



220246

LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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03/03/2026 05:52 PM

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Senator Simon moved the following:

Senate Amendment (with title amendment)

Delete lines 158 - 537

and insert:

Section 4. Effective upon becoming a law, 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.—

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

(a) “Adjuster” means a public adjuster as defined in s.



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12 626.854 or an all-lines adjuster as defined in s. 626.8548.

13 (b) "Agent" means a general lines agent, life agent, health
14 agent, or title agent, as each type of agent is defined under s.
15 626.015. The term includes a producer, but does not include a
16 customer representative, limited customer representative, or
17 service representative.

18 (c) "Applicant for licensure" means a person or an entity
19 that has applied to the department for a license as an agent, an
20 insurance agency, an adjuster, a customer representative, a
21 service representative, or a navigator.

22 (d) "Control person," with respect to an applicant for
23 licensure, means any of the following:

24 1. A person who holds the title of owner, partner,
25 director, president, senior vice president, treasurer, or
26 limited liability company member.

27 2. A person who holds any of the officer, general partner,
28 manager, or managing member positions named in the governing
29 documents. As used in this subparagraph, the term "governing
30 documents" includes bylaws, articles of incorporation or
31 organization, partnership agreements, shareholder agreements,
32 and management or operating agreements.

33 3. A director on the board of directors.

34 4. A shareholder in whose name shares are registered in the
35 records of a corporation for profit, whether incorporated under
36 the laws of this state or organized under the laws of any other
37 jurisdiction and existing in that legal form, who directly or
38 indirectly has the power to vote 10 percent or more of a class
39 of voting securities, or to sell or direct the sale of 10
40 percent or more of a class of voting securities. As used in this



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41 subparagraph, the term "shareholder" means a person who owns at
42 least one share of a corporation and whose ownership is
43 reflected in the records of the corporation.

44 (e) "Customer representative" has the same meaning as in s.
45 626.015.

46 (f) "Insurance agency" has the same meaning as in s.
47 626.015.

48 (g) "License" means a license issued by the Department of
49 Financial Services.

50 (h) "Licensee" means a person or an entity that has a
51 license.

52 (i) "Navigator" has the same meaning as in s. 626.9951.

53 (j) "Producer" means a person required to be licensed under
54 the laws of this state to sell, solicit, or negotiate insurance.

55 (k) "Service representative" has the same meaning as in s.
56 626.015.

57 (2) The Legislature finds that criminal activity of agents,
58 customer representatives, adjusters, service representatives, or
59 navigators poses a particular danger to the residents of this
60 state. Floridians rely, in good faith, on the honest conduct of
61 such persons. To safeguard the residents of this state, the
62 Legislature finds it necessary to ensure that individuals who
63 are licensees or control persons of licensees do not have a
64 criminal record.

65 (3) The Department of Law Enforcement shall ~~may~~ accept and
66 process fingerprints taken of a natural person who is a control
67 person of a licensee or an applicant for licensure ~~organizers,~~
68 incorporators, subscribers, officers, stockholders, directors,
69 or any other persons involved, directly or indirectly, in the



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70 ~~organization, operation, or management of:~~

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

73 ~~(b) Any other entity which is examined or investigated or~~
74 ~~which is eligible to be examined or investigated under the~~
75 ~~provisions of the Florida Insurance Code.~~

76 ~~(2) The Department of Law Enforcement may accept~~
77 ~~fingerprints of individuals who apply for a license as an agent,~~
78 ~~customer representative, adjuster, service representative, or~~
79 ~~navigator or the fingerprints of the majority owner, sole~~
80 ~~proprietor, partners, officers, and directors of a corporation~~
81 ~~or other legal entity that applies for licensure with the~~
82 ~~department or office under the Florida Insurance Code.~~

83 (4) A full set of fingerprints of a natural person
84 described in subsection (3) must be submitted to the Department
85 of Financial Services or to a vendor, an entity, or an agency
86 authorized under s. 943.053(13). The Department of Financial
87 Services, vendor, entity, or agency shall forward the
88 fingerprints to the Department of Law Enforcement for state
89 processing, and the Department of Law Enforcement shall forward
90 the fingerprints to the Federal Bureau of Investigation for
91 national processing pursuant to s. 624.34(5). Fees for state and
92 federal fingerprint processing must be borne by the person
93 submitting them. The state cost for fingerprint processing is as
94 provided in s. 943.053(3)(e).

