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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Agriculture, Environment, and
General Government)

1 A bill to be entitled
2 An act relating to the Department of Financial
3 Services; amending s. 20.121, F.S.; specifying powers
4 and duties of the Division of Public Assistance Fraud;
5 creating s. 284.45, F.S.; prohibiting individuals
6 working for entities covered by the State Risk
7 Management Trust Fund from engaging in retaliatory
8 conduct against sexual harassment victims; defining
9 the term "sexual harassment victim"; specifying a
10 criminal penalty for the willful and knowing
11 dissemination of a sexual harassment victim's personal
12 identifying information, except under certain
13 circumstances; specifying protected personal
14 identifying information; amending s. 497.101, F.S.;
15 revising provisions relating to membership of the
16 Board of Funeral, Cemetery, and Consumer Services
17 within the department; deleting a requirement for the
18 department to adopt certain rules; creating s.
19 497.1411, F.S.; defining terms; providing for
20 permanent disqualification of applicants for licensure
21 under ch. 497, F.S., for certain offenses; providing
22 for disqualifying periods for applicants for certain
23 offenses; requiring the board to adopt rules;
24 providing for calculation of disqualifying periods;
25 providing conditions for licensure after completion of
26 a disqualifying period; specifying the effect of a



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27 pardon or clemency; providing for exemptions from
28 disqualification in certain circumstances; providing
29 procedures for consideration of applications for such
30 exemptions; providing construction; amending s.
31 497.142, F.S.; revising criminal history disclosure
32 requirements for applicants seeking licensure under
33 ch. 497, F.S.; amending s. 497.157, F.S.; prohibiting
34 persons from acting as or advertising themselves as
35 being funeral directors, embalmers, direct disposers,
36 or preneed sales agents unless they are so licensed;
37 prohibiting persons from engaging in certain
38 activities requiring licensure without holding
39 required licenses; revising the criminal penalty for
40 unlicensed activity; amending s. 497.159, F.S.;
41 conforming a provision to changes made by the act;
42 amending s. 497.459, F.S.; revising conditions under
43 which a preneed licensee must provide certain persons
44 a written notice of intent to distribute funds;
45 requiring preneed licensees to conduct a certain
46 analysis at specified intervals; requiring the preneed
47 licensee, rather than the trustee, to conduct a
48 certain diligent search and inquiry and mail the
49 notice under certain circumstances; revising the
50 timeframe for a failure to respond to the notice
51 before funds are distributed; revising requirements
52 for the distribution of funds; providing and revising
53 construction relating to certain liability and rights;
54 specifying requirements and procedures for fulfillment
55 or cancellation of the preneed contract; providing



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56 applicability; amending s. 552.081, F.S.; revising the
57 definition of the term "two-component explosives" for
58 the purpose of regulation by the Division of State
59 Fire Marshal; amending s. 553.7921, F.S.; authorizing
60 a contractor repairing certain existing fire alarm
61 systems to begin work after filing an application for
62 a required permit but before receiving the permit;
63 providing construction; amending s. 626.2815, F.S.;
64 revising continuing education requirements for certain
65 persons licensed to solicit, sell, or adjust
66 insurance; amending s. 633.102, F.S.; revising the
67 authority of certain fire protection system
68 contractors to design and alter certain systems;
69 amending s. 633.136, F.S.; replacing fire protection
70 agencies in the Fire and Emergency Incident
71 Information Reporting Program with fire service
72 providers and defining the term; revising the
73 composition of the Fire and Emergency Incident
74 Information System Technical Advisory Panel; amending
75 s. 633.202, F.S.; extending a deadline for certain
76 buildings to comply with a minimum radio signal
77 strength requirement under the Florida Fire Prevention
78 Code; requiring such buildings to meet certain
79 conditions by a specified date; extending the repeal
80 date of exemptions to the Florida Fire Prevention Code
81 which authorize doorstep refuse and recycling
82 collection containers to be in exit access corridors
83 in certain apartment occupancies under certain
84 circumstances; creating s. 633.217, F.S.; prohibiting



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85 certain acts to influence a firesafety inspector into
86 violating certain laws; prohibiting a firesafety
87 inspector from knowingly and willfully accepting an
88 attempt to influence him or her into violating certain
89 laws; amending s. 633.304, F.S.; revising requirements
90 for training courses for licensees installing or
91 maintaining certain fire suppression equipment;
92 amending s. 633.402, F.S.; revising the composition of
93 the Firefighters Employment, Standards, and Training
94 Council; amending s. 633.416, F.S.; providing that
95 certain persons serving as volunteer firefighters may
96 serve as a regular or permanent firefighter for a
97 limited period, subject to certain restrictions;
98 amending s. 843.08, F.S.; prohibiting false
99 personation of personnel or representatives of the
100 Division of Investigative and Forensic Services;
101 providing criminal penalties; amending s. 943.045,
102 F.S.; revising the definition of the term "criminal
103 justice agency" to include the investigations
104 component of the department which investigates certain
105 crimes; amending chapter 2019-140, L.O.F.; renaming
106 the Florida Blockchain Task Force as the Florida
107 Financial Technology and Blockchain Task Force; adding
108 duties to the task force relating to financial
109 technology; revising the master plan of the task
110 force; extending the deadline for the task force to
111 submit its report to the Governor and the Legislature;
112 providing effective dates.



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

115

116 Section 1. Paragraph (f) of subsection (2) of section
117 20.121, Florida Statutes, is amended to read:

118 20.121 Department of Financial Services.—There is created a
119 Department of Financial Services.

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

122 (f) The Division of Public Assistance Fraud, which shall
123 function as a criminal justice agency for purposes of ss.
124 943.045-943.08. The division shall conduct investigations
125 pursuant to s. 414.411 within or outside of this state as it
126 deems necessary. If, during an investigation, the division has
127 reason to believe that any criminal law of this state has or may
128 have been violated, it shall refer any records tending to show
129 such violation to state or federal law enforcement or
130 prosecutorial agencies and shall provide investigative
131 assistance to those agencies as required.

132 Section 2. Section 284.45, Florida Statutes, is created to
133 read:

134 284.45 Sexual harassment victims.—

135 (1) An individual working for an entity covered by the
136 State Risk Management Trust Fund may not engage in retaliatory
137 conduct of any kind against a sexual harassment victim. As used
138 in this section, the term "sexual harassment victim" means an
139 individual employed, or being considered for employment, with an
140 entity participating in the State Risk Management Trust Fund,
141 who becomes a victim of workplace sexual harassment through the
142 course of employment, or while being considered for employment,



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143 with the entity.

144 (2) The willful and knowing dissemination of personal
145 identifying information of a sexual harassment victim to any
146 party other than a governmental entity in furtherance of its
147 official duties or pursuant to a court order is a misdemeanor of
148 the first degree, punishable as provided in s. 775.082. For
149 purposes of this subsection, personal identifying information
150 includes the name of the sexual harassment victim and his or
151 her:

152 (a) Home address;

153 (b) Home phone number;

154 (c) Cellular phone number;

155 (d) E-mail address;

156 (e) Social media account username or uniform resource
157 locator (URL); or

158 (f) Any other information that could reasonably be used to
159 identify an alleged sexual harassment victim.

