A bill to be entitled An act relating to the Department of Financial Services; amending s. 17.64, F.S.; providing that electronic images of warrants, vouchers, or checks in the Division of Treasury are deemed to be original records; revising the applicable medium, from film or print to electronic, in provisions relating to copies and reproductions of records and documents of the division; amending s. 20.121, F.S.; renaming the Bureau of Fire and Arson Investigations within the Division of Investigative and Forensic Services as the Bureau of Fire, Arson, and Explosives Investigations; creating the Bureau of Insurance Fraud and the Bureau of Workers’ Compensation Fraud within the division; amending s. 39.6035, F.S.; requiring certain child transition plans to address financial literacy; specifying requirements for the Department of Children and Families and community-based providers relating to a certain financial literacy curriculum offered by the department; amending s. 39.6251, F.S.; revising conditions under which certain children are eligible to remain in licensed care; amending s. 284.50, F.S.; requiring safety coordinators of state governmental departments to complete, within a certain timeframe, safety coordinator training offered by the department; requiring certain agencies to report certain return-to-work information to the department; authorizing the department to disclose certain personal identifying information of injured or deceased employees which is
exempt from disclosure under the Workers’ Compensation Law to department-contracted vendors for certain purposes; requiring agencies to provide certain risk management program information to the Division of Risk Management for certain purposes; specifying requirements for agencies in reviewing and responding to certain information and communications provided by the division; amending s. 409.1451, F.S.; revising conditions under which a young adult is eligible for postsecondary education services and support under the Road-to-Independence Program; amending s. 414.411, F.S.; replacing the Department of Economic Opportunity with the Department of Education in a list of entities to which a public assistance recipient may be required to provide written consent for certain investigative inquiries; amending s. 497.168, F.S.; providing an exemption from specified application fees for members and certain veterans of the United States Armed Forces; requiring such members and veterans to provide certain documentation of good standing or honorable discharge; amending s. 497.456, F.S.; specifying the date before when the department must annually review the status of the Preneed Funeral Contract Consumer Protection Trust Fund; requiring the department to transfer, for certain purposes, trust fund sums in excess of a specified amount to the Regulatory Trust Fund each year; amending s. 624.317, F.S.; authorizing the department to conduct investigations of any, rather than specified, agents subject to its
jurisdiction; amending ss. 624.34, 624.4094, 624.501, 624.509, and 625.071, F.S.; conforming provisions to changes made by the act; amending s. 626.112, F.S.; requiring a managing general agent to hold a currently effective producer license rather than a managing general agent license; amending s. 626.171, F.S.; deleting applicability of licensing provisions as to managing general agents; making a technical change; amending s. 626.202, F.S.; providing that certain applicants are not required to resubmit fingerprints to the department under certain circumstances; authorizing the department to require these applicants to file fingerprints under certain circumstances; providing an exemption from fingerprinting requirements for members and certain veterans of the United States Armed Forces; requiring such members and veterans to provide certain documentation of good standing or honorable discharge; amending s. 626.207, F.S.; conforming a provision to changes made by the act; amending s. 626.221, F.S.; adding a designation that exempts applicants for licensure as an all-lines adjuster from an examination requirement; amending s. 626.451, F.S.; deleting a requirement for law enforcement agencies and state attorney’s offices to notify the department or the Office of Insurance Regulation of certain felony dispositions; deleting a requirement for the state attorney to provide the department or office a certified copy of an information or indictment against a managing general
agent; conforming a provision to changes made by the act; amending s. 626.521, F.S.; revising requirements for credit and character reports secured and kept by insurers or employers appointing certain insurance representatives; amending s. 626.731, F.S.; deleting a certain qualification for licensure as a general lines agent; amending s. 626.7351, F.S.; revising a qualification for licensure as a customer representative; amending s. 626.744, F.S.; conforming a provision to changes made by the act; amending s. 626.745, F.S.; revising conditions under which service representatives and managing general agents may engage in certain activities; amending ss. 626.7451 and 626.7455, F.S.; conforming provisions to changes made by the act; amending s. 626.752, F.S.; revising a requirement for the Brokering Agent’s Register maintained by brokering agents; revising the limit on certain personal lines risks an insurer may receive from an agent within a specified timeframe before the insurer must comply with certain reporting requirements for that agent; amending s. 626.793, F.S.; revising the limit on certain risks that certain insurers may receive from a life agent within a specified timeframe before the insurer must comply with certain reporting requirements for that agent; amending s. 626.837, F.S.; revising the limit on certain risks that certain insurers may receive from a health agent within a specified timeframe before the insurer must comply with certain reporting requirements.
requirements for that agent; amending s. 626.8732, F.S.; deleting a requirement for a licensed nonresident public adjuster to submit a certain annual affidavit to the department; amending s. 626.8734, F.S.; deleting a requirement for a nonresident independent adjuster to submit a certain annual affidavit to the department; amending s. 626.88, F.S.; conforming a provision to changes made by the act; amending s. 626.927, F.S.; revising conditions under which an individual may be licensed as a surplus lines agent solely for the purpose of placing certain coverages with surplus lines insurers; amending s. 626.929, F.S.; revising a condition under which a managing general agent may accept and place certain surplus lines business and compensate certain agents; amending s. 626.930, F.S.; revising a requirement relating to the location of a surplus lines agent’s surplus lines business records; amending s. 626.9892, F.S.; authorizing the department to pay up a specified amount of rewards under the Anti-Fraud Reward Program for information leading to the arrest and conviction of persons guilty of arson; amending s. 633.302, F.S.; providing for an additional 4-year term for members of the Florida Fire Safety Board after their initial terms; amending s. 633.304, F.S.; revising circumstances under which an inactive fire equipment dealer license is void; specifying the timeframe when an inactive license must be reactivated; specifying that permittees performing certain work on fire
equipment may be contracted rather than employed;
revising a requirement for a certain proof-of-
insurance form to be provided by the insurer rather
than the State Fire Marshal; amending s. 633.318,
F.S.; revising a requirement for a certain proof-of-
insurance form to be provided by the insurer rather
than the State Fire Marshal; amending s. 633.408,
F.S.; specifying prerequisites and retention
requirements for a Special Certificate of Compliance
that authorizes an individual to serve as an
administrative and command head of a fire service
provider; amending s. 633.416, F.S.; authorizing fire
service providers to employ individuals who received
equivalent training while active in the United States
Department of Defense; requiring the Division of State
Fire Marshal to verify the equivalency of such
training before the individual begins employment;
requiring such individual to obtain a Firefighter
Certificate of Compliance within a specified
timeframe; making a technical change; amending s.
633.444, F.S.; deleting a requirement for the Division
of State Fire Marshal to develop a staffing and
funding formula for the Florida State Fire College;
amending s. 648.27, F.S.; revising conditions under
which a managing general agent must also be licensed
as a bail bond agent; conforming a provision to
changes made by the act; amending s. 648.34, F.S.;
providing that individuals applying for bail bond
agent licensure are not required to resubmit
fingerprints to the department under certain circumstances; authorizing the department to require such individuals to file fingerprints under certain circumstances; reenacting s. 626.8734(1)(b), F.S., relating to nonresident all-lines adjuster license qualifications, to incorporate the amendment made to s. 626.221, F.S., in a reference thereto; providing an effective date.

