

By Senator Boyd

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1                                   A bill to be entitled  
2           An act relating to the Department of Financial  
3           Services; repealing s. 17.0315, F.S., relating to the  
4           financial and cash management system and task force;  
5           amending s. 110.123, F.S.; revising definitions;  
6           authorizing specified persons relating to the Division  
7           of Rehabilitation and Liquidation to purchase coverage  
8           in a state group health insurance plan at specified  
9           premium costs; providing that the enrollment period  
10          for the state group insurance program begins with a  
11          specified plan year for certain persons relating to  
12          the division; amending s. 110.131, F.S.; conforming a  
13          cross-reference; amending s. 120.541, F.S.; revising  
14          applicability of certain provisions relating to a  
15          specified proposed rule; amending s. 215.34, F.S.;  
16          deleting the requirement for specified entities  
17          receiving certain charged-back items to prepare a  
18          journal transfer; amending s. 215.93, F.S.; renaming a  
19          subsystem of the Florida Financial Management  
20          Information System; amending s. 215.94, F.S.;  
21          conforming a provision to changes made by the act;  
22          amending s. 216.102, F.S.; making technical changes;  
23          amending s. 218.32, F.S.; revising legislative intent;  
24          providing functions of the Florida Open Financial  
25          Statement System; requiring local governments to use  
26          the system to file specified reports; providing  
27          requirements for the system; revising the list of  
28          entities with which the Chief Financial Officer may  
29          consult with regard to the system; authorizing, rather

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30 than requiring, certain local governmental financial  
31 statements to be filed in a specified format; deleting  
32 certain requirements for such statements; providing  
33 construction; providing an exception; amending s.  
34 414.40, F.S.; transferring the Stop Inmate Fraud  
35 Program from the Department of Financial Services to  
36 the Department of Economic Opportunity; authorizing  
37 the program to provide reports of certain data to the  
38 Division of Public Assistance Fraud for a specified  
39 purpose; amending s. 440.02, F.S.; revising the  
40 definition of the term "employer"; amending s. 440.05,  
41 F.S.; revising information that must be submitted with  
42 the notice of election to be exempt from workers'  
43 compensation coverage; specifying the circumstances  
44 under which the Department of Financial Services is  
45 required to send certain notifications to workers'  
46 compensation carriers; requiring such notifications to  
47 be electronic; requiring certificates of election to  
48 be exempt to contain a specified notice; deleting a  
49 provision requiring certain corporation officers to  
50 maintain business records; revising applicability of  
51 certificates of election to be exempt; amending s.  
52 440.107, F.S.; revising the timeframe for certain  
53 employers to produce specified records under certain  
54 circumstances; prohibiting employers who failed to  
55 secure payment of workers' compensation from entering  
56 a payment agreement schedule with the department  
57 unless a specified condition is met; revising  
58 circumstances that result in immediate reinstatement

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59 of stop-work orders; revising penalty assessments;  
60 amending s. 440.13, F.S.; revising statewide schedules  
61 of maximum reimbursement allowances for medically  
62 necessary treatment, care, and attendance; authorizing  
63 the department to adopt rules; amending s. 440.185,  
64 F.S.; revising the timeline and methods for workers'  
65 compensation carriers to send a certain informational  
66 brochure to injured workers; revising methods by which  
67 such informational brochure is sent to employers;  
68 amending s. 440.381, F.S.; specifying new and renewal  
69 workers' compensation policies that require physical  
70 onsite audits for a specified class; amending s.  
71 497.277, F.S.; deleting a cap on transferring burial  
72 rights fees; amending s. 497.369, F.S.; revising  
73 requirements for licenses by endorsement to practice  
74 embalming; amending s. 497.372, F.S.; revising the  
75 scope of funeral directing practice; amending s.  
76 497.374, F.S.; revising requirements for licenses by  
77 endorsement to practice funeral directing; amending s.  
78 554.108, F.S.; requiring boilers manufactured after a  
79 specified date, rather than boilers of certain heat  
80 input, to be stamped with a specified code symbol;  
81 revising the boilers' information that must be filed;  
82 requiring that specified spaces and rooms be equipped  
83 with carbon monoxide detector devices; amending s.  
84 554.111, F.S.; deleting a requirement for a specified  
85 fee for a certificate of competency; requiring  
86 applications for boiler permits to include a specified  
87 report; revising the purpose for special trips that

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88 the department is required to make for boiler  
89 inspections; amending s. 554.114, F.S.; revising the  
90 schedules of penalties against boiler insurance  
91 companies, inspection agencies, and other persons for  
92 specified violations; amending s. 624.423, F.S.;  
93 specifying procedures for service of process upon  
94 insurers; amending s. 626.015, F.S.; revising the  
95 definition of the term "unaffiliated insurance agent";  
96 amending s. 626.171, F.S.; requiring fingerprints for  
97 certain licenses to be processed in accordance with  
98 specified laws; amending s. 626.172, F.S.; revising  
99 the method by which fingerprints for applications for  
100 insurance agency licenses are submitted; deleting a  
101 fingerprint processing fee; creating s. 626.173, F.S.;  
102 requiring insurance agencies' licenses to be  
103 immediately canceled under certain circumstances;  
104 providing the method by which such cancellations must  
105 be made; providing duties for certain insurance agency  
106 persons within a specified timeframe after cessation  
107 of insurance transactions; authorizing the department  
108 and the Office of Insurance Regulation to impose  
109 administrative fines against such persons for  
110 specified violations; prohibiting the initiation of  
111 certain proceedings and imposition of fines until  
112 specified prerequisites are completed; providing a cap  
113 on such fines; authorizing the department and the  
114 office to suspend or revoke licenses under certain  
115 circumstances; providing requirements for determining  
116 penalties and remedies; amending s. 626.201, F.S.;

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117 conforming a provision to changes made by the act;  
118 providing continuation of jurisdiction of the  
119 licensing authority to investigate and prosecute  
120 specified violations under certain circumstances;  
121 amending s. 626.202, F.S.; conforming provisions to  
122 changes made by the act; amending s. 626.221, F.S.;  
123 adding a designation to the list of designations that  
124 allow applicants for an all-lines adjuster license to  
125 be exempt from an examination; amending s. 626.311,  
126 F.S.; providing an exception to the prohibition  
127 against unaffiliated insurance agents holding  
128 appointments from insurers; authorizing certain  
129 adjusters to obtain adjuster appointments while  
130 maintaining unaffiliated insurance agent appointments  
131 and to adjust claims and receive certain compensation;  
132 amending ss. 626.321, 626.601, 626.8411, and 626.8412,  
133 F.S.; conforming provisions to changes made by the  
134 act; amending s. 626.8417, F.S.; revising requirements  
135 to qualify for title insurance agent licenses;  
136 amending s. 626.8421, F.S.; requiring title agencies  
137 to have separate appointments under certain  
138 circumstances; amending s. 626.843, F.S.; providing  
139 requirements for appointments of title insurance  
140 agencies; amending s. 626.8433, F.S.; requiring title  
141 insurers that terminate appointments of title  
142 insurance agencies to file certain information with  
143 the department; amending s. 626.8447, F.S.; providing  
144 effects of suspension or revocation of title insurance  
145 agency licenses; amending s. 626.854, F.S.; providing

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146 restrictions on public adjuster compensation;  
147 providing exceptions to such restrictions; amending s.  
148 626.8561, F.S.; revising the definition of the term  
149 "public adjuster apprentice"; amending s. 626.865,  
150 F.S.; revising requirements to qualify for public  
151 adjuster licenses; requiring that certain bonds remain  
152 in effect for a specified period after expiration of  
153 the license; amending s. 626.8651, F.S.; requiring  
154 that certain bonds remain in effect for a specified  
155 period after expiration of a public adjuster  
156 apprentice license; revising requirements for public  
157 adjuster apprentices to be, act as, or hold themselves  
158 out to be public adjuster apprentices; amending s.  
159 626.8696, F.S.; revising requirements for adjusting  
160 firm license applications; amending s. 626.8732, F.S.;  
161 requiring applicants for nonresident public adjuster  
162 licenses to maintain certain bonds after the  
163 expiration or termination of licenses; amending ss.  
164 626.8734 and 626.9953, F.S.; conforming provisions to  
165 changes made by the act; amending s. 633.135, F.S.;  
166 providing additional uses for firefighter funds;  
167 amending s. 633.216, F.S.; revising requirements for  
168 renewal of firesafety inspector certificates; amending  
169 s. 633.408, F.S.; revising requirements for the  
170 issuance of a Firefighter Certificate of Compliance  
171 and Special Certificate of Compliance; deleting  
172 provisions relating to requirements to retain a  
173 Special Certificate of Compliance; amending s.  
174 633.414, F.S.; providing requirements to retain a

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175 Special Certificate of Compliance; revising  
176 requirements to retain a Firefighter Certificate of  
177 Compliance; redefining the term "active"; amending ss.  
178 648.34 and 648.355, F.S.; conforming provisions to  
179 changes made by the act; amending s. 648.46, F.S.;  
180 providing continuation of jurisdiction of the  
181 licensing authority to investigate and prosecute  
182 specified violations under certain circumstances;  
183 amending s. 766.105, F.S.; deleting requirements and  
184 procedures for the certification of hospital  
185 compliance with the Florida Patient's Compensation  
186 Fund; providing that the fund is subject to the  
187 supervision and approval of the Chief Financial  
188 Officer or his or her designee, rather than the board  
189 of governors; conforming provisions to changes made by  
190 the act; providing for supervision of the fund until  
191 dissolution; specifying duties of the Department of  
192 Financial Services before dissolution of the fund;  
193 providing for future repeal; amending ss. 945.6041 and  
194 985.6441, F.S.; revising the definition of the term  
195 "health care provider"; defining the term "other  
196 medical facility"; transferring the Stop Inmate Fraud  
197 Program within the Department of Financial Services to  
198 the Department of Economic Opportunity by a type two  
199 transfer; providing effective dates.

200

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

202

203 Section 1. Section 17.0315, Florida Statutes, is repealed.

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204 Section 2. Present subsections (9) through (13) of section  
205 110.123, Florida Statutes, are redesignated as subsections (10)  
206 through (14), respectively, a new subsection (9) is added to  
207 that section, and paragraphs (b), (c), (f), (h), (i), and (o) of  
208 subsection (2) and paragraph (i) of subsection (5) are amended,  
209 to read:

210 110.123 State group insurance program.—

211 (2) DEFINITIONS.—As used in ss. 110.123-110.1239, the term:

212 (b) "Enrollee" means all state officers and employees,  
213 retired state officers and employees, surviving spouses of  
214 deceased state officers and employees, and terminated employees  
215 or individuals with continuation coverage who are enrolled in an  
216 insurance plan offered by the state group insurance program. The  
217 term "Enrollee" includes all state university officers and  
218 employees, retired state university officers and employees,  
219 surviving spouses of deceased state university officers and  
220 employees, and terminated state university employees or  
221 individuals with continuation coverage who are enrolled in an  
222 insurance plan offered by the state group insurance program. As  
223 used in this paragraph, state employees and retired state  
224 employees also include employees and retired employees of the  
225 Division of Rehabilitation and Liquidation.

226 (c) "Full-time state employees" means employees of all  
227 branches or agencies of state government holding salaried  
228 positions who are paid by state warrant or from agency funds and  
229 who work or are expected to work an average of at least 30 ~~or~~  
230 ~~more~~ hours per week; employees of the Division of Rehabilitation  
231 and Liquidation who work or are expected to work an average of  
232 at least 30 hours per week; employees paid from regular salary



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233 appropriations for 8 months' employment, including university  
234 personnel on academic contracts; and employees paid from other-  
235 personal-services (OPS) funds as described in subparagraphs 1.  
236 and 2. The term includes all full-time employees of the state  
237 universities. The term does not include seasonal workers who are  
238 paid from OPS funds.

239 1. For persons hired before April 1, 2013, the term  
240 includes any person paid from OPS funds who:

241 a. Has worked an average of at least 30 hours or more per  
242 week during the initial measurement period from April 1, 2013,  
243 through September 30, 2013; or

244 b. Has worked an average of at least 30 hours or more per  
245 week during a subsequent measurement period.

246 2. For persons hired after April 1, 2013, the term includes  
247 any person paid from OPS funds who:

248 a. Is reasonably expected to work an average of at least 30  
249 hours or more per week; or

250 b. Has worked an average of at least 30 hours or more per  
251 week during the person's measurement period.

252 (f) "Part-time state employee" means an employee of any  
253 branch or agency of state government paid by state warrant from  
254 salary appropriations or from agency funds, or an employee of  
255 the Division of Rehabilitation and Liquidation, ~~and~~ who is  
256 employed for less than an average of 30 hours per week or, if on  
257 academic contract or seasonal or other type of employment which  
258 is less than year-round, is employed for less than 8 months  
259 during any 12-month period, but does not include a person paid  
260 from other-personal-services (OPS) funds. The term includes all  
261 part-time employees of the state universities.

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262 (h) "Retired state officer or employee" or "retiree" means  
263 any state or state university officer or employee, or, beginning  
264 with the 2023 plan year, an employee of the Division of  
265 Rehabilitation and Liquidation, who retires under a state  
266 retirement system or a state optional annuity or retirement  
267 program or is placed on disability retirement, and who was  
268 insured under the state group insurance program or the Division  
269 of Rehabilitation and Liquidation's group insurance program at  
270 the time of retirement, and who begins receiving retirement  
271 benefits immediately after retirement from state or state  
272 university office or employment. The term also includes any  
273 state officer or state employee who retires under the Florida  
274 Retirement System Investment Plan established under part II of  
275 chapter 121 if he or she:

- 276 1. Meets the age and service requirements to qualify for  
277 normal retirement as set forth in s. 121.021(29); or  
278 2. Has attained the age specified by s. 72(t)(2)(A)(i) of  
279 the Internal Revenue Code and has 6 years of creditable service.

280 (i) "State agency" or "agency" means any branch,  
281 department, or agency of state government. "State agency" or  
282 "agency" includes any state university and the Division of  
283 Rehabilitation and Liquidation for purposes of this section  
284 only.

285 (o) "Surviving spouse" means the widow or widower of a  
286 deceased state officer, full-time state employee, part-time  
287 state employee, or retiree if such widow or widower was covered  
288 as a dependent under the state group health insurance plan,  
289 TRICARE supplemental insurance plan, ~~or~~ a health maintenance  
290 organization plan established pursuant to this section, or the

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291 Division of Rehabilitation and Liquidation's group insurance  
292 program at the time of the death of the deceased officer,  
293 employee, or retiree. "Surviving spouse" also means any widow or  
294 widower who is receiving or eligible to receive a monthly state  
295 warrant from a state retirement system as the beneficiary of a  
296 state officer, full-time state employee, or retiree who died  
297 prior to July 1, 1979. For the purposes of this section, any  
298 such widow or widower shall cease to be a surviving spouse upon  
299 his or her remarriage.

