

1 A bill to be entitled
2 An act relating to the Department of Financial
3 Services; amending s. 48.151, F.S.; authorizing the
4 department to create an Internet-based system for the
5 electronic transmission and acceptance of service of
6 process documents; amending s. 110.1315, F.S.;
7 deleting a requirement that the Executive Office of
8 the Governor review and approve certain alternative
9 retirement income security programs; amending s.
10 112.215, F.S.; revising and providing definitions;
11 revising responsibilities of the Chief Financial
12 Officer; amending s. 137.09, F.S.; revising
13 requirements for the approval of certain bonds;
14 amending s. 215.97, F.S.; revising and providing
15 definitions; exempting certain entities from certain
16 auditing requirements; providing requirements for
17 certain contracts and agreements funded by state
18 financial assistance; amending s. 374.983, F.S.;
19 revising membership requirements for the governing
20 body of the Florida Inland Navigation District;
21 amending s. 624.307, F.S.; revising requirements
22 relating to the Chief Financial Officer serving as the
23 attorney to receive service of legal process; amending
24 s. 624.423, F.S.; authorizing the department to create
25 an Internet-based system for the electronic
26 transmission and acceptance of service of process

27 documents; providing duties of the Chief Financial
28 Officer; revising procedures for process served upon
29 the Chief Financial Officer; providing a definition;
30 amending s. 624.502, F.S.; adding a fee for service of
31 process to an unauthorized insurer; amending s.
32 626.907, F.S.; revising requirements related to
33 service of process upon an insurer or person
34 representing or aiding such insurer; amending s.
35 627.7074, F.S.; providing an additional ground for the
36 disqualification of a neutral evaluator; amending s.
37 627.706, F.S.; providing requirements related to
38 sinkhole insurance coverage; amending s. 633.208,
39 F.S.; revising applicability of the Life Safety Code;
40 amending s. 633.408, F.S.; providing for the
41 expiration of firefighter and volunteer firefighter
42 certificates of compliance and completion; amending s.
43 633.412, F.S.; authorizing, instead of requiring, the
44 Division of State Fire Marshal to suspend or revoke a
45 firefighter's certification under certain conditions;
46 amending s. 633.414, F.S.; providing and revising
47 requirements for the retention of firefighter and fire
48 service instructor certification; amending s. 633.426,
49 F.S.; revising a definition; revising requirements
50 related to ineligibility to apply for or renew certain
51 firefighter certification; providing an effective
52 date.

53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78

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

Section 1. Subsection (3) of section 48.151, Florida Statutes, is amended to read:

48.151 Service on statutory agents for certain persons.—

(3) The Chief Financial Officer or his or her assistant or deputy or another person in charge of the office is the agent for service of process on all insurers applying for authority to transact insurance in this state, all licensed nonresident insurance agents, all nonresident disability insurance agents licensed pursuant to s. 626.835, any unauthorized insurer under s. 626.906 or s. 626.937, domestic reciprocal insurers, fraternal benefit societies under chapter 632, warranty associations under chapter 634, prepaid limited health service organizations under chapter 636, and persons required to file statements under s. 628.461. For purposes of this subsection, the department may create an Internet-based system for the electronic transmission and acceptance of service of process documents.

Section 2. Subsection (1) of section 110.1315, Florida Statutes, is amended to read:

110.1315 Alternative retirement benefits; other-personal-services employees.—

(1) ~~Upon review and approval by the Executive Office of the Governor,~~ The Department of Financial Services shall provide

79 | an alternative retirement income security program for eligible
 80 | temporary and seasonal employees of the state who are
 81 | compensated from appropriations for other personal services. The
 82 | Department of Financial Services may contract with a private
 83 | vendor or vendors to administer the program under a defined-
 84 | contribution plan under ss. 401(a) and 403(b) or s. 457 of the
 85 | Internal Revenue Code, and the program must provide retirement
 86 | benefits as required under s. 3121(b)(7)(F) of the Internal
 87 | Revenue Code. The Department of Financial Services may develop a
 88 | request for proposals and solicit qualified vendors to compete
 89 | for the award of the contract. A vendor shall be selected on the
 90 | basis of the plan that best serves the interest of the
 91 | participating employees and the state. The proposal must comply
 92 | with all necessary federal and state laws and rules.

