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LEGISLATIVE ACTION

Senate

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House

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03/04/2026 05:59 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 as defined in s.  
14 626.015, a life agent as defined in s. 626.015, a health agent  
15 as defined in s. 626.015, a surplus lines agent as defined in s.  
16 626.914, a professional bail bond agent as defined in s. 648.25,  
17 a limited surety agent as defined in s. 648.25, a limited lines  
18 agent, a legal expense insurance sales representative who must  
19 meet the requirements of s. 642.034, or a title insurance agent  
20 as defined in s. 626.841. The term includes a producer but does  
21 not include a customer representative, limited customer  
22 representative, or service representative.

23 (c) "Applicant for licensure" means a person who has  
24 applied to the department for a license.

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

27 1. A person who holds the title of owner, partner,  
28 director, president, senior vice president, treasurer, or  
29 limited liability company member.

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

36 3. A director on the board of directors.

37 4. A shareholder in whose name shares are registered in the  
38 records of a corporation for profit, whether incorporated under  
39 the laws of this state or organized under the laws of any other  
40 jurisdiction and existing in that legal form, who directly or



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41 indirectly has the power to vote 10 percent or more of a class  
42 of voting securities, or to sell or direct the sale of 10  
43 percent or more of a class of voting securities. As used in this  
44 subparagraph, the term "shareholder" means a person who owns at  
45 least one share of a corporation and whose ownership is  
46 reflected in the records of the corporation.

47 (e) "License" means a license issued by the Department of  
48 Financial Services to an agent, an insurance agency as defined  
49 in s. 626.015, a title insurance agency as defined in s.  
50 626.841, an adjuster, an adjusting firm as defined in s.  
51 626.8695, a customer representative as defined in s. 626.015, a  
52 service representative as defined in s. 626.015, or a navigator  
53 as defined in s. 626.9951.

54 (f) "Licensee" means a person who has a license.

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

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

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

60 (2) The Department of Law Enforcement shall ~~may~~ accept and  
61 process fingerprints taken of an individual who is a licensee,  
62 an applicant for licensure, or a control person of a licensee or  
63 an applicant for licensure ~~organizers, incorporators,~~  
64 ~~subscribers, officers, stockholders, directors, or any other~~  
65 ~~persons involved, directly or indirectly, in the organization,~~  
66 ~~operation, or management of:~~

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

69 ~~(b) Any other entity which is examined or investigated or~~



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70 ~~which is eligible to be examined or investigated under the~~  
71 ~~provisions of the Florida Insurance Code.~~

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

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

91 ~~(4)(3)~~ (4) The Department of Law Enforcement may, to the extent  
92 authorized provided for by federal law, exchange state, national  
93 multistate, and federal criminal history records with the  
94 Department of Financial Services department or office for the  
95 purpose of the issuance, denial, suspension, or revocation of a  
96 certificate of authority, certification, or license to operate  
97 in this state.

98 (5) The full set of fingerprints for each individual



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99 described in subsection (2) must be submitted in accordance with  
100 rules adopted by the Department of Financial Services.

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

103 (b) The Department of Law Enforcement shall conduct a state  
104 criminal history background check, and a federal criminal  
105 history background check must be conducted through the Federal  
106 Bureau of Investigation.

107 (c) The Department of Financial Services shall review the  
108 results of the state and federal criminal history background  
109 checks and determine whether the applicant for licensure or  
110 licensee meets the requirements for a license to operate in this  
111 state.

112 ~~(4) The Department of Law Enforcement may accept~~  
113 ~~fingerprints of any other person required by statute or rule to~~  
114 ~~submit fingerprints to the department or office or any applicant~~  
115 ~~or licensee regulated by the department or office who is~~  
116 ~~required to demonstrate that he or she has not been convicted of~~  
117 ~~or pled guilty or nolo contendere to a felony or a misdemeanor.~~

118 ~~(5) The Department of Law Enforcement shall, upon receipt~~  
119 ~~of fingerprints from the department or office, submit the~~  
120 ~~fingerprints to the Federal Bureau of Investigation to check~~  
121 ~~federal criminal history records.~~

122 (6) The Department of Financial Services shall use the  
123 statewide criminal records obtained through the Department of  
124 Law Enforcement, the federal criminal records obtained through  
125 the Federal Bureau of Investigation, and the local criminal  
126 records obtained through local law enforcement agencies shall be  
127 used by the department and office for the purpose of issuance,



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128 denial, suspension, or revocation of ~~certificates of authority,~~  
129 ~~certifications, or~~ licenses issued to operate in this state.

