

By the Committee on Commerce and Tourism; and Senator Young

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1                   A bill to be entitled  
2           An act relating to the Department of Agriculture and  
3           Consumer Services; amending s. 288.1175, F.S.;  
4           specifying that applications for funding for certain  
5           agriculture education and promotion facilities must be  
6           postmarked or electronically submitted by a certain  
7           date; amending s. 472.003, F.S.; specifying that  
8           certain persons under contract with registered or  
9           certified surveyors and mappers are not subject to the  
10          provisions of ch. 472, F.S.; amending s. 472.005,  
11          F.S.; redefining the terms "practice of surveying and  
12          mapping" and "subordinate"; amending s. 472.013, F.S.;  
13          revising the standards for when an applicant is  
14          eligible to take the licensure examination to practice  
15          as a surveyor and mapper; amending s. 472.015, F.S.;  
16          revising the qualifications for licensure by  
17          endorsement; revising the requirements for a certain  
18          notice relating to insurance coverage; amending s.  
19          472.018, F.S.; revising the continuing education  
20          requirements for new licensees and license renewal;  
21          authorizing the board to provide by rule the method of  
22          delivery of, criteria for, and provisions to carryover  
23          hours for continuing education requirements; deleting  
24          a requirement that the board approve courses;  
25          requiring the board to issue cease and desist orders  
26          and enact certain penalties for continuing education  
27          providers failing to conform to board rules; requiring  
28          the department to establish a system for the  
29          administration of continuing education requirements

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30 adopted by the board; amending s. 472.025, F.S.;

31 deleting a requirement that registrant seals be of

32 impression-type metal; amending s. 472.033, F.S.;

33 specifying that the department may initiate an

34 investigation if it has reasonable cause to believe

35 that a person is engaged in the practice of surveying

36 and mapping without a license; amending s. 472.0351,

37 F.S.; specifying that disciplinary actions may be

38 taken for the unlicensed practice of surveying and

39 mapping; amending s. 472.0366, F.S.; revising the

40 requirements for copies of evaluation certificates

41 that must be submitted to the Division of Emergency

42 Management within the Executive Office of the

43 Governor; requiring that certain copies of evaluation

44 certificates be retained in the surveyor and mapper's

45 records; amending s. 487.2041, F.S.; requiring the

46 department to adopt by rule certain United States

47 Environmental Protection Agency regulations relating

48 to labeling requirements for pesticides and devices;

49 amending s. 493.6101, F.S.; specifying that a manager

50 of a private investigative agency may manage multiple

51 offices; amending s. 493.6105, F.S.; exempting certain

52 partners and corporate officers from fingerprint

53 retention requirements; revising the submission

54 requirements for applications for Class "K" licenses;

55 amending s. 493.6107, F.S.; deleting a specification

56 that license fees are biennial; amending s. 493.6108,

57 F.S.; providing an authorization to the Department of

58 Law Enforcement to release certain mental health and

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59 substance abuse history of Class "G" or Class "K"  
60 applicants and licensees for the purpose of  
61 determining licensure eligibility; requiring licensees  
62 to notify their employer of an arrest within a  
63 specified period; amending s. 493.6112, F.S.; revising  
64 the notification requirements for changes of certain  
65 partners, officers, and employees of private  
66 investigative, security, and recovery agencies;  
67 amending s. 493.6113, F.S.; specifying that Class "G"  
68 licensees must complete requalification training for  
69 each type and caliber of firearm carried in the course  
70 of performing regulated duties; conforming  
71 terminology; amending s. 493.6115, F.S.; conforming a  
72 cross-reference; revising the circumstances under  
73 which certain licensees may carry a concealed firearm;  
74 revising the conditions under which the department may  
75 issue a temporary Class "G" license; amending s.  
76 493.6118, F.S.; providing that failure of a licensee  
77 to timely notify his or her employer of an arrest is  
78 grounds for disciplinary action by the department;  
79 requiring the department to temporarily suspend  
80 specified licenses of a licensee arrested or formally  
81 charged with certain crimes until disposition of the  
82 case; requiring the department to notify a licensee of  
83 administrative hearing rights; specifying that any  
84 hearing must be limited to a determination as to  
85 whether the licensee has been arrested or charged with  
86 a disqualifying crime; providing that the suspension  
87 may be lifted under certain circumstances; requiring

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88 the department to proceed with revocation under  
89 certain circumstances; amending s. 493.6202, F.S.;  
90 deleting a specification that license fees are  
91 biennial; amending s. 493.6203, F.S.; deleting a  
92 requirement that certain training be provided in two  
93 parts; amending s. 493.6302, F.S.; deleting a  
94 specification that license fees are biennial; amending  
95 s. 493.6303, F.S.; deleting a requirement that certain  
96 training be provided in two parts; deleting obsolete  
97 provisions; making technical changes; deleting a  
98 provision requiring that if a license is suspended,  
99 revoked, or expired for at least 1 year, that the  
100 applicant must submit proof of certain training before  
101 issuance of a new license; amending s. 493.6304, F.S.;  
102 making technical changes; amending s. 493.6402, F.S.;  
103 deleting a specification that license fees are  
104 biennial; amending s. 493.6403, F.S.; requiring that  
105 applicants for Class "E" and "EE" licenses submit  
106 proof of successful completion of certain training,  
107 rather than just completion of such training; amending  
108 s. 501.013, F.S.; providing that a program or facility  
109 offered by an organization for the exclusive use of  
110 its employees and their family members is not subject  
111 to certain health studio regulations; amending s.  
112 501.059, F.S.; removing a limitation on the length of  
113 time for which the department must place certain  
114 persons on a no sales solicitation list; amending s.  
115 507.04, F.S.; making a technical change; amending s.  
116 531.37, F.S.; redefining the term "weights and

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117 measures" to exclude taximeters and digital networks;  
118 amending s. 531.61, F.S.; deleting certain taximeters  
119 from a permitting requirements for commercially  
120 operated or tested weights or measures instruments or  
121 devices; repealing s. 531.63(2)(g), F.S.; relating to  
122 maximum permit fees for taximeters; amending s.  
123 534.021, F.S.; specifying that a detailed drawing,  
124 rather than a facsimile, of a brand must accompany an  
125 application for the recording of certain marks and  
126 brands; amending s. 534.041, F.S.; extending the  
127 registration and renewal period for certain mark or  
128 brand certificates; eliminating a renewal fee;  
129 repealing s. 534.061, F.S., relating to the transfer  
130 of ownership of cattle; amending s. 573.118, F.S.;  
131 specifying that the Division of Fruit and Vegetables,  
132 rather than the Division of Marketing and Development,  
133 must file a specified certification; amending s.  
134 590.02, F.S.; specifying that the department has  
135 exclusive authority to enforce the Florida Building  
136 Code as it relates to Florida Forest Service  
137 facilities under the jurisdiction of the department;  
138 amending s. 597.004, F.S.; authorizing certain  
139 saltwater products dealers to sell certain aquaculture  
140 products without restriction under a specified  
141 circumstance; amending s. 604.16, F.S.; specifying  
142 that dealers in agricultural products who pay by  
143 credit card are exempt from certain dealer  
144 requirements; amending s. 790.06, F.S.; revising the  
145 requirements to obtain a license to carry a concealed

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146        weapon or firearm; revising the requirements of the  
147        application form; revising the license fees to obtain  
148        or renew such license; providing an effective date.

149  
150 Be It Enacted by the Legislature of the State of Florida:

151  
152        Section 1. Subsection (8) of section 288.1175, Florida  
153 Statutes, is amended to read:

154        288.1175 Agriculture education and promotion facility.—

155        (8) Applications must be postmarked or electronically  
156 submitted by October 1 of each year. The Department of  
157 Agriculture and Consumer Services may not recommend funding for  
158 less than the requested amount to any applicant certified as an  
159 agriculture education and promotion facility; however, funding  
160 of certified applicants shall be subject to the amount provided  
161 by the Legislature in the General Appropriations Act for this  
162 program.

163        Section 2. Paragraph (d) is added to subsection (5) of  
164 section 472.003, Florida Statutes, to read:

165        472.003 Persons not affected by ss. 472.001-472.037.—

166 Sections 472.001-472.037 do not apply to:

167        (5)

168        (d) Persons who are under contract with an individual  
169 registered or legal entity certified under this chapter and who  
170 are under the supervision of and subordinate to a person in  
171 responsible charge registered under this chapter, to the extent  
172 that such supervision meets standards adopted by rule by the  
173 board, if any.

174        Section 3. Subsections (4) and (10) of section 472.005,

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175 Florida Statutes, are amended to read:

176 472.005 Definitions.—As used in ss. 472.001-472.037:

177 (4) (a) "Practice of surveying and mapping" means, among  
178 other things, any professional service or work, the adequate  
179 performance of which involves the application of special  
180 knowledge of the principles of mathematics, the related physical  
181 and applied sciences, and the relevant requirements of law for  
182 adequate evidence of the act of measuring, locating,  
183 establishing, or reestablishing lines, angles, elevations,  
184 natural and manmade features in the air, on the surface and  
185 immediate subsurface of the earth, within underground workings,  
186 and on the beds or surface of bodies of water, for the purpose  
187 of determining, establishing, describing, displaying, or  
188 interpreting the facts of size, volume, shape, topography, tidal  
189 datum planes, and legal or geodetic location or relocation, ~~and~~  
190 ~~orientation of improved or unimproved real property and~~  
191 ~~appurtenances thereto, including acreage and condominiums.~~

192 (b) The practice of surveying and mapping also includes,  
193 but is not limited to, photogrammetric control; orientation of  
194 improved or unimproved real property and appurtenances and  
195 personal property attached thereto, including acreage and  
196 condominiums; the monumentation and remonumentation of property  
197 boundaries and subdivisions; the measurement of and preparation  
198 of plans showing existing improvements after construction; the  
199 layout of proposed improvements; the preparation of descriptions  
200 for use in legal instruments of conveyance of real property and  
201 property rights; the preparation of subdivision planning maps  
202 and record plats, as provided for in chapter 177; the  
203 determination of, but not the design of, grades and elevations

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204 of roads and land in connection with subdivisions or divisions  
205 of land; and the creation and perpetuation of alignments related  
206 to maps, record plats, field note records, reports, property  
207 descriptions, and plans and drawings that represent them.

