

By the Committees on Appropriations; Children, Families, and Elder Affairs; and Banking and Insurance; and Senator Stargel

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1 A bill to be entitled
2 An act relating to the Department of Financial
3 Services; amending s. 17.64, F.S.; providing that
4 electronic images of warrants, vouchers, or checks in
5 the Division of Treasury are deemed to be original
6 records; revising the applicable medium, from film or
7 print to electronic, in provisions relating to copies
8 and reproductions of records and documents of the
9 division; amending s. 20.121, F.S.; renaming the
10 Bureau of Fire and Arson Investigations within the
11 Division of Investigative and Forensic Services as the
12 Bureau of Fire, Arson, and Explosives Investigations;
13 creating the Bureau of Insurance Fraud and the Bureau
14 of Workers' Compensation Fraud within the division;
15 amending s. 39.6035, F.S.; requiring child transition
16 plans to address financial literacy by providing
17 specified information; amending s. 218.32, F.S.;
18 providing legislative intent relating to the creation
19 of the Florida Open Financial Statement System;
20 authorizing the Chief Financial Officer to consult
21 with certain stakeholders for input on the design and
22 implementation of the system; specifying requirements
23 and procedures for the Chief Financial Officer in
24 selecting and recruiting contractors for certain
25 purposes; requiring the Chief Financial Officer to
26 require completion of all work by a specified date;
27 providing that if the Chief Financial Officer deems
28 work products adequate, all local governmental
29 financial statements pertaining to fiscal years ending

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30 on or after a specified date must meet certain
31 requirements; providing construction; providing an
32 appropriation; amending s. 284.40, F.S.; authorizing
33 the department to disclose certain personal
34 identifying information of injured or deceased
35 employees which is exempt from disclosure under the
36 Workers' Compensation Law to department-contracted
37 vendors for certain purposes; amending s. 284.50,
38 F.S.; requiring safety coordinators of state
39 governmental departments to complete, within a certain
40 timeframe, safety coordinator training offered by the
41 department; requiring certain agencies to report
42 certain return-to-work information to the department;
43 requiring agencies to provide certain risk management
44 program information to the Division of Risk Management
45 for certain purposes; specifying requirements for
46 agencies in reviewing and responding to certain
47 information and communications provided by the
48 division; amending s. 409.1451, F.S.; conforming a
49 provision to changes made by the act; amending s.
50 414.411, F.S.; replacing the Department of Economic
51 Opportunity with the Department of Education in a list
52 of entities to which a public assistance recipient may
53 be required to provide written consent for certain
54 investigative inquiries and to which the department
55 must report investigation results; amending s.
56 624.317, F.S.; authorizing the department to conduct
57 investigations of any, rather than specified, agents
58 subject to its jurisdiction; amending s. 624.34, F.S.;

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59 conforming a provision to changes made by the act;
60 amending s. 624.4073, F.S.; prohibiting certain
61 officers or directors of insolvent insurers from
62 having direct or indirect control over certain
63 selection or appointment of officers or directors,
64 except under certain circumstances; amending ss.
65 624.4094, 624.501, 624.509, and 625.071, F.S.;
66 conforming provisions to changes made by the act;
67 amending s. 626.112, F.S.; requiring a managing
68 general agent to hold a currently effective producer
69 license rather than a managing general agent license;
70 amending s. 626.171, F.S.; deleting applicability of
71 licensing provisions as to managing general agents;
72 making a technical change; amending s. 626.202, F.S.;
73 providing that certain applicants are not required to
74 resubmit fingerprints to the department under certain
75 circumstances; authorizing the department to require
76 these applicants to file fingerprints under certain
77 circumstances; amending s. 626.207, F.S.; conforming a
78 provision to changes made by the act; amending s.
79 626.221, F.S.; adding a designation that exempts an
80 applicant for licensure as an all-lines adjuster from
81 an examination requirement; amending s. 626.451, F.S.;
82 deleting a requirement for law enforcement agencies
83 and state attorney's offices to notify the department
84 or the Office of Insurance Regulation of certain
85 felony dispositions; deleting a requirement for the
86 state attorney to provide the department or office a
87 certified copy of an information or indictment against

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88 a managing general agent; conforming a provision to
89 changes made by the act; amending s. 626.521, F.S.;
90 revising requirements for credit and character reports
91 secured and kept by insurers or employers appointing
92 certain insurance representatives; providing
93 applicability; amending s. 626.731, F.S.; deleting a
94 certain qualification for licensure as a general lines
95 agent; amending s. 626.7351, F.S.; revising a
96 qualification for licensure as a customer
97 representative; amending s. 626.744, F.S.; conforming
98 a provision to changes made by the act; amending s.
99 626.745, F.S.; revising conditions under which service
100 representatives and managing general agents may engage
101 in certain activities; amending ss. 626.7451 and
102 626.7455, F.S.; conforming provisions to changes made
103 by the act; amending s. 626.752, F.S.; revising a
104 requirement for the Brokering Agent's Register
105 maintained by brokering agents; revising the limit on
106 certain personal lines risks an insurer may receive
107 from an agent within a specified timeframe before the
108 insurer must comply with certain reporting
109 requirements for that agent; amending s. 626.793,
110 F.S.; revising the limit on certain risks that certain
111 insurers may receive from a life agent within a
112 specified timeframe before the insurer must comply
113 with certain reporting requirements for that agent;
114 amending s. 626.798, F.S.; revising a prohibition
115 applicable under certain circumstances to life agents
116 when the life agent or the life agent's family member

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117 is the named beneficiary under a certain life
118 insurance policy; revising a prohibition, and
119 exceptions from the prohibition, applicable to life
120 agents or their family members relating to certain
121 trustee, guardian, or power of attorney authority for
122 any person the life agent conducts insurance business
123 with; revising definitions; amending s. 626.837, F.S.;
124 revising the limit on certain risks that certain
125 insurers may receive from a health agent within a
126 specified timeframe before the insurer must comply
127 with certain reporting requirements for that agent;
128 amending s. 626.8732, F.S.; deleting a requirement for
129 a licensed nonresident public adjuster to submit a
130 certain annual affidavit to the department; amending
131 s. 626.8734, F.S.; deleting a requirement for a
132 nonresident independent adjuster to submit a certain
133 annual affidavit to the department; amending s.
134 626.88, F.S.; conforming a provision to changes made
135 by the act; amending s. 626.927, F.S.; revising
136 qualifications for licensure as a surplus lines agent;
137 amending s. 626.930, F.S.; revising a requirement
138 relating to the location of a surplus lines agent's
139 surplus lines business records; amending s. 626.9892,
140 F.S.; authorizing the department to pay up a specified
141 amount of rewards under the Anti-Fraud Reward Program
142 for information leading to the arrest and conviction
143 of persons guilty of arson; amending s. 633.302, F.S.;
144 revising the term duration of certain members of the
145 Florida Fire Safety Board; amending s. 633.304, F.S.;

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146 revising circumstances under which an inactive fire
147 equipment dealer license is void; specifying the
148 timeframe when an inactive license must be
149 reactivated; specifying that permittees performing
150 certain work on fire equipment may be contracted
151 rather than employed; revising a requirement for a
152 certain proof-of-insurance form to be provided by the
153 insurer rather than the State Fire Marshal; amending
154 s. 633.314, F.S.; requiring that serial numbers be
155 permanently affixed, rather than permanently stamped,
156 on certain plates of fire extinguishers; amending s.
157 633.318, F.S.; revising a requirement for a certain
158 proof-of-insurance form to be provided by the insurer
159 rather than the State Fire Marshal; amending s.
160 633.408, F.S.; specifying firefighter certification
161 requirements for certain individuals employed in
162 administrative and command positions of a fire service
163 provider; specifying conditions for an individual to
164 retain a Special Certificate of Compliance; amending
165 s. 633.444, F.S.; deleting a requirement for the
166 Division of State Fire Marshal to develop a staffing
167 and funding formula for the Florida State Fire
168 College; amending s. 648.27, F.S.; revising conditions
169 under which a managing general agent must also be
170 licensed as a bail bond agent; conforming a provision
171 to changes made by the act; amending s. 648.34, F.S.;
172 providing that certain individuals applying for bail
173 bond agent licensure are not required to resubmit
174 fingerprints to the department under certain

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175 circumstances; authorizing the department to require
176 such individuals to file fingerprints under certain
177 circumstances; reenacting s. 626.8734(1)(b), F.S.,
178 relating to nonresident all-lines adjuster license
179 qualifications, to incorporate the amendment made to
180 s. 626.221, F.S., in a reference thereto; providing an
181 effective date.

