

1 A bill to be entitled
2 An act relating to the Department of Financial
3 Services; amending s. 17.56, F.S.; requiring the
4 Division of Treasury to maintain certain warrants
5 rather than turning them over to the Division of
6 Accounting and Auditing; amending s. 24.123, F.S.;
7 adding the Chief Financial Officer to a list of
8 persons receiving the annual audit of records of the
9 Department of the Lottery; specifying the date by
10 which such audits must be submitted; amending s.
11 215.44, F.S.; specifying the date by which the State
12 Board of Administration must annually publish audited
13 financial statements for the Florida Retirement
14 System; amending s. 215.80, F.S.; specifying the date
15 by which the board must annually publish a certain
16 report by the Division of Bond Finance; amending s.
17 215.98, F.S.; adding the Chief Financial Officer to a
18 list of persons presented with the division's annual
19 debt affordability report; revising the date by which
20 such report must be presented; amending s. 497.263,
21 F.S.; revising the requirements for cemetery companies
22 licenses; amending s. 497.266, F.S.; conforming
23 provisions to changes made by the act; amending s.
24 497.376, F.S.; providing requirements for a
25 combination license as funeral director and embalmer;

26 | amending s. 497.377, F.S.; revising the requirements
27 | for combination funeral director and embalmer
28 | internships; amending s. 497.380, F.S.; revising the
29 | requirements for a funeral establishment; amending s.
30 | 497.385, F.S.; revising the requirements for a
31 | licensed embalming facility; amending s. 497.452,
32 | F.S.; revising the applicability of specified
33 | provisions related to cemeteries; amending s. 497.453,
34 | F.S.; providing reporting requirements for certain
35 | preneed licensees; amending s. 497.458, F.S.; revising
36 | the requirements for the disposition of proceeds
37 | received on preneed contracts; amending s. 497.464,
38 | F.S.; revising the requirements of certain preneed
39 | contracts; amending s. 497.604, F.S.; revising the
40 | requirements for a direct disposal establishment;
41 | amending s. 497.606, F.S.; revising the requirements
42 | for a cinerator facility; amending s. 633.218, F.S.;
43 | deleting a provision that requires the identification
44 | of specified buildings or space for firesafety
45 | purposes; amending s. 633.306, F.S.; providing
46 | standards for fire equipment installation; amending s.
47 | 633.312, F.S.; specifying the delivery methods of a
48 | firesafety inspection report; requiring the State Fire
49 | Marshal to adopt rules; amending s. 633.520, F.S.;
50 | requiring the Division of State Fire Marshal to adopt

51 rules to establish cancer prevention best practices;
52 amending s. 626.175, F.S.; revising the requirements
53 for a specified nonrenewable temporary license;
54 revising the types of nonrenewable temporary licenses
55 issued by the Department of Financial Services;
56 amending s. 626.221, F.S.; revising the language
57 relating to an exemption from examination for
58 specified license applicants under certain
59 circumstances; amending s. 626.2815, F.S.; deleting
60 provisions requiring certain licensed customer
61 representatives and insurance agents to complete
62 continuation education courses; amending s. 626.321,
63 F.S.; revising the requirements for certain lines
64 insurance licenses; prohibiting issuance or
65 reinstatement of certain lines insurance licenses
66 beginning on a specified date; amending s. 626.471,
67 F.S.; revising the method of delivery of certain
68 notice; amending s. 626.536, F.S.; deleting provisions
69 relating to reporting administrative actions taken
70 against an insurance agency; amending s. 626.6215,
71 F.S.; providing additional grounds for which the
72 department may take specified action against the
73 license of an insurance agency; amending s. 626.729,
74 F.S.; redefining the term "industrial fire insurance";
75 amending ss. 626.8437 and 626.844, F.S.; specifying