300 (5) DEPARTMENT POWERS AND DUTIES.—The department is  
301 responsible for the administration of the state group insurance  
302 program. The department shall initiate and supervise the program  
303 as established by this section and shall adopt such rules as are  
304 necessary to perform its responsibilities. To implement this  
305 program, the department shall, with prior approval by the  
306 Legislature:

307 (i) Contract with a single custodian to provide services  
308 necessary to implement and administer the health savings  
309 accounts authorized in subsection (13) ~~(12)~~.

310  
311 Final decisions concerning enrollment, the existence of  
312 coverage, or covered benefits under the state group insurance  
313 program shall not be delegated or deemed to have been delegated  
314 by the department.

315 (9) COVERAGE AND ENROLLMENT PERIOD FOR EMPLOYEES, RETIREES,  
316 AND WIDOWS AND WIDOWERS OF EMPLOYEES AND RETIREES OF THE  
317 DIVISION OF REHABILITATION AND LIQUIDATION.—

318 (a) Beginning with the 2023 plan year:

319 1. A retired employee insured under the Division of

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320 Rehabilitation and Liquidation's group insurance program, or a  
321 widow or widower of an employee or of a retired employee of the  
322 Division of Rehabilitation and Liquidation who is covered as a  
323 dependent under the Division of Rehabilitation and Liquidation's  
324 group insurance program, may purchase coverage in a state group  
325 health insurance plan at the same premium cost as that for a  
326 retiree or a surviving spouse, respectively, enrolled in the  
327 state group insurance program.

328 2. A terminated employee of the Division of Rehabilitation  
329 and Liquidation or an individual with continuation coverage who  
330 is insured under the Division of Rehabilitation and  
331 Liquidation's group insurance program may purchase coverage in a  
332 state group health insurance plan at the same premium cost as  
333 that for a terminated employee or an individual with  
334 continuation coverage, respectively, enrolled in the state group  
335 insurance program.

336 (b) The enrollment period for the state group insurance  
337 program begins with the 2023 plan year for:

338 1. Current and retired employees of the Division of  
339 Rehabilitation and Liquidation.

340 2. Widows and widowers of employees and of retired  
341 employees of the Division of Rehabilitation and Liquidation.

342 3. Terminated employees of the Division of Rehabilitation  
343 and Liquidation or individuals with continuation coverage who  
344 are insured under the Division of Rehabilitation and  
345 Liquidation's group insurance program.

346 Section 3. Subsection (5) of section 110.131, Florida  
347 Statutes, is amended to read:

348 110.131 Other-personal-services employment.—

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349 (5) Beginning January 1, 2014, an other-personal-services  
350 (OPS) employee who has worked an average of at least 30 or more  
351 hours per week during the measurement period described in s.  
352 110.123(14)(c) or (d) ~~s. 110.123(13)(c) or (d)~~, or who is  
353 reasonably expected to work an average of at least 30 or more  
354 hours per week following his or her employment, is eligible to  
355 participate in the state group insurance program as provided  
356 under s. 110.123.

357 Section 4. Paragraph (d) is added to subsection (4) of  
358 section 120.541, Florida Statutes, and paragraph (a) of  
359 subsection (2) and subsection (3) of that section are  
360 republished, to read:

361 120.541 Statement of estimated regulatory costs.—

362 (2) A statement of estimated regulatory costs shall  
363 include:

364 (a) An economic analysis showing whether the rule directly  
365 or indirectly:

366 1. Is likely to have an adverse impact on economic growth,  
367 private sector job creation or employment, or private sector  
368 investment in excess of \$1 million in the aggregate within 5  
369 years after the implementation of the rule;

370 2. Is likely to have an adverse impact on business  
371 competitiveness, including the ability of persons doing business  
372 in the state to compete with persons doing business in other  
373 states or domestic markets, productivity, or innovation in  
374 excess of \$1 million in the aggregate within 5 years after the  
375 implementation of the rule; or

376 3. Is likely to increase regulatory costs, including any  
377 transactional costs, in excess of \$1 million in the aggregate

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378 within 5 years after the implementation of the rule.

379 (3) If the adverse impact or regulatory costs of the rule  
380 exceed any of the criteria established in paragraph (2)(a), the  
381 rule shall be submitted to the President of the Senate and  
382 Speaker of the House of Representatives no later than 30 days  
383 prior to the next regular legislative session, and the rule may  
384 not take effect until it is ratified by the Legislature.

385 (4) Subsection (3) does not apply to the adoption of:

386 (d) Schedules of maximum reimbursement allowances by the  
387 three-member panel which are expressly authorized by s. 440.13.

388 Section 5. Subsection (1) of section 215.34, Florida  
389 Statutes, is amended to read:

390 215.34 State funds; noncollectible items; procedure.—

391 (1) Any check, draft, or other order for the payment of  
392 money in payment of any licenses, fees, taxes, commissions, or  
393 charges of any sort authorized to be made under the laws of the  
394 state and deposited in the State Treasury as provided herein,  
395 which may be returned for any reason by the bank or other payor  
396 upon which same shall have been drawn shall be forthwith  
397 returned by the Chief Financial Officer for collection to the  
398 state officer, the state agency, or the entity of the judicial  
399 branch making the deposit. In such case, the Chief Financial  
400 Officer may issue a debit memorandum charging an account of the  
401 agency, officer, or entity of the judicial branch which  
402 originally received the payment. The original of the debit  
403 memorandum shall state the reason for the return of the check,  
404 draft, or other order and shall accompany the item being  
405 returned to the officer, agency, or entity of the judicial  
406 branch being charged. The officer, agency, or entity of the

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407 judicial branch receiving the charged-back item shall ~~prepare a~~  
408 ~~journal transfer which shall~~ debit the charge against the fund  
409 or account to which the same shall have been originally  
410 credited. Such procedure for handling noncollectible items shall  
411 not be construed as paying funds out of the State Treasury  
412 without an appropriation, but shall be considered as an  
413 administrative procedure for the efficient handling of state  
414 records and accounts.

415 Section 6. Paragraph (c) of subsection (1) of section  
416 215.93, Florida Statutes, is amended to read:

417 215.93 Florida Financial Management Information System.—

418 (1) To provide the information necessary to carry out the  
419 intent of the Legislature, there shall be a Florida Financial  
420 Management Information System. The Florida Financial Management  
421 Information System shall be fully implemented and shall be  
422 upgraded as necessary to ensure the efficient operation of an  
423 integrated financial management information system and to  
424 provide necessary information for the effective operation of  
425 state government. Upon the recommendation of the coordinating  
426 council and approval of the board, the Florida Financial  
427 Management Information System may require data from any state  
428 agency information system or information subsystem or may  
429 request data from any judicial branch information system or  
430 information subsystem that the coordinating council and board  
431 have determined to have statewide financial management  
432 significance. Each functional owner information subsystem within  
433 the Florida Financial Management Information System shall be  
434 developed in such a fashion as to allow for timely, positive,  
435 preplanned, and prescribed data transfers between the Florida

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436 Financial Management Information System functional owner  
437 information subsystems and from other information systems. The  
438 principal unit of the system shall be the functional owner  
439 information subsystem, and the system shall include, but shall  
440 not be limited to, the following:

441 (c) Financial ~~Cash~~ Management Subsystem.

442 Section 7. Subsection (3) of section 215.94, Florida  
443 Statutes, is amended to read:

444 215.94 Designation, duties, and responsibilities of  
445 functional owners.—

446 (3) The Chief Financial Officer shall be the functional  
447 owner of the Financial ~~Cash~~ Management Subsystem. The Chief  
448 Financial Officer shall design, implement, and operate the  
449 subsystem in accordance with the provisions of ss. 215.90-  
450 215.96. The subsystem shall include, but shall not be limited  
451 to, functions for:

452 (a) Recording and reconciling credits and debits to  
453 treasury fund accounts.

454 (b) Monitoring cash levels and activities in state bank  
455 accounts.

456 (c) Monitoring short-term investments of idle cash.

457 (d) Administering the provisions of the Federal Cash  
458 Management Improvement Act of 1990.

459 Section 8. Subsection (3) of section 216.102, Florida  
460 Statutes, is amended to read:

461 216.102 Filing of financial information; handling by Chief  
462 Financial Officer; penalty for noncompliance.—

463 (3) The Chief Financial Officer shall:

464 (a) Prepare and furnish to the Auditor General annual



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465 financial statements for the state on or before December 31 of  
466 each year, using generally accepted accounting principles.

467 (b) Prepare and publish an annual ~~a comprehensive annual~~  
468 financial report for the state in accordance with generally  
469 accepted accounting principles on or before February 28 of each  
470 year.

471 (c) Furnish the Governor, the President of the Senate, and  
472 the Speaker of the House of Representatives with a copy of the  
473 annual comprehensive ~~annual~~ financial report prepared pursuant  
474 to paragraph (b).

475 (d) Notify each agency and the judicial branch of the data  
476 that is required to be recorded to enhance accountability for  
477 tracking federal financial assistance.

478 (e) Provide reports, as requested, to executive or judicial  
479 branch entities, the President of the Senate, the Speaker of the  
480 House of Representatives, and the members of the Florida  
481 Congressional Delegation, detailing the federal financial  
482 assistance received and disbursed by state agencies and the  
483 judicial branch.

484 (f) Consult with and elicit comments from the Executive  
485 Office of the Governor on changes to the Florida Accounting  
486 Information Resource Subsystem which clearly affect the  
487 accounting of federal funds, so as to ensure consistency of  
488 information entered into the Federal Aid Tracking System by  
489 state executive and judicial branch entities. While efforts  
490 shall be made to ensure the compatibility of the Florida  
491 Accounting Information Resource Subsystem and the Federal Aid  
492 Tracking System, any successive systems serving identical or  
493 similar functions shall preserve such compatibility.

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495 The Chief Financial Officer may furnish and publish in  
496 electronic form the financial statements and the annual  
497 comprehensive ~~annual~~ financial report required under paragraphs  
498 (a), (b), and (c).

499 Section 9. Paragraph (h) of subsection (1) of section  
500 218.32, Florida Statutes, is amended, and paragraph (i) is added  
501 to that subsection, to read:

502 218.32 Annual financial reports; local governmental  
503 entities.—

504 (1)

505 (h) ~~It is the intent of the Legislature to create~~ The  
506 Florida Open Financial Statement System must serve as, an  
507 interactive repository for governmental financial statements.  
508 This system serves as the primary reporting location for  
509 government financial information. A local government shall use  
510 the system to file with the department copies of all audit  
511 reports compiled pursuant to ss. 11.45 and 218.39. The system  
512 must be accessible to the public and must be open to inspection  
513 at all times by the Legislature, the Auditor General, and the  
514 Chief Inspector General.

515 1. The Chief Financial Officer may consult with  
516 stakeholders with regard to, ~~including the department, the~~  
517 ~~Auditor General, a representative of a municipality or county, a~~  
518 ~~representative of a special district, a municipal bond investor,~~  
519 ~~and an information technology professional employed in the~~  
520 ~~private sector, for input on the design and implementation of~~  
521 the Florida Open Financial Statement System.

522 2. The Chief Financial Officer may choose contractors to

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523 build one or more eXtensible Business Reporting Language (XBRL)  
524 taxonomies suitable for state, county, municipal, and special  
525 district financial filings and to create a software tool that  
526 enables financial statement filers to easily create XBRL  
527 documents consistent with such taxonomies. The Chief Financial  
528 Officer must recruit and select contractors through an open  
529 request for proposals process pursuant to chapter 287.

530 3. The Chief Financial Officer must require that all work  
531 products be completed no later than December 31, 2021.

532 4. If the Chief Financial Officer deems the work products  
533 adequate, all local governmental financial statements for fiscal  
534 years ending on or after September 1, 2022, may ~~must~~ be filed in  
535 XBRL format as prescribed by the Chief Financial Officer ~~and~~  
536 ~~must meet the validation requirements of the relevant taxonomy.~~

537 5. A local government that begins filing in XBRL format may  
538 not be required to make filings in Portable Document Format.

539 (i) Each local governmental entity that enters all required  
540 information in the Florida Open Financial Statement System is  
541 deemed to be compliant with this section, except as otherwise  
542 provided in this section.

543 Section 10. Section 414.40, Florida Statutes, is amended to  
544 read:

545 414.40 Stop Inmate Fraud Program established; guidelines.-

546 (1) There is created within the Department of Economic  
547 Opportunity ~~Financial Services~~ a Stop Inmate Fraud Program.

548 (2) The Department of Economic Opportunity ~~Financial~~  
549 ~~Services~~ is directed to implement the Stop Inmate Fraud Program  
550 in accordance with the following guidelines:

551 (a) The program shall establish procedures for sharing

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552 public records not exempt from the public records law among  
553 social services agencies regarding the identities of persons  
554 incarcerated in state correctional institutions, as defined in  
555 s. 944.02, and ~~or~~ in county, municipal, or regional jails or  
556 other detention facilities of local governments under chapter  
557 950 and ~~or~~ chapter 951 who are wrongfully receiving public  
558 assistance benefits or entitlement benefits.

559 (b) Pursuant to these procedures, the program shall have  
560 access to records containing correctional information not exempt  
561 from the public records law on incarcerated persons which have  
562 been generated as criminal justice information. As used in this  
563 paragraph, the terms "record" and "criminal justice information"  
564 have the same meanings as provided in s. 943.045.

565 (c) Database searches shall be conducted of the inmate  
566 population at each correctional institution or other detention  
567 facility. A correctional institution or a detention facility  
568 shall provide the Stop Inmate Fraud Program with the information  
569 necessary to identify persons wrongfully receiving benefits in  
570 the medium requested by the Stop Inmate Fraud Program if the  
571 correctional institution or detention facility maintains the  
572 information in that medium.

573 (d) Data obtained from correctional institutions or other  
574 detention facilities shall be compared with the client files of  
575 the Department of Children and Families, the Department of  
576 Economic Opportunity, and other state or local agencies as  
577 needed to identify persons wrongfully obtaining benefits. Data  
578 comparisons shall be accomplished during periods of low  
579 information demand by agency personnel to minimize inconvenience  
580 to the agency.

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581 (e) Results of data comparisons shall be furnished to the  
582 appropriate office for use in the county in which the data  
583 originated. The program may provide reports of the data it  
584 obtains to appropriate state, federal, and local government  
585 agencies or governmental entities, including, but not limited  
586 to:

587 1. The Child Support Enforcement Program of the Department  
588 of Revenue, so that the data may be used as locator information  
589 on persons being sought for purposes of child support.

