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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 184 - 405

and insert:

(b) "Agent" means a general lines agent as defined in s. 626.015, a life agent as defined in s. 626.015, a health agent as defined in s. 626.015, a surplus lines agent as defined in s. 626.914, a professional bail bond agent as defined in s. 648.25, a limited surety agent as defined in s. 648.25, a limited lines agent, a legal expense insurance sales representative who must meet the requirements of s. 642.034, or a title insurance agent



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12 as defined in s. 626.841. The term includes a producer but does
13 not include a customer representative, limited customer
14 representative, or service representative.

15 (c) "Applicant for licensure" means a person that has
16 applied to the department for a license.

17 (d) "Control person," with respect to a licensee or an
18 applicant for licensure, means any of the following:

19 1. A person who holds the title of owner, partner,
20 director, president, senior vice president, treasurer, or
21 limited liability company member.

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

28 3. A director on the board of directors.

29 4. A shareholder in whose name shares are registered in the
30 records of a corporation for profit, whether incorporated under
31 the laws of this state or organized under the laws of any other
32 jurisdiction and existing in that legal form, who directly or
33 indirectly has the power to vote 10 percent or more of a class
34 of voting securities, or to sell or direct the sale of 10
35 percent or more of a class of voting securities. As used in this
36 subparagraph, the term "shareholder" means a person who owns at
37 least one share of a corporation and whose ownership is
38 reflected in the records of the corporation.

39 (e) "License" means a license issued by the Department of
40 Financial Services to an agent, an insurance agency as defined



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41 in s. 626.015, a title insurance agency as defined in 626.841,
42 an adjuster, an adjusting firm as defined in s. 626.8695, a
43 customer representative as defined in s. 626.015, a service
44 representative as defined in s. 626.015, or a navigator as
45 defined in s. 626.9951.

46 (f) "Licensee" means a person that has a license.

47 (g) "Limited lines agent" means an agent whose license is
48 issued pursuant to s. 626.321.

49 (h) "Person" has the same meaning as in s. 1.01.

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

52 (2) The Department of Law Enforcement shall ~~may~~ accept and
53 process fingerprints taken of an individual who is a licensee,
54 an applicant for licensure, or a control person of a licensee or
55 an applicant for licensure ~~organizers, incorporators,~~
56 subscribers, officers, stockholders, directors, or any other
57 persons involved, directly or indirectly, in the organization,
58 operation, or management of:

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

61 ~~(b) Any other entity which is examined or investigated or~~
62 ~~which is eligible to be examined or investigated under the~~
63 ~~provisions of the Florida Insurance Code.~~

64 ~~(2) The Department of Law Enforcement may accept~~
65 ~~fingerprints of individuals who apply for a license as an agent,~~
66 ~~customer representative, adjuster, service representative, or~~
67 ~~navigator or the fingerprints of the majority owner, sole~~
68 ~~proprietor, partners, officers, and directors of a corporation~~
69 ~~or other legal entity that applies for licensure with the~~



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70 ~~department or office under the Florida Insurance Code.~~

71 (3) A full set of fingerprints of an individual described
72 in subsection (2) must be submitted to the Department of
73 Financial Services or to a vendor, an entity, or an agency
74 authorized under s. 943.053(13). The Department of Financial
75 Services, vendor, entity, or agency shall forward the
76 fingerprints to the Department of Law Enforcement for state
77 processing, and the Department of Law Enforcement shall forward
78 the fingerprints to the Federal Bureau of Investigation for
79 national processing pursuant to s. 624.34(5). Fees for state and
80 federal fingerprint processing must be borne by the person
81 submitting them. The state cost for fingerprint processing is as
82 provided in s. 943.053(3)(e).

83 (4)~~(3)~~ The Department of Law Enforcement may, to the extent
84 authorized ~~provided for~~ by federal law, exchange state, national
85 multistate, and federal criminal history records with the
86 Department of Financial Services ~~department or office~~ for the
87 purpose of the issuance, denial, suspension, or revocation of a
88 certificate of authority, certification, or license to operate
89 in this state.

