

1 A bill to be entitled

2 An act relating to the Office of Insurance Regulation  
3 background screening regulations; amending s. 624.34,  
4 F.S.; providing legislative findings; requiring,  
5 rather than authorizing, the Department of Law  
6 Enforcement to accept fingerprints of certain persons  
7 and entities applying to the Office of Insurance  
8 Regulation for insurance certificates of authority,  
9 certifications, and licenses; specifying such persons  
10 and entities; requiring the department to process such  
11 fingerprints; revising the fingerprint submission  
12 procedures; requiring such persons and entities to pay  
13 for the cost of retaining the fingerprints in a  
14 specified system; requiring the fingerprints submitted  
15 to the department to be entered into a specified  
16 system; requiring the office to inform the department  
17 of any person whose fingerprints no longer must be  
18 retained; requiring the office to review certain  
19 criminal records; removing from the department the  
20 duty to use criminal records for the purposes of  
21 issuance, denial, suspension, and revocation of  
22 insurance certificates and licenses; providing an  
23 effective date.

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

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**Section 1. Section 624.34, Florida Statutes, is amended to read:**

624.34 Authority of Department of Law Enforcement to accept fingerprints of, and exchange criminal history records with respect to, certain persons applying to the office.—

(1) The Legislature finds that criminal activity of insurers poses a particular danger to the residents of this state. Floridians rely, in good faith, on the honest conduct of those who issue and manage insurance policies and other insurance instruments in this state. To safeguard the residents of this state, the Legislature finds it necessary to ensure that organizers, incorporators, subscribers, officers, employees, contractors, affiliates, stockholders, directors, owners, members, managers, volunteers, or any other persons who exercise or have the ability to exercise effective control of, or who influence or have the ability to influence the transaction of the business of, or any other persons involved in, directly or indirectly, the organization, operation, or management of any insurer authorized to sell insurance in this state are free of a criminal background.

(2)~~(1)~~ The Department of Law Enforcement shall ~~may~~ accept and process fingerprints of organizers, incorporators, subscribers, officers, employees, contractors, affiliates, stockholders, directors, owners, members, managers, or

51 volunteers ~~or any other persons~~ involved, directly or  
52 indirectly, in the organization, operation, or management of:

53 (a) Any insurer or proposed insurer transacting or  
54 proposing to transact insurance in this state.

55 (b) Any person or ~~other~~ entity that ~~which~~ is examined or  
56 investigated or that ~~which~~ is eligible to be examined or  
57 investigated under the provisions of the Florida Insurance Code.

58 (c) Any other person or entity subject to licensure under  
59 the Florida Insurance Code.

60 (3) A full set of fingerprints of persons or entities  
61 described in subsection (2) must be submitted, in accordance  
62 with rules adopted by the commission, to the office or to a  
63 vendor, entity, or agency authorized by the Department of Law  
64 Enforcement Agency under s. 943.053(13). The office, vendor,  
65 entity, or agency shall forward the fingerprints to the  
66 Department of Law Enforcement for state processing, and the  
67 Department of Law Enforcement shall forward the fingerprints to  
68 the Federal Bureau of Investigation for national processing. The  
69 Department of Law Enforcement shall conduct the state criminal  
70 history background check, and the Federal Bureau of  
71 Investigation shall conduct the federal criminal history  
72 background check. Fees for state and federal fingerprint  
73 processing, including the cost of retaining the fingerprints  
74 pursuant to subsection (4), must be borne by the person  
75 submitting them. The state cost for fingerprint processing is as

76 provided in s. 943.053(3)(e).

77 (4) All fingerprints submitted to the Department of Law  
78 Enforcement under subsection (3) must be entered into the  
79 statewide automated fingerprint identification system  
80 established in s. 943.05(2)(b) and available for use in  
81 accordance with s. 943.05(2)(g) and (h). The office shall inform  
82 the Department of Law Enforcement of any person whose  
83 fingerprints no longer must be retained.

84 ~~(2) The Department of Law Enforcement may accept~~  
85 ~~fingerprints of individuals who apply for a license as an agent,~~  
86 ~~customer representative, adjuster, service representative, or~~  
87 ~~navigator or the fingerprints of the majority owner, sole~~  
88 ~~proprietor, partners, officers, and directors of a corporation~~  
89 ~~or other legal entity that applies for licensure with the~~  
90 ~~department or office under the Florida Insurance Code.~~

91 (5)~~(3)~~ The Department of Law Enforcement may, to the  
92 extent provided ~~for~~ by federal law, exchange state, multistate,  
93 and federal criminal history records with the ~~department or~~  
94 office for the purpose of the issuance, denial, suspension, or  
95 revocation of a certificate of authority, certification, or  
96 license to operate in this state.

97 ~~(4) The Department of Law Enforcement may accept~~  
98 ~~fingerprints of any other person required by statute or rule to~~  
99 ~~submit fingerprints to the department or office or any applicant~~  
100 ~~or licensee regulated by the department or office who is~~

101 ~~required to demonstrate that he or she has not been convicted of~~  
102 ~~or pled guilty or nolo contendere to a felony or a misdemeanor.~~

103 ~~(5) The Department of Law Enforcement shall, upon receipt~~  
104 ~~of fingerprints from the department or office, submit the~~  
105 ~~fingerprints to the Federal Bureau of Investigation to check~~  
106 ~~federal criminal history records.~~

107 (6) Statewide criminal records obtained through the  
108 Department of Law Enforcement, federal criminal records obtained  
109 through the Federal Bureau of Investigation, and local criminal  
110 records obtained through local law enforcement agencies must  
111 ~~shall~~ be reviewed and used by the ~~department and~~ office for the  
112 purpose of issuance, denial, suspension, or revocation of  
113 certificates of authority, certifications, or licenses issued to  
114 operate in this state.

115 **Section 2.** This act shall take effect July 1, 2026.