182
183 Be It Enacted by the Legislature of the State of Florida:

184
185 Section 1. Section 17.64, Florida Statutes, is amended to
186 read:

187 17.64 Division of Treasury to make reproductions of certain
188 warrants, records, and documents.-

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

200 (2) The Division of Treasury may electronically ~~photograph,~~
201 ~~microphotograph,~~ or reproduce ~~on film~~, all records and documents
202 of the division, as the Chief Financial Officer, in his or her
203 discretion, selects; and the division may destroy any such

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204 documents or records after they have been reproduced
205 electronically ~~photographed~~ and filed and after audit of the
206 division has been completed for the period embracing the dates
207 of such documents and records.

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

217 Section 2. Paragraph (e) of subsection (2) of section
218 20.121, Florida Statutes, is amended to read:

219 20.121 Department of Financial Services.—There is created a
220 Department of Financial Services.

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

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

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- 233 1. The Bureau of Forensic Services;
- 234 2. The Bureau of Fire, and Arson, and Explosives
- 235 Investigations; and
- 236 3. The Office of Fiscal Integrity, which shall have a
- 237 separate budget;-
- 238 4. The Bureau of Insurance Fraud; and
- 239 5. The Bureau of Workers' Compensation Fraud.
- 240 Section 3. Subsection (1) of section 39.6035, Florida
- 241 Statutes, is amended to read:
- 242 39.6035 Transition plan.—
- 243 (1) During the 180-day period after a child reaches 17
- 244 years of age, the department and the community-based care
- 245 provider, in collaboration with the caregiver and any other
- 246 individual whom the child would like to include, shall assist
- 247 the child in developing a transition plan. The required
- 248 transition plan is in addition to standard case management
- 249 requirements. The transition plan must address specific options
- 250 for the child to use in obtaining services, including housing,
- 251 health insurance, education, financial literacy, a driver
- 252 license, and workforce support and employment services. The plan
- 253 must also consider establishing and maintaining naturally
- 254 occurring mentoring relationships and other personal support
- 255 services. The transition plan may be as detailed as the child
- 256 chooses. In developing the transition plan, the department and
- 257 the community-based provider shall:
- 258 (a) Provide the child with the documentation required
- 259 pursuant to s. 39.701(3); ~~and~~
- 260 (b) Coordinate the transition plan with the independent
- 261 living provisions in the case plan and, for a child with

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262 disabilities, the Individuals with Disabilities Education Act
263 transition plan; ~~and-~~

264 (c) Provide information for the financial literacy
265 curriculum for youth offered by the Department of Financial
266 Services.

267 Section 4. Section 218.32, Florida Statutes, is amended to
268 read:

269 218.32 Annual financial reports; local governmental
270 entities; Florida Open Financial Statement System.-

271 (1) (a) Each local governmental entity that is determined to
272 be a reporting entity, as defined by generally accepted
273 accounting principles, and each independent special district as
274 defined in s. 189.012, shall submit to the department a copy of
275 its annual financial report for the previous fiscal year in a
276 format prescribed by the department. The annual financial report
277 must include a list of each local governmental entity included
278 in the report and each local governmental entity that failed to
279 provide financial information as required by paragraph (b). The
280 chair of the governing body and the chief financial officer of
281 each local governmental entity shall sign the annual financial
282 report submitted pursuant to this subsection attesting to the
283 accuracy of the information included in the report. The county
284 annual financial report must be a single document that covers
285 each county agency.

286 (b) Each component unit, as defined by generally accepted
287 accounting principles, of a local governmental entity shall
288 provide the local governmental entity, within a reasonable time
289 period as established by the local governmental entity, with
290 financial information necessary to comply with the reporting

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291 requirements contained in this section.

292 (c) Each regional planning council created under s.
293 186.504, each local government finance commission, board, or
294 council, and each municipal power corporation created as a
295 separate legal or administrative entity by interlocal agreement
296 under s. 163.01(7) shall submit to the department a copy of its
297 audit report and an annual financial report for the previous
298 fiscal year in a format prescribed by the department.

299 (d) Each local governmental entity that is required to
300 provide for an audit under s. 218.39(1) must submit a copy of
301 the audit report and annual financial report to the department
302 within 45 days after the completion of the audit report but no
303 later than 9 months after the end of the fiscal year.

304 (e) Each local governmental entity that is not required to
305 provide for an audit under s. 218.39 must submit the annual
306 financial report to the department no later than 9 months after
307 the end of the fiscal year. The department shall consult with
308 the Auditor General in the development of the format of annual
309 financial reports submitted pursuant to this paragraph. The
310 format must include balance sheet information used by the
311 Auditor General pursuant to s. 11.45(7)(f). The department must
312 forward the financial information contained within the annual
313 financial reports to the Auditor General in electronic form.
314 This paragraph does not apply to housing authorities created
315 under chapter 421.

316 (f) If the department does not receive a completed annual
317 financial report from a local governmental entity within the
318 required period, it shall notify the Legislative Auditing
319 Committee and the Special District Accountability Program of the

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320 Department of Economic Opportunity of the entity's failure to
321 comply with the reporting requirements.

322 (g) Each local governmental entity's website must provide a
323 link to the department's website to view the entity's annual
324 financial report submitted to the department pursuant to this
325 section. If the local governmental entity does not have an
326 official website, the county government's website must provide
327 the required link for the local governmental entity.

328 (h) It is the intent of the Legislature to create the
329 Florida Open Financial Statement System, an interactive
330 repository for governmental financial statements.

331 1. The Chief Financial Officer may consult with
332 stakeholders, including the department, the Auditor General, a
333 representative of a municipality or county, a representative of
334 a special district, a municipal bond investor, and an
335 information technology professional employed in the private
336 sector, for input on the design and implementation of the
337 Florida Open Financial Statement System.

338 2. The Chief Financial Officer may choose contractors to
339 build one or more eXtensible Business Reporting Language (XBRL)
340 taxonomies suitable for state, county, municipal, and special
341 district financial filings and to create a software tool that
342 enables financial statement filers to easily create XBRL
343 documents consistent with the taxonomy or taxonomies. The Chief
344 Financial Officer shall recruit and select contractors through
345 an open request for proposals process pursuant to chapter 287.

346 3. The Chief Financial Officer shall require all work to be
347 completed no later than December 31, 2021.

348 4. If the Chief Financial Officer deems the work products

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349 adequate, all local governmental financial statements pertaining
350 to fiscal years ending on or after September 1, 2022, must be
351 filed in XBRL format and must meet the validation requirements
352 of the relevant taxonomy.

353 5. A local government that commences filing in XBRL format
354 may not be required to make filings in Portable Document Format.

355 (2) The department shall annually by December 1 file a
356 verified report with the Governor, the Legislature, the Auditor
357 General, and the Special District Accountability Program of the
358 Department of Economic Opportunity showing the revenues, both
359 locally derived and derived from intergovernmental transfers,
360 and the expenditures of each local governmental entity, regional
361 planning council, local government finance commission, and
362 municipal power corporation that is required to submit an annual
363 financial report. The report must include, but is not limited
364 to:

365 (a) The total revenues and expenditures of each local
366 governmental entity that is a component unit included in the
367 annual financial report of the reporting entity.

368 (b) The amount of outstanding long-term debt by each local
369 governmental entity. For purposes of this paragraph, the term
370 "long-term debt" means any agreement or series of agreements to
371 pay money, which, at inception, contemplate terms of payment
372 exceeding 1 year in duration.

373 (3) The department shall notify the President of the Senate
374 and the Speaker of the House of Representatives of any
375 municipality that has not reported any financial activity for
376 the last 4 fiscal years. Such notice must be sufficient to
377 initiate dissolution procedures as described in s.

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378 165.051(1)(a). Any special law authorizing the incorporation or
379 creation of the municipality must be included within the
380 notification.

381 Section 5. For the 2018-2019 fiscal year, the sum of
382 \$500,000 is appropriated from the Insurance Regulatory Trust
383 Fund to the Chief Financial Officer for the development of XBRL
384 taxonomies for state, county, municipal, and special district
385 financial filings.

386 Section 6. Section 284.40, Florida Statutes, is amended to
387 read:

388 284.40 Division of Risk Management; disclosure of certain
389 workers' compensation-related information by the Department of
390 Financial Services.—

391 (1) It shall be the responsibility of the Division of Risk
392 Management of the Department of Financial Services to administer
393 this part and the provisions of s. 287.131.