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

132 624.341 Authority of Department of Law Enforcement to  
133 accept fingerprints of, and exchange criminal history records  
134 with respect to, certain persons applying to the Office of  
135 Insurance Regulation.-

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

137 (a) "Applicant for licensure" means a person who has  
138 applied to the office for a license.

139 (b) "Control person," with respect to a licensee or an  
140 applicant for licensure, means key managerial personnel with  
141 authority over the financial and operational decisions of the  
142 entities licensed, certified, registered, or holding a  
143 certificate of authority under the Florida Insurance Code, and  
144 includes any of the following as required by the office:

145 1. Incorporators, stockholders, officers, directors, and  
146 attorneys in fact captured under s. 624.404(3)(c), s.  
147 628.071(1)(c), s. 629.091(2), s. 632.638(3), or s. 641.22(6)(c).

148 2. Trustees, officers, directors, and individuals  
149 responsible for the management of and conduct of the management  
150 of a multiple-employer welfare arrangement under s. 624.439(2).

151 3. Individuals employed or retained by an administrator who  
152 are responsible for the conduct of the affairs of an  
153 administrator, including all members of the board of directors,  
154 board of trustees, executive committee, or other governing board  
155 or committee, and the principal officers in the case of a  
156 corporation or the partners or members in the case of a



157 partnership or an association of an administrator under s.  
158 626.8805.

159 4. Individuals responsible for the affairs of a viatical  
160 settlement provider, members of the board of directors, board of  
161 trustees, executive committee, or other governing board or  
162 committee, and any person or entity owning or having the right  
163 to acquire 10 percent or more of the voting securities of a  
164 viatical settlement provider under s. 626.9912.

165 5. Management of a premium finance company under ss.  
166 627.829(1) and 627.832(1)(g) and (j).

167 6. Directors, officers, trustees, and other individuals  
168 performing duties similar to those of a director, an officer or  
169 a trustee of a corporation, an association, or a trust under s.  
170 628.461(3)(a).

171 7. Directors, officers, and trustees if a corporation, and  
172 partners, owners, managers, joint venturers, and others  
173 performing functions similar to those of a director, an officer,  
174 or a trustee, if not a corporation, of a specialty insurer under  
175 s. 628.4615(5)(a)7.

176 8. Managers of a motor vehicle service agreement company  
177 under s. 634.041(2), a home warranty association under s.  
178 634.304(2), or a service warranty association under s.  
179 634.404(2).

180 9. Members of the board of directors, board of trustees,  
181 executive committee, or other governing board or committee, the  
182 officers, contracted management company personnel, and any  
183 person or entity owning or having the right to acquire 10  
184 percent or more of the voting securities of a prepaid limit  
185 health service organization under s. 636.008 or a discount plan



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186 organization under s. 636.204(2)(c).

187 10. Persons responsible for the conduct of the affairs of a  
188 prepaid health clinic under s. 641.405(2)(c), including all  
189 members of the governing body, the officers and directors in the  
190 case of a corporation, and the partners or associates in the  
191 case of a partnership or an association.

192 11. Individuals who are directors and officers, and each  
193 shareholder who owns or controls 10 percent or more of the  
194 shares of the corporation, of a legal expense insurance business  
195 under ss. 642.021 and 642.032.

196 12. Members, shareholders, and persons in charge of  
197 providing care under a certificate of authority subject to s.  
198 651.022(2)(c).

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

201 (d) "Licensee" means a person who has a license.

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

203 (2) The Department of Law Enforcement shall accept and  
204 process fingerprints taken of an individual who is a licensee,  
205 an applicant for licensure, or a control person of a licensee or  
206 an applicant for licensure.

207 (3) A full set of fingerprints of an individual described  
208 in subsection (2) must be submitted to the office or to a  
209 vendor, an entity, or an agency authorized under s. 943.053(13).  
210 The office, vendor, entity, or agency shall forward the  
211 fingerprints to the Department of Law Enforcement for state  
212 processing, and the Department of Law Enforcement shall forward  
213 the fingerprints to the Federal Bureau of Investigation for  
214 national processing pursuant to s. 624.34(5). Fees for state and



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215 federal fingerprint processing must be borne by the person  
216 submitting them. The state cost for fingerprint processing is as  
217 provided in s. 943.053(3)(e).

