



658314

LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: SENA1/C
05/02/2017 06:33 PM	.	05/04/2017 02:35 PM
	.	

Senator Stargel moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 17.575, Florida Statutes, is amended to
read:

17.575 Administration of funds; Treasury Investment Council
~~Committee~~.—

(1) There is created a Treasury Investment Council
~~Committee~~ within the Division of Treasury consisting of at least
five members, at least three of whom are professionals from the



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12 private sector, who must possess special knowledge, experience,
13 and familiarity in finance, investments, or accounting. The
14 members of the council must ~~committee shall~~ be appointed by and
15 serve at the pleasure of the Chief Financial Officer. Each
16 member shall serve a term of 4 years from the date of
17 appointment. The council ~~committee~~ shall annually elect a chair
18 and vice chair from among its members ~~membership~~.

19 (2) The council shall review the investments required by s.
20 17.57; meet with staff of the Division of Treasury at least
21 biannually; and provide recommendations to the Division of
22 Treasury and the Chief Financial Officer regarding investment
23 policy, strategy, and procedures ~~The committee shall administer~~
24 ~~the Treasury Investment Program consistent with policies~~
25 ~~approved by the Chief Financial Officer for deposits and~~
26 ~~investments of public funds. The committee shall also make~~
27 ~~recommendations regarding investment policy to the Chief~~
28 ~~Financial Officer.~~

29 (3) Members of the council shall serve without additional
30 compensation or honorarium, but may receive per diem and
31 reimbursement for travel expenses as provided in s. 112.061 ~~The~~
32 ~~committee shall submit an annual report outlining its activities~~
33 ~~and recommendations to the Chief Financial Officer and the Joint~~
34 ~~Legislative Auditing Committee. The report shall be submitted on~~
35 ~~August 15, 2009, and annually thereafter.~~

36 Section 2. Present subsections (14) through (16) of section
37 215.422, Florida Statutes, are redesignated as subsections (15)
38 through (17), respectively, and a new subsection (14) is added
39 to that section, to read:

40 215.422 Payments, warrants, and invoices; processing time



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41 limits; dispute resolution; agency or judicial branch
42 compliance.-

43 (14) All requirements set forth in this section apply to
44 payments made in accordance with s. 215.971.

45 Section 3. Section 554.1021, Florida Statutes, is reordered
46 and amended to read:

47 554.1021 Definitions.-As used in this chapter, the term ~~ss.~~
48 554.1011-554.115:

49 (3)~~(1)~~ "Boiler" means a closed vessel in which water or
50 other liquid is heated, steam or vapor is generated, steam is
51 superheated, or any combination of these functions is
52 accomplished, under pressure or vacuum, for use external to
53 itself, by the direct application of energy from the combustion
54 of fuels or from electricity or solar energy. The term "boiler"
55 includes fired units for heating or vaporizing liquids other
56 than water where these units are separate from processing
57 systems and are complete within themselves. The varieties of
58 boilers are as follows:

59 (f)~~(a)~~ "Power boiler" means a boiler in which steam or
60 other vapor is generated at a pressure of more than 15 psig.

61 (b) "High pressure, high temperature water boiler" means a
62 water boiler operating at pressures exceeding 160 psig or
63 temperatures exceeding 250 °F.

64 (a)~~(e)~~ "Heating boiler" means a steam or vapor boiler
65 operating at pressures not exceeding 15 psig, or a hot water
66 boiler operating at pressures not exceeding 160 psig or
67 temperatures not exceeding 250 °F.

68 (c)~~(d)~~ "Hot water supply boiler" means a boiler or a lined
69 storage water heater supplying heated water for use external to



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70 itself operating at a pressure not exceeding 160 psig or
71 temperature not exceeding 250 °F.

72 (g)~~(e)~~ "Secondhand boiler" means a boiler that has changed
73 ownership and location subsequent to its original installation
74 and use.

75 (d) "Inservice boiler" means a boiler placed in use after
76 test firing and required inspections have been satisfactorily
77 completed.

78 (e) "Operating boiler" means a boiler connected and ready
79 for use.

80 (h) "Secured boiler" means a boiler that has been:

81 1. Physically disconnected from the system, including
82 disconnection from fuel, water, steam, electricity, and stack;
83 or

84 2. Locked out and tagged out in accordance with the
85 Occupational Safety and Health Administration's standard
86 relating to the control of hazardous energy and lockout or
87 tagout in 29 C.F.R. s. 1910.147, as adopted by rule of the
88 department.

89 (9)~~(2)~~ "Public assembly locations" includes ~~include~~
90 schools, day care centers, community centers, churches,
91 theaters, hospitals, nursing and convalescent homes, stadiums,
92 amusement parks, and other locations open to the general public.

93 (5)~~(3)~~ "Certificate inspection" means an inspection whose
94 ~~the report of which~~ is used by the chief boiler inspector to
95 determine whether or not a certificate of operation may be
96 issued.

97 (7)~~(4)~~ "Certificate of operation ~~compliance~~" means a
98 document issued to the owner of a boiler which authorizes the



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99 owner to operate the boiler, subject to any restrictions
100 endorsed thereon.

101 (6)~~(5)~~ "Certificate of competency" means a document issued
102 to a person who has satisfied the minimum competency
103 requirements for boiler inspectors under this chapter ss.
104 554.1011-554.115.

105 (8)~~(6)~~ "Department" means the Department of Financial
106 Services.

107 (1)~~(7)~~ "A.S.M.E." means the American Society of Mechanical
108 Engineers.

109 (2) "Authorized inspection agency" means:

110 (a) Any county, municipality, town, or other governmental
111 subdivision that has adopted into law the Boiler and Pressure
112 Vessel Code of the A.S.M.E. and the National Board Inspection
113 Code for the construction, installation, inspection,
114 maintenance, and repair of boilers to regulate boilers in public
115 assembly locations, and whose boiler inspectors hold valid
116 certificates of competency in accordance with s. 554.104;

117 (b) An insurer authorized by a subsisting certificate of
118 authority, issued by the Office of Insurance Regulation, to
119 transact boiler and machinery insurance in this state, and whose
120 boiler inspectors hold valid certificates of competency in
121 accordance with s. 554.104; or

122 (c) An inspecting agency accredited in accordance with the
123 National Board of Boiler and Pressure Vessel Inspector's program
124 entitled "Accreditation of Authorized Inspection Agencies (AIA)
125 Performing Inservice or Repair/Alteration Inspection
126 Activities," document number NB-369, and whose boiler inspectors
127 hold valid certificates of competency in accordance with s.



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128 554.104. The department shall by rule require an inspection
129 agency authorized pursuant to this paragraph to maintain
130 financial security adequate to indemnify the owner of the boiler
131 if such agency's negligence or failure to inspect an uninsured
132 boiler results in a loss. Such inspection agency may inspect
133 uninsured boilers or, at the direction of an insurance company,
134 may inspect a boiler insured by that insurance company.

135 (4) "Boiler insurance company" means a company authorized
136 by a subsisting certificate of authority, issued by the Office
137 of Insurance Regulation, to transact boiler and machinery
138 insurance in this state.

139 Section 4. Section 554.103, Florida Statutes, is amended to
140 read:

141 554.103 Boiler code.—The department shall adopt by rule a
142 State Boiler Code for the safe construction, installation,
143 inspection, maintenance, and repair of boilers in this state.
144 The rules adopted shall be based upon and shall at all times
145 follow generally accepted nationwide engineering standards,
146 formulas, and practices pertaining to boiler construction and
147 safety.

148 (1) The department shall adopt an existing code for new
149 construction and installation known as the Boiler and Pressure
150 Vessel Code of the American Society of Mechanical Engineers,
151 including all amendments and interpretations ~~approved thereto by~~
152 ~~the Council on Codes and Standards of A.S.M.E. The department~~
153 ~~may adopt amendments and interpretations~~ to the A.S.M.E. Boiler
154 and Pressure Vessel Code approved by the A.S.M.E. Council on
155 Codes and Standards subsequent to the adoption of the State
156 Boiler Code, and when so adopted by the department, such



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157 amendments and interpretations ~~shall~~ become a part of the State
158 Boiler Code.

159 (2) The installer ~~owner~~ of any boiler placed in use in this
160 state after January 1, 2018, must, before installing the boiler,
161 apply on a form adopted by rule of the department for a permit
162 to install the boiler from the chief boiler inspector. The
163 application must include the boiler's A.S.M.E. manufacturer's
164 data report and other documents required by the State Boiler
165 Code before the boiler is placed in service. The installer must
166 contact the chief boiler inspector to schedule an inspection for
167 each boiler no later than 7 days before the boiler is placed in
168 service ~~after October 1, 1987, shall submit the A.S.M.E.~~
169 ~~manufacturer's data report on such boiler to the chief inspector~~
170 ~~not more than 90 days following the inservice date of the~~
171 ~~boiler.~~

172 (3) The maximum allowable working pressure of a boiler
173 carrying the A.S.M.E. code symbol must ~~shall~~ be determined by
174 the applicable sections of the code under which it was
175 constructed and stamped. Subject to the concurrence of the chief
176 boiler inspector, such boiler may be rerated in accordance with
177 the standards of the State Boiler Code.

178 (4) The maximum allowable working pressure of a boiler that
179 ~~which~~ does not carry the A.S.M.E. code symbol must ~~shall~~ be
180 computed in accordance with the standards of the State Boiler
181 Code.

182 (5) This chapter may not ~~Nothing in ss. 554.1011-554.115~~
183 ~~shall~~ be construed to in any way prevent the use, sale, or
184 reinstallation of a boiler if such boiler has been made to
185 conform to the applicable provisions of the State Boiler Code



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186 governing existing installations and if, upon inspection, the
187 boiler has been found to be in a safe condition.

188 (6) The department, at its discretion, may authorize the
189 construction, installation, and operation of boilers of special
190 design or construction which do not meet the specific
191 requirements of the State Boiler Code, but which are consistent
192 with the intent of the safety objectives of the code.

193 (7) The department may adopt rules pursuant to ss.
194 120.536(1) and 120.54 to administer this chapter. Such rules may
195 include specifying the procedures and forms to be used to obtain
196 an installation permit, an initial certificate, or a renewal
197 certificate, and the submission of reports and notices required
198 under this chapter.

199 Section 5. Section 554.104, Florida Statutes, is amended to
200 read:

201 554.104 Certification of boiler inspectors required;
202 application; qualifications; renewal Boilers of special design.-
203 ~~The department, at its discretion, may authorize the~~
204 ~~construction, installation, and operation of boilers of special~~
205 ~~design or construction that do not meet the specific~~
206 ~~requirements of the State Boiler Code but are not inconsistent~~
207 ~~with the intent of the safety objectives of such code.~~

208 (1) CERTIFICATE REQUIRED.-A person may not be, act as, or
209 advertise or hold himself or herself out to be an inspector of a
210 boiler that is subject to regulation by this chapter, unless he
211 or she currently holds a certificate of competency issued by the
212 department.

213 (2) APPLICATION.-A person who desires to be certified to
214 inspect boilers that are subject to regulation by this chapter



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215 must apply in writing to the department to take the
216 certification examination.

217 (3) QUALIFICATIONS.—A person is qualified to take the
218 certification examination if the person:

219 (a) Has submitted the application for examination together
220 with the fee required under s. 554.111(1) (a);

221 (b) Is at least 18 years of age;

222 (c) Has completed the 2-hour training course under
223 subsection (4) on the requirements of this chapter and any
224 related rules adopted by the department. The course must be
225 completed no later than 12 months before issuance of an initial
226 or renewal certificate; and

227 (d) Has:

228 1. At least 3 years of experience in the construction,
229 installation, inspection, operation, maintenance, or repair of
230 high pressure, high temperature water boilers; or

231 2. Met the requirements to qualify as a commissioned
232 inspector by the National Board of Boiler and Pressure Vessel
233 Inspectors as set forth in NB-263, RCI-1, Rules for Commissioned
234 Inspectors, as adopted by rule of the department.

235 (4) TRAINING COURSE.—The department shall adopt by rule a
236 2-hour training course on the requirements of this chapter and
237 any related rules adopted by the department. The department
238 shall make the training course available online and may make the
239 course available in a classroom setting. A boiler insurance
240 company may include the department's course as part of its in-
241 house training of a boiler inspector student, in lieu of the
242 student taking the online training course. A boiler insurance
243 company that includes the department's course in its in-house



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244 training of a boiler inspector student must indicate that the
245 student completed the training on an application filed with the
246 department for certification of competency.

