 626.785 Qualifications for license.—

1808 ~~(2) An individual who is a bona fide resident of this state~~  
1809 ~~shall be deemed to meet the residence requirement of paragraph~~  
1810 ~~(1)(b), notwithstanding the existence at the time of application~~  
1811 ~~for license of a license in his or her name on the records of~~  
1812 ~~another state as a resident licensee of such other state, if the~~  
1813 ~~applicant furnishes a letter of clearance satisfactory to the~~  
1814 ~~department that the resident licenses have been canceled or~~  
1815 ~~changed to a nonresident basis and that he or she is in good~~  
1816 ~~standing.~~

1817 Section 40. Section 626.831, Florida Statutes, is amended  
1818 to read:

1819 626.831 Qualifications for license.—

1820 ~~(1)~~ The department may ~~shall~~ not grant or issue a license  
1821 as health agent as to any individual found by it to be  
1822 untrustworthy or incompetent, or who does not meet all of the  
1823 following qualifications:

1824 (1)(a) Is ~~Must be~~ a natural person of at least 18 years of  
1825 age.

1826 (2)(b) Is ~~Must be~~ a United States citizen or legal alien  
1827 who possesses work authorization from the United States Bureau

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1828 of Citizenship and Immigration Services and is a bona fide  
1829 resident of this state.

1830 ~~(3)(e)~~ Is ~~Must~~ not be an employee of the United States  
1831 Department of Veterans Affairs or state service office, as  
1832 referred to in s. 626.833.

1833 ~~(4)(d)~~ Has taken ~~Must take~~ and passed ~~pass~~ any examination  
1834 for license required under s. 626.221.

1835 ~~(5)(e)~~ Is ~~Must be~~ qualified as to knowledge, experience, or  
1836 instruction in the business of insurance and meets ~~meet~~ the  
1837 requirements relative thereto provided in s. 626.8311.

1838 ~~(2) An individual who is a bona fide resident of this state~~  
1839 ~~shall be deemed to meet the residence requirement of paragraph~~  
1840 ~~(1)(b), notwithstanding the existence at the time of application~~  
1841 ~~for license of a license in his or her name on the records of~~  
1842 ~~another state as a resident licensee of such other state, if the~~  
1843 ~~applicant furnishes a letter of clearance satisfactory to the~~  
1844 ~~department that the resident licenses have been canceled or~~  
1845 ~~changed to a nonresident basis and that he or she is in good~~  
1846 ~~standing.~~

1847 Section 41. Subsection (6) of section 626.8417, Florida  
1848 Statutes, is amended to read:

1849 626.8417 Title insurance agent licensure; exemptions.—

1850 (6) If an attorney owns a corporation or other legal entity  
1851 that is doing business as a title insurance agency, other than  
1852 an entity engaged in the active practice of law, the agency must  
1853 be licensed and appointed as a title insurance agency agent.

1854 Section 42. Subsection (4) is added to section 626.843,  
1855 Florida Statutes, to read:

1856 626.843 Renewal, continuation, reinstatement, termination



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1857 of title insurance agent's and title insurance agency's  
1858 appointments.-

1859 (4) The department must cancel appointments of a title  
1860 insurance agency if the agency fails to pay the annual title  
1861 insurance agency administrative surcharge under s. 624.501 by  
1862 April 1 of each reporting year. The title insurance agency is  
1863 not eligible for appointment until the title insurance agency  
1864 pays the administrative surcharge.

1865 Section 43. Subsection (5) of section 626.8473, Florida  
1866 Statutes, is amended to read:

1867 626.8473 Escrow; trust fund.-

1868 (5) The title insurance agency shall maintain separate  
1869 records of all receipts and disbursements of escrow, settlement,  
1870 or closing funds. The title insurance agency shall disclose all  
1871 fees associated with closing services to the consumer before  
1872 closing. The title insurance agency may not charge any fee that  
1873 was not disclosed to the consumer as provided in this  
1874 subsection.

1875 Section 44. Subsections (4) and (5) are added to section  
1876 626.878, Florida Statutes, to read:

1877 626.878 Rules; code of ethics.-

1878 (4) In order to ensure fair dealing in estimating losses,  
1879 an adjuster shall adhere to any requirement established by rule  
1880 when preparing and submitting a written estimate of loss. Such  
1881 requirements cannot be waived by the insured or the insurance  
1882 company.