95 (5)~~(3)~~ The Department of Law Enforcement may, to the extent
96 authorized provided for by federal law, exchange state,
97 multistate, and federal criminal history records with the
98 Department of Financial Services ~~department or office for the~~



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99 purpose of the issuance, denial, suspension, or revocation of a
100 ~~certificate of authority, certification, or~~ license to operate
101 in this state.

102 (6) The full set of fingerprints for each natural person
103 described in subsection (3) must be submitted in accordance with
104 rules adopted by the Department of Financial Services.

105 (a) Fingerprints may be submitted through a third-party
106 vendor authorized by the Department of Law Enforcement.

107 (b) The Department of Law Enforcement shall conduct a state
108 criminal history background check, and a federal criminal
109 history background check must be conducted through the Federal
110 Bureau of Investigation.

111 (c) All fingerprints submitted to the Department of Law
112 Enforcement must be submitted and entered into the statewide
113 automated biometric identification system established in s.
114 943.05(2)(b) and be available for use in accordance with s.
115 943.05(2)(g) and (h). The Department of Financial Services shall
116 inform the Department of Law Enforcement of the name of any
117 person whose fingerprints no longer need to be retained.

118 (d) The costs of fingerprint processing, including the cost
119 of retaining the fingerprints, must be borne by the natural
120 person subject to the background check.

121 (e) The Department of Financial Services shall review the
122 results of the state and federal criminal history background
123 checks and determine whether the applicant meets the
124 requirements for a license to operate in this state.

125 ~~(4) The Department of Law Enforcement may accept~~
126 ~~fingerprints of any other person required by statute or rule to~~
127 ~~submit fingerprints to the department or office or any applicant~~



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128 ~~or licensee regulated by the department or office who is~~
129 ~~required to demonstrate that he or she has not been convicted of~~
130 ~~or pled guilty or nolo contendere to a felony or a misdemeanor.~~

131 ~~(5) The Department of Law Enforcement shall, upon receipt~~
132 ~~of fingerprints from the department or office, submit the~~
133 ~~fingerprints to the Federal Bureau of Investigation to check~~
134 ~~federal criminal history records.~~

135 ~~(7)(6) The Department of Financial Services shall use the~~
136 ~~statewide criminal records obtained through the Department of~~
137 ~~Law Enforcement, the federal criminal records obtained through~~
138 ~~the Federal Bureau of Investigation, and the local criminal~~
139 ~~records obtained through local law enforcement agencies ~~shall be~~~~
140 ~~used by the department and office for the purpose of issuance,~~
141 ~~denial, suspension, or revocation of ~~certificates of authority,~~~~
142 ~~certifications, or licenses issued to operate in this state.~~

143 Section 5. Effective upon becoming a law, section 624.341,
144 Florida Statutes, is created to read:

145 624.341 Authority of Department of Law Enforcement to
146 accept fingerprints of, and exchange criminal history records
147 with respect to, certain persons applying to the Office of
148 Insurance Regulation.-

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

150 (a) "Applicant for licensure" means a person or an entity
151 that has applied to the office for a license.

152 (b) "Control person," with respect to a licensee or
153 applicant for licensure, means any of the following:

154 1. A person who holds the title of president, treasurer,
155 chief executive officer, chief financial officer, chief
156 operations officer, chief legal officer, chief risk officer,



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157 chief underwriting officer, chief actuary, chief compliance
158 officer, claims manager, director of claims, director of
159 underwriting, underwriting manager, or attorney in fact.

160 2. A person who holds any of the officer, general partner,
161 manager, or managing member positions named in the governing
162 documents. As used in this subparagraph, the term "governing
163 documents" includes bylaws, articles of incorporation or
164 organization, partnership agreements, shareholder agreements,
165 and management or operating agreements.

166 3. A director on the board of directors.

167 4. A shareholder in whose name shares are registered in the
168 records of a corporation for profit, whether incorporated under
169 the laws of this state or organized under the laws of any other
170 jurisdiction and existing in that legal form, who directly or
171 indirectly has the power to vote 10 percent or more of a class
172 of voting securities, or to sell or direct the sale of 10
173 percent or more of a class of voting securities. As used in this
174 subparagraph, the term "shareholder" means a person who owns at
175 least one share of a corporation and whose ownership is
176 reflected in the records of the corporation.