247 (5) EXAMINATION.—A person applying for a certificate of
248 competency must have successfully passed the examination
249 administered by the National Board of Boiler and Pressure Vessel
250 Inspectors and be eligible to obtain a National Board
251 commission.

252 (6) ISSUANCE OF CERTIFICATE.—The chief boiler inspector
253 must issue a certificate of competency to each person who is
254 qualified under this section and who holds a commission from the
255 National Board of Boiler and Pressure Vessel Inspectors.

256 (7) RENEWAL OF CERTIFICATE.—A certificate of competency
257 expires on December 31 of each year and may be renewed upon the
258 filing of a renewal application with the department. A secured
259 electronic application must be used, if available on the
260 department's website.

261 (8) RULES.—The department may adopt rules necessary to
262 administer this section.

263 Section 6. Section 554.105, Florida Statutes, is amended to
264 read:

265 554.105 Chief boiler inspector.—

266 (1) The Chief Financial Officer shall appoint a chief
267 boiler inspector, who must have at least ~~shall have not less~~
268 ~~than~~ 5 years' experience in the construction, installation,
269 inspection, operation, maintenance, or repair of high pressure,
270 high temperature water boilers and who must ~~shall~~ hold a
271 commission from the National Board of Boiler and Pressure Vessel
272 Inspectors or a certificate of competency from the department.



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273 (2) The department, through the chief boiler inspector,
274 shall administer the state boiler inspection program, and shall:

275 (a) Take all action necessary to enforce the State Boiler
276 Code and the rules adopted pursuant to this chapter ss.
277 ~~554.1011-554.115.~~

278 (b) Keep a complete record on all boilers at public
279 assembly locations. Such record must ~~shall~~ include the name of
280 each boiler owner or user and the location, type, ~~dimensions,~~
281 maximum allowable working pressure, age, ~~and~~ last recorded
282 inspection of each boiler, and any other information necessary
283 to expedite the certification process.

284 (c) ~~Publish and make available to anyone, upon request,~~
285 ~~copies of the rules adopted pursuant to ss. 554.1011-554.115.~~

286 (d) Expend funds necessary to meet the expenses authorized
287 by this chapter ss. 554.1011-554.115, including the necessary
288 travel expenses of the chief boiler inspector and deputy boiler
289 inspectors, and the expenses incident to the maintenance of this
290 ~~his or her~~ office.

291 Section 7. Section 554.106, Florida Statutes, is amended to
292 read:

293 554.106 Deputy boiler inspectors.-

294 (1) The department shall employ deputy boiler inspectors
295 who shall be responsible to the chief boiler inspector ~~and who~~
296 ~~shall each hold a certificate of competency from the department.~~

297 (2) A deputy boiler inspector shall perform inspections of
298 uninsured boilers that are subject to regulation under this
299 chapter, in accordance with the inspection frequency set forth
300 in s. 554.108. A deputy boiler inspector may also engage in
301 public outreach activities of the department and conduct other



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302 duties as assigned by the chief boiler inspector.

303 Section 8. Section 554.107, Florida Statutes, is amended to
304 read:

305 554.107 Special boiler inspectors.—

306 (1) Upon application by any authorized inspection agency
307 ~~company licensed to insure boilers in this state~~, the chief
308 boiler inspector shall issue a certificate of competency as a
309 special boiler inspector to any inspector employed by the
310 authorized inspection agency company, ~~if provided that~~ such
311 boiler inspector satisfies the competency requirements for
312 inspectors as provided in s. 554.104 ~~s. 554.113~~. Special boiler
313 inspectors shall perform inspections of insured boilers in
314 accordance with the inspection frequency set forth in s.
315 554.108.

316 (2) The certificate of competency of a special boiler
317 inspector remains ~~shall remain~~ in effect only so long as the
318 special boiler inspector is employed by an authorized inspection
319 agency ~~a company licensed to insure boilers in this state~~. Upon
320 termination of employment with such company, such company ~~a~~
321 ~~special inspector~~ shall, in writing, notify the chief boiler
322 inspector of such special boiler inspector's termination. Such
323 notice must ~~shall~~ be given within 15 days following the date of
324 termination.

325 Section 9. Subsections (1), (2), (4), and (5) of section
326 554.108, Florida Statutes, are amended, and subsection (6) is
327 added to that section, to read:

328 554.108 Inspection.—

329 (1) The inspection requirements of this chapter apply only
330 to boilers located in public assembly locations. A potable hot



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331 water supply boiler with a heat input of 200,000 British thermal
332 units (Btu) per hour and above, up to a heat input not exceeding
333 400,000 Btu per hour, is exempt from inspection, but must be
334 stamped with the A.S.M.E. code symbol "HLW" and the boiler's
335 A.S.M.E data report must be filed as required under s.

336 554.103(2) ~~The only boilers required to be inspected under the~~
337 ~~provisions of ss. 554.1011-554.115 are boilers located in public~~
338 ~~assembly locations.~~

339 (2) Each inspection of a boiler conducted pursuant to this
340 chapter must ~~ss. 554.1011-554.115~~ shall be made by the chief
341 boiler inspector, a deputy boiler inspector, or a special boiler
342 inspector. An owner, or the owner's designee, shall perform all
343 operation, testing, manipulation of boiler controls and safety
344 devices, removal of lagging, and disassembly of boiler
345 components to allow the chief boiler inspector, deputy boiler
346 inspector, or special boiler inspector to conduct inspections as
347 required by this section.

348 (4) Each boiler subject to inspection must be inspected
349 within 30 days after expiration of the boiler's certificate of
350 operation. However, an inspection report must be received by the
351 chief boiler inspector no later than 30 days after the projected
352 expiration date of the certificate of operation. If, upon
353 inspection, the chief boiler inspector, deputy boiler inspector,
354 or special boiler inspector finds that a boiler is in violation
355 of any provision of the State Boiler Code, the inspector must
356 promptly notify the owner or user and state what repairs or
357 other corrective measures are needed. Deputy boiler inspectors
358 and special boiler inspectors shall file a written report, on a
359 form adopted by rule of the department, on each certificate



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360 inspection with the chief boiler inspector within 15 days after
361 the following such inspection. A certificate inspection report
362 must list all violations of the State Boiler Code and any
363 conditions that may adversely affect the operation of the
364 boiler. The filing of reports of inspections, other than
365 statutorily required ~~certificate~~ inspections, is are not
366 required unless such inspections disclose that a boiler is in an
367 unsafe condition or unless the boiler has failed and requires
368 major repair or replacement. The inspection report must list the
369 extent of damage to the boiler, as well as the cause of the
370 failure, if known, and any other pertinent information. However,
371 an inspection report must be filed for any inspection performed
372 on a boiler with a previously identified code violation. The
373 report must indicate whether the violation has been corrected.
374 The agency responsible for conducting the inspection must
375 perform followup inspections, not more than every 6 months, of a
376 previously identified code violation until it is corrected.

377 (5) Upon a determination by the chief boiler inspector
378 determining that a boiler cannot be safely operated, ~~is in an~~
379 unsafe condition and poses an imminent danger to the public
380 health, safety, and welfare, the chief inspector, a deputy
381 inspector, or a special inspector may immediately order the
382 boiler must immediately ~~to~~ be shut down. The chief boiler
383 inspector or a deputy boiler inspector shall attach a tag to the
384 boiler indicating that the boiler has been shut down due to an
385 unsafe condition. The boiler must ~~shall~~ remain shut down until a
386 reinspection by the chief boiler inspector or a deputy boiler a
387 ~~certified~~ inspector determines that ~~all violations have been~~
388 ~~corrected, that~~ the boiler may be operated safely, ~~and that a~~



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389 ~~certificate of compliance has been issued.~~ A boiler that may not
390 be safely operated, as determined by the chief boiler inspector,
391 is deemed to constitute an imminent danger to the public health,
392 safety, and welfare.

393 (6) The department may adopt rules necessary to administer
394 this section.

395 Section 10. Section 554.1081, Florida Statutes, is created
396 to read:

397 554.1081 Boiler inspections by insurance companies and
398 local governmental agencies.-

399 (1) An insurance company insuring a boiler located in a
400 public assembly location in this state shall inspect, or shall
401 contract with an authorized inspection agency to inspect, the
402 insured boiler. A boiler insurance company shall annually report
403 to the department the name of any authorized inspection agency
404 performing any required boiler inspections on its behalf and
405 shall actively monitor insured boilers to ensure that
406 inspections are conducted as required by this chapter.

407 (2) A county, municipality, town, or other governmental
408 subdivision that has adopted into law the Boiler and Pressure
409 Vessel Code of the A.S.M.E. and the National Board Inspection
410 Code for the construction, installation, inspection,
411 maintenance, and repair of boilers to regulate boilers in public
412 assembly locations may inspect such boilers. All boiler
413 inspections must be conducted by special boiler inspectors in
414 accordance with this chapter.

415 Section 11. Section 554.109, Florida Statutes, is amended
416 to read:

417 554.109 Exemptions.-



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418 ~~(1) Any insurance company insuring a boiler located in a~~
419 ~~public assembly location in this state shall inspect such boiler~~
420 ~~so insured, and any county, city, town, or other governmental~~
421 ~~subdivision which has adopted into law the Boiler and Pressure~~
422 ~~Vessel Code of the American Society of Mechanical Engineers and~~
423 ~~the National Board Inspection Code for the construction,~~
424 ~~installation, inspection, maintenance, and repair of boilers,~~
425 ~~regulating such boilers in public assembly locations, shall~~
426 ~~inspect such boilers so regulated; provided that such inspection~~
427 ~~shall be conducted by a special inspector licensed pursuant to~~
428 ~~ss. 554.1011-554.115. Upon filing of a report of satisfactory~~
429 ~~inspection with the department, such boiler is exempt from~~
430 ~~inspection by the department.~~

431 ~~(2) The provisions of This chapter does shall not apply to~~
432 ~~potable hot water supply boilers or lined storage water heaters~~
433 ~~that which are directly fired with oil, gas, electricity, or~~
434 ~~solar energy, provided that none of the following limitations is~~
435 ~~are exceeded:~~

- 436 ~~(1) (a) Heat input of 400,000 Btu per hour.~~
437 ~~(2) (b) Water temperature of 210 degrees Fahrenheit.~~
438 ~~(3) (c) Nominal water-containing capacity of 120 gallons.~~

439
440 ~~These exempt hot water supply boilers and lined storage water~~
441 ~~heaters shall be equipped with safety relief valves conforming~~
442 ~~to the requirements of the Boiler and Pressure Vessel Code of~~
443 ~~the American Society of Mechanical Engineers and of the National~~
444 ~~Board Inspection Code.~~

445 Section 12. Section 554.1101, Florida Statutes, is amended
446 to read:



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447 554.1101 Certificate of operation compliance.—

448 (1) If an inspection report filed pursuant to s. 554.108
449 shows a boiler to be in compliance with all applicable
450 provisions of the State Boiler Code, the chief boiler inspector
451 must shall, upon receipt of the inspection fee, issue a
452 certificate of operation compliance to the owner. Such
453 certificate must shall bear the date of the inspection and
454 specify the maximum pressure at which the boiler may be
455 operated.

456 (2) The certificate for a power boiler or a high pressure,
457 high temperature water boiler is valid for a period of 12 months
458 from the date of the certificate inspection. The certificate for
459 a heating boiler or a hot water supply boiler is valid for a
460 period of 24 months from the date of the certificate inspection.
461 The certificate must shall be posted under glass, or be
462 similarly protected, in the room containing the boiler.

463 (3) A boiler insurance company shall notify the chief
464 boiler inspector within 30 days after the issuance of a new or
465 renewal boiler and machinery insurance policy, or the
466 cancellation or nonrenewal of a boiler and machinery insurance
467 policy, covering places of public assembly in this state.

468 (4) If the chief boiler inspector has knowledge that a
469 boiler regulated under this chapter was covered by a boiler and
470 machinery insurance policy after its most recent certification
471 inspection, the certificateholder must, upon the request of the
472 chief boiler inspector, submit its certificate of boiler and
473 machinery insurance for the boiler if the department has not
474 received the special boiler inspector's annual inspection report
475 within 30 days after its due date.



476 Section 13. Section 554.111, Florida Statutes, is amended
477 to read:

478 554.111 Fees.—

479 (1) The department shall charge the following fees:

480 (a) For an applicant for a certificate of competency, the
481 initial application fee shall be \$50, and the annual renewal fee
482 shall be \$30. The fee for examination shall be \$50.

