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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/03/2017	.	
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The Committee on Banking and Insurance (Farmer) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. The Division of Law Revision and Information is directed to create part XVII of chapter 468, Florida Statutes, consisting of ss. 468.94-468.9424, Florida Statutes, to be entitled "Water Damage Restoration."

Section 2. Section 468.94, Florida Statutes, is created to read:



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11 468.94 Water damage restoration services licensing program;  
12 legislative purpose.—

13 (1) There is created within the department the water damage  
14 restoration services licensing program.

15 (2) The Legislature finds it necessary in the interest of  
16 the public safety and welfare to prevent damage to real and  
17 personal property, to avert economic injury to the residents of  
18 this state, and to regulate persons and companies that hold  
19 themselves out to the public as qualified to perform water  
20 damage restoration services.

21 Section 3. Section 468.941, Florida Statutes, is created to  
22 read:

23 468.941 Exemptions.—The following persons are not required  
24 to comply with any provisions of this part relating to water  
25 damage restoration:

26 (1) A residential property owner who performs water damage  
27 restoration on his or her own property;

28 (2) A person who performs water damage restoration on  
29 property owned or leased by the person, the person's employer,  
30 or an entity affiliated with the person's employer through  
31 common ownership, or on property operated or managed by the  
32 person's employer or an entity affiliated with the person's  
33 employer through common ownership. This exemption does not apply

34 if the person, employer, or affiliated entity engages in the  
35 business of performing water damage restoration for the public;

36 (3) An employee of a professional water damage restorer  
37 while directly supervised by the professional water damage  
38 restorer;

39 (4) Persons or business organizations that are acting



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40 within the scope of the respective licenses required under part  
41 XV of this chapter, chapter 471, part I or part II of chapter  
42 481, chapter 482, or chapter 489; that are acting on behalf of  
43 an insurer under part VI of chapter 626; or that are persons in  
44 the manufactured housing industry who are licensed under chapter  
45 320, except when any such persons or business organizations hold  
46 themselves out for hire to the public as a "certified water  
47 damage restorer," "registered water damage restorer," "licensed  
48 water damage restorer," "water damage restorer," "professional  
49 water damage restorer," or any combination thereof, stating or  
50 implying licensure under this part; and

51 (5) An authorized employee of the United States, this  
52 state, or any municipality, county, or other political  
53 subdivision, or public or private school, and who is conducting  
54 water damage restoration within the scope of that employment, as  
55 long as the employee does not hold himself or herself out for  
56 hire to the general public or otherwise engage in water damage  
57 restoration.

58 Section 4. Section 468.9411, Florida Statutes, is created  
59 to read:

60 468.9411 Definitions.—As used in this part, the term:

61 (1) "Department" means the Department of Business and  
62 Professional Regulation.

63 (2) "Professional water damage restorer" means any person  
64 who performs water damage restoration.

65 (3) "Water damage restoration" means water removal,  
66 demolition, dehumidification, or other treatment related to  
67 water damage or water-contaminated matter larger than 10 square  
68 feet.



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69 Section 5. Section 468.9412, Florida Statutes, is created  
70 to read:

71 468.9412 Fees.—

72 (1) The department may establish fees to be paid for  
73 application, examination, reexamination, licensing and renewal,  
74 inactive status application and reactivation of inactive  
75 licenses, and application for providers of continuing education.  
76 The department may also establish a delinquency fee. Fees must  
77 be based on department estimates of the revenue required to  
78 administer this part. All fees must be remitted with the  
79 application, examination, reexamination, licensing and renewal,  
80 inactive status application and reactivation of inactive  
81 licenses, and application for providers of continuing education.

82 (2) The application fee may not exceed \$125 and is  
83 nonrefundable. The examination fee may not exceed \$125 plus the  
84 actual per applicant cost to the department to purchase the  
85 examination, if the department chooses to purchase the  
86 examination. The examination fee must be in an amount that  
87 covers the cost of obtaining and administering the examination  
88 and must be refunded if the applicant is found ineligible to sit  
89 for the examination.

90 (3) The fee for an initial license may not exceed \$200.

91 (4) The fee for an initial certificate of authorization may  
92 not exceed \$200.