177 (c) "License" means a certificate of authority,
178 certification, registration, or license issued by the office.

179 (d) "Licensee" means a person or an entity that has a
180 license.

181 (2) The Legislature finds that criminal activity of
182 insurers poses a particular danger to the residents of this
183 state. Floridians rely, in good faith, on the honest conduct of
184 those who issue and manage insurance policies and other
185 insurance instruments in this state. To safeguard the residents



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186 of this state, the Legislature finds it necessary to ensure that
187 natural persons who are licensees or control persons of
188 licensees do not have a criminal record.

189 (3) The Department of Law Enforcement shall accept and
190 process fingerprints taken of a natural person who is a control
191 person of a licensee of the office or an applicant for licensure
192 with the office.

193 (4) A full set of fingerprints of a natural person
194 described in subsection (3) must be submitted to the office or
195 to a vendor, an entity, or an agency authorized under s.
196 943.053(13). The office, vendor, entity, or agency shall forward
197 the fingerprints to the Department of Law Enforcement for state
198 processing, and the Department of Law Enforcement shall forward
199 the fingerprints to the Federal Bureau of Investigation for
200 national processing pursuant to s. 624.34(5). Fees for state and
201 federal fingerprint processing must be borne by the person
202 submitting them. The state cost for fingerprint processing is as
203 provided in s. 943.053(3)(e).

204 (5) The Department of Law Enforcement may, to the extent
205 authorized by federal law, exchange state, multistate, and
206 federal criminal history records with the office for the purpose
207 of the issuance, denial, suspension, or revocation of a
208 certificate of authority, certification, registration, or
209 license to operate in this state.

210 (6) The full set of fingerprints for each natural person
211 described in subsection (3) must be submitted in accordance with
212 rules adopted by the commission.

213 (a) Fingerprints may be submitted through a third-party
214 vendor authorized by the Department of Law Enforcement.



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215 (b) The Department of Law Enforcement shall conduct a state
216 criminal history background check, and a federal criminal
217 history background check shall be conducted through the Federal
218 Bureau of Investigation.

219 (c) All fingerprints submitted to the Department of Law
220 Enforcement must be submitted and entered into the statewide
221 automated biometric identification system established in s.
222 943.05(2) (b) and be available for use in accordance with s.
223 943.05(2) (g) and (h). The office shall inform the Department of
224 Law Enforcement of the name of any person whose fingerprints no
225 longer need to be retained.

226 (d) The costs of fingerprint processing, including the cost
227 of retaining the fingerprints, must be borne by the natural
228 person subject to the background check.

229 (e) The office shall review the results of the state and
230 federal criminal history background checks and determine whether
231 the applicant meets the requirements for a certificate of
232 authority, certification, registration, or license to operate in
233 this state.

234 (7) The office shall use the statewide criminal records
235 obtained through the Department of Law Enforcement, the federal
236 criminal records obtained through the Federal Bureau of
237 Investigation, and the local criminal records obtained through
238 local law enforcement agencies for the purpose of issuance,
239 denial, suspension, or revocation of certificates of authority,
240 certifications, registrations, or licenses required to operate
241 in this state.

242 Section 6. Section 943.0417, Florida Statutes, is created
243 to read:



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244 943.0417 Statewide law enforcement apprenticeship program.-
245 The Florida Deputy Sheriffs Association, Inc., shall continue
246 the statewide law enforcement grant program certified by the
247 Department of Education to recruit, select, train, certify, and
248 retain deputy sheriff candidates who lack the funds to attend a
249 certified law enforcement academy within this state. The grants
250 must be awarded to local law enforcement agencies, with priority
251 given for fiscally constrained counties. The association may
252 coordinate with the department to implement the program.

253 Section 7. Section 943.0536, Florida Statutes, is created
254 to read:

255 943.0536 Immigration detainer information; collection and
256 storage; fingerprinting.-

257 (1) As used in this section, the terms "immigration
258 detainer" and "law enforcement agency" have the same meaning as
259 in s. 908.102.

260 (2) The department's Criminal Justice Information Program,
261 acting as this state's central criminal justice information
262 repository, shall collect, process, store, maintain, and
263 disseminate immigration detainer information.