1883 (5) The department may adopt rules to implement this  
1884 section.

1885 Section 45. Subsection (1) of section 626.927, Florida

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1886 Statutes, is amended to read:

1887 626.927 Licensing of surplus lines agent.—

1888 (1) Any individual, while licensed as a general lines agent  
1889 under this code, and who has a minimum of 1 year of experience  
1890 working for a licensed surplus lines agent, who has received a  
1891 degree in insurance from an accredited institution of higher  
1892 learning approved by the department which included 3 credit  
1893 hours of instruction in surplus and excess lines, or who has  
1894 successfully completed 60 class hours in surplus and excess  
1895 lines in a course approved by the department, may, upon taking  
1896 and successfully passing a written examination as to surplus  
1897 lines, as given by the department, be licensed as a surplus  
1898 lines agent solely for the purpose of placing with surplus lines  
1899 insurers property, marine, casualty, or surety coverages  
1900 originated by general lines agents.

1901 Section 46. Subsections (11), (12), and (13) are added to  
1902 section 626.938, Florida Statutes, to read:

1903 626.938 Report and tax of independently procured  
1904 coverages.—

1905 (11) Each insured who in this state procures or causes to  
1906 be procured or continues or renews insurance from another state  
1907 or country with an unauthorized, foreign, or alien insurer  
1908 legitimately licensed in that jurisdiction, or any self-insurer  
1909 who in this state so procures or continues excess loss,  
1910 catastrophe, or other insurance, upon a subject of insurance  
1911 resident, located, or to be performed within this state shall  
1912 maintain in his or her office in this state for a period of 3  
1913 years a full and true record of each insurance contract,  
1914 including applications and all certificates, cover notes, and

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1915 other forms of confirmation of insurance coverage and any  
1916 substitutions or endorsements relative to the contract procured  
1917 by the insured and showing any of the following items as may be  
1918 applicable:

1919 (a) Amount of the insurance and perils insured against.

1920 (b) Brief general description of property insured and where  
1921 located.

1922 (c) Gross premium charged.

1923 (d) Return premium collected, if any.

1924 (e) Rate of premium charged upon the several items of  
1925 property.

1926 (f) Effective date of the contract, and the terms of the  
1927 contract.

1928 (g) Name and address of the insured.

1929 (h) Name and home office address of the insurer.

1930 (i) Amount paid to the insurer.

1931 (j) Other information as may be required by the department  
1932 or the Florida Surplus Lines Service Office.

1933 (12) The records must at all times be available for  
1934 examination by the department or the Florida Surplus Lines  
1935 Service Office, without prior notice, and must be maintained as  
1936 provided in subsection (11).

1937 (13) Each unauthorized, foreign, or alien insurer or  
1938 captive insurance company receiving premiums under this section  
1939 shall, in accordance with s. 626.931(3) and (4), or if not  
1940 applicable, on or before March 31 of each year, file with the  
1941 Florida Surplus Lines Service Office in the manner and form  
1942 directed by the Florida Surplus Lines Service Office a verified  
1943 report of all insurance transacted by such entity for insurance

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1944 risks located in this state during the preceding calendar year.

1945 Section 47. Paragraph (t) of subsection (1) of section  
1946 626.9541, Florida Statutes, is amended to read:

1947 626.9541 Unfair methods of competition and unfair or  
1948 deceptive acts or practices defined.—

1949 (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE  
1950 ACTS.—The following are defined as unfair methods of competition  
1951 and unfair or deceptive acts or practices:

1952 (t) *Certain life insurance relations with funeral directors*  
1953 *prohibited.*—

1954 1. No life insurer shall permit any funeral director or  
1955 direct disposer to act as its representative, adjuster, claim  
1956 agent, special claim agent, or agent for such insurer in  
1957 soliciting, negotiating, or effecting contracts of life  
1958 insurance on any plan or of any nature issued by such insurer or  
1959 in collecting premiums for holders of any such contracts except  
1960 as prescribed in s. 626.785(2) ~~s. 626.785(3)~~.

1961 2. No life insurer shall:

1962 a. Affix, or permit to be affixed, advertising matter of  
1963 any kind or character of any licensed funeral director or direct  
1964 disposer to such policies of insurance.