76 grounds for certain administrative actions against
77 licenses or appointments of specified insurance agents
78 or agencies; amending s. 626.8732, F.S.; revising the
79 requirements for nonresident public adjuster's
80 licenses; amending s. 633.216, F.S.; conforming cross-
81 references; amending s. 627.7015, F.S.; requiring
82 insurers to report mediation settlements and
83 settlement amounts to all parties within a certain
84 timeframe; amending s. 648.49, F.S.; requiring the
85 department to meet certain requirements when
86 suspending a person's eligibility to apply for a
87 license or appointment; revising methods for
88 reinstatement of a license, an appointment, or certain
89 eligibility; amending s. 717.123, F.S.; increasing the
90 amount that the Department of Financial Services may
91 retain from specified funds; amending s. 717.124,
92 F.S.; providing disbursement processes for unclaimed
93 property claims; providing rulemaking authority;
94 repealing ss. 626.521 and 626.7355, F.S., relating to
95 credit and character reports and to a temporary
96 license as customer representative pending
97 examination, respectively; amending ss. 626.022 and
98 626.025, F.S.; conforming cross-references; providing
99 an effective date.

100

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

102

103 Section 1. Section 17.56, Florida Statutes, is amended to
104 read:

105 17.56 Division of Treasury to maintain ~~turn over to the~~
106 ~~Division of Accounting and Auditing~~ all warrants paid.—The
107 Division of Treasury shall maintain ~~turn over to the Division of~~
108 ~~Accounting and Auditing~~ all warrants drawn by the Chief
109 Financial Officer ~~or the Comptroller~~ and paid by the Division of
110 Treasury for 10 years after the date on which a warrant was
111 presented for payment. ~~The warrants shall be turned over as soon~~
112 ~~as the Division of Treasury shall have recorded such warrants~~
113 ~~and charged the same against the accounts upon which such~~
114 ~~warrants are drawn.~~

115 Section 2. Paragraph (a) of subsection (3) of section
116 497.263, Florida Statutes, is amended to read:

117 497.263 Cemetery companies; license required; licensure
118 requirements and procedures.—

119 (3) ACTION CONCERNING APPLICATIONS.—If the licensing
120 authority finds that the applicant meets the criteria
121 established in subsection (2), the applicant shall be notified
122 that a license will be issued when all of the following
123 conditions are satisfied:

124 (a) The establishment of a care and maintenance trust fund
125 containing not less than \$50,000 has been certified by a trust

126 | company ~~operating pursuant to chapter 660~~, a state or national
 127 | bank holding trust powers, or a savings and loan association
 128 | holding trust powers as provided in s. 497.458, pursuant to a
 129 | trust agreement approved by the licensing authority. The \$50,000
 130 | required for the care and maintenance trust fund shall be over
 131 | and above the \$50,000 net worth required by subsection (2).

132 | Section 3. Subsection (1) of section 497.266, Florida
 133 | Statutes, is amended to read:

134 | 497.266 Care and maintenance trust fund; remedy of
 135 | department for noncompliance.—

136 | (1) A ~~No~~ cemetery company may not establish a cemetery, or
 137 | operate a cemetery if already established, without providing for
 138 | the future care and maintenance of the cemetery, for which a
 139 | care and maintenance trust fund shall be established, to be
 140 | known as "the care and maintenance trust fund of" The
 141 | trust fund shall be established with a trust company ~~operating~~
 142 | ~~pursuant to chapter 660~~, with a state or national bank holding
 143 | trust powers, or with a federal or state savings and loan
 144 | association holding trust powers. Trust funds which are with a
 145 | state or national bank or savings and loan association licensed
 146 | in this state on October 1, 1993, shall remain in force;
 147 | however, when the amount of any such trust fund exceeds the
 148 | amount that is insured by an agency of the Federal Government,
 149 | the cemetery company shall transfer that trust fund to a trust
 150 | company ~~operating pursuant to chapter 660~~, to a state or

151 national bank holding trust powers, or to a federal or state
 152 savings and loan association holding trust powers.

153 Section 4. Section 497.376, Florida Statutes, is amended
 154 to read:

155 497.376 License as funeral director and embalmer
 156 permitted.—

157 (1) This chapter does not prohibit a person from holding a
 158 license as an embalmer and a license as a funeral director at
 159 the same time. There may be issued and renewed by the licensing
 160 authority a combination license as both funeral director and
 161 embalmer to persons meeting the separate requirements for both
 162 licenses as set forth in this chapter. The licensing authority
 163 may adopt rules providing procedures for applying for and
 164 renewing such combination license. The licensing authority may
 165 by rule establish application, renewal, and other fees for such
 166 combination license, which fees may ~~shall~~ not exceed the sum of
 167 the maximum fees for the separate funeral director and embalmer
 168 license categories as provided in this chapter. A person ~~Persons~~
 169 holding a combination license as a funeral director and an
 170 embalmer is ~~shall be~~ subject to regulation under this chapter
 171 both as a funeral director and an embalmer.