394 (2) The claim files maintained by the Division of Risk
395 Management shall be confidential, shall be only for the usage by
396 the Department of Financial Services in fulfilling its duties
397 and responsibilities under this part, and shall be exempt from
398 the provisions of s. 119.07(1).

399 (3) Upon certification by the division director or his or
400 her designee to the custodian of any records maintained by the
401 Department of Children and Families, Department of Health,
402 Agency for Health Care Administration, or Department of Elderly
403 Affairs that such records are necessary to investigate a claim
404 against the Department of Children and Families, Department of
405 Health, Agency for Health Care Administration, or Department of
406 Elderly Affairs being handled by the Division of Risk

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407 Management, the records shall be released to the division
408 subject to the provisions of subsection (2), any conflicting
409 provisions as to the confidentiality of such records
410 notwithstanding.

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

417 Section 7. Section 284.50, Florida Statutes, is amended to
418 read:

419 284.50 Loss prevention program; safety coordinators;
420 Interagency Advisory Council on Loss Prevention; employee
421 recognition program; return-to-work programs; risk management
422 programs.—

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

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

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

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

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

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

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

483 (4) The Division of Risk Management shall evaluate each
484 agency's risk management programs, including, but not limited
485 to, return-to-work, safety, and loss prevention programs, at
486 least once every 5 years. Reports, including, but not limited
487 to, any recommended corrective action, resulting from such
488 evaluations must ~~shall~~ be provided to the head of the agency
489 being evaluated, the Chief Financial Officer, and the director
490 of the Division of Risk Management. The agency head must provide
491 to the Division of Risk Management a response to all report
492 recommendations within 45 days and a plan to implement any
493 corrective action to be taken as part of the response. If the

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494 agency disagrees with any final report recommendations,
495 including, but not limited to, any recommended corrective
496 action, or if the agency fails to implement any recommended
497 corrective action within a reasonable time, the division shall
498 submit the evaluation report to the legislative appropriations
499 committees. Each agency shall provide risk management program
500 information to the Division of Risk Management to support the
501 Division of Risk Management's mandatory evaluation and reporting
502 requirements in this subsection.

503 (5) Each agency shall:

504 (a) Review information provided by the Division of Risk
505 Management on claims and losses;

506 (b) Identify any discrepancies between the Division of Risk
507 Management's records and the agency's records and report such
508 discrepancies to the Division of Risk Management in writing; and

509 (c) Review and respond to communications from the Division
510 of Risk Management identifying unsafe or inappropriate
511 conditions, policies, procedures, trends, equipment, or actions
512 or incidents that have led or may lead to accidents or claims
513 involving the state.

514 Section 8. Paragraph (b) of subsection (3) of section
515 409.1451, Florida Statutes, is amended to read:

516 409.1451 The Road-to-Independence Program.—

517 (3) AFTERCARE SERVICES.—

518 (b) Aftercare services include, but are not limited to, the
519 following:

- 520 1. Mentoring and tutoring.
- 521 2. Mental health services and substance abuse counseling.
- 522 3. Life skills classes, including credit management and

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523 preventive health activities.

524 4. Parenting classes.

525 5. Job and career skills training.

526 6. Counselor consultations.

527 7. Temporary financial assistance for necessities,
528 including, but not limited to, education supplies,
529 transportation expenses, security deposits for rent and
530 utilities, furnishings, household goods, and other basic living
531 expenses.

532 8. Financial literacy skills training pursuant to s.
533 39.6035(1)(c).

534

535 The specific services to be provided under this paragraph shall
536 be determined by an assessment of the young adult and may be
537 provided by the community-based care provider or through
538 referrals in the community.

539 Section 9. Subsections (1) and (3) of section 414.411,
540 Florida Statutes, are amended to read:

541 414.411 Public assistance fraud.—

542 (1) The Department of Financial Services shall investigate
543 all public assistance provided to residents of the state or
544 provided to others by the state. In the course of such
545 investigation the department shall examine all records,
546 including electronic benefits transfer records and make inquiry
547 of all persons who may have knowledge as to any irregularity
548 incidental to the disbursement of public moneys, food
549 assistance, or other items or benefits authorizations to
550 recipients. All public assistance recipients, as a condition
551 precedent to qualification for public assistance under chapter

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552 409, chapter 411, or this chapter, must first give in writing,
553 to the Agency for Health Care Administration, the Department of
554 Health, the Department of Education ~~Economic Opportunity~~, and
555 the Department of Children and Families, as appropriate, and to
556 the Department of Financial Services, consent to make inquiry of
557 past or present employers and records, financial or otherwise.

558 (3) The results of such investigation shall be reported by
559 the Department of Financial Services to the appropriate
560 legislative committees, the Agency for Health Care
561 Administration, the Department of Health, the Department of
562 Education ~~Economic Opportunity~~, and the Department of Children
563 and Families, and to such others as the department may
564 determine.

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

567 624.317 Investigation of agents, adjusters, administrators,
568 service companies, and others.—If it has reason to believe that
569 any person has violated or is violating any provision of this
570 code, or upon the written complaint signed by any interested
571 person indicating that any such violation may exist:

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

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

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581 624.34 Authority of Department of Law Enforcement to accept
582 fingerprints of, and exchange criminal history records with
583 respect to, certain persons.—

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

592 Section 12. Section 624.4073, Florida Statutes, is amended
593 to read:

594 624.4073 Officers and directors of insolvent insurers.—Any
595 person who was an officer or director of an insurer doing
596 business in this state and who served in that capacity within
597 the 2-year period before ~~prior to~~ the date the insurer became
598 insolvent, for any insolvency that occurs on or after July 1,
599 2002, may not thereafter serve as an officer or director of an
600 insurer authorized in this state or have direct or indirect
601 control over the selection or appointment of an officer or
602 director through contract, trust, or by operation of law, unless
603 the officer or director demonstrates that his or her personal
604 actions or omissions were not a significant contributing cause
605 to the insolvency.

606 Section 13. Subsection (1) of section 624.4094, Florida
607 Statutes, is amended to read:

608 624.4094 Bail bond premiums.—

609 (1) The Legislature finds that a significant portion of

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610 bail bond premiums is retained by the licensed bail bond agents
 611 or appointed ~~licensed~~ managing general agents. For purposes of
 612 reporting in financial statements required to be filed with the
 613 office pursuant to s. 624.424, direct written premiums for bail
 614 bonds by a domestic insurer in this state shall be reported net
 615 of any amounts retained by licensed bail bond agents or
 616 appointed ~~licensed~~ managing general agents. However, in no case
 617 shall the direct written premiums for bail bonds be less than
 618 6.5 percent of the total consideration received by the agent for
 619 all bail bonds written by the agent. This subsection also
 620 applies to any determination of compliance with s. 624.4095.

621 Section 14. Paragraph (e) of subsection (19) of section
 622 624.501, Florida Statutes, is amended to read:

623 624.501 Filing, license, appointment, and miscellaneous
 624 fees.—The department, commission, or office, as appropriate,
 625 shall collect in advance, and persons so served shall pay to it
 626 in advance, fees, licenses, and miscellaneous charges as
 627 follows:

628 (19) Miscellaneous services:

629 (e) Insurer's registration fee for agent exchanging
 630 business more than four ~~24~~ times in a calendar year under s.
 631 626.752, s. 626.793, or s. 626.837, registration fee per agent
 632 per year.....\$30.00

633 Section 15. Subsection (1) of section 624.509, Florida
 634 Statutes, is amended to read:

635 624.509 Premium tax; rate and computation.—

636 (1) In addition to the license taxes provided for in this
 637 chapter, each insurer shall also annually, and on or before
 638 March 1 in each year, except as to wet marine and transportation

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639 insurance taxed under s. 624.510, pay to the Department of
640 Revenue a tax on insurance premiums, premiums for title
641 insurance, or assessments, including membership fees and policy
642 fees and gross deposits received from subscribers to reciprocal
643 or interinsurance agreements, and on annuity premiums or
644 considerations, received during the preceding calendar year, the
645 amounts thereof to be determined as set forth in this section,
646 to wit:

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

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

665 (b) An amount equal to 1 percent of the gross receipts on
666 annuity policies or contracts paid by holders thereof in this
667 state; and

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668 (c) An amount equal to 1.75 percent of the direct written
669 premiums for bail bonds, excluding any amounts retained by
670 licensed bail bond agents or appointed ~~licensed~~ managing general
671 agents.