1965 b. Circulate, or permit to be circulated, any such  
1966 advertising matter with such insurance policies.

1967 c. Attempt in any manner or form to influence policyholders  
1968 of the insurer to employ the services of any particular licensed  
1969 funeral director or direct disposer.

1970 3. No such insurer shall maintain, or permit its agent to  
1971 maintain, an office or place of business in the office,  
1972 establishment, or place of business of any funeral director or

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1973 direct disposer in this state.

1974 Section 48. Section 627.70151, Florida Statutes, is amended  
1975 to read:

1976 627.70151 Appraisal; conflicts of interest.—An insurer that  
1977 offers residential coverage as defined in s. 627.4025, or a  
1978 policyholder that uses an appraisal clause in a property  
1979 insurance contract to establish a process for estimating or  
1980 evaluating the amount of loss through the use of an impartial  
1981 appraiser or umpire, may challenge an appraiser's or umpire's  
1982 impartiality and disqualify the proposed appraiser or umpire  
1983 only if:

1984 (1) A familial relationship within the third degree exists  
1985 between the appraiser or umpire and a party or a representative  
1986 of a party;

1987 (2) The appraiser or umpire has previously represented a  
1988 party in a professional capacity in the same claim or matter  
1989 involving the same property;

1990 (3) The appraiser or umpire has represented another person  
1991 in a professional capacity on the same or a substantially  
1992 related matter that includes the claim, the same property or an  
1993 adjacent property, and the other person's interests are  
1994 materially adverse to the interests of a party; or

1995 (4) The appraiser or umpire has worked as an employer or  
1996 employee of a party within the preceding 5 years.

1997 Section 49. Present paragraphs (j), (k), and (l) of  
1998 subsection (1) of section 627.776, Florida Statutes, are  
1999 redesignated as paragraphs (k), (l), and (m), respectively, a  
2000 new paragraph (j) is added to that subsection, and paragraph (a)  
2001 of subsection (2) of that section is amended, to read:

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2002           627.776 Applicability or inapplicability of Florida  
2003 Insurance Code provisions to title insurers.—  
2004           (1) In addition to any other provisions of law applicable  
2005 to title insurers, title insurers are subject to the following  
2006 provisions of this code:  
2007           (j) Section 626.451.  
2008           (2) The following provisions of this code do not apply to  
2009 title insurance:  
2010           (a) Part I of chapter 626 (insurance representatives;  
2011 licensing procedures and general requirements), except s.  
2012 626.451.  
2013           Section 50. Paragraphs (b) and (f) of subsection (1) of  
2014 section 631.271, Florida Statutes, are amended to read:  
2015           631.271 Priority of claims.—  
2016           (1) The priority of distribution of claims from the  
2017 insurer's estate shall be in accordance with the order in which  
2018 each class of claims is set forth in this subsection. Every  
2019 claim in each class shall be paid in full or adequate funds  
2020 shall be retained for such payment before the members of the  
2021 next class may receive any payment. No subclasses may be  
2022 established within any class. The order of distribution of  
2023 claims shall be:  
2024           (b) *Class 2.*—All claims under policies for losses incurred,  
2025 including third-party claims, all claims against the insurer for  
2026 liability for bodily injury or for injury to or destruction of  
2027 tangible property which claims are not under policies, all  
2028 claims of a guaranty association or foreign guaranty  
2029 association, and all claims related to a patient's health care  
2030 coverage by physicians, hospitals, and other providers of a

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2031 health insurer or health maintenance organization. All claims  
2032 under life insurance and annuity policies, whether for death  
2033 proceeds, annuity proceeds, or investment values, shall be  
2034 treated as loss claims. That portion of any loss,  
2035 indemnification for which is provided by other benefits or  
2036 advantages recovered by the claimant, may not be included in  
2037 this class, other than benefits or advantages recovered or  
2038 recoverable in discharge of familial obligations of support or  
2039 by way of succession at death or as proceeds of life insurance,  
2040 or as gratuities. No payment by an employer to her or his  
2041 employee may be treated as a gratuity. Notwithstanding any other  
2042 provision of this part, the following claims are excluded from  
2043 Class 2 priority and must be paid as claims in Class 6:

2044 1. Obligations of the insolvent insurer arising out of  
2045 reinsurance contracts; and

2046 2. Claims against the insurer for bad faith or wrongful  
2047 settlement practices.