483 (b) For certificate inspections conducted by the
484 department:

485 1. For power boilers and high pressure, high temperature
486 water boilers of:

487 4,000 square feet or less heating surface.....\$60

488 More than 4,000 square feet heating surface and less than 10,000
489 square feet of heating surface.....\$70

490 10,000 square feet or more heating surface.....\$90

491 2. For heating boilers:

492 Without a manhole.....\$40

493 With a manhole.....\$70

494 3. For hot water supply boilers.....\$40

495 (c) For issuance of a ~~compliance~~ certificate of operation
496 without a department inspection.....\$30

497 (d) Duplicate certificates or address
498 changes.....\$5

499 (e) An application for a boiler permit must include the
500 applicable certificate inspection fee provided in paragraph (b).

501 (2) Not more than an amount equal to one certificate
502 inspection fee may ~~shall~~ be charged or collected for any and all
503 boiler inspections in any inspection period, except as otherwise
504 provided in this chapter ~~ss. 554.1011-554.115.~~



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505 (a) When it is necessary to make a special trip to observe
506 the application of a hydrostatic test, an additional fee equal
507 to the fee for a certificate inspection of the boiler must ~~shall~~
508 be charged.

509 (b) All other inspections, including shop inspections,
510 surveys, and inspections of secondhand boilers made by the chief
511 boiler inspector or a deputy boiler inspector, must ~~shall~~ be
512 charged at the rate of not less than \$270 for one-half day of 4
513 hours, and \$500 for 1 full day of 8 hours, plus travel, hotel,
514 and incidental expenses in accordance with chapter 112.

515 (3) The chief boiler inspector shall deposit all fees or
516 finances received pursuant to this chapter ~~ss. 554.1011-554.115~~
517 into the Insurance Regulatory Trust Fund.

518 Section 14. Sections 554.112 and 554.113, Florida Statutes,
519 are repealed.

520 Section 15. Section 554.114, Florida Statutes, is amended
521 to read:

522 554.114 Prohibitions; penalties.-

523 (1) A person may not:

524 (a) Operate a boiler at a public assembly location without
525 a valid certificate of operation compliance for that boiler;

526 (b) ~~Give false or forged information to the department or~~
527 ~~an inspector for the purpose of obtaining a certificate of~~
528 ~~compliance;~~

529 ~~(c)~~ Use a certificate of operation compliance for any
530 boiler other than for the boiler for which it was issued;

531 ~~(d)~~ Operate a boiler for which the certificate of
532 operation compliance has been suspended, revoked, or not
533 renewed;



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534 ~~(e) Give false or forged information to the department for~~
535 ~~the purpose of obtaining a certificate of competence; or~~

536 ~~(d) (f) Inspect any boiler regulated under this chapter the~~
537 ~~provisions of ss. 554.1011-554.115 without having a valid~~
538 ~~certificate of competency.~~

539 ~~(2) A boiler insurance company that fails to inspect or to~~
540 ~~have inspected, in accordance with this chapter, any boiler~~
541 ~~insured by the company and regulated under this chapter is~~
542 ~~subject to the penalties provided in subsection (4), unless the~~
543 ~~failure to inspect was the result of an owner's or operator's~~
544 ~~failure to provide reasonable access to the boiler. Any person~~
545 ~~who violates this section is guilty of a misdemeanor of the~~
546 ~~second degree, punishable by fine as provided in s. 775.083.~~

547 ~~(3) An authorized inspection agency that is under contract~~
548 ~~with a boiler insurance company and that fails to inspect, in~~
549 ~~accordance with this chapter, any boiler insured by the company~~
550 ~~and regulated under this chapter is subject to the penalties~~
551 ~~provided in subsection (4), unless the failure to inspect was~~
552 ~~the result of an owner's or operator's failure to provide~~
553 ~~reasonable access to the boiler.~~

554 ~~(4) A boiler insurance company, authorized inspection~~
555 ~~agency, or other person in violation of this section for more~~
556 ~~than 30 days shall pay a fine of \$10 per day for the first 10~~
557 ~~days of noncompliance, \$50 per day for the subsequent 20 days of~~
558 ~~noncompliance, and \$100 per day for each subsequent day over 20~~
559 ~~days of noncompliance.~~

560 Section 16. Section 554.115, Florida Statutes, is amended
561 to read:

562 554.115 Disciplinary proceedings.-



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563 (1) The department may deny, refuse to renew, suspend, or
564 revoke a certificate of operation compliance upon proof that:

565 (a) The certificate has been obtained by fraud or
566 misrepresentation;

567 (b) The boiler for which the certificate was issued cannot
568 be operated safely; ~~or~~

569 (c) The person who received the certificate willfully or
570 deliberately violated the State Boiler Code, this chapter, ~~or~~
571 ~~ss. 554.1011-554.115~~ or any other rule adopted pursuant to this
572 chapter; or ~~ss. 554.1011-554.115.~~

573 (d) The owner of a boiler:

574 1. Operated a boiler at a public assembly location without
575 a valid certificate of operation for that boiler;

576 2. Used a certificate of operation for a boiler other than
577 the boiler for which the certificate of operation was issued;

578 3. Gave false or forged information to the department, to
579 an authorized inspection agency, or to another boiler inspector
580 for the purpose of obtaining a certificate of operation;

581 4. Operated a boiler after the certificate of operation for
582 the boiler expired, was not renewed, or was suspended or
583 revoked;

584 5. Operated a boiler that is in an unsafe condition; or

585 6. Operated a boiler in a manner that is contrary to the
586 requirements of this chapter or any rule adopted under this
587 chapter.

588 (2) The department may deny, refuse to renew, suspend, or
589 revoke a certificate of competency upon proof that:

590 (a) The certificate was obtained by fraud or
591 misrepresentation;



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592 (b) The inspector to whom the certificate was issued is no
593 longer qualified under this chapter ~~ss. 554.1011-554.115~~ to
594 inspect boilers; or

595 (c) The boiler inspector:

596 1. ~~Operated a boiler at a public assembly location without~~
597 ~~a valid certificate of compliance for that boiler;~~

598 2. ~~Gave false or forged information to the department, an~~
599 ~~authorized inspection agency, or to another boiler inspector for~~
600 ~~the purpose of obtaining a certificate of operation;~~ or
601 ~~compliance;~~

602 3. ~~Used a certificate of compliance for any boiler other~~
603 ~~than the boiler for which it was issued;~~

604 4. ~~Operated a boiler for which the certificate of~~
605 ~~compliance has been suspended or revoked or has expired;~~

606 2.5. ~~Inspected any boiler regulated under this chapter ~~ss.~~~~
607 ~~554.1011-554.115 without having obtained a valid certificate of~~
608 ~~competency.~~

609 6. ~~Operated a boiler that is in an unsafe condition; or~~

610 7. ~~Operated a boiler in a manner that is contrary to the~~
611 ~~requirements of this chapter or any rule adopted under this~~
612 ~~chapter.~~

613 (3) Each suspension of a certificate of operation
614 ~~compliance~~ or certificate of competency shall continue in effect
615 until all violations have been corrected and, for boiler safety
616 violations, until the boiler has been inspected by an authorized
617 inspector and shown to be in a safe working condition.

618 (4) ~~A person in violation of this section who does not have~~
619 ~~a valid certificate of competency shall be reported by the chief~~
620 ~~inspector to the appropriate state attorney.~~



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621 ~~(5) A person in violation of this section who has a valid~~
622 ~~certificate of competency is subject to administrative action by~~
623 ~~the chief inspector.~~

624 ~~(4)(6)~~ A revocation of a certificate of competency is
625 permanent, and a revoked certificate of competency may not be
626 reinstated or a new certificate of competency issued to the same
627 person. A suspension of a certificate of competency continues in
628 effect until all violations have been corrected. ~~A suspension of~~
629 ~~a certificate of compliance for any boiler safety violation~~
630 ~~continues in effect until the boiler has been inspected by an~~
631 ~~authorized inspector and shown to be in safe working condition.~~

632 Section 17. Section 554.1151, Florida Statutes, is created
633 to read:

634 554.1151 Administrative fine in lieu of or in addition to
635 suspension, revocation, or refusal to renew a certificate of
636 operation or competency.-

637 (1) If the department finds that one or more grounds exist
638 for the suspension, revocation, or refusal to renew any
639 certificate of operation or certificate of competency issued
640 under this chapter, the department may, in its discretion, in
641 lieu of or in addition to suspension or revocation or in lieu of
642 refusal to renew, impose upon the certificateholder an
643 administrative penalty in an amount up to \$500, or, if the
644 department has found willful misconduct or willful violation on
645 the part of the certificateholder, in an amount up to \$3,500.

646 (2) The department may allow the certificateholder a
647 reasonable period, no more than 30 days, within which to pay to
648 the department the amount of the penalty so imposed. If the
649 certificateholder fails to pay the penalty in its entirety to



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650 the department within the period so allowed, the certificate of
651 that person must be suspended until the penalty is paid. If the
652 certificateholder fails to pay the penalty in its entirety to
653 the department within 90 days after the period so allowed, the
654 certificate of that person must be revoked.

655 Section 18. Subsection (7) of section 624.307, Florida
656 Statutes, is amended to read:

657 624.307 General powers; duties.—

658 (7) The department and office, within existing resources,
659 may expend funds for the professional development of its
660 employees, including, but not limited to, professional dues for
661 employees who are required to be members of professional
662 organizations; examinations leading to professional designations
663 required for employment with the office; training courses and
664 examinations provided through, and to ensure compliance with,
665 the National Association of Insurance Commissioners; or other
666 training courses related to the regulation of insurance.

667 Section 19. Present subsections (1), (2), and (3) and (4)
668 through (19) of section 626.015, Florida Statutes, are
669 redesignated as subsections (2), (3), and (4) and (6) through
670 (21), respectively, present subsection (8) is amended, and new
671 subsections (1) and (5) are added to that section, to read:

672 626.015 Definitions.—As used in this part:

673 (1) “Active participant” means a member in good standing of
674 an association who attends 4 or more hours of association
675 meetings every year, not including any department-approved
676 continuing education course.

677 (5) “Association” includes the Florida Association of
678 Insurance Agents (FAIA), the National Association of Insurance



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679 and Financial Advisors (NAIFA), the Florida Association of
680 Health Underwriters (FAHU), the Latin American Association of
681 Insurance Agencies (LAAIA), the Florida Association of Public
682 Insurance Adjusters (FAPIA), the Florida Bail Agents Association
683 (FBAA), or the Professional Bail Agents of the United States
684 (PBUS).

685 (10)~~(8)~~ "Insurance agency" means a business location at
686 which an individual, firm, partnership, corporation,
687 association, or other entity, other than an employee of the
688 individual, firm, partnership, corporation, association, or
689 other entity and other than an insurer as defined by s. 624.03
690 or an adjuster as defined by subsection (2) ~~(1)~~, engages in any
691 activity or employs individuals to engage in any activity which
692 by law may be performed only by a licensed insurance agent.

693 Section 20. Section 626.207, Florida Statutes, is amended
694 to read:

695 626.207 Disqualification of applicants and licensees;
696 penalties against licensees; rulemaking authority.—

697 (1) For purposes of this section, the term or terms:

698 (a) "Applicant" means an individual applying for licensure
699 or relicensure under this chapter, and an officer, director,
700 majority owner, partner, manager, or other person who manages or
701 controls an entity applying for licensure or relicensure under
702 this chapter.

703 (c) "Financial services business" means any financial
704 activity regulated by the Department of Financial Services, the
705 Office of Insurance Regulation, or the Office of Financial
706 Regulation.

707 (b)~~(2)~~ ~~For purposes of this section, the terms~~ "Felony of



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708 the first degree" and "capital felony" include all felonies
709 designated as such by the Florida Statutes, as well as any
710 felony so designated in the jurisdiction in which the plea is
711 entered or judgment is rendered.

712 (2) (3) An applicant who has been found guilty of or has
713 pleaded guilty or nolo contendere to any of the following
714 crimes, regardless of adjudication, is permanently barred from
715 licensure under this chapter: ~~commits~~

716 (a) A felony of the first degree;

717 (b) A capital felony;

718 (c) A felony involving money laundering; ~~fraud, or~~

719 (d) A felony embezzlement; or

720 (e) A felony directly related to the financial services
721 business is permanently barred from applying for a license under
722 this part. This bar applies to convictions, guilty pleas, or
723 nolo contendere pleas, regardless of adjudication, by any
724 applicant, officer, director, majority owner, partner, manager,
725 or other person who manages or controls any applicant.