208 (10) "Subordinate" means a person ~~an employee~~ who performs  
209 work under the direction, supervision, and responsible charge of  
210 a person who is registered under this chapter.

211 Section 4. Subsections (2) and (3) of section 472.013,  
212 Florida Statutes, are amended to read:

213 472.013 Examinations, prerequisites.—

214 (2) An applicant shall be entitled to take the licensure  
215 examination to practice in this state as a surveyor and mapper  
216 if the applicant is of good moral character and has satisfied  
217 one of the following requirements:

218 (a) The applicant has received a bachelor's degree, its  
219 equivalent, or higher in surveying and mapping or a similarly  
220 titled program, including, but not limited to, geomatics,  
221 geomatics engineering, and land surveying, ~~of 4 years or more in~~  
222 ~~a surveying and mapping degree program~~ from a college or  
223 university recognized by the board and has a specific experience  
224 record of 4 or more years as a subordinate to a professional  
225 surveyor and mapper in the active practice of surveying and  
226 mapping, which experience is of a nature indicating that the  
227 applicant was in responsible charge of the accuracy and  
228 correctness of the surveying and mapping work performed. ~~The~~  
229 ~~completed surveying and mapping degree of 4 years or more in a~~  
230 ~~surveying and mapping degree program must have included not~~  
231 ~~fewer than 32 semester hours of study, or its academic~~  
232 ~~equivalent, in the science of surveying and mapping or in board-~~



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233 ~~approved surveying and mapping related courses.~~ Work experience  
234 acquired as a part of the education requirement may ~~shall~~ not be  
235 construed as experience in responsible charge.

236 (b) The applicant has received a bachelor's degree, its  
237 equivalent, or higher in a ~~is a graduate of a 4-year~~ course of  
238 study, other than in surveying and mapping, at an accredited  
239 college or university recognized by the board, and has a  
240 specific experience record of 6 or more years as a subordinate  
241 to a registered surveyor and mapper in the active practice of  
242 surveying and mapping, 5 years of which shall be of a nature  
243 indicating that the applicant was in responsible charge of the  
244 accuracy and correctness of the surveying and mapping work  
245 performed. ~~The course of study in disciplines other than~~  
246 ~~surveying and mapping must have included not fewer than 32~~  
247 ~~semester hours of study or its academic equivalent.~~ The  
248 applicant must have completed a minimum of 25 semester hours  
249 from a college or university approved by the board in surveying  
250 and mapping subjects or in any combination of courses in civil  
251 engineering, surveying, mapping, mathematics, photogrammetry,  
252 forestry, or land law and the physical sciences. Any of the  
253 required 25 semester hours of study completed not as a part of  
254 the bachelor's degree, its equivalent, or higher may 4-year  
255 ~~course of study shall~~ be approved at the discretion of the  
256 board. Work experience acquired as a part of the education  
257 requirement may ~~shall~~ not be construed as experience in  
258 responsible charge.

259 (3) A person shall be entitled to take an examination for  
260 the purpose of determining whether he or she is qualified ~~to~~  
261 ~~practice in this state~~ as a surveyor and mapper intern if:

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262 (a) The person is in good standing in his or her final year  
263 of, or is a graduate of, a 4-year degree program of a college or  
264 university and has obtained a minimum of 25 semester hours in  
265 surveying, mapping, mathematics, photogrammetry, forestry, civil  
266 engineering, or land law and the physical sciences, or any  
267 combination thereof. Any of the required 25 semester hours of  
268 study completed not as a part of the 4-year course of study may  
269 be approved at the discretion of the board. If the person is in  
270 his or her final academic year, a letter of good standing will  
271 be required from the advisor; or

272 (b) The person has completed 2 years of study in a college  
273 or university and has obtained a minimum of 15 semester hours in  
274 surveying, mapping, mathematics, photogrammetry, forestry, civil  
275 engineering, or land law and the physical sciences, or any  
276 combination thereof, and has a specific surveying and mapping  
277 experience record of 2 or more years as a subordinate to a  
278 registered surveyor and mapper. Any of the required 15 semester  
279 hours of study completed not as a part of the 2-year course of  
280 study may be approved at the discretion of the board.

281  
282 This subsection may not be construed as a substitute for the  
283 degree requirement to take the exams for licensure as outlined  
284 in subsection (2) ~~the person is in the final year, or is a~~  
285 ~~graduate, of an approved surveying and mapping curriculum in a~~  
286 ~~school that has been approved by the board.~~

287 Section 5. Paragraph (a) of subsection (5) and subsection  
288 (12) of section 472.015, Florida Statutes, are amended to read:  
289 472.015 Licensure.—

290 (5) (a) The board shall certify as qualified for a license

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291 by endorsement an applicant who, at the time of application:

292 1. Holds a valid license to practice surveying and mapping  
293 issued before ~~prior to~~ July 1, 1999, by another state or  
294 territory of the United States; has passed a national, regional,  
295 state, or territorial licensing examination that is  
296 substantially equivalent to the examination required by s.  
297 472.013; and has a specific experience record of at least 8  
298 years as a subordinate to a registered surveyor and mapper in  
299 the active practice of surveying and mapping, 6 years of which  
300 must be of a nature indicating that the applicant was in  
301 responsible charge of the accuracy and correctness of the  
302 surveying and mapping work performed; or

303 2. Holds a valid license to practice surveying and mapping  
304 issued by another state or territory of the United States if the  
305 criteria for issuance of the license were substantially the same  
306 as the licensure criteria that existed in Florida at the time  
307 the license was issued. ~~;~~ or

308 ~~3. Is a practicing photogrammetrist who holds the Certified~~  
309 ~~Photogrammetrist designation of the American Society for~~  
310 ~~Photogrammetry and Remote Sensing and held such designation on~~  
311 ~~or before July 1, 2005; is a graduate of a 4-year course of~~  
312 ~~study at an accredited college or university; and has a specific~~  
313 ~~experience record of 6 or more years as a subordinate to a~~  
314 ~~Certified Photogrammetrist of the American Society for~~  
315 ~~Photogrammetry and Remote Sensing in the active practice of~~  
316 ~~surveying and mapping, 5 years of which shall be of a nature~~  
317 ~~indicating that the applicant was in responsible charge of the~~  
318 ~~accuracy and correctness of the surveying and mapping work~~  
319 ~~performed. The course of study must have included not fewer than~~

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320 ~~32 semester hours of study or its academic equivalent. The~~  
321 ~~applicant must have completed a minimum of 25 semester hours~~  
322 ~~from a college or university approved by the board in surveying~~  
323 ~~and mapping subjects or in any combination of courses in civil~~  
324 ~~engineering, surveying, mapping, mathematics, photogrammetry,~~  
325 ~~forestry, or land law and the physical sciences. Any of the~~  
326 ~~required 25 semester hours of study completed not as a part of~~  
327 ~~the 4-year course of study shall be approved at the discretion~~  
328 ~~of the board. Work experience acquired as a part of the~~  
329 ~~education requirement shall not be construed as experience in~~  
330 ~~responsible charge. The applicant must have applied to the~~  
331 ~~department for licensure on or before July 1, 2007.~~

332 (12) A licensee or business entity that meets the  
333 requirements of this section or s. 472.021 must carry  
334 professional liability insurance or provide notice to any person  
335 or entity to which surveying and mapping services are offered  
336 that the licensee or business entity does not carry professional  
337 liability insurance. The notice must consist of ~~a sign~~  
338 ~~prominently displayed in the reception area and written~~  
339 ~~statements provided in a form and frequency as required by rule~~  
340 ~~of the Board of Professional Surveyors and Mappers.~~

341 Section 6. Section 472.018, Florida Statutes, is amended to  
342 read:

343 472.018 Continuing education.—The department may not renew  
344 a license until the licensee submits proof satisfactory to the  
345 board that the licensee has met the continuing education  
346 requirements for renewal as established by the board and during  
347 ~~the 2 years before her or his application for renewal the~~  
348 ~~licensee has completed at least 24 hours of continuing education~~

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349 before license renewal.

350 (1) The board shall adopt rules to establish the criteria  
351 ~~and course content~~ for continuing education providers courses.  
352 The rules may provide that up to a maximum of 25 percent of the  
353 required continuing education hours may be fulfilled by the  
354 performance of pro bono services to the indigent or to  
355 underserved populations or in areas of critical need within the  
356 state where the licensee practices. The board must require that  
357 any pro bono services be approved in advance in order to receive  
358 credit for continuing education under this section. The board  
359 shall use the standard recognized by the Federal Poverty Income  
360 Guidelines produced by the United States Department of Health  
361 and Human Services in determining indigency. The board may adopt  
362 rules that may provide that a part of the continuing education  
363 hours may be fulfilled by performing research in critical need  
364 areas or for training leading to advanced professional  
365 certification. The board may adopt rules to define underserved  
366 and critical need areas. The department shall adopt rules for  
367 the administration of continuing education requirements adopted  
368 by the board.

369 (2) The board may provide by rule the method of delivery  
370 and criteria that ~~distance learning~~ may be used to satisfy  
371 continuing education requirements. The board may provide by rule  
372 provisions for continuing education hours carryover for each  
373 license renewal cycle.