93 | Section 3. Subsection (2) and paragraph (a) of subsection
 94 | (4) of section 112.215, Florida Statutes, are amended to read:

95 | 112.215 Government employees; deferred compensation
 96 | program.—

97 | (2) For the purposes of this section, the term:

98 | (a) "Employee" means a ~~any~~ person, whether appointed,
 99 | elected, or under contract, providing services for a
 100 | governmental entity for which compensation or statutory fees are
 101 | paid.

102 | (b) "Governmental entity" means the state; a ~~any~~ state
 103 | agency; a special purpose district or water management district;
 104 | a ~~or~~ county or other political subdivision of the state; a ~~any~~

105 municipality; a ~~any~~ state university board of trustees; or a ~~any~~
 106 constitutional county officer under s. 1(d), Art. VIII of the
 107 State Constitution ~~for which compensation or statutory fees are~~
 108 ~~paid.~~

109 (4) (a) The Chief Financial Officer, with the approval of
 110 the State Board of Administration, shall establish such plan or
 111 plans of deferred compensation for state employees, including
 112 all such investment vehicles or products incident thereto, as
 113 may be available through, or offered by, qualified companies or
 114 persons, and may include employees of other governmental
 115 entities in the plan and approve one or more such plans for
 116 implementation by and on behalf of the state or other
 117 governmental entity and its agencies and employees.

118 Section 4. Section 137.09, Florida Statutes, is amended to
 119 read:

120 137.09 Justification and approval of bonds.—Each surety
 121 upon every bond of any county officer shall make affidavit that
 122 he or she is a resident of the county for which the officer is
 123 to be commissioned, and that he or she has sufficient visible
 124 property therein unencumbered and not exempt from sale under
 125 legal process to make good his or her bond. Every such bond
 126 shall be approved by the board of county commissioners ~~and by~~
 127 ~~the Department of Financial Services~~ when the board ~~they and it~~
 128 determines that such bond ~~are satisfied in their judgment that~~
 129 ~~the same~~ is legal, sufficient, and proper ~~to be approved.~~

130 Section 5. Paragraphs (a), (b), (g), (j), (m), and (v) of

131 subsection (2), paragraph (e) of subsection (4), and paragraph
 132 (o) of subsection (8) of section 215.97, Florida Statutes, are
 133 amended, subsections (9) through (11) are renumbered as
 134 subsections (10) through (12), respectively, and a new
 135 subsection (9) is added to that section, to read:

136 215.97 Florida Single Audit Act.—

137 (2) Definitions; as used in this section, the term:

138 (a) "Audit threshold" means the threshold amount used to
 139 determine when a state single audit or project-specific audit of
 140 a nonstate entity shall be conducted in accordance with this
 141 section. Each nonstate entity that expends a total amount of
 142 state financial assistance equal to or in excess of \$750,000
 143 ~~\$500,000~~ in any fiscal year of such nonstate entity shall be
 144 required to have a state single audit, or a project-specific
 145 audit, for such fiscal year in accordance with the requirements
 146 of this section. Every 2 years the Auditor General, after
 147 consulting with the Executive Office of the Governor, the
 148 Department of Financial Services, and all state awarding
 149 agencies, shall review the threshold amount for requiring audits
 150 under this section and may adjust such threshold amount
 151 consistent with the purposes of this section.

152 (b) "Auditing standards" means the auditing standards as
 153 stated in the rules of the Auditor General as applicable to ~~for-~~
 154 ~~profit organizations,~~ nonprofit organizations, or local
 155 governmental entities.