160 Section 3. Subsections (1), (2), (3), (6), and (8) of
161 section 497.101, Florida Statutes, are amended to read:

162 497.101 Board of Funeral, Cemetery, and Consumer Services;
163 membership; appointment; terms.—

164 (1) The Board of Funeral, Cemetery, and Consumer Services
165 is created within the Department of Financial Services and shall
166 consist of 10 members, 9 of whom shall be appointed by the
167 Governor from nominations made by the Chief Financial Officer
168 and confirmed by the Senate. The Chief Financial Officer shall
169 nominate one to three persons for each of the nine vacancies on
170 the board, and the Governor shall fill each vacancy on the board
171 by appointing one of the ~~three~~ persons nominated by the Chief



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172 Financial Officer to fill that vacancy. If the Governor objects
173 to each of the ~~three~~ nominations for a vacancy, she or he shall
174 inform the Chief Financial Officer in writing. Upon notification
175 of an objection by the Governor, the Chief Financial Officer
176 shall submit one to three additional nominations for that
177 vacancy until the vacancy is filled. One member must be the
178 State Health Officer or her or his designee.

179 (2) Two members of the board shall be funeral directors
180 licensed under part III of this chapter who are associated with
181 a funeral establishment. One member of the board shall be a
182 funeral director licensed under part III of this chapter who is
183 associated with a funeral establishment licensed under part III
184 of this chapter that has a valid preneed license issued pursuant
185 to this chapter and who owns or operates a cinerator facility
186 approved under chapter 403 and licensed under part VI of this
187 chapter. Two members of the board shall be persons whose primary
188 occupation is associated with a cemetery company licensed
189 pursuant to this chapter. Two ~~Three~~ members of the board shall
190 be consumers who are residents of the state, have never been
191 licensed as funeral directors or embalmers, are not connected
192 with a cemetery or cemetery company licensed pursuant to this
193 chapter, and are not connected with the death care industry or
194 the practice of embalming, funeral directing, or direct
195 disposition. One of the two consumer members shall be at least
196 60 years of age, ~~and one shall be licensed as a certified public~~
197 ~~accountant under chapter 473.~~ One member of the board shall be a
198 consumer who is a resident of this state; is licensed as a
199 certified public accountant under chapter 473; has never been
200 licensed as a funeral director or embalmer; is not a principal



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201 or employee of any licensee licensed under this chapter; and
202 does not otherwise have control, as defined in s. 497.005, over
203 any licensee licensed under this chapter. One member of the
204 board shall be a principal of a monument establishment licensed
205 under this chapter as a monument builder. One member shall be
206 the State Health Officer or her or his designee. There shall not
207 be two or more board members who are principals or employees of
208 the same company or partnership or group of companies or
209 partnerships under common control.

210 (3) Board members shall be appointed for terms of 4 years,
211 and the State Health Officer shall serve as long as that person
212 holds that office. The designee of the State Health Officer
213 shall serve at the pleasure of the Governor. ~~When the terms of~~
214 ~~the initial board members expire, the Chief Financial Officer~~
215 ~~shall stagger the terms of the successor members as follows: one~~
216 ~~funeral director, one cemetery representative, the monument~~
217 ~~builder, and one consumer member shall be appointed for terms of~~
218 ~~2 years, and the remaining members shall be appointed for terms~~
219 ~~of 4 years. All subsequent terms shall be for 4 years.~~

220 (6) The headquarters and records of the board shall be in
221 the Division of Funeral, Cemetery, and Consumer Services of the
222 Department of Financial Services in the City of Tallahassee. The
223 board may be contacted through the Division of Funeral,
224 Cemetery, and Consumer Services of the Department of Financial
225 Services in the City of Tallahassee. The Chief Financial Officer
226 shall annually appoint from among the board members a chair and
227 vice chair of the board. The board shall meet at least every 6
228 months, and more often as necessary. Special meetings of the
229 board shall be convened upon the direction of the Chief



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230 Financial Officer. A quorum is necessary for the conduct of
231 business by the board. Unless otherwise provided by law, a
232 majority of the board members eligible to vote shall constitute
233 a quorum for the purpose of conducting its business ~~six board~~
234 ~~members shall constitute a quorum for the conduct of the board's~~
235 ~~business.~~

236 ~~(8) The department shall adopt rules establishing forms by~~
237 ~~which persons may apply for membership on the board and~~
238 ~~procedures for applying for such membership. Such forms shall~~
239 ~~require disclosure of the existence and nature of all current~~
240 ~~and past employments by or contracts with, and direct or~~
241 ~~indirect affiliations or interests in, any entity or business~~
242 ~~that at any time was licensed by the board or by the former~~
243 ~~Board of Funeral and Cemetery Services or the former Board of~~
244 ~~Funeral Directors and Embalmers or that is or was otherwise~~
245 ~~involved in the death care industry, as specified by department~~
246 ~~rule.~~

247 Section 4. Section 497.1411, Florida Statutes, is created
248 to read:

249 497.1411 Disqualification of applicants and licensees;
250 penalties against licensees; rulemaking.-

251 (1) For purposes of this section, the term:

252 (a) "Applicant" means an individual applying for licensure
253 or relicensure under this chapter, and an officer, a director, a
254 majority owner, a partner, a manager, or other person who
255 manages or controls an entity applying for licensure or
256 relicensure under this chapter.

257 (b) "Felony of the first degree" and "capital felony"
258 include all felonies designated as such in this state at the



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259 time of the commission of the offense, as well as any offense in
260 another jurisdiction that is substantially similar to an offense
261 so designated in this state.

262 (c) "Financial services business" means any financial
263 activity regulated by the department, the Office of Insurance
264 Regulation, or the Office of Financial Regulation.

265 (2) An applicant who has been found guilty of or has
266 pleaded guilty or nolo contendere to any of the following
267 crimes, regardless of adjudication, is permanently barred from
268 licensure under this chapter:

269 (a) A felony of the first degree.

270 (b) A capital felony.

271 (c) A felony money laundering offense.

272 (d) A felony embezzlement.

273 (3) An applicant who has been found guilty of or has
274 pleaded guilty or nolo contendere to a crime not included in
275 subsection (2), regardless of adjudication, is subject to:

276 (a) A 10-year disqualifying period for all felonies
277 involving moral turpitude that are not specifically included in
278 the permanent bar contained in subsection (2).

279 (b) A 5-year disqualifying period for all felonies to which
280 neither the permanent bar in subsection (2) nor the 10-year
281 disqualifying period in paragraph (a) applies.

282 (c) A 5-year disqualifying period for all misdemeanors
283 directly related to the financial services business.

284 (4) The board shall adopt rules to administer this section.
285 The rules must provide for additional disqualifying periods due
286 to the commitment of multiple crimes and may include other
287 factors reasonably related to the applicant's criminal history.



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288 The rules shall provide for mitigating and aggravating factors.
289 However, mitigation may not result in a period of
290 disqualification of less than 5 years and may not mitigate the
291 disqualifying periods in paragraphs (3)(b) and (c).

292 (5) For purposes of this section, a disqualifying period
293 begins upon the applicant's final release from supervision or
294 upon completion of the applicant's criminal sentence. The
295 department may not issue a license to an applicant unless all
296 related fines, court costs and fees, and court-ordered
297 restitution have been paid.

298 (6) After the disqualifying period has expired, the burden
299 is on the applicant to demonstrate that he or she has been
300 rehabilitated, does not pose a risk to the public, is fit and
301 trustworthy to engage in business regulated by this chapter, and
302 is otherwise qualified for licensure.

303 (7) Notwithstanding subsections (2) and (3), an applicant
304 who has been found guilty of, or has pleaded guilty or nolo
305 contendere to, a crime in subsection (2) or subsection (3) and
306 who has subsequently been granted a pardon or the restoration of
307 civil rights pursuant to chapter 940 and s. 8, Art. IV of the
308 State Constitution, or a pardon or the restoration of civil
309 rights under the laws of another jurisdiction with respect to a
310 conviction in that jurisdiction, is not barred or disqualified
311 from licensure under this chapter. However, such a pardon or
312 restoration of civil rights does not require the department to
313 award such license.