264 (3)(a) Each law enforcement agency shall capture and
265 electronically submit to the department, in the manner
266 prescribed by rule, the fingerprints of a qualifying offender as
267 defined in s. 943.325 who is in its custody and subject to an
268 immigration detainer.

269 (b) Upon receipt of the fingerprints required to be
270 submitted pursuant to paragraph (a), the department shall create
271 a record containing the qualifying offender's immigration
272 detainer information.



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273 Section 8. Section 943.0581, Florida Statutes, is amended
274 to read:

275 943.0581 Administrative expunction for arrests or
276 immigration detainer records made contrary to law or by
277 mistake.-

278 (1) Notwithstanding any law dealing generally with the
279 preservation and destruction of public records, the department
280 may adopt a rule pursuant to chapter 120 for the administrative
281 expunction of any nonjudicial record of an arrest or record
282 containing immigration detainer information described in s.
283 943.0536 of a minor or an adult made contrary to law or by
284 mistake.

285 (2) A law enforcement agency shall apply to the department
286 in the manner prescribed by rule for the administrative
287 expunction of any nonjudicial record of any arrest or record
288 containing immigration detainer information described in s.
289 943.0536 of a minor or an adult who is subsequently determined
290 by the agency, at its discretion, or by the final order of a
291 court of competent jurisdiction, to have been arrested or
292 detained contrary to law or by mistake.

293 (3) An adult or, in the case of a minor child, the parent
294 or legal guardian of the minor child, may apply to the
295 department in the manner prescribed by rule for the
296 administrative expunction of any nonjudicial record of an arrest
297 or record containing immigration detainer information described
298 in s. 943.0536 alleged to have been made contrary to law or by
299 mistake, provided that the application is supported by the
300 endorsement of the head of the arresting or detaining agency or
301 his or her designee or the state attorney of the judicial



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302 circuit in which the arrest or detainment occurred or his or her
303 designee.

304 (4) An application for administrative expunction shall
305 include the date and time of the arrest, the name of the person
306 arrested, the offender-based tracking system (OBTS) number, and
307 the crime or crimes charged. The application shall be on the
308 submitting agency's letterhead and shall be signed by the head
309 of the submitting agency or his or her designee.

310 (5) If the person was arrested on a warrant, capias, or
311 pickup order, a request for an administrative expunction may be
312 made by the sheriff of the county in which the warrant, capias,
313 or pickup order was issued or his or her designee or by the
314 state attorney of the judicial circuit in which the warrant,
315 capias, or pickup order was issued or his or her designee.

316 (6) An application for an administrative expunction of a
317 record containing immigration detainer information as described
318 in s. 943.0536 must include the date and time the person was
319 detained, the person's name, the OBTS number, and information
320 relating to the immigration detainer. The application must be on
321 the submitting agency's letterhead and must be signed by the
322 head of the submitting agency or his or her designee.

323 (7) An application or endorsement under this section is not
324 admissible as evidence in any judicial or administrative
325 proceeding and may not be construed in any way as an admission
326 of liability in connection with an arrest or detention.

327 Section 9. Paragraph (a) of subsection (1) of section
328 943.11, Florida Statutes, is amended to read:

329 943.11 Criminal Justice Standards and Training Commission;
330 membership; meetings; compensation.—



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331 (1) (a) There is created a Criminal Justice Standards and
332 Training Commission within the Department of Law Enforcement.
333 The Criminal Justice Professionalism Program shall provide staff
334 support to the commission as authorized in s. 943.09; however,
335 the commission must act independently of any criminal justice
336 agency. The commission shall be composed of 19 members,
337 consisting of the Secretary of Corrections or a designated
338 assistant; the Attorney General or a designee; the Director of
339 the Division of the Florida Highway Patrol; and 16 members
340 appointed by the Governor, consisting of 3 sheriffs; 3 chiefs of
341 police; 5 law enforcement officers who are of the rank of
342 sergeant or below within the employing agency; 2 correctional
343 officers, 1 of whom is an administrator of a state correctional
344 institution and 1 of whom is of the rank of sergeant or below
345 within the employing agency; 1 training center director; 1
346 person who is in charge of a county correctional institution;
347 and 1 resident of the state who falls into none of the foregoing
348 classifications. Prior to the appointment, the sheriff, chief of
349 police, law enforcement officer, and correctional officer
350 members must have had at least 4 years' experience as law
351 enforcement officers or correctional officers.