726 (3) (4) An applicant who has been found guilty of or has
727 pleaded guilty or nolo contendere to a crime ~~For all other~~
728 crimes not included in subsection (2), regardless of
729 adjudication, is subject to (3), ~~the department shall adopt~~
730 rules establishing the process and application of disqualifying
731 periods that include:

732 (a) A 15-year disqualifying period for all felonies
733 involving moral turpitude which ~~that~~ are not specifically
734 included in the permanent bar contained in subsection (2) (3).

735 (b) A 7-year disqualifying period for all felonies to which
736 neither the permanent bar in subsection (2) (3) nor the 15-year



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737 disqualifying period in paragraph (a) applies.

738 (c) A 7-year disqualifying period for all misdemeanors
739 directly related to the financial services business.

740 (4)(5) The department shall adopt rules to administer this
741 section. The rules must provide ~~providing~~ for additional
742 disqualifying periods due to the commitment of multiple crimes
743 and may include other factors reasonably related to the
744 applicant's criminal history. The rules shall provide for
745 mitigating and aggravating factors. However, mitigation may not
746 result in a period of disqualification of less than 7 years and
747 may not mitigate the disqualifying periods in paragraphs (3) (b)
748 and (c) ~~(4) (b) and (e)~~.

749 (5)(6) For purposes of this section, the disqualifying
750 periods begin upon the applicant's final release from
751 supervision or upon completion of the applicant's criminal
752 sentence, ~~including payment of fines, restitution, and court~~
753 ~~costs for the crime for which the disqualifying period applies.~~
754 The department may not issue a license to an applicant unless
755 all related fines, court costs and fees, and court-ordered
756 restitution have been paid.

757 (6)(7) After the disqualifying period has expired ~~been met~~,
758 the burden is on the applicant to demonstrate that the applicant
759 has been rehabilitated, does not pose a risk to the insurance-
760 buying public, is fit and trustworthy to engage in the business
761 of insurance pursuant to s. 626.611(1)(g), and is otherwise
762 qualified for licensure.

763 (7) Notwithstanding subsections (2) and (3), upon a grant
764 of a pardon or the restoration of civil rights pursuant to
765 chapter 940 and s. 8, Art. IV of the State Constitution with



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766 respect to a finding of guilt or a plea under subsection (2) or
767 subsection (3), such finding or plea no longer bars or
768 disqualifies the applicant from licensure under this chapter
769 unless the clemency specifically excludes licensure in the
770 financial services business; however, a pardon or restoration of
771 civil rights does not require the department to award such
772 license.

773 (8) The department shall adopt rules establishing specific
774 penalties against licensees in accordance with ss. 626.641 and
775 626.651 for violations of s. 626.611, s. 626.621, s. 626.8437,
776 s. 626.844, s. 626.935, s. 634.181, s. 634.191, s. 634.320, s.
777 634.321, s. 634.422, s. 634.423, s. 642.041, or s. 642.043. The
778 purpose of the revocation or suspension is to provide a
779 sufficient penalty to deter future violations of the Florida
780 Insurance Code. The imposition of a revocation or the length of
781 suspension shall be based on the type of conduct and the
782 probability that the propensity to commit further illegal
783 conduct has been overcome at the time of eligibility for
784 relicensure. The length of suspension may be adjusted based on
785 aggravating or mitigating factors, established by rule and
786 consistent with this purpose.

787 (9) Section 112.011 does not apply to any applicants for
788 licensure under the Florida Insurance Code, including, but not
789 limited to, agents, agencies, adjusters, adjusting firms,
790 customer representatives, or managing general agents.

791 Section 21. Paragraph (j) of subsection (2) of section
792 626.221, Florida Statutes, is amended to read:

793 626.221 Examination requirement; exemptions.—

794 (2) However, an examination is not necessary for any of the



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795 following:

796 (j) An applicant for license as an all-lines adjuster who
797 has the designation of Accredited Claims Adjuster (ACA) from a
798 regionally accredited postsecondary institution in this state,
799 Associate in Claims (AIC) from the Insurance Institute of
800 America, Professional Claims Adjuster (PCA) from the
801 Professional Career Institute, Professional Property Insurance
802 Adjuster (PPIA) from the HurriClaim Training Academy, Certified
803 Adjuster (CA) from ALL LINES Training, ~~or~~ Certified Claims
804 Adjuster (CCA) from AE21 Incorporated, or Universal Claims
805 Certification (UCC) from Claims and Litigation Management
806 Alliance (CLM) whose curriculum has been approved by the
807 department and which includes comprehensive analysis of basic
808 property and casualty lines of insurance and testing at least
809 equal to that of standard department testing for the all-lines
810 adjuster license. The department shall adopt rules establishing
811 standards for the approval of curriculum.

812 Section 22. Present paragraphs (i) and (j) of subsection
813 (7) of section 626.2815, Florida Statutes, are redesignated as
814 paragraphs (j) and (k), respectively, and a new paragraph (i) is
815 added to that subsection, to read:

816 626.2815 Continuing education requirements.—

817 (7) The following courses may be completed in order to meet
818 the elective continuing education course requirements:

819 (i) Any part of the Claims and Litigation Management
820 Alliance (CLM) Universal Claims Certification (UCC) professional
821 designation: 19 hours of elective continuing education and 5
822 hours of the continuing education required under subsection (3).

823 Section 23. Paragraph (b) of subsection (1) of section



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824 626.8734, Florida Statutes, is amended to read:

825 626.8734 Nonresident all-lines adjuster license
826 qualifications.—

827 (1) The department shall issue a license to an applicant
828 for a nonresident all-lines adjuster license upon determining
829 that the applicant has paid the applicable license fees required
830 under s. 624.501 and:

831 (b) Has passed to the satisfaction of the department a
832 written Florida all-lines adjuster examination of the scope
833 prescribed in s. 626.241(6); however, the requirement for the
834 examination does not apply to:

835 1. An applicant who is licensed as an all-lines adjuster in
836 his or her home state if that state has entered into a
837 reciprocal agreement with the department; ~~or~~

838 2. An applicant who is licensed as a nonresident all-lines
839 adjuster in a state other than his or her home state and a
840 reciprocal agreement with the appropriate official of the state
841 of licensure has been entered into with the department; or

842 3. An applicant who holds a certification set forth in s.
843 626.221(2)(j).

844 Section 24. Section 626.9954, Florida Statutes, is amended
845 to read:

846 626.9954 Disqualification from registration.—

847 (1) As used in this section, the terms "felony of the first
848 degree" and "capital felony" include all felonies so designated
849 by the laws of this state, as well as any felony so designated
850 in the jurisdiction in which the plea is entered or judgment is
851 rendered.

852 (2) An applicant who has been found guilty of or has



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853 pleaded guilty or nolo contendere to the following crimes,
854 regardless of adjudication, is permanently disqualified from
855 registration under this part: ~~commits~~

856 (a) A felony of the first degree;

857 (b) A capital felony;

858 (c) A felony involving money laundering; ~~fraud, or~~

859 (d) A felony embezzlement; or

860 (e) A felony directly related to the financial services
861 business ~~is permanently barred from applying for registration~~
862 ~~under this part. This bar applies to convictions, guilty pleas,~~
863 ~~or nolo contendere pleas, regardless of adjudication, by an~~
864 ~~applicant.~~

865 (3) An applicant who has been found guilty of or has
866 pleaded guilty or nolo contendere to a crime ~~For all other~~
867 ~~crimes~~ not described in subsection (2), regardless of
868 adjudication, is subject to the department may adopt rules
869 ~~establishing the process and application of disqualifying~~
870 ~~periods including:~~

871 (a) A 15-year disqualifying period for all felonies
872 involving moral turpitude which are not specifically included in
873 subsection (2).

874 (b) A 7-year disqualifying period for all felonies not
875 specifically included in subsection (2) or paragraph (a).

876 (c) A 7-year disqualifying period for all misdemeanors
877 directly related to the financial services business.

878 (4) The department may adopt rules to administer this
879 section. The rules must provide for ~~providing~~ additional
880 disqualifying periods due to the commitment of multiple crimes
881 and may include other factors reasonably related to the



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882 applicant's criminal history. The rules must provide for
883 mitigating and aggravating factors. However, mitigation may not
884 result in a disqualifying period of less than 7 years and may
885 not mitigate the disqualifying periods in paragraph (3) (b) or
886 paragraph (3) (c).

887 (5) For purposes of this section, the disqualifying periods
888 begin upon the applicant's final release from supervision or
889 upon completion of the applicant's criminal sentence, ~~including~~
890 ~~the payment of fines, restitution, and court costs for the crime~~
891 ~~for which the disqualifying period applies.~~ The department may
892 not issue a registration to an applicant unless all related
893 fines, court costs and fees, and court-ordered restitution have
894 been paid.

895 (6) After the disqualifying period has expired ~~been met~~,
896 the burden is on the applicant to demonstrate to the
897 satisfaction of the department that he or she has been
898 rehabilitated and does not pose a risk to the insurance-buying
899 public and is otherwise qualified for registration.

900 (7) Notwithstanding subsections (2) and (3), upon a grant
901 of a pardon or the restoration of civil rights pursuant to
902 chapter 940 and s. 8, Art. IV of the State Constitution with
903 respect to a finding of guilt or a plea under subsection (2) or
904 subsection (3), such finding or plea no longer bars or
905 disqualifies the applicant from applying for registration under
906 this part unless the clemency specifically excludes licensure or
907 specifically excludes registration in the financial services
908 business; however, a pardon or restoration of civil rights does
909 not require the department to award such registration.

910 (8) (7) Section 112.011 does not apply to an applicant for



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911 registration as a navigator.

912 Section 25. Paragraph (a) of subsection (3) of section
913 626.2815, Florida Statutes, is amended, and paragraph (j) is
914 added to that subsection, to read:

915 626.2815 Continuing education requirements.—

916 (3) Each licensee except a title insurance agent must
917 complete a 5-hour update course every 2 years which is specific
918 to the license held by the licensee. The course must be
919 developed and offered by providers and approved by the
920 department. The content of the course must address all lines of
921 insurance for which examination and licensure are required and
922 include the following subject areas: insurance law updates,
923 ethics for insurance professionals, disciplinary trends and case
924 studies, industry trends, premium discounts, determining
925 suitability of products and services, and other similar
926 insurance-related topics the department determines are relevant
927 to legally and ethically carrying out the responsibilities of
928 the license granted. A licensee who holds multiple insurance
929 licenses must complete an update course that is specific to at
930 least one of the licenses held. Except as otherwise specified,
931 any remaining required hours of continuing education are
932 elective and may consist of any continuing education course
933 approved by the department under this section.

934 (a) Except as provided in paragraphs (b), (c), (d), (e),
935 ~~and~~ (i), and (j), each licensee must also complete 19 hours of
936 elective continuing education courses every 2 years.

937 (j) For a licensee who is an active participant in an
938 association, 2 hours of elective continuing education credit per
939 calendar year may be approved by the department, if properly



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940 reported by the association.

941 Section 26. Paragraph (n) of subsection (1) and subsection
942 (2) of section 626.611, Florida Statutes, are amended to read:

943 626.611 Grounds for compulsory refusal, suspension, or
944 revocation of agent's, title agency's, adjuster's, customer
945 representative's, service representative's, or managing general
946 agent's license or appointment.-

947 (1) The department shall deny an application for, suspend,
948 revoke, or refuse to renew or continue the license or
949 appointment of any applicant, agent, title agency, adjuster,
950 customer representative, service representative, or managing
951 general agent, and it shall suspend or revoke the eligibility to
952 hold a license or appointment of any such person, if it finds
953 that as to the applicant, licensee, or appointee any one or more
954 of the following applicable grounds exist:

955 (n) Having been found guilty of or having pleaded guilty or
956 nolo contendere to a felony or a crime punishable by
957 imprisonment of 1 year or more under the law of the United
958 States of America or of any state thereof or under the law of
959 any other country ~~which involves moral turpitude~~, without regard
960 to whether a judgment of conviction has been entered by the
961 court having jurisdiction of such cases.

962 (2) The department shall, upon receipt of information or an
963 indictment, immediately temporarily suspend a license or
964 appointment issued under this chapter when the licensee is
965 charged with a felony enumerated in s. 626.207(2) ~~s. 626.207(3)~~.
966 Such suspension shall continue if the licensee is found guilty
967 of, or pleads guilty or nolo contendere to, the crime,
968 regardless of whether a judgment or conviction is entered,



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969 during a pending appeal. A person may not transact insurance
970 business after suspension of his or her license or appointment.