314 (8) (a) The board may grant an exemption from
315 disqualification to any person disqualified from licensure under
316 subsection (3) if:



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317 1. The applicant has paid in full any fee, fine, fund,
318 lien, civil judgment, restitution, or cost of prosecution
319 imposed by the court as part of the judgment and sentence for
320 any disqualifying offense; and

321 2. At least 5 years have elapsed since the applicant
322 completed or has been lawfully released from confinement,
323 supervision, or nonmonetary condition imposed by the court for a
324 disqualifying offense.

325 (b) For the board to grant an exemption under this
326 subsection, the applicant must clearly and convincingly
327 demonstrate that he or she would not pose a risk to persons or
328 property if licensed under this chapter, evidence of which must
329 include, but need not be limited to, facts and circumstances
330 surrounding the disqualifying offense, the time that has elapsed
331 since the offense, the nature of the offense and harm caused to
332 the victim, the applicant's history before and after the
333 offense, and any other evidence or circumstances indicating that
334 the applicant will not present a danger if licensed or
335 certified.

336 (c) The board has discretion whether to grant or deny an
337 exemption under this subsection. The board's decision is subject
338 to chapter 120.

339 (9) The disqualification periods provided in this section
340 do not apply to the renewal of a license or to a new application
341 for licensure if the applicant has an active license as of July
342 1, 2020, and the applicable criminal history was considered by
343 the board on the prior approval of any active license held by
344 the applicant. This subsection does not affect any criminal
345 history disclosure requirement of this chapter.



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346 Section 5. Subsection (9) and paragraph (c) of subsection
347 (10) of section 497.142, Florida Statutes, are amended to read:
348 497.142 Licensing; fingerprinting and criminal background
349 checks.—

350 (9) If any applicant under this chapter has been, ~~within~~
351 ~~the 10 years preceding the application under this chapter,~~
352 convicted or found guilty of, or entered a plea of nolo
353 contendere to, regardless of adjudication, any crime in any
354 jurisdiction, the application shall not be deemed complete until
355 such time as the applicant provides such certified true copies
356 of the court records evidencing the conviction, finding, or plea
357 as required by this section or, as the licensing authority may
358 by rule require.

359 (10) (c) Crimes to be disclosed are:

360 1. Any felony ~~or misdemeanor~~, no matter when committed,
361 ~~that was directly or indirectly related to or involving any~~
362 ~~aspect of the practice or business of funeral directing,~~
363 ~~embalming, direct disposition, cremation, funeral or cemetery~~
364 ~~preneed sales, funeral establishment operations, cemetery~~
365 ~~operations, or cemetery monument or marker sales or~~
366 ~~installation.~~

367 2. Any misdemeanor, no matter when committed, which was
368 directly or indirectly related to the financial services
369 business as defined in s. 497.1411 ~~Any other felony not already~~
370 ~~disclosed under subparagraph 1. that was committed within the 20~~
371 ~~years immediately preceding the application under this chapter.~~

372 3. Any other misdemeanor not already disclosed under
373 subparagraph 2. ~~subparagraph 1.~~ that was committed within the 5
374 years immediately preceding the application under this chapter.



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375 Section 6. Present subsections (2) through (5) of section
376 497.157, Florida Statutes, are redesignated as subsections (4)
377 through (7), respectively, new subsections (2) and (3) and
378 subsection (8) are added to that section, and present subsection
379 (3) of that section is amended, to read:

380 497.157 Unlicensed practice; remedies concerning violations
381 by unlicensed persons.-

382 (2) A person may not be, act as, or advertise or hold
383 himself or herself out to be a funeral director, embalmer, or
384 direct disposer unless he or she is currently licensed by the
385 department.

386 (3) A person may not be, act as, or advertise or hold
387 himself or herself out to be a preneed sales agent unless he or
388 she is currently licensed by the department and appointed by a
389 preneed main licensee for which they are executing preneed
390 contracts.

391 (5)~~(3)~~ Where the department determines that an emergency
392 exists regarding any violation of this chapter by any unlicensed
393 person or entity, the department may issue and serve an
394 immediate final order upon such unlicensed person or entity, in
395 accordance with s. 120.569(2)(n). Such an immediate final order
396 may impose such prohibitions and requirements as are reasonably
397 necessary to protect the public health, safety, and welfare, and
398 shall be effective when served.

399 (a) For the purpose of enforcing such an immediate final
400 order, the department may file an emergency or other proceeding
401 in the circuit courts of the state seeking enforcement of the
402 immediate final order by injunctive or other order of the court.
403 The court shall issue its injunction or other order enforcing



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404 the immediate final order pending administrative resolution of
405 the matter under subsection (4) ~~(2)~~, unless the court determines
406 that such action would work a manifest injustice under the
407 circumstances. Venue for judicial actions under this paragraph
408 shall be, at the election of the department, in the courts of
409 Leon County, or in a county where the respondent resides or has
410 a place of business.

411 (b) After serving an immediate final order to cease and
412 desist upon any person or entity, the department shall within 10
413 days issue and serve upon the same person or entity an
414 administrative complaint as set forth in subsection (4) ~~(2)~~,
415 except that, absent order of a court to the contrary, the
416 immediate final order shall be effective throughout the pendency
417 of proceedings under subsection (4) ~~(2)~~.

418 (8) Any person who is not licensed under this chapter and
419 who engages in activity requiring licensure under this chapter
420 commits a felony of the third degree, punishable as provided in
421 s. 775.082, s. 775.083, or s. 775.084.

422 Section 7. Subsection (6) of section 497.159, Florida
423 Statutes, is amended to read:

424 497.159 Crimes.—

425 ~~(6) Any person who is not licensed under this chapter who~~
426 ~~engages in activity requiring licensure under this chapter,~~
427 ~~commits a misdemeanor of the second degree, punishable as~~
428 ~~provided in s. 775.082 or s. 775.083.~~

429 Section 8. Subsection (7) of section 497.459, Florida
430 Statutes, is amended to read:

431 497.459 Cancellation of, or default on, preneed contracts;
432 required notice.—



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433 (7) NOTICE TO PURCHASER OR LEGALLY AUTHORIZED PERSON.—

434 (a) To ensure the performance of unfulfilled preneed
435 contracts, upon the occurrence of the earlier ~~earliest~~ of either
436 ~~any~~ of the following events, a preneed licensee shall provide to
437 the purchaser or to the beneficiary's legally authorized person
438 written notice of the preneed licensee's intent to distribute
439 funds as described herein in accordance with the terms of the
440 preneed contract, if any such terms exist ~~obligation of the~~
441 ~~preneed licensee remains to be fulfilled under the contract:~~

442 1. Fifty years after the date of execution of the preneed
443 contract by the purchaser.

444 2. The beneficiary of the preneed contract attains the age
445 of 105 years of age or older.

446 ~~3. The social security number of the beneficiary of the~~
447 ~~preneed contract, as shown on the contract, is contained within~~
448 ~~the United States Social Security Administration Death Master~~
449 ~~File.~~

450
451 By July 1, 2021, and at least every 3 years thereafter, a
452 preneed licensee shall conduct an analysis of each of its
453 preneed contracts to determine if subparagraph 1. or
454 subparagraph 2. applies.