156 (g) "Higher education entity" means a Florida College

157 System institution, as defined in s. 1000.21(3), or a state
158 university, as defined in s. 1000.21(6). ~~"For-profit~~
159 ~~organization" means any organization or sole proprietor that is~~
160 ~~not a governmental entity or a nonprofit organization.~~

161 (j) "Local governmental entity" means a county as a whole,
162 municipality, or special district or any other entity excluding
163 a district school board or ~~charter school, Florida College~~
164 ~~System institution, or public university,~~ however styled, which
165 independently exercises any type of governmental function within
166 the state.

167 (m) "Nonstate entity" means a local governmental entity,
168 higher education entity, or nonprofit organization, ~~or for-~~
169 ~~profit organization~~ that receives state financial assistance.

170 (v) "State project-specific audit" means an audit of one
171 state project performed in accordance with the requirements of
172 subsection (11) ~~(10)~~.

173 (4) The Department of Financial Services shall:

174 (e) Make enhancements to the state's accounting system to
175 provide for the:

176 1. Recording of state financial assistance and federal
177 financial assistance appropriations and expenditures within the
178 state awarding agencies' operating funds.

179 2. Recording of state project number identifiers, as
180 provided in the Catalog of State Financial Assistance, for state
181 financial assistance.

182 3. Establishment and recording of an identification code

183 for each financial transaction, including awarding state
 184 agencies' disbursements of state financial assistance and
 185 federal financial assistance, as to the corresponding type or
 186 organization that is party to the transaction (e.g., other
 187 governmental agencies and, nonprofit organizations, ~~and for~~
 188 ~~profit organizations~~), and disbursements of federal financial
 189 assistance, as to whether the party to the transaction is or is
 190 not a nonstate entity.

191 (8) Each recipient or subrecipient of state financial
 192 assistance shall comply with the following:

193 (o) A higher education entity is exempt from the
 194 requirements in paragraph (2) (a) and this subsection. ~~A contract~~
 195 ~~involving the State University System or the Florida College~~
 196 ~~System funded by state financial assistance may be in the form~~
 197 ~~of:~~

198 1. ~~A fixed-price contract that entitles the provider to~~
 199 ~~receive full compensation for the fixed contract amount upon~~
 200 ~~completion of all contract deliverables;~~

201 2. ~~A fixed rate per unit contract that entitles the~~
 202 ~~provider to receive compensation for each contract deliverable~~
 203 ~~provided;~~

204 3. ~~A cost-reimbursable contract that entitles the provider~~
 205 ~~to receive compensation for actual allowable costs incurred in~~
 206 ~~performing contract deliverables; or~~

207 4. ~~A combination of the contract forms described in~~
 208 ~~subparagraphs 1., 2., and 3.~~

209 (9) The following applies to any contract or agreement
210 between a state awarding agency and a higher education entity
211 that is funded by state financial assistance:

212 (a) The contract or agreement must be:

213 1. A fixed-price contract or agreement that entitles the
214 provider to receive compensation for the fixed-price contract or
215 agreement amount upon completion of all contract or agreement
216 deliverables;

217 2. A fixed-rate-per-unit contract or agreement that
218 entitles the provider to receive compensation for each contract
219 or agreement deliverable provided;

220 3. A cost-reimbursable contract or agreement that entitles
221 the provider to receive compensation for actual allowable costs
222 incurred in performing contract or agreement deliverables; or

223 4. A combination of the contract or agreement forms
224 described in subparagraphs 1., 2., and 3.

225 (b) The contract or agreement must comply with the
226 provisions of s. 215.971(1).

227 (c) The contract or agreement must comply with the
228 provisions of s. 216.3475.

229 (d) If a higher education entity has extremely limited or
230 no required activities related to the administration of a state
231 project and only acts as a conduit of state financial
232 assistance, the requirements of this subsection do not apply to
233 the higher education entity. However, the subrecipient that is
234 provided state financial assistance by such higher education

235 entity is subject to the requirements of this subsection.