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

Section 1. Section 17.64, Florida Statutes, is amended to read:

17.64 Division of Treasury to make reproductions of certain warrants, records, and documents.—

(1) Electronic images, photographs, microphotographs, or reproductions on film of warrants, vouchers, or checks are deemed to be original records for all purposes; and any copy or reproduction thereof made from such original film, duly certified by the Division of Treasury as a true and correct copy made from such film, is deemed to be a transcript, exemplification, or certified copy of the original warrant, voucher, or check such copy represents, and must in all cases and in all courts and places be admitted and received in evidence with the like force and effect as the original thereof might be.

(2) The Division of Treasury may photograph, microphotograph, or reproduce on film all records and documents of the division, as the Chief Financial Officer, in his or her...
discretion, selects; and the division may destroy any such
documents or records after they have been reproduced
electronically photographed and filed and after audit of the
division has been completed for the period embracing the dates
of such documents and records.

(3) **Electronic copies** Photographs or microphotographs in
the form of film or prints of any records made in compliance
with the provisions of this section **shall** have the same force
and effect as the originals **thereof** would have, and **must** **shall**
be treated as originals for the purpose of their admissibility
in evidence. Duly certified or authenticated reproductions of
such electronic images **must** photographs or microphotographs
shall be admitted in evidence equally with the original
electronic images photographs or microphotographs.

Section 2. Paragraph (e) of subsection (2) of section
20.121, Florida Statutes, is amended to read:

20.121 Department of Financial Services.—There is created a
Department of Financial Services.

(2) **DIVISIONS.**—The Department of Financial Services shall
consist of the following divisions and office:

(e) The Division of Investigative and Forensic Services,
which shall function as a criminal justice agency for purposes
of ss. 943.045–943.08. The division may conduct investigations
within or outside of this state as it deems necessary. If,
during an investigation, the division has reason to believe that
any criminal law of this state has or may have been violated, it
shall refer any records tending to show such violation to state
or federal law enforcement or prosecutorial agencies and shall
provide investigative assistance to those agencies as required.
The division shall include the following bureaus and office:

1. The Bureau of Forensic Services;
2. The Bureau of Fire and Arson, and Explosives Investigations; and
3. The Office of Fiscal Integrity, which shall have a separate budget;
4. The Bureau of Insurance Fraud; and
5. The Bureau of Workers’ Compensation Fraud.

Section 3. Subsection (1) of section 39.6035, Florida Statutes, is amended to read:

39.6035 Transition plan.—
(1) During the 180-day period after a child reaches 17 years of age, the department and the community-based care provider, in collaboration with the caregiver and any other individual whom the child would like to include, shall assist the child in developing a transition plan. The required transition plan is in addition to standard case management requirements. The transition plan must address specific options for the child to use in obtaining services, including housing, health insurance, education, financial literacy, a driver license, and workforce support and employment services. The plan must also consider establishing and maintaining naturally occurring mentoring relationships and other personal support services. The transition plan may be as detailed as the child chooses. In developing the transition plan, the department and the community-based provider shall:

(a) Provide the child with the documentation required pursuant to s. 39.701(3); and
(b) Coordinate the transition plan with the independent
living provisions in the case plan and, for a child with disabilities, the Individuals with Disabilities Education Act transition plan; and—

(c) Provide information for the financial literacy curriculum for foster youth offered by the Department of Financial Services, and require completion of the curriculum with a passing score before receiving aftercare services or before leaving care as attested by the child’s guardian ad litem.

Section 4. Subsection (2) of section 39.6251, Florida Statutes, is amended to read:

39.6251 Continuing care for young adults.—

(2) The primary goal for a child in care is permanency. A child who is living in licensed care on his or her 18th birthday and who has not achieved permanency under s. 39.621 is eligible to remain in licensed care under the jurisdiction of the court and in the care of the department. A child is eligible to remain in licensed care if he or she is:

(a) Completing secondary education or a program leading to an equivalent credential;
(b) Enrolled in an institution that provides postsecondary or vocational education;
(c) Participating in a program or activity designed to promote or eliminate barriers to employment;
(d) Employed for at least 80 hours per month; or
(e) Has completed the financial literacy curriculum for foster youth offered by the Department of Financial Services with a passing score; or
(f) Unable to participate in programs or activities
listed in paragraphs (a)-(d) full time due to a physical, intellectual, emotional, or psychiatric condition that limits participation. Any such barrier to participation must be supported by documentation in the child’s case file or school or medical records of a physical, intellectual, or psychiatric condition that impairs the child’s ability to perform one or more life activities.

Section 5. Section 284.50, Florida Statutes, is amended to read:

284.50 Loss prevention program; safety coordinators; Interagency Advisory Council on Loss Prevention; employee recognition program; return-to-work programs; disclosure of certain workers’ compensation-related information by the Department of Financial Services; risk management programs.—

(1) The head of each department of state government, except the Legislature, shall designate a safety coordinator. Such safety coordinator must be an employee of the department and must hold a position which has responsibilities comparable to those of an employee in the Senior Management System. The Department of Financial Services shall provide appropriate training to the safety coordinators to permit them to effectively perform their duties within their respective departments. Within 1 year after being appointed by his or her department head, the safety coordinator shall complete safety coordinator training offered by the Department of Financial Services. Each safety coordinator shall, at the direction of his or her department head:

(a) Develop and implement the loss prevention program, a comprehensive departmental safety program which shall include a
statement of safety policy and responsibility.

(b) Provide for regular and periodic facility and equipment inspections.

(c) Investigate job-related employee accidents of his or her department.

(d) Establish a program to promote increased safety awareness among employees.

(2) There shall be an Interagency Advisory Council on Loss Prevention composed of the safety coordinators from each department and representatives designated by the Division of State Fire Marshal and the Division of Risk Management. The chair of the council shall be the Director of the Division of Risk Management or his or her designee. The council shall meet at least quarterly to discuss safety problems within state government, to attempt to find solutions for these problems, and, when possible, to assist in the implementation of the solutions. If the safety coordinator of a department or office is unable to attend a council meeting, an alternate, selected by the department head or his or her designee, shall attend the meeting to represent and provide input for that department or office on the council. The council is further authorized to provide for the recognition of employees, agents, and volunteers who make exceptional contributions to the reduction and control of employment-related accidents. The necessary expenses for the administration of this program of recognition shall be considered an authorized administrative expense payable from the State Risk Management Trust Fund.