455 (b)1. The notice in paragraph (a) must be provided by
456 certified mail, registered mail, or permitted delivery service,
457 return receipt requested, to the last known mailing address of
458 the purchaser or the beneficiary's legally authorized person,
459 whichever is applicable, as provided to the preneed licensee. If
460 the notice is returned as undeliverable within 30 calendar days
461 after the preneed licensee sent the notice, the preneed licensee



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462 ~~trustee~~ shall perform a diligent search and inquiry to obtain a
463 different address for the purchaser or the beneficiary's legally
464 authorized person, whichever is applicable. For purposes of this
465 subparagraph, any address known and used by the purchaser or the
466 beneficiary's legally authorized person, whichever is
467 applicable, for sending regular mailings or other communications
468 from the purchaser or the beneficiary's legally authorized
469 person, whichever is applicable, to the preneed licensee or any
470 address produced through a current address service or searchable
471 database shall be included with other addresses produced from
472 the diligent search and inquiry, if any. If the preneed
473 licensee's ~~trustee's~~ diligent search and inquiry produces an
474 address different from the notice address, the preneed licensee
475 ~~trustee~~ shall mail a copy of the notice by certified mail,
476 registered mail, or permitted delivery service, return receipt
477 requested, to any and all addresses produced as a result of the
478 diligent search and inquiry.

479 2. If the purchaser or the beneficiary's legally authorized
480 person, whichever is applicable, fails to respond to such notice
481 within 3 years ~~120 days~~ after delivery of the last mailed notice
482 under subparagraph 1., the funds held in trust must be
483 distributed within 60 days after the end of the 3-year period
484 and in accordance with any applicable provision of chapter 717,
485 as follows:

486 a. The principal deposited into trust must be remitted to
487 the Unclaimed Property Trust Fund.

488 b. Any additional funds in trust must be remitted to the
489 preneed licensee.

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491 Upon the occurrence of the distribution from trust, the preneed
492 licensee is absolved of all liability associated with the
493 preneed contract for which funds were distributed, including any
494 obligation to refund any monies paid by a purchaser of a preneed
495 contract. The names of the purchaser and the beneficiary of any
496 preneed contract for which funds were distributed must be
497 provided to the Division of Unclaimed Property at the time such
498 funds are remitted to the Unclaimed Property Trust Fund.

499 (c) A purchaser or a beneficiary that receive the notice
500 required under this subsection retains all rights to fulfillment
501 or cancellation of the preneed contract during the time between
502 the issuance of the notice and the distribution described in
503 subparagraph (b)2. Legally authorized persons, in the priority
504 set forth in this chapter, of the purchaser or beneficiary may
505 obtain fulfillment or cancellation of the preneed contract. Such
506 fulfillment may include identifying a new beneficiary on the
507 preneed contract. A preneed licensee shall provide fulfillment
508 or cancellation of the preneed contract upon the attestation of
509 any one legally authorized person that he or she is not aware of
510 an objection to the requested action by any person in his or her
511 priority class or a higher priority class. If the legally
512 authorized person chooses to identify a new beneficiary on the
513 preneed contract, the preneed contract is deemed effective as of
514 the date of the identification of the new beneficiary ~~in~~
515 accordance with the terms of the preneed contract, the trust
516 agreement, and any applicable provisions of chapter 717.

517 ~~(c) This subsection does not affect a purchaser's rights to~~
518 ~~cancel the preneed contract and receive a refund or a preneed~~
519 ~~licensee's obligations to refund established by this chapter.~~



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520 (d) This section does not apply to any interment
521 merchandise or services associated with such interment rights.

522 (e) The licensing authority shall have authority to adopt
523 rules for the review and approval of notice forms used by
524 preneed licensees to provide notice under this subsection.

525 Section 9. Subsection (13) of section 552.081, Florida
526 Statutes, is amended to read:

527 552.081 Definitions.—As used in this chapter:

528 (13) "Two-component explosives" means any two inert
529 components which, when mixed, become capable of detonation by
530 any detonator ~~a No. 6 blasting cap~~, and shall be classified as a
531 Class "A" explosive when so mixed.

532 Section 10. Present subsection (2) of section 553.7921,
533 Florida Statutes, is redesignated as subsection (3), a new
534 subsection (2) is added to that section, and subsection (1) of
535 that section is amended, to read:

536 553.7921 Fire alarm permit application to local enforcement
537 agency.—

538 (1) A contractor must file a Uniform Fire Alarm Permit
539 Application as provided in subsection (3) ~~(2)~~ with the local
540 enforcement agency and must receive the fire alarm permit
541 before:

542 ~~(a) installing or replacing a fire alarm, if the local~~
543 ~~enforcement agency requires a plan review for the installation~~
544 ~~or replacement; or~~

545 ~~(b) Repairing an existing alarm system that was previously~~
546 ~~permitted by the local enforcement agency if the local~~
547 ~~enforcement agency requires a fire alarm permit for the repair.~~

548 (2) If the local enforcement agency requires a fire alarm



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549 permit to repair an existing alarm system that was previously
550 permitted by the local enforcement agency, a contractor may
551 begin work after filing a Uniform Fire Alarm Permit Application
552 as provided in subsection (3). A fire alarm repaired pursuant to
553 this subsection may not be considered compliant until the
554 required permit is issued and the local enforcement agency
555 approves the repair.

556 Section 11. Effective January 1, 2021, subsection (3) of
557 section 626.2815, Florida Statutes, is amended to read:

558 626.2815 Continuing education requirements.—

559 (3) Each licensee except a title insurance agent must
560 complete a 4-hour ~~5-hour~~ update course every 2 years which is
561 specific to the license held by the licensee. The course must be
562 developed and offered by providers and approved by the
563 department. The content of the course must address all lines of
564 insurance for which examination and licensure are required and
565 include the following subject areas: insurance law updates,
566 ethics for insurance professionals, disciplinary trends and case
567 studies, industry trends, premium discounts, determining
568 suitability of products and services, and other similar
569 insurance-related topics the department determines are relevant
570 to legally and ethically carrying out the responsibilities of
571 the license granted. A licensee who holds multiple insurance
572 licenses must complete an update course that is specific to at
573 least one of the licenses held. Except as otherwise specified,
574 any remaining required hours of continuing education are
575 elective and may consist of any continuing education course
576 approved by the department under this section.

577 (a) Except as provided in paragraphs (b), (c), (d), (e),



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578 (i), and (j), each licensee must also complete 20 ~~19~~ hours of
579 elective continuing education courses every 2 years.

580 (b) A licensee who has been licensed for 6 or more years
581 must also complete a minimum of 16 ~~15~~ hours of elective
582 continuing education every 2 years.

583 (c) A licensee who has been licensed for 25 years or more
584 and is a CLU or a CPCU or has a Bachelor of Science degree in
585 risk management or insurance with evidence of 18 or more
586 semester hours in insurance-related courses must also complete a
587 minimum of 6 ~~5~~ hours of elective continuing education courses
588 every 2 years.

589 (d) An individual who holds a license as a customer
590 representative and who is not a licensed life or health agent
591 must also complete a minimum of 6 ~~5~~ hours of continuing
592 education courses every 2 years.

593 (e) An individual subject to chapter 648 must complete the
594 4-hour ~~5-hour~~ update course and a minimum of 10 ~~9~~ hours of
595 elective continuing education courses every 2 years.

596 (f) Elective continuing education courses for public
597 adjusters must be specifically designed for public adjusters and
598 approved by the department. Notwithstanding this subsection,
599 public adjusters for workers' compensation insurance or health
600 insurance are not required to take continuing education courses
601 pursuant to this section.

602 (g) Excess hours accumulated during any 2-year compliance
603 period may be carried forward to the next compliance period.

604 (h) An individual teaching an approved course of
605 instruction or lecturing at any approved seminar and attending
606 the entire course or seminar qualifies for the same number of



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607 classroom hours as would be granted to a person taking and
608 successfully completing such course or seminar. Credit is
609 limited to the number of hours actually taught unless a person
610 attends the entire course or seminar. An individual who is an
611 official of or employed by a governmental entity in this state
612 and serves as a professor, instructor, or in another position or
613 office, the duties and responsibilities of which are determined
614 by the department to require monitoring and review of insurance
615 laws or insurance regulations and practices, is exempt from this
616 section.