672 Section 16. Section 625.071, Florida Statutes, is amended
673 to read:

674 625.071 Special reserve for bail and judicial bonds.—In
675 lieu of the unearned premium reserve required on surety bonds
676 under s. 625.051, the office may require any surety insurer or
677 limited surety insurer to set up and maintain a reserve on all
678 bail bonds or other single-premium bonds without definite
679 expiration date, furnished in judicial proceedings, equal to the
680 lesser of 35 percent of the bail premiums in force or \$7 per
681 \$1,000 of bail liability. Such reserve shall be reported as a
682 liability in financial statements required to be filed with the
683 office. Each insurer shall file a supplementary schedule showing
684 bail premiums in force and bail liability and the associated
685 special reserve for bail and judicial bonds with financial
686 statements required by s. 624.424. Bail premiums in force do not
687 include amounts retained by licensed bail bond agents or
688 appointed ~~licensed~~ managing general agents, but may not be less
689 than 6.5 percent of the total consideration received for all
690 bail bonds in force.

691 Section 17. Subsection (5) of section 626.112, Florida
692 Statutes, is amended to read:

693 626.112 License and appointment required; agents, customer
694 representatives, adjusters, insurance agencies, service
695 representatives, managing general agents.—

696 (5) A ~~No~~ person may not ~~shall~~ be, act as, or represent or

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697 hold himself or herself out to be a managing general agent
698 unless he or she then holds a currently effective producer
699 license and a managing general agent ~~license and~~ appointment.

700 Section 18. Section 626.171, Florida Statutes, is amended
701 to read:

702 626.171 Application for license as an agent, customer
703 representative, adjuster, service representative, ~~managing~~
704 ~~general agent,~~ or reinsurance intermediary.-

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

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

721 (a) His or her full name, age, social security number,
722 residence address, business address, mailing address, contact
723 telephone numbers, including a business telephone number, and e-
724 mail address.

725 (b) A statement indicating the method the applicant used or

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726 is using to meet any required prelicensing education, knowledge,
727 experience, or instructional requirements for the type of
728 license applied for.

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

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

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

739 (f) The applicant's gender (male or female).

740 (g) The applicant's native language.

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

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

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

750

751 However, the application must contain a statement that an
752 applicant is not required to disclose his or her race or
753 ethnicity, gender, or native language, that he or she will not
754 be penalized for not doing so, and that the department will use

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755 this information exclusively for research and statistical
756 purposes and to improve the quality and fairness of the
757 examinations.

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

760 (4) An applicant for a license as an agent, customer
761 representative, adjuster, service representative, ~~managing~~
762 ~~general agent~~, or reinsurance intermediary must submit a set of
763 the individual applicant's fingerprints, or, if the applicant is
764 not an individual, a set of the fingerprints of the sole
765 proprietor, majority owner, partners, officers, and directors,
766 to the department and must pay the fingerprint processing fee
767 set forth in s. 624.501. Fingerprints must ~~shall~~ be used to
768 investigate the applicant's qualifications pursuant to s.
769 626.201. The fingerprints must ~~shall~~ be taken by a law
770 enforcement agency, designated examination center, or other
771 department-approved entity. The department shall require all
772 designated examination centers to have fingerprinting equipment
773 and to take fingerprints from any applicant or prospective
774 applicant who pays the applicable fee. The department may not
775 approve an application for licensure as an agent, customer
776 service representative, adjuster, service representative,
777 ~~managing general agent~~, or reinsurance intermediary if
778 fingerprints have not been submitted.

779 (5) The application for license filing fee prescribed in s.
780 624.501 is not subject to refund.

781 (6) Members of the United States Armed Forces and their
782 spouses, and veterans of the United States Armed Forces who have
783 retired within 24 months before application for licensure, are

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784 exempt from the application filing fee prescribed in s. 624.501.
785 Qualified individuals must provide a copy of a military
786 identification card, military dependent identification card,
787 military service record, military personnel file, veteran
788 record, discharge paper, ~~or separation document,~~ or a separation
789 document that indicates such members of the United States Armed
790 Forces are currently in good standing or were honorably
791 discharged.

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

799 Section 19. Section 626.202, Florida Statutes, is amended
800 to read:

801 626.202 Fingerprinting requirements.—

802 (1) The requirements for completion and submission of
803 fingerprints under this chapter are deemed to be met when an
804 individual currently licensed under this chapter seeks
805 additional licensure and has previously submitted fingerprints
806 to the department within the past 48 months. However, the
807 department may require the individual to file fingerprints if it
808 has reason to believe that an applicant or licensee has been
809 found guilty of, or pleaded guilty or nolo contendere to, a
810 felony or a crime related to the business of insurance in this
811 state or any other state or jurisdiction.

812 (2) If there is a change in ownership or control of any

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813 entity licensed under this chapter, or if a new partner,
814 officer, or director is employed or appointed, a set of
815 fingerprints of the new owner, partner, officer, or director
816 must be filed with the department or office within 30 days after
817 the change. The acquisition of 10 percent or more of the voting
818 securities of a licensed entity is considered a change of
819 ownership or control. The fingerprints must be taken by a law
820 enforcement agency or other department-approved entity and be
821 accompanied by the fingerprint processing fee in s. 624.501.

822 Section 20. Subsection (9) of section 626.207, Florida
823 Statutes, is amended to read:

824 626.207 Disqualification of applicants and licensees;
825 penalties against licensees; rulemaking authority.—

826 (9) Section 112.011 does not apply to any applicants for
827 licensure under the Florida Insurance Code, including, but not
828 limited to, agents, agencies, adjusters, adjusting firms, or
829 customer representatives, ~~or managing general agents.~~

830 Section 21. Paragraph (j) of subsection (2) of section
831 626.221, Florida Statutes, is amended to read:

832 626.221 Examination requirement; exemptions.—

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

835 (j) An applicant for license as an all-lines adjuster who
836 has the designation of Accredited Claims Adjuster (ACA) from a
837 regionally accredited postsecondary institution in this state,
838 Associate in Claims (AIC) from the Insurance Institute of
839 America, Professional Claims Adjuster (PCA) from the
840 Professional Career Institute, Professional Property Insurance
841 Adjuster (PPIA) from the HurriClaim Training Academy, Certified

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842 Adjuster (CA) from ALL LINES Training, Certified Claims Adjuster
843 (CCA) from AE21 Incorporated, Claims Adjuster Certified
844 Professional (CACP) from WebCE, Inc., or Universal Claims
845 Certification (UCC) from Claims and Litigation Management
846 Alliance (CLM) whose curriculum has been approved by the
847 department and which includes comprehensive analysis of basic
848 property and casualty lines of insurance and testing at least
849 equal to that of standard department testing for the all-lines
850 adjuster license. The department shall adopt rules establishing
851 standards for the approval of curriculum.

852 Section 22. Present subsections (6) and (7) of section
853 626.451, Florida Statutes, are redesignated as subsections (5)
854 and (6), respectively, and subsections (1) and (5) and present
855 subsection (6) of that section are amended, to read:

856 626.451 Appointment of agent or other representative.—

857 (1) Each appointing entity or person designated by the
858 department to administer the appointment process appointing an
859 agent, adjuster, service representative, customer
860 representative, or managing general agent in this state shall
861 file the appointment with the department or office and, at the
862 same time, pay the applicable appointment fee and taxes. Every
863 appointment is ~~shall be~~ subject to the prior issuance of the
864 appropriate agent's, adjuster's, service representative's, or
865 customer representative's, ~~or managing general agent's~~ license.

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

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871 (5)~~(6)~~ Upon the filing of an information or indictment
872 against an agent, adjuster, service representative, or customer
873 representative, ~~or managing general agent,~~ the state attorney
874 shall immediately furnish the department or office a certified
875 copy of the information or indictment.

876 Section 23. Section 626.521, Florida Statutes, is amended
877 to read:

878 626.521 ~~Character,~~ Credit and character reports.-

879 (1) Before appointing ~~As to each applicant who~~ for the
880 first time in this state an is applying and qualifying for a
881 ~~license as~~ agent, adjuster, service representative, customer
882 representative, or managing general agent, the appointing
883 insurer or employer shall ~~its manager or general agent in this~~
884 ~~state, in the case of agents, or the appointing general lines~~
885 ~~agent, in the case of customer representatives, or the employer,~~
886 ~~in the case of service representatives and of adjusters who are~~
887 ~~not to be self-employed, shall coincidentally with such~~
888 ~~appointment or employment~~ secure and thereafter keep on file a
889 full detailed credit and character report ~~made by an established~~
890 ~~and reputable independent reporting service,~~ relative to the
891 individual so appointed ~~or employed.~~ This subsection does not
892 apply to licensees who self-appoint pursuant to s. 624.501.