93 (5) The fee for a biennial license renewal may not exceed  
94 \$400.

95 (6) The fee for licensure by endorsement may not exceed  
96 \$200.

97 (7) The fee for application for inactive status may not



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98 exceed \$100.

99 (8) The fee for reactivation of an inactive license may not  
100 exceed \$200.

101 (9) The fee for applications from providers of continuing  
102 education may not exceed \$500.

103 Section 6. Section 468.9413, Florida Statutes, is created  
104 to read:

105 468.9413 Examinations.—

106 (1) A person desiring to be licensed as a professional  
107 water damage restorer must apply to the department after  
108 satisfying the examination requirements of this part.

109 (2) An applicant may practice in this state as a  
110 professional water damage restorer if he or she passes the  
111 required examination, is of good moral character, and has  
112 successfully completed the Water Damage Restoration Technician  
113 course and the Advanced Structural Drying course approved by the  
114 Institute of Inspection, Cleaning and Restoration Certification  
115 or similar courses approved by the department.

116 (3) The department shall review and approve courses of  
117 study in water damage restoration.

118 (4) (a) As used in this section, the term "good moral  
119 character" means a personal history of honesty, fairness, and  
120 respect for the rights of others and for the laws of this state  
121 and nation.

122 (b) The department may refuse to certify an applicant who  
123 fails to satisfy the requirement for good moral character only  
124 if:

125 1. There is a substantial connection between the lack of  
126 good moral character of the applicant and the professional



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127 responsibilities of a licensed professional water damage  
128 restorer; and

129 2. The finding by the department of lack of good moral  
130 character is supported by clear and convincing evidence.

131 (c) When an applicant is found to be unqualified for a  
132 license because of a lack of good moral character, the  
133 department must furnish the applicant with a statement  
134 containing the findings of the department, a complete record of  
135 the evidence upon which the determination was based, and a  
136 notice of the rights of the applicant to a hearing and appeal.

137 (5) The department may adopt rules pursuant to ss.  
138 120.536(1) and 120.54 to administer this section.

139 (6) An applicant for a license shall submit, together with  
140 the application, a complete set of electronic fingerprints to  
141 the department. The department shall submit the fingerprints to  
142 the Department of Law Enforcement for state processing, and the  
143 Department of Law Enforcement shall forward them to the Federal  
144 Bureau of Investigation for national processing, to determine  
145 whether the applicant has a criminal history record. The  
146 department shall review the background check results to  
147 determine if the applicant meets licensure requirements. The  
148 applicant is responsible for the costs associated with  
149 processing the fingerprints. The authorized agencies or vendors  
150 shall collect such fees and pay the processing costs due the  
151 Department of Law Enforcement.

152 Section 7. Section 468.9414, Florida Statutes, is created  
153 to read:

154 468.9414 Licensure.—

155 (1) The department shall license any applicant who the



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156 department certifies is qualified to practice professional water  
157 damage restoration.

158 (2) The department shall certify for licensure any  
159 applicant who satisfies the requirements of s. 468.9413, who has  
160 passed the licensing examination, and who has met the education  
161 requirements of s. 468.9413. The department may refuse to  
162 certify any applicant who has violated any of the provisions of  
163 this part.

164 (3) The department shall certify as qualified for a license  
165 by endorsement an applicant who is of good moral character, who  
166 has the insurance coverage required under s. 468.9421, and who:

167 (a) Is qualified to take the examination as set forth in s.  
168 468.9413 and has passed a certification examination offered by a  
169 nationally recognized organization that certifies persons in the  
170 specialty of water damage restoration. The certification  
171 examination offered must be approved by the department as  
172 substantially equivalent to the requirements of this part and s.  
173 455.217; or

174 (b) Holds a valid license to practice water damage  
175 restoration issued by another state or territory of the United  
176 States if the criteria for issuance of the license were  
177 substantially the same as the licensure criteria established by  
178 this part as determined by the department.

179 (4) The department may not issue a license by endorsement  
180 to any applicant who is under investigation in another state for  
181 any act that would constitute a violation of this part or  
182 chapter 455 until such time as the investigation is complete and  
183 disciplinary proceedings have been terminated.