236 (e) This subsection does not exempt a higher education
237 entity from compliance with any provision of law relating to
238 maintaining records concerning state financial assistance to a
239 higher education entity or allowing access and examination of
240 such records by the state awarding agency, the higher education
241 entity, the Department of Financial Services, or the Auditor
242 General.

243 (f) This subsection does not prohibit the state awarding
244 agency from including terms and conditions in the contract or
245 agreement which require additional assurances that the state
246 financial assistance meets the applicable requirements of laws,
247 regulations, and other compliance rules.

248 Section 6. Subsection (2) of section 374.983, Florida
249 Statutes, is amended to read:

250 374.983 Governing body.—

251 (2) The present board of commissioners of the district
252 shall continue to hold office until their respective terms shall
253 expire. Thereafter the members of the board shall continue to be
254 appointed by the Governor for a term of 4 years and until their
255 successors shall be duly appointed. Specifically, commencing on
256 January 10, 1997, the Governor shall appoint the commissioners
257 from Broward, Indian River, Martin, St. Johns, and Volusia
258 Counties and on January 10, 1999, the Governor shall appoint the
259 commissioners from Brevard, Miami-Dade, Duval, Flagler, Palm
260 Beach, and St. Lucie Counties. The Governor shall appoint the

261 commissioner from Nassau County for an initial term that
 262 coincides with the period remaining in the current terms of the
 263 commissioners from Broward, Indian River, Martin, St. Johns, and
 264 Volusia Counties. Thereafter, the commissioner from Nassau
 265 County shall be appointed to a 4-year term. Each new appointee
 266 must be confirmed by the Senate. Whenever a vacancy occurs among
 267 the commissioners, the person appointed to fill such vacancy
 268 shall hold office for the unexpired portion of the term of the
 269 commissioner whose place he or she is selected to fill. Each
 270 commissioner under this act before he or she assumes office
 271 shall be required to give a good and sufficient surety bond in
 272 the sum of \$10,000 payable to the Governor and his or her
 273 successors in office, conditioned upon the faithful performance
 274 of the duties of his or her office, such bond to be approved by
 275 and filed with the board of commissioners of the district ~~Chief~~
 276 ~~Financial Officer~~. Any and all premiums upon such surety bonds
 277 shall be paid by the board of commissioners of the ~~such~~ district
 278 as a necessary expense of the district.

279 Section 7. Subsection (9) of section 624.307, Florida
 280 Statutes, is amended to read:

281 624.307 General powers; duties.—

282 (9) Upon receiving service of legal process issued in any
 283 civil action or proceeding in this state against any regulated
 284 person or unauthorized insurer under s. 626.906 or s. 626.937
 285 required to appoint the Chief Financial Officer as its attorney
 286 to receive service of all legal process, the Chief Financial

287 Officer, as attorney, may, in lieu of sending the process by
288 registered or certified mail, send the process or make it
289 available by any other verifiable means, including, but not
290 limited to, making the documents available by electronic
291 transmission from a secure website established by the
292 department, to the person last designated by the regulated
293 person or the unauthorized insurer to receive the process. When
294 process documents are made available electronically, the Chief
295 Financial Officer shall send a notice of receipt of service of
296 process to the person last designated by the regulated person or
297 unauthorized insurer to receive legal process. The notice must
298 state the date and manner in which the copy of the process was
299 made available to the regulated person or unauthorized insurer
300 being served and contain an Internet hyperlink to obtain a copy
301 of the process.

302 Section 8. Section 624.423, Florida Statutes, is amended
303 to read:

304 624.423 Serving process.—

305 (1) Service of process upon the Chief Financial Officer as
306 process agent of the insurer (under s. 624.422) shall be made by
307 serving a copy of the process upon the Chief Financial Officer
308 or upon her or his assistant, deputy, or other person in charge
309 of her or his office. In lieu of serving a copy of the process
310 by mail to or personal service upon the Chief Financial Officer
311 or her or his assistant, deputy, or other person in charge of
312 her or his office, the department may create an Internet-based

313 system for the electronic transmission and acceptance of service
314 of process documents. Upon receiving such service, the Chief
315 Financial Officer shall retain a record copy and promptly
316 forward one copy of the process by registered or certified mail
317 or by other verifiable means, as provided in s. 624.307(9), to
318 the person last designated by the insurer to receive the same,
319 as provided in ~~under~~ s. 624.422(2). For purposes of this
320 section, records may be retained as paper or electronic copies.