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

898 ~~(3) As to an applicant for an adjuster's or reinsurance~~
899 ~~intermediary's license who is to be self-employed, the~~

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900 ~~department may secure, at the cost of the applicant, a full~~
901 ~~detailed credit and character report made by an established and~~
902 ~~reputable independent reporting service relative to the~~
903 ~~applicant.~~

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

913 ~~(3)(5)~~ Information contained in credit or character reports
914 furnished to or secured by the department under this section is
915 confidential and exempt from ~~the provisions of~~ s. 119.07(1).

916 Section 24. Paragraph (f) of subsection (1) of section
917 626.731, Florida Statutes, is amended to read:

918 626.731 Qualifications for general lines agent's license.—

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

923 ~~(f) The applicant is not a service representative, a~~
924 ~~managing general agent in this state, or a special agent or~~
925 ~~similar service representative of a health insurer which also~~
926 ~~transacts property, casualty, or surety insurance; except that~~
927 ~~the president, vice president, secretary, or treasurer,~~
928 ~~including a member of the board of directors, of a corporate~~

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929 ~~insurer, if otherwise qualified under and meeting the~~
930 ~~requirements of this part, may be licensed and appointed as a~~
931 ~~local resident agent.~~

932 Section 25. Subsection (6) of section 626.7351, Florida
933 Statutes, is amended to read:

934 626.7351 Qualifications for customer representative's
935 license.—The department shall not grant or issue a license as
936 customer representative to any individual found by it to be
937 untrustworthy or incompetent, or who does not meet each of the
938 following qualifications:

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

942 Section 26. Section 626.744, Florida Statutes, is amended
943 to read:

944 626.744 Service representatives, ~~managing general agents;~~
945 application for license.—The application for a license as
946 service representative must ~~or the application for a license as~~
947 ~~managing general agent shall~~ show the applicant's name,
948 residence address, name of employer, position or title, type of
949 work to be performed by the applicant in this state, and any
950 additional information which the department may reasonably
951 require.

952 Section 27. Section 626.745, Florida Statutes, is amended
953 to read:

954 626.745 Service representatives, managing general agents;
955 managers; activities.—Individuals employed by insurers or their
956 managers, general agents, or representatives as service
957 representatives, and as managing general agents employed for the

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958 purpose of or engaged in assisting agents in negotiating and
 959 effecting contracts of insurance, shall engage in such
 960 activities ~~when, and~~ only when licensed as or, accompanied by a
 961 general lines ~~an~~ agent duly licensed and appointed ~~as a resident~~
 962 ~~licensee and appointee~~ under this code.

963 Section 28. Subsection (11) of section 626.7451, Florida
 964 Statutes, is amended to read:

965 626.7451 Managing general agents; required contract
 966 provisions.—No person acting in the capacity of a managing
 967 general agent shall place business with an insurer unless there
 968 is in force a written contract between the parties which sets
 969 forth the responsibility for a particular function, specifies
 970 the division of responsibilities, and contains the following
 971 minimum provisions:

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

981
 982 For the purposes of this section and ss. 626.7453 and 626.7454,
 983 the term "controlling person" or "controlling" has the meaning
 984 set forth in s. 625.012(5)(b)1., and the term "controlled
 985 person" or "controlled" has the meaning set forth in s.
 986 625.012(5)(b)2.

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987 Section 29. Subsection (1) of section 626.7455, Florida
988 Statutes, is amended to read:

989 626.7455 Managing general agent; responsibility of
990 insurer.—

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

999 Section 30. Paragraph (e) of subsection (3) and subsection
1000 (5) of section 626.752, Florida Statutes, are amended to read:

1001 626.752 Exchange of business.—

1002 (3)

1003 (e) The brokering agent shall maintain an appropriate and
1004 permanent Brokering Agent's Register, which must ~~shall~~ be a
1005 permanent record of ~~bound journal in which~~ chronologically
1006 numbered transactions that are entered no later than the day in
1007 which the brokering agent's application bearing the same number
1008 is signed by the applicant. The numbers must ~~shall~~ reflect an
1009 annual aggregate through numerical sequence and be preceded by
1010 the last two digits of the current year. The initial entry must
1011 ~~shall~~ contain the number of the transaction, date, time, date of
1012 binder, date on which coverage commences, name and address of
1013 applicant, type of coverage desired, name of insurer binding the
1014 risk or to whom the application is to be submitted, and the
1015 amount of any premium collected therefor. By no later than the

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1016 date following policy delivery, the policy number and coverage
1017 expiration date must ~~shall~~ be added to the register.

1018 (5) Within 15 days after the last day of each month, any
1019 insurer accepting business under this section shall report to
1020 the department the name, address, telephone number, and social
1021 security number of each agent from which the insurer received
1022 more than four ~~24~~ personal lines risks during the calendar year,
1023 except for risks being removed from the Citizens Property
1024 Insurance Corporation and placed with that insurer by a
1025 brokering agent. Once the insurer has reported pursuant to this
1026 subsection an agent's name to the department, additional reports
1027 on the same agent shall not be required. However, the fee set
1028 forth in s. 624.501 must ~~shall~~ be paid for the agent by the
1029 insurer for each year until the insurer notifies the department
1030 that the insurer is no longer accepting business from the agent
1031 pursuant to this section. The insurer may require that the agent
1032 reimburse the insurer for the fee.

1033 Section 31. Subsection (4) of section 626.793, Florida
1034 Statutes, is amended to read:

1035 626.793 Excess or rejected business.—

1036 (4) Within 15 days after the last day of each month, any
1037 insurer accepting business under this section shall report to
1038 the department the name, address, telephone number, and social
1039 security number of each agent from which the insurer received
1040 more than four ~~24~~ risks during the calendar year. Once the
1041 insurer has reported an agent's name to the department pursuant
1042 to this subsection, additional reports on the same agent shall
1043 not be required. However, the fee set forth in s. 624.501 must
1044 ~~shall~~ be paid for the agent by the insurer for each year until

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1045 the insurer notifies the department that the insurer is no
 1046 longer accepting business from the agent pursuant to this
 1047 section. The insurer may require that the agent reimburse the
 1048 insurer for the fee.

1049 Section 32. Section 626.798, Florida Statutes, is amended
 1050 to read:

1051 626.798 Life agent as beneficiary; prohibition; limitations
 1052 on certain legal authority.-

1053 (1) A ~~No~~ life agent may not place or modify shall, with
 1054 respect to the placement of life insurance coverage with a life
 1055 insurer covering the life of a person who is not a family member
 1056 of the life agent, ~~handle in his or her capacity as a life agent~~
 1057 ~~the placement of such coverage~~ when the life agent ~~placing the~~
 1058 ~~coverage~~ or a family member of the life ~~such~~ agent is the named
 1059 beneficiary under the life insurance policy or the modification
 1060 names the life agent or a family member of the life agent as the
 1061 named beneficiary, unless the life agent or family member of the
 1062 life agent has an insurable interest in the life of such person.

1063 (2) A life ~~However, the~~ agent or a family member of the
 1064 life ~~such~~ agent may not serve ~~be designated~~ as a trustee or
 1065 guardian or accept authority to act under a ~~be granted~~ power of
 1066 attorney for any person the life agent conducts insurance
 1067 business with unless he or she is:

1068 (a) A family member of the ~~person~~ policy owner or insured;
 1069 or

1070 (b)1. Acting as a fiduciary;

1071 2. Licensed as a certified public accountant under s.
 1072 473.308; and

1073 3.a. Registered under s. 203 of the Investment Advisers Act

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1074 of 1940 as an investment adviser or a representative thereof,
1075 and is compliant with the notice filing requirements of s.
1076 517.1201; or

1077 b. Registered under s. 517.12 as a dealer, an investment
1078 adviser, or an associated person, ~~or is a bank or trust company~~
1079 ~~duly authorized to act as a fiduciary.~~

1080 (3) As used in this section, the term: ~~For the purposes of~~
1081 ~~this section, the phrase~~

1082 (a) "Family member" ~~"not a family member," with respect to~~
1083 ~~a life agent,~~ means an individual who is ~~not~~ related to the life
1084 agent as father, mother, son, daughter, brother, sister,
1085 grandfather, grandmother, uncle, aunt, first cousin, nephew,
1086 niece, husband, wife, father-in-law, mother-in-law, brother-in-
1087 law, sister-in-law, stepfather, stepmother, stepson,
1088 stepdaughter, stepbrother, stepsister, half brother, or half
1089 sister.

1090 (b) For the purposes of this section, the term "Insurable
1091 interest" means that the life agent or family member of the life
1092 agent has an actual, lawful, and substantial economic interest
1093 in the safety and preservation of the life of the insured or a
1094 reasonable expectation of benefit or advantage from the
1095 continued life of the insured.