(3) The Department of Financial Services and all agencies that are provided workers’ compensation insurance coverage by
the State Risk Management Trust Fund and employ more than 3,000
full-time employees shall establish and maintain return-to-work programs for employees who are receiving workers’ compensation benefits. The programs must have the primary goal of enabling injured workers to remain at work or return to work to perform job duties within the physical or mental functional limitations and restrictions established by the workers’ treating physicians. If no limitation or restriction is established in writing by a worker’s treating physician, the worker is deemed to be able to fully perform the same work duties he or she performed before the injury. Agencies employing more than 3,000 full-time employees shall report return-to-work information to the Department of Financial Services to support the Department of Financial Services’ mandatory reporting requirements on agency return-to-work efforts under s. 284.42(1)(b).

(4) Notwithstanding s. 440.1851, the Department of Financial Services may disclose the personal identifying information of an injured or deceased employee to a department-contracted vendor for the purpose of ascertaining a claimant’s claims history to investigate the compensability of a claim or to identify and prevent fraud.

(5) The Division of Risk Management shall evaluate each agency’s risk management programs, including, but not limited to, return-to-work, safety, and loss prevention programs, at least once every 5 years. Reports, including, but not limited to, any recommended corrective action, resulting from such evaluations must be provided to the head of the agency being evaluated, the Chief Financial Officer, and the director.
of the Division of Risk Management. The agency head must provide
to the Division of Risk Management a response to all report
recommendations within 45 days and a plan to implement any
corrective action to be taken as part of the response. If the
agency disagrees with any final report recommendations,
including, but not limited to, any recommended corrective
action, or if the agency fails to implement any recommended
corrective action within a reasonable time, the division shall
submit the evaluation report to the legislative appropriations
committees. Each agency shall provide risk management program
information to the Division of Risk Management to support the
Division of Risk Management’s mandatory evaluation and reporting
requirements in this subsection.

(6) Each agency shall:
(a) Review information provided by the Division of Risk
Management on claims and losses;
(b) Identify any discrepancies between the Division of Risk
Management’s records and the agency’s records and report such
discrepancies to the Division of Risk Management in writing; and
(c) Review and respond to communications from the Division
of Risk Management identifying unsafe or inappropriate
conditions, policies, procedures, trends, equipment, or actions
or incidents that have led or may lead to accidents or claims
involving the state.

Section 6. Paragraph (a) of subsection (2) of section
409.1451, Florida Statutes, is amended to read:
409.1451 The Road-to-Independence Program.—
(2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—
(a) A young adult is eligible for services and support
407 under this subsection if he or she:
408
    1. Was living in licensed care on his or her 18th birthday
409 or is currently living in licensed care; or was at least 16
410 years of age and was adopted from foster care or placed with a
411 court-approved dependency guardian after spending at least 6
412 months in licensed care within the 12 months immediately
413 preceding such placement or adoption;
414
    2. Spent at least 6 months in licensed care before reaching
415 his or her 18th birthday;
416
    3. Earned a standard high school diploma pursuant to s.
417 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent
418 pursuant to s. 1003.435;
419
    4. Has been admitted for enrollment as a full-time student
420 or its equivalent in an eligible postsecondary educational
421 institution as provided in s. 1009.533. For purposes of this
422 section, the term “full-time” means 9 credit hours or the
423 vocational school equivalent. A student may enroll part-time if
424 he or she has a recognized disability or is faced with another
425 challenge or circumstance that would prevent full-time
426 attendance. A student needing to enroll part-time for any reason
427 other than having a recognized disability must get approval from
428 his or her academic advisor;
429
    5. Has reached 18 years of age but is not yet 23 years of
430 age;
431
    6. Has applied, with assistance from the young adult’s
432 caregiver and the community-based lead agency, for any other
433 grants and scholarships for which he or she may qualify;
434
    7. Submitted a Free Application for Federal Student Aid
435 which is complete and error free; and

CODING: Words stricken are deletions; words underlined are additions.
8. Signed an agreement to allow the department and the community-based care lead agency access to school records; and
9. Has completed with a passing score the financial literacy curriculum for foster youth offered by the Department of Financial Services.

Section 7. Subsection (1) of section 414.411, Florida Statutes, is amended to read:

414.411 Public assistance fraud.—
(1) The Department of Financial Services shall investigate all public assistance provided to residents of the state or provided to others by the state. In the course of such investigation the department shall examine all records, including electronic benefits transfer records and make inquiry of all persons who may have knowledge as to any irregularity incidental to the disbursement of public moneys, food assistance, or other items or benefits authorizations to recipients. All public assistance recipients, as a condition precedent to qualification for public assistance under chapter 409, chapter 411, or this chapter, must first give in writing, to the Agency for Health Care Administration, the Department of Health, the Department of Education, Economic Opportunity, and the Department of Children and Families, as appropriate, and to the Department of Financial Services, consent to make inquiry of past or present employers and records, financial or otherwise.

Section 8. Subsection (3) is added to section 497.168, Florida Statutes, to read:

497.168 Members of Armed Forces in good standing with administrative boards.—
(3) A member of the United States Armed Forces or a veteran
of the United States Armed Forces who was honorably discharged within the 24-month period before the date of an application for licensure is exempt from the initial application filing fees under ss. 497.263(2)(r), 497.281(1), 497.368(1), 497.369(1), 497.370(1), 497.371, 497.373(1), 497.374(1), and 497.375(1)(a).

A qualified individual shall provide a copy of a military identification card, military dependent identification card, military service record, military personnel file, veteran record, Form DD-214, NGB Form 22, or separation document that indicates such member or veteran of the United States Armed Forces is currently in good standing or was honorably discharged.

Section 9. Subsection (12) of section 497.456, Florida Statutes, is amended to read:

497.456 Preneed Funeral Contract Consumer Protection Trust Fund.—

(12) Notwithstanding the fee structure in subsection (2), the department shall review the status of the trust fund on or before August 31 of each year annually, and if it determines that the amount in the trust fund exceeds $5 million, the department must transfer any funds in excess of this amount to the Regulatory Trust Fund for the purpose of providing for the payment of expenses of the licensing authority in carrying out its responsibilities under this chapter and as prescribed by rule. Additionally, if the department determines that the uncommitted trust fund balance exceeds $1 million, the licensing authority may by rule lower the required payments to the trust fund to an amount not less than $1 per preneed contract.

Section 10. Subsection (1) of section 624.317, Florida
Stats, is amended to read:

624.317 Investigation of agents, adjusters, administrators, service companies, and others.—If it has reason to believe that any person has violated or is violating any provision of this code, or upon the written complaint signed by any interested person indicating that any such violation may exist:

(1) The department shall conduct such investigation as it deems necessary of the accounts, records, documents, and transactions pertaining to or affecting the insurance affairs of any general agent, surplus lines agent, adjuster, managing general agent, insurance agent, insurance agency, customer representative, service representative, or other person subject to its jurisdiction, subject to the requirements of s. 626.601.