172 (2) Except as provided in s. 497.377, an applicant for a
 173 combination license as both a funeral director and an embalmer
 174 must hold the educational credentials required for licensure of
 175 a funeral director under s. 497.373(1)(d).

176 Section 5. Section 497.377, Florida Statutes, is amended
 177 to read:

178 497.377 Combination funeral directors and embalmers;
 179 ~~Concurrent~~ internships.—

180 (1) The internship requirements ~~requirement~~ for a
 181 combination license as both funeral director and embalmer
 182 ~~embalmers and funeral directors~~ may be served concurrently
 183 pursuant to rules adopted by the licensing authority.

184 (2) (a) An applicant who has not completed the educational
 185 credentials required for a combination license as both funeral
 186 director and embalmer is eligible for licensure as a combination
 187 funeral director and embalmer intern if the applicant:

188 1. Is currently enrolled in and attending a college
 189 accredited by the American Board of Funeral Service Education
 190 (ABFSE) in a course of study in mortuary science accredited by
 191 ABFSE.

192 2. Has completed at least 75 percent of the course of
 193 study in mortuary science as certified by the college in which
 194 the applicant is currently enrolled.

195 3. Has taken and received a passing grade in a college
 196 credit course in mortuary law or funeral service law and has
 197 taken and received a passing grade in a college credit course in
 198 ethics.

199 (b) An application for a combination funeral director and
 200 embalmer intern license must include the name and address of the

201 funeral director licensed under s. 497.373 or s. 497.374(1) and
202 the embalmer licensed under s. 497.368 or s. 497.369 under whose
203 supervision the intern will receive training and the name of the
204 licensed funeral establishment at which the training will be
205 conducted.

206 (c) A combination funeral director and embalmer intern may
207 perform only the tasks, functions, and duties relating to
208 funeral directing and embalming which are performed under the
209 direct supervision of a licensed funeral director who has an
210 active, valid license under s. 497.373 or s. 497.374(1) and an
211 embalmer who has an active, valid license under s. 497.368 or s.
212 497.369. However, a combination funeral director and embalmer
213 intern may perform such tasks, functions, and duties under the
214 general supervision of a licensed funeral director and embalmer
215 upon graduation from a college accredited by ABFSE with a degree
216 as specified in s. 497.373(1)(d) and upon passage of the
217 examination required under s. 497.373(2)(b) if the funeral
218 director in charge of the internship training establishment,
219 after 6 months of direct supervision, certifies to the licensing
220 authority that the intern is competent to complete the
221 internship under general supervision.

222 (d)1. A combination funeral director and embalmer intern
223 license expires 1 year after issuance and, except as provided in
224 subparagraph 2., may not be renewed.

225 2. The licensing authority may adopt rules that allow a

226 combination funeral director and embalmer intern to renew her or
 227 his combination funeral director and embalmer intern license for
 228 an additional 1 year if the combination funeral director and
 229 embalmer intern demonstrates her or his failure to complete the
 230 internship before expiration of the license due to illness,
 231 personal injury, or other substantial hardship beyond her or his
 232 reasonable control or demonstrates that she or he has completed
 233 the requirements for licensure as a combination funeral director
 234 and embalmer but is awaiting the results of a licensure
 235 examination.