1096 Section 33. Subsection (5) of section 626.837, Florida
1097 Statutes, is amended to read:

1098 626.837 Excess or rejected business.—

1099 (5) Within 15 days after the last day of each month, any
1100 insurer accepting business under this section shall report to
1101 the department the name, address, telephone number, and social
1102 security number of each agent from which the insurer received

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1103 more than four ~~24~~ risks during the calendar year. Once the
1104 insurer has reported pursuant to this subsection an agent's name
1105 to the department, additional reports on the same agent shall
1106 not be required. However, the fee set forth in s. 624.501 must
1107 ~~shall~~ be paid for the agent by the insurer for each year until
1108 the insurer notifies the department that the insurer is no
1109 longer accepting business from the agent pursuant to this
1110 section. The insurer may require that the agent reimburse the
1111 insurer for the fee.

1112 Section 34. Subsection (5) of section 626.8732, Florida
1113 Statutes, is amended to read:

1114 626.8732 Nonresident public adjuster's qualifications,
1115 bond.—

1116 ~~(5) After licensure as a nonresident public adjuster, as a~~
1117 ~~condition of doing business in this state, the licensee must~~
1118 ~~annually on or before January 1, on a form prescribed by the~~
1119 ~~department, submit an affidavit certifying that the licensee is~~
1120 ~~familiar with and understands the insurance code and rules~~
1121 ~~adopted thereunder and the provisions of the contracts~~
1122 ~~negotiated or to be negotiated. Compliance with this filing~~
1123 ~~requirement is a condition precedent to the issuance,~~
1124 ~~continuation, reinstatement, or renewal of a nonresident public~~
1125 ~~adjuster's appointment.~~

1126 Section 35. Subsection (4) of section 626.8734, Florida
1127 Statutes, is amended to read:

1128 626.8734 Nonresident all-lines adjuster license
1129 qualifications.—

1130 ~~(4) As a condition of doing business in this state as a~~
1131 ~~nonresident independent adjuster, the appointee must submit an~~

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1132 ~~affidavit to the department certifying that the licensee is~~
1133 ~~familiar with and understands the insurance laws and~~
1134 ~~administrative rules of this state and the provisions of the~~
1135 ~~contracts negotiated or to be negotiated. Compliance with this~~
1136 ~~filing requirement is a condition precedent to the issuance,~~
1137 ~~continuation, reinstatement, or renewal of a nonresident~~
1138 ~~independent adjuster's appointment.~~

1139 Section 36. Paragraph (h) of subsection (1) of section
1140 626.88, Florida Statutes, is amended to read:

1141 626.88 Definitions.—For the purposes of this part, the
1142 term:

1143 (1) "Administrator" is any person who directly or
1144 indirectly solicits or effects coverage of, collects charges or
1145 premiums from, or adjusts or settles claims on residents of this
1146 state in connection with authorized commercial self-insurance
1147 funds or with insured or self-insured programs which provide
1148 life or health insurance coverage or coverage of any other
1149 expenses described in s. 624.33(1) or any person who, through a
1150 health care risk contract as defined in s. 641.234 with an
1151 insurer or health maintenance organization, provides billing and
1152 collection services to health insurers and health maintenance
1153 organizations on behalf of health care providers, other than any
1154 of the following persons:

1155 (h) A person appointed ~~licensed~~ as a managing general agent
1156 in this state, whose activities are limited exclusively to the
1157 scope of activities conveyed under such appointment ~~license~~.

1158
1159 A person who provides billing and collection services to health
1160 insurers and health maintenance organizations on behalf of

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1161 health care providers shall comply with the provisions of ss.
1162 627.6131, 641.3155, and 641.51(4).

1163 Section 37. Section 626.927, Florida Statutes, is amended
1164 to read:

1165 626.927 Licensing of surplus lines agent.—

1166 (1) ~~Any individual while licensed and appointed as a~~
1167 ~~resident general lines agent as to property, casualty, and~~
1168 ~~surety insurances, and who is deemed by the department to have~~
1169 ~~had sufficient experience in the insurance business to be~~
1170 ~~competent for the purpose, and who, within the 4 years~~
1171 ~~immediately preceding the date the application was submitted,~~
1172 ~~has a minimum of 1 year's experience working for a licensed~~
1173 ~~surplus lines agent or who has successfully completed 60 class~~
1174 ~~hours in surplus and excess lines in a course approved by the~~
1175 ~~department, may be licensed as a surplus lines agent, upon~~
1176 ~~taking and successfully passing a written examination as to~~
1177 ~~surplus lines, as given by the department.~~

1178 (2) ~~Any individual, while licensed as and appointed as a~~
1179 ~~managing general agent as defined in s. 626.015, or service~~
1180 ~~representative as defined in s. 626.015, and who otherwise~~
1181 ~~possesses all of the other qualifications of a general lines~~
1182 ~~agent under this code, and who has a minimum of 1 year of year's~~
1183 ~~experience working for a licensed surplus lines agent or who has~~
1184 ~~successfully completed 60 class hours in surplus and excess~~
1185 ~~lines in a course approved by the department, may, upon taking~~
1186 ~~and successfully passing a written examination as to surplus~~
1187 ~~lines, as given by the department, be licensed as a surplus~~
1188 ~~lines agent solely for the purpose of placing with surplus lines~~
1189 ~~insurers property, marine, casualty, or surety coverages~~

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1190 originated by general lines agents; ~~except that no examination~~
1191 ~~as for a general lines agent's license shall be required of any~~
1192 ~~managing general agent or service representative who held a~~
1193 ~~Florida surplus lines agent's license as of January 1, 1959.~~

1194 (2) ~~(3)~~ Application for the license must ~~shall~~ be made to
1195 the department on forms as designated and furnished by it.

1196 (3) ~~(4)~~ License and appointment fees in the amount specified
1197 in s. 624.501 must ~~shall~~ be paid to the department in advance.
1198 The license and appointment of a surplus lines agent continue in
1199 force until suspended, revoked, or otherwise terminated. The
1200 appointment of a surplus lines agent continues in force until
1201 suspended, revoked, or terminated, but is subject to biennial
1202 renewal or continuation by the licensee in accordance with
1203 procedures prescribed in s. 626.381 for agents in general.

1204 (4) ~~(5)~~ Examinations as to surplus lines, as required under
1205 subsection (1) ~~subsections (1) and (2)~~, are subject to the
1206 provisions of part I as applicable to applicants for licenses in
1207 general.

1208 (5) ~~(6)~~ An individual who has been licensed by the
1209 department as a surplus lines agent as provided in this section
1210 may be subsequently appointed without additional written
1211 examination if his or her application for appointment is filed
1212 with the department within 48 months after the date of
1213 cancellation or expiration of the prior appointment. The
1214 department may require an individual to take and successfully
1215 pass an examination as for original issuance of license as a
1216 condition precedent to the reinstatement or continuation of the
1217 licensee's current license or reinstatement or continuation of
1218 the licensee's appointment.

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1219 Section 38. Subsection (3) of section 626.930, Florida
1220 Statutes, is amended to read:

1221 626.930 Records of surplus lines agent.—

1222 (3) Each surplus lines agent shall maintain all surplus
1223 lines business records in his or her general lines agency
1224 office, ~~if licensed as a general lines agent, or in his or her~~
1225 ~~managing general agency office, if licensed as a managing~~
1226 ~~general agent or the full-time salaried employee of such general~~
1227 ~~agent.~~

1228 Section 39. Subsection (2) of section 626.9892, Florida
1229 Statutes, is amended to read:

1230 626.9892 Anti-Fraud Reward Program; reporting of insurance
1231 fraud.—

1232 (2) The department may pay rewards of up to \$25,000 to
1233 persons providing information leading to the arrest and
1234 conviction of persons committing crimes investigated by the
1235 department arising from violations of s. 440.105, s. 624.15, s.
1236 626.9541, s. 626.989, s. 790.164, s. 790.165, s. 790.166, s.
1237 806.01, s. 806.031, s. 806.10, s. 806.111, s. 817.233, or s.
1238 817.234.