Section 11. Subsection (2) of section 624.34, Florida Statutes, is amended to read:

624.34 Authority of Department of Law Enforcement to accept fingerprints of, and exchange criminal history records with respect to, certain persons.—

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

Section 12. Subsection (1) of section 624.4094, Florida Statutes, is amended to read:

624.4094 Bail bond premiums.—
(1) The Legislature finds that a significant portion of bail bond premiums is retained by the licensed bail bond agents or appointed licensed managing general agents. For purposes of reporting in financial statements required to be filed with the office pursuant to s. 624.424, direct written premiums for bail bonds by a domestic insurer in this state shall be reported net of any amounts retained by licensed bail bond agents or appointed licensed managing general agents. However, in no case shall the direct written premiums for bail bonds be less than 6.5 percent of the total consideration received by the agent for all bail bonds written by the agent. This subsection also applies to any determination of compliance with s. 624.4095.

Section 13. Paragraph (e) of subsection (19) of section 624.501, Florida Statutes, is amended to read:

624.501 Filing, license, appointment, and miscellaneous fees.—The department, commission, or office, as appropriate, shall collect in advance, and persons so served shall pay to it in advance, fees, licenses, and miscellaneous charges as follows:

(19) Miscellaneous services:

(e) Insurer’s registration fee for agent exchanging business more than four times in a calendar year under s. 626.752, s. 626.793, or s. 626.837, registration fee per agent per year..........................$30.00

Section 14. Subsection (1) of section 624.509, Florida Statutes, is amended to read:

624.509 Premium tax; rate and computation.—

(1) In addition to the license taxes provided for in this chapter, each insurer shall also annually, and on or before
March 1 in each year, except as to wet marine and transportation insurance taxed under s. 624.510, pay to the Department of Revenue a tax on insurance premiums, premiums for title insurance, or assessments, including membership fees and policy fees and gross deposits received from subscribers to reciprocal or interinsurance agreements, and on annuity premiums or considerations, received during the preceding calendar year, the amounts thereof to be determined as set forth in this section, to wit:

(a) An amount equal to 1.75 percent of the gross amount of such receipts on account of life and health insurance policies covering persons resident in this state and on account of all other types of policies and contracts, except annuity policies or contracts taxable under paragraph (b) and bail bond policies or contracts taxable under paragraph (c), covering property, subjects, or risks located, resident, or to be performed in this state, omitting premiums on reinsurance accepted, and less return premiums or assessments, but without deductions:

1. For reinsurance ceded to other insurers;
2. For moneys paid upon surrender of policies or certificates for cash surrender value;
3. For discounts or refunds for direct or prompt payment of premiums or assessments; and
4. On account of dividends of any nature or amount paid and credited or allowed to holders of insurance policies; certificates; or surety, indemnity, reciprocal, or interinsurance contracts or agreements;

(b) An amount equal to 1 percent of the gross receipts on annuity policies or contracts paid by holders thereof in this state.
section 15. section 625.071, florida statutes, is amended to read:

625.071 special reserve for bail and judicial bonds.—in lieu of the unearned premium reserve required on surety bonds under s. 625.051, the office may require any surety insurer or limited surety insurer to set up and maintain a reserve on all bail bonds or other single-premium bonds without definite expiration date, furnished in judicial proceedings, equal to the lesser of 35 percent of the bail premiums in force or $7 per $1,000 of bail liability. such reserve shall be reported as a liability in financial statements required to be filed with the office. each insurer shall file a supplementary schedule showing bail premiums in force and bail liability and the associated special reserve for bail and judicial bonds with financial statements required by s. 624.424. bail premiums in force do not include amounts retained by licensed bail bond agents or appointed licensed managing general agents, but may not be less than 6.5 percent of the total consideration received for all bail bonds in force.

section 16. subsection (5) of section 626.112, florida statutes, is amended to read:

626.112 license and appointment required; agents, customer representatives, adjusters, insurance agencies, service representatives, managing general agents.—
(5) A person may not be, act as, or represent or hold himself or herself out to be a managing general agent unless he or she then holds a currently effective producer license and a managing general agent license and appointment.

Section 17. Section 626.171, Florida Statutes, is amended to read:

626.171 Application for license as an agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary.—

(1) The department may not issue a license as agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary to any person except upon written application filed with the department, meeting the qualifications for the license applied for as determined by the department, and payment in advance of all applicable fees. The application must be made under the oath of the applicant and be signed by the applicant. An applicant may permit a third party to complete, submit, and sign an application on the applicant’s behalf, but is responsible for ensuring that the information on the application is true and correct and is accountable for any misstatements or misrepresentations. The department shall accept the uniform application for nonresident agent licensing. The department may adopt revised versions of the uniform application by rule.

(2) In the application, the applicant shall set forth:

(a) His or her full name, age, social security number, residence address, business address, mailing address, contact telephone numbers, including a business telephone number, and e-mail address.
(b) A statement indicating the method the applicant used or is using to meet any required prelicensing education, knowledge, experience, or instructional requirements for the type of license applied for.

(c) Whether he or she has been refused or has voluntarily surrendered or has had suspended or revoked a license to solicit insurance by the department or by the supervising officials of any state.

(d) Whether any insurer or any managing general agent claims the applicant is indebted under any agency contract or otherwise and, if so, the name of the claimant, the nature of the claim, and the applicant’s defense thereto, if any.

(e) Proof that the applicant meets the requirements for the type of license for which he or she is applying.

(f) The applicant’s gender (male or female).

(g) The applicant’s native language.

(h) The highest level of education achieved by the applicant.

(i) The applicant’s race or ethnicity (African American, white, American Indian, Asian, Hispanic, or other).

(j) Such other or additional information as the department may deem proper to enable it to determine the character, experience, ability, and other qualifications of the applicant to hold himself or herself out to the public as an insurance representative.

However, the application must contain a statement that an applicant is not required to disclose his or her race or ethnicity, gender, or native language, that he or she will not
be penalized for not doing so, and that the department will use this information exclusively for research and statistical purposes and to improve the quality and fairness of the examinations.

(3) Each application **must** shall be accompanied by payment of any applicable fee.

(4) An applicant for a license as an agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary must submit a set of the individual applicant’s fingerprints, or, if the applicant is not an individual, a set of the fingerprints of the sole proprietor, majority owner, partners, officers, and directors, to the department and must pay the fingerprint processing fee set forth in s. 624.501. Fingerprints **must** shall be used to investigate the applicant’s qualifications pursuant to s. 626.201. The fingerprints **must** shall be taken by a law enforcement agency, designated examination center, or other department-approved entity. The department shall require all designated examination centers to have fingerprinting equipment and to take fingerprints from any applicant or prospective applicant who pays the applicable fee. The department may not approve an application for licensure as an agent, customer service representative, adjuster, service representative, managing general agent, or reinsurance intermediary if fingerprints have not been submitted.

(5) The application for license filing fee prescribed in s. 624.501 is not subject to refund.