2048 (f) Class 6.—Claims of general creditors, including claims  
2049 under reinsurance contracts and claims of other unsecured  
2050 creditors not included in Classes 1- 5 or Classes 7-11.

2051 Section 51. Section 633.139, Florida Statutes, is created  
2052 to read:

2053 633.139 Firefighter recruitment and retention bonus  
2054 program.—

2055 (1) For the purposes of this section, the term:

2056 (a) "Division" means the Division of State Fire Marshal  
2057 within the Department of Financial Services.

2058 (b) "Fire service provider" means a municipality or county,  
2059 the state, the division, or any political subdivision of the

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2060 state, including authorities and special districts, that employs  
2061 firefighters to provide fire extinguishment or fire prevention  
2062 services for the protection of life and property. The term  
2063 includes any organization under contract or other agreement with  
2064 such entity to provide such services.

2065 (c) "Firefighter" has the same meaning as provided in s.  
2066 633.102.

2067 (d) "Newly employed firefighter" means a person who gains  
2068 or is appointed to full-time employment as a certified  
2069 firefighter with a fire service provider on or after July 1,  
2070 2025, and who has never before been employed as a firefighter in  
2071 this state.

2072 (e) "Program" means the Florida Firefighter Recruitment  
2073 Bonus Payment Program.

2074 (2) There is created within the department the Florida  
2075 Firefighter Recruitment Bonus Payment Program, to aid in the  
2076 recruitment of firefighters within this state. The purpose of  
2077 the program is to administer one-time bonus payments of up to  
2078 \$5,000 to each newly employed firefighter within this state.  
2079 Bonus payments provided to eligible newly employed firefighters  
2080 are contingent upon legislative appropriations and must be  
2081 prorated subject to the amount appropriated for the program.

2082 (3) Each bonus payment must be adjusted to include 7.65  
2083 percent for the newly employed firefighter's share of Federal  
2084 Insurance Contributions Act tax on the payment.

2085 (4) The department shall develop an annual plan for the  
2086 administration of the program and distribution of bonus  
2087 payments. Applicable employing fire service providers shall  
2088 assist the department with the collection of any data necessary



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2089 to determine bonus payment amounts and to distribute the bonus  
2090 payments and shall otherwise provide the department with any  
2091 information or assistance needed to fulfill the requirements of  
2092 this section. At a minimum, the plan must include:

2093 (a) The method for determining the estimated number of  
2094 newly employed firefighters to gain or be appointed to full-time  
2095 employment during the applicable fiscal year.

2096 (b) The minimum eligibility requirements that a newly  
2097 employed firefighter must meet to receive and retain a bonus  
2098 payment, which must include all of the following:

2099 1. Obtain certification for employment or appointment as a  
2100 firefighter pursuant to s. 633.408.

2101 2. Gain full-time employment with a fire service provider.

2102 3. Maintain continuous full-time employment with a fire  
2103 service provider for at least 2 years from the date on which the  
2104 firefighter obtained certification. The required 2-year  
2105 employment period must be with the same employing fire service  
2106 provider.

2107 (c) The method that will be used to determine the bonus  
2108 payment amount to be distributed to each newly employed  
2109 firefighter.

2110 (d) The method that will be used to distribute bonus  
2111 payments to applicable employing fire service providers for  
2112 distribution to eligible firefighters. Such method should  
2113 prioritize distributing bonus payments to eligible firefighters  
2114 in the most efficient and expedient manner possible.

2115 (e) The estimated cost to the department associated with  
2116 developing and administering the program and distributing bonus  
2117 payment funds.

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2118       (f) The method by which a firefighter must reimburse the  
2119 state if he or she receives a bonus payment under the program  
2120 but fails to maintain continuous employment for the required 2-  
2121 year period. Reimbursement may not be required if a firefighter  
2122 is discharged by his or her employing fire service provider for  
2123 a reason other than misconduct. The department may establish  
2124 other criteria deemed necessary to determine bonus payment  
2125 eligibility and distribution.

2126       (5) The department shall consult quarterly with the  
2127 Division of State Fire Marshal to verify the certification of  
2128 newly employed firefighters and any separation from employment  
2129 of newly employed firefighters submitted to the Division of  
2130 State Fire Marshal.