184 Section 8. Section 468.9415, Florida Statutes, is created



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185 to read:

186 468.9415 Renewal of license.-

187 (1) The department shall renew a license upon receipt of  
188 the renewal application and fee and upon certification by the  
189 department that the licensee has satisfactorily completed the  
190 continuing education requirements of s. 468.9416.

191 (2) The department shall adopt rules establishing a  
192 procedure for the biennial renewal of licenses.

193 Section 9. Section 468.9416, Florida Statutes, is created  
194 to read:

195 468.9416 Continuing education.-

196 (1) The department may not renew a license until the  
197 licensee submits satisfactory proof that during the 2-year  
198 period before his or her application for renewal, the licensee  
199 completed at least 14 hours of continuing education. Criteria  
200 and course content must be approved by the department by rule.

201 (2) The department may prescribe by rule additional  
202 continuing professional education hours, not to exceed 25  
203 percent of the total hours required, for a licensee's failure to  
204 complete the hours required for renewal by the end of the  
205 renewal period.

206 Section 10. Section 468.9417, Florida Statutes, is created  
207 to read:

208 468.9417 Inactive license.-

209 (1) A licensee may request that his or her license be  
210 placed in an inactive status by making application to the  
211 department.

212 (2) A license that becomes inactive may be reactivated upon  
213 application to the department. The department may prescribe by





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214 rule continuing education requirements as a condition of  
215 reactivating a license. The rules may not require more than one  
216 renewal cycle of continuing education to reactivate a license.

217 (3) The department shall adopt rules relating to licenses  
218 that have become inactive and for the renewal of inactive  
219 licenses. The department shall prescribe by rule a fee not to  
220 exceed \$200 for the reactivation of an inactive license and a  
221 fee not to exceed \$200 for the renewal of an inactive license.

222 Section 11. Section 468.9418, Florida Statutes, is created  
223 to read:

224 468.9418 Certification of partnerships and corporations.-  
225 The practice of or the offer to practice water damage  
226 restoration by licensees through a corporation or partnership  
227 offering water damage restoration to the public, or by a  
228 corporation or partnership offering such services to the public  
229 through licensees under this part as agents, employees,  
230 officers, or partners, is permitted subject to the provisions of  
231 this part. This section may not be construed to allow a  
232 corporation to hold a license to practice water damage  
233 restoration. A corporation or partnership may not be relieved of  
234 responsibility for the conduct or acts of its agents, employees,  
235 officers, or partners by reason of its compliance with this  
236 section, nor may any individual practicing water damage  
237 restoration be relieved of responsibility for professional  
238 services performed by reason of his or her employment or  
239 relationship with a corporation or partnership.

240 Section 12. Section 468.9419, Florida Statutes, is created  
241 to read:

242 468.9419 Prohibitions; penalties.-



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243           (1) A person may not:  
244           (a) Effective January 1, 2018, perform or offer to perform  
245 any water damage restoration unless the person is licensed as a  
246 professional water damage restorer under this part.  
247           (b) Effective January 1, 2018, perform or offer to perform  
248 any water damage restoration unless the person has complied with  
249 the provisions of this part.  
250           (c) Use the name or title "certified water damage  
251 restorer," "registered water damage restorer," "licensed water  
252 damage restorer," "water damage restorer," "professional water  
253 damage restorer," or any combination thereof unless the person  
254 has complied with the provisions of this part.  
255           (d) Remediate for a fee any property in which the  
256 professional water damage restorer or the professional water  
257 damage restorer's company has any financial or transfer  
258 interest.  
259           (2) Any person who violates any provision of this section  
260 commits:  
261           (a) A misdemeanor of the second degree for a first  
262 violation, punishable as provided in s. 775.082 or s. 775.083.  
263           (b) A misdemeanor of the first degree for a second  
264 violation, punishable as provided in s. 775.082 or s. 775.083.  
265           (c) A felony of the third degree for a third or subsequent  
266 violation, punishable as provided in s. 775.082, s. 775.083, or  
267 s. 775.084.  
268           (3) This section does not apply to unlicensed activity that  
269 occurs before January 1, 2018.  
270           Section 13. Section 468.942, Florida Statutes, is created  
271 to read:



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- 272 468.942 Disciplinary proceedings.-  
273 (1) The following acts constitute grounds for which the  
274 disciplinary actions in subsection (2) may be taken:  
275 (a) Violation of any provision of this part or s.  
276 455.227(1).  
277 (b) Attempting to procure a license to practice water  
278 damage restoration by bribery or fraudulent misrepresentations.  
279 (c) Having a license to practice water damage restoration  
280 revoked, suspended, or otherwise acted against, including the  
281 denial of licensure, by the licensing authority of another  
282 state, territory, or country.  
283 (d) Being convicted or found guilty of, or entering a plea  
284 of nolo contendere to, regardless of adjudication, a crime in  
285 any jurisdiction that directly relates to the practice of water  
286 damage restoration or the ability to practice water damage  
287 restoration.  
288 (e) Making or filing a report or record that the licensee  
289 knows to be false, willfully failing to file a report or record  
290 required by state or federal law, willfully impeding or  
291 obstructing such filing, or inducing another person to impede or  
292 obstruct such filing. Such reports or records may include only  
293 those that are signed in the capacity of a professional water  
294 damage restorer.  
295 (f) Advertising goods or services in a manner that is  
296 fraudulent, false, deceptive, or misleading in form or content.  
297 (g) Engaging in fraud or deceit, or negligence,  
298 incompetency, or misconduct, in the practice of water damage  
299 restoration.  
300 (h) Failing to perform any statutory or legal obligation



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301 placed upon a professional water damage restorer; violating any  
302 provision of this chapter, a rule of the department, or a lawful  
303 order of the department previously entered in a disciplinary  
304 hearing; or failing to comply with a lawfully issued subpoena of  
305 the department.

306 (i) Practicing on a revoked, suspended, inactive, or  
307 delinquent license.

308 (j) Failing to meet any standard of practice adopted by  
309 rule of the department.

310 (2) When the department finds any professional water damage  
311 restorer committed any of the grounds set forth in subsection  
312 (1), it may enter an order imposing one or more of the following  
313 penalties:

314 (a) Denial of an application for licensure.

315 (b) Revocation or suspension of a license.

316 (c) Imposition of an administrative fine not to exceed  
317 \$5,000 for each count or separate offense.

318 (d) Issuance of a reprimand.

319 (e) Placement of the professional water damage restorer on  
320 probation for a period of time and subject to such conditions as  
321 the department may specify.

322 (f) Restriction of the professional water damage restorer's  
323 authorized scope of practice.

324 (3) In addition to any other sanction imposed under this  
325 part, in any final order that imposes sanctions, the department  
326 may assess costs related to the investigation and prosecution of  
327 the case.

328 Section 14. Section 468.9421, Florida Statutes, is created  
329 to read:



330 468.9421 Required insurance.—A professional water damage  
331 restorer shall maintain general liability and errors and  
332 omissions insurance coverage of at least \$1 million.

333 Section 15. Section 468.9422, Florida Statutes, is created  
334 to read:

335 468.9422 Contracts.—A contract to perform water damage  
336 restoration must be in a document or electronic record, signed  
337 or otherwise authenticated by the parties.

338 Section 16. Section 468.9423, Florida Statutes, is created  
339 to read:

340 468.9423 Grandfather clause.—

341 (1) A person who performs water damage restoration as  
342 defined in this part may qualify for licensure by the department  
343 as a professional water damage restorer if the person submits  
344 his or her application to the department by September 1, 2017,  
345 whether postmarked or delivered by that date, and if the person,  
346 at the time of application, has at least 3 years of experience  
347 as a professional water damage restorer. To establish the 3  
348 years of experience, an applicant must submit at least 40 water  
349 damage restoration invoices prepared by the applicant.

350 (2) The department may investigate the validity of a water  
351 damage restoration invoice submitted under subsection (1) and,  
352 if the applicant submits a false assessment or invoice, may take  
353 disciplinary action against the applicant under s. 468.942(1)(e)  
354 or (g).