236 Section 6. Subsection (7) of section 497.380, Florida
 237 Statutes, is amended to read:

238 497.380 Funeral establishment; licensure; display of
 239 license.—

240 (7) Each licensed funeral establishment shall have a ~~one~~
 241 ~~full-time~~ funeral director in charge and shall have a licensed
 242 funeral director reasonably available to the public during
 243 normal business hours for the establishment. The ~~full-time~~
 244 funeral director in charge is responsible for ensuring that the
 245 facility, its operation, and all persons employed in the
 246 facility comply with all applicable state and federal laws and
 247 rules. A funeral director in charge, with appropriate, active
 248 licenses, may serve as such for up to a total of four funeral
 249 establishments, centralized embalming facilities, direct
 250 disposal establishments, or cinerator facilities, as long as the

251 two farthest locations are no more than 75 miles apart, as
252 measured in a straight line. ~~The full-time funeral director in~~
253 ~~charge must have an active license and may not be the full-time~~
254 ~~funeral director in charge of any other funeral establishment or~~
255 ~~of any other direct disposal establishment. Effective October 1,~~
256 ~~2010,~~ The ~~full-time~~ funeral director in charge must hold an
257 active, valid embalmer license or combination license as a
258 funeral director and an embalmer. However, a funeral director
259 may serve as funeral director in charge without an embalmer
260 license or combination license if the establishment does not
261 have an embalming room or refrigeration facility on site or may
262 continue as the ~~full-time~~ funeral director in charge without an
263 embalmer or combination license if, as of September 30, 2010:

264 (a) The funeral establishment and the funeral director
265 both have active, valid licenses.

266 (b) The funeral director is currently the full-time
267 funeral director in charge of the funeral establishment.

268 (c) The name of the funeral director was included, as
269 required in subsection (4), in the funeral establishment's most
270 recent application for issuance or renewal of its license or was
271 included in the establishment's report of change provided under
272 paragraph (12) (c).

273 Section 7. Paragraph (b) of subsection (2) of section
274 497.385, Florida Statutes, is amended to read:

275 497.385 Removal services; refrigeration facilities;

276 centralized embalming facilities.—In order to ensure that the
277 removal, refrigeration, and embalming of all dead human bodies
278 is conducted in a manner that properly protects the public's
279 health and safety, the licensing authority shall adopt rules to
280 provide for the licensure of removal services, refrigeration
281 facilities, and centralized embalming facilities operated
282 independently of funeral establishments, direct disposal
283 establishments, and cinerator facilities.

284 (2) CENTRALIZED EMBALMING FACILITIES.—In order to ensure
285 that all funeral establishments have access to embalming
286 facilities that comply with all applicable health and safety
287 requirements, the licensing authority shall adopt rules to
288 provide for the licensure and operation of centralized embalming
289 facilities and shall require, at a minimum, the following:

290 (b) Each licensed centralized embalming facility shall
291 have at least one ~~full-time~~ embalmer in charge. The ~~full-time~~
292 embalmer in charge must have an active, valid embalmer license
293 or combination license as a funeral director and embalmer and
294 ~~may not be the full-time embalmer in charge, full-time funeral~~
295 ~~director in charge, or full-time direct disposer in charge of~~
296 ~~any other establishment licensed under this chapter.~~ An embalmer
297 in charge, with appropriate, active licenses, may also serve as
298 a funeral director in charge under s. 497.380(7) or as a direct
299 disposer in charge under s. 497.604(8). A funeral director in
300 charge, with appropriate, active licenses, may serve as such for

301 up to a total of four funeral establishments, centralized
 302 embalming facilities, direct disposal establishments, or
 303 cinerator facilities, as long as the two farthest locations are
 304 no more than 75 miles apart, as measured in a straight line.

305 Section 8. Paragraph (b) of subsection (2) of section
 306 497.452, Florida Statutes, is amended, and paragraph (a) of that
 307 subsection is republished, to read:

308 497.452 Preneed license required.—

309 (2) (a) No person may receive any funds for payment on a
 310 preneed contract who does not hold a valid preneed license.

311 (b) ~~The provisions of Paragraph (a) does de~~ not apply to a
 312 trust company ~~operating pursuant to chapter 660~~, to a national
 313 or state bank holding trust powers, or to a federal or state
 314 savings and loan association having trust powers which company,
 315 bank, or association receives any money in trust pursuant to the
 316 sale of a preneed contract.

317 Section 9. Subsection (8) of section 497.453, Florida
 318 Statutes, is amended to read:

319 497.453 Application for preneed license, procedures and
 320 criteria; renewal; reports.—

321 (8) ANNUAL TRUST REPORTS.—

322 (a) On or before April 1 of each year, the preneed
 323 licensee shall file in the form prescribed by rule a full and
 324 true statement as to the activities of any trust established by
 325 it pursuant to this part for the preceding calendar year.