2131       (6) The department shall submit the plan to the Executive  
2132 Office of the Governor's Office of Policy and Budget, the chair  
2133 of the Senate Appropriations Committee, and the chair of the  
2134 House Appropriations Committee by October 1 annually. The  
2135 department is authorized to submit budget amendments pursuant to  
2136 chapter 216 as necessary to release appropriated funds for  
2137 distribution to applicable employing agencies under this  
2138 program.

2139       (7) The funding allocation for the bonus payments must be  
2140 used solely to comply with the requirements of this section, but  
2141 applicable collective bargaining units are not otherwise  
2142 precluded from wage negotiation.

2143       (8) The department shall adopt rules to implement this  
2144 section.

2145       (9) This section expires July 1, 2028.

2146       Section 52. Paragraph (b) of subsection (2) and subsections

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2147 (3) and (7) of section 633.216, Florida Statutes, are amended to  
2148 read:

2149       633.216 Inspection of buildings and equipment; orders;  
2150 firesafety inspection training requirements; certification;  
2151 disciplinary action.—The State Fire Marshal and her or his  
2152 agents or persons authorized to enforce laws and rules of the  
2153 State Fire Marshal shall, at any reasonable hour, when the State  
2154 Fire Marshal has reasonable cause to believe that a violation of  
2155 this chapter or s. 509.215, or a rule adopted thereunder, or a  
2156 minimum firesafety code adopted by the State Fire Marshal or a  
2157 local authority, may exist, inspect any and all buildings and  
2158 structures which are subject to the requirements of this chapter  
2159 or s. 509.215 and rules adopted thereunder. The authority to  
2160 inspect shall extend to all equipment, vehicles, and chemicals  
2161 which are located on or within the premises of any such building  
2162 or structure.

2163       (2) Except as provided in s. 633.312(2), every firesafety  
2164 inspection conducted pursuant to state or local firesafety  
2165 requirements shall be by a person certified as having met the  
2166 inspection training requirements set by the State Fire Marshal.  
2167 Such person shall meet the requirements of s. 633.412(1)-(4),  
2168 and:

2169       (b)1. Have satisfactorily completed, as determined by  
2170 division rule, a firesafety inspector training program ~~of at~~  
2171 ~~least 200 hours~~ established by the department and administered  
2172 by education or training providers approved by the department  
2173 for the purpose of providing basic certification training for  
2174 firesafety inspectors; or

2175       2. Have received training in another state which is

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2176 determined by the division to be at least equivalent to that  
2177 required by the department for approved firesafety inspector  
2178 education and training programs in this state.

2179 (3) A firefighter certified pursuant to s. 633.408 may  
2180 conduct firesafety inspections, under the supervision of a  
2181 certified firesafety inspector, while on duty as a member of a  
2182 fire department company conducting inservice firesafety  
2183 inspections without being certified as a firesafety inspector,  
2184 if such firefighter has satisfactorily completed an inservice  
2185 fire department company inspector training program of at least  
2186 24 hours' duration as provided by rule of the department. The  
2187 inservice training does not allow a certified inspector whose  
2188 certification has lapsed to continue serving as a firesafety  
2189 inspector.

2190 (7) The State Fire Marshal shall develop by rule an  
2191 advanced training and certification program for firesafety  
2192 inspectors having fire code management responsibilities. The  
2193 program must be consistent with the appropriate provisions of  
2194 NFPA 1030 ~~1037~~, or similar standards adopted by rule, by the  
2195 division, and establish minimum training, education, and  
2196 experience levels for firesafety inspectors having fire code  
2197 management responsibilities.

2198 Section 53. Subsection (3) of section 634.3077, Florida  
2199 Statutes, is amended to read:

2200 634.3077 Financial requirements.—

2201 (3) An association may not be required to set up an  
2202 unearned premium reserve if it has purchased contractual  
2203 liability insurance which demonstrates to the satisfaction of  
2204 the office that 100 percent of its claim exposure is covered by

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2205 the liability insurance policy ~~such insurance~~. Such contractual  
2206 liability insurance must ~~shall~~ be obtained from an insurer or  
2207 insurers that hold a certificate of authority to do business  
2208 within the state or from an insurer or insurers approved by the  
2209 office as financially capable of meeting the obligations  
2210 incurred pursuant to the policy. For purposes of this  
2211 subsection, the contractual liability policy must ~~shall~~ contain  
2212 the following provisions:

2213 (a) In the event that the home warranty association is  
2214 unable to fulfill its obligation under its contracts issued in  
2215 this state for any reason, including insolvency, bankruptcy, or  
2216 dissolution, the contractual liability insurer will pay losses  
2217 and unearned premiums under such plans directly to persons  
2218 making claims under such contracts.