355 (3) An applicant may not qualify for licensure under this  
356 section if he or she has had a professional water damage  
357 restorer license or a license in any related field revoked at  
358 any time or suspended within the previous 5 years or has been



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359 assessed a fine that exceeds \$500 within the previous 5 years.  
360 For purposes of this subsection, a license in a related field  
361 includes, but is not limited to, licensure in real estate,  
362 construction, home inspection, building code administration or  
363 inspection, or indoor air quality.

364 (4) An applicant for licensure under this section must  
365 comply with the good moral character and insurance requirements  
366 of this part. An applicant may not qualify for licensure under  
367 this section if the department finds that the applicant lacks  
368 good moral character pursuant to s. 468.9413(4) as a result of  
369 the applicant's criminal history record.

370 Section 17. Section 468.9424, Florida Statutes, is created  
371 to read:

372 468.9424 Rulemaking authority.—The department shall adopt  
373 rules to administer this part.

374 Section 18. Subsection (11) is added to section 627.062,  
375 Florida Statutes, to read:

376 627.062 Rate standards.—

377 (11) Attorney fees and costs paid by a property insurer  
378 pursuant to s. 627.428 may not be included in the property  
379 insurer's rate base and may not be used to justify a rate or  
380 rate change.

381 Section 19. Section 627.422, Florida Statutes, is amended  
382 to read:

383 627.422 Assignment of policies or post-loss benefits.—A  
384 policy may be assignable, or not assignable, as provided by its  
385 terms.

386 (1) LIFE OR HEALTH INSURANCE POLICIES.—Subject to its terms  
387 relating to assignability, any life or health insurance policy



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388 under the terms of which the beneficiary may be changed upon the  
389 sole request of the policyowner may be assigned either by pledge  
390 or transfer of title, by an assignment executed by the  
391 policyowner alone and delivered to the insurer, whether or not  
392 the pledgee or assignee is the insurer. Any such assignment  
393 shall entitle the insurer to deal with the assignee as the owner  
394 or pledgee of the policy in accordance with the terms of the  
395 assignment, until the insurer has received at its home office  
396 written notice of termination of the assignment or pledge or  
397 written notice by or on behalf of some other person claiming  
398 some interest in the policy in conflict with the assignment.

399 (2) POST-LOSS BENEFITS UNDER CERTAIN PROPERTY INSURANCE  
400 POLICIES.—A personal lines residential property insurance  
401 policy, a commercial residential property insurance policy, or a  
402 commercial property insurance policy may not prohibit the post-  
403 loss assignment of benefits. This subsection does not affect the  
404 assignment of benefits in other insurance policies.

405 (a) An agreement to assign post-loss benefits under this  
406 subsection is not valid unless the agreement:

407 1. Is in writing between the policyholder and assignee and  
408 is delivered to the insurer as provided in paragraph (c);

409 2. Is limited to claims for work performed or to be  
410 performed by the assignee for damages claimed to be covered;

411 3. Allows the policyholder to unilaterally rescind the  
412 assignment of post-loss benefits within 5 days after the  
413 execution of the assignment by an insured; provided, however,  
414 that the policyholder or insurer may be responsible for payment  
415 for work already performed during such period; and

416 4. Contains an accurate and up-to-date statement of the



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417 scope of work to be performed.

418 (b) An assignee of post-loss benefits under this  
419 subsection:

420 1. Must provide the policyholder with accurate and up-to-  
421 date revised statements of the scope of work to be performed as  
422 supplemental or additional repairs are required, and must  
423 provide to the policyholder and insurer a final invoice and bill  
424 for service rendered within 7 business days after the date of  
425 submission of the final invoice or bill;

426 2. Must guarantee to the policyholder that the work  
427 performed conforms to current and accepted industry standards;

428 3. May not charge the policyholder more than the applicable  
429 deductible contained in the policy unless the policyholder opts  
430 for additional work at the policyholder's own expense;

431 4. May not charge the policyholder directly, except for  
432 additional work not covered under the policy, including:

433 a. Work performed that is rightfully denied as not covered;  
434 and

435 b. Betterments or additional work not part of the loss.

436 5. May not pay referral fees totaling more than \$750 in  
437 connection with the assignment; and

438 6. For water damage claims:

439 a. Must be licensed in good standing under part XVII of  
440 chapter 468 to perform any work requiring such a license.