374 (3) The board may prorate the required continuing education  
375 hours in the following circumstances:

376 (a) For new licensees:

377 1. By requiring half of the required continuing education

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378 hours for any applicant who becomes licensed with more than half  
379 the renewal period remaining and no continuing education for any  
380 applicant who becomes licensed with half or less than half of  
381 the renewal period remaining; or

382         2. Requiring no continuing education hours until the first  
383 full renewal cycle of the licensee.

384         (b) When the number of hours required is increased by law  
385 or the board.

386         (4) Upon the request of a licensee, the provider must also  
387 furnish to the department information regarding courses  
388 completed by the licensee, in an electronic format required by  
389 rule of the department.

390         (5) Each continuing education provider shall retain all  
391 records relating to a licensee's completion of continuing  
392 education courses for at least 4 years after completion of a  
393 course.

394         (6) A continuing education provider may not be approved,  
395 and the approval may not be renewed, unless the provider agrees  
396 in writing to provide such cooperation under this section as  
397 required by the department.

398         (7) For the purpose of determining which persons or  
399 entities must meet the reporting, recordkeeping, and access  
400 provisions of this section, the board by rule shall adopt a  
401 definition of the term "continuing education provider"  
402 applicable to the profession's continuing education  
403 requirements. The intent of the rule is to ensure that all  
404 records and information necessary to carry out the requirements  
405 of this section are maintained and transmitted accordingly and  
406 to minimize disputes as to what person or entity is responsible

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407 for maintaining and reporting such records and information.

408 (8) The board shall approve the providers of continuing  
409 education. The approval of continuing education providers ~~and~~  
410 ~~courses~~ must be for a specified period of time, not to exceed 4  
411 years. An approval that does not include such a time limitation  
412 may remain in effect under this chapter or the rules adopted  
413 under this chapter.

414 (9) The department may fine, suspend, or revoke approval of  
415 any continuing education provider that fails to comply with its  
416 duties under this section. The fine may not exceed \$500 per  
417 violation. Investigations and prosecutions of a provider's  
418 failure to comply with its duties under this section shall be  
419 conducted pursuant to s. 472.033.

420 (10) The board shall issue an order requiring a person or  
421 entity to cease and desist from offering any continuing  
422 education programs for licensees, and fining, suspending, or  
423 revoking any approval of the provider previously granted by the  
424 board if the board determines that the person or entity failed  
425 to provide appropriate continuing education services that  
426 conform to board rules ~~approved course material~~. The fine may  
427 not exceed \$500 per violation. Investigations and prosecutions  
428 of a provider's failure to comply with its duties under this  
429 section shall be conducted under s. 472.033.

430 (11) The board may establish, by rule, a fee not to exceed  
431 \$250 for anyone seeking approval to provide continuing education  
432 courses and may establish, by rule, a biennial fee not to exceed  
433 \$250 for the renewal of providership of such courses. Such  
434 postlicensure education courses are subject to the reporting,  
435 monitoring, and compliance provisions of this section.

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436           (12) The department shall establish a system for the  
437 administration of continuing education requirements adopted by  
438 the board. The department and the board may adopt rules under  
439 ss. 120.536(1) and 120.54 to administer this section.

440           (13) Each continuing education provider shall provide to  
441 the department, in an electronic format determined by the  
442 department, information regarding the continuing education  
443 status of licensees which the department determines is necessary  
444 to carry out its duties under this chapter. After a licensee  
445 completes a course, the information must be submitted  
446 electronically by the continuing education provider to the  
447 department within 30 calendar days after completion. However,  
448 beginning on the 30th day before the renewal deadline or before  
449 the renewal date, whichever occurs sooner, the continuing  
450 education provider shall electronically report such information  
451 to the department within 10 business days after completion.

452           (14) The department shall establish a system to monitor  
453 licensee compliance with continuing education requirements and  
454 to determine the continuing education status of each licensee.  
455 As used in this subsection, the term "monitor" means the act of  
456 determining, for each licensee, whether the licensee is in full  
457 compliance with applicable continuing education requirements as  
458 of the date of the licensee's application for license renewal.

459           (15) The department may refuse to renew a license until the  
460 licensee has satisfied all applicable continuing education  
461 requirements. This subsection does not preclude the department  
462 or board from imposing additional penalties pursuant to this  
463 chapter or rules adopted pursuant this chapter.

464           Section 7. Subsection (1) of section 472.025, Florida



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465 Statutes, is amended to read:

466 472.025 Seals.—

467 (1) The board shall adopt, by rule, a form of seal to be  
468 used by all registrants holding valid certificates of  
469 registration, whether the registrants are corporations,  
470 partnerships, or individuals. Each registrant shall obtain a ~~an~~  
471 ~~impression-type metal~~ seal in that form; and all final drawings,  
472 plans, specifications, plats, or reports prepared or issued by  
473 the registrant in accordance with the standards of practice  
474 established by the board shall be signed by the registrant,  
475 dated, and stamped with his or her seal. This signature, date,  
476 and seal shall be evidence of the authenticity of that to which  
477 they are affixed. Each registrant may in addition register his  
478 or her seal electronically in accordance with ss. 668.001-  
479 668.006. Drawings, plans, specifications, reports, or documents  
480 prepared or issued by a registrant may be transmitted  
481 electronically and may be signed by the registrant, dated, and  
482 stamped electronically with such seal in accordance with ss.  
483 668.001-668.006.

484 Section 8. Paragraph (a) of subsection (1) of section  
485 472.033, Florida Statutes, is amended to read:

486 472.033 Disciplinary proceedings.—Disciplinary proceedings  
487 for the board shall be within the jurisdiction of the  
488 department.

489 (1) (a) The department shall investigate any complaint that  
490 is filed before it if the complaint is in writing, signed by the  
491 complainant, and legally sufficient. A complaint is legally  
492 sufficient if it contains ultimate facts that show that a  
493 violation of this chapter or of any rule adopted by the

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494 department or the board has occurred. In order to determine  
495 legal sufficiency, the department may require supporting  
496 information or documentation. The department may investigate,  
497 and the department or the board may take appropriate final  
498 action on, a complaint even though the original complainant  
499 withdraws it or otherwise indicates a desire not to cause the  
500 complaint to be investigated or prosecuted to completion. The  
501 department may investigate an anonymous complaint if the  
502 complaint is in writing and is legally sufficient, if the  
503 alleged violation of law or rules is substantial, and if the  
504 department has reason to believe, after preliminary inquiry,  
505 that the violations alleged in the complaint are true. The  
506 department may investigate a complaint made by a confidential  
507 informant if the complaint is legally sufficient, if the alleged  
508 violation of law or rule is substantial, and if the department  
509 has reason to believe, after preliminary inquiry, that the  
510 allegations of the complainant are true. The department may  
511 initiate an investigation if it has reasonable cause to believe  
512 that a licensee or a group of licensees has violated a Florida  
513 statute, a rule of the department, or a rule of the board, or if  
514 it has reasonable cause to believe that a person is engaged in  
515 the unlicensed practice of surveying and mapping.

516 Section 9. Subsection (1) of section 472.0351, Florida  
517 Statutes, is amended to read:

518 472.0351 Grounds for discipline; penalties; enforcement.—

519 (1) The following acts constitute grounds for which the  
520 disciplinary actions specified in subsection (2) may be taken:

521 (a) Violation of any provision of s. 472.031 or the  
522 unlicensed practice of surveying and mapping.†

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523 (b) Attempting to procure a license to practice surveying  
524 and mapping by bribery or fraudulent misrepresentations.†

525 (c) Having a license to practice surveying and mapping  
526 revoked, suspended, or otherwise acted against, including the  
527 denial of licensure, by the licensing authority of another  
528 state, territory, or country, for a violation that constitutes a  
529 violation under the laws of this state. The acceptance of a  
530 relinquishment of licensure, stipulation, consent order, or  
531 other settlement offered in response to or in anticipation of  
532 the filing of charges against the license by a licensing  
533 authority is an action against the license.†

534 (d) Being convicted or found guilty of, or entering a plea  
535 of guilty, no contest, or nolo contendere to, regardless of  
536 adjudication, a crime in any jurisdiction which directly relates  
537 to the practice of surveying and mapping or the ability to  
538 practice surveying and mapping.†

539 (e) Making or filing a report or record that the licensee  
540 knows to be false, willfully failing to file a report or record  
541 required by state or federal law, willfully impeding or  
542 obstructing such filing, or inducing another person to impede or  
543 obstruct such filing. Such reports or records include only those  
544 that are signed in the capacity of a registered surveyor and  
545 mapper.†

546 (f) Advertising goods or services in a manner that is  
547 fraudulent, false, deceptive, or misleading in form or content.†

548 (g) Upon proof that the licensee is guilty of fraud or  
549 deceit, or of negligence, incompetency, or misconduct, in the  
550 practice of surveying and mapping.†

551 (h) Failing to perform a statutory or legal obligation

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552 placed upon a licensed surveyor and mapper; violating a  
553 provision of this chapter, a rule of the board or department, or  
554 a lawful order of the board or department; or failing to comply  
555 with a lawfully issued subpoena of the department.†

556 (i) Practicing on a revoked, suspended, inactive, or  
557 delinquent license.†

558 (j) Having been found liable in a civil proceeding for  
559 knowingly filing a false report or complaint with the department  
560 against another licensee.†

561 (k) Failing to report to the department any person who the  
562 licensee knows is in violation of this chapter or the rules of  
563 the department or the board.†

564 (l) Aiding, assisting, procuring, employing, or advising  
565 any unlicensed person or entity to practice surveying and  
566 mapping contrary to this chapter or the rules of the department  
567 or the board.†

568 (m) Making deceptive, untrue, or fraudulent representations  
569 in or related to the practice of professional surveying or  
570 mapping or employing a trick or scheme in or related to the  
571 practice of professional surveying or mapping.†

572 (n) Exercising influence on the client for the purpose of  
573 financial gain of the licensee or a third party.†

574 (o) Practicing or offering to practice beyond the scope  
575 permitted by law or accepting and performing professional  
576 responsibilities the licensee knows, or has reason to know, the  
577 licensee is not competent to perform.†

578 (p) Delegating or contracting for the performance of  
579 professional responsibilities by a person when the licensee  
580 delegating or contracting for performance of such

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581 responsibilities knows, or has reason to know, such person is  
582 not qualified by training, experience, and authorization when  
583 required to perform them.~~;~~~~or~~

584 (q) Improperly interfering with an investigation or  
585 inspection authorized by statute, or with any disciplinary  
586 proceeding.