590 2. The Social Security Administration, so that the data may  
591 be used to reduce federal entitlement fraud within the state.

592 3. The Division of Public Assistance Fraud of the  
593 Department of Financial Services, so that an investigation of  
594 the fraudulent receipt of public assistance may be facilitated.

595 (f) Reports by the program to another agency or entity  
596 shall be generated bimonthly, or as otherwise directed, and  
597 shall be designed to accommodate that agency's or entity's  
598 particular needs for data.

599 (g) Only those persons with active cases, or with cases  
600 that were active during the incarceration period, shall be  
601 reported, in order that the funding agency or entity, upon  
602 verification of the data, may take whatever action is deemed  
603 appropriate.

604 (h) For purposes of program review and analysis, each  
605 agency or entity receiving data from the program shall submit  
606 reports to the program which indicate the results of how the  
607 data was used.

608 Section 11. Paragraph (a) of subsection (16) of section  
609 440.02, Florida Statutes, is amended to read:

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610 440.02 Definitions.—When used in this chapter, unless the  
611 context clearly requires otherwise, the following terms shall  
612 have the following meanings:

613 (16) (a) "Employer" means the state and all political  
614 subdivisions thereof, all public and quasi-public corporations  
615 therein, every person carrying on any employment, and the legal  
616 representative of a deceased person or the receiver or trustees  
617 of any person. The term "Employer" also includes employment  
618 agencies and employee leasing companies that, ~~and similar~~  
619 ~~agents who~~ provide employees to other business entities or  
620 persons. If the employer is a corporation, parties in actual  
621 control of the corporation, including, but not limited to, the  
622 president, officers who exercise broad corporate powers,  
623 directors, and all shareholders who directly or indirectly own a  
624 controlling interest in the corporation, are considered the  
625 employer for the purposes of ss. 440.105, 440.106, and 440.107.

626 Section 12. Effective January 1, 2023, subsections (3),  
627 (4), (10), and (12) of section 440.05, Florida Statutes, are  
628 amended to read:

629 440.05 Election of exemption; revocation of election;  
630 notice; certification.—

631 (3) The notice of election to be exempt must be  
632 electronically submitted to the department by the officer of a  
633 corporation who is allowed to claim an exemption as provided by  
634 this chapter and must list the name, date of birth, valid driver  
635 license number or Florida identification card number, and all  
636 certified or registered licenses issued pursuant to chapter 489  
637 held by the person seeking the exemption, the registration  
638 number of the corporation filed with the Division of

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639 Corporations of the Department of State, and the percentage of  
640 ownership evidencing the required ownership under this chapter.  
641 The notice of election to be exempt must identify each  
642 corporation that employs the person electing the exemption and  
643 must list the ~~social security number or~~ federal tax  
644 identification number of each such employer and the additional  
645 documentation required by this section. In addition, the notice  
646 of election to be exempt must provide that the officer electing  
647 an exemption is not entitled to benefits under this chapter,  
648 must provide that the election does not exceed exemption limits  
649 for officers provided in s. 440.02, ~~and~~ must certify that any  
650 employees of the corporation whose officer elects an exemption  
651 are covered by workers' compensation insurance, and must certify  
652 that the officer electing an exemption has completed an online  
653 workers' compensation coverage and compliance tutorial developed  
654 by the department. Upon receipt of the notice of the election to  
655 be exempt, receipt of all application fees, and a determination  
656 by the department that the notice meets the requirements of this  
657 subsection, the department shall issue a certification of the  
658 election to the officer, unless the department determines that  
659 the information contained in the notice is invalid. The  
660 department shall revoke a certificate of election to be exempt  
661 from coverage upon a determination by the department that the  
662 person does not meet the requirements for exemption or that the  
663 information contained in the notice of election to be exempt is  
664 invalid. The certificate of election must list the name of the  
665 corporation listed in the request for exemption. A new  
666 certificate of election must be obtained each time the person is  
667 employed by a new or different corporation that is not listed on

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668 the certificate of election. Upon written request from a  
669 workers' compensation carrier, the department shall send  
670 thereafter an electronic notification to the carrier identifying  
671 each of its policyholders for which a notice of election to be  
672 exempt has been issued or for which a notice of revocation to be  
673 exempt has been received ~~A notice of the certificate of election~~  
674 ~~must be sent to each workers' compensation carrier identified in~~  
675 ~~the request for exemption.~~ Upon filing a notice of revocation of  
676 election, an officer who is a subcontractor or an officer of a  
677 corporate subcontractor must notify her or his contractor. ~~Upon~~  
678 ~~revocation of a certificate of election of exemption by the~~  
679 ~~department, the department shall notify the workers'~~  
680 ~~compensation carriers identified in the request for exemption.~~

681 (4) The notice of election to be exempt from the provisions  
682 of this chapter must contain a notice that clearly states in  
683 substance the following: "Any person who, knowingly and with  
684 intent to injure, defraud, or deceive the department or any  
685 employer or employee, insurance company, or any other person,  
686 files a notice of election to be exempt containing any false or  
687 misleading information is guilty of a felony of the third  
688 degree." Each person filing a notice of election to be exempt  
689 shall personally sign the notice and attest that he or she has  
690 reviewed, understands, and acknowledges the foregoing notice.  
691 The certificate of election to be exempt must contain the  
692 following notice: "This certificate of election to be exempt is  
693 NOT a license issued by the Department of Business and  
694 Professional Regulation (DBPR). To determine if the  
695 certificateholder is required to have a license to perform work  
696 or to verify the license of the certificateholder, go to (insert



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697 DBPR's website address for where to find this information)."

698 ~~(10) Each officer of a corporation who is actively engaged~~  
699 ~~in the construction industry and who elects an exemption from~~  
700 ~~this chapter shall maintain business records as specified by the~~  
701 ~~department by rule.~~

702 (11)~~(12)~~ Certificates of election to be exempt issued under  
703 subsection (3) shall apply only to the corporate officer named  
704 on the notice of election to be exempt ~~and apply only within the~~  
705 ~~scope of the business or trade listed on the notice of election~~  
706 ~~to be exempt.~~

707 Section 13. Effective January 1, 2023, paragraphs (a) and  
708 (d) of subsection (7) of section 440.107, Florida Statutes, are  
709 amended to read:

710 440.107 Department powers to enforce employer compliance  
711 with coverage requirements.-

712 (7) (a) Whenever the department determines that an employer  
713 who is required to secure the payment to his or her employees of  
714 the compensation provided for by this chapter has failed to  
715 secure the payment of workers' compensation required by this  
716 chapter or to produce the required business records under  
717 subsection (5) within 21 ~~10-business~~ days after receipt of the  
718 written request of the department, such failure shall be deemed  
719 an immediate serious danger to public health, safety, or welfare  
720 sufficient to justify service by the department of a stop-work  
721 order on the employer, requiring the cessation of all business  
722 operations. If the department makes such a determination, the  
723 department shall issue a stop-work order within 72 hours. The  
724 order shall take effect when served upon the employer or, for a  
725 particular employer worksite, when served at that worksite. In

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726 addition to serving a stop-work order at a particular worksite  
727 which shall be effective immediately, the department shall  
728 immediately proceed with service upon the employer which shall  
729 be effective upon all employer worksites in the state for which  
730 the employer is not in compliance. A stop-work order may be  
731 served with regard to an employer's worksite by posting a copy  
732 of the stop-work order in a conspicuous location at the  
733 worksite. Information related to an employer's stop-work order  
734 shall be made available on the division's website, ~~be updated~~  
735 ~~daily,~~ and remain on the website for at least 5 years. The order  
736 shall remain in effect until the department issues an order  
737 releasing the stop-work order upon a finding that the employer  
738 has come into compliance with the coverage requirements of this  
739 chapter and has paid any penalty assessed under this section.  
740 The department may issue an order of conditional release from a  
741 stop-work order to an employer upon a finding that the employer  
742 has complied with the coverage requirements of this chapter,  
743 paid a penalty of \$1,000 as a down payment, and agreed to remit  
744 periodic payments of the remaining penalty amount pursuant to a  
745 payment agreement schedule with the department or pay the  
746 remaining penalty amount in full. An employer may not enter into  
747 a payment agreement schedule unless the employer has fully paid  
748 any previous penalty assessed under this section. If an order of  
749 conditional release is issued, failure by the employer to pay  
750 the penalty in full or enter into a payment agreement with the  
751 department within 21 ~~28~~ days after service of the first penalty  
752 assessment calculation ~~stop-work order~~ upon the employer, or to  
753 meet any term or condition of such penalty payment agreement,  
754 shall result in the immediate reinstatement of the stop-work

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755 order and the entire unpaid balance of the penalty shall become  
756 immediately due.

757 (d)1. In addition to any penalty, stop-work order, or  
758 injunction, the department shall assess against an ~~any~~ employer  
759 who has failed to secure the payment of compensation as required  
760 by this chapter a penalty equal to 2 times the amount the  
761 employer would have paid in premium when applying approved  
762 manual rates to the employer's payroll during periods for which  
763 it failed to secure the payment of workers' compensation  
764 required by this chapter within the preceding 12-month ~~2-year~~  
765 period or \$1,000, whichever is greater. However, for an employer  
766 who is issued a stop-work order for materially understating or  
767 concealing payroll or has been previously issued a stop-work  
768 order or an order of penalty assessment, the preceding 24-month  
769 period shall be used to calculate the penalty as specified in  
770 this subparagraph.

771 a. For an employer ~~employers~~ who has ~~have~~ not been  
772 previously issued a stop-work order or order of penalty  
773 assessment, the department must allow the employer to receive a  
774 credit for the initial payment of the estimated annual workers'  
775 compensation policy premium, as determined by the carrier, to be  
776 applied to the penalty. Before applying the credit to the  
777 penalty, the employer must provide the department with  
778 documentation reflecting that the employer has secured the  
779 payment of compensation pursuant to s. 440.38 and proof of  
780 payment to the carrier. In order for the department to apply a  
781 credit for an employer that has secured workers' compensation  
782 for leased employees by entering into an employee leasing  
783 contract with a licensed employee leasing company, the employer

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784 must provide the department with a written confirmation, by a  
785 representative from the employee leasing company, of the dollar  
786 or percentage amount attributable to the initial estimated  
787 workers' compensation expense for leased employees, and proof of  
788 payment to the employee leasing company. The credit may not be  
789 applied unless the employer provides the documentation and proof  
790 of payment to the department within 21 ~~28~~ days after the  
791 employer's receipt of the written request to produce business  
792 records for calculating the penalty under this subparagraph  
793 ~~service of the stop-work order or first order of penalty~~  
794 ~~assessment upon the employer.~~

795 b. For an employer ~~employers~~ who has ~~have~~ not been  
796 previously issued a stop-work order or order of penalty  
797 assessment, the department must reduce the final assessed  
798 penalty by 25 percent if the employer has complied with  
799 administrative rules adopted pursuant to subsection (5) and has  
800 provided such business records to the department within 21 ~~10~~  
801 ~~business~~ days after the employer's receipt of the written  
802 request to produce business records for calculating the penalty  
803 under this subparagraph.

804 c. For an employer who has not been previously issued a  
805 stop-work order or an order of penalty assessment, the  
806 department must reduce the final assessed penalty by 15 percent  
807 if the employer correctly answers at least 80 percent of the  
808 questions from an online workers' compensation coverage and  
809 compliance tutorial, developed by the department, within 21 days  
810 after the employer's receipt of the written request to produce  
811 business records for calculating the penalty under this  
812 subparagraph. The online tutorial must be taken in a department

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813 office location identified by rule.

814

815 The \$1,000 penalty shall be assessed against the employer even  
816 if the calculated penalty after the credit provided in sub-  
817 subparagraph a., the ~~and~~ 25 percent reduction provided in sub-  
818 subparagraph b., and the 15 percent reduction provided in sub-  
819 subparagraph c., as applicable, have been applied is less than  
820 \$1,000.

821 2. Any subsequent violation within 5 years after the most  
822 recent violation shall, in addition to the penalties set forth  
823 in this subsection, be deemed a knowing act within the meaning  
824 of s. 440.105.

825 Section 14. Subsection (12) of section 440.13, Florida  
826 Statutes, is amended to read:

827 440.13 Medical services and supplies; penalty for  
828 violations; limitations.—

829 (12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM  
830 REIMBURSEMENT ALLOWANCES.—

831 (a) A three-member panel is created, consisting of the  
832 Chief Financial Officer, or the Chief Financial Officer's  
833 designee, and two members to be appointed by the Governor,  
834 subject to confirmation by the Senate, one member who, on  
835 account of present or previous vocation, employment, or  
836 affiliation, shall be classified as a representative of  
837 employers, the other member who, on account of previous  
838 vocation, employment, or affiliation, shall be classified as a  
839 representative of employees. The panel shall determine statewide  
840 schedules of maximum reimbursement allowances for medically  
841 necessary treatment, care, and attendance provided by

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842 physicians, hospitals, ambulatory surgical centers, work-  
843 hardening programs, pain programs, and durable medical  
844 equipment. The maximum reimbursement allowances for inpatient  
845 hospital care shall be based on a schedule of per diem rates, to  
846 be approved by the three-member panel no later than March 1,  
847 1994, to be used in conjunction with a precertification manual  
848 as determined by the department, including maximum hours in  
849 which an outpatient may remain in observation status, which  
850 shall not exceed 23 hours. All compensable charges for hospital  
851 outpatient care shall be reimbursed at 75 percent of usual and  
852 customary charges, except as otherwise provided by this  
853 subsection. Annually, the three-member panel shall adopt  
854 schedules of maximum reimbursement allowances for physicians,  
855 hospital inpatient care, hospital outpatient care, ambulatory  
856 surgical centers, work-hardening programs, and pain programs. An  
857 individual physician, hospital, ambulatory surgical center, pain  
858 program, or work-hardening program shall be reimbursed:

859 1. either The agreed-upon contract price; or  
860 2. If there is no agreed-upon contract price, the lesser of  
861 the provider's billed charge or the maximum reimbursement  
862 allowance in the appropriate schedule.

863 (b) It is the intent of the Legislature to increase the  
864 schedule of maximum reimbursement allowances for selected  
865 physicians effective January 1, 2004, and to pay for the  
866 increases through reductions in payments to hospitals. Revisions  
867 developed pursuant to this subsection are limited to the  
868 following:

869 1. Payments for outpatient physical, occupational, and  
870 speech therapy provided by hospitals shall be reduced to the

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871 schedule of maximum reimbursement allowances for these services  
872 which applies to nonhospital providers.

873 2. Payments for scheduled outpatient nonemergency  
874 radiological and clinical laboratory services that are not  
875 provided in conjunction with a surgical procedure shall be  
876 reduced to the schedule of maximum reimbursement allowances for  
877 these services which applies to nonhospital providers.