617 (i) For compliance periods beginning on or after October 1,
618 2014, any person who holds a license as a title insurance agent
619 must complete a minimum of 10 hours of continuing education
620 credit every 2 years in title insurance and escrow management
621 specific to this state and approved by the department, which
622 shall include at least 3 hours of continuing education on the
623 subject matter of ethics, rules, or compliance with state and
624 federal regulations relating specifically to title insurance and
625 closing services.

626 (j) For a licensee who is an active participant in an
627 association, 2 hours of elective continuing education credit per
628 calendar year may be approved by the department, if properly
629 reported by the association.

630 Section 12. Subsection (3) of section 633.102, Florida
631 Statutes, is amended to read:

632 633.102 Definitions.—As used in this chapter, the term:

633 (3) (a) "Contractor I" means a contractor whose business
634 includes the execution of contracts requiring the ability to lay
635 out, fabricate, install, inspect, alter, repair, and service all



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636 types of fire protection systems, excluding preengineered
637 systems.

638 (b) "Contractor II" means a contractor whose business is
639 limited to the execution of contracts requiring the ability to
640 lay out, fabricate, install, inspect, alter, repair, and service
641 water sprinkler systems, water spray systems, foam-water
642 sprinkler systems, foam-water spray systems, standpipes,
643 combination standpipes and sprinkler risers, all piping that is
644 an integral part of the system beginning at the point of service
645 as defined in this section, sprinkler tank heaters, air lines,
646 thermal systems used in connection with sprinklers, and tanks
647 and pumps connected thereto, excluding preengineered systems.

648 (c) "Contractor III" means a contractor whose business is
649 limited to the execution of contracts requiring the ability to
650 fabricate, install, inspect, alter, repair, and service carbon
651 dioxide systems, foam extinguishing systems, dry chemical
652 systems, and Halon and other chemical systems, excluding
653 preengineered systems.

654 (d) "Contractor IV" means a contractor whose business is
655 limited to the execution of contracts requiring the ability to
656 lay out, fabricate, install, inspect, alter, repair, and service
657 automatic fire sprinkler systems for detached one-family
658 dwellings, detached two-family dwellings, and mobile homes,
659 excluding preengineered systems and excluding single-family
660 homes in cluster units, such as apartments, condominiums, and
661 assisted living facilities or any building that is connected to
662 other dwellings. A Contractor IV is limited to the scope of
663 practice specified in NFPA 13D.

664 (e) "Contractor V" means a contractor whose business is



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665 limited to the execution of contracts requiring the ability to
666 fabricate, install, inspect, alter, repair, and service the
667 underground piping for a fire protection system using water as
668 the extinguishing agent beginning at the point of service as
669 defined in this act and ending no more than 1 foot above the
670 finished floor.

671
672 The definitions in this subsection may not be construed to
673 include engineers or architects and do not limit or prohibit a
674 licensed fire protection engineer or architect with fire
675 protection design experience from designing any type of fire
676 protection system. A distinction is made between system design
677 concepts prepared by the design professional and system layout
678 as defined in this section and typically prepared by the
679 contractor. However, a person certified as a Contractor I ~~or~~
680 Contractor II, ~~or Contractor IV~~ under this chapter may design
681 new fire protection systems of 49 or fewer sprinklers; ~~and~~ may
682 design the alteration of an existing fire sprinkler system if
683 the alteration consists of the relocation, addition, or deletion
684 of ~~not more than~~ 49 or fewer sprinklers, notwithstanding the
685 size of the existing fire sprinkler system; or may design the
686 alteration of an existing fire sprinkler system if the
687 alteration consists of the relocation or deletion of 249 or
688 fewer sprinklers, notwithstanding the size of the existing fire
689 sprinkler system, if there is no change of occupancy, as defined
690 in the Florida Building Code, of the affected areas and there is
691 no change in the water demand as defined in National Fire
692 Protection Association publication NFPA 13 "Standard for the
693 Installation of Sprinkler Systems," and if the occupancy hazard



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694 classification as defined in NFPA 13 is reduced or remains the
695 same as a result of the alteration. A person certified as a
696 Contractor I, Contractor II, or Contractor IV may design or
697 alter a fire protection system, the scope of which complies with
698 NFPA 13D, Standard for the Installation of Sprinkler Systems in
699 One- and Two-Family Dwellings and Manufactured Homes, as adopted
700 by the State Fire Marshal, notwithstanding the number of fire
701 sprinklers. Contractor-developed plans may not be required by
702 any local permitting authority to be sealed by a registered
703 professional engineer.

704 Section 13. Section 633.136, Florida Statutes, is amended
705 to read:

706 633.136 Fire and Emergency Incident Information Reporting
707 Program; duties; fire reports.—

708 (1) (a) The Fire and Emergency Incident Information
709 Reporting Program is created within the division. The program
710 shall:

711 1. Establish and maintain an electronic communication
712 system capable of transmitting fire and emergency incident
713 information to and between fire service providers ~~protection~~
714 ~~agencies~~.

715 2. Initiate a Fire and Emergency Incident Information
716 Reporting System that shall be responsible for:

717 a. Receiving fire and emergency incident information from
718 fire service providers ~~protection agencies~~.

719 b. Preparing and disseminating annual reports to the
720 Governor, the President of the Senate, the Speaker of the House
721 of Representatives, fire service providers ~~protection agencies~~,
722 and, upon request, the public. Each report shall include, but



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723 not be limited to, the information listed in the National Fire
724 Incident Reporting System.

725 c. Upon request, providing other states and federal
726 agencies with fire and emergency incident data of this state.

727 3. Adopt rules to effectively and efficiently implement,
728 administer, manage, maintain, and use the Fire and Emergency
729 Incident Information Reporting Program. The rules shall be
730 considered minimum requirements and shall not preclude a fire
731 service provider ~~protection agency~~ from implementing its own
732 requirements which may not conflict with the rules of the
733 division.

734 4. By rule, establish procedures and a format for each fire
735 service provider ~~protection agency~~ to voluntarily monitor its
736 records and submit reports to the program.

737 5. Maintain ~~Establish~~ an electronic information database
738 that is accessible and searchable by fire service providers
739 ~~protection agencies~~.

740 (b) The division shall consult with the Florida Forest
741 Service of the Department of Agriculture and Consumer Services
742 and the State Surgeon General of the Department of Health to
743 coordinate data, ensure accuracy of the data, and limit
744 duplication of efforts in data collection, analysis, and
745 reporting.

746 (2) The Fire and Emergency Incident Information System
747 Technical Advisory Panel is created within the division. The
748 panel shall advise, review, and recommend to the State Fire
749 Marshal with respect to the requirements of this section. The
750 membership of the panel shall consist of the ~~following~~ 15
751 members:



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752 ~~(a) The current 13 members~~ of the Firefighters Employment,
753 Standards, and Training Council as established in s. 633.402.

754 ~~(b) One member from the Florida Forest Service of the~~
755 ~~Department of Agriculture and Consumer Services, appointed by~~
756 ~~the director of the Florida Forest Service.~~

757 ~~(c) One member from the Department of Health, appointed by~~
758 ~~the State Surgeon General.~~

759 (3) As used in ~~For the purpose of~~ this section, the term
760 "fire service provider" has the same meaning as in s. 633.102
761 "~~fire protection agency~~" shall be defined by rule by the
762 division.