587 Section 10. Subsection (2) of section 472.0366, Florida  
588 Statutes, is amended to read:

589 472.0366 Elevation certificates; requirements for surveyors  
590 and mappers.-

591 (2) Beginning January 1, 2017, a surveyor and mapper shall,  
592 within 30 days after completion, submit to the division a copy  
593 of each elevation certificate that he or she completes. The copy  
594 must be unaltered, except that the surveyor and mapper may  
595 redact the name of the property owner. The copy need not be  
596 signed and sealed when submitted to the division; however, an  
597 original signed and sealed copy must be retained in the surveyor  
598 and mapper's records as prescribed by rule of the board.

599 Section 11. Section 487.2041, Florida Statutes, is amended  
600 to read:

601 487.2041 Enforcement of federal worker protection  
602 regulations.-The department shall, to the extent that resources  
603 are available, continue to operate under the United States  
604 Environmental Protection Agency regulations regarding the  
605 Labeling Requirement for Pesticides and Devices, 40 C.F.R. part  
606 156, and the Worker Protection Standard, 40 C.F.R. part 170,  
607 which the department shall adopt ~~adopted~~ by rule ~~during the~~  
608 ~~1995-1996 fiscal year and published in the Florida~~  
609 ~~Administrative Code~~. Any provision of this part not preempted by

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610 federal law shall continue to apply.

611 Section 12. Subsection (13) of section 493.6101, Florida  
612 Statutes, is amended to read:

613 493.6101 Definitions.—

614 (13) "Manager" means any licensee who directs the  
615 activities of licensees at any agency or branch office. The  
616 manager shall be assigned to and shall primarily operate from  
617 the agency or branch office location for which he or she has  
618 been designated as manager. The manager of a private  
619 investigative agency may, however, manage multiple private  
620 investigative agencies and branch offices.

621 Section 13. Paragraph (j) of subsection (3) and paragraph  
622 (a) of subsection (6) of section 493.6105, Florida Statutes, are  
623 amended to read:

624 493.6105 Initial application for license.—

625 (3) The application must contain the following information  
626 concerning the individual signing the application:

627 (j) A full set of fingerprints, a fingerprint processing  
628 fee, and a fingerprint retention fee. The fingerprint processing  
629 and retention fees shall be established by rule of the  
630 department based upon costs determined by state and federal  
631 agency charges and department processing costs, which must  
632 include the cost of retaining the fingerprints in the statewide  
633 automated biometric identification system established in s.  
634 943.05(2)(b) and the cost of enrolling the fingerprints in the  
635 national retained print arrest notification program as required  
636 under s. 493.6108. An applicant who has, within the immediately  
637 preceding 6 months, submitted such fingerprints and fees for  
638 licensing purposes under this chapter and who still holds a

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639 valid license is not required to submit another set of  
640 fingerprints or another fingerprint processing fee. An applicant  
641 who holds multiple licenses issued under this chapter is  
642 required to pay only a single fingerprint retention fee.  
643 Partners and corporate officers who do not possess licenses  
644 subject to renewal under s. 493.6113 are exempt from the  
645 fingerprint retention requirements of this chapter.

646 (6) In addition to the requirements under subsection (3),  
647 an applicant for a Class "K" license must:

648 (a) Submit one of the following:

649 1. The Florida Criminal Justice Standards and Training  
650 Commission Instructor Certificate and written confirmation by  
651 the commission that the applicant possesses an active firearms  
652 certification.

653 2. A valid ~~The~~ National Rifle Association Private Security  
654 Firearm Instructor Certificate issued not more than 3 years  
655 before the submission of the applicant's Class "K" application.

656 3. A valid firearms instructor certificate issued by a  
657 federal law enforcement agency not more than 3 years before the  
658 submission of the applicant's Class "K" application.

659 Section 14. Subsection (1) of section 493.6107, Florida  
660 Statutes, is amended to read:

661 493.6107 Fees.—

662 (1) The department shall establish by rule examination and  
663 ~~biennial~~ license fees, ~~which shall not to~~ not to exceed the following:

- 664 (a) Class "M" license—manager Class "AB" agency: \$75.  
665 (b) Class "G" license—statewide firearm license: \$150.  
666 (c) Class "K" license—firearms instructor: \$100.  
667 (d) Fee for the examination for firearms instructor: \$75.

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668 Section 15. Subsections (3) and (5) of section 493.6108,  
669 Florida Statutes, are amended to read:

670 493.6108 Investigation of applicants by Department of  
671 Agriculture and Consumer Services.—

672 (3) The department must also investigate the mental history  
673 and current mental and emotional fitness of any Class "G" or  
674 Class "K" applicant and may deny a Class "G" or Class "K"  
675 license to anyone who has a history of mental illness or drug or  
676 alcohol abuse. Notwithstanding s. 790.065(2)(a)4.f., the  
677 Department of Law Enforcement may, for the limited purpose of  
678 determining eligibility of Class "G" or Class "K" applicants and  
679 licensees under this chapter, provide the department with mental  
680 health and substance abuse data of individuals who are  
681 prohibited from purchasing a firearm.

682 (5) A person licensed under this chapter must notify his or  
683 her employer within 3 calendar days if he or she is arrested for  
684 any offense. If the department receives information about an  
685 arrest within the state of a person who holds a valid license  
686 issued under this chapter for a crime that could potentially  
687 disqualify the person from holding such a license, the  
688 department must provide the arrest information to the agency  
689 that employs the licensee.

690 Section 16. Section 493.6112, Florida Statutes, is amended  
691 to read:

692 493.6112 Notification to Department of Agriculture and  
693 Consumer Services of changes of partner or officer or  
694 employees.—

695 (1) After filing the application, unless the department  
696 declines to issue the license or revokes it after issuance, an



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697 agency ~~or school~~ shall, within 5 working days of the withdrawal,  
698 removal, replacement, or addition of any or all partners or  
699 officers, notify and file with the department complete  
700 applications for such individuals. The agency's ~~or school's~~ good  
701 standing under this chapter shall be contingent upon the  
702 department's approval of any new partner or officer.

703 (2) Each agency ~~or school~~ shall, upon the employment or  
704 termination of employment of a licensee, report such employment  
705 or termination within 15 calendar days ~~immediately~~ to the  
706 department and, in the case of a termination, report the reason  
707 or reasons therefor. The report shall be submitted  
708 electronically in a manner ~~on a form~~ prescribed by the  
709 department.

710 Section 17. Paragraph (b) of subsection (3) of section  
711 493.6113, Florida Statutes, is amended to read:

712 493.6113 Renewal application for licensure.—

713 (3) Each licensee is responsible for renewing his or her  
714 license on or before its expiration by filing with the  
715 department an application for renewal accompanied by payment of  
716 the renewal fee and the fingerprint retention fee to cover the  
717 cost of ongoing retention in the statewide automated biometric  
718 identification system established in s. 943.05(2)(b). Upon the  
719 first renewal of a license issued under this chapter before  
720 January 1, 2017, the licensee shall submit a full set of  
721 fingerprints and fingerprint processing fees to cover the cost  
722 of entering the fingerprints into the statewide automated  
723 biometric identification system pursuant to s. 493.6108(4)(a)  
724 and the cost of enrollment in the Federal Bureau of  
725 Investigation's national retained print arrest notification

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726 program. Subsequent renewals may be completed without submission  
727 of a new set of fingerprints.

728 (b) Each Class "G" licensee shall additionally submit proof  
729 that he or she has received during each year of the license  
730 period a minimum of 4 hours of firearms requalification  
731 ~~recertification~~ training taught by a Class "K" licensee and has  
732 complied with such other health and training requirements that  
733 the department shall adopt by rule. Proof of completion of  
734 firearms requalification ~~recertification~~ training shall be  
735 submitted to the department upon completion of the training. A  
736 Class "G" licensee must successfully complete this  
737 requalification training for each type and caliber of firearm  
738 carried in the course of performing his or her regulated duties.  
739 If the licensee fails to complete the required 4 hours of annual  
740 training during the first year of the 2-year term of the  
741 license, the license shall be automatically suspended. The  
742 licensee must complete the minimum number of hours of range and  
743 classroom training required at the time of initial licensure and  
744 submit proof of completion of such training to the department  
745 before the license may be reinstated. If the licensee fails to  
746 complete the required 4 hours of annual training during the  
747 second year of the 2-year term of the license, the licensee must  
748 complete the minimum number of hours of range and classroom  
749 training required at the time of initial licensure and submit  
750 proof of completion of such training to the department before  
751 the license may be renewed. The department may waive the  
752 firearms training requirement if:

753 1. The applicant provides proof that he or she is currently  
754 certified as a law enforcement officer or correctional officer

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755 under the Criminal Justice Standards and Training Commission and  
756 has completed law enforcement firearms requalification training  
757 annually during the previous 2 years of the licensure period;

758 2. The applicant provides proof that he or she is currently  
759 certified as a federal law enforcement officer and has received  
760 law enforcement firearms training administered by a federal law  
761 enforcement agency annually during the previous 2 years of the  
762 licensure period; or

763 3. The applicant submits a valid firearm certificate among  
764 those specified in s. 493.6105(6) (a) and provides proof of  
765 having completed requalification training during the previous 2  
766 years of the licensure period.