878 3. Outpatient reimbursement for scheduled surgeries shall  
879 be reduced from 75 percent of charges to 60 percent of charges.

880 4. Maximum reimbursement for a physician licensed under  
881 chapter 458 or chapter 459 shall be increased to 110 percent of  
882 the reimbursement allowed by Medicare, using appropriate codes  
883 and modifiers or the medical reimbursement level adopted by the  
884 three-member panel as of January 1, 2003, whichever is greater.

885 5. Maximum reimbursement for surgical procedures shall be  
886 increased to 140 percent of the reimbursement allowed by  
887 Medicare or the medical reimbursement level adopted by the  
888 three-member panel as of January 1, 2003, whichever is greater.

889 (c) As to reimbursement for a prescription medication, the  
890 reimbursement amount for a prescription shall be the average  
891 wholesale price plus \$4.18 for the dispensing fee. For  
892 repackaged or relabeled prescription medications dispensed by a  
893 dispensing practitioner as provided in s. 465.0276, the fee  
894 schedule for reimbursement shall be 112.5 percent of the average  
895 wholesale price, plus \$8.00 for the dispensing fee. For purposes  
896 of this subsection, the average wholesale price shall be  
897 calculated by multiplying the number of units dispensed times  
898 the per-unit average wholesale price set by the original  
899 manufacturer of the underlying drug dispensed by the

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900 practitioner, based upon the published manufacturer's average  
901 wholesale price published in the Medi-Span Master Drug Database  
902 as of the date of dispensing. All pharmaceutical claims  
903 submitted for repackaged or relabeled prescription medications  
904 must include the National Drug Code of the original  
905 manufacturer. Fees for pharmaceuticals and pharmaceutical  
906 services shall be reimbursable at the applicable fee schedule  
907 amount except where the employer or carrier, or a service  
908 company, third party administrator, or any entity acting on  
909 behalf of the employer or carrier directly contracts with the  
910 provider seeking reimbursement for a lower amount.

911 (d) Reimbursement for all fees and other charges for such  
912 treatment, care, and attendance, including treatment, care, and  
913 attendance provided by any hospital or other health care  
914 provider, ambulatory surgical center, work-hardening program, or  
915 pain program, must not exceed the amounts provided by the  
916 uniform schedule of maximum reimbursement allowances as  
917 determined by the panel or as otherwise provided in this  
918 section. This subsection also applies to independent medical  
919 examinations performed by health care providers under this  
920 chapter. In determining the uniform schedule, the panel shall  
921 first approve the data which it finds representative of  
922 prevailing charges in the state for similar treatment, care, and  
923 attendance of injured persons. Each health care provider, health  
924 care facility, ambulatory surgical center, work-hardening  
925 program, or pain program receiving workers' compensation  
926 payments shall maintain records verifying their usual charges.  
927 In establishing the uniform schedule of maximum reimbursement  
928 allowances, the panel must consider:



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929           1. The levels of reimbursement for similar treatment, care,  
930 and attendance made by other health care programs or third-party  
931 providers;

932           2. The impact upon cost to employers for providing a level  
933 of reimbursement for treatment, care, and attendance which will  
934 ensure the availability of treatment, care, and attendance  
935 required by injured workers;

936           3. The financial impact of the reimbursement allowances  
937 upon health care providers and health care facilities, including  
938 trauma centers as defined in s. 395.4001, and its effect upon  
939 their ability to make available to injured workers such  
940 medically necessary remedial treatment, care, and attendance.  
941 The uniform schedule of maximum reimbursement allowances must be  
942 reasonable, must promote health care cost containment and  
943 efficiency with respect to the workers' compensation health care  
944 delivery system, and must be sufficient to ensure availability  
945 of such medically necessary remedial treatment, care, and  
946 attendance to injured workers; and

947           4. The most recent average maximum allowable rate of  
948 increase for hospitals determined by the Health Care Board under  
949 chapter 408.

950           (e) In addition to establishing the uniform schedule of  
951 maximum reimbursement allowances, the panel shall:

952           1. Take testimony, receive records, and collect data to  
953 evaluate the adequacy of the workers' compensation fee schedule,  
954 nationally recognized fee schedules and alternative methods of  
955 reimbursement to health care providers and health care  
956 facilities for inpatient and outpatient treatment and care.

957           2. Survey health care providers and health care facilities

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958 to determine the availability and accessibility of workers'  
959 compensation health care delivery systems for injured workers.

960 3. Survey carriers to determine the estimated impact on  
961 carrier costs and workers' compensation premium rates by  
962 implementing changes to the carrier reimbursement schedule or  
963 implementing alternative reimbursement methods.

964 4. Submit recommendations on or before January 15, 2017,  
965 and biennially thereafter, to the President of the Senate and  
966 the Speaker of the House of Representatives on methods to  
967 improve the workers' compensation health care delivery system.

968  
969 The department, as requested, shall provide data to the panel,  
970 including, but not limited to, utilization trends in the  
971 workers' compensation health care delivery system. The  
972 department shall provide the panel with an annual report  
973 regarding the resolution of medical reimbursement disputes and  
974 any actions pursuant to subsection (8). The department shall  
975 provide administrative support and service to the panel to the  
976 extent requested by the panel and may adopt rules necessary to  
977 administer this subsection. For prescription medication  
978 purchased under the requirements of this subsection, a  
979 dispensing practitioner shall not possess such medication unless  
980 payment has been made by the practitioner, the practitioner's  
981 professional practice, or the practitioner's practice management  
982 company or employer to the supplying manufacturer, wholesaler,  
983 distributor, or drug repackager within 60 days of the dispensing  
984 practitioner taking possession of that medication.

985 Section 15. Subsection (3) of section 440.185, Florida  
986 Statutes, is amended to read:

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987 440.185 Notice of injury or death; reports; penalties for  
988 violations.-

989 (3) Within 3 business days after the employer or the  
990 employee informs the carrier of an injury, the carrier shall  
991 send by regular mail or e-mail to the injured worker an  
992 informational brochure approved by the department which sets  
993 forth in clear and understandable language an explanation of the  
994 rights, benefits, procedures for obtaining benefits and  
995 assistance, criminal penalties, and obligations of injured  
996 workers and their employers under the Florida Workers'  
997 Compensation Law. Annually, the carrier or its third-party  
998 administrator shall send by regular mail or e-mail to the  
999 employer an informational brochure approved by the department  
1000 which sets forth in clear and understandable language an  
1001 explanation of the rights, benefits, procedures for obtaining  
1002 benefits and assistance, criminal penalties, and obligations of  
1003 injured workers and their employers under the Florida Workers'  
1004 Compensation Law. All such informational brochures shall contain  
1005 a notice that clearly states in substance the following: "Any  
1006 person who, knowingly and with intent to injure, defraud, or  
1007 deceive any employer or employee, insurance company, or self-  
1008 insured program, files a statement of claim containing any false  
1009 or misleading information commits a felony of the third degree."

1010 Section 16. Subsection (3) of section 440.381, Florida  
1011 Statutes, is amended to read:

1012 440.381 Application for coverage; reporting payroll;  
1013 payroll audit procedures; penalties.-

1014 (3) The Financial Services Commission, in consultation with  
1015 the department, shall establish by rule minimum requirements for

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1016 audits of payroll and classifications ~~in order~~ to ensure that  
1017 the appropriate premium is charged for workers' compensation  
1018 coverage. The rules must ~~shall~~ ensure that audits performed by  
1019 both carriers and employers are adequate to provide that all  
1020 sources of payments to employees, subcontractors, and  
1021 independent contractors are ~~have been~~ reviewed and that the  
1022 accuracy of classification of employees is ~~has been~~ verified.  
1023 The rules must require ~~shall provide~~ that employers in all  
1024 classes other than the construction class be audited at least  
1025 ~~not less frequently than~~ biennially and may provide for more  
1026 frequent audits of employers in specified classifications based  
1027 on factors such as amount of premium, type of business, loss  
1028 ratios, or other relevant factors. ~~In no event shall~~ Employers  
1029 in the construction class, ~~generating more than the amount of~~  
1030 premium required to be experience rated must, ~~be audited at~~  
1031 least less than annually. The annual audits required for  
1032 construction classes must ~~shall~~ consist of physical onsite  
1033 audits for new and renewal policies only if the estimated annual  
1034 premium is \$10,000 or more. Payroll verification audit rules  
1035 must include, but need not be limited to, the use of state and  
1036 federal reports of employee income, payroll and other accounting  
1037 records, certificates of insurance maintained by subcontractors,  
1038 and duties of employees. At the completion of an audit, the  
1039 employer or officer of the corporation and the auditor must  
1040 print and sign their names on the audit document and attach  
1041 proof of identification to the audit document.

1042 Section 17. Subsection (2) of section 497.277, Florida  
1043 Statutes, is amended to read:

1044 497.277 Other charges.—Other than the fees for the sale of

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1045 burial rights, burial merchandise, and burial services, no other  
1046 fee may be directly or indirectly charged, contracted for, or  
1047 received by a cemetery company as a condition for a customer to  
1048 use any burial right, burial merchandise, or burial service,  
1049 except for:

1050 (2) Charges paid for transferring burial rights from one  
1051 purchaser to another; ~~however, no such fee may exceed \$50.~~

1052 Section 18. Paragraph (b) of subsection (1) of section  
1053 497.369, Florida Statutes, is amended to read:

1054 497.369 Embalmers; licensure as an embalmer by endorsement;  
1055 licensure of a temporary embalmer.—

1056 (1) The licensing authority shall issue a license by  
1057 endorsement to practice embalming to an applicant who has  
1058 remitted an examination fee set by rule of the licensing  
1059 authority not to exceed \$200 and who the licensing authority  
1060 certifies:

1061 (b)1. Holds a valid license in good standing to practice  
1062 embalming in another state of the United States and has engaged  
1063 in the full-time, licensed practice of embalming in that state  
1064 for at least 5 years, ~~provided that, when the applicant secured~~  
1065 ~~her or his original license, the requirements for licensure were~~  
1066 ~~substantially equivalent to or more stringent than those~~  
1067 ~~existing in this state; or~~

1068 2. Meets the qualifications for licensure in s. 497.368,  
1069 except that the internship requirement shall be deemed to have  
1070 been satisfied by 1 year's practice as a licensed embalmer in  
1071 another state, and has, within 10 years before ~~prior to~~ the date  
1072 of application, successfully completed a state, regional, or  
1073 national examination in mortuary science, which, as determined

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1074 by rule of the licensing authority, is substantially equivalent  
1075 to or more stringent than the examination given by the licensing  
1076 authority.

1077 Section 19. Paragraphs (b) and (f) of subsection (1) of  
1078 section 497.372, Florida Statutes, are amended to read:

1079 497.372 Funeral directing; conduct constituting practice of  
1080 funeral directing.—

1081 (1) The practice of funeral directing shall be construed to  
1082 consist of the following functions, which may be performed only  
1083 by a licensed funeral director:

1084 (b) Planning or arranging, on an at-need basis, the details  
1085 of funeral services, embalming, cremation, or other services  
1086 relating to the final disposition of human remains, and  
1087 ~~including the removal of such remains from the state; setting~~  
1088 ~~the time of the services; establishing the type of services to~~  
1089 ~~be rendered; acquiring the services of the clergy; and obtaining~~  
1090 ~~vital information for the filing of death certificates and~~  
1091 ~~obtaining of burial transit permits.~~

1092 (f) Directing, being in charge or apparent charge of, or  
1093 supervising, directly or indirectly, any memorial service ~~held~~  
1094 ~~prior to or within 72 hours of the burial or cremation,~~ if such  
1095 memorial service is sold or arranged by a licensee.

1096 Section 20. Paragraph (b) of subsection (1) of section  
1097 497.374, Florida Statutes, is amended to read:

1098 497.374 Funeral directing; licensure as a funeral director  
1099 by endorsement; licensure of a temporary funeral director.—

1100 (1) The licensing authority shall issue a license by  
1101 endorsement to practice funeral directing to an applicant who  
1102 has remitted a fee set by rule of the licensing authority not to

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1103 exceed \$200 and who:

1104 (b)1. Holds a valid license in good standing to practice  
 1105 funeral directing in another state of the United States and has  
 1106 engaged in the full-time, licensed practice of funeral directing  
 1107 in that state for at least 5 years, ~~provided that, when the~~  
 1108 ~~applicant secured her or his original license, the requirements~~  
 1109 ~~for licensure were substantially equivalent to or more stringent~~  
 1110 ~~than those existing in this state; or~~

1111 2. Meets the qualifications for licensure in s. 497.373,  
 1112 except that the applicant need not hold an associate degree or  
 1113 higher if the applicant holds a diploma or certificate from an  
 1114 accredited program of mortuary science, and has successfully  
 1115 completed a state, regional, or national examination in mortuary  
 1116 science or funeral service arts, which, as determined by rule of  
 1117 the licensing authority, is substantially equivalent to or more  
 1118 stringent than the examination given by the licensing authority.

1119 Section 21. Present subsection (6) of section 554.108,  
 1120 Florida Statutes, is redesignated as subsection (7), a new  
 1121 subsection (6) is added to that section, and subsection (1) of  
 1122 that section is amended, to read:

1123 554.108 Inspection.—

1124 (1) The inspection requirements of this chapter apply only  
 1125 to boilers located in public assembly locations. A ~~potable hot~~  
 1126 ~~water supply~~ boiler with an a heat input of 200,000 British  
 1127 thermal units (Btu) per hour and above, up to an a heat input  
 1128 not exceeding 400,000 Btu per hour, is exempt from inspection;  
 1129 however, such an exempt boiler, if manufactured after July 1,  
 1130 2022, but must be stamped with the A.S.M.E. code symbol.  
 1131 Additionally, "HLW" and the boiler's A.S.M.E data report of a

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1132 boiler with an input of 200,000 to 400,000 Btu per hour must be  
1133 filed as required under s. 554.103(2).

1134 (6) Each enclosed space or room containing a boiler  
1135 regulated under this chapter which is fired by the direct  
1136 application of energy from the combustion of fuels and which is  
1137 located in any portion of a public lodging establishment under  
1138 s. 509.242 shall be equipped with one or more carbon monoxide  
1139 detector devices.

1140 Section 22. Paragraphs (a) and (e) of subsection (1) and  
1141 paragraph (a) of subsection (2) of section 554.111, Florida  
1142 Statutes, are amended to read:

1143 554.111 Fees.—

1144 (1) The department shall charge the following fees:

1145 (a) For an applicant for a certificate of competency, the  
1146 initial application fee shall be \$50, and the annual renewal fee  
1147 shall be \$30. ~~The fee for examination shall be \$50.~~

1148 (e) An application for a boiler permit must include the  
1149 manufacturer's data report ~~applicable certificate inspection fee~~  
1150 ~~provided in paragraph (b).~~

1151 (2) Not more than an amount equal to one certificate  
1152 inspection fee may be charged or collected for any and all  
1153 boiler inspections in any inspection period, except as otherwise  
1154 provided in this chapter.