352 Section 10. Present subsection (10) of section 943.1395,
353 Florida Statutes, is redesignated as subsection (11), and a new
354 subsection (10) is added to that section, to read:

355 943.1395 Certification for employment or appointment;
356 concurrent certification; reemployment or reappointment;
357 inactive status; revocation; suspension; investigation.—

358 (10) Notwithstanding s. 120.60(5), when an administrative
359 complaint is served on a certified law enforcement officer, a



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360 correctional officer, a correctional probation officer, or an
361 instructor, commission staff shall provide service by certified
362 mail to the certified officer's or instructor's last known
363 address of record and, if possible, by e-mail. If the person
364 providing service does not provide commission staff with proof
365 of service, commission staff must call the last known telephone
366 number of record and cause a short, plain notice to the
367 certified officer or instructor to be posted on the front

368
369 ===== T I T L E A M E N D M E N T =====

370 And the title is amended as follows:

371 Delete lines 18 - 92

372 and insert:

373 amending s. 624.34, F.S.; defining terms; providing
374 legislative findings; requiring the Department of Law
375 Enforcement to accept and process fingerprints taken
376 of natural persons who are control persons of a
377 licensee or are applicants for licensure; deleting
378 provisions authorizing the department to accept
379 fingerprints of specified persons or entities;
380 requiring that a full set of fingerprints of a certain
381 natural person be submitted to the Department of
382 Financial Services or specified authorized vendors,
383 entities, or agencies; requiring the forwarding of the
384 fingerprints to specified entities; providing for the
385 fees and costs of such fingerprints; authorizing the
386 Department of Law Enforcement to exchange criminal
387 history records with the Department of Financial
388 Services for a specified purpose; requiring that the



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389 full set of fingerprints be submitted in accordance
390 with rules adopted by the Department of Financial
391 Services; providing duties and responsibilities
392 regarding the fingerprints and fingerprinting;
393 requiring the Department of Financial Services to use
394 certain criminal history records for specified
395 purposes; creating s. 624.341, F.S.; defining terms;
396 providing legislative findings; requiring the
397 Department of Law Enforcement to accept and process
398 fingerprints taken of natural persons who are control
399 persons of a licensee or are applicants for licensure;
400 requiring that a full set of fingerprints of a certain
401 natural person be submitted to the Office of Insurance
402 Regulation of the Financial Services Commission or
403 specified authorized vendors, entities, or agencies;
404 requiring the forwarding of the fingerprints to
405 specified entities; providing for the fees and costs
406 of such fingerprints; authorizing the department to
407 exchange criminal history records with the office for
408 a specified purpose; requiring that the full set of
409 fingerprints be submitted in accordance with rules
410 adopted by the Financial Services Commission;
411 providing duties and responsibilities regarding the
412 fingerprints and fingerprinting; requiring the office
413 to use certain criminal history records for specified
414 purposes; creating s. 943.0417, F.S.; requiring the
415 Florida Deputy Sheriffs Association, Inc., to continue
416 the statewide law enforcement grant program certified
417 by the Department of Education for certain purposes;



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418 creating s. 943.0536, F.S.; defining the terms
419 "immigration detainer" and "law enforcement agency";
420 requiring the Department of Law Enforcement's Criminal
421 Justice Information Program to collect, process,
422 store, maintain, and disseminate immigration detainer
423 information; requiring each law enforcement agency to
424 capture and electronically submit to the department
425 the fingerprints of certain qualifying offenders;
426 requiring the department to create certain records;
427 amending s. 943.0581, F.S.; authorizing the department
428 to adopt rules; requiring law enforcement agencies to
429 apply to the department for the administrative
430 expunction of specified nonjudicial records containing
431 immigration detainer information of minors and adults
432 made contrary to law or by mistake; authorizing
433 individuals to apply to the department for the
434 administrative expunction of such records; specifying
435 application requirements; amending s. 943.11, F.S.;
436 requiring the Criminal Justice Professionalism Program
437 to provide staff support to the Criminal Justice
438 Standards and Training Commission; requiring the
439 commission to act independently of any criminal
440 justice agency; amending s. 943.1395, F.S.; requiring
441 commission staff to provide service by certified mail
442 to certain certified officer's or instructor's last
443 known address of record