326 (b) Any preneed licensee or group of preneed licensees
327 under common control that in aggregate sold in this state 15,000
328 or more preneed contracts in the preceding year shall
329 additionally comply with this paragraph.

330 1. As to each year, which is referred to in this paragraph
331 as "Year 1," in which any preneed licensee or group of preneed
332 licensees under common control in aggregate sell in this state
333 15,000 or more preneed contracts, the licensee or licensees
334 shall, during the following year, which is referred to in this
335 paragraph as "Year 2":

336 a. Prepare in regard to each such licensee a report of
337 preneed operations in this state in Year 1, on a form prescribed
338 by department rule;

339 b. Cause and pay for the report to be audited by an
340 independent certified public accounting firm concerning the
341 accuracy and fairness of the presentation of the data provided
342 in the report; and

343 c. By December 31 of Year 2, provide the report to the
344 division, along with a written and signed opinion of the
345 certified public accounting firm concerning the accuracy and
346 fairness of the presentation of the data reported in the report.

347 2. The report required under subparagraph 1. shall be
348 prepared and submitted using forms and procedures specified by
349 department rule. The department may adopt rules specifying the
350 format of, and procedures for, the report and the information to

351 be included in the report.

352 Section 10. Paragraph (c) of subsection (1) of section
353 497.458, Florida Statutes, is amended to read:

354 497.458 Disposition of proceeds received on contracts.—

355 (1)

356 (c) Such deposits shall be made within 30 days after the
357 end of the calendar month in which payment is received, under
358 the terms of a revocable trust instrument entered into with a
359 trust company operating ~~pursuant to chapter 660~~, with a national
360 or state bank holding trust powers, or with a federal or state
361 savings and loan association holding trust powers.

362 Section 11. Subsection (2) of section 497.464, Florida
363 Statutes, is amended to read:

364 497.464 Alternative preneed contracts.—

365 (2) The contract must require that a trust be established
366 by the preneed licensee on behalf of, and for the use, benefit,
367 and protection of, the purchaser and that the trustee must be a
368 trust company ~~operating pursuant to chapter 660~~, a national or
369 state bank holding trust powers, or a federal or state savings
370 and loan association holding trust powers.

371 Section 12. Subsection (8) of section 497.604, Florida
372 Statutes, is amended to read:

373 497.604 Direct disposal establishments, license required;
374 licensing procedures and criteria; license renewal; regulation;
375 display of license.—

376 (8) SUPERVISION OF FACILITIES.—

377 (a) ~~Effective October 1, 2010,~~ Each direct disposal
378 establishment shall have a ~~one full-time licensed~~ funeral
379 director ~~acting as the direct disposer~~ in charge, subject to s.
380 497.380(7). However, a licensed direct disposer may continue
381 acting as the direct disposer in charge, ~~if,~~ as of September 30,
382 2010:

383 1. The direct disposal establishment and the licensed
384 direct disposer both have active, valid licenses.

385 2. The licensed direct disposer is currently acting as the
386 direct disposer in charge of the direct disposal establishment.

387 3. The name of the licensed direct disposer was included,
388 as required in paragraph (2)(c), in the direct disposal
389 establishment's most recent application for issuance or renewal
390 of its license or was included in the establishment's notice of
391 change provided under subsection (7).

392 (b) The ~~licensed~~ funeral director in charge or ~~licensed~~
393 direct disposer in charge of a direct disposal establishment
394 must be reasonably available to the public during normal
395 business hours for the establishment ~~and may be in charge of~~
396 ~~only one direct disposal establishment~~. The ~~licensed~~ funeral
397 director in charge or ~~licensed~~ direct disposer in charge of the
398 establishment is responsible for making sure the facility, its
399 operations, and all persons employed in the facility comply with
400 all applicable state and federal laws and rules. A funeral

401 director in charge, with appropriate, active licenses, may serve
 402 as such for up to a total of four funeral establishments,
 403 centralized embalming facilities, direct disposal
 404 establishments, or cinerator facilities, as long as the two
 405 farthest locations are no more than 75 miles apart, as measured
 406 in a straight line.