1155 (a) When it is necessary to make a special trip for testing  
1156 and verification inspections ~~to observe the application of a~~  
1157 ~~hydrostatic test~~, an additional fee equal to the fee for a  
1158 certificate inspection of the boiler must be charged.

1159 Section 23. Subsection (4) of section 554.114, Florida  
1160 Statutes, is amended to read:



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1161 554.114 Prohibitions; penalties.—

1162 (4) A boiler insurance company, authorized inspection  
1163 agency, or other person in violation of this section for more  
1164 than 30 days shall pay a fine of \$10 per day for the subsequent  
1165 ~~first~~ 10 days of noncompliance, \$50 per day for the subsequent  
1166 20 days of noncompliance, and \$100 per day for each subsequent  
1167 day ~~over 20 days~~ of noncompliance thereafter.

1168 Section 24. Subsection (3) of section 624.423, Florida  
1169 Statutes, is amended to read:

1170 624.423 Serving process.—

1171 (3) Service of process is valid and binding upon the  
1172 insurer on the date the process served upon the Chief Financial  
1173 Officer is delivered to the insurer and sent or the insurer has  
1174 been notified by the department that such information has been  
1175 made available on the department's secure online portal in  
1176 accordance with this section and s. 624.307(9) shall for all  
1177 purposes constitute valid and binding service thereof upon the  
1178 insurer.

1179 Section 25. Subsection (20) of section 626.015, Florida  
1180 Statutes, is amended to read:

1181 626.015 Definitions.—As used in this part:

1182 (20) "Unaffiliated insurance agent" means a licensed  
1183 insurance agent, except a limited lines agent, who is self-  
1184 appointed and who practices as an independent consultant in the  
1185 business of analyzing or abstracting insurance policies,  
1186 providing insurance advice or counseling, or making specific  
1187 recommendations or comparisons of insurance products for a fee  
1188 established in advance by written contract signed by the  
1189 parties. An unaffiliated insurance agent may not be affiliated

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1190 with an insurer, insurer-appointed insurance agent, or insurance  
1191 agency contracted with or employing insurer-appointed insurance  
1192 agents. A licensed adjuster who is also an unaffiliated  
1193 insurance agent may obtain an adjuster appointment in order to  
1194 adjust claims while holding an unaffiliated appointment on the  
1195 agent license.

1196 Section 26. Subsection (4) of section 626.171, Florida  
1197 Statutes, is amended to read:

1198 626.171 Application for license as an agent, customer  
1199 representative, adjuster, service representative, or reinsurance  
1200 intermediary.—

1201 (4) An applicant for a license under this chapter ~~as an~~  
1202 ~~agent, customer representative, adjuster, service~~  
1203 ~~representative, or reinsurance intermediary~~ must submit a set of  
1204 the individual applicant's fingerprints, or, if the applicant is  
1205 not an individual, a set of the fingerprints of the sole  
1206 proprietor, majority owner, partners, officers, and directors,  
1207 to the department and must pay the fingerprint processing fee  
1208 set forth in s. 624.501. Fingerprints must be processed in  
1209 accordance with s. 624.34 and used to investigate the  
1210 applicant's qualifications pursuant to s. 626.201. The  
1211 fingerprints must be taken by a law enforcement agency,  
1212 designated examination center, or other department-approved  
1213 entity. The department shall require all designated examination  
1214 centers to have fingerprinting equipment and to take  
1215 fingerprints from any applicant or prospective applicant who  
1216 pays the applicable fee. The department may not approve an  
1217 application for licensure as an agent, customer service  
1218 representative, adjuster, service representative, or reinsurance

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1219 intermediary if fingerprints have not been submitted.

1220 Section 27. Paragraph (f) of subsection (2) of section  
1221 626.172, Florida Statutes, is amended to read:

1222 626.172 Application for insurance agency license.—

1223 (2) An application for an insurance agency license must be  
1224 signed by an individual required to be listed in the application  
1225 under paragraph (a). An insurance agency may permit a third  
1226 party to complete, submit, and sign an application on the  
1227 insurance agency's behalf; however, the insurance agency is  
1228 responsible for ensuring that the information on the application  
1229 is true and correct and is accountable for any misstatements or  
1230 misrepresentations. The application for an insurance agency  
1231 license must include:

1232 (f) The fingerprints submitted in accordance with s.  
1233 626.171(4) of each of the following:

1234 1. A sole proprietor;

1235 2. Each individual required to be listed in the application  
1236 under paragraph (a); and

1237 3. Each individual who directs or participates in the  
1238 management or control of an incorporated agency whose shares are  
1239 not traded on a securities exchange.

1240

1241 ~~Fingerprints must be taken by a law enforcement agency or other~~  
1242 ~~entity approved by the department and must be accompanied by the~~  
1243 ~~fingerprint processing fee specified in s. 624.501. Fingerprints~~  
1244 ~~must be processed in accordance with s. 624.34. However,~~  
1245 Fingerprints need not be filed for an individual who is  
1246 currently licensed and appointed under this chapter. This  
1247 paragraph does not apply to corporations whose voting shares are

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1248 traded on a securities exchange.

1249 Section 28. Section 626.173, Florida Statutes, is created  
1250 to read:

1251 626.173 Insurance agency closure; cancellation of  
1252 licenses.-

1253 (1) If a licensed insurance agency permanently ceases the  
1254 transacting of insurance or ceases the transacting of insurance  
1255 for more than 31 days, the agent in charge, director of the  
1256 agency, or other officer listed on the original application for  
1257 licensure shall immediately cancel the insurance agency's  
1258 license by completing and submitting a form to notify the Bureau  
1259 of Licensing of the Division of Insurance Agent and Agency  
1260 Services within the department of the cancellation of the  
1261 license.

1262 (2) Within 30 days after the agency ceases the transaction  
1263 of insurance, the agent in charge, the director of the agency,  
1264 or other officer listed on the original application for  
1265 licensure shall:

1266 (a) Notify all insurers by which the agency or agent in  
1267 charge is appointed of the agency's cessation of operations, the  
1268 date on which operations ceased, the identity of any agency or  
1269 agent to which the agency's current book of business has been  
1270 transferred, and the method by which agency records may be  
1271 obtained during the time periods specified in ss. 626.561 and  
1272 626.748.

1273 (b) Notify all policyholders currently insured by a policy  
1274 written, produced, or serviced by the agency of the agency's  
1275 cessation of operations; the date on which operations ceased;  
1276 and the identity of the agency or agent to which the agency's

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1277 current book of business has been transferred or, if no transfer  
1278 has occurred, a statement directing the policyholder to contact  
1279 the insurance company for assistance in locating a licensed  
1280 agent to service the policy.

1281 (c) Notify all premium finance companies through which  
1282 active policies are financed of the agency's cessation of  
1283 operations, the date on which operations ceased, and the  
1284 identity of the agency or agent to which the agency's current  
1285 book of business has been transferred.

1286 (d) Ensure that all funds held in a fiduciary capacity are  
1287 properly distributed to the rightful owners.

1288 (3) (a) The department or office may, in a proceeding  
1289 initiated pursuant to chapter 120, impose an administrative fine  
1290 against the agent in charge or director or officer of the agency  
1291 found in the proceeding to have violated any provision of this  
1292 section. A proceeding may not be initiated and a fine may not  
1293 accrue until after the person has been notified in writing of  
1294 the nature of the violation, has been afforded 10 business days  
1295 to correct the violation, and has failed to do so.

1296 (b) A fine imposed under this subsection may not exceed the  
1297 amounts specified in s. 626.681 per violation.

1298 (c) The department or office may, in addition to the  
1299 imposition of an administrative fine under this subsection,  
1300 suspend or revoke the license of a licensee fined under this  
1301 subsection.

1302 (d) In imposing any administrative penalty or remedy  
1303 provided under this subsection, the department or office shall  
1304 take into account the appropriateness of the penalty with  
1305 respect to the size of the financial resources and the good

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1306 faith of the person charged, the gravity of the violation, the  
1307 history of previous violations, and other matters as justice may  
1308 require.

1309 Section 29. Subsection (3) of section 626.201, Florida  
1310 Statutes, is amended, and subsection (4) is added to that  
1311 section, to read:

1312 626.201 Investigation.—

1313 (3) An inquiry or investigation of the applicant's  
1314 qualifications, character, experience, background, and fitness  
1315 must include submission of the applicant's fingerprints, in  
1316 accordance with s. 626.171(4), to the Department of Law  
1317 Enforcement and the Federal Bureau of Investigation and  
1318 consideration of any state criminal records, federal criminal  
1319 records, or local criminal records obtained from these agencies  
1320 or from local law enforcement agencies.

1321 (4) The expiration, nonrenewal, or surrender of a license  
1322 under this chapter does not eliminate jurisdiction of the  
1323 licensing authority to investigate and prosecute for a violation  
1324 committed by the licensee while licensed under this chapter. The  
1325 prosecution of any matter may be initiated or continued  
1326 notwithstanding the withdrawal of a complaint.

1327 Section 30. Section 626.202, Florida Statutes, is amended  
1328 to read:

1329 626.202 Fingerprinting requirements.—

1330 (1) The requirements for completion and submission of  
1331 fingerprints under this chapter in accordance with s. 626.171(4)  
1332 are deemed to be met when an individual currently licensed under  
1333 this chapter seeks additional licensure and has previously  
1334 submitted fingerprints to the department within the past 48

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1335 months. However, the department may require the individual to  
1336 file fingerprints if it has reason to believe that an applicant  
1337 or licensee has been found guilty of, or pleaded guilty or nolo  
1338 contendere to, a felony or a crime related to the business of  
1339 insurance in this state or any other state or jurisdiction.

1340 (2) If there is a change in ownership or control of any  
1341 entity licensed under this chapter, or if a new partner,  
1342 officer, or director is employed or appointed, a set of  
1343 fingerprints of the new owner, partner, officer, or director  
1344 must be filed with the department or office within 30 days after  
1345 the change. The acquisition of 10 percent or more of the voting  
1346 securities of a licensed entity is considered a change of  
1347 ownership or control. The fingerprints must be submitted in  
1348 accordance with s. 626.171(4) ~~taken by a law enforcement agency~~  
1349 ~~or other department-approved entity and be accompanied by the~~  
1350 ~~fingerprint processing fee in s. 624.501.~~

1351 Section 31. Paragraph (j) of subsection (2) of section  
1352 626.221, Florida Statutes, is amended to read:

1353 626.221 Examination requirement; exemptions.—

1354 (2) However, an examination is not necessary for any of the  
1355 following:

1356 (j) An applicant for license as an all-lines adjuster who  
1357 has the designation of Accredited Claims Adjuster (ACA) from a  
1358 regionally accredited postsecondary institution in this state,  
1359 Certified All Lines Adjuster (CALA) from Kaplan Financial  
1360 Education, Associate in Claims (AIC) from the Insurance  
1361 Institute of America, Professional Claims Adjuster (PCA) from  
1362 the Professional Career Institute, Professional Property  
1363 Insurance Adjuster (PPIA) from the HurriClaim Training Academy,

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1364 Certified Adjuster (CA) from ALL LINES Training, Certified  
1365 Claims Adjuster (CCA) from AE21 Incorporated, Claims Adjuster  
1366 Certified Professional (CACP) from WebCE, Inc., Accredited  
1367 Insurance Claims Specialist (AICS) from Encore Claim Services,  
1368 or Universal Claims Certification (UCC) from Claims and  
1369 Litigation Management Alliance (CLM) whose curriculum has been  
1370 approved by the department and which includes comprehensive  
1371 analysis of basic property and casualty lines of insurance and  
1372 testing at least equal to that of standard department testing  
1373 for the all-lines adjuster license. The department shall adopt  
1374 rules establishing standards for the approval of curriculum.

1375 Section 32. Subsection (6) of section 626.311, Florida  
1376 Statutes, is amended to read:

1377 626.311 Scope of license.—

1378 (6) An agent who appoints his or her license as an  
1379 unaffiliated insurance agent may not hold an appointment from an  
1380 insurer for any license he or she holds, with the exception of  
1381 an adjuster license; transact, solicit, or service an insurance  
1382 contract on behalf of an insurer; interfere with commissions  
1383 received or to be received by an insurer-appointed insurance  
1384 agent or an insurance agency contracted with or employing  
1385 insurer-appointed insurance agents; or receive compensation or  
1386 any other thing of value from an insurer, an insurer-appointed  
1387 insurance agent, or an insurance agency contracted with or  
1388 employing insurer-appointed insurance agents for any transaction  
1389 or referral occurring after the date of appointment as an  
1390 unaffiliated insurance agent. An unaffiliated insurance agent  
1391 may continue to receive commissions on sales that occurred  
1392 before the date of appointment as an unaffiliated insurance



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1393 agent if the receipt of such commissions is disclosed when  
1394 making recommendations or evaluating products for a client that  
1395 involve products of the entity from which the commissions are  
1396 received. An adjuster who holds an adjuster license and who is  
1397 also an unaffiliated insurance agent may obtain an adjuster  
1398 appointment while maintaining his or her unaffiliated insurance  
1399 agent appointment and may adjust claims and receive compensation  
1400 in accordance with the authority granted by the adjuster license  
1401 and appointment.

1402 Section 33. Paragraph (h) of subsection (1) of section  
1403 626.321, Florida Statutes, is amended to read:

1404 626.321 Limited licenses and registration.—

1405 (1) The department shall issue to a qualified applicant a  
1406 license as agent authorized to transact a limited class of  
1407 business in any of the following categories of limited lines  
1408 insurance:

1409 (h) *Portable electronics insurance.*—License for property  
1410 insurance or inland marine insurance that covers only loss,  
1411 theft, mechanical failure, malfunction, or damage for portable  
1412 electronics.

1413 1. The license may be issued only to:

1414 a. Employees or authorized representatives of a licensed  
1415 general lines agent; or

1416 b. The lead business location of a retail vendor that sells  
1417 portable electronics insurance. The lead business location must  
1418 have a contractual relationship with a general lines agent.