2219 (b) The insurer issuing the policy shall assume full  
2220 responsibility for the administration of claims in the event of  
2221 the inability of the association to do so.

2222 (c) The policy may not be canceled or not renewed by the  
2223 insurer or the association unless 60 days' written notice  
2224 thereof has been given to the office by the insurer before the  
2225 date of such cancellation or nonrenewal.

2226 (d) The contractual liability insurance policy must ~~shall~~  
2227 insure all covered home warranty contracts that were issued  
2228 while the policy was in effect regardless of whether ~~or not~~ the  
2229 premium has been remitted to the insurer.

2230 (e) The contractual liability insurance policy may either  
2231 pay 100 percent of claims as they are incurred or pay 100  
2232 percent of claims due in the event of the association's failure  
2233 to pay such claims when due.

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2234 Section 54. Paragraph (a) of subsection (3) of section  
2235 634.406, Florida Statutes, is amended, and paragraph (g) is  
2236 added to that subsection, to read:

2237 634.406 Financial requirements.—

2238 (3) An association will not be required to establish an  
2239 unearned premium reserve if it has purchased contractual  
2240 liability insurance which demonstrates to the satisfaction of  
2241 the office that 100 percent of its claim exposure is covered by  
2242 such policy. The contractual liability insurance shall be  
2243 obtained from an insurer that holds a certificate of authority  
2244 to do business within the state. For the purposes of this  
2245 subsection, the contractual liability policy shall contain the  
2246 following provisions:

2247 (a) In the event that the service warranty association does  
2248 not fulfill its obligation under covered contracts issued in  
2249 this state for any reason, including insolvency, bankruptcy, or  
2250 dissolution, the contractual liability insurer will pay losses  
2251 and unearned premium refunds under such plans directly to the  
2252 person making a claim under the contract.

2253 (g) The contractual liability insurance policy may either  
2254 pay 100 percent of claims as they are incurred or pay 100  
2255 percent of claims due in the event of the failure of the  
2256 association to pay such claims when due.

2257 Section 55. Subsection (2) of section 648.33, Florida  
2258 Statutes, is amended to read:

2259 648.33 Bail bond rates.—

2260 (2) It is unlawful for a bail bond agent to execute a bail  
2261 bond without charging a premium therefor, and the premium rate  
2262 may not exceed or be less than the premium rate as filed with

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2263 and approved by the office. Bail bond agents may collect the  
2264 exact amount of any discount, or other such fee charged by a  
2265 credit card facility in connection with the use of a credit  
2266 card, in addition to the premium required by the insurer.

2267 Section 56. Subsection (3) of section 791.013, Florida  
2268 Statutes, is amended to read:

2269 791.013 Testing and approval of sparklers; penalties.—

2270 (3) For purposes of the testing requirement by this  
2271 section, the division shall perform such tests as are necessary  
2272 to determine compliance with the performance standards in the  
2273 definition of sparklers, pursuant to s. 791.01. The State Fire  
2274 Marshal shall adopt, by rule, procedures for testing products to  
2275 determine compliance with this chapter. ~~The Division of~~  
2276 ~~Investigative and Forensic Services shall dispose of any samples~~  
2277 ~~which remain after testing.~~

2278 Section 57. Subsection (1) of section 1001.281, Florida  
2279 Statutes, is amended to read:

2280 1001.281 Operating Trust Fund.—

2281 (1) The Operating Trust Fund, ~~FLAIR number 48-2-510,~~ is  
2282 created within the Department of Education.

2283 Section 58. Subsection (1) of section 1001.282, Florida  
2284 Statutes, is amended to read:

2285 1001.282 Administrative Trust Fund.—

2286 (1) The Administrative Trust Fund, ~~FLAIR number 48-2-021,~~  
2287 is created within the Department of Education.

2288 Section 59. This act shall take effect July 1, 2025.