(6) Members of the United States Armed Forces and their spouses, and veterans of the United States Armed Forces who have
retired within 24 months before application for licensure, are exempt from the application filing fee prescribed in s. 624.501. Qualified individuals must provide a copy of a military identification card, military dependent identification card, military service record, military personnel file, veteran record, discharge paper, or separation document, or a separation document that indicates such members of the United States Armed Forces are currently in good standing or were honorably discharged.

(7) Pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, each party is required to provide his or her social security number in accordance with this section. Disclosure of social security numbers obtained through this requirement must be limited to the purpose of administration of the Title IV-D program for child support enforcement.

Section 18. Section 626.202, Florida Statutes, is amended to read:

626.202 Fingerprinting requirements.—

(1) The requirements for completion and submission of fingerprints under this chapter are deemed to be met when an individual currently licensed under this chapter seeks additional licensure and has previously submitted fingerprints to the department within the past 48 months. However, the department may require the individual to file fingerprints if it has reason to believe that an applicant or licensee has been found guilty of, or pleaded guilty or nolo contendere to, a felony or a crime related to the business of insurance in this state or any other state or jurisdiction.
(2) The requirements for completion and submission of fingerprints under this chapter are waived for members of the United States Armed Forces and veterans of the United States Armed Forces who were honorably discharged within the 24-month period before the date of an application for licensure. A qualified individual shall provide a copy of a military identification card, military service record, military personnel file, veteran record, Form DD-214, NGB Form 22, or separation document that indicates such member or veteran of the United States Armed Forces is currently in good standing or was honorably discharged.

(3) If there is a change in ownership or control of any entity licensed under this chapter, or if a new partner, officer, or director is employed or appointed, a set of fingerprints of the new owner, partner, officer, or director must be filed with the department or office within 30 days after the change. The acquisition of 10 percent or more of the voting securities of a licensed entity is considered a change of ownership or control. The fingerprints must be taken by a law enforcement agency or other department-approved entity and be accompanied by the fingerprint processing fee in s. 624.501.
Section 20. Paragraph (j) of subsection (2) of section 626.221, Florida Statutes, is amended to read:

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

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

Section 21. Present subsections (6) and (7) of section 626.451, Florida Statutes, are redesignated as subsections (5) and (6), respectively, and subsections (1) and (5) and present subsection (6) of that section are amended, to read:

(1) Each appointing entity or person designated by the department to administer the appointment process appointing an
agent, adjuster, service representative, customer representative, or managing general agent in this state shall file the appointment with the department or office and, at the same time, pay the applicable appointment fee and taxes. Every appointment shall be subject to the prior issuance of the appropriate agent’s, adjuster’s, service representative’s, or customer representative’s, or managing general agent’s license.

(5) Any law enforcement agency or state attorney’s office that is aware that an agent, adjuster, service representative, customer representative, or managing general agent has pleaded guilty or nolo contendere to or has been found guilty of a felony shall notify the department or office of such fact.

(5)(6) Upon the filing of an information or indictment against an agent, adjuster, service representative, or customer representative, or managing general agent, the state attorney shall immediately furnish the department or office a certified copy of the information or indictment.

Section 22. Section 626.521, Florida Statutes, is amended to read:

626.521 Character, Credit and character reports.—

(1) Before appointing As to each applicant who for the first time in this state an is applying and qualifying for a license as agent, adjuster, service representative, customer representative, or managing general agent, the appointing insurer or employer shall its manager or general agent in this state, in the case of agents, or the appointing general lines agent, in the case of customer representatives, or the employer, in the case of service representatives and of adjusters who are not to be self-employed, shall coincidentally with such
appointment or employment secure and thereafter keep on file a full detailed credit and character report made by an established and reputable independent reporting service, relative to the individual so appointed or employed.

(2) If requested by the department, the insurer, manager, general agent, general lines agent, or employer, as the case may be, must furnish to the department, on a form adopted and furnished by the department, such information as it reasonably requires relative to such individual and investigation.

(3) As to an applicant for an adjuster’s or reinsurance intermediary’s license who is to be self-employed, the department may secure, at the cost of the applicant, a full detailed credit and character report made by an established and reputable independent reporting service relative to the applicant.

(4) Each person who for the first time in this state is applying and qualifying for a license as a reinsurance intermediary shall file with her or his application for license a full, detailed credit and character report for the 5-year period immediately prior to the date of application for license, made by an established and reputable independent reporting service, relative to the individual if a partnership or sole proprietorship, or the officers if a corporation or other legal entity.

(5) Information contained in credit or character reports furnished to or secured by the department under this section is confidential and exempt from the provisions of s. 119.07(1).

Section 23. Paragraph (f) of subsection (1) of section 626.731, Florida Statutes, is amended to read:

CODING: Words stricken are deletions; words underlined are additions.
626.731 Qualifications for general lines agent’s license.—

(1) The department shall not grant or issue a license as general lines agent to any individual found by it to be untrustworthy or incompetent or who does not meet each of the following qualifications:

   (f) The applicant is not a service representative, a managing general agent in this state, or a special agent or similar service representative of a health insurer which also transacts property, casualty, or surety insurance; except that the president, vice president, secretary, or treasurer, including a member of the board of directors, of a corporate insurer, if otherwise qualified under and meeting the requirements of this part, may be licensed and appointed as a local resident agent.

Section 24. Subsection (6) of section 626.7351, Florida Statutes, is amended to read:

626.7351 Qualifications for customer representative’s license.—The department shall not grant or issue a license as customer representative to any individual found by it to be untrustworthy or incompetent, or who does not meet each of the following qualifications:

   (6) Upon the issuance of the license applied for, the applicant is not an agent or a service representative, or a managing general agent.

Section 25. Section 626.744, Florida Statutes, is amended to read:

626.744 Service representatives, managing general agents; application for license.—The application for a license as service representative must or the application for a license as
managing general agent shall show the applicant’s name, residence address, name of employer, position or title, type of work to be performed by the applicant in this state, and any additional information which the department may reasonably require.

Section 26. Section 626.745, Florida Statutes, is amended to read:

626.745 Service representatives, managing general agents; managers; activities.—Individuals employed by insurers or their managers, general agents, or representatives as service representatives, and as managing general agents employed for the purpose of or engaged in assisting agents in negotiating and effecting contracts of insurance, shall engage in such activities when, and only when licensed as or accompanied by a general lines an agent duly licensed and appointed as a resident-licensee and appointee under this code.

Section 27. Subsection (11) of section 626.7451, Florida Statutes, is amended to read:

626.7451 Managing general agents; required contract provisions.—No person acting in the capacity of a managing general agent shall place business with an insurer unless there is in force a written contract between the parties which sets forth the responsibility for a particular function, specifies the division of responsibilities, and contains the following minimum provisions:

(11) An appointed A licensed managing general agent, when placing business with an insurer under this code, may charge a per-policy fee not to exceed $25. In no instance shall The aggregate of per-policy fees for a placement of business
authorized under this section, when combined with any other per-policy fee charged by the insurer, may not result in per-policy fees that which exceed the aggregate amount of $25. The per-policy fee must shall be a component of the insurer’s rate filing and must shall be fully earned.