1419 2. Employees or authorized representatives of a licensee  
1420 under subparagraph 1. may sell or offer for sale portable  
1421 electronics coverage without being subject to licensure as an

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1422 insurance agent if:

1423       a. Such insurance is sold or offered for sale at a licensed  
1424 location or at one of the licensee's branch locations if the  
1425 branch location is appointed by the licensed lead business  
1426 location or its appointing insurers;

1427       b. The insurer issuing the insurance directly supervises or  
1428 appoints a general lines agent to supervise the sale of such  
1429 insurance, including the development of a training program for  
1430 the employees and authorized representatives of vendors that are  
1431 directly engaged in the activity of selling or offering the  
1432 insurance; and

1433       c. At each location where the insurance is offered,  
1434 brochures or other written materials that provide the  
1435 information required by this subparagraph are made available to  
1436 all prospective customers. The brochures or written materials  
1437 may include information regarding portable electronics  
1438 insurance, service warranty agreements, or other incidental  
1439 services or benefits offered by a licensee.

1440       3. Individuals not licensed to sell portable electronics  
1441 insurance may not be paid commissions based on the sale of such  
1442 coverage. However, a licensee who uses a compensation plan for  
1443 employees and authorized representatives which includes  
1444 supplemental compensation for the sale of noninsurance products,  
1445 in addition to a regular salary or hourly wages, may include  
1446 incidental compensation for the sale of portable electronics  
1447 insurance as a component of the overall compensation plan.

1448       4. Brochures or other written materials related to portable  
1449 electronics insurance must:

1450       a. Disclose that such insurance may duplicate coverage

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1451 already provided by a customer's homeowners insurance policy,  
1452 renters insurance policy, or other source of coverage;

1453 b. State that enrollment in insurance coverage is not  
1454 required in order to purchase or lease portable electronics or  
1455 services;

1456 c. Summarize the material terms of the insurance coverage,  
1457 including the identity of the insurer, the identity of the  
1458 supervising entity, the amount of any applicable deductible and  
1459 how it is to be paid, the benefits of coverage, and key terms  
1460 and conditions of coverage, such as whether portable electronics  
1461 may be repaired or replaced with similar make and model  
1462 reconditioned or nonoriginal manufacturer parts or equipment;

1463 d. Summarize the process for filing a claim, including a  
1464 description of how to return portable electronics and the  
1465 maximum fee applicable if the customer fails to comply with  
1466 equipment return requirements; and

1467 e. State that an enrolled customer may cancel coverage at  
1468 any time and that the person paying the premium will receive a  
1469 refund of any unearned premium.

1470 5. A licensed and appointed general lines agent is not  
1471 required to obtain a portable electronics insurance license to  
1472 offer or sell portable electronics insurance at locations  
1473 already licensed as an insurance agency, but may apply for a  
1474 portable electronics insurance license for branch locations not  
1475 otherwise licensed to sell insurance.

1476 6. A portable electronics license authorizes the sale of  
1477 individual policies or certificates under a group or master  
1478 insurance policy. The license also authorizes the sale of  
1479 service warranty agreements covering only portable electronics

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1480 to the same extent as if licensed under s. 634.419 or s.  
1481 634.420.

1482 7. A licensee may bill and collect the premium for the  
1483 purchase of portable electronics insurance provided that:

1484 a. If the insurance is included with the purchase or lease  
1485 of portable electronics or related services, the licensee  
1486 clearly and conspicuously discloses that insurance coverage is  
1487 included with the purchase. Disclosure of the stand-alone cost  
1488 of the premium for same or similar insurance must be made on the  
1489 customer's bill and in any marketing materials made available at  
1490 the point of sale. If the insurance is not included, the charge  
1491 to the customer for the insurance must be separately itemized on  
1492 the customer's bill.

1493 b. Premiums are incidental to other fees collected, are  
1494 maintained in a manner that is readily identifiable, and are  
1495 accounted for and remitted to the insurer or supervising entity  
1496 within 60 days of receipt. Licensees are not required to  
1497 maintain such funds in a segregated account.

1498 c. All funds received by a licensee from an enrolled  
1499 customer for the sale of the insurance are considered funds held  
1500 in trust by the licensee in a fiduciary capacity for the benefit  
1501 of the insurer. Licensees may receive compensation for billing  
1502 and collection services.

1503 8. Notwithstanding any other provision of law, the terms  
1504 for the termination or modification of coverage under a policy  
1505 of portable electronics insurance are those set forth in the  
1506 policy.

1507 9. Notice or correspondence required by the policy, or  
1508 otherwise required by law, may be provided by electronic means

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1509 if the insurer or licensee maintains proof that the notice or  
1510 correspondence was sent. Such notice or correspondence may be  
1511 sent on behalf of the insurer or licensee by the general lines  
1512 agent appointed by the insurer to supervise the administration  
1513 of the program. For purposes of this subparagraph, an enrolled  
1514 customer's provision of an electronic mail address to the  
1515 insurer or licensee is deemed to be consent to receive notices  
1516 and correspondence by electronic means if a conspicuously  
1517 located disclosure is provided to the customer indicating the  
1518 same.

1519 10. ~~The provisions of this chapter requiring submission of~~  
1520 ~~fingerprints~~ requirements in s. 626.171(4) do not apply to  
1521 licenses issued to qualified entities under this paragraph.

1522 11. A branch location that sells portable electronics  
1523 insurance may, in lieu of obtaining an appointment from an  
1524 insurer or warranty association, obtain a single appointment  
1525 from the associated lead business location licensee and pay the  
1526 prescribed appointment fee under s. 624.501 if the lead business  
1527 location has a single appointment from each insurer or warranty  
1528 association represented and such appointment applies to the lead  
1529 business location and all of its branch locations. Branch  
1530 location appointments shall be renewed 24 months after the  
1531 initial appointment date of the lead business location and every  
1532 24 months thereafter. Notwithstanding s. 624.501, the renewal  
1533 fee applicable to such branch location appointments is \$30 per  
1534 appointment.

1535 12. For purposes of this paragraph:

1536 a. "Branch location" means any physical location in this  
1537 state at which a licensee offers its products or services for

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1538 sale.

1539       b. "Portable electronics" means personal, self-contained,  
1540 easily carried by an individual, battery-operated electronic  
1541 communication, viewing, listening, recording, gaming, computing  
1542 or global positioning devices, including cell or satellite  
1543 phones, pagers, personal global positioning satellite units,  
1544 portable computers, portable audio listening, video viewing or  
1545 recording devices, digital cameras, video camcorders, portable  
1546 gaming systems, docking stations, automatic answering devices,  
1547 and other similar devices and their accessories, and service  
1548 related to the use of such devices.

1549       c. "Portable electronics transaction" means the sale or  
1550 lease of portable electronics or a related service, including  
1551 portable electronics insurance.

1552       Section 34. Subsection (5) of section 626.601, Florida  
1553 Statutes, is amended to read:

1554       626.601 Improper conduct; inquiry; fingerprinting.—

1555       (5) If the department or office, after investigation, has  
1556 reason to believe that an individual may have been found guilty  
1557 of or pleaded guilty or nolo contendere to a felony or a crime  
1558 related to the business of insurance in this or any other state  
1559 or jurisdiction, the department or office may require the  
1560 individual to file with the department or office a complete set  
1561 of his or her fingerprints, in accordance with s. 626.171(4),  
1562 which shall be accompanied by the fingerprint processing fee set  
1563 forth in s. 624.501. The fingerprints shall be taken by an  
1564 authorized law enforcement agency or other department-approved  
1565 entity.

1566       Section 35. Paragraph (d) of subsection (2) of section

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1567 626.8411, Florida Statutes, is amended, and paragraph (f) is  
1568 added to subsection (1) of that section, to read:

1569 626.8411 Application of Florida Insurance Code provisions  
1570 to title insurance agents or agencies.—

1571 (1) The following provisions applicable to general lines  
1572 agents or agencies also apply to title insurance agents or  
1573 agencies:

1574 (f) Section 626.172(2)(f), relating to fingerprints.

1575 (2) The following provisions of part I do not apply to  
1576 title insurance agents or title insurance agencies:

1577 (d) Section 626.172, except for paragraph (2)(f) of that  
1578 section, relating to agent in full-time charge.

1579 Section 36. Paragraph (b) of subsection (1) of section  
1580 626.8412, Florida Statutes, is amended to read:

1581 626.8412 License and appointments required.—

1582 (1) Except as otherwise provided in this part:

1583 (b) A title insurance agent may not sell a title insurance  
1584 policy issued by an insurer for which the agent and the agency  
1585 do ~~does~~ not hold a current appointment.

1586 Section 37. Paragraph (a) of subsection (3) of section  
1587 626.8417, Florida Statutes, is amended to read:

1588 626.8417 Title insurance agent licensure; exemptions.—

1589 (3) The department may not grant or issue a license as a  
1590 title insurance agent to an individual who is found by the  
1591 department to be untrustworthy or incompetent, who does not meet  
1592 the qualifications for examination specified in s. 626.8414, or  
1593 who does not meet the following qualifications:

1594 (a) Within the 4 years immediately preceding the date of  
1595 the application for license, the applicant must have completed a

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1596 40-hour ~~classroom~~ course in title insurance, 3 hours of which  
1597 are on the subject matter of ethics, as approved by the  
1598 department, or must have had at least 12 months of experience in  
1599 responsible title insurance duties, under the supervision of a  
1600 licensed title insurance agent, title insurer, or attorney while  
1601 working in the title insurance business as a substantially full-  
1602 time, bona fide employee of a title insurance agency, title  
1603 insurance agent, title insurer, or attorney who conducts real  
1604 estate closing transactions and issues title insurance policies  
1605 but who is exempt from licensure under subsection (4). If an  
1606 applicant's qualifications are based upon the periods of  
1607 employment at responsible title insurance duties, the applicant  
1608 must submit, with the license application, an affidavit of the  
1609 applicant and of the employer affirming the period of such  
1610 employment, that the employment was substantially full time, and  
1611 giving a brief abstract of the nature of the duties performed by  
1612 the applicant.

1613 Section 38. Section 626.8421, Florida Statutes, is amended  
1614 to read:

1615 626.8421 Number of appointments permitted or required.—A  
1616 title agent and a title agency shall be required to have a  
1617 separate appointment as to each insurer by which they are ~~he or~~  
1618 ~~she is~~ appointed as agents ~~agent~~. As a part of each appointment  
1619 there shall be a certified statement or affidavit of an  
1620 appropriate officer or official of the appointing insurer  
1621 stating that to the best of the insurer's knowledge and belief  
1622 the applicant, or its principals in the case of a corporation or  
1623 other legal entity, has met the requirements of s. 626.8417.

1624 Section 39. Subsections (1) and (2) of section 626.843,



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1625 Florida Statutes, are amended to read:

1626       626.843 Renewal, continuation, reinstatement, termination  
1627 of title insurance agent's and title insurance agency's  
1628 appointments appointment.—

1629       (1) Appointments ~~the appointment~~ of a title insurance agent  
1630 and a title insurance agency shall continue in force until  
1631 suspended, revoked, or otherwise terminated, but subject to a  
1632 renewed request filed by the insurer every 24 months after the  
1633 original issue dates ~~date~~ of the appointments ~~appointment~~,  
1634 accompanied by payments ~~payment~~ of the renewal appointment fees  
1635 ~~fee~~ and taxes as prescribed in s. 624.501.

1636       (2) Title insurance agent and title insurance agency  
1637 appointments shall be renewed pursuant to s. 626.381 for  
1638 insurance representatives in general.

1639       Section 40. Subsection (1) of section 626.8433, Florida  
1640 Statutes, is amended to read:

1641       626.8433 Filing of reasons for terminating appointment of  
1642 title insurance agent and title insurance agency; confidential  
1643 information.—

1644       (1) Any title insurer that is terminating the appointment  
1645 of a title insurance agent or title insurance agency, whether  
1646 such termination is by direct action of the appointing title  
1647 insurer or by failure to renew or continue the appointment as  
1648 provided, shall file with the department a statement of the  
1649 reasons, if any, for, and the facts relative to, such  
1650 termination.

1651       Section 41. Section 626.8447, Florida Statutes, is amended  
1652 to read:

1653       626.8447 Effect of suspension or revocation upon other

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1654 licensees, appointees.—In case of the suspension or revocation  
1655 of the license and appointment of any title insurance agent or  
1656 title insurance agency, the licenses and appointments of all  
1657 other title insurance agents who knowingly were parties to the  
1658 act that ~~which~~ formed the ground for such suspension or  
1659 revocation may likewise be suspended or revoked for the same  
1660 period as that of the offending title insurance agent or title  
1661 insurance agency, but such suspension or revocation does ~~shall~~  
1662 not prevent any title insurance agent, except the one whose  
1663 license and appointment was first suspended or revoked, from  
1664 being issued an appointment for some other title insurer.

1665 Section 42. Present paragraph (d) of subsection (10) of  
1666 section 626.854, Florida Statutes, is redesignated as paragraph  
1667 (f), and a new paragraph (d) and paragraph (e) are added to that  
1668 subsection, to read:

1669 626.854 "Public adjuster" defined; prohibitions.—The  
1670 Legislature finds that it is necessary for the protection of the  
1671 public to regulate public insurance adjusters and to prevent the  
1672 unauthorized practice of law.

1673 (10)

1674 (d) Public adjuster compensation may not be based on  
1675 amounts attributable to additional living expenses, unless such  
1676 compensation is affirmatively agreed to in a separate agreement  
1677 that includes a disclosure in substantially the following form:  
1678 "I agree to retain and compensate the public adjuster for  
1679 adjusting my additional living expenses and securing payment  
1680 from my insurer for amounts attributable to additional living  
1681 expenses payable under the policy issued on my (home/mobile  
1682 home/condominium unit)."

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1683       (e) Public adjuster compensation may not be increased based  
1684 on a claim being resolved by litigation.

1685       Section 43. Section 626.8561, Florida Statutes, is amended  
1686 to read:

1687       626.8561 "Public adjuster apprentice" defined.—The term  
1688 "public adjuster apprentice" means a person licensed as an all-  
1689 lines adjuster who:

1690       (1) Is appointed and employed or contracted by ~~a public~~  
1691 ~~adjuster or~~ a public adjusting firm;

1692       (2) Assists the ~~public adjuster or~~ public adjusting firm in  
1693 ascertaining and determining the amount of any claim, loss, or  
1694 damage payable under an insurance contract, or who undertakes to  
1695 effect settlement of such claim, loss, or damage; and

1696       (3) Satisfies the requirements of s. 626.8651.

1697       Section 44. Paragraph (e) of subsection (1) and subsection  
1698 (2) of section 626.865, Florida Statutes, are amended to read:

1699       626.865 Public adjuster's qualifications, bond.—

1700       (1) The department shall issue a license to an applicant  
1701 for a public adjuster's license upon determining that the  
1702 applicant has paid the applicable fees specified in s. 624.501  
1703 and possesses the following qualifications:

1704       (e) Has been licensed and appointed in this state as a  
1705 nonresident public adjuster on a continual basis for the  
1706 previous 6 months, or has been licensed as an all-lines  
1707 adjuster, and has been appointed on a continual basis for the  
1708 previous 6 months as a public adjuster apprentice under s.  
1709 626.8561, as an independent adjuster under s. 626.855, or as a  
1710 company employee adjuster under s. 626.856.