767 Section 18. Subsection (4) of section 493.6115, Florida  
768 Statutes, is amended, present paragraphs (b), (c), and (d) of  
769 subsection (12) of that section are redesignated as paragraphs  
770 (c), (d), and (e), respectively, and a new paragraph (b) is  
771 added to that subsection, to read:

772 493.6115 Weapons and firearms.—

773 (4) A Class "C" or Class "CC" licensee who is 21 years of  
774 age or older and ~~who~~ has also been issued a Class "G" license  
775 may carry, in the performance of her or his duties, a concealed  
776 firearm. A Class "D" licensee who is 21 years of age or older  
777 and ~~who~~ has also been issued a Class "G" license may carry a  
778 concealed firearm in the performance of her or his duties under  
779 the conditions specified in s. 493.6305(3) or (4) ~~493.6305(2)~~.  
780 The Class "G" license must ~~shall~~ clearly indicate such  
781 authority. The authority of any such licensee to carry a  
782 concealed firearm is ~~shall be~~ valid in any location throughout  
783 the state, ~~in any location~~, while performing services within the

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784 scope of the license.

785 (12) The department may issue a temporary Class "G"  
786 license, on a case-by-case basis, if:

787 (b) The department has reviewed the mental health and  
788 substance abuse data provided by the Department of Law  
789 Enforcement as authorized in s. 493.6108(3) and has determined  
790 the applicant is not prohibited from licensure based upon this  
791 data.

792 Section 19. Subsection (1) of section 493.6118, Florida  
793 Statutes, is amended, and subsections (8) and (9) are added to  
794 that section, to read:

795 493.6118 Grounds for disciplinary action.—

796 (1) The following constitute grounds for which disciplinary  
797 action specified in subsection (2) may be taken by the  
798 department against any licensee, agency, or applicant regulated  
799 by this chapter, or any unlicensed person engaged in activities  
800 regulated under this chapter:—

801 (a) Fraud or willful misrepresentation in applying for or  
802 obtaining a license.

803 (b) Use of any fictitious or assumed name by an agency  
804 unless the agency has department approval and qualifies under s.  
805 865.09.

806 (c) Being found guilty of or entering a plea of guilty or  
807 nolo contendere to, regardless of adjudication, or being  
808 convicted of a crime that directly relates to the business for  
809 which the license is held or sought. A plea of nolo contendere  
810 shall create a rebuttable presumption of guilt to the underlying  
811 criminal charges, and the department shall allow the individual  
812 being disciplined or denied an application for a license to

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813 present any mitigating circumstances surrounding his or her  
814 plea.

815 (d) A false statement by the licensee that any individual  
816 is or has been in his or her employ.

817 (e) A finding that the licensee or any employee is guilty  
818 of willful betrayal of a professional secret or any unauthorized  
819 release of information acquired as a result of activities  
820 regulated under this chapter.

821 (f) Proof that the applicant or licensee is guilty of fraud  
822 or deceit, or of negligence, incompetency, or misconduct, in the  
823 practice of the activities regulated under this chapter.

824 (g) Conducting activities regulated under this chapter  
825 without a license or with a revoked or suspended license.

826 (h) Failure of the licensee to maintain in full force and  
827 effect the commercial general liability insurance coverage  
828 required by s. 493.6110.

829 (i) Impersonating, or permitting or aiding and abetting an  
830 employee to impersonate, a law enforcement officer or an  
831 employee of the state, the United States, or any political  
832 subdivision thereof by identifying himself or herself as a  
833 federal, state, county, or municipal law enforcement officer or  
834 official representative, by wearing a uniform or presenting or  
835 displaying a badge or credentials that would cause a reasonable  
836 person to believe that he or she is a law enforcement officer or  
837 that he or she has official authority, by displaying any  
838 flashing or warning vehicular lights other than amber colored,  
839 or by committing any act that is intended to falsely convey  
840 official status.

841 (j) Commission of an act of violence or the use of force on

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842 any person except in the lawful protection of one's self or  
843 another from physical harm.

844 (k) Knowingly violating, advising, encouraging, or  
845 assisting the violation of any statute, court order, *capias*,  
846 warrant, injunction, or cease and desist order, in the course of  
847 business regulated under this chapter.

848 (l) Soliciting business for an attorney in return for  
849 compensation.

850 (m) Transferring or attempting to transfer a license issued  
851 pursuant to this chapter.

852 (n) Employing or contracting with any unlicensed or  
853 improperly licensed person or agency to conduct activities  
854 regulated under this chapter, or performing any act that  
855 assists, aids, or abets a person or business entity in engaging  
856 in unlicensed activity, when the licensure status was known or  
857 could have been ascertained by reasonable inquiry.

858 (o) Failure or refusal to cooperate with or refusal of  
859 access to an authorized representative of the department engaged  
860 in an official investigation pursuant to this chapter.

861 (p) Failure of any partner, principal corporate officer, or  
862 licensee to have his or her identification card in his or her  
863 possession while on duty.

864 (q) Failure of any licensee to have his or her license in  
865 his or her possession while on duty, as specified in s.  
866 493.6111(1).

867 (r) Failure or refusal by a sponsor to certify a biannual  
868 written report on an intern or to certify completion or  
869 termination of an internship to the department within 15 working  
870 days.

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871 (s) Failure to report to the department any person whom the  
872 licensee knows to be in violation of this chapter or the rules  
873 of the department.

874 (t) Violating any provision of this chapter.

875 (u) For a Class "G" licensee, failing to timely complete  
876 requalification ~~recertification~~ training as required in s.  
877 493.6113(3) (b).

878 (v) For a Class "K" licensee, failing to maintain active  
879 certification specified under s. 493.6105(6).

880 (w) For a Class "G" or a Class "K" applicant or licensee,  
881 being prohibited from purchasing or possessing a firearm by  
882 state or federal law.

883 (x) In addition to the grounds for disciplinary action  
884 prescribed in paragraphs (a)-(t), Class "R" recovery agencies,  
885 Class "E" recovery agents, and Class "EE" recovery agent interns  
886 are prohibited from committing the following acts:

887 1. Recovering a motor vehicle, mobile home, motorboat,  
888 aircraft, personal watercraft, all-terrain vehicle, farm  
889 equipment, or industrial equipment that has been sold under a  
890 conditional sales agreement or under the terms of a chattel  
891 mortgage before authorization has been received from the legal  
892 owner or mortgagee.

893 2. Charging for expenses not actually incurred in  
894 connection with the recovery, transportation, storage, or  
895 disposal of repossessed property or personal property obtained  
896 in a repossession.

897 3. Using any repossessed property or personal property  
898 obtained in a repossession for the personal benefit of a  
899 licensee or an officer, director, partner, manager, or employee

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900 of a licensee.

901 4. Selling property recovered under the provisions of this  
902 chapter, except with written authorization from the legal owner  
903 or the mortgagee thereof.

904 5. Failing to notify the police or sheriff's department of  
905 the jurisdiction in which the repossessed property is recovered  
906 within 2 hours after recovery.

907 6. Failing to remit moneys collected in lieu of recovery of  
908 a motor vehicle, mobile home, motorboat, aircraft, personal  
909 watercraft, all-terrain vehicle, farm equipment, or industrial  
910 equipment to the client within 10 working days.

911 7. Failing to deliver to the client a negotiable instrument  
912 that is payable to the client, within 10 working days after  
913 receipt of such instrument.

914 8. Falsifying, altering, or failing to maintain any  
915 required inventory or records regarding disposal of personal  
916 property contained in or on repossessed property pursuant to s.  
917 493.6404(1).

918 9. Carrying any weapon or firearm when he or she is on  
919 private property and performing duties under his or her license  
920 whether or not he or she is licensed pursuant to s. 790.06.

921 10. Soliciting from the legal owner the recovery of  
922 property subject to repossession after such property has been  
923 seen or located on public or private property if the amount  
924 charged or requested for such recovery is more than the amount  
925 normally charged for such a recovery.

926 11. Wearing, presenting, or displaying a badge in the  
927 course of performing a repossession regulated by this chapter.

928 (y) Installation of a tracking device or tracking



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929 application in violation of s. 934.425.

930 (z) Failure of any licensee to notify his or her employer  
931 within 3 calendar days if he or she is arrested for any offense.

932 (8) (a) Upon notification by a law enforcement agency, a  
933 court, or the Department of Law Enforcement and upon subsequent  
934 written verification, the department shall temporarily suspend a  
935 Class "G" or Class "K" license if the licensee is arrested or  
936 charged with a firearms-related crime that would disqualify such  
937 person from licensure under this chapter. The department shall  
938 notify the licensee suspended under this section of his or her  
939 right to a hearing pursuant to chapter 120. A hearing conducted  
940 regarding this temporary suspension must be for the limited  
941 purpose of determining whether the licensee has been arrested or  
942 charged with a disqualifying firearms-related crime.

943 (b) If the criminal case results in a nondisqualifying  
944 disposition, the department shall issue an order lifting the  
945 suspension upon the licensee's submission of a certified copy of  
946 the final resolution.

947 (c) If the criminal case results in a disqualifying  
948 disposition, the suspension remains in effect and the department  
949 shall proceed with revocation proceedings pursuant to chapter  
950 120.

951 (9) (a) Upon notification by a law enforcement agency, a  
952 court, or the Department of Law Enforcement and upon subsequent  
953 written verification, the department shall temporarily suspend a  
954 license if the licensee is arrested or charged with a forcible  
955 felony as defined in s. 776.08. The department shall notify the  
956 licensee suspended under this section of his or her right to a  
957 hearing pursuant to chapter 120. A hearing conducted regarding

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958 this temporary suspension must be for the limited purpose of  
959 determining whether the licensee has been arrested or charged  
960 with a forcible felony.

961 (b) If the criminal case results in a nondisqualifying  
962 disposition, the department shall issue an order lifting the  
963 suspension upon the licensee's submission to the department of a  
964 certified copy of the final resolution.