971 Section 27. Subsection (8) of section 626.621, Florida
972 Statutes, is amended, and a new subsection (15) is added to that
973 section, to read:

974 626.621 Grounds for discretionary refusal, suspension, or
975 revocation of agent's, adjuster's, customer representative's,
976 service representative's, or managing general agent's license or
977 appointment.—The department may, in its discretion, deny an
978 application for, suspend, revoke, or refuse to renew or continue
979 the license or appointment of any applicant, agent, adjuster,
980 customer representative, service representative, or managing
981 general agent, and it may suspend or revoke the eligibility to
982 hold a license or appointment of any such person, if it finds
983 that as to the applicant, licensee, or appointee any one or more
984 of the following applicable grounds exist under circumstances
985 for which such denial, suspension, revocation, or refusal is not
986 mandatory under s. 626.611:

987 ~~(8) Having been found guilty of or having pleaded guilty or~~
988 ~~nolo contendere to a felony or a crime punishable by~~
989 ~~imprisonment of 1 year or more under the law of the United~~
990 ~~States of America or of any state thereof or under the law of~~
991 ~~any other country, without regard to whether a judgment of~~
992 ~~conviction has been entered by the court having jurisdiction of~~
993 ~~such cases.~~

994 (15) Denial, suspension, or revocation of, or any other
995 adverse administrative action against, a license to practice or
996 conduct any regulated profession, business, or vocation by this
997 state, any other state, any nation, any possession or district



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998 of the United States, any court, or any lawful agency thereof.

999 Section 28. Subsection (2) of section 626.7845, Florida
1000 Statutes, is amended to read:

1001 626.7845 Prohibition against unlicensed transaction of life
1002 insurance.—

1003 (2) Except as provided in s. 626.112(6), with respect to
1004 any line of authority specified in s. 626.015(12) ~~s.~~

1005 ~~626.015(10)~~, an ~~no~~ individual may not ~~shall~~, unless licensed as
1006 a life agent:

1007 (a) Solicit insurance or annuities or procure applications;

1008 (b) In this state, engage or hold himself or herself out as
1009 engaging in the business of analyzing or abstracting insurance
1010 policies or of counseling or advising or giving opinions to
1011 persons relative to insurance or insurance contracts, unless the
1012 individual is other than:

1013 1. ~~As~~ A consulting actuary advising insurers ~~an insurer~~; or

1014 2. An employee ~~As to the counseling and advising of a labor~~
1015 union, association, employer, or other business entity ~~labor~~
1016 ~~unions, associations, trustees, employers, or other business~~
1017 ~~entities, or~~ the subsidiaries and affiliates of each, who
1018 counsels and advises such entity or entities relative to their
1019 interests and those of their members or employees under
1020 insurance benefit plans; or

1021 3. A trustee advising a settlor, a beneficiary, or a person
1022 regarding his or her interests in a trust, relative to insurance
1023 benefit plans; or

1024 (c) In this state, from this state, or with a resident of
1025 this state, offer or attempt to negotiate on behalf of another
1026 person a viatical settlement contract as defined in s. 626.9911.



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1027 Section 29. Section 626.8305, Florida Statutes, is amended
1028 to read:

1029 626.8305 Prohibition against the unlicensed transaction of
1030 health insurance.—Except as provided in s. 626.112(6), with
1031 respect to any line of authority specified in s. 626.015(8) ~~s.~~
1032 ~~626.015(6)~~, an ~~no~~ individual may not ~~shall~~, unless licensed as a
1033 health agent:

1034 (1) Solicit insurance or procure applications; or

1035 (2) In this state, engage or hold himself or herself out as
1036 engaging in the business of analyzing or abstracting insurance
1037 policies or of counseling or advising or giving opinions to
1038 persons relative to insurance contracts, unless the individual
1039 is other than:

1040 (a) ~~As~~ A consulting actuary advising insurers; ~~or~~

1041 (b) An employee ~~As to the counseling and advising of a~~
1042 labor union, association, employer, or other business entity
1043 ~~labor unions, associations, trustees, employers, or other~~
1044 ~~business entities, or~~ the subsidiaries and affiliates of each,
1045 who counsels and advises such entity or entities relative to
1046 their interests and those of their members or employees under
1047 insurance benefit plans; ~~or—~~

1048 (c) A trustee advising a settlor, a beneficiary, or a
1049 person regarding his or her interests in a trust, relative to
1050 insurance benefit plans.

1051 Section 30. Subsection (1) of section 626.861, Florida
1052 Statutes, is amended to read:

1053 626.861 Insurer's officers, insurer's employees, reciprocal
1054 insurer's representatives; adjustments by.—

1055 (1) This part may not ~~Nothing in this part shall~~ be



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1056 construed to prevent an executive officer of any insurer, ~~or~~ a
1057 regularly salaried employee of an insurer handling claims with
1058 respect to health insurance, a regular employee of an insurer
1059 handling claims with respect to residential property when the
1060 sublimit coverage does not exceed \$500, or the duly designated
1061 attorney or agent authorized and acting for subscribers to
1062 reciprocal insurers, from adjusting any claim loss or damage
1063 under any insurance contract of such insurer.

1064 Section 31. Paragraph (c) of subsection (5) and subsection
1065 (6) of section 626.9543, Florida Statutes, are amended to read:

1066 626.9543 Holocaust victims.—

1067 (5) PROOF OF A CLAIM.—Any insurer doing business in this
1068 state, in receipt of a claim from a Holocaust victim or from a
1069 beneficiary, descendant, or heir of a Holocaust victim, shall:

1070 (c) Permit claims irrespective of any statute of
1071 limitations or notice requirements imposed by any insurance
1072 policy issued, ~~provided the claim is submitted on or before July~~
1073 ~~1, 2018.~~

1074 (6) STATUTE OF LIMITATIONS.—Notwithstanding any law or
1075 agreement among the parties to an insurance policy to the
1076 contrary, any action brought by Holocaust victims or by a
1077 beneficiary, heir, or a descendant of a Holocaust victim seeking
1078 proceeds of an insurance policy issued or in effect between 1920
1079 and 1945, inclusive, may shall not be dismissed for failure to
1080 comply with the applicable statute of limitations or laches
1081 ~~provided the action is commenced on or before July 1, 2018.~~

1082 Section 32. Section 633.516, Florida Statutes, is amended
1083 to read:

1084 633.516 Studies of Division to make study of firefighter



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1085 ~~employee~~ occupational diseases of firefighters or persons in
1086 other fire-related fields.—The division may contract for
1087 studies, subject to the availability of funding, of ~~shall make a~~
1088 ~~continuous study of firefighter~~ employee occupational diseases
1089 of firefighters or persons in other fire-related fields and the
1090 ways and means for the ~~their~~ control and prevention of such
1091 occupational diseases. When such a study or another study that
1092 is wholly or partly funded under an agreement, including a
1093 contract or grant, with the department tracks a disease of an
1094 individual firefighter or a person in another fire-related
1095 field, the division may, with associated security measures,
1096 release the confidential information, including a social
1097 security number, of that individual to a party who has entered
1098 into an agreement with the department ~~and shall adopt rules~~
1099 ~~necessary for such control and prevention. For this purpose, the~~
1100 ~~division is authorized to cooperate with firefighter employers,~~
1101 ~~firefighter employees, and insurers and with the Department of~~
1102 ~~Health.~~

1103 Section 33. Paragraph (a) of subsection (6) and subsection
1104 (7) of section 768.28, Florida Statutes, are amended to read:

1105 768.28 Waiver of sovereign immunity in tort actions;
1106 recovery limits; limitation on attorney fees; statute of
1107 limitations; exclusions; indemnification; risk management
1108 programs.—

1109 (6) (a) An action may not be instituted on a claim against
1110 the state or one of its agencies or subdivisions unless the
1111 claimant presents the claim in writing to the appropriate
1112 agency, and also, except as to any claim against a municipality,
1113 county, or the Florida Space Authority, presents such claim in



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1114 writing to the Department of Financial Services, within 3 years
1115 after such claim accrues and the Department of Financial
1116 Services or the appropriate agency denies the claim in writing;
1117 except that, if:

1118 1. Such claim is for contribution pursuant to s. 768.31, it
1119 must be so presented within 6 months after the judgment against
1120 the tortfeasor seeking contribution has become final by lapse of
1121 time for appeal or after appellate review or, if there is no
1122 such judgment, within 6 months after the tortfeasor seeking
1123 contribution has either discharged the common liability by
1124 payment or agreed, while the action is pending against her or
1125 him, to discharge the common liability; or

1126 2. Such action is for wrongful death, the claimant must
1127 present the claim in writing to the Department of Financial
1128 Services within 2 years after the claim accrues.

1129 (7) In actions brought pursuant to this section, process
1130 shall be served upon the head of the agency concerned and also,
1131 except as to a defendant municipality, county, or the Florida
1132 Space Authority, upon the Department of Financial Services; and
1133 the department or the agency concerned shall have 30 days within
1134 which to plead thereto.

1135 Section 34. Subsections (3) and (4) and paragraph (e) of
1136 subsection (5) of section 288.706, Florida Statutes, are amended
1137 to read:

1138 288.706 Florida Minority Business Loan Mobilization
1139 Program.—

1140 (3) Notwithstanding ss. 215.422(15) and 216.181(16) ~~ss.~~
1141 ~~215.422(14) and 216.181(16)~~, and pursuant to s. 216.351, under
1142 the Florida Minority Business Loan Mobilization Program, a state



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1143 agency may disburse up to 10 percent of the base contract award
1144 amount to assist a minority business enterprise vendor that is
1145 awarded a state agency contract for goods or services in
1146 obtaining working capital financing as provided in subsection
1147 (5).

1148 (4) Notwithstanding ss. 215.422(15) and 216.181(16) ~~ss.~~
1149 ~~215.422(14) and 216.181(16)~~, and pursuant to s. 216.351, in lieu
1150 of applying for participation in the Florida Minority Business
1151 Loan Mobilization Program, a minority business enterprise vendor
1152 awarded a state agency contract for the performance of
1153 professional services may apply with that contracting state
1154 agency for up to 5 percent of the base contract award amount.
1155 The contracting state agency may award such advance in order to
1156 facilitate the performance of that contract.

1157 (5) The following Florida Minority Business Loan
1158 Mobilization Program procedures apply to minority business
1159 enterprise vendors for contracts awarded by a state agency for
1160 construction or professional services or for the provision of
1161 goods or services:

1162 (e) The following procedures shall apply when the minority
1163 business enterprise is the prime contract vendor to the
1164 contracting state agency:

1165 1. Pursuant to s. 216.351, ss. 215.422(15) and 216.181(16)
1166 ~~the provisions of ss. 215.422(14) and 216.181(16)~~ do not apply
1167 to this paragraph.

1168 2. For construction contracts, the designated loan
1169 mobilization payment shall be disbursed when:

1170 a. The minority business enterprise prime contract vendor
1171 requests disbursement in the first application for payment.



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1172 b. The contracting state agency has issued a notice to
1173 proceed and has approved the first application for payment.

1174 3. For contracts other than construction contracts, the
1175 designated loan mobilization payment shall be disbursed when:

1176 a. The minority business enterprise prime contract vendor
1177 requests disbursement by letter delivered to the contracting
1178 state agency after the execution of the contract but prior to
1179 the commencement of work.

1180 b. The contracting state agency has approved the minority
1181 business enterprise prime contract vendor's letter of request.

1182 4. The designated loan mobilization payment may be paid by
1183 the contracting state agency prior to the commencement of work.
1184 In order to ensure that the contract time provisions do not
1185 commence until the minority business enterprise prime contract
1186 vendor has adequate working capital, the contract documents may
1187 provide that the contract shall commence at such time as the
1188 contracting state agency releases the designated loan
1189 mobilization payment to the minority business enterprise prime
1190 contract vendor and participating financial institution pursuant
1191 to the working capital agreement.