441 b. Must verify that any vendor it contracts with to perform  
442 work meets the license requirements of sub-subparagraph a.

443 (c) An insurer shall provide on its website and in the  
444 policy its contact information for receiving the agreement that  
445 meets the requirements of paragraph (a) and which must include





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446 at least a dedicated facsimile number. After executing the  
447 assignment agreement, the assignee must deliver the agreement to  
448 the insurer within the later of:

449 1. If a state of emergency was declared under s. 252.36 for  
450 a hurricane or other natural disaster and the property covered  
451 under the policy was damaged as a result of the hurricane or  
452 natural disaster, 7 days after the state of emergency is  
453 terminated; or

454 2. Seven business days after execution of the agreement.

455 (d) Notwithstanding s. 627.70131, upon receiving the  
456 agreement in paragraph (a), the insurer must make any initial  
457 inspections of the covered property within the later of:

458 1. If a state of emergency was declared under s. 252.36 for  
459 a hurricane or other natural disaster and the property covered  
460 under the policy was damaged as a result of the hurricane or  
461 natural disaster, 7 days after the state of emergency is  
462 terminated; or

463 2. Seven business days after receiving the agreement.

464 (e) No later than 7 days before an insured or assignee  
465 initiates litigation against an insurer relating to a denied or  
466 limited claim, the insured or assignee must provide the insurer  
467 with notice of intent to initiate such litigation. The notice of  
468 intent must include a copy of the final invoice required under  
469 subparagraph (b)1. This paragraph does not increase the time  
470 periods prescribed in s. 627.70131.

471 (3) ANNUAL REPORT.—The office shall require each insurer to  
472 report by January 1, 2019, and each year thereafter, data on  
473 each claim paid in the prior calendar year pursuant to an  
474 assignment agreement. Such data must include, but are not



475 limited to:  
476 (a) The number of days between the first notice of loss and  
477 the initial inspection.

478 (b) Loss severity.

479 (c) Allocated loss adjustment expense.

480 (d) For litigated claims:

481 1. Any amount paid before litigation, the amount in  
482 dispute, the amount of any proposal for settlement, and the  
483 settlement or judgment amount;

484 2. The amount of fees paid to the claimant's attorney; and

485 3. The amount and structure, whether fixed, hourly, or  
486 contingency, of fees paid to the insurer's attorney.

487  
488 All information the insurer reports under this paragraph must  
489 first be reported to the opposing counsel on the litigated claim  
490 for verification or certification. The opposing counsel on the  
491 litigated claim shall report to the office its agreement or  
492 disagreement with the accuracy of the figures reported.

493 (e) For nonlitigated claims, the difference between the  
494 insurer's initial offer and the amount paid on the claim.

495 (f) The time from first notice of loss until the claim was  
496 closed.

497 (g) For claims involving water damage, whether the adjuster  
498 possessed licensure consistent with the requirements in  
499 subparagraph (2) (b) 6.

500 Section 20. The amendments made by this act to s. 627.422,  
501 Florida Statutes, apply to assignment agreements entered on or  
502 after January 1, 2018.

503 Section 21. Paragraph (a) of subsection (3) of section



504 627.7011, Florida Statutes, is amended to read:

505 627.7011 Homeowners' policies; offer of replacement cost  
506 coverage and law and ordinance coverage.—

507 (3) In the event of a loss for which a dwelling or personal  
508 property is insured on the basis of replacement costs:

509 (a) For a dwelling:—

510 1. The insurer must initially pay at least the actual cash  
511 value of the insured loss, less any applicable deductible. The  
512 insurer shall pay any remaining amounts necessary to perform  
513 such repairs as work is performed and expenses are incurred. If  
514 a total loss of a dwelling occurs, the insurer shall pay the  
515 replacement cost coverage without reservation or holdback of any  
516 depreciation in value, pursuant to s. 627.702.

517 2. The insurer may not require that a particular vendor  
518 make repairs to such dwelling.

519 3. The insurer may not, unless expressly requested by the  
520 insured, recommend or suggest a particular vendor for repairs to  
521 be made to such dwelling.