965 (c) If criminal case results in a disqualifying  
966 disposition, the suspension remains in effect and the department  
967 shall proceed with revocation proceedings pursuant to chapter  
968 120.

969 Section 20. Subsection (1) of section 493.6202, Florida  
970 Statutes, is amended to read:

971 493.6202 Fees.—

972 (1) The department shall establish by rule examination and  
973 ~~biennial~~ license fees, ~~which shall not to~~ not to exceed the following:

974 (a) Class "A" license—private investigative agency: \$450.

975 (b) Class "AA" or "AB" license—branch office: \$125.

976 (c) Class "MA" license—private investigative agency  
977 manager: \$75.

978 (d) Class "C" license—private investigator: \$75.

979 (e) Class "CC" license—private investigator intern: \$60.

980 Section 21. Subsection (5) and paragraphs (b) and (c) of  
981 subsection (6) of section 493.6203, Florida Statutes, are  
982 amended to read:

983 493.6203 License requirements.—In addition to the license  
984 requirements set forth elsewhere in this chapter, each  
985 individual or agency shall comply with the following additional  
986 requirements:

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987           (5) ~~Effective January 1, 2008,~~ An applicant for a Class  
988 "MA," Class "M," or Class "C" license must pass an examination  
989 that covers the provisions of this chapter and is administered  
990 by the department or by a provider approved by the department.  
991 The applicant must pass the examination before applying for  
992 licensure and must submit proof with the license application on  
993 a form approved by rule of the department that he or she has  
994 passed the examination. The administrator of the examination  
995 shall verify the identity of each applicant taking the  
996 examination.

997           (a) The examination requirement in this subsection does not  
998 apply to an individual who holds a valid Class "CC," Class "C,"  
999 Class "MA," or Class "M" license.

1000           (b) Notwithstanding the exemption provided in paragraph  
1001 (a), if the license of an applicant for relicensure has been  
1002 invalid for more than 1 year, the applicant must take and pass  
1003 the examination.

1004           (c) The department shall establish by rule the content of  
1005 the examination, the manner and procedure of its administration,  
1006 and an examination fee that may not exceed \$100.

1007           (6)

1008           (b) ~~Effective January 1, 2012,~~ Before submission of an  
1009 application to the department, the applicant for a Class "CC"  
1010 license must have completed a minimum of 40 hours of  
1011 professional training pertaining to general investigative  
1012 techniques and this chapter, which course is offered by a state  
1013 university or by a school, community college, college, or  
1014 university under the purview of the Department of Education, and  
1015 the applicant must pass an examination. ~~The training must be~~

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1016 ~~provided in two parts, one 24-hour course and one 16-hour~~  
1017 ~~course.~~ The certificate evidencing satisfactory completion of  
1018 the 40 hours of professional training must be submitted with the  
1019 application for a Class "CC" license. The training specified in  
1020 this paragraph may be provided by face-to-face presentation,  
1021 online technology, or a home study course in accordance with  
1022 rules and procedures of the Department of Education. The  
1023 administrator of the examination must verify the identity of  
1024 each applicant taking the examination.

1025 1. Upon an applicant's successful completion of each part  
1026 of the approved training and passage of any required  
1027 examination, the school, community college, college, or  
1028 university shall issue a certificate of completion to the  
1029 applicant. The certificates must be on a form established by  
1030 rule of the department.

1031 2. The department shall establish by rule the general  
1032 content of the professional training and the examination  
1033 criteria.

1034 3. If the license of an applicant for relicensure is  
1035 invalid for more than 1 year, the applicant must complete the  
1036 required training and pass any required examination.

1037 (c) ~~An individual who submits an application for a Class~~  
1038 ~~"CC" license on or after September 1, 2008, through December 31,~~  
1039 ~~2011, who has not completed the 16-hour course must submit proof~~  
1040 ~~of successful completion of the course within 180 days after the~~  
1041 ~~date the application is submitted. If documentation of~~  
1042 ~~completion of the required training is not submitted by that~~  
1043 ~~date, the individual's license shall be automatically suspended~~  
1044 ~~until proof of the required training is submitted to the~~

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1045 ~~department.~~ An individual licensed on or before August 31, 2008,  
1046 is not required to complete additional training hours in order  
1047 to renew an active license beyond the total required hours, and  
1048 the timeframe for completion in effect at the time he or she was  
1049 licensed applies.

1050 Section 22. Subsection (1) of section 493.6302, Florida  
1051 Statutes, is amended to read:

1052 493.6302 Fees.—

1053 (1) The department shall establish by rule ~~biennial~~ license  
1054 fees, ~~which shall~~ to exceed the following:

1055 (a) Class "B" license—security agency: \$450.

1056 (b) Class "BB" or Class "AB" license—branch office: \$125.

1057 (c) Class "MB" license—security agency manager: \$75.

1058 (d) Class "D" license—security officer: \$45.

1059 (e) Class "DS" license—security officer school or training  
1060 facility: \$60.

1061 (f) Class "DI" license—security officer school or training  
1062 facility instructor: \$60.

1063 Section 23. Subsection (4) of section 493.6303, Florida  
1064 Statutes, is amended to read:

1065 493.6303 License requirements.—In addition to the license  
1066 requirements set forth elsewhere in this chapter, each  
1067 individual or agency must comply with the following additional  
1068 requirements:

1069 (4) ~~(a) Effective January 1, 2012,~~ An applicant for a Class  
1070 "D" license must submit proof of successful completion of a  
1071 minimum of 40 hours of professional training at a school or  
1072 training facility licensed by the department. ~~The training must~~  
1073 ~~be provided in two parts, one 24-hour course and one 16-hour~~

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1074 ~~course.~~ The department shall by rule establish the general  
1075 content and number of hours of each subject area to be taught.

1076 ~~(b) An individual who submits an application for a Class~~  
1077 ~~"D" license on or after January 1, 2007, through December 31,~~  
1078 ~~2011, who has not completed the 16-hour course must submit proof~~  
1079 ~~of successful completion of the course within 180 days after the~~  
1080 ~~date the application is submitted. If documentation of~~  
1081 ~~completion of the required training is not submitted by that~~  
1082 ~~date, the individual's license shall be automatically suspended~~  
1083 ~~until proof of the required training is submitted to the~~  
1084 ~~department. A person licensed before January 1, 2007, is not~~  
1085 ~~required to complete additional training hours in order to renew~~  
1086 ~~an active license beyond the total required hours, and the~~  
1087 ~~timeframe for completion in effect at the time he or she was~~  
1088 ~~licensed applies.~~

1089 ~~(c) An individual whose license is suspended or revoked~~  
1090 ~~pursuant to paragraph (b), or is expired for at least 1 year, is~~  
1091 ~~considered, upon reapplication for a license, an initial~~  
1092 ~~applicant and must submit proof of successful completion of 40~~  
1093 ~~hours of professional training at a school or training facility~~  
1094 ~~licensed by the department as provided in paragraph (a) before a~~  
1095 ~~license is issued.~~

1096 Section 24. Subsection (1) of section 493.6304, Florida  
1097 Statutes, is amended to read:

1098 493.6304 Security officer school or training facility.—

1099 (1) Any school, training facility, or instructor who offers  
1100 the training specified ~~outlined~~ in s. 493.6303(4) for Class "D"  
1101 applicants shall, before licensure of such school, training  
1102 facility, or instructor, file with the department an application

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1103 accompanied by an application fee in an amount to be determined  
1104 by rule, not to exceed \$60. The fee is ~~shall~~ not ~~be~~ refundable.

1105 Section 25. Subsection (1) of section 493.6402, Florida  
1106 Statutes, is amended to read:

1107 493.6402 Fees.—

1108 (1) The department shall establish by rule ~~biennial~~ license  
1109 fees, ~~that shall~~ not to exceed the following:

1110 (a) Class "R" license—recovery agency: \$450.

1111 (b) Class "RR" license—branch office: \$125.

1112 (c) Class "MR" license—recovery agency manager: \$75.

1113 (d) Class "E" license—recovery agent: \$75.

1114 (e) Class "EE" license—recovery agent intern: \$60.

1115 (f) Class "RS" license—recovery agent school or training  
1116 facility: \$60.

1117 (g) Class "RI" license—recovery agent school or training  
1118 facility instructor: \$60.

1119 Section 26. Subsection (2) of section 493.6403, Florida  
1120 Statutes, is amended to read:

1121 493.6403 License requirements.—

1122 (2) ~~Beginning October 1, 1994,~~ An applicant for a Class "E"  
1123 or a Class "EE" license must submit proof of successful  
1124 completion ~~have completed a minimum~~ of 40 hours of professional  
1125 training at a school or training facility licensed by the  
1126 department. The department shall by rule establish the general  
1127 content for the training.

1128 Section 27. Subsection (6) is added to section 501.013,  
1129 Florida Statutes, to read:

1130 501.013 Health studios; exemptions.—The following  
1131 businesses or activities may be declared exempt from the

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1132 provisions of ss. 501.012-501.019 upon the filing of an  
1133 affidavit with the department establishing that the stated  
1134 qualifications are met:

1135 (6) A program or facility offered by an organization for  
1136 the exclusive use of its employees and their family members.

1137 Section 28. Paragraph (a) of subsection (3) of section  
1138 501.059, Florida Statutes, is amended to read:

1139 501.059 Telephone solicitation.—

1140 (3)(a) If any residential, mobile, or telephonic paging  
1141 device telephone subscriber notifies the department of his or  
1142 her desire to be placed on a “no sales solicitation calls”  
1143 listing indicating that the subscriber does not wish to receive  
1144 unsolicited telephonic sales calls, the department shall place  
1145 the subscriber on that listing ~~for 5 years~~.