1711       (2) At the time of application for license as a public

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1712 adjuster, the applicant shall file with the department a bond  
1713 executed and issued by a surety insurer authorized to transact  
1714 such business in this state, in the amount of \$50,000,  
1715 conditioned for the faithful performance of his or her duties as  
1716 a public adjuster under the license for which the applicant has  
1717 applied, and thereafter maintain the bond unimpaired throughout  
1718 the existence of the license ~~and for at least 1 year after~~  
1719 ~~termination of the license.~~

1720 (a) The bond must ~~shall~~ be in favor of the department and  
1721 must ~~shall~~ specifically authorize recovery by the department of  
1722 the damages sustained in case the licensee is guilty of fraud or  
1723 unfair practices in connection with his or her business as  
1724 public adjuster.

1725 (b) The bond must remain in effect for 1 year after the  
1726 expiration or termination of the license.

1727 (c) The aggregate liability of the surety for all such  
1728 damages may not ~~shall in no event~~ exceed the amount of the bond.  
1729 The ~~Such~~ bond may ~~shall~~ not be terminated unless at least 30  
1730 days' written notice is given to the licensee and filed with the  
1731 department.

1732 Section 45. Paragraph (a) of subsection (1) and subsection  
1733 (3) of section 626.8651, Florida Statutes, are amended to read:

1734 626.8651 Public adjuster apprentice appointment;  
1735 qualifications.—

1736 (1)(a) The department shall issue an appointment as a  
1737 public adjuster apprentice to a licensee who:

- 1738 1. Is licensed as an all-lines adjuster under s. 626.866;
- 1739 2. Has filed with the department a bond executed and issued  
1740 by a surety insurer that is authorized to transact such business

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1741 in this state in the amount of \$50,000, which is conditioned  
1742 upon the faithful performance of his or her duties as a public  
1743 adjuster apprentice; and

1744 3. Maintains such bond unimpaired throughout the existence  
1745 of the appointment. The bond must remain in effect for 1 year  
1746 after the expiration or termination of the license ~~and for at~~  
1747 ~~least 1 year after termination of the appointment.~~

1748 (3) A public adjuster apprentice has the same authority as  
1749 the licensed public adjuster or public adjusting firm that  
1750 employs the apprentice except that an apprentice may not execute  
1751 contracts for the services of a public adjuster or public  
1752 adjusting firm. An individual may not be, act as, or hold  
1753 himself or herself out to be a public adjuster apprentice unless  
1754 the individual is licensed as an all-lines adjuster and holds a  
1755 current appointment by a licensed ~~public all-lines adjuster or a~~  
1756 public adjusting firm that has designated with the department a  
1757 primary ~~employs a licensed public~~ adjuster as required by s.  
1758 626.8695.

1759 Section 46. Section 626.8696, Florida Statutes, is amended  
1760 to read:

1761 626.8696 Application for adjusting firm license.—

1762 (1) The application for an adjusting firm license must  
1763 include:

1764 (a) The name of each majority owner, partner, officer, and  
1765 director of the adjusting firm.

1766 (b) The resident address of each person required to be  
1767 listed in the application under paragraph (a).

1768 (c) The name of the adjusting firm and its principal  
1769 business address.

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1770 (d) The location of each adjusting firm office and the name  
1771 under which each office conducts or will conduct business.

1772 (e) The name and license number of the designated primary  
1773 adjuster for each adjusting firm location as required in s.  
1774 626.8695.

1775 (f) The fingerprints of each individual required to be  
1776 listed in the application under paragraph (a), filed in  
1777 accordance with s. 626.171(4). However, fingerprints need not be  
1778 filed for an individual who is currently licensed and appointed  
1779 under this chapter.

1780 (g) Any additional information that the department  
1781 requires.

1782 (2) An application for an adjusting firm license must be  
1783 signed by one of the individuals required to be listed in the  
1784 application under paragraph (1)(a) each owner of the firm. If  
1785 ~~the firm is incorporated, the application must be signed by the~~  
1786 ~~president and secretary of the corporation.~~

1787 ~~(3) Each application must be accompanied by payment of any~~  
1788 ~~applicable fee as prescribed in s. 624.501.~~

1789 ~~(4) License fees are not refundable.~~

1790 ~~(5) An adjusting firm required to be licensed pursuant to~~  
1791 ~~s. 626.8695 must remain so licensed for a period of 3 years from~~  
1792 ~~the date of licensure, unless the license is suspended or~~  
1793 ~~revoked. The department may suspend or revoke the adjusting~~  
1794 ~~firm's authority to do business for activities occurring during~~  
1795 ~~the time the firm is licensed, regardless of whether the~~  
1796 ~~licensing period has terminated.~~

1797 Section 47. Subsection (3) of section 626.8732, Florida  
1798 Statutes, is amended to read:

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1799           626.8732 Nonresident public adjuster's qualifications,  
1800 bond.—

1801           (3) At the time of application for license as a nonresident  
1802 public adjuster, the applicant shall file with the department a  
1803 bond executed and issued by a surety insurer authorized to  
1804 transact surety business in this state, in the amount of  
1805 \$50,000, conditioned for the faithful performance of his or her  
1806 duties as a nonresident public adjuster under the license  
1807 applied for. Thereafter, the applicant shall maintain the bond  
1808 unimpaired throughout the existence of the license and for 1  
1809 year after the expiration or termination of the license.

1810           (a) The bond must be in favor of the department and must  
1811 specifically authorize recovery by the department of the damages  
1812 sustained if the licensee commits fraud or unfair practices in  
1813 connection with his or her business as nonresident public  
1814 adjuster.

1815           (b) The aggregate liability of the surety for all the  
1816 damages may not exceed the amount of the bond. The bond may not  
1817 be terminated unless at least 30 days' written notice is given  
1818 to the licensee and filed with the department.

1819           Section 48. Paragraph (a) of subsection (2) of section  
1820 626.8734, Florida Statutes, is amended to read:

1821           626.8734 Nonresident all-lines adjuster license  
1822 qualifications.—

1823           (2) The applicant must furnish the following with his or  
1824 her application:

1825           (a) A complete set of his or her fingerprints in accordance  
1826 with s. 626.171(4). ~~The applicant's fingerprints must be~~  
1827 ~~certified by an authorized law enforcement officer.~~

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1828 Section 49. Subsection (5) of section 626.9953, Florida  
1829 Statutes, is amended to read:

1830 626.9953 Qualifications for registration; application  
1831 required.—

1832 (5) An applicant must submit a set of his or her  
1833 fingerprints in accordance with s. 626.171(4) ~~to the department~~  
1834 ~~and pay the processing fee established under s. 624.501(23)~~. The  
1835 department shall submit the applicant's fingerprints to the  
1836 Department of Law Enforcement for processing state criminal  
1837 history records checks and local criminal records checks through  
1838 local law enforcement agencies and for forwarding to the Federal  
1839 Bureau of Investigation for national criminal history records  
1840 checks. The fingerprints shall be taken by a law enforcement  
1841 agency, a designated examination center, or another department-  
1842 approved entity. The department may not approve an application  
1843 for registration as a navigator if fingerprints have not been  
1844 submitted.

1845 Section 50. Paragraphs (e) and (f) are added to subsection  
1846 (4) of section 633.135, Florida Statutes, to read:

1847 633.135 Firefighter Assistance Grant Program.—

1848 (4) Funds shall be used to:

1849 (e) Purchase other equipment and tools that improve  
1850 firesafety and fire rescue capabilities for firefighters.

1851 (f) Purchase protective clothing and equipment compliant  
1852 with NFPA 1977, "Standard on Protective Clothing and Equipment  
1853 for Wildland Fire Fighting and Urban Interface Fire Fighting."

1854 Section 51. Subsections (4) and (5) of section 633.216,  
1855 Florida Statutes, are amended to read:

1856 633.216 Inspection of buildings and equipment; orders;



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1857 firesafety inspection training requirements; certification;  
1858 disciplinary action.—The State Fire Marshal and her or his  
1859 agents or persons authorized to enforce laws and rules of the  
1860 State Fire Marshal shall, at any reasonable hour, when the State  
1861 Fire Marshal has reasonable cause to believe that a violation of  
1862 this chapter or s. 509.215, or a rule adopted thereunder, or a  
1863 minimum firesafety code adopted by the State Fire Marshal or a  
1864 local authority, may exist, inspect any and all buildings and  
1865 structures which are subject to the requirements of this chapter  
1866 or s. 509.215 and rules adopted thereunder. The authority to  
1867 inspect shall extend to all equipment, vehicles, and chemicals  
1868 which are located on or within the premises of any such building  
1869 or structure.

1870 (4) Every firesafety inspector certificate is valid for a  
1871 period of 4 years from the date of issuance. Renewal of  
1872 certification is subject to the affected person's completing  
1873 proper application for renewal and meeting all of the  
1874 requirements for renewal as established under this chapter or by  
1875 rule adopted under this chapter, which must include completion  
1876 of at least 54 hours during the preceding 4-year period of  
1877 continuing education as required by the rule of the department  
1878 ~~or, in lieu thereof, successful passage of an examination as~~  
1879 ~~established by the department.~~

1880 ~~(5) A previously certified firesafety inspector whose~~  
1881 ~~certification has lapsed for 8 years or more must repeat the~~  
1882 ~~fire safety inspector training as specified by the division.~~

1883 Section 52. Paragraph (b) of subsection (4) and paragraphs  
1884 (a) and (c) of subsection (6) of section 633.408, Florida  
1885 Statutes, are amended to read:

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1886 633.408 Firefighter and volunteer firefighter training and  
1887 certification.—

1888 (4) The division shall issue a Firefighter Certificate of  
1889 Compliance to an individual who does all of the following:

1890 (b) Passes the Minimum Standards Course certification  
1891 ~~examination~~ within 12 months after completing the required  
1892 courses.

1893 (6) (a) The division may issue a Special Certificate of  
1894 Compliance to an individual who does all of the following:

1895 1. Satisfactorily completes the course established by rule  
1896 by the division and successfully passes any examination  
1897 corresponding to such course in paragraph (1) (b) to obtain a  
1898 Special Certificate of Compliance.

1899 2. ~~Passes the examination established in paragraph (1) (b)~~  
1900 ~~to obtain a Special Certificate of Compliance.~~

1901 3. Possesses the qualifications in s. 633.412.

1902 (c) ~~In order to retain a Special Certificate of Compliance,~~  
1903 ~~every 4 years an individual must:~~

1904 1. ~~Be active as a firefighter;~~

1905 2. ~~Maintain a current and valid fire service instructor~~  
1906 ~~certificate, instruct at least 40 hours during the 4-year~~  
1907 ~~period, and provide proof of such instruction to the division,~~  
1908 ~~which proof must be registered in an electronic database~~  
1909 ~~designated by the division; or~~

1910 3. ~~Within 6 months before the 4-year period expires,~~  
1911 ~~successfully complete a Firefighter Retention Refresher Course~~  
1912 ~~consisting of a minimum of 40 hours of training as prescribed by~~  
1913 ~~rule.~~

1914 Section 53. Subsections (1) and (4) of section 633.414,

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1915 Florida Statutes, are amended to read:

1916       633.414 Retention of firefighter and volunteer firefighter  
1917 certifications.—

1918       (1) In order for a firefighter to retain her or his  
1919 Firefighter Certificate of Compliance or Special Certificate of  
1920 Compliance, every 4 years he or she must meet the requirements  
1921 for renewal provided in this chapter and by rule, which must  
1922 include at least one of the following:

1923       (a) Be active as a firefighter. As used in this section,  
1924 the term "active" means being employed as a firefighter or  
1925 providing service as a volunteer firefighter as evidenced by the  
1926 individual's name appearing on a fire service provider's  
1927 employment roster in the Florida State Fire College database or  
1928 a letter by the fire service provider attesting to dates of  
1929 employment.

1930       (b) Maintain a current and valid fire service instructor  
1931 certificate, instruct at least 40 hours during the 4-year  
1932 period, and provide proof of such instruction to the division,  
1933 which proof must be registered in an electronic database  
1934 designated by the division.

1935       (c) Before the expiration of the certificate ~~Within 6~~  
1936 ~~months before the 4-year period expires~~, successfully complete a  
1937 Firefighter Retention Refresher Course consisting of a minimum  
1938 of 40 hours of training to be prescribed by rule.

1939       (d) Before the expiration of the certificate ~~Within 6~~  
1940 ~~months before the 4-year period expires~~, successfully retake and  
1941 pass the Minimum Standards Course examination pursuant to s.  
1942 633.408.

1943       ~~(4) For the purposes of this section, the term "active"~~

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1944 ~~means being employed as a firefighter or providing service as a~~  
1945 ~~volunteer firefighter for a cumulative period of 6 months within~~  
1946 ~~a 4-year period.~~

1947  
1948 The 4-year period may, in the discretion of the department, be  
1949 extended to 12 months after discharge from military service if  
1950 the military service does not exceed 3 years, but in no event  
1951 more than 6 years from the date of issue or renewal, if  
1952 applicable, for an honorably discharged veteran of the United  
1953 States Armed Forces or the spouse of such a veteran. A qualified  
1954 individual must provide a copy of a military identification  
1955 card, military dependent identification card, military service  
1956 record, military personnel file, veteran record, discharge  
1957 paper, or separation document that indicates such member is  
1958 currently in good standing or such veteran is honorably  
1959 discharged.

1960 Section 54. Subsection (4) of section 648.34, Florida  
1961 Statutes, is amended to read:

1962 648.34 Bail bond agents; qualifications.—

1963 (4) The applicant shall furnish, with his or her  
1964 application, a complete set of his or her fingerprints in  
1965 accordance with s. 626.171(4) and a recent credential-sized,  
1966 fullface photograph of the applicant. ~~The applicant's~~  
1967 ~~fingerprints shall be certified by an authorized law enforcement~~  
1968 ~~officer.~~ The department shall not authorize an applicant to take  
1969 the required examination until the department has received a  
1970 report from the Department of Law Enforcement and the Federal  
1971 Bureau of Investigation relative to the existence or  
1972 nonexistence of a criminal history report based on the

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1973 applicant's fingerprints.