For the purposes of this section and ss. 626.7453 and 626.7454, the term “controlling person” or “controlling” has the meaning set forth in s. 625.012(5)(b)1., and the term “controlled person” or “controlled” has the meaning set forth in s. 625.012(5)(b)2.

Section 28. Subsection (1) of section 626.7455, Florida Statutes, is amended to read:

626.7455 Managing general agent; responsibility of insurer.—

(1) An insurer may not No insurer shall enter into an agreement with any person to manage the business written in this state by the general lines agents appointed by the insurer or appointed by the managing general agent on behalf of the insurer unless the person is properly licensed as an agent and appointed as a managing general agent in this state. An insurer is shall be responsible for the acts of its managing general agent when the agent acts within the scope of his or her authority.

Section 29. Paragraph (e) of subsection (3) and subsection (5) of section 626.752, Florida Statutes, are amended to read:

626.752 Exchange of business.—

(3)

(e) The brokering agent shall maintain an appropriate and permanent Brokering Agent’s Register, which must shall be a
permanent record of bound journal in which chronologically numbered transactions that are entered no later than the day in which the brokering agent’s application bearing the same number is signed by the applicant. The numbers must shall reflect an annual aggregate through numerical sequence and be preceded by the last two digits of the current year. The initial entry must shall contain the number of the transaction, date, time, date of binder, date on which coverage commences, name and address of applicant, type of coverage desired, name of insurer binding the risk or to whom the application is to be submitted, and the amount of any premium collected therefor. By no later than the date following policy delivery, the policy number and coverage expiration date must shall be added to the register.

(5) Within 15 days after the last day of each month, any insurer accepting business under this section shall report to the department the name, address, telephone number, and social security number of each agent from which the insurer received more than four 24 personal lines risks during the calendar year, except for risks being removed from the Citizens Property Insurance Corporation and placed with that insurer by a brokering agent. Once the insurer has reported pursuant to this subsection an agent’s name to the department, additional reports on the same agent shall not be required. However, the fee set forth in s. 624.501 must shall be paid for the agent by the insurer for each year until the insurer notifies the department that the insurer is no longer accepting business from the agent pursuant to this section. The insurer may require that the agent reimburse the insurer for the fee.

Section 30. Subsection (4) of section 626.793, Florida
Statutes, is amended to read:

626.793 Excess or rejected business.—

(4) Within 15 days after the last day of each month, any insurer accepting business under this section shall report to the department the name, address, telephone number, and social security number of each agent from which the insurer received more than four risks during the calendar year. Once the insurer has reported an agent’s name to the department pursuant to this subsection, additional reports on the same agent shall not be required. However, the fee set forth in s. 624.501 must be paid for the agent by the insurer for each year until the insurer notifies the department that the insurer is no longer accepting business from the agent pursuant to this section. The insurer may require that the agent reimburse the insurer for the fee.

Section 31. Subsection (5) of section 626.837, Florida Statutes, is amended to read:

626.837 Excess or rejected business.—

(5) Within 15 days after the last day of each month, any insurer accepting business under this section shall report to the department the name, address, telephone number, and social security number of each agent from which the insurer received more than four risks during the calendar year. Once the insurer has reported pursuant to this subsection an agent’s name to the department, additional reports on the same agent shall not be required. However, the fee set forth in s. 624.501 must be paid for the agent by the insurer for each year until the insurer notifies the department that the insurer is no longer accepting business from the agent pursuant to this
section. The insurer may require that the agent reimburse the insurer for the fee.

Section 32. Subsection (5) of section 626.8732, Florida Statutes, is amended to read:

626.8732 Nonresident public adjuster’s qualifications, bond.—

(5) After licensure as a nonresident public adjuster, as a condition of doing business in this state, the licensee must annually on or before January 1, on a form prescribed by the department, submit an affidavit certifying that the licensee is familiar with and understands the insurance code and rules adopted thereunder and the provisions of the contracts negotiated or to be negotiated. Compliance with this filing requirement is a condition precedent to the issuance, continuation, reinstatement, or renewal of a nonresident public adjuster’s appointment.

Section 33. Subsection (4) of section 626.8734, Florida Statutes, is amended to read:

626.8734 Nonresident all-lines adjuster license qualifications.—

(4) As a condition of doing business in this state as a nonresident independent adjuster, the appointee must submit an affidavit to the department certifying that the licensee is familiar with and understands the insurance laws and administrative rules of this state and the provisions of the contracts negotiated or to be negotiated. Compliance with this filing requirement is a condition precedent to the issuance, continuation, reinstatement, or renewal of a nonresident independent adjuster’s appointment.
Section 34. Paragraph (h) of subsection (1) of section 626.88, Florida Statutes, is amended to read:

626.88 Definitions.—For the purposes of this part, the term:

(1) “Administrator” is any person who directly or indirectly solicits or effects coverage of, collects charges or premiums from, or adjusts or settles claims on residents of this state in connection with authorized commercial self-insurance funds or with insured or self-insured programs which provide life or health insurance coverage or coverage of any other expenses described in s. 624.33(1) or any person who, through a health care risk contract as defined in s. 641.234 with an insurer or health maintenance organization, provides billing and collection services to health insurers and health maintenance organizations on behalf of health care providers, other than any of the following persons:

(h) A person appointed licensed as a managing general agent in this state, whose activities are limited exclusively to the scope of activities conveyed under such appointment license.

A person who provides billing and collection services to health insurers and health maintenance organizations on behalf of health care providers shall comply with the provisions of ss. 627.6131, 641.3155, and 641.51(4).

Section 35. Subsection (2) of section 626.927, Florida Statutes, is amended to read:

626.927 Licensing of surplus lines agent.—

(2) Any individual, while licensed and appointed as a managing general agent as defined in s. 626.015, or service
representative as defined in s. 626.015, and who otherwise possesses all of the other qualifications of a general lines agent under this code, and who has a minimum of 1 \text{ year} of \text{ year}'s experience working for a licensed surplus lines agent or who has successfully completed 60 class hours in surplus and excess lines in a course approved by the department, may, upon taking and successfully passing a written examination as to surplus lines, as given by the department, be licensed as a surplus lines agent solely for the purpose of placing with surplus lines insurers property, marine, casualty, or surety coverages originated by general lines agents; except that no examination as for a general lines agent's license shall be required of any managing general agent or service representative who held a Florida surplus lines agent's license as of January 1, 1959.

Section 36. Subsection (2) of section 626.929, Florida Statutes, is amended to read:

626.929 Origination, acceptance, placement of surplus lines business.—

(2) A managing general agent, while also licensed and appointed as a surplus lines agent under this part, may accept and place solely such surplus lines business as is originated by a Florida-licensed general lines agent appointed and licensed as to the kinds of insurance involved and may compensate such agent therefor.