1146 Section 29. Paragraph (a) of subsection (1) and subsection  
1147 (3) of section 507.04, Florida Statutes, are amended to read:

1148 507.04 Required insurance coverages; liability limitations;  
1149 valuation coverage.—

1150 (1) LIABILITY INSURANCE.—

1151 (a)1. Except as provided in paragraph (b), each mover  
1152 operating in this state must maintain current and valid  
1153 liability insurance coverage of at least \$10,000 per shipment  
1154 for the loss or damage of household goods resulting from the  
1155 negligence of the mover or its employees or agents.

1156 2. The mover must provide the department with evidence of  
1157 liability insurance coverage before the mover is registered with  
1158 the department under s. 507.03. All insurance coverage  
1159 maintained by a mover must remain in effect throughout the  
1160 mover's registration period. A mover's failure to maintain



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1161 insurance coverage in accordance with this paragraph constitutes  
1162 an immediate threat to the public health, safety, and welfare.  
1163 ~~If a mover fails to maintain insurance coverage, the department~~  
1164 ~~may immediately suspend the mover's registration or eligibility~~  
1165 ~~for registration, and the mover must immediately cease operating~~  
1166 ~~as a mover in this state. In addition, and notwithstanding the~~  
1167 ~~availability of any administrative relief pursuant to chapter~~  
1168 ~~120, the department may seek from the appropriate circuit court~~  
1169 ~~an immediate injunction prohibiting the mover from operating in~~  
1170 ~~this state until the mover complies with this paragraph, a civil~~  
1171 ~~penalty not to exceed \$5,000, and court costs.~~

1172 (3) INSURANCE COVERAGES.—The insurance coverages required  
1173 under paragraph (1) (a) and subsection (2) must be issued by an  
1174 insurance company or carrier licensed to transact business in  
1175 this state under the Florida Insurance Code as designated in s.  
1176 624.01. The department shall require a mover to present a  
1177 certificate of insurance of the required coverages before  
1178 issuance or renewal of a registration certificate under s.  
1179 507.03. The department shall be named as a certificateholder in  
1180 the certificate and must be notified at least 10 days before  
1181 cancellation of insurance coverage. If a mover fails to maintain  
1182 insurance coverage, the department may immediately suspend the  
1183 mover's registration or eligibility for registration, and the  
1184 mover must immediately cease operating as a mover in this state.  
1185 In addition, and notwithstanding the availability of any  
1186 administrative relief pursuant to chapter 120, the department  
1187 may seek from the appropriate circuit court an immediate  
1188 injunction prohibiting the mover from operating in this state  
1189 until the mover complies with this section, a civil penalty not

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1190 to exceed \$5,000, and court costs.

1191 Section 30. Subsection (1) of section 531.37, Florida  
1192 Statutes, is amended to read:

1193 531.37 Definitions.—As used in this chapter:

1194 (1) "Weights and measures" means all weights and measures  
1195 of every kind, instruments, and devices for weighing and  
1196 measuring, and any appliance and accessories associated with any  
1197 or all such instruments and devices, excluding taximeters,  
1198 digital networks, and those weights and measures used for the  
1199 purpose of inspecting the accuracy of devices used in  
1200 conjunction with aviation fuel.

1201 Section 31. Section 531.61, Florida Statutes, is amended to  
1202 read:

1203 531.61 Exemptions from permit requirement.—Commercial  
1204 weights or measures instruments or devices are exempt from the  
1205 requirements of ss. 531.60-531.66 if:

1206 ~~(1) The device is a taximeter that is licensed, permitted,~~  
1207 ~~or registered by a municipality, county, or other local~~  
1208 ~~government and is tested for accuracy and compliance with state~~  
1209 ~~standards by the local government in cooperation with the state~~  
1210 ~~as authorized in s. 531.421.~~

1211 ~~(2)~~ The device is used exclusively for weighing railroad  
1212 cars and is tested for accuracy and compliance with state  
1213 standards by a private testing agency.

1214 ~~(2)~~~~(3)~~ The device is used exclusively for measuring  
1215 aviation fuel or petroleum products inspected under chapter 525.

1216 Section 32. Paragraph (g) of subsection (2) of section  
1217 531.63, Florida Statutes, is repealed.

1218 Section 33. Section 534.021, Florida Statutes, is amended

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1219 to read:

1220           534.021 Recording of marks or brands.—The department shall  
1221 be the recorder of livestock marks or brands, and the marks or  
1222 brands may not be recorded elsewhere in the state. Any livestock  
1223 owner who uses a mark or brand to identify her or his livestock  
1224 must register the mark or brand by applying to the department.  
1225 The application must be made on a form prescribed by the  
1226 department and must be accompanied by a detailed drawing  
1227 ~~faesimile~~ of the brand applied for and a statement identifying  
1228 the county in which the applicant has or expects to have  
1229 livestock bearing the mark or brand to be recorded. The  
1230 department shall, upon its satisfaction that the application  
1231 meets the requirements of this chapter, record the mark or brand  
1232 for exclusive statewide use by the applicant. If an application  
1233 is made to record a mark or brand previously recorded, the  
1234 department shall determine whether the county in which the mark  
1235 or brand will be used is near enough to another county in which  
1236 the previously recorded mark or brand is used to cause confusion  
1237 or to aid theft or dishonesty, and if so, the department must  
1238 decline to admit to record the mark or brand. If a conflict  
1239 arises between the owner of any recorded mark or brand and  
1240 another claiming the right to record the same mark or brand, the  
1241 department must give preference to the present owner. The  
1242 department shall charge and collect at the time of recording a  
1243 fee of \$10 for each mark or brand. A person may not use any mark  
1244 or brand to which another has a prior right of record. It is  
1245 unlawful to brand any animal with a brand not registered with  
1246 the department.

1247           Section 34. Section 534.041, Florida Statutes, is amended

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1248 to read:

1249       534.041 Renewal of certificate of mark or brand.—The  
1250 registration of a mark or brand entitles the registered owner to  
1251 exclusive ownership and use of the mark or brand for a period  
1252 ending at midnight on the last day of the month 10 ~~5~~ years from  
1253 the date of registration. Upon application, registration may be  
1254 renewed, ~~upon application and payment of a renewal fee of \$5,~~  
1255 for successive 10-year ~~5-year~~ periods, each ending at midnight  
1256 on the last day of the month 10 ~~5~~ years from the date of  
1257 renewal. At least 60 days before ~~prior to~~ the expiration of a  
1258 registration, the department shall notify by letter the  
1259 registered owner of the mark or brand that, upon application for  
1260 renewal and payment of the renewal fee, the department will  
1261 issue a renewal certificate granting the registered owner  
1262 exclusive ownership and use of the mark or brand for another 10-  
1263 year ~~5-year~~ period ending at midnight on the last day of the  
1264 month 10 ~~5~~ years from the date of renewal. Failure to make  
1265 application for renewal within the month of expiration of a  
1266 registration will cause the department to send a second notice  
1267 to the registered owner by mail at her or his last known  
1268 address. Failure of the registered owner to make application for  
1269 renewal within 30 days after receipt of the second notice will  
1270 cause the owner's mark or brand to be placed on an inactive list  
1271 for a period of 12 months, after which it will be canceled and  
1272 become subject to registration by another person.

1273       Section 35. Section 534.061, Florida Statutes, is repealed.

1274       Section 36. Subsection (1) of section 573.118, Florida  
1275 Statutes, is amended to read:

1276       573.118 Assessment; funds; review of accounts; loans.—

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1277 (1) To provide funds to defray the necessary expenses  
1278 incurred by the department in the formulation, issuance,  
1279 administration, and enforcement of any marketing order, every  
1280 person engaged in the production, distributing, or handling of  
1281 agricultural commodities within this state, and directly  
1282 affected by any marketing order, shall pay to the department, at  
1283 such times and in such installments as the department may  
1284 prescribe, such person's pro rata share of necessary expenses.  
1285 Each person's share of expenses shall be that proportion which  
1286 the total volume of agricultural commodities produced,  
1287 distributed, or handled by the person during the current  
1288 marketing season, or part thereof covered by such marketing  
1289 order, is of the total volume of the commodities produced,  
1290 distributed, or handled by all such persons during the same  
1291 current marketing season or part thereof. The department, after  
1292 receiving the recommendations of the advisory council, shall fix  
1293 the rate of assessment on the volume of agricultural commodities  
1294 sold or some other equitable basis. For convenience of  
1295 collection, upon request of the department, handlers of the  
1296 commodities shall pay any producer assessments. Handlers paying  
1297 assessments for and on behalf of any producers may collect the  
1298 producer assessments from any moneys owed by the handlers to the  
1299 producers. The collected assessments shall be deposited into the  
1300 appropriate trust fund and used for the sole purpose of  
1301 implementing the marketing order for which the assessment was  
1302 collected. The department is not subject to s. 287.057 in the  
1303 expenditure of these funds. However, the director of the  
1304 Division of Fruit and Vegetables Marketing and Development shall  
1305 file with the internal auditor of the department a certification

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1306 of conditions and circumstances justifying each contract or  
1307 agreement entered into without competitive bidding.

1308 Section 37. Paragraph (b) of subsection (4) of section  
1309 590.02, Florida Statutes, is amended to read:

1310 590.02 Florida Forest Service; powers, authority, and  
1311 duties; liability; building structures; Withlacoochee Training  
1312 Center.—

1313 (4)

1314 (b) Notwithstanding s. 553.80(1), the department shall  
1315 exclusively enforce the Florida Building Code as it pertains to  
1316 wildfire, ~~and law enforcement,~~ and other Florida Forest Service  
1317 facilities under the jurisdiction of the department.