1192 Section 35. Section 626.7315, Florida Statutes, is amended
1193 to read:

1194 626.7315 Prohibition against the unlicensed transaction of
1195 general lines insurance.—With respect to any line of authority
1196 as defined in s. 626.015(7) ~~s. 626.015(5)~~, no individual shall,
1197 unless licensed as a general lines agent:

1198 (1) Solicit insurance or procure applications therefor;

1199 (2) In this state, receive or issue a receipt for any money
1200 on account of or for any insurer, or receive or issue a receipt



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1201 for money from other persons to be transmitted to any insurer
1202 for a policy, contract, or certificate of insurance or any
1203 renewal thereof, even though the policy, certificate, or
1204 contract is not signed by him or her as agent or representative
1205 of the insurer, except as provided in s. 626.0428(1);

1206 (3) Directly or indirectly represent himself or herself to
1207 be an agent of any insurer or as an agent, to collect or forward
1208 any insurance premium, or to solicit, negotiate, effect,
1209 procure, receive, deliver, or forward, directly or indirectly,
1210 any insurance contract or renewal thereof or any endorsement
1211 relating to an insurance contract, or attempt to effect the
1212 same, of property or insurable business activities or interests,
1213 located in this state;

1214 (4) In this state, engage or hold himself or herself out as
1215 engaging in the business of analyzing or abstracting insurance
1216 policies or of counseling or advising or giving opinions, other
1217 than as a licensed attorney at law, relative to insurance or
1218 insurance contracts, for fee, commission, or other compensation,
1219 other than as a salaried bona fide full-time employee so
1220 counseling and advising his or her employer relative to the
1221 insurance interests of the employer and of the subsidiaries or
1222 business affiliates of the employer;

1223 (5) In any way, directly or indirectly, make or cause to be
1224 made, or attempt to make or cause to be made, any contract of
1225 insurance for or on account of any insurer;

1226 (6) Solicit, negotiate, or in any way, directly or
1227 indirectly, effect insurance contracts, if a member of a
1228 partnership or association, or a stockholder, officer, or agent
1229 of a corporation which holds an agency appointment from any



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1230 insurer; or

1231 (7) Receive or transmit applications for suretyship, or
1232 receive for delivery bonds founded on applications forwarded
1233 from this state, or otherwise procure suretyship to be effected
1234 by a surety insurer upon the bonds of persons in this state or
1235 upon bonds given to persons in this state.

1236 Section 36. Paragraph (c) of subsection (6) of section
1237 627.351, Florida Statutes, is amended to read:

1238 627.351 Insurance risk apportionment plans.—

1239 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

1240 (c) The corporation's plan of operation:

1241 1. Must provide for adoption of residential property and
1242 casualty insurance policy forms and commercial residential and
1243 nonresidential property insurance forms, which must be approved
1244 by the office before use. The corporation shall adopt the
1245 following policy forms:

1246 a. Standard personal lines policy forms that are
1247 comprehensive multiperil policies providing full coverage of a
1248 residential property equivalent to the coverage provided in the
1249 private insurance market under an HO-3, HO-4, or HO-6 policy.

1250 b. Basic personal lines policy forms that are policies
1251 similar to an HO-8 policy or a dwelling fire policy that provide
1252 coverage meeting the requirements of the secondary mortgage
1253 market, but which is more limited than the coverage under a
1254 standard policy.

1255 c. Commercial lines residential and nonresidential policy
1256 forms that are generally similar to the basic perils of full
1257 coverage obtainable for commercial residential structures and
1258 commercial nonresidential structures in the admitted voluntary



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1259 market.

1260 d. Personal lines and commercial lines residential property
1261 insurance forms that cover the peril of wind only. The forms are
1262 applicable only to residential properties located in areas
1263 eligible for coverage under the coastal account referred to in
1264 sub-subparagraph (b)2.a.

1265 e. Commercial lines nonresidential property insurance forms
1266 that cover the peril of wind only. The forms are applicable only
1267 to nonresidential properties located in areas eligible for
1268 coverage under the coastal account referred to in sub-
1269 subparagraph (b)2.a.

1270 f. The corporation may adopt variations of the policy forms
1271 listed in sub-subparagraphs a.-e. which contain more restrictive
1272 coverage.

1273 g. Effective January 1, 2013, the corporation shall offer a
1274 basic personal lines policy similar to an HO-8 policy with
1275 dwelling repair based on common construction materials and
1276 methods.

1277 2. Must provide that the corporation adopt a program in
1278 which the corporation and authorized insurers enter into quota
1279 share primary insurance agreements for hurricane coverage, as
1280 defined in s. 627.4025(2)(a), for eligible risks, and adopt
1281 property insurance forms for eligible risks which cover the
1282 peril of wind only.

1283 a. As used in this subsection, the term:

1284 (I) "Quota share primary insurance" means an arrangement in
1285 which the primary hurricane coverage of an eligible risk is
1286 provided in specified percentages by the corporation and an
1287 authorized insurer. The corporation and authorized insurer are



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1288 each solely responsible for a specified percentage of hurricane
1289 coverage of an eligible risk as set forth in a quota share
1290 primary insurance agreement between the corporation and an
1291 authorized insurer and the insurance contract. The
1292 responsibility of the corporation or authorized insurer to pay
1293 its specified percentage of hurricane losses of an eligible
1294 risk, as set forth in the agreement, may not be altered by the
1295 inability of the other party to pay its specified percentage of
1296 losses. Eligible risks that are provided hurricane coverage
1297 through a quota share primary insurance arrangement must be
1298 provided policy forms that set forth the obligations of the
1299 corporation and authorized insurer under the arrangement,
1300 clearly specify the percentages of quota share primary insurance
1301 provided by the corporation and authorized insurer, and
1302 conspicuously and clearly state that the authorized insurer and
1303 the corporation may not be held responsible beyond their
1304 specified percentage of coverage of hurricane losses.

1305 (II) "Eligible risks" means personal lines residential and
1306 commercial lines residential risks that meet the underwriting
1307 criteria of the corporation and are located in areas that were
1308 eligible for coverage by the Florida Windstorm Underwriting
1309 Association on January 1, 2002.

1310 b. The corporation may enter into quota share primary
1311 insurance agreements with authorized insurers at corporation
1312 coverage levels of 90 percent and 50 percent.

1313 c. If the corporation determines that additional coverage
1314 levels are necessary to maximize participation in quota share
1315 primary insurance agreements by authorized insurers, the
1316 corporation may establish additional coverage levels. However,



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1317 the corporation's quota share primary insurance coverage level
1318 may not exceed 90 percent.

1319 d. Any quota share primary insurance agreement entered into
1320 between an authorized insurer and the corporation must provide
1321 for a uniform specified percentage of coverage of hurricane
1322 losses, by county or territory as set forth by the corporation
1323 board, for all eligible risks of the authorized insurer covered
1324 under the agreement.

1325 e. Any quota share primary insurance agreement entered into
1326 between an authorized insurer and the corporation is subject to
1327 review and approval by the office. However, such agreement shall
1328 be authorized only as to insurance contracts entered into
1329 between an authorized insurer and an insured who is already
1330 insured by the corporation for wind coverage.

1331 f. For all eligible risks covered under quota share primary
1332 insurance agreements, the exposure and coverage levels for both
1333 the corporation and authorized insurers shall be reported by the
1334 corporation to the Florida Hurricane Catastrophe Fund. For all
1335 policies of eligible risks covered under such agreements, the
1336 corporation and the authorized insurer must maintain complete
1337 and accurate records for the purpose of exposure and loss
1338 reimbursement audits as required by fund rules. The corporation
1339 and the authorized insurer shall each maintain duplicate copies
1340 of policy declaration pages and supporting claims documents.

1341 g. The corporation board shall establish in its plan of
1342 operation standards for quota share agreements which ensure that
1343 there is no discriminatory application among insurers as to the
1344 terms of the agreements, pricing of the agreements, incentive
1345 provisions if any, and consideration paid for servicing policies



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1346 or adjusting claims.

1347 h. The quota share primary insurance agreement between the
1348 corporation and an authorized insurer must set forth the
1349 specific terms under which coverage is provided, including, but
1350 not limited to, the sale and servicing of policies issued under
1351 the agreement by the insurance agent of the authorized insurer
1352 producing the business, the reporting of information concerning
1353 eligible risks, the payment of premium to the corporation, and
1354 arrangements for the adjustment and payment of hurricane claims
1355 incurred on eligible risks by the claims adjuster and personnel
1356 of the authorized insurer. Entering into a quota sharing
1357 insurance agreement between the corporation and an authorized
1358 insurer is voluntary and at the discretion of the authorized
1359 insurer.

1360 3. May provide that the corporation may employ or otherwise
1361 contract with individuals or other entities to provide
1362 administrative or professional services that may be appropriate
1363 to effectuate the plan. The corporation may borrow funds by
1364 issuing bonds or by incurring other indebtedness, and shall have
1365 other powers reasonably necessary to effectuate the requirements
1366 of this subsection, including, without limitation, the power to
1367 issue bonds and incur other indebtedness in order to refinance
1368 outstanding bonds or other indebtedness. The corporation may
1369 seek judicial validation of its bonds or other indebtedness
1370 under chapter 75. The corporation may issue bonds or incur other
1371 indebtedness, or have bonds issued on its behalf by a unit of
1372 local government pursuant to subparagraph (q)2. in the absence
1373 of a hurricane or other weather-related event, upon a
1374 determination by the corporation, subject to approval by the



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1375 office, that such action would enable it to efficiently meet the
1376 financial obligations of the corporation and that such
1377 financings are reasonably necessary to effectuate the
1378 requirements of this subsection. The corporation may take all
1379 actions needed to facilitate tax-free status for such bonds or
1380 indebtedness, including formation of trusts or other affiliated
1381 entities. The corporation may pledge assessments, projected
1382 recoveries from the Florida Hurricane Catastrophe Fund, other
1383 reinsurance recoverables, policyholder surcharges and other
1384 surcharges, and other funds available to the corporation as
1385 security for bonds or other indebtedness. In recognition of s.
1386 10, Art. I of the State Constitution, prohibiting the impairment
1387 of obligations of contracts, it is the intent of the Legislature
1388 that no action be taken whose purpose is to impair any bond
1389 indenture or financing agreement or any revenue source committed
1390 by contract to such bond or other indebtedness.

1391 4. Must require that the corporation operate subject to the
1392 supervision and approval of a board of governors consisting of
1393 nine individuals who are residents of this state and who are
1394 from different geographical areas of the state, one of whom is
1395 appointed by the Governor and serves solely to advocate on
1396 behalf of the consumer. The appointment of a consumer
1397 representative by the Governor is deemed to be within the scope
1398 of the exemption provided in s. 112.313(7)(b) and is in addition
1399 to the appointments authorized under sub-subparagraph a.

1400 a. The Governor, the Chief Financial Officer, the President
1401 of the Senate, and the Speaker of the House of Representatives
1402 shall each appoint two members of the board. At least one of the
1403 two members appointed by each appointing officer must have



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1404 demonstrated expertise in insurance and be deemed to be within
1405 the scope of the exemption provided in s. 112.313(7)(b). The
1406 Chief Financial Officer shall designate one of the appointees as
1407 chair. All board members serve at the pleasure of the appointing
1408 officer. All members of the board are subject to removal at will
1409 by the officers who appointed them. All board members, including
1410 the chair, must be appointed to serve for 3-year terms beginning
1411 annually on a date designated by the plan. However, for the
1412 first term beginning on or after July 1, 2009, each appointing
1413 officer shall appoint one member of the board for a 2-year term
1414 and one member for a 3-year term. A board vacancy shall be
1415 filled for the unexpired term by the appointing officer. The
1416 Chief Financial Officer shall appoint a technical advisory group
1417 to provide information and advice to the board in connection
1418 with the board's duties under this subsection. The executive
1419 director and senior managers of the corporation shall be engaged
1420 by the board and serve at the pleasure of the board. Any
1421 executive director appointed on or after July 1, 2006, is
1422 subject to confirmation by the Senate. The executive director is
1423 responsible for employing other staff as the corporation may
1424 require, subject to review and concurrence by the board.

1425 b. The board shall create a Market Accountability Advisory
1426 Committee to assist the corporation in developing awareness of
1427 its rates and its customer and agent service levels in
1428 relationship to the voluntary market insurers writing similar
1429 coverage.

1430 (I) The members of the advisory committee consist of the
1431 following 11 persons, one of whom must be elected chair by the
1432 members of the committee: four representatives, one appointed by



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1433 the Florida Association of Insurance Agents, one by the Florida
1434 Association of Insurance and Financial Advisors, one by the
1435 Professional Insurance Agents of Florida, and one by the Latin
1436 American Association of Insurance Agencies; three
1437 representatives appointed by the insurers with the three highest
1438 voluntary market share of residential property insurance
1439 business in the state; one representative from the Office of
1440 Insurance Regulation; one consumer appointed by the board who is
1441 insured by the corporation at the time of appointment to the
1442 committee; one representative appointed by the Florida
1443 Association of Realtors; and one representative appointed by the
1444 Florida Bankers Association. All members shall be appointed to
1445 3-year terms and may serve for consecutive terms.

1446 (II) The committee shall report to the corporation at each
1447 board meeting on insurance market issues which may include rates
1448 and rate competition with the voluntary market; service,
1449 including policy issuance, claims processing, and general
1450 responsiveness to policyholders, applicants, and agents; and
1451 matters relating to depopulation.