218 (4) The Department of Law Enforcement may, to the extent  
219 authorized by federal law, exchange state, national, and federal  
220 criminal history records with the office for the purpose of the  
221 issuance, denial, suspension, or revocation of a certificate of  
222 authority, certification, registration, or license to operate in  
223 this state.

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

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

229 (b) The Department of Law Enforcement shall conduct a state  
230 criminal history background check, and a federal criminal  
231 history background check shall be conducted through the Federal  
232 Bureau of Investigation.

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

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



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244 in this state.

245 Section 6. Section 943.0417, Florida Statutes, is created  
246 to read:

247 943.0417 Statewide law enforcement apprenticeship program.-

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

256 Section 7. Section 943.0536, Florida Statutes, is created  
257 to read:

258 943.0536 Immigration detainer information; collection and  
259 storage; fingerprinting.-

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

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

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

272 (b) Upon receipt of the fingerprints required to be



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273 submitted pursuant to paragraph (a), the department shall create  
274 a record containing the qualifying offender's immigration  
275 detainer information.

276 Section 8. Section 943.0581, Florida Statutes, is amended  
277 to read:

278 943.0581 Administrative expunction for arrests or  
279 immigration detainer records made contrary to law or by  
280 mistake.—

281 (1) Notwithstanding any law dealing generally with the  
282 preservation and destruction of public records, the department  
283 may adopt a rule pursuant to chapter 120 for the administrative  
284 expunction of any nonjudicial record of an arrest or record  
285 containing immigration detainer information described in s.  
286 943.0536 of a minor or an adult made contrary to law or by  
287 mistake.

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

296 (3) An adult or, in the case of a minor child, the parent  
297 or legal guardian of the minor child, may apply to the  
298 department in the manner prescribed by rule for the  
299 administrative expunction of any nonjudicial record of an arrest  
300 or record containing immigration detainer information described  
301 in s. 943.0536 alleged to have been made contrary to law or by



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302 mistake, provided that the application is supported by the  
303 endorsement of the head of the arresting or detaining agency or  
304 his or her designee or the state attorney of the judicial  
305 circuit in which the arrest or detainment occurred or his or her  
306 designee.

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

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

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

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

330 Section 9. Paragraph (a) of subsection (1) of section



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331 943.11, Florida Statutes, is amended to read:

332 943.11 Criminal Justice Standards and Training Commission;  
333 membership; meetings; compensation.—

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

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

358 943.1395 Certification for employment or appointment;  
359 concurrent certification; reemployment or reappointment;



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360 inactive status; revocation; suspension; investigation.-  
361 (10) Notwithstanding s. 120.60(5), when an administrative  
362 complaint is served on a certified law enforcement officer, a  
363 correctional officer, a correctional probation officer, or an  
364 instructor, commission staff shall provide service by certified  
365 mail to the certified officer's or instructor's last known  
366 address of record and, if possible, by e-mail. If the person  
367 providing service does not provide commission staff with proof  
368 of service, commission staff must call the last known telephone  
369 number of record and cause a short, plain notice to the  
370 certified officer or instructor to be posted on the front

371  
372 ===== T I T L E A M E N D M E N T =====

373 And the title is amended as follows:

374 Delete lines 18 - 92

375 and insert:

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



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389 the Department of Financial Services for a specified  
390 purpose; requiring that the full set of fingerprints  
391 be submitted in accordance with rules adopted by the  
392 Department of Financial Services; providing duties and  
393 responsibilities regarding the fingerprints and  
394 fingerprinting; requiring the Department of Financial  
395 Services to use certain criminal history records for  
396 specified purposes; creating s. 624.341, F.S.;

397 defining terms; requiring the Department of Law  
398 Enforcement to accept and process fingerprints taken  
399 of natural persons who are control persons of a  
400 licensee or are applicants for licensure; requiring  
401 that a full set of fingerprints of a certain natural  
402 person be submitted to the Office of Insurance  
403 Regulation of the Financial Services Commission or  
404 specified authorized vendors, entities, or agencies;  
405 requiring the forwarding of the fingerprints to  
406 specified entities; 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