

By Senator Truenow

13-01417A-26

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A bill to be entitled

An act relating to criminal activity of insurance professionals; creating s. 624.341, F.S.; providing legislative findings; requiring the Department of Law Enforcement to accept and process certain fingerprints; specifying procedures for submitting and processing such fingerprints; requiring persons submitting fingerprints to bear the cost of state and federal processing; providing for the cost of state processing of fingerprints; authorizing the department to exchange certain records with the Office of Insurance Regulation for certain purposes; specifying that fingerprints must be submitted in accordance with certain rules; providing that fingerprints may be submitted through a third-party vendor authorized by the department; requiring that the department conduct the state criminal history background checks; requiring that certain background checks be conducted through the Federal Bureau of Investigation; requiring that fingerprints be submitted and entered into a specified system; requiring that the costs of fingerprint processing are borne by the person subject to the background checks; requiring the office to review the results of certain background checks and to make a certain determination; requiring that certain criminal history records be used by the office for certain purposes; providing an effective date.

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

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Section 1. Section 624.341, Florida Statutes, is created to read:

624.341 Authority of Department of Law Enforcement to accept fingerprints of, and exchange criminal history records with respect to, certain persons applying to the Office of Insurance Regulation.-

(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 this state's residents, the Legislature finds it necessary to ensure that incorporators, subscribers, officers, employees, contractors, stockholders, directors, owners, members, managers, or volunteers involved in the organization, operation, or management of any insurer authorized to sell insurance in this state do not have a criminal background.

(2) The Department of Law Enforcement shall accept and process fingerprints of incorporators, subscribers, officers, employees, contractors, stockholders, directors, owners, members, managers, or volunteers involved in the organization, operation, or management of:

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

(b) Any entity that is eligible to be examined or investigated under s. 624.316.

(3) Each person required to submit fingerprints to the office must provide a full set of fingerprints to the office or

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59 to a vendor, entity, or agency authorized under s. 943.053(13).
60 The office, vendor, entity, or agency shall forward the
61 fingerprints to the department for state processing, and the
62 department shall forward the fingerprints to the Federal Bureau
63 of Investigation for national processing as provided in s.
64 624.34. Fees for state and federal fingerprint processing must
65 be borne by the person submitting the fingerprints. The state
66 cost for fingerprint processing is as provided in s.
67 943.053(3) (e).

68 (4) The department may, to the extent authorized by federal
69 law, exchange any state or federal criminal history records with
70 the office for the purpose of issuance or continuation of a
71 certificate of authority, certification, or license to operate
72 in this state.

73 (5) Fingerprints must be submitted in accordance with rules
74 adopted by the commission.

75 (a) Fingerprints may be submitted through a third-party
76 vendor authorized by the department.

77 (b) The department shall conduct the state criminal history
78 background check, and a federal criminal history background
79 check shall be conducted through the Federal Bureau of
80 Investigation.

81 (c) All fingerprints submitted to the department must be
82 submitted and entered into the statewide automated biometric
83 identification system established in s. 943.05(2) (b) and
84 available for use in accordance with s. 943.05(2) (g) and (h).

85 (d) The costs of fingerprint processing, including the cost
86 of retaining the fingerprints, must be borne by the person
87 subject to the background checks.

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88 (e) The office shall review the results of the state and
89 federal criminal history background checks and determine whether
90 the applicant meets the requirements for the certificate of
91 authority, certification, or license to operate in this state.

92 (6) State criminal history records obtained through the
93 department, federal criminal history records obtained through
94 the Federal Bureau of Investigation, and local criminal history
95 records obtained through local law enforcement agencies must be
96 used by the office for the purpose of issuance, denial,
97 suspension, or revocation of certificates of authority,
98 certifications, or licenses issued to operate in this state.

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