321 (2) When ~~Where~~ process is served upon the Chief Financial
322 Officer as an insurer's process agent, the insurer shall not be
323 required to answer or plead except within 20 days after the date
324 upon which the Chief Financial Officer sent or made available by
325 other verifiable means ~~mailed~~ a copy of the process served upon
326 her or him as required by subsection (1).

327 (3) Process served upon the Chief Financial Officer and
328 sent or made available in accordance with this section and s.
329 624.307(9) ~~copy thereof forwarded as in this section provided~~
330 shall for all purposes constitute valid and binding service
331 thereof upon the insurer.

332 (4) For purposes of this section, the term "insurer"
333 includes any unauthorized insurer under s. 626.906 or s.
334 626.937.

335 Section 9. Section 624.502, Florida Statutes, is amended
336 to read:

337 624.502 Service of process fee.—In all instances as
338 provided in any section of the insurance code and s. 48.151(3)

339 in which service of process is authorized to be made upon the
 340 Chief Financial Officer or the director of the office, the
 341 plaintiff shall pay to the department or office a fee of \$15 for
 342 such service of process to an authorized insurer or \$25 for such
 343 service of process to an unauthorized insurer, which fee shall
 344 be deposited into the Administrative Trust Fund.

345 Section 10. Subsection (1) of section 626.907, Florida
 346 Statutes, is amended to read:

347 626.907 Service of process; judgment by default.—

348 (1) Service of process upon an insurer or person
 349 representing or aiding such insurer pursuant to s. 626.906 shall
 350 be made by delivering to and leaving with the Chief Financial
 351 Officer or his or her assistant or deputy or another ~~some~~ person
 352 in ~~apparent~~ charge of the ~~his or her~~ office two copies thereof
 353 and the service of process fee as required in s. 624.502. The
 354 Chief Financial Officer shall forthwith mail by registered mail
 355 one of the copies of such process to the defendant at the
 356 defendant's last known principal place of business as provided
 357 by the party submitting the documents and shall keep a record of
 358 all process so served upon him or her. The service of process is
 359 sufficient, provided notice of such service and a copy of the
 360 process are sent within 10 days thereafter by registered mail by
 361 plaintiff or plaintiff's attorney to the defendant at the
 362 defendant's last known principal place of business, and the
 363 defendant's receipt, or receipt issued by the post office with
 364 which the letter is registered, showing the name of the sender

365 of the letter and the name and address of the person to whom the
366 letter is addressed, and the affidavit of the plaintiff or
367 plaintiff's attorney showing a compliance herewith are filed
368 with the clerk of the court in which the action is pending on or
369 before the date the defendant is required to appear, or within
370 such further time as the court may allow.

371 Section 11. Paragraph (a) of subsection (7) of section
372 627.7074, Florida Statutes, is amended to read:

373 627.7074 Alternative procedure for resolution of disputed
374 sinkhole insurance claims.—

375 (7) Upon receipt of a request for neutral evaluation, the
376 department shall provide the parties a list of certified neutral
377 evaluators. The department shall allow the parties to submit
378 requests to disqualify evaluators on the list for cause.

379 (a) The department shall disqualify neutral evaluators for
380 cause based only on any of the following grounds:

381 1. A familial relationship within the third degree exists
382 between the neutral evaluator and either party or a
383 representative of either party.

384 2. The proposed neutral evaluator has, in a professional
385 capacity, previously represented either party or a
386 representative of either party in the same or a substantially
387 related matter.