Section 37. Subsection (3) of section 626.930, Florida Statutes, is amended to read:

626.930 Records of surplus lines agent.—

(3) Each surplus lines agent shall maintain all surplus lines business records in his or her general lines agency
office, if licensed as a general lines agent, or in his or her managing general agency office, if licensed as a managing general agent or the full-time salaried employee of such general agent.

Section 38. Subsection (2) of section 626.9892, Florida Statutes, is amended to read:

626.9892 Anti-Fraud Reward Program; reporting of insurance fraud.—

(2) The department may pay rewards of up to $25,000 to persons providing information leading to the arrest and conviction of persons committing crimes investigated by the department arising from violations of s. 440.105, s. 624.15, s. 626.9541, s. 626.989, s. 790.164, s. 790.165, s. 790.166, s. 806.01, s. 806.031, s. 806.10, s. 806.111, s. 817.233, or s. 817.234.

Section 39. Subsection (3) of section 633.302, Florida Statutes, is amended to read:

633.302 Florida Fire Safety Board; membership; duties; meetings; officers; quorum; compensation; seal.—

(3) The State Fire Marshal’s term on the board, or that of her or his designee, must shall coincide with the State Fire Marshal’s term of office. Of the other six members of the board, one member must shall be appointed for an initial a term of 1 year, one member for an initial a term of 2 years, two members for initial terms of 3 years, and two members for initial terms of 4 years. After the initial term, each member will have a 4-year term. All terms expire on June 30 of the last year of the term. When the term of a member expires, the State Fire Marshal shall appoint a member to fill the vacancy for a term of 4
years. The State Fire Marshal may remove any appointed member for cause. A vacancy in the membership of the board for any cause must be filled by appointment by the State Fire Marshal for the balance of the unexpired term.

Section 40. Subsection (2), paragraph (a) of subsection (3), and paragraphs (b), (c), and (d) of subsection (4) of section 633.304, Florida Statutes, are amended to read:

633.304 Fire suppression equipment; license to install or maintain.—

(2) A person who holds a valid fire equipment dealer license may maintain such license in an inactive status during which time he or she may not engage in any work under the definition of the license held. An inactive status license is void after 4 years or when the license is renewed, whichever comes first. However, an inactive status license must be reactivated before December 31 of each odd-numbered year. An inactive status license may not be reactivated unless the continuing education requirements of this chapter have been fulfilled.

(3) Each individual actually performing the work of servicing, recharging, repairing, hydrotesting, installing, testing, or inspecting fire extinguishers or preengineered systems must possess a valid and subsisting permit issued by the division. Permittees are limited as to specific type of work performed to allow work no more extensive than the class of license held by the licensee under whom the permittee is working. Permits will be issued by the division as follows:

(a) Portable permit: “Portable permittee” means a person who is limited to performing work no more extensive than the
employing or contractually related licensee in the servicing,
recharging, repairing, installing, or inspecting all types of
portable fire extinguishers.

Any fire equipment permittee licensed pursuant to this
subsection who does not want to engage in servicing, inspecting,
recharging, repairing, hydrotesting, or installing halon
equipment must file an affidavit on a form provided by the
division so stating. Permits will be issued by the division to
show the work authorized thereunder. It is unlawful, unlicensed
activity for a person or firm to falsely hold himself or herself
out to perform any service, inspection, recharge, repair,
hydrotest, or installation except as specifically described in
the permit.

(4)

(b) After initial licensure, each licensee or permittee
must successfully complete a course or courses of continuing
education for fire equipment technicians of at least 16 hours. A
license or permit may not be renewed unless the licensee or
permittee produces documentation of the completion of at least
16 hours of continuing education for fire equipment technicians
during the biennial licensure period. A person who is both a
licensee and a permittee shall be required to complete 16 hours
of continuing education during each renewal period. Each
licensee shall ensure that all permittees in his or her
employment or through a contractual agreement meet their
continuing education requirements. The State Fire Marshal shall
adopt rules describing the continuing education requirements and
shall have the authority upon reasonable belief, to audit a fire
equipment dealer to determine compliance with continuing education requirements.

(c) The forms of such licenses and permits and applications therefor must be prescribed by the State Fire Marshal; in addition to such other information and data as that officer determines is appropriate and required for such forms, there must be included in such forms the following matters. Each such application must be in such form as to provide that the data and other information set forth therein shall be sworn to by the applicant or, if a corporation, by an officer thereof. An application for a permit must include the name of the licensee employing, or contractually related to, such permittee, and the permit issued in pursuance of such application must also set forth the name of such licensee. A permit is valid solely for use by the holder thereof in his or her employment by, or contractual relationship with, the licensee named in the permit.

(d) A license of any class may not be issued or renewed by the division and a license of any class does not remain operative unless:

1. The applicant has submitted to the State Fire Marshal evidence of registration as a Florida corporation or evidence of compliance with s. 865.09.

2. The State Fire Marshal or his or her designee has by inspection determined that the applicant possesses the equipment required for the class of license sought. The State Fire Marshal shall give an applicant a reasonable opportunity to correct any deficiencies discovered by inspection. To obtain such inspection, an applicant with facilities located outside this state must:
a. Provide a notarized statement from a professional engineer licensed by the applicant’s state of domicile certifying that the applicant possesses the equipment required for the class of license sought and that all such equipment is operable; or

b. Allow the State Fire Marshal or her or his designee to inspect the facility. All costs associated with the State Fire Marshal’s inspection must be paid by the applicant. The State Fire Marshal, in accordance with s. 120.54, may adopt rules to establish standards for the calculation and establishment of the amount of costs associated with any inspection conducted by the State Fire Marshal under this section. Such rules must include procedures for invoicing and receiving funds in advance of the inspection.

3. The applicant has submitted to the State Fire Marshal proof of insurance providing coverage for comprehensive general liability for bodily injury and property damage, products liability, completed operations, and contractual liability. The State Fire Marshal shall adopt rules providing for the amounts of such coverage, but such amounts may not be less than $300,000 for Class A or Class D licenses, $200,000 for Class B licenses, and $100,000 for Class C licenses; and the total coverage for any class of license held in conjunction with a Class D license may not be less than $300,000. The State Fire Marshal may, at any time after the issuance of a license or its renewal, require upon demand, and in no event more than 30 days after notice of such demand, the licensee to provide proof of insurance, on the insurer’s form provided by the State Fire Marshal, containing confirmation of insurance coverage as required by this chapter.
Failure, for any length of time, to provide proof of insurance coverage as required must shall result in the immediate suspension of the license until proof of proper insurance is provided to the State Fire Marshal. An insurer that which provides such coverage shall notify the State Fire Marshal of any change in coverage or of any termination, cancellation, or nonrenewal of any coverage.