1239 Section 40. Subsection (3) of section 633.302, Florida
1240 Statutes, is amended to read:

1241 633.302 Florida Fire Safety Board; membership; duties;
1242 meetings; officers; quorum; compensation; seal.—

1243 (3) The State Fire Marshal's term on the board, or that of
1244 her or his designee, must ~~shall~~ coincide with the State Fire
1245 Marshal's term of office. ~~Of the other six members of the board,~~
1246 ~~one member shall be appointed for a term of 1 year, one member~~
1247 ~~for a term of 2 years, two members for terms of 3 years, and two~~

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1248 ~~members for terms of 4 years.~~ All other terms are 4 years and
1249 expire on June 30 of the last year of the term. When the term of
1250 a member expires, the State Fire Marshal shall appoint a member
1251 to fill the vacancy for a term of 4 years. The State Fire
1252 Marshal may remove any appointed member for cause. A vacancy in
1253 the membership of the board for any cause must ~~shall~~ be filled
1254 by appointment by the State Fire Marshal for the balance of the
1255 unexpired term.

1256 Section 41. Subsection (2), paragraph (a) of subsection
1257 (3), and paragraphs (b), (c), and (d) of subsection (4) of
1258 section 633.304, Florida Statutes, are amended to read:

1259 633.304 Fire suppression equipment; license to install or
1260 maintain.—

1261 (2) A person who holds a valid fire equipment dealer
1262 license may maintain such license in an inactive status during
1263 which time he or she may not engage in any work under the
1264 definition of the license held. An inactive status license is
1265 ~~shall be void after 4 years or when the license is renewed,~~
1266 ~~whichever comes first.~~ However, an inactive status license must
1267 be reactivated before December 31 of each odd-numbered year. An
1268 inactive status license may not be reactivated unless the
1269 continuing education requirements of this chapter have been
1270 fulfilled.

1271 (3) Each individual actually performing the work of
1272 servicing, recharging, repairing, hydrotesting, installing,
1273 testing, or inspecting fire extinguishers or preengineered
1274 systems must possess a valid and subsisting permit issued by the
1275 division. Permittees are limited as to specific type of work
1276 performed to allow work no more extensive than the class of

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1277 license held by the licensee under whom the permittee is
1278 working. Permits will be issued by the division as follows:

1279 (a) Portable permit: "Portable permittee" means a person
1280 who is limited to performing work no more extensive than the
1281 employing or contractually related licensee in the servicing,
1282 recharging, repairing, installing, or inspecting all types of
1283 portable fire extinguishers.

1284

1285 Any fire equipment permittee licensed pursuant to this
1286 subsection who does not want to engage in servicing, inspecting,
1287 recharging, repairing, hydrotesting, or installing halon
1288 equipment must file an affidavit on a form provided by the
1289 division so stating. Permits will be issued by the division to
1290 show the work authorized thereunder. It is unlawful, unlicensed
1291 activity for a person or firm to falsely hold himself or herself
1292 out to perform any service, inspection, recharge, repair,
1293 hydrotest, or installation except as specifically described in
1294 the permit.

1295 (4)

1296 (b) After initial licensure, each licensee or permittee
1297 must successfully complete a course or courses of continuing
1298 education for fire equipment technicians of at least 16 hours. A
1299 license or permit may not be renewed unless the licensee or
1300 permittee produces documentation of the completion of at least
1301 16 hours of continuing education for fire equipment technicians
1302 during the biennial licensure period. A person who is both a
1303 licensee and a permittee shall ~~be required to~~ complete 16 hours
1304 of continuing education during each renewal period. Each
1305 licensee shall ensure that all permittees in his or her

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1306 employment or through a contractual agreement meet their
1307 continuing education requirements. The State Fire Marshal shall
1308 adopt rules describing the continuing education requirements and
1309 shall have the authority upon reasonable belief, to audit a fire
1310 equipment dealer to determine compliance with continuing
1311 education requirements.

1312 (c) The forms of such licenses and permits and applications
1313 therefor must ~~shall~~ be prescribed by the State Fire Marshal; in
1314 addition to such other information and data as that officer
1315 determines is appropriate and required for such forms, there
1316 must ~~shall~~ be included in such forms the following matters. Each
1317 such application must be in such form as to provide that the
1318 data and other information set forth therein shall be sworn to
1319 by the applicant or, if a corporation, by an officer thereof. An
1320 application for a permit must include the name of the licensee
1321 employing, or contractually related to, such permittee, and the
1322 permit issued in pursuance of such application must also set
1323 forth the name of such licensee. A permit is valid solely for
1324 use by the holder thereof in his or her employment by, or
1325 contractual relationship with, the licensee named in the permit.

1326 (d) A license of any class may not be issued or renewed by
1327 the division and a license of any class does not remain
1328 operative unless:

1329 1. The applicant has submitted to the State Fire Marshal
1330 evidence of registration as a Florida corporation or evidence of
1331 compliance with s. 865.09.

1332 2. The State Fire Marshal or his or her designee has by
1333 inspection determined that the applicant possesses the equipment
1334 required for the class of license sought. The State Fire Marshal

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1335 shall give an applicant a reasonable opportunity to correct any
1336 deficiencies discovered by inspection. To obtain such
1337 inspection, an applicant with facilities located outside this
1338 state must:

1339 a. Provide a notarized statement from a professional
1340 engineer licensed by the applicant's state of domicile
1341 certifying that the applicant possesses the equipment required
1342 for the class of license sought and that all such equipment is
1343 operable; or

1344 b. Allow the State Fire Marshal or her or his designee to
1345 inspect the facility. All costs associated with the State Fire
1346 Marshal's inspection must ~~shall~~ be paid by the applicant. The
1347 State Fire Marshal, in accordance with s. 120.54, may adopt
1348 rules to establish standards for the calculation and
1349 establishment of the amount of costs associated with any
1350 inspection conducted by the State Fire Marshal under this
1351 section. Such rules must ~~shall~~ include procedures for invoicing
1352 and receiving funds in advance of the inspection.

1353 3. The applicant has submitted to the State Fire Marshal
1354 proof of insurance providing coverage for comprehensive general
1355 liability for bodily injury and property damage, products
1356 liability, completed operations, and contractual liability. The
1357 State Fire Marshal shall adopt rules providing for the amounts
1358 of such coverage, but such amounts may not be less than \$300,000
1359 for Class A or Class D licenses, \$200,000 for Class B licenses,
1360 and \$100,000 for Class C licenses; and the total coverage for
1361 any class of license held in conjunction with a Class D license
1362 may not be less than \$300,000. The State Fire Marshal may, at
1363 any time after the issuance of a license or its renewal, require

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1364 upon demand, and in no event more than 30 days after notice of
1365 such demand, the licensee to provide proof of insurance, on the
1366 insurer's a form ~~provided by the State Fire Marshal~~, containing
1367 confirmation of insurance coverage as required by this chapter.
1368 Failure, for any length of time, to provide proof of insurance
1369 coverage as required must ~~shall~~ result in the immediate
1370 suspension of the license until proof of proper insurance is
1371 provided to the State Fire Marshal. An insurer that ~~which~~
1372 provides such coverage shall notify the State Fire Marshal of
1373 any change in coverage or of any termination, cancellation, or
1374 nonrenewal of any coverage.

1375 4. The applicant applies to the State Fire Marshal,
1376 provides proof of experience, and successfully completes a
1377 prescribed training course offered by the State Fire College or
1378 an equivalent course approved by the State Fire Marshal. This
1379 subparagraph does not apply to any holder of or applicant for a
1380 permit under paragraph (g) or to a business organization or a
1381 governmental entity seeking initial licensure or renewal of an
1382 existing license solely for the purpose of inspecting,
1383 servicing, repairing, marking, recharging, and maintaining fire
1384 extinguishers used and located on the premises of and owned by
1385 such organization or entity.

1386 5. The applicant has a current retestor identification
1387 number that is appropriate for the license for which the
1388 applicant is applying and that is listed with the United States
1389 Department of Transportation.

1390 6. The applicant has passed, with a grade of at least 70
1391 percent, a written examination testing his or her knowledge of
1392 the rules and statutes governing the activities authorized by

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1393 the license and demonstrating his or her knowledge and ability
1394 to perform those tasks in a competent, lawful, and safe manner.
1395 Such examination must ~~shall~~ be developed and administered by the
1396 State Fire Marshal, or his or her designee in accordance with
1397 policies and procedures of the State Fire Marshal. An applicant
1398 shall pay a nonrefundable examination fee of \$50 for each
1399 examination or reexamination scheduled. A reexamination may not
1400 be scheduled sooner than 30 days after any administration of an
1401 examination to an applicant. An applicant may not be permitted
1402 to take an examination for any level of license more than a
1403 total of four times during 1 year, regardless of the number of
1404 applications submitted. As a prerequisite to licensure of the
1405 applicant, he or she:

1406 a. Must be at least 18 years of age.