90 (5) The full set of fingerprints for each individual
91 described in subsection (2) must be submitted in accordance with
92 rules adopted by the Department of Financial Services.

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

95 (b) The Department of Law Enforcement shall conduct a state
96 criminal history background check, and a federal criminal
97 history background check must be conducted through the Federal
98 Bureau of Investigation.



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99 (c) The Department of Financial Services shall review the
100 results of the state and federal criminal history background
101 checks and determine whether the applicant for licensure or
102 licensee meets the requirements for a license to operate in this
103 state.

104 ~~(4) The Department of Law Enforcement may accept~~
105 ~~fingerprints of any other person required by statute or rule to~~
106 ~~submit fingerprints to the department or office or any applicant~~
107 ~~or licensee regulated by the department or office who is~~
108 ~~required to demonstrate that he or she has not been convicted of~~
109 ~~or pled guilty or nolo contendere to a felony or a misdemeanor.~~

110 ~~(5) The Department of Law Enforcement shall, upon receipt~~
111 ~~of fingerprints from the department or office, submit the~~
112 ~~fingerprints to the Federal Bureau of Investigation to check~~
113 ~~federal criminal history records.~~

114 (6) The Department of Financial Services shall use the
115 statewide criminal records obtained through the Department of
116 Law Enforcement, the federal criminal records obtained through
117 the Federal Bureau of Investigation, and the local criminal
118 records obtained through local law enforcement agencies shall be
119 used by the department and office for the purpose of issuance,
120 denial, suspension, or revocation of certificates of authority,
121 certifications, or licenses issued to operate in this state.

122 Section 6. Effective upon becoming a law, section 624.341,
123 Florida Statutes, is created to read:

124 624.341 Authority of Department of Law Enforcement to
125 accept fingerprints of, and exchange criminal history records
126 with respect to, certain persons applying to the Office of
127 Insurance Regulation.-



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128 (1) As used in this section, the term:
129 (a) "Applicant for licensure" means a person that has
130 applied to the office for a license.
131 (b) "Control person," with respect to a licensee or an
132 applicant for licensure, means key managerial personnel with
133 authority over the financial and operational decisions of the
134 entities licensed, certified, registered, or holding a
135 certificate of authority under the Florida Insurance Code, and
136 includes any of the following as required by the office:
137 1. Incorporators, stockholders, officers, directors, and
138 attorneys in fact captured under s. 624.404(3)(c), s.
139 628.071(1)(c), s. 629.091(2), s. 632.638(3), or s. 641.22(6)(c).
140 2. Trustees, officers, directors, and individuals
141 responsible for the management of and conduct of the management
142 of a multiple-employer welfare arrangement under s. 624.439(2).
143 3. Individuals employed or retained by an administrator who
144 are responsible for the conduct of the affairs of an
145 administrator, including all members of the board of directors,
146 board of trustees, executive committee, or other governing board
147 or committee, and the principal officers in the case of a
148 corporation or the partners or members in the case of a
149 partnership or association of an administrator under s.
150 626.8805.
151 4. Individuals responsible for the affairs of a viatical
152 settlement provider, members of the board of directors, board of
153 trustees, executive committee, or other governing board or
154 committee, and any person or entity owning or having the right
155 to acquire 10 percent or more of the voting securities of a
156 viatical settlement provider under s. 626.9912.



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- 157 5. Management of a premium finance company under ss.
158 627.829(1) and 627.832(1)(g) and (j).
- 159 6. Directors, officers, trustees, and other individuals
160 performing duties similar to those of a director, officer or
161 trustee of a corporation, association, or trust under s.
162 628.461(3)(a).
- 163 7. Directors, officers, and trustees if a corporation, and
164 partners, owners, managers, joint venturers, and others
165 performing functions similar to those of a director, officer, or
166 trustee, if not a corporation, of a specialty insurer under s.
167 628.4615(5)(a)7.
- 168 8. Managers of a motor vehicle service agreement company
169 under s. 634.041(2), a home warranty association under s.
170 634.304(2), or a service warranty association under s.
171 634.404(2).
- 172 9. Members of the board of directors, board of trustees,
173 executive committee, or other governing board or committee, the
174 officers, contracted management company personnel, and any
175 person or entity owning or having the right to acquire 10
176 percent or more of the voting securities of a prepaid limit
177 health service organization under s. 636.008 or a discount plan
178 organization under s. 636.204(2)(c).
- 179 10. Persons responsible for the conduct of the affairs of a
180 prepaid health clinic under s. 641.405(2)(c), including all
181 members of the governing body, the officers and directors in the
182 case of a corporation, and the partners or associates in the
183 case of a partnership or association.
- 184 11. Individuals who are directors and officers, and each
185 shareholder who owns or controls 10 percent or more of the