522 Section 22. This act shall take effect January 1, 2018.

523

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

525 And the title is amended as follows:

526 Delete everything before the enacting clause  
527 and insert:

528 A bill to be entitled

529 An act relating to property repair; providing a  
530 directive to the Division of Law Revision and  
531 Information to create part XVII of ch. 468, F.S.,  
532 entitled "Water Damage Restoration"; creating s.



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533 468.94, F.S.; creating within the Department of  
534 Business and Professional Regulation the water damage  
535 restoration services licensing program; providing  
536 legislative intent; creating s. 468.941, F.S.;  
537 providing exemptions from regulation under the part;  
538 creating s. 468.9411, F.S.; defining terms; creating  
539 s. 468.9412, F.S.; authorizing the department to  
540 establish specified fees; specifying requirements and  
541 limitations for such fees; creating s. 468.9413, F.S.;  
542 providing examination requirements for applicants for  
543 professional water damage restorer licensure;  
544 providing requirements for practicing as a  
545 professional water damage restorer; requiring the  
546 department to review and approve courses of study;  
547 defining the term "good moral character"; specifying  
548 conditions under which the department may refuse to  
549 certify an applicant for lack of good moral character;  
550 providing requirements for the department when  
551 refusing to certify on such grounds; authorizing the  
552 department to adopt rules; providing applicant  
553 fingerprinting and background check requirements;  
554 creating s. 468.9414, F.S.; requiring the department  
555 to license qualified applicants who meet specified  
556 requirements; authorizing the department to refuse to  
557 certify applicants under certain circumstances;  
558 creating s. 468.9415, F.S.; providing requirements for  
559 license renewals; authorizing the department to adopt  
560 rules; creating s. 468.9416, F.S.; providing  
561 requirements for continuing education; authorizing the



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562 department to prescribe by rule certain additional  
563 requirements; creating s. 468.9417, F.S.; providing  
564 procedures for placing licenses in inactive status;  
565 requiring the department to adopt rules; creating s.  
566 468.9418, F.S.; providing construction relating to  
567 certification of partnerships and corporations;  
568 creating s. 468.9419, F.S.; specifying prohibited  
569 acts; providing criminal penalties; providing  
570 applicability; creating s. 468.942, F.S.; specifying  
571 grounds for disciplinary actions; authorizing  
572 specified disciplinary actions by the department;  
573 creating s. 468.9421, F.S.; requiring professional  
574 water damage restorers to maintain specified insurance  
575 coverage; creating s. 468.9422, F.S.; requiring  
576 contracts to perform water damage restoration to be in  
577 a document or electronic record and signed or  
578 authenticated by the parties; creating s. 468.9423,  
579 F.S.; providing procedures and requirements for  
580 grandfathering specified persons for licensure;  
581 specifying persons who may not qualify for such  
582 licensure; creating s. 468.9424, F.S.; requiring the  
583 department to adopt rules; amending s. 627.062, F.S.;  
584 specifying that certain fees and costs may not be  
585 included in a property insurer's rate base or used to  
586 justify a rate or rate change; amending s. 627.422,  
587 F.S.; prohibiting certain property insurance policies  
588 from prohibiting the post-loss assignment of benefits;  
589 providing that an assignment agreement is not valid  
590 unless it meets specified requirements; providing



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591 requirements and limitations for assignees of post-  
592 loss benefits; requiring insurers to provide specified  
593 contact information on their websites and in policies;  
594 requiring assignees to deliver an executed assignment  
595 agreement to insurers within a specified timeframe;  
596 requiring insureds or assignees to provide a certain  
597 prelitigation notice and invoice to insurers within a  
598 specified timeframe; providing construction; requiring  
599 the Office of Insurance Regulation to require each  
600 insurer to report at certain intervals specified data  
601 relating to claims paid pursuant to assignment  
602 agreements; requiring insurers to report certain  
603 information to opposing counsel, and requiring the  
604 opposing counsel to verify or certify the information,  
605 before it is reported to the office; providing  
606 applicability; amending s. 627.7011, F.S.; prohibiting  
607 specified acts of insurers relating to homeowners'  
608 insurance policies under certain circumstances;  
609 providing an effective date.