388 3. The proposed neutral evaluator has, in a professional
389 capacity, represented another person in the same or a
390 substantially related matter and that person's interests are

391 materially adverse to the interests of the parties. The term
 392 "substantially related matter" means participation by the
 393 neutral evaluator on the same claim, property, or adjacent
 394 property.

395 4. The proposed neutral evaluator has, within the
 396 preceding 5 years, worked as an employer or employee of any
 397 party to the case.

398 5. The proposed neutral evaluator has, within the
 399 preceding 5 years, worked for the company or firm that performed
 400 the initial testing described in s. 627.7072.

401 Section 12. Paragraph (b) of subsection (1) of section
 402 627.706, Florida Statutes, is amended to read:

403 627.706 Sinkhole insurance; catastrophic ground cover
 404 collapse; definitions.—

405 (1)

406 (b) The insurer shall make available, for an appropriate
 407 additional premium, coverage for sinkhole losses on any
 408 structure, including the contents of personal property contained
 409 therein, to the extent provided in the form to which the
 410 coverage attaches, unless the location of the risk does not meet
 411 the underwriting requirements for sinkhole coverage filed with
 412 the office by the insurer. If the location of the risk fulfills
 413 such underwriting requirements, the insurer may require an
 414 inspection of the property before issuance of sinkhole loss
 415 coverage. An inspection of the property is not required if the
 416 location of the risk does not meet such underwriting

417 requirements. A policy for residential property insurance may
418 include a deductible amount applicable to sinkhole losses equal
419 to 1 percent, 2 percent, 5 percent, or 10 percent of the policy
420 dwelling limits, with appropriate premium discounts offered with
421 each deductible amount.

422 Section 13. Subsection (8) of section 633.208, Florida
423 Statutes, is amended to read:

424 633.208 Minimum firesafety standards.—

425 (8) The provisions of the Life Safety Code, as contained
426 in the Florida Fire Prevention Code, do not apply to ~~newly~~
427 ~~constructed~~ one-family and two-family dwellings. However, fire
428 sprinkler protection may be permitted by local government in
429 lieu of other fire protection-related development requirements
430 for such structures. While local governments may adopt fire
431 sprinkler requirements for one- and two-family dwellings under
432 this subsection, it is the intent of the Legislature that the
433 economic consequences of the fire sprinkler mandate on home
434 owners be studied before the enactment of such a requirement.
435 After the effective date of this act, any local government that
436 desires to adopt a fire sprinkler requirement on one- or two-
437 family dwellings must prepare an economic cost and benefit
438 report that analyzes the application of fire sprinklers to one-
439 or two-family dwellings or any proposed residential subdivision.
440 The report must consider the tradeoffs and specific cost savings
441 and benefits of fire sprinklers for future owners of property.
442 The report must include an assessment of the cost savings from

443 any reduced or eliminated impact fees if applicable, the
444 reduction in special fire district tax, insurance fees, and
445 other taxes or fees imposed, and the waiver of certain
446 infrastructure requirements including the reduction of roadway
447 widths, the reduction of water line sizes, increased fire
448 hydrant spacing, increased dead-end roadway length, and a
449 reduction in cul-de-sac sizes relative to the costs from fire
450 sprinkling. A failure to prepare an economic report shall result
451 in the invalidation of the fire sprinkler requirement to any
452 one- or two-family dwelling or any proposed subdivision. In
453 addition, a local jurisdiction or utility may not charge any
454 additional fee, above what is charged to a non-fire sprinklered
455 dwelling, on the basis that a one- or two-family dwelling unit
456 is protected by a fire sprinkler system.

457 Section 14. Paragraph (b) of subsection (6) of section
458 633.408, Florida Statutes, is amended, and subsection (9) is
459 added to that section, to read:

460 633.408 Firefighter and volunteer firefighter training and
461 certification.—

462 (4) The division shall issue a firefighter certificate of
463 compliance to an individual who does all of the following:

464 (b) Passes the Minimum Standards Course examination within
465 6 months after completing the Minimum Standards Course.