763 Section 14. Subsections (18) and (20) of section 633.202,
764 Florida Statutes, are amended to read:

765 633.202 Florida Fire Prevention Code.—

766 (18) The authority having jurisdiction shall determine the
767 minimum radio signal strength for fire department communications
768 in all new high-rise and existing high-rise buildings. Existing
769 buildings are not required to comply with minimum radio strength
770 for fire department communications and two-way radio system
771 enhancement communications as required by the Florida Fire
772 Prevention Code until January 1, 2023 ~~2022~~. However, by January
773 1, 2022 ~~December 31, 2019~~, an existing building that is not in
774 compliance with the requirements for minimum radio strength for
775 fire department communications must have completed a minimum
776 radio strength assessment ~~apply for an appropriate permit~~ for
777 the required installation with the local government agency
778 having jurisdiction and must demonstrate that the building will
779 become compliant by January 1, 2023 ~~2022~~. Existing apartment
780 buildings are not required to comply until January 1, 2025.



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781 However, existing apartment buildings are required to apply for
782 the appropriate permit for the required communications
783 installation by December 31, 2022.

784 (20) (a) In apartment occupancies with enclosed corridors
785 served by interior or exterior exit stairs, doorstep refuse and
786 recycling collection containers, which stand upright on their
787 own and do not leak liquids when standing upright, must be
788 allowed in exit access corridors when all of the following
789 conditions exist:

790 1. The maximum doorstep refuse and recycling collection
791 container size does not exceed 13 gallons.

792 2. Waste, which is in a doorstep refuse and recycling
793 collection container, is not placed in the exit access corridors
794 for single periods exceeding 5 hours.

795 3. Doorstep refuse and recycling collection containers do
796 not occupy the exit access corridors for single periods
797 exceeding 12 hours.

798 4. Doorstep refuse and recycling collection containers do
799 not reduce the means of egress width below that required under
800 NFPA Life Safety Code 101:31, as adopted under the Florida Fire
801 Prevention Code.

802 5. Management staff have written policies and procedures in
803 place and enforce them to ensure compliance with this paragraph,
804 and, upon request, provide a copy of such policies and
805 procedures to the authority having jurisdiction.

806 (b) In apartment occupancies with open-air corridors or
807 balconies served by exterior exit stairs, doorstep refuse and
808 recycling collection containers, which stand upright on their
809 own and do not leak liquids when standing upright, must be



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810 allowed in exit access corridors when all of the following
811 conditions exist:

812 1. The maximum doorstep refuse and recycling collection
813 container size does not exceed 27 gallons.

814 2. Waste, which is in a doorstep refuse and recycling
815 collection container, is not placed in the exit access corridors
816 for single periods exceeding 5 hours.

817 3. Doorstep refuse and recycling collection containers do
818 not reduce the means of egress width below that required under
819 NFPA Life Safety Code 101:31, as adopted under the Florida Fire
820 Prevention Code.

821 4. Management staff have written policies and procedures in
822 place and enforce them to ensure compliance with this paragraph,
823 and, upon request, provide a copy of such policies and
824 procedures to the authority having jurisdiction.

825 (c) The authority having jurisdiction may approve
826 alternative containers and storage arrangements that are
827 demonstrated to provide an equivalent level of safety to that
828 provided under paragraphs (a) and (b).

829 (d) The authority having jurisdiction shall allow apartment
830 occupancies a phase-in period until December 31, 2020, to comply
831 with this subsection.

832 (e) This subsection is repealed on January 1, 2024 ~~July 1,~~
833 ~~2021~~.

834 Section 15. Section 633.217, Florida Statutes, is created
835 to read:

836 633.217 Influencing a firesafety inspector; prohibited
837 acts.—

838 (1) A person may not influence a firesafety inspector by:



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839 (a) Threatening, coercing, tricking, or attempting to
840 threaten, coerce, or trick the firesafety inspector into
841 violating any provision of the Florida Fire Prevention Code, any
842 rule adopted by the State Fire Marshal, or any provision of this
843 chapter.

844 (b) Offering any compensation to the firesafety inspector
845 to induce a violation of the Florida Fire Prevention Code, any
846 rule adopted by the State Fire Marshal, or any provision of this
847 chapter.

848 (2) A firesafety inspector may not knowingly and willfully
849 accept an attempt by a person to influence the firesafety
850 inspector into violating any provision of the Florida Fire
851 Prevention Code, any rule adopted by the State Fire Marshal, or
852 any provision of this chapter.

853 Section 16. Paragraphs (d), (g), and (h) of subsection (4)
854 of section 633.304, Florida Statutes, are amended to read:

855 633.304 Fire suppression equipment; license to install or
856 maintain.—

857 (4)

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

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

864 2. The State Fire Marshal or his or her designee has by
865 inspection determined that the applicant possesses the equipment
866 required for the class of license sought. The State Fire Marshal
867 shall give an applicant a reasonable opportunity to correct any



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868 deficiencies discovered by inspection. To obtain such
869 inspection, an applicant with facilities located outside this
870 state must:

871 a. Provide a notarized statement from a professional
872 engineer licensed by the applicant's state of domicile
873 certifying that the applicant possesses the equipment required
874 for the class of license sought and that all such equipment is
875 operable; or

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

885 3. The applicant has submitted to the State Fire Marshal
886 proof of insurance providing coverage for comprehensive general
887 liability for bodily injury and property damage, products
888 liability, completed operations, and contractual liability. The
889 State Fire Marshal shall adopt rules providing for the amounts
890 of such coverage, but such amounts may not be less than \$300,000
891 for Class A or Class D licenses, \$200,000 for Class B licenses,
892 and \$100,000 for Class C licenses; and the total coverage for
893 any class of license held in conjunction with a Class D license
894 may not be less than \$300,000. The State Fire Marshal may, at
895 any time after the issuance of a license or its renewal, require
896 upon demand, and in no event more than 30 days after notice of



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897 such demand, the licensee to provide proof of insurance, on the
898 insurer's form, containing confirmation of insurance coverage as
899 required by this chapter. Failure, for any length of time, to
900 provide proof of insurance coverage as required must result in
901 the immediate suspension of the license until proof of proper
902 insurance is provided to the State Fire Marshal. An insurer that
903 provides such coverage shall notify the State Fire Marshal of
904 any change in coverage or of any termination, cancellation, or
905 nonrenewal of any coverage.

906 4. The applicant applies to the State Fire Marshal,
907 provides proof of experience, and successfully completes a
908 prescribed training course that includes both written and
909 practical training offered at by the State Fire College and or
910 an equivalent course approved by the State Fire Marshal as
911 applicable to the class of license being sought. This
912 subparagraph does not apply to any holder of or applicant for a
913 permit under paragraph (g) or to a business organization or a
914 governmental entity seeking initial licensure or renewal of an
915 existing license solely for the purpose of inspecting,
916 servicing, repairing, marking, recharging, and maintaining fire
917 extinguishers used and located on the premises of and owned by
918 such organization or entity.