1974 Section 55. Subsection (4) of section 648.355, Florida  
1975 Statutes, is amended to read:

1976 648.355 Temporary limited license as limited surety agent  
1977 or professional bail bond agent; pending examination.—

1978 (4) The applicant shall furnish, with the application for  
1979 temporary license, a complete set of the applicant's  
1980 fingerprints in accordance with s. 626.171(4) and a recent  
1981 credential-sized, fullface photograph of the applicant. ~~The~~  
1982 ~~applicant's fingerprints shall be certified by an authorized law~~  
1983 ~~enforcement officer.~~ The department shall not issue a temporary  
1984 license under this section until the department has received a  
1985 report from the Department of Law Enforcement and the Federal  
1986 Bureau of Investigation relative to the existence or  
1987 nonexistence of a criminal history report based on the  
1988 applicant's fingerprints.

1989 Section 56. Subsection (4) is added to section 648.46,  
1990 Florida Statutes, to read:

1991 648.46 Procedure for disciplinary action against  
1992 licensees.—

1993 (4) The expiration, nonrenewal, or surrender of licensure  
1994 under this chapter does not eliminate the jurisdiction of the  
1995 licensing authority to investigate and prosecute for a violation  
1996 committed by a licensee while licensed under this chapter. The  
1997 prosecution of any matter may be initiated or continued  
1998 notwithstanding the withdrawal of a complaint.

1999 Section 57. Paragraph (d) of subsection (2) and paragraphs  
2000 (b), (c), and (e) of subsection (3) of section 766.105, Florida  
2001 Statutes, are amended, and paragraph (i) is added to subsection

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2002 (3) and subsection (4) is added to that section, to read:

2003 766.105 Florida Patient's Compensation Fund.—

2004 (2) COVERAGE.—

2005 (d)1. Any health care provider who participates in the fund  
2006 and who does not meet the provisions of paragraph (b) shall not  
2007 be covered by the fund.

2008 2. Annually, the Agency for Health Care Administration  
2009 shall require documentation by each hospital that such hospital  
2010 is in compliance, and will remain in compliance, with the  
2011 provisions of this section. ~~The agency shall review the~~  
2012 ~~documentation and then deliver the documentation to the board of~~  
2013 ~~governors. At least 60 days before the time a license will be~~  
2014 ~~issued or renewed, the agency shall request from the board of~~  
2015 ~~governors a certification that each hospital is in compliance~~  
2016 ~~with the provisions of this section. The board of governors~~  
2017 ~~shall not be liable under the law for any erroneous~~  
2018 ~~certification. The agency may not issue or renew the license of~~  
2019 ~~any hospital which has not been certified by the board of~~  
2020 ~~governors. The license of any hospital that fails to remain in~~  
2021 ~~compliance or fails to provide such documentation shall be~~  
2022 ~~revoked or suspended by the agency.~~

2023 (3) THE FUND.—

2024 (b) *Fund administration and operation.*—

2025 1. The fund shall operate subject to the supervision and  
2026 approval of the Chief Financial Officer or his or her designee ~~a~~  
2027 ~~board of governors consisting of a representative of the~~  
2028 ~~insurance industry appointed by the Chief Financial Officer, an~~  
2029 ~~attorney appointed by The Florida Bar, a representative of~~  
2030 ~~physicians appointed by the Florida Medical Association, a~~

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2031 ~~representative of physicians' insurance appointed by the Chief~~  
2032 ~~Financial Officer, a representative of physicians' self-~~  
2033 ~~insurance appointed by the Chief Financial Officer, two~~  
2034 ~~representatives of hospitals appointed by the Florida Hospital~~  
2035 ~~Association, a representative of hospital insurance appointed by~~  
2036 ~~the Chief Financial Officer, a representative of hospital self-~~  
2037 ~~insurance appointed by the Chief Financial Officer, a~~  
2038 ~~representative of the osteopathic physicians' or podiatric~~  
2039 ~~physicians' insurance or self-insurance appointed by the Chief~~  
2040 ~~Financial Officer, and a representative of the general public~~  
2041 ~~appointed by the Chief Financial Officer. The board of governors~~  
2042 ~~shall, during the first meeting after June 30 of each year,~~  
2043 ~~choose one of its members to serve as chair of the board and~~  
2044 ~~another member to serve as vice chair of the board. The members~~  
2045 ~~of the board shall be appointed to serve terms of 4 years,~~  
2046 ~~except that the initial appointments of a representative of the~~  
2047 ~~general public by the Chief Financial Officer, an attorney by~~  
2048 ~~The Florida Bar, a representative of physicians by the Florida~~  
2049 ~~Medical Association, and one of the two representatives of the~~  
2050 ~~Florida Hospital Association shall be for terms of 3 years;~~  
2051 ~~thereafter, such representatives shall be appointed for terms of~~  
2052 ~~4 years. Subsequent to initial appointments for 4-year terms,~~  
2053 ~~the representative of the osteopathic physicians' or podiatric~~  
2054 ~~physicians' insurance or self-insurance appointed by the Chief~~  
2055 ~~Financial Officer and the representative of hospital self-~~  
2056 ~~insurance appointed by the Chief Financial Officer shall be~~  
2057 ~~appointed for 2-year terms; thereafter, such representatives~~  
2058 ~~shall be appointed for terms of 4 years. Each appointed member~~  
2059 ~~may designate in writing to the chair an alternate to act in the~~

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2060 ~~member's absence or incapacity. A member of the board, or the~~  
2061 ~~member's alternate, may be reimbursed from the assets of the~~  
2062 ~~fund for expenses incurred by him or her as a member, or~~  
2063 ~~alternate member, of the board and for committee work, but he or~~  
2064 ~~she may not otherwise be compensated by the fund for his or her~~  
2065 ~~service as a board member or alternate.~~

2066       2. There shall be no liability on the part of, and no cause  
2067 of action of any nature shall arise against, the fund or its  
2068 agents or employees, professional advisers or consultants,  
2069 ~~members of the board of governors or their alternates,~~ or the  
2070 Department of Financial Services or the Office of Insurance  
2071 Regulation of the Financial Services Commission or their  
2072 representatives for any action taken by them in the performance  
2073 of their powers and duties pursuant to this section.

2074       (c) *Powers of the fund.*—The fund has the power to:

2075       1. Sue and be sued, and appear and defend, in all actions  
2076 and proceedings in its name to the same extent as a natural  
2077 person.

2078       2. Adopt, change, amend, and repeal a plan of operation,  
2079 not inconsistent with law, for the regulation and administration  
2080 of the affairs of the fund. The plan and any changes thereto  
2081 shall be filed with the Office of Insurance Regulation of the  
2082 Financial Services Commission and are all subject to its  
2083 approval before implementation by the fund. All fund members,  
2084 board members, and employees shall comply with the plan of  
2085 operation.

2086       3. Have and exercise all powers necessary or convenient to  
2087 effect any or all of the purposes for which the fund is created.

2088       4. Enter into such contracts as are necessary or proper to



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2089 carry out the provisions and purposes of this section.

2090 5. Employ or retain such persons as are necessary to  
2091 perform the administrative and financial transactions and  
2092 responsibilities of the fund and to perform other necessary or  
2093 proper functions unless prohibited by law.

2094 6. Take such legal action as may be necessary to avoid  
2095 payment of improper claims.

2096 7. Indemnify any ~~employee, agent, member of the board of~~  
2097 ~~governors or his or her alternate, or~~ person acting on behalf of  
2098 the fund in an official capacity, for expenses, including  
2099 attorney's fees, judgments, fines, and amounts paid in  
2100 settlement actually and reasonably incurred by him or her in  
2101 connection with any action, suit, or proceeding, including any  
2102 appeal thereof, arising out of his or her capacity in acting on  
2103 behalf of the fund, if he or she acted in good faith and in a  
2104 manner he or she reasonably believed to be in, or not opposed  
2105 to, the best interests of the fund and, with respect to any  
2106 criminal action or proceeding, he or she had reasonable cause to  
2107 believe his or her conduct was lawful.

2108 (e) *Fund accounting and audit.*—

2109 1. Money shall be withdrawn from the fund only upon a  
2110 voucher as authorized by the Chief Financial Officer or his or  
2111 her designee ~~board of governors~~.

2112 2. All books, records, and audits of the fund shall be open  
2113 for reasonable inspection to the general public, except that a  
2114 claim file in possession of the fund, fund members, and their  
2115 insurers is confidential and exempt from the provisions of s.  
2116 119.07(1) and s. 24(a), Art. I of the State Constitution until  
2117 termination of litigation or settlement of the claim, although

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2118 medical records and other portions of the claim file may remain  
2119 confidential and exempt as otherwise provided by law. Any book,  
2120 record, document, audit, or asset acquired by, prepared for, or  
2121 paid for by the fund is subject to the authority of the  
2122 Department of Financial Services ~~board of governors~~, which shall  
2123 be responsible therefor.

2124 3. Persons authorized to receive deposits, issue vouchers,  
2125 or withdraw or otherwise disburse any fund moneys shall post a  
2126 blanket fidelity bond in an amount reasonably sufficient to  
2127 protect fund assets. The cost of such bond shall be paid from  
2128 the fund.

2129 4. Annually, the fund shall furnish, upon request, audited  
2130 financial reports to any fund participant and to the Office of  
2131 Insurance Regulation and the Joint Legislative Auditing  
2132 Committee. The reports shall be prepared in accordance with  
2133 accepted accounting procedures and shall include income and such  
2134 other information as may be required by the Office of Insurance  
2135 Regulation or the Joint Legislative Auditing Committee.

2136 5. Any money held in the fund shall be invested in  
2137 interest-bearing investments ~~by the board of governors of the~~  
2138 ~~fund as administrator~~. However, in no case may any such money be  
2139 invested in the stock of any insurer participating in the Joint  
2140 Underwriting Association authorized by s. 627.351(4) or in the  
2141 parent company of, or company owning a controlling interest in,  
2142 such insurer. All income derived from such investments shall be  
2143 credited to the fund.

2144 6. Any health care provider participating in the fund may  
2145 withdraw from such participation only at the end of a fiscal  
2146 year; however, such health care provider shall remain subject to

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2147 any assessment or any refund pertaining to any year in which  
2148 such member participated in the fund.

2149 (i) Dissolution of the fund.—The fund shall operate subject  
2150 to the supervision of the Chief Financial Officer or his or her  
2151 designee, pursuant to the policies and procedures and under the  
2152 auspices of the Division of Rehabilitation and Liquidation,  
2153 until the Department of Financial Services executes a legal  
2154 dissolution of the fund on or before December 31, 2023. Before  
2155 the legal dissolution of the fund, the Department of Financial  
2156 Services must:

2157 1. Obtain all existing records and retain necessary records  
2158 of the fund pursuant to law.

2159 2. Identify all remaining property held by the fund and  
2160 attempt to return such property to its owners and, for property  
2161 that cannot be returned to the owner, transfer such property to  
2162 the Department of Financial Services, Division of Unclaimed  
2163 Property.

2164 3. Make a final accounting of the finances of the fund.

2165 4. Ensure that the fund has met all its obligations  
2166 pursuant to structured settlements, annuities, or other  
2167 instruments established to pay covered claims, and, if the fund  
2168 has not done so, attempt to meet such obligations before final  
2169 and complete dissolution of the fund.

2170 5. Sell or otherwise dispose of all physical assets of the  
2171 fund.

2172 6. Execute a legal dissolution of the fund.

2173 7. Transfer any remaining money or assets of the fund to  
2174 the Chief Financial Officer for deposit in the General Revenue  
2175 Fund.

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2176       (4) REPEAL.—This section is repealed January 1, 2024.  
2177       Section 58. Paragraph (b) of subsection (1) of section  
2178 945.6041, Florida Statutes, is amended, and paragraph (c) is  
2179 added to that subsection, to read:  
2180       945.6041 Inmate medical services.—  
2181       (1) As used in this section, the term:  
2182       (b) "Health care provider" means:  
2183       1. A hospital licensed under chapter 395.  
2184       2. A physician or physician assistant licensed under  
2185 chapter 458.  
2186       3. An osteopathic physician or physician assistant licensed  
2187 under chapter 459.  
2188       4. A podiatric physician licensed under chapter 461.  
2189       5. A health maintenance organization certificated under  
2190 part I of chapter 641.  
2191       6. An ambulatory surgical center licensed under chapter  
2192 395.  
2193       7. Other medical facility as defined in paragraph (c).  
2194       8. A professional association, partnership, corporation,  
2195 joint venture, or other association by the individuals set forth  
2196 in subparagraphs 2., 3., and 4. for professional activity ~~has~~  
2197 ~~the same meaning as provided in s. 766.105.~~  
2198       (c) "Other medical facility" means a facility the primary  
2199 purpose of which is to provide human medical diagnostic services  
2200 or a facility providing nonsurgical human medical treatment and  
2201 in which the patient is admitted to and discharged from such  
2202 facility within the same working day, and which is not part of a  
2203 hospital. However, a facility existing for the primary purpose  
2204 of performing terminations of pregnancy or an office maintained

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2205 by a physician or dentist for the practice of medicine shall not  
2206 be construed to be an other medical facility.

2207 Section 59. Paragraph (a) of subsection (1) of section  
2208 985.6441, Florida Statutes, is amended, and paragraph (c) is  
2209 added to that subsection, to read:

2210 985.6441 Health care services.—

2211 (1) As used in this section, the term:

2212 (a) "Health care provider" means:

2213 1. A hospital licensed under chapter 395.

2214 2. A physician or physician assistant licensed under  
2215 chapter 458.

2216 3. An osteopathic physician or physician assistant licensed  
2217 under chapter 459.

2218 4. A podiatric physician licensed under chapter 461.

2219 5. A health maintenance organization certificated under  
2220 part I of chapter 641.

2221 6. An ambulatory surgical center licensed under chapter  
2222 395.

2223 7. Other medical facility as defined in paragraph (c).

2224 8. A professional association, partnership, corporation,  
2225 joint venture, or other association by the individuals set forth  
2226 in subparagraphs 2., 3., and 4. for professional activity ~~has~~  
2227 ~~the same meaning as provided in s. 766.105.~~

2228 (c) "Other medical facility" means a facility the primary  
2229 purpose of which is to provide human medical diagnostic services  
2230 or a facility providing nonsurgical human medical treatment and  
2231 in which the patient is admitted to and discharged from such  
2232 facility within the same working day, and which is not part of a  
2233 hospital. However, a facility existing for the primary purpose

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2234 of performing terminations of pregnancy or an office maintained  
2235 by a physician or dentist for the practice of medicine shall not  
2236 be construed to be an other medical facility.

2237 Section 60. All powers, duties, functions, records,  
2238 offices, personnel, associated administrative support positions,  
2239 property, pending issues, existing contracts, administrative  
2240 authority, and administrative rules relating to the Stop Inmate  
2241 Fraud Program within the Department of Financial Services are  
2242 transferred by a type two transfer as defined in s. 20.06(2),  
2243 Florida Statutes, to the Department of Economic Opportunity.

2244 Section 61. Except as otherwise expressly provided in this  
2245 act, this act shall take effect July 1, 2022.