407 Section 13. Subsection (8) of section 497.606, Florida
 408 Statutes, is amended to read:

409 497.606 Cinerator facility, licensure required; licensing
 410 procedures and criteria; license renewal; regulation.—

411 (8) SUPERVISION OF FACILITIES.—Each cinerator facility
 412 shall have a ~~one full-time licensed~~ direct disposer in charge or
 413 a licensed funeral director in charge for that facility. ~~Such~~
 414 ~~person may be in charge of only one facility.~~ Such ~~licensed~~
 415 funeral director in charge or ~~licensed~~ direct disposer in charge
 416 shall be responsible for making sure the facility, its
 417 operations, and all persons employed in the facility comply with
 418 all applicable state and federal laws and rules. A funeral
 419 director in charge, with appropriate, active licenses, may serve
 420 as such for up to a total of four funeral establishments,
 421 centralized embalming facilities, direct disposal
 422 establishments, or cinerator facilities, as long as the two
 423 farthest locations are no more than 75 miles apart, as measured
 424 in a straight line.

425 Section 14. Paragraph (f) of subsection (1) of section

426 633.218, Florida Statutes, is amended, and paragraphs (a)
427 through (e) of that subsection are republished, to read:

428 633.218 Inspections of state buildings and premises; tests
429 of firesafety equipment; building plans to be approved.—

430 (1)(a) It is the duty of the State Fire Marshal and her or
431 his agents to inspect, or cause to be inspected, each state-
432 owned building on a recurring basis established by rule, and to
433 ensure that high-hazard occupancies are inspected at least
434 annually, for the purpose of ascertaining and causing to be
435 corrected any conditions liable to cause fire or endanger life
436 from fire and any violation of the firesafety standards for
437 state-owned buildings, this chapter, or the rules adopted
438 pursuant hereto. The State Fire Marshal shall, within 7 days
439 following an inspection, submit a report of such inspection to
440 the head of the state agency responsible for the building.

441 (b) Except as provided in s. 255.45, the department head
442 is responsible for ensuring that deficiencies noted in the
443 inspection are corrected as soon as practicable.

444 (c) Each department shall, in its annual budget proposal,
445 include requests for sufficient funds to correct any firesafety
446 deficiencies noted by the State Fire Marshal.

447 (d) Each department shall, in its annual budget proposal
448 and for all proposals for new construction or renovations to
449 existing structures, include requests for sufficient funds to
450 pay for any charges or fees imposed by the State Fire Marshal

451 for review of plans, renovations, occupancy, or inspections,
 452 whether recurring or high hazard.

453 (e) For purposes of this section:

454 1.a. The term "high-hazard occupancy" means any building
 455 or structure:

456 (I) That contains combustible or explosive matter or
 457 flammable conditions dangerous to the safety of life or
 458 property;

459 (II) At which persons receive educational instruction;

460 (III) At which persons reside, excluding private
 461 dwellings; or

462 (IV) Containing three or more floor levels.

463 b. As used in this subparagraph, the phrase "building or
 464 structure":

465 (I) Includes, but is not limited to, all hospitals and
 466 residential health care facilities, nursing homes and other
 467 adult care facilities, correctional or detention facilities,
 468 public schools, public lodging establishments, migrant labor
 469 camps, residential child care facilities, and self-service
 470 gasoline stations.

471 (II) Does not include any residential condominium where
 472 the declaration of condominium or the bylaws provide that the
 473 rental of units shall not be permitted for less than 90 days.

474 2. The term "state-owned building" includes private
 475 correctional facilities as defined under s. 944.710(3).

476 ~~(f) A state-owned building or state-leased building or~~
477 ~~space shall be identified through use of the United States~~
478 ~~National Grid Coordinate System.~~

479 Section 15. Paragraph (c) of subsection (1) of section
480 633.306, Florida Statutes, is amended to read:

481 633.306 Requirements for installation, inspection, and
482 maintenance of fire suppression equipment.—

483 (1) The requirements for installation of fire
484 extinguishers and preengineered systems are as follows:

485 (c) Equipment shall be installed in accordance with the
486 applicable standards of the National Fire Protection Association
487 and the manufacturer's drawings and specifications, using only
488 components and parts specified by the manufacturer or listed as
489 equal parts by a nationally recognized testing laboratory, such
490 as Underwriters Laboratories, Inc., or Factory Mutual
491 Laboratories, Inc.