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

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



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926 the license and demonstrating his or her knowledge and ability
927 to perform those tasks in a competent, lawful, and safe manner.
928 Such examination must be developed and administered by the State
929 Fire Marshal, or his or her designee in accordance with policies
930 and procedures of the State Fire Marshal. An applicant shall pay
931 a nonrefundable examination fee of \$50 for each examination or
932 reexamination scheduled. A reexamination may not be scheduled
933 sooner than 30 days after any administration of an examination
934 to an applicant. An applicant may not be permitted to take an
935 examination for any level of license more than a total of four
936 times during 1 year, regardless of the number of applications
937 submitted. As a prerequisite to licensure of the applicant, he
938 or she:

- 939 a. Must be at least 18 years of age.
- 940 b. Must have 4 years of proven experience as a fire
941 equipment permittee at a level equal to or greater than the
942 level of license applied for or have a combination of education
943 and experience determined to be equivalent thereto by the State
944 Fire Marshal. Having held a permit at the appropriate level for
945 the required period constitutes the required experience.
- 946 c. Must not have been convicted of a felony or a crime
947 punishable by imprisonment of 1 year or more under the law of
948 the United States or of any state thereof or under the law of
949 any other country. "Convicted" means a finding of guilt or the
950 acceptance of a plea of guilty or nolo contendere in any federal
951 or state court or a court in any other country, without regard
952 to whether a judgment of conviction has been entered by the
953 court having jurisdiction of the case. If an applicant has been
954 convicted of any such felony, the applicant is excluded from



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955 licensure for a period of 4 years after expiration of sentence
956 or final release by the Florida Commission on Offender Review
957 unless the applicant, before the expiration of the 4-year
958 period, has received a full pardon or has had her or his civil
959 rights restored.

960
961 This subparagraph does not apply to any holder of or applicant
962 for a permit under paragraph (g) or to a business organization
963 or a governmental entity seeking initial licensure or renewal of
964 an existing license solely for the purpose of inspecting,
965 servicing, repairing, marking, recharging, hydrotesting, and
966 maintaining fire extinguishers used and located on the premises
967 of and owned by such organization or entity.

968 (g) A permit of any class may not be issued or renewed to a
969 person by the division, and a permit of any class does not
970 remain operative, unless the person has:

971 1. Submitted a nonrefundable examination fee in the amount
972 of \$50.

973 2. Successfully completed a training course that includes
974 both written and practical training offered at ~~by~~ the State Fire
975 College and ~~or an equivalent course~~ approved by the State Fire
976 Marshal as applicable to the class of license being sought.

977 3. Passed, with a grade of at least 70 percent, a written
978 examination testing his or her knowledge of the rules and
979 statutes governing the activities authorized by the permit and
980 demonstrating his or her knowledge and ability to perform those
981 tasks in a competent, lawful, and safe manner. Such examination
982 must be developed and administered by the State Fire Marshal in
983 accordance with the policies and procedures of the State Fire



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984 Marshal. An examination fee must be paid for each examination
985 scheduled. A reexamination may not be scheduled sooner than 30
986 days after any administration of an examination to an applicant.
987 An applicant may not be permitted to take an examination for any
988 level of permit more than four times during 1 year, regardless
989 of the number of applications submitted. As a prerequisite to
990 taking the permit examination, the applicant must be at least 16
991 years of age.

992 (h) An applicant for a license or permit under this section
993 who fails the examination may take it three more times during
994 the 1-year period after he or she originally filed an
995 application for the examination. If the applicant fails the
996 examination within 1 year after the application date and he or
997 she seeks to retake the examination, he or she must file a new
998 application, pay the application and examination fees, and
999 successfully complete a prescribed training course that includes
1000 both written and practical training offered at ~~by~~ the State Fire
1001 College and ~~or an equivalent course~~ approved by the State Fire
1002 Marshal as applicable to the class of license being sought. The
1003 applicant may not submit a new application within 6 months after
1004 the date of his or her fourth reexamination. An applicant who
1005 passes the examination but does not meet the remaining
1006 qualifications prescribed by law and rule within 1 year after
1007 the application date must file a new application, pay the
1008 application and examination fee, successfully complete a
1009 prescribed training course that includes both written and
1010 practical training offered at ~~approved by~~ the State Fire College
1011 and ~~or an equivalent course~~ approved by the State Fire Marshal
1012 as applicable to the class of license being sought, and pass the



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1013 written examination.

1014 Section 17. Subsection (1) of section 633.402, Florida
1015 Statutes, is amended to read:

1016 633.402 Firefighters Employment, Standards, and Training
1017 Council; organization; meetings; quorum; compensation; seal;
1018 special powers; firefighter training.—

1019 (1) There is created within the department a Firefighters
1020 Employment, Standards, and Training Council of 15 ~~14~~ members.

1021 (a) The members shall be appointed as follows:

1022 1. Two fire chiefs appointed by the Florida Fire Chiefs
1023 Association.

1024 2. Two firefighters, who are not officers, appointed by the
1025 Florida Professional Firefighters Association.

1026 3. Two firefighter officers, who are not fire chiefs,
1027 appointed by the State Fire Marshal.

1028 4. One individual appointed by the Florida League of
1029 Cities.

1030 5. One individual appointed by the Florida Association of
1031 Counties.

1032 6. One individual appointed by the Florida Association of
1033 Special Districts.

1034 7. One individual appointed by the Florida Fire Marshals'
1035 and Inspectors' Association.

1036 8. One employee of the Florida Forest Service of the
1037 Department of Agriculture and Consumer Services appointed by the
1038 director of the Florida Forest Service.

1039 9. One individual appointed by the State Fire Marshal.

1040 10. One director or instructor of a state-certified
1041 firefighting training facility appointed by the State Fire



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1042 Marshal.

1043 11. One individual ~~The remaining member, who shall be~~
1044 appointed by the State Fire Marshal, who may not be a member or
1045 representative of the firefighting profession or of any local
1046 government.

1047 12. One individual from the Department of Health, appointed
1048 by the Surgeon General.

1049 (b) To be eligible for appointment as a member under
1050 subparagraph (a)1., subparagraph (a)2., subparagraph (a)3.,
1051 subparagraph (a)8., or subparagraph (a)10., a person must have
1052 had at least 4 years' experience in the firefighting profession.
1053 Members shall serve only as long as they continue to meet the
1054 criteria under which they were appointed, or unless a member has
1055 failed to appear at three consecutive and properly noticed
1056 meetings unless excused by the chair.

1057 Section 18. Subsection (1) of section 633.416, Florida
1058 Statutes, is amended to read:

1059 633.416 Firefighter employment and volunteer firefighter
1060 service; saving clause.—

1061 (1) A fire service provider may not employ an individual
1062 to:

1063 (a) Extinguish fires for the protection of life or property
1064 or to supervise individuals who perform such services unless the
1065 individual holds a current and valid Firefighter Certificate of
1066 Compliance. However, a person who is currently serving as a
1067 volunteer firefighter and holds a volunteer firefighter
1068 certificate of completion with a fire service provider, who is
1069 then employed as a regular or permanent firefighter by such fire
1070 service provider, may function, for a period of 1 year under the



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1071 direct supervision of an individual holding a valid firefighter
1072 certificate of compliance, in the same capacity in which he or
1073 she acted as a volunteer firefighter, provided that he or she
1074 has completed all training required by the volunteer
1075 organization. Under no circumstance can this period extend
1076 beyond 1 year either collectively or consecutively from the
1077 start of employment to obtain a Firefighter Certificate of
1078 Compliance; or

1079 (b) Serve as the administrative and command head of a fire
1080 service provider for a period in excess of 1 year unless the
1081 individual holds a current and valid Firefighter Certificate of
1082 Compliance or Special Certificate of Compliance.