1452 5. Must provide a procedure for determining the eligibility
1453 of a risk for coverage, as follows:

1454 a. Subject to s. 627.3517, with respect to personal lines
1455 residential risks, if the risk is offered coverage from an
1456 authorized insurer at the insurer's approved rate under a
1457 standard policy including wind coverage or, if consistent with
1458 the insurer's underwriting rules as filed with the office, a
1459 basic policy including wind coverage, for a new application to
1460 the corporation for coverage, the risk is not eligible for any
1461 policy issued by the corporation unless the premium for coverage



1462 from the authorized insurer is more than 15 percent greater than
1463 the premium for comparable coverage from the corporation.
1464 Whenever an offer of coverage for a personal lines residential
1465 risk is received for a policyholder of the corporation at
1466 renewal from an authorized insurer, if the offer is equal to or
1467 less than the corporation's renewal premium for comparable
1468 coverage, the risk is not eligible for coverage with the
1469 corporation. If the risk is not able to obtain such offer, the
1470 risk is eligible for a standard policy including wind coverage
1471 or a basic policy including wind coverage issued by the
1472 corporation; however, if the risk could not be insured under a
1473 standard policy including wind coverage regardless of market
1474 conditions, the risk is eligible for a basic policy including
1475 wind coverage unless rejected under subparagraph 8. However, a
1476 policyholder removed from the corporation through an assumption
1477 agreement remains eligible for coverage from the corporation
1478 until the end of the assumption period. The corporation shall
1479 determine the type of policy to be provided on the basis of
1480 objective standards specified in the underwriting manual and
1481 based on generally accepted underwriting practices.

1482 (I) If the risk accepts an offer of coverage through the
1483 market assistance plan or through a mechanism established by the
1484 corporation other than a plan established by s. 627.3518, before
1485 a policy is issued to the risk by the corporation or during the
1486 first 30 days of coverage by the corporation, and the producing
1487 agent who submitted the application to the plan or to the
1488 corporation is not currently appointed by the insurer, the
1489 insurer shall:

1490 (A) Pay to the producing agent of record of the policy for



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1491 the first year, an amount that is the greater of the insurer's
1492 usual and customary commission for the type of policy written or
1493 a fee equal to the usual and customary commission of the
1494 corporation; or

1495 (B) Offer to allow the producing agent of record of the
1496 policy to continue servicing the policy for at least 1 year and
1497 offer to pay the agent the greater of the insurer's or the
1498 corporation's usual and customary commission for the type of
1499 policy written.

1500

1501 If the producing agent is unwilling or unable to accept
1502 appointment, the new insurer shall pay the agent in accordance
1503 with sub-sub-sub-subparagraph (A).

1504 (II) If the corporation enters into a contractual agreement
1505 for a take-out plan, the producing agent of record of the
1506 corporation policy is entitled to retain any unearned commission
1507 on the policy, and the insurer shall:

1508 (A) Pay to the producing agent of record, for the first
1509 year, an amount that is the greater of the insurer's usual and
1510 customary commission for the type of policy written or a fee
1511 equal to the usual and customary commission of the corporation;
1512 or

1513 (B) Offer to allow the producing agent of record to
1514 continue servicing the policy for at least 1 year and offer to
1515 pay the agent the greater of the insurer's or the corporation's
1516 usual and customary commission for the type of policy written.

1517

1518 If the producing agent is unwilling or unable to accept
1519 appointment, the new insurer shall pay the agent in accordance



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1520 with sub-sub-sub-subparagraph (A).

1521 b. With respect to commercial lines residential risks, for
1522 a new application to the corporation for coverage, if the risk
1523 is offered coverage under a policy including wind coverage from
1524 an authorized insurer at its approved rate, the risk is not
1525 eligible for a policy issued by the corporation unless the
1526 premium for coverage from the authorized insurer is more than 15
1527 percent greater than the premium for comparable coverage from
1528 the corporation. Whenever an offer of coverage for a commercial
1529 lines residential risk is received for a policyholder of the
1530 corporation at renewal from an authorized insurer, if the offer
1531 is equal to or less than the corporation's renewal premium for
1532 comparable coverage, the risk is not eligible for coverage with
1533 the corporation. If the risk is not able to obtain any such
1534 offer, the risk is eligible for a policy including wind coverage
1535 issued by the corporation. However, a policyholder removed from
1536 the corporation through an assumption agreement remains eligible
1537 for coverage from the corporation until the end of the
1538 assumption period.

1539 (I) If the risk accepts an offer of coverage through the
1540 market assistance plan or through a mechanism established by the
1541 corporation other than a plan established by s. 627.3518, before
1542 a policy is issued to the risk by the corporation or during the
1543 first 30 days of coverage by the corporation, and the producing
1544 agent who submitted the application to the plan or the
1545 corporation is not currently appointed by the insurer, the
1546 insurer shall:

1547 (A) Pay to the producing agent of record of the policy, for
1548 the first year, an amount that is the greater of the insurer's



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1549 usual and customary commission for the type of policy written or
1550 a fee equal to the usual and customary commission of the
1551 corporation; or

1552 (B) Offer to allow the producing agent of record of the
1553 policy to continue servicing the policy for at least 1 year and
1554 offer to pay the agent the greater of the insurer's or the
1555 corporation's usual and customary commission for the type of
1556 policy written.

1557
1558 If the producing agent is unwilling or unable to accept
1559 appointment, the new insurer shall pay the agent in accordance
1560 with sub-sub-sub-subparagraph (A).

1561 (II) If the corporation enters into a contractual agreement
1562 for a take-out plan, the producing agent of record of the
1563 corporation policy is entitled to retain any unearned commission
1564 on the policy, and the insurer shall:

1565 (A) Pay to the producing agent of record, for the first
1566 year, an amount that is the greater of the insurer's usual and
1567 customary commission for the type of policy written or a fee
1568 equal to the usual and customary commission of the corporation;
1569 or

1570 (B) Offer to allow the producing agent of record to
1571 continue servicing the policy for at least 1 year and offer to
1572 pay the agent the greater of the insurer's or the corporation's
1573 usual and customary commission for the type of policy written.

1574
1575 If the producing agent is unwilling or unable to accept
1576 appointment, the new insurer shall pay the agent in accordance
1577 with sub-sub-sub-subparagraph (A).



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1578 c. For purposes of determining comparable coverage under
1579 sub-subparagraphs a. and b., the comparison must be based on
1580 those forms and coverages that are reasonably comparable. The
1581 corporation may rely on a determination of comparable coverage
1582 and premium made by the producing agent who submits the
1583 application to the corporation, made in the agent's capacity as
1584 the corporation's agent. A comparison may be made solely of the
1585 premium with respect to the main building or structure only on
1586 the following basis: the same coverage A or other building
1587 limits; the same percentage hurricane deductible that applies on
1588 an annual basis or that applies to each hurricane for commercial
1589 residential property; the same percentage of ordinance and law
1590 coverage, if the same limit is offered by both the corporation
1591 and the authorized insurer; the same mitigation credits, to the
1592 extent the same types of credits are offered both by the
1593 corporation and the authorized insurer; the same method for loss
1594 payment, such as replacement cost or actual cash value, if the
1595 same method is offered both by the corporation and the
1596 authorized insurer in accordance with underwriting rules; and
1597 any other form or coverage that is reasonably comparable as
1598 determined by the board. If an application is submitted to the
1599 corporation for wind-only coverage in the coastal account, the
1600 premium for the corporation's wind-only policy plus the premium
1601 for the ex-wind policy that is offered by an authorized insurer
1602 to the applicant must be compared to the premium for multiperil
1603 coverage offered by an authorized insurer, subject to the
1604 standards for comparison specified in this subparagraph. If the
1605 corporation or the applicant requests from the authorized
1606 insurer a breakdown of the premium of the offer by types of



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1607 coverage so that a comparison may be made by the corporation or
1608 its agent and the authorized insurer refuses or is unable to
1609 provide such information, the corporation may treat the offer as
1610 not being an offer of coverage from an authorized insurer at the
1611 insurer's approved rate.

1612 6. Must include rules for classifications of risks and
1613 rates.

1614 7. Must provide that if premium and investment income for
1615 an account attributable to a particular calendar year are in
1616 excess of projected losses and expenses for the account
1617 attributable to that year, such excess shall be held in surplus
1618 in the account. Such surplus must be available to defray
1619 deficits in that account as to future years and used for that
1620 purpose before assessing assessable insurers and assessable
1621 insureds as to any calendar year.

1622 8. Must provide objective criteria and procedures to be
1623 uniformly applied to all applicants in determining whether an
1624 individual risk is so hazardous as to be uninsurable. In making
1625 this determination and in establishing the criteria and
1626 procedures, the following must be considered:

1627 a. Whether the likelihood of a loss for the individual risk
1628 is substantially higher than for other risks of the same class;
1629 and

1630 b. Whether the uncertainty associated with the individual
1631 risk is such that an appropriate premium cannot be determined.

1632
1633 The acceptance or rejection of a risk by the corporation shall
1634 be construed as the private placement of insurance, and the
1635 provisions of chapter 120 do not apply.



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1636 9. Must provide that the corporation make its best efforts
1637 to procure catastrophe reinsurance at reasonable rates, to cover
1638 its projected 100-year probable maximum loss as determined by
1639 the board of governors.

1640 10. The policies issued by the corporation must provide
1641 that if the corporation or the market assistance plan obtains an
1642 offer from an authorized insurer to cover the risk at its
1643 approved rates, the risk is no longer eligible for renewal
1644 through the corporation, except as otherwise provided in this
1645 subsection.

1646 11. Corporation policies and applications must include a
1647 notice that the corporation policy could, under this section, be
1648 replaced with a policy issued by an authorized insurer which
1649 does not provide coverage identical to the coverage provided by
1650 the corporation. The notice must also specify that acceptance of
1651 corporation coverage creates a conclusive presumption that the
1652 applicant or policyholder is aware of this potential.

1653 12. May establish, subject to approval by the office,
1654 different eligibility requirements and operational procedures
1655 for any line or type of coverage for any specified county or
1656 area if the board determines that such changes are justified due
1657 to the voluntary market being sufficiently stable and
1658 competitive in such area or for such line or type of coverage
1659 and that consumers who, in good faith, are unable to obtain
1660 insurance through the voluntary market through ordinary methods
1661 continue to have access to coverage from the corporation. If
1662 coverage is sought in connection with a real property transfer,
1663 the requirements and procedures may not provide an effective
1664 date of coverage later than the date of the closing of the



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1665 transfer as established by the transferor, the transferee, and,
1666 if applicable, the lender.

1667 13. Must provide that, with respect to the coastal account,
1668 any assessable insurer with a surplus as to policyholders of \$25
1669 million or less writing 25 percent or more of its total
1670 countrywide property insurance premiums in this state may
1671 petition the office, within the first 90 days of each calendar
1672 year, to qualify as a limited apportionment company. A regular
1673 assessment levied by the corporation on a limited apportionment
1674 company for a deficit incurred by the corporation for the
1675 coastal account may be paid to the corporation on a monthly
1676 basis as the assessments are collected by the limited
1677 apportionment company from its insureds, but a limited
1678 apportionment company must begin collecting the regular
1679 assessments not later than 90 days after the regular assessments
1680 are levied by the corporation, and the regular assessments must
1681 be paid in full within 15 months after being levied by the
1682 corporation. A limited apportionment company shall collect from
1683 its policyholders any emergency assessment imposed under sub-
1684 subparagraph (b)3.d. The plan must provide that, if the office
1685 determines that any regular assessment will result in an
1686 impairment of the surplus of a limited apportionment company,
1687 the office may direct that all or part of such assessment be
1688 deferred as provided in subparagraph (q)4. However, an emergency
1689 assessment to be collected from policyholders under sub-
1690 subparagraph (b)3.d. may not be limited or deferred.

1691 14. Must provide that the corporation appoint as its
1692 licensed agents only those agents who throughout such
1693 appointments also hold an appointment as defined in s. 626.015



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1694 ~~s. 626.015(3)~~ by an insurer who is authorized to write and is
1695 actually writing or renewing personal lines residential property
1696 coverage, commercial residential property coverage, or
1697 commercial nonresidential property coverage within the state.

1698 15. Must provide a premium payment plan option to its
1699 policyholders which, at a minimum, allows for quarterly and
1700 semiannual payment of premiums. A monthly payment plan may, but
1701 is not required to, be offered.

1702 16. Must limit coverage on mobile homes or manufactured
1703 homes built before 1994 to actual cash value of the dwelling
1704 rather than replacement costs of the dwelling.