4. The applicant applies to the State Fire Marshal, provides proof of experience, and successfully completes a prescribed training course offered by the State Fire College or an equivalent course approved by the State Fire Marshal. This subparagraph does not apply to any holder of or applicant for a permit under paragraph (g) or to a business organization or a governmental entity seeking initial licensure or renewal of an existing license solely for the purpose of inspecting, servicing, repairing, marking, recharging, and maintaining fire extinguishers used and located on the premises of and owned by such organization or entity.

5. The applicant has a current retestor identification number that is appropriate for the license for which the applicant is applying and that is listed with the United States Department of Transportation.

6. The applicant has passed, with a grade of at least 70 percent, a written examination testing his or her knowledge of the rules and statutes governing the activities authorized by the license and demonstrating his or her knowledge and ability to perform those tasks in a competent, lawful, and safe manner. Such examination must shall be developed and administered by the State Fire Marshal, or his or her designee in accordance with

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policies and procedures of the State Fire Marshal. An applicant shall pay a nonrefundable examination fee of $50 for each examination or reexamination scheduled. A reexamination may not be scheduled sooner than 30 days after any administration of an examination to an applicant. An applicant may not be permitted to take an examination for any level of license more than a total of four times during 1 year, regardless of the number of applications submitted. As a prerequisite to licensure of the applicant, he or she:

a. Must be at least 18 years of age.

b. Must have 4 years of proven experience as a fire equipment permittee at a level equal to or greater than the level of license applied for or have a combination of education and experience determined to be equivalent thereto by the State Fire Marshal. Having held a permit at the appropriate level for the required period constitutes the required experience.

c. Must not have been convicted of a felony or a crime punishable by imprisonment of 1 year or more under the law of the United States or of any state thereof or under the law of any other country. “Convicted” means a finding of guilt or the acceptance of a plea of guilty or nolo contendere in any federal or state court or a court in any other country, without regard to whether a judgment of conviction has been entered by the court having jurisdiction of the case. If an applicant has been convicted of any such felony, the applicant shall be excluded from licensure for a period of 4 years after expiration of sentence or final release by the Florida Commission on Offender Review unless the applicant, before the expiration of the 4-year period, has received a full pardon or has had her or his civil
This subparagraph does not apply to any holder of or applicant for a permit under paragraph (g) or to a business organization or a governmental entity seeking initial licensure or renewal of an existing license solely for the purpose of inspecting, servicing, repairing, marking, recharging, hydrotesting, and maintaining fire extinguishers used and located on the premises of and owned by such organization or entity.

Section 41. Subsection (7) of section 633.318, Florida Statutes, is amended to read:

633.318 Certificate application and issuance; permit issuance; examination and investigation of applicant.—

(7) The State Fire Marshal may, at any time subsequent to the issuance of the certificate or its renewal, require, upon demand and in no event more than 30 days after notice of the demand, the certificateholder to provide proof of insurance coverage on the insurer’s form provided by the State Fire Marshal containing confirmation of insurance coverage as required by this chapter. Failure to provide proof of insurance coverage as required, for any length of time, shall result in the immediate suspension of the certificate until proof of insurance is provided to the State Fire Marshal.

Section 42. Paragraph (b) of subsection (6) of section 633.408, Florida Statutes, is amended to read:

633.408 Firefighter and volunteer firefighter training and certification.—

(6)

(b) A Special Certificate of Compliance only authorizes an
individual to serve as an administrative and command head of a fire service provider.

1. An individual desiring to obtain a Special Certificate of Compliance may not be employed as a fire chief, fire coordinator, fire director, or fire administrator for a period of more than 1 year without obtaining certification.

2. An individual desiring to obtain a Special Certificate of Compliance may not serve as a command officer or function in a position dictating incident outcomes or objectives before achieving certification.

3. Retention requirements for a Special Certificate of Compliance must be similar to those provided in s. 633.414.

Section 43. Subsection (1) of section 633.416, Florida Statutes, is amended, present subsections (7) and (8) of that section are redesignated as subsections (8) and (9), respectively, and a new subsection (7) is added to that section, to read:

633.416 Firefighter employment and volunteer firefighter service; saving clause.—

(1) A fire service provider may not employ an individual to:

(a) Extinguish fires for the protection of life or property or to supervise individuals who perform such services unless the individual holds a current and valid Firefighter Certificate of Compliance; or

(b) Serve as the administrative and command head of a fire service provider for a period in excess of 1 year unless the individual holds a current and valid Firefighter Certificate of Compliance or Special Certificate of Compliance pursuant to s. 633.414.
(7) A fire service provider may employ individuals who have received equivalent training while active in the United States Department of Defense. The standard of equivalency of training must be verified by the division before such an individual’s employment begins. Such individual must obtain a Firefighter Certificate of Compliance within 24 months after employment.

Section 44. Paragraph (e) of subsection (1) of section 633.444, Florida Statutes, is amended to read:

633.444 Division powers and duties; Florida State Fire College.—

(1) The division, in performing its duties related to the Florida State Fire College, specified in this part, shall:

(e) Develop a staffing and funding formula for the Florida State Fire College. The formula must include differential funding levels for various types of programs, must be based on the number of full-time equivalent students and information obtained from scheduled attendance counts taken the first day of each program, and must provide the basis for the legislative budget request. As used in this section, a full-time equivalent student is equal to a minimum of 900 hours in a technical certificate program and 400 hours in a degree-seeking program. The funding formula must be as prescribed pursuant to s. 1011.62, must include procedures to document daily attendance, and must require that attendance records be retained for audit purposes.

Section 45. Subsection (8) of section 648.27, Florida Statutes, is amended to read:

648.27 Licenses and appointments; general.—
(8) An application for a managing general agent’s license must be made by an insurer who proposes to employ or appoint an individual, partnership, association, or corporation as a managing general agent. Such application shall contain the information required by s. 626.744, and the applicant shall pay the same fee as a managing general agent licensed pursuant to that section. An individual who is appointed as a managing general agent to supervise or manage bail bond business written in this state must also be licensed as a bail bond agent. In the case of an entity, at least one owner, officer, or director at each office location must be licensed as a bail bond agent.

Section 46. Present subsection (6) of section 648.34, Florida Statutes, is redesignated as subsection (7), and a new subsection (6) is added to that section, to read:

648.34 Bail bond agents; qualifications.—

(6) The completion and submission of fingerprints as required by this chapter are deemed to be met when an individual has previously submitted fingerprints to the department in support of an application for licensure under this chapter within the past 48 months. However, the department may require the individual to file fingerprints if it has reason to believe that an applicant or licensee has been found guilty of, or pleaded guilty or nolo contendere to, a felony or a crime related to the business of insurance in this or any other state or jurisdiction.

Section 47. For the purpose of incorporating the amendment made by this act to section 626.221, Florida Statutes, in a reference thereto, paragraph (b) of subsection (1) of section 626.8734, Florida Statutes, is reenacted to read:
626.8734 Nonresident all-lines adjuster license qualifications.—

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

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

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

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

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

Section 48. This act shall take effect July 1, 2018.