492 Section 16. Subsections (4) and (5) of section 633.312,
493 Florida Statutes, are renumbered as subsections (5) and (6),
494 respectively, subsection (3) of that section is amended, and a
495 new subsection (4) is added to that section, to read:

496 633.312 Inspection of fire control systems, fire hydrants,
497 and fire protection systems.—

498 (3) (a) The inspecting contractor shall provide to the
499 building owner or hydrant owner and the local authority having
500 jurisdiction a copy of the applicable summary inspection report

501 | established under this chapter. The local authority having
502 | jurisdiction may accept inspection reports by United States
503 | mail, by hand delivery, by electronic submission, or through a
504 | third-party vendor that collects the reports on behalf of the
505 | local authority having jurisdiction.

506 | (b) The State Fire Marshal shall adopt rules to implement
507 | a uniform submission procedure to be used by all local
508 | authorities having jurisdiction and third-party vendors when
509 | collecting inspection reports. The uniform submission procedure
510 | must have a standardized format for a uniform summary report and
511 | for the collection of the address of the building or hydrant,
512 | the name of the company and person conducting the inspection,
513 | the date of the inspection, and a brief summary of each
514 | deficiency, critical deficiency, noncritical deficiency, or
515 | impairment. The uniform submission procedure must allow a
516 | contractor to attach additional documents to the submission,
517 | including a physical copy of the contractor's detailed
518 | inspection report. A contractor's detailed inspection report is
519 | not required to follow the uniform summary report format, and
520 | the uniform submission procedure may not require a contractor to
521 | enter specific information contained within the detailed
522 | inspection report.

523 | (4) The maintenance of fire hydrant and fire protection
524 | systems as well as corrective actions on deficient systems is
525 | the responsibility of the owner of the system or hydrant.

526 Equipment requiring periodic testing or operation to ensure its
 527 maintenance shall be tested or operated as specified in the Fire
 528 Prevention Code, Life Safety Code, National Fire Protection
 529 Association standards, or as directed by the appropriate
 530 authority, provided that such appropriate authority may not
 531 require a sprinkler system not required by the Fire Prevention
 532 Code, Life Safety Code, or National Fire Protection Association
 533 standards to be removed regardless of its condition. This
 534 section does not prohibit governmental entities from inspecting
 535 and enforcing firesafety codes.

536 Section 17. Section 633.520, Florida Statutes, is amended
 537 to read:

538 633.520 Safety; firefighter employer responsibilities.—

539 (1) Each ~~Every~~ firefighter employer shall furnish and use
 540 safety devices and safeguards, adopt and use methods and
 541 processes reasonably adequate to render such an employment and
 542 place of employment safe, and do every other thing reasonably
 543 necessary to protect the lives, health, and safety of such
 544 firefighter employees. As used in this section, the terms "safe"
 545 and "safety," as applied to any employment or place of
 546 employment, mean such freedom from danger as is reasonably
 547 necessary for the protection of the lives, health, and safety of
 548 firefighter employees, including conditions and methods of
 549 sanitation and hygiene. Safety devices and safeguards required
 550 to be furnished by the firefighter employer by this section or

551 by the division under authority of this section do not include
 552 personal apparel and protective devices that replace personal
 553 apparel normally worn by firefighter employees during regular
 554 working hours.

555 (2) The division shall adopt rules to establish employers'
 556 cancer prevention best practices related to personal protective
 557 equipment, decontamination, fire suppression equipment, and fire
 558 stations.

559 Section 18. Subsection (1) of section 626.175, Florida
 560 Statutes, is amended to read:

561 626.175 Temporary licensing.—

562 (1) The department may issue a nonrenewable temporary
 563 license for a period not to exceed 6 months authorizing
 564 appointment of a general lines insurance agent, ~~or~~ a life agent,
 565 or a personal lines ~~an industrial fire or burglary~~ agent,
 566 subject to the conditions described in this section. The fees
 567 paid for a temporary license and appointment shall be as
 568 specified in s. 624.501. Fees paid are ~~shall~~ not ~~be~~