466 (9) A certificate of compliance or completion issued under
467 this section expires 4 years after the date of issuance unless
468 renewed as provided in s. 633.414.

469 Section 15. Subsection (2) of section 633.412, Florida
 470 Statutes, is amended to read:

471 633.412 Firefighters; qualifications for certification.—

472 (2) If the division suspends or revokes an individual's
 473 certificate, the division may, in accordance with standards
 474 provided by rule, ~~must~~ suspend or revoke all other certificates
 475 issued to the individual by the division pursuant to this part.

476 Section 16. Subsections (3) through (5) of section
 477 633.414, Florida Statutes, are renumbered as sections (4)
 478 through (6), respectively, subsection (1) is amended, and
 479 subsections (3), (7), and (8) are added to that section, to
 480 read:

481 633.414 Retention of firefighter certification.—

482 (1) In order for a firefighter to retain her or his
 483 Firefighter Certificate of Compliance, every 4 years he or she
 484 must apply to the division on forms provided by it and
 485 demonstrate that he or she meets the requirements for renewal
 486 provided in this chapter and by rule, which must include the
 487 following:

488 (a) Be active as a firefighter;

489 ~~(b) Maintain a current and valid fire service instructor~~
 490 ~~certificate, instruct at least 40 hours during the 4-year~~
 491 ~~period, and provide proof of such instruction to the division,~~
 492 ~~which proof must be registered in an electronic database~~
 493 ~~designated by the division;~~

494 (b)(e) Within 6 months before the 4-year period expires,

495 successfully complete the Firefighter Retention a Refresher
 496 Course consisting of a minimum of 40 hours of training to be
 497 prescribed by rule; or

498 (c)~~(d)~~ Within 6 months before the 4-year period expires,
 499 successfully retake and pass the Minimum Standards Course
 500 examination pursuant to s. 633.408.

501 (3) In order for an instructor to retain her or his Fire
 502 Service Instructor Certificate, every 4 years he or she must:

503 (a) Maintain a current and valid Fire Service Instructor
 504 Certificate.

505 (b) Instruct at least 40 hours during the 4-year period.

506 (c) Provide proof of such instruction to the division,
 507 which proof must be registered in an electronic database
 508 designated by the division.

509 (7) The certification of a firefighter, volunteer
 510 firefighter, or instructor who fails to meet the requirements of
 511 this section will expire.

512 (8) The State Fire Marshal may deny, refuse to renew,
 513 suspend, or revoke the certificate of a firefighter, volunteer
 514 firefighter, or instructor if the State Fire Marshal finds that
 515 any of the following grounds exist:

516 (a) Any cause for which issuance of a certificate could
 517 have been denied had it existed and been known to the division
 518 when the firefighter, volunteer firefighter, or instructor
 519 initially applied for his or her certificate.

520 (b) Violation of this chapter or any rule or order of the

521 State Fire Marshal.

522 (c) Falsification of records relating to any certificates
 523 issued by the division.

524 Section 17. Paragraph (b) of subsection (1) and subsection
 525 (2) of section 633.426, Florida Statutes, are amended to read:

526 633.426 Disciplinary action; standards for revocation of
 527 certification.—

528 (1) For purposes of this section, the term:

529 (b) "Certification" or "certified" means the act of
 530 holding a current and valid certificate that meets the
 531 requirements for renewal of certification pursuant to this
 532 chapter and by rule.

533 (2) An individual is ineligible to apply for certification
 534 or renew certification after July 1, 2013, if the individual
 535 has, ~~at any time,~~ been:

536 (a) Convicted of a misdemeanor relating to the
 537 certification or to perjury or false statements.

538 (b) Convicted of a felony or a crime punishable by
 539 imprisonment of 1 year or more under the law of the United
 540 States or of any state thereof, or under the law of any other
 541 country.

542 (c) Dishonorably discharged from any of the Armed Forces
 543 of the United States.

544 Section 18. This act shall take effect July 1, 2016.