1407 b. Must have 4 years of proven experience as a fire
1408 equipment permittee at a level equal to or greater than the
1409 level of license applied for or have a combination of education
1410 and experience determined to be equivalent thereto by the State
1411 Fire Marshal. Having held a permit at the appropriate level for
1412 the required period constitutes the required experience.

1413 c. Must not have been convicted of a felony or a crime
1414 punishable by imprisonment of 1 year or more under the law of
1415 the United States or of any state thereof or under the law of
1416 any other country. "Convicted" means a finding of guilt or the
1417 acceptance of a plea of guilty or nolo contendere in any federal
1418 or state court or a court in any other country, without regard
1419 to whether a judgment of conviction has been entered by the
1420 court having jurisdiction of the case. If an applicant has been
1421 convicted of any such felony, the applicant is ~~shall~~ be excluded

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1422 from licensure for a period of 4 years after expiration of
1423 sentence or final release by the Florida Commission on Offender
1424 Review unless the applicant, before the expiration of the 4-year
1425 period, has received a full pardon or has had her or his civil
1426 rights restored.

1427
1428 This subparagraph does not apply to any holder of or applicant
1429 for a permit under paragraph (g) or to a business organization
1430 or a governmental entity seeking initial licensure or renewal of
1431 an existing license solely for the purpose of inspecting,
1432 servicing, repairing, marking, recharging, hydrotesting, and
1433 maintaining fire extinguishers used and located on the premises
1434 of and owned by such organization or entity.

1435 Section 42. Subsection (2) of section 633.314, Florida
1436 Statutes, is amended to read:

1437 633.314 Sale or use of certain types of fire extinguishers
1438 prohibited; penalty.—

1439 (2) It is unlawful for any person, directly or through an
1440 agent, to sell, offer for sale, or give in this state any make,
1441 type, or model of fire extinguisher, either new or used, unless
1442 such make, type, or model of extinguisher has first been tested
1443 and is currently approved or listed by Underwriters
1444 Laboratories, Inc., Factory Mutual Laboratories, Inc., or
1445 another testing laboratory recognized by the State Fire Marshal
1446 as nationally recognized in accordance with procedures adopted
1447 by rule, taking into account the laboratory's facilities,
1448 procedures, use of nationally recognized standards, and any
1449 other criteria reasonably calculated to reach an informed
1450 determination, and unless such extinguisher carries an

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1451 Underwriters Laboratories, Inc., or manufacturer's serial
1452 number. Such serial number must ~~shall~~ be permanently affixed
1453 ~~stamped~~ on the manufacturer's identification and instruction
1454 plate.

1455 Section 43. Subsection (7) of section 633.318, Florida
1456 Statutes, is amended to read:

1457 633.318 Certificate application and issuance; permit
1458 issuance; examination and investigation of applicant.-

1459 (7) The State Fire Marshal may, at any time subsequent to
1460 the issuance of the certificate or its renewal, require, upon
1461 demand and in no event more than 30 days after notice of the
1462 demand, the certificateholder to provide proof of insurance
1463 coverage on the insurer's ~~a form provided by the State Fire~~
1464 ~~Marshal~~ containing confirmation of insurance coverage as
1465 required by this chapter. Failure to provide proof of insurance
1466 coverage as required, for any length of time, shall result in
1467 the immediate suspension of the certificate until proof of
1468 insurance is provided to the State Fire Marshal.

1469 Section 44. Paragraph (b) of subsection (6) of section
1470 633.408, Florida Statutes, is amended, and paragraph (c) is
1471 added to that subsection, to read:

1472 633.408 Firefighter and volunteer firefighter training and
1473 certification.-

1474 (6)

1475 (b) A Special Certificate of Compliance only authorizes an
1476 individual to serve as an administrative and command head of a
1477 fire service provider.

1478 1. An individual employed as a fire chief, fire
1479 coordinator, fire director, or fire administrator must obtain a

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1480 Special Certificate of Compliance within 1 year after beginning
1481 employment.

1482 2. Before beginning employment as a command officer or in a
1483 position directing incident outcomes, an individual must obtain
1484 a Certificate of Compliance or a Special Certificate of
1485 Compliance.

1486 (c) In order to retain a Special Certificate of Compliance,
1487 every 4 years an individual must:

1488 1. Be active as a firefighter;

1489 2. Maintain a current and valid Fire Service Instructor
1490 Certificate, instruct at least 40 hours during the 4-year
1491 period, and provide proof of such instruction to the division,
1492 which proof must be registered in an electronic database
1493 designated by the division; or

1494 3. Within 6 months before the 4-year period expires,
1495 successfully complete a Firefighter Retention Refresher Course
1496 consisting of a minimum of 40 hours of training as prescribed by
1497 rule.

1498 Section 45. Paragraph (e) of subsection (1) of section
1499 633.444, Florida Statutes, is amended to read:

1500 633.444 Division powers and duties; Florida State Fire
1501 College.—

1502 (1) The division, in performing its duties related to the
1503 Florida State Fire College, specified in this part, shall:

1504 ~~(c) Develop a staffing and funding formula for the Florida~~
1505 ~~State Fire College. The formula must include differential~~
1506 ~~funding levels for various types of programs, must be based on~~
1507 ~~the number of full-time equivalent students and information~~
1508 ~~obtained from scheduled attendance counts taken the first day of~~

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1509 ~~each program, and must provide the basis for the legislative~~
1510 ~~budget request. As used in this section, a full-time equivalent~~
1511 ~~student is equal to a minimum of 900 hours in a technical~~
1512 ~~certificate program and 400 hours in a degree-seeking program.~~
1513 ~~The funding formula must be as prescribed pursuant to s.~~
1514 ~~1011.62, must include procedures to document daily attendance,~~
1515 ~~and must require that attendance records be retained for audit~~
1516 ~~purposes.~~

1517 Section 46. Subsection (8) of section 648.27, Florida
1518 Statutes, is amended to read:

1519 648.27 Licenses and appointments; general.—

1520 (8) ~~An application for a managing general agent's license~~
1521 ~~must be made by an insurer who proposes to employ or appoint an~~
1522 ~~individual, partnership, association, or corporation as a~~
1523 ~~managing general agent. Such application shall contain the~~
1524 ~~information required by s. 626.744, and the applicant shall pay~~
1525 ~~the same fee as a managing general agent licensed pursuant to~~
1526 ~~that section. An individual who is appointed as a managing~~
1527 ~~general agent to supervise or manage bail bond business written~~
1528 ~~in this state must also be licensed as a bail bond agent. In the~~
1529 ~~case of an entity, at least one owner, officer, or director at~~
1530 ~~each office location must be licensed as a bail bond agent.~~

1531 Section 47. Present subsection (6) of section 648.34,
1532 Florida Statutes, is redesignated as subsection (7), and a new
1533 subsection (6) is added to that section, to read:

1534 648.34 Bail bond agents; qualifications.—

1535 (6) The requirements for completion and submission of
1536 fingerprints under this chapter are deemed to be met when an
1537 individual currently licensed under this chapter seeks

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1538 additional licensure and has previously submitted fingerprints
1539 to the department in support of an application for licensure
1540 under this chapter within the past 48 months. However, the
1541 department may require the individual to file fingerprints if it
1542 has reason to believe that an applicant or licensee has been
1543 found guilty of, or pleaded guilty or nolo contendere to, a
1544 felony or a crime related to the business of insurance in this
1545 or any other state or jurisdiction.

1546 Section 48. For the purpose of incorporating the amendment
1547 made by this act to section 626.221, Florida Statutes, in a
1548 reference thereto, paragraph (b) of subsection (1) of section
1549 626.8734, Florida Statutes, is reenacted to read:

1550 626.8734 Nonresident all-lines adjuster license
1551 qualifications.—

1552 (1) The department shall issue a license to an applicant
1553 for a nonresident all-lines adjuster license upon determining
1554 that the applicant has paid the applicable license fees required
1555 under s. 624.501 and:

1556 (b) Has passed to the satisfaction of the department a
1557 written Florida all-lines adjuster examination of the scope
1558 prescribed in s. 626.241(6); however, the requirement for the
1559 examination does not apply to:

1560 1. An applicant who is licensed as an all-lines adjuster in
1561 his or her home state if that state has entered into a
1562 reciprocal agreement with the department;

1563 2. An applicant who is licensed as a nonresident all-lines
1564 adjuster in a state other than his or her home state and a
1565 reciprocal agreement with the appropriate official of the state
1566 of licensure has been entered into with the department; or

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1567 3. An applicant who holds a certification set forth in s.
1568 626.221(2) (j).

1569 Section 49. This act shall take effect July 1, 2018.