1318 Section 38. Paragraph (a) of subsection (5) of section  
1319 597.004, Florida Statutes, is amended to read:

1320 597.004 Aquaculture certificate of registration.—

1321 (5) SALE OF AQUACULTURE PRODUCTS.—

1322 (a) Aquaculture products, except shellfish, snook, and any  
1323 fish of the genus *Micropterus*, and prohibited and restricted  
1324 freshwater and marine species identified by rules of the Fish  
1325 and Wildlife Conservation Commission, may be sold by an  
1326 aquaculture producer certified pursuant to this section or by a  
1327 dealer licensed pursuant to part VII of chapter 379 without  
1328 restriction so long as the product origin can be identified.

1329 Section 39. Subsection (2) of section 604.16, Florida  
1330 Statutes, is amended to read:

1331 604.16 Exceptions to provisions of ss. 604.15-604.34.—

1332 Except for s. 604.22(2), the provisions of ss. 604.15-604.34 do  
1333 not apply to:

1334 (2) A dealer in agricultural products who pays at the time

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1335 of purchase with United States cash currency or a cash  
 1336 equivalent, such as a money order, cashier's check, wire  
 1337 transfer, electronic funds transfer, or PIN-based debit  
 1338 transaction, or who pays with a credit card as defined in s.  
 1339 658.995 (2) (a).

1340 Section 40. Subsections (2) and (4), and paragraph (b) of  
 1341 subsection (5) of section 790.06, Florida Statutes, are amended  
 1342 to read:

1343 790.06 License to carry concealed weapon or firearm.—

1344 (2) The Department of Agriculture and Consumer Services  
 1345 shall issue a license if the applicant:

1346 (a) Is a resident of the United States and a citizen of the  
 1347 United States or a permanent resident alien of the United  
 1348 States, as determined by the United States Bureau of Citizenship  
 1349 and Immigration Services, or is a consular security official of  
 1350 a foreign government that maintains diplomatic relations and  
 1351 treaties of commerce, friendship, and navigation with the United  
 1352 States and is certified as such by the foreign government and by  
 1353 the appropriate embassy in this country;

1354 (b) Is 21 years of age or older;

1355 (c) Does not suffer from a physical infirmity which  
 1356 prevents the safe handling of a weapon or firearm;

1357 (d) Is not ineligible to possess a firearm pursuant to s.  
 1358 790.23 by virtue of having been convicted of a felony;

1359 (e) Has not been: ~~committed for the abuse of a controlled~~  
 1360 ~~substance or been~~

1361 1. Found guilty of a crime under the provisions of chapter  
 1362 893 or similar laws of any other state relating to controlled  
 1363 substances within a 3-year period immediately preceding the date

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1364 on which the application is submitted; or

1365 2. Committed for the abuse of a controlled substance under  
1366 chapter 397 or under the provisions of former chapter 396 or  
1367 similar laws of any other state. An applicant who has been  
1368 granted relief from firearms disabilities pursuant to s.  
1369 790.065(2)(a)4.d. or pursuant to the law of the state where the  
1370 commitment occurred is deemed not to be committed for the abuse  
1371 of a controlled substance under this subparagraph;

1372 (f) Does not chronically and habitually use alcoholic  
1373 beverages or other substances to the extent that his or her  
1374 normal faculties are impaired. It shall be presumed that an  
1375 applicant chronically and habitually uses alcoholic beverages or  
1376 other substances to the extent that his or her normal faculties  
1377 are impaired if the applicant has been ~~committed under chapter~~  
1378 ~~397 or under the provisions of former chapter 396 or has been~~  
1379 convicted under s. 790.151 or has been deemed a habitual  
1380 offender under s. 856.011(3), or has had two or more convictions  
1381 under s. 316.193 or similar laws of any other state, within the  
1382 3-year period immediately preceding the date on which the  
1383 application is submitted;

1384 (g) Desires a legal means to carry a concealed weapon or  
1385 firearm for lawful self-defense;

1386 (h) Demonstrates competence with a firearm by any one of  
1387 the following:

1388 1. Completion of any hunter education or hunter safety  
1389 course approved by the Fish and Wildlife Conservation Commission  
1390 or a similar agency of another state;

1391 2. Completion of any National Rifle Association firearms  
1392 safety or training course;



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1393           3. Completion of any firearms safety or training course or  
1394 class available to the general public offered by a law  
1395 enforcement agency, junior college, college, or private or  
1396 public institution or organization or firearms training school,  
1397 using instructors certified by the National Rifle Association,  
1398 Criminal Justice Standards and Training Commission, or the  
1399 Department of Agriculture and Consumer Services;

1400           4. Completion of any law enforcement firearms safety or  
1401 training course or class offered for security guards,  
1402 investigators, special deputies, or any division or subdivision  
1403 of a law enforcement agency or security enforcement;

1404           5. Presents evidence of equivalent experience with a  
1405 firearm through participation in organized shooting competition  
1406 or military service;

1407           6. Is licensed or has been licensed to carry a firearm in  
1408 this state or a county or municipality of this state, unless  
1409 such license has been revoked for cause; or

1410           7. Completion of any firearms training or safety course or  
1411 class conducted by a state-certified or National Rifle  
1412 Association certified firearms instructor;

1413  
1414 A photocopy of a certificate of completion of any of the courses  
1415 or classes; an affidavit from the instructor, school, club,  
1416 organization, or group that conducted or taught such course or  
1417 class attesting to the completion of the course or class by the  
1418 applicant; or a copy of any document that shows completion of  
1419 the course or class or evidences participation in firearms  
1420 competition shall constitute evidence of qualification under  
1421 this paragraph. A person who conducts a course pursuant to

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1422 subparagraph 2., subparagraph 3., or subparagraph 7., or who, as  
1423 an instructor, attests to the completion of such courses, must  
1424 maintain records certifying that he or she observed the student  
1425 safely handle and discharge the firearm in his or her physical  
1426 presence and that the discharge of the firearm included live  
1427 fire using a firearm and ammunition as defined in s. 790.001;

1428 (i) Has not been adjudicated an incapacitated person under  
1429 s. 744.331, or similar laws of any other state. An applicant who  
1430 has been granted relief from firearms disabilities pursuant to  
1431 s. 790.065(2) (a)4.d. or pursuant to the law of the state where  
1432 the adjudication occurred is deemed not to have been adjudicated  
1433 an incapacitated person under this paragraph, unless 5 years  
1434 have elapsed since the applicant's restoration to capacity by  
1435 court order;

1436 (j) Has not been committed to a mental institution under  
1437 chapter 394, or similar laws of any other state. An applicant  
1438 who has been granted relief from firearms disabilities pursuant  
1439 to s. 790.065(2) (a)4.d. or pursuant to the law of the state  
1440 where the commitment occurred is deemed not to have been  
1441 committed in a mental institution under this paragraph, unless  
1442 the applicant produces a certificate from a licensed  
1443 psychiatrist that he or she has not suffered from disability for  
1444 at least 5 years before the date of submission of the  
1445 application;

1446 (k) Has not had adjudication of guilt withheld or  
1447 imposition of sentence suspended on any felony unless 3 years  
1448 have elapsed since probation or any other conditions set by the  
1449 court have been fulfilled, or expunction has occurred;

1450 (l) Has not had adjudication of guilt withheld or

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1451 imposition of sentence suspended on any misdemeanor crime of  
1452 domestic violence unless 3 years have elapsed since probation or  
1453 any other conditions set by the court have been fulfilled, or  
1454 the record has been expunged;

1455 (m) Has not been issued an injunction that is currently in  
1456 force and effect and that restrains the applicant from  
1457 committing acts of domestic violence or acts of repeat violence;  
1458 and

1459 (n) Is not prohibited from purchasing or possessing a  
1460 firearm by any other provision of Florida or federal law.

1461 (4) The application shall be completed, under oath, on a  
1462 form adopted by the Department of Agriculture and Consumer  
1463 Services and shall include:

1464 (a) The name, address, place of birth, date of birth, and  
1465 race of the applicant;

1466 (b) A statement that the applicant is in compliance with  
1467 criteria contained within subsections (2) and (3);

1468 (c) A statement that the applicant has been furnished a  
1469 copy of or a website link to this chapter and is knowledgeable  
1470 of its provisions;

1471 (d) A conspicuous warning that the application is executed  
1472 under oath and that a false answer to any question, or the  
1473 submission of any false document by the applicant, subjects the  
1474 applicant to criminal prosecution under s. 837.06;

1475 (e) A statement that the applicant desires a concealed  
1476 weapon or firearms license as a means of lawful self-defense;  
1477 and

1478 (f) Directions for an applicant who is a servicemember, as  
1479 defined in s. 250.01, or a veteran, as defined in s. 1.01, to

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1480 request expedited processing of his or her application.

1481 (5) The applicant shall submit to the Department of  
1482 Agriculture and Consumer Services or an approved tax collector  
1483 pursuant to s. 790.0625:

1484 (b) A nonrefundable license fee of up to \$55 ~~\$60~~ if he or  
1485 she has not previously been issued a statewide license or of up  
1486 to \$45 ~~\$50~~ for renewal of a statewide license. The cost of  
1487 processing fingerprints as required in paragraph (c) shall be  
1488 borne by the applicant. However, an individual holding an active  
1489 certification from the Criminal Justice Standards and Training  
1490 Commission as a law enforcement officer, correctional officer,  
1491 or correctional probation officer as defined in s. 943.10(1),  
1492 (2), (3), (6), (7), (8), or (9) is exempt from the licensing  
1493 requirements of this section. If such individual wishes to  
1494 receive a concealed weapon or firearm license, he or she is  
1495 exempt from the background investigation and all background  
1496 investigation fees but must pay the current license fees  
1497 regularly required to be paid by nonexempt applicants. Further,  
1498 a law enforcement officer, a correctional officer, or a  
1499 correctional probation officer as defined in s. 943.10(1), (2),  
1500 or (3) is exempt from the required fees and background  
1501 investigation for 1 year after his or her retirement.

1502 Section 41. This act shall take effect July 1, 2017.

1503