1083 Section 19. Section 843.08, Florida Statutes, is amended to
1084 read:

1085 843.08 False personation.—A person who falsely assumes or
1086 pretends to be a firefighter, a sheriff, an officer of the
1087 Florida Highway Patrol, an officer of the Fish and Wildlife
1088 Conservation Commission, an officer of the Department of
1089 Environmental Protection, ~~a fire or arson investigator of the~~
1090 ~~Department of Financial Services~~, an officer of the Department
1091 of Financial Services, any personnel or representative of the
1092 Division of Investigative and Forensic Services, an officer of
1093 the Department of Corrections, a correctional probation officer,
1094 a deputy sheriff, a state attorney or an assistant state
1095 attorney, a statewide prosecutor or an assistant statewide
1096 prosecutor, a state attorney investigator, a coroner, a police
1097 officer, a lottery special agent or lottery investigator, a
1098 beverage enforcement agent, a school guardian as described in s.
1099 30.15(1)(k), a security officer licensed under chapter 493, any



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1100 member of the Florida Commission on Offender Review or any
1101 administrative aide or supervisor employed by the commission,
1102 any personnel or representative of the Department of Law
1103 Enforcement, or a federal law enforcement officer as defined in
1104 s. 901.1505, and takes upon himself or herself to act as such,
1105 or to require any other person to aid or assist him or her in a
1106 matter pertaining to the duty of any such officer, commits a
1107 felony of the third degree, punishable as provided in s.
1108 775.082, s. 775.083, or s. 775.084. However, a person who
1109 falsely personates any such officer during the course of the
1110 commission of a felony commits a felony of the second degree,
1111 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
1112 If the commission of the felony results in the death or personal
1113 injury of another human being, the person commits a felony of
1114 the first degree, punishable as provided in s. 775.082, s.
1115 775.083, or s. 775.084.

1116 Section 20. Paragraph (f) is added to subsection (11) of
1117 section 943.045, Florida Statutes, to read:

1118 943.045 Definitions; ss. 943.045-943.08.—The following
1119 words and phrases as used in ss. 943.045-943.08 shall have the
1120 following meanings:

1121 (11) "Criminal justice agency" means:

1122 (f) The investigations component of the Department of
1123 Financial Services which investigates the crimes of fraud and
1124 official misconduct in all public assistance given to residents
1125 of the state or provided to others by the state.

1126 Section 21. Effective upon this act becoming a law,
1127 paragraph (e) of subsection (1) and subsections (2) and (3) of
1128 section 40 of chapter 2019-140, Laws of Florida, are amended to



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1129 read:

1130 Section 40. (1) The Legislature finds that:

1131 (e) It is in the public interest to establish a Florida
1132 Financial Technology and Blockchain Task Force comprised of
1133 government and industry representatives to study the ways in
1134 which state, county, and municipal governments can benefit from
1135 a transition to a blockchain-based system for recordkeeping,
1136 security, and service delivery and to develop and submit
1137 recommendations to the Governor and the Legislature concerning
1138 the potential for implementation of blockchain-based systems
1139 that promote government efficiencies, better services for
1140 citizens, economic development, and safer cyber-secure
1141 interaction between government and the public.

1142 (2) The Florida Financial Technology and Blockchain Task
1143 Force, a task force as defined in s. 20.03, Florida Statutes, is
1144 established within the Department of Financial Services to
1145 explore and develop a master plan for fostering the expansion of
1146 financial technology and the blockchain industry in the state,
1147 to recommend policies and state investments to help make this
1148 state a leader in financial and blockchain technologies
1149 ~~technology~~, and to issue a report to the Governor and the
1150 Legislature. The task force shall study if and how state,
1151 county, and municipal governments can benefit from a transition
1152 to a blockchain-based system for recordkeeping, data security,
1153 financial transactions, and service delivery and identify ways
1154 to improve government interaction with businesses and the
1155 public. The task force shall also consider financial technology
1156 innovations related to money transmitters and payment instrument
1157 sellers, as defined in s. 560.103, Florida Statutes, including



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1158 mediums of exchange which are in electronic or digital form, and
1159 identify new products and services that could lead to business
1160 growth in this state.

1161 (a) The master plan shall:

1162 1. Identify the economic growth and development
1163 opportunities presented by financial and blockchain technologies
1164 technology.

1165 2. Assess the existing blockchain industry in the state.

1166 3. Identify innovative and successful blockchain
1167 applications currently used by industry and other governments to
1168 determine viability for state applications.

1169 4. Review workforce needs and academic programs required to
1170 build blockchain technology expertise across all relevant
1171 industries.

1172 5. Make recommendations to the Governor and the Legislature
1173 that will promote innovation and economic growth by reducing
1174 barriers to and expediting the expansion of the state's
1175 financial technology and blockchain industries ~~industry.~~

1176 (b) The task force shall consist of 13 members. Membership
1177 shall be as follows:

1178 1. Three agency heads or executive directors of cabinet
1179 agencies, or their designees, appointed by the Governor.

1180 2. Four members of the public or private sector with
1181 knowledge and experience in blockchain technology, appointed by
1182 the Governor.

1183 3. Three members from the public or private sector with
1184 knowledge and experience in blockchain technology, appointed by
1185 the Chief Financial Officer.

1186 4. One member from the private sector with knowledge and



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1187 experience in blockchain technology, appointed by the President
1188 of the Senate.

1189 5. One member from the private sector with knowledge and
1190 experience in blockchain technology, appointed by the Speaker of
1191 the House of Representatives.

1192 6. One certified public accountant licensed pursuant to
1193 chapter 473 with knowledge and experience in blockchain
1194 technology, appointed by the Governor.

1195

1196 Members of the task force shall reflect the ethnic diversity of
1197 the state.

1198 (c) Within 90 days after the effective date of this act, a
1199 majority of the members of the task force must be appointed and
1200 the task force shall hold its first meeting. The task force
1201 shall elect one of its members to serve as chair. Members of the
1202 task force shall serve for the duration of the existence of the
1203 task force. Any vacancy that occurs shall be filled in the same
1204 manner as the original appointment. Task force members shall
1205 serve without compensation, and are not entitled to
1206 reimbursement for per diem or travel expenses.

1207 (d) The task force shall study blockchain technology,
1208 including, but not limited to, the following:

1209 1. Opportunities and risks associated with using blockchain
1210 and distributed ledger technology for state and local
1211 governments.

1212 2. Different types of blockchains, both public and private,
1213 and different consensus algorithms.

1214 3. Projects and cases currently under development in other
1215 states and local governments, and how these cases could be



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1216 applied in this state.

1217 4. Ways the Legislature can modify general law to support
1218 secure paperless recordkeeping, increase cybersecurity, improve
1219 interactions with citizens, and encourage blockchain innovation
1220 for businesses in the state.

1221 5. Identifying potential economic incentives for companies
1222 investing in blockchain technologies in collaboration with the
1223 state.

1224 6. Recommending projects for potential blockchain
1225 solutions, including, but not limited to, use cases for state
1226 agencies that would improve services for citizens or businesses.

1227 7. Identifying the technical skills necessary to develop
1228 blockchain technology and ensuring that instruction in such
1229 skills is available at secondary and postsecondary educational
1230 institutions in this state.

1231 (3) The task force shall submit a report to the Governor,
1232 the President of the Senate, and the Speaker of the House of
1233 Representatives and present its findings to the appropriate
1234 legislative committees in each house of the Legislature by
1235 January 31, 2021 ~~within 180 days after the initial meeting of~~
1236 ~~the task force~~. The report must include:

1237 (a) A general description of the costs and benefits of
1238 state and local government agencies using blockchain technology.

1239 (b) Recommendations concerning the feasibility of
1240 implementing blockchain technology in the state and the best
1241 approach to finance the cost of implementation.

1242 (c) Recommendations for specific implementations to be
1243 developed by relevant state agencies.

1244 (d) Any draft legislation the task force deems appropriate



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1245 to implement such blockchain technologies.

1246 (e) Identification of one pilot project that may be
1247 implemented in the state.

1248 (f) Any other information deemed relevant by the task
1249 force.

1250 Section 22. Except as otherwise expressly provided in this
1251 act and except for this section, which shall take effect upon
1252 this act becoming a law, this act shall take effect July 1,
1253 2020.