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186 shares of the corporation, of a legal expense insurance business
187 under ss. 642.021 and 642.032.

188 12. Members, shareholders, and persons in charge of
189 providing care under a certificate of authority subject to s.
190 651.022(2)(c).

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

193 (d) "Licensee" means a person that has a license.

194 (e) "Person" has the same meaning as in s. 1.01.

195 (2) The Department of Law Enforcement shall accept and
196 process fingerprints taken of an individual who is a licensee,
197 an applicant for licensure, or a control person of a licensee or
198 an applicant for licensure.

199 (3) A full set of fingerprints of an individual described
200 in subsection (2) must be submitted to the office or to a
201 vendor, an entity, or an agency authorized under s. 943.053(13).
202 The office, vendor, entity, or agency shall forward the
203 fingerprints to the Department of Law Enforcement for state
204 processing, and the Department of Law Enforcement shall forward
205 the fingerprints to the Federal Bureau of Investigation for
206 national processing pursuant to s. 624.34(5). Fees for state and
207 federal fingerprint processing must be borne by the person
208 submitting them. The state cost for fingerprint processing is as
209 provided in s. 943.053(3)(e).

210 (4) The Department of Law Enforcement may, to the extent
211 authorized by federal law, exchange state, national, and federal
212 criminal history records with the office for the purpose of the
213 issuance, denial, suspension, or revocation of a certificate of
214 authority, certification, registration, or license to operate in



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215 this state.

216 (5) The full set of fingerprints for each individual
217 described in subsection (2) must be submitted in accordance with
218 rules adopted by the commission.

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

221 (b) The Department of Law Enforcement shall conduct a state
222 criminal history background check, and a federal criminal
223 history background check shall be conducted through the Federal
224 Bureau of Investigation.

225 (c) The office shall review the results of the state and
226 federal criminal history background checks and determine whether
227 the applicant for licensure or licensee meets the requirements
228 for a license to operate in this state.

229 (6) The office shall use the statewide criminal records

230

231 ===== T I T L E A M E N D M E N T =====

232 And the title is amended as follows:

233 Delete lines 23 - 56

234 and insert:

235 624.34, F.S.; defining terms; requiring the Department
236 of Law Enforcement to accept and process fingerprints
237 taken of natural persons who are control persons of a
238 licensee or are applicants for licensure; deleting
239 provisions authorizing the department to accept
240 fingerprints of specified persons or entities;
241 requiring that a full set of fingerprints of a certain
242 natural person be submitted to the Department of
243 Financial Services or specified authorized vendors,



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244 entities, or agencies; requiring the forwarding of the
245 fingerprints to specified entities; authorizing the
246 Department of Law Enforcement to exchange criminal
247 history records with the Department of Financial
248 Services for a specified purpose; requiring that the
249 full set of fingerprints be submitted in accordance
250 with rules adopted by the Department of Financial
251 Services; providing duties and responsibilities
252 regarding the fingerprints and fingerprinting;
253 requiring the Department of Financial Services to use
254 certain criminal history records for specified
255 purposes; creating s. 624.341, F.S.; defining terms;
256 requiring the Department of Law Enforcement to accept
257 and process fingerprints taken of natural persons who
258 are control persons of a licensee or are applicants
259 for licensure; requiring that a full set of
260 fingerprints of a certain natural person be submitted
261 to the Office of Insurance Regulation of the Financial
262 Services Commission or specified authorized vendors,
263 entities, or agencies; requiring the forwarding of the
264 fingerprints to specified entities; authorizing the
265 department to