1705 17. Must provide coverage for manufactured or mobile home
1706 dwellings. Such coverage must also include the following
1707 attached structures:

1708 a. Screened enclosures that are aluminum framed or screened
1709 enclosures that are not covered by the same or substantially the
1710 same materials as those of the primary dwelling;

1711 b. Carports that are aluminum or carports that are not
1712 covered by the same or substantially the same materials as those
1713 of the primary dwelling; and

1714 c. Patios that have a roof covering that is constructed of
1715 materials that are not the same or substantially the same
1716 materials as those of the primary dwelling.

1717
1718 The corporation shall make available a policy for mobile homes
1719 or manufactured homes for a minimum insured value of at least
1720 \$3,000.

1721 18. May provide such limits of coverage as the board
1722 determines, consistent with the requirements of this subsection.



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1723 19. May require commercial property to meet specified
1724 hurricane mitigation construction features as a condition of
1725 eligibility for coverage.

1726 20. Must provide that new or renewal policies issued by the
1727 corporation on or after January 1, 2012, which cover sinkhole
1728 loss do not include coverage for any loss to appurtenant
1729 structures, driveways, sidewalks, decks, or patios that are
1730 directly or indirectly caused by sinkhole activity. The
1731 corporation shall exclude such coverage using a notice of
1732 coverage change, which may be included with the policy renewal,
1733 and not by issuance of a notice of nonrenewal of the excluded
1734 coverage upon renewal of the current policy.

1735 21. As of January 1, 2012, must require that the agent
1736 obtain from an applicant for coverage from the corporation an
1737 acknowledgment signed by the applicant, which includes, at a
1738 minimum, the following statement:

1739
1740 ACKNOWLEDGMENT OF POTENTIAL SURCHARGE
1741 AND ASSESSMENT LIABILITY:

1742
1743 1. AS A POLICYHOLDER OF CITIZENS PROPERTY INSURANCE
1744 CORPORATION, I UNDERSTAND THAT IF THE CORPORATION SUSTAINS A
1745 DEFICIT AS A RESULT OF HURRICANE LOSSES OR FOR ANY OTHER REASON,
1746 MY POLICY COULD BE SUBJECT TO SURCHARGES, WHICH WILL BE DUE AND
1747 PAYABLE UPON RENEWAL, CANCELLATION, OR TERMINATION OF THE
1748 POLICY, AND THAT THE SURCHARGES COULD BE AS HIGH AS 45 PERCENT
1749 OF MY PREMIUM, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA
1750 LEGISLATURE.

1751 2. I UNDERSTAND THAT I CAN AVOID THE CITIZENS POLICYHOLDER



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1752 SURCHARGE, WHICH COULD BE AS HIGH AS 45 PERCENT OF MY PREMIUM,
1753 BY OBTAINING COVERAGE FROM A PRIVATE MARKET INSURER AND THAT TO
1754 BE ELIGIBLE FOR COVERAGE BY CITIZENS, I MUST FIRST TRY TO OBTAIN
1755 PRIVATE MARKET COVERAGE BEFORE APPLYING FOR OR RENEWING COVERAGE
1756 WITH CITIZENS. I UNDERSTAND THAT PRIVATE MARKET INSURANCE RATES
1757 ARE REGULATED AND APPROVED BY THE STATE.

1758 3. I UNDERSTAND THAT I MAY BE SUBJECT TO EMERGENCY
1759 ASSESSMENTS TO THE SAME EXTENT AS POLICYHOLDERS OF OTHER
1760 INSURANCE COMPANIES, OR A DIFFERENT AMOUNT AS IMPOSED BY THE
1761 FLORIDA LEGISLATURE.

1762 4. I ALSO UNDERSTAND THAT CITIZENS PROPERTY INSURANCE
1763 CORPORATION IS NOT SUPPORTED BY THE FULL FAITH AND CREDIT OF THE
1764 STATE OF FLORIDA.

1765
1766 a. The corporation shall maintain, in electronic format or
1767 otherwise, a copy of the applicant's signed acknowledgment and
1768 provide a copy of the statement to the policyholder as part of
1769 the first renewal after the effective date of this subparagraph.

1770 b. The signed acknowledgment form creates a conclusive
1771 presumption that the policyholder understood and accepted his or
1772 her potential surcharge and assessment liability as a
1773 policyholder of the corporation.

1774 Section 37. This act shall take effect July 1, 2017.

1775
1776 ===== T I T L E A M E N D M E N T =====

1777 And the title is amended as follows:

1778 Delete everything before the enacting clause
1779 and insert:

1780 A bill to be entitled



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1781 An act relating to the Department of Financial
1782 Services; amending s. 17.575, F.S.; replacing, within
1783 the Division of Treasury, the Treasury Investment
1784 Committee with the Treasury Investment Council;
1785 specifying the composition and term length of members;
1786 specifying duties of the council; providing that
1787 members shall serve without additional compensation or
1788 honorarium but may receive per diem and travel expense
1789 reimbursement; amending s. 215.422, F.S.; providing
1790 applicability of certain requirements relating to
1791 payments, warrants, and invoices to payments made in
1792 relation to certain agreements funded with federal or
1793 state assistance; reordering and amending s. 554.1021,
1794 F.S.; defining and redefining terms; requiring the
1795 Department of Financial Services to adopt rules;
1796 authorizing the inspection of certain boilers by
1797 authorized inspection agencies; amending s. 554.103,
1798 F.S.; requiring, rather than authorizing, the
1799 department to adopt amendments and interpretations of
1800 a specified code into the State Boiler Code; revising
1801 requirements that installers, rather than owners, must
1802 comply with before installing a boiler that is placed
1803 in use after a specified date; authorizing the
1804 department to adopt rules; conforming provisions to
1805 changes made by the act; amending s. 554.104, F.S.;
1806 deleting a provision relating to boilers of special
1807 design which is recreated in s. 554.103, F.S.;
1808 requiring certification of boiler inspectors;
1809 requiring an application for a certification



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1810 examination; specifying qualifications and
1811 requirements for the certification examination;
1812 requiring the department to adopt a specified training
1813 course; providing authorized methods and requirements
1814 for the training course; requiring the chief boiler
1815 inspector to issue a certificate of competency to a
1816 person meeting certain requirements; providing
1817 procedures for renewing a certificate; authorizing the
1818 department to adopt rules; amending s. 554.105, F.S.;
1819 renaming the chief inspector as the chief boiler
1820 inspector; revising requirements for the department
1821 through the state boiler inspection program; amending
1822 s. 554.106, F.S.; renaming deputy inspectors as deputy
1823 boiler inspectors; specifying required and authorized
1824 duties of deputy boiler inspectors; amending s.
1825 554.107, F.S.; renaming special inspectors as special
1826 boiler inspectors; revising entities that may employ
1827 special boiler inspectors; specifying required
1828 inspection intervals for special boiler inspectors;
1829 amending s. 554.108, F.S.; providing an exemption,
1830 under certain conditions, from inspection
1831 requirements; specifying duties of an owner or an
1832 owner's designee to allow an inspector to conduct
1833 inspections; specifying requirements for boiler
1834 inspections and inspection reports; revising
1835 conditions that require a boiler to be shut down;
1836 revising requirements and procedures for a boiler that
1837 must be shut down; providing construction; authorizing
1838 the department to adopt rules; creating s. 554.1081,



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1839 F.S.; revising requirements for boiler inspections by
1840 insurance companies and local governmental agencies;
1841 amending s. 554.109, F.S.; conforming provisions to
1842 changes made by the act; revising the boilers that are
1843 exempt from regulation under the chapter; revising
1844 requirements for certain exempt boilers and water
1845 heaters; amending s. 554.1101, F.S.; conforming
1846 provisions to changes made by the act; requiring a
1847 boiler insurance company to notify, within a specified
1848 timeframe, the chief boiler inspector under certain
1849 circumstances; requiring a certificateholder to submit
1850 a certain certificate of insurance to the chief boiler
1851 inspector under certain circumstances; amending s.
1852 554.111, F.S.; requiring an application for a boiler
1853 permit to include a specified fee; requiring the chief
1854 boiler inspector to deposit fines into a specified
1855 trust fund; conforming provisions to changes made by
1856 the act; repealing ss. 554.112 and 554.113, F.S.,
1857 relating to examinations, and certification of
1858 inspectors and renewals, respectively; amending s.
1859 554.114, F.S.; revising prohibited acts; providing
1860 penalties for a boiler insurance company or authorized
1861 inspection agency that fails to conduct certain
1862 inspections; providing an exception; conforming
1863 provisions to changes made by the act; amending s.
1864 554.115, F.S.; adding authorized disciplinary actions
1865 for the department; adding specified grounds for
1866 disciplinary action against an owner of a boiler;
1867 revising grounds for disciplinary action against a



1868 boiler inspector; deleting a provision requiring a
1869 chief inspector to report certain persons to the state
1870 attorney; deleting a provision authorizing certain
1871 administrative action by the chief inspector; deleting
1872 a provision relating to the duration of a suspended
1873 certificate of compliance; creating s. 554.1151, F.S.;
1874 authorizing the department to impose specified
1875 administrative fines in lieu of or in addition to
1876 certain disciplinary actions; authorizing procedures
1877 for payment of fines by a certificateholder; requiring
1878 a certificate to be revoked under certain
1879 circumstances; amending s. 624.307, F.S.; authorizing
1880 the department to expend funds for professional
1881 development of its employees; amending s. 626.015,
1882 F.S.; defining terms; conforming a cross-reference;
1883 amending s. 626.207, F.S.; defining the term
1884 "applicant"; revising a list of felonies subject to a
1885 permanent bar from licensure; revising a condition for
1886 when certain disqualifying periods begin; conforming
1887 cross-references; providing an exception from a
1888 permanent bar on or disqualifying periods for cases of
1889 executive clemency; providing construction; amending
1890 s. 626.221, F.S.; providing an exception from an
1891 examination requirement for an all-lines adjuster
1892 license applicant with a specified designation;
1893 amending s. 626.2815, F.S.; specifying the education
1894 hours that may be completed to meet continuing
1895 education requirements for such a designation;
1896 amending s. 626.8734, F.S.; providing an exception



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1897 from an examination requirement for nonresident all-
1898 lines adjuster license applicants who hold certain
1899 certifications; amending s. 626.9954, F.S.; revising a
1900 list of felonies subject to a permanent bar from
1901 licensure; revising conditions for when certain
1902 disqualifying periods begin; conforming cross-
1903 references; providing an exception from a permanent
1904 bar on or disqualifying periods for cases of executive
1905 clemency; providing construction; amending s.
1906 626.2815, F.S.; authorizing the department to approve
1907 a certain number of elective continuing education
1908 credits for certain insurance licensees; providing an
1909 exception from a certain continuing education
1910 requirement for such licensees; amending s. 626.611,
1911 F.S.; deleting a condition for the involvement of
1912 moral turpitude in felonies or certain crimes in
1913 relation to compulsory disciplinary actions by the
1914 department against certain entities' licenses or
1915 appointments; conforming a cross-reference; amending
1916 s. 626.621, F.S.; revising grounds for the
1917 department's discretionary refusal, suspension, or
1918 revocation of the license or appointment of certain
1919 persons; amending s. 626.7845, F.S.; revising an
1920 exception to the prohibition against the unlicensed
1921 transaction of life insurance; conforming a cross-
1922 reference; amending s. 626.8305, F.S.; revising an
1923 exception to the prohibition against the unlicensed
1924 transaction of health insurance; conforming a cross-
1925 reference; amending s. 626.861, F.S.; authorizing



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1926 certain insurer employees to adjust specified claim
1927 losses or damage; amending s. 626.9543, F.S.; removing
1928 the scheduled expiration of a requirement for insurers
1929 to permit claims from a Holocaust victim or certain
1930 related persons irrespective of certain conditions;
1931 removing the scheduled expiration of an exception from
1932 statutes of limitations or laches for certain actions
1933 brought by Holocaust victims or certain related
1934 persons; amending s. 633.516, F.S.; authorizing the
1935 Division of State Fire Marshal within the division to
1936 contract for studies of, rather than to make a
1937 continuous study of, occupational diseases of
1938 firefighters; adding persons in other fire-related
1939 fields to such studies; authorizing the division to
1940 release confidential information of an individual
1941 firefighter or a person in another fire-related field
1942 to certain parties under certain circumstances;
1943 amending s. 768.28, F.S.; providing exceptions in tort
1944 claims against a county from requirements that a
1945 claimant present the written claim to the department
1946 within a specified timeframe and serve process upon
1947 the department; amending ss. 288.706, 626.7315, and
1948 627.351, F.S.; conforming cross-references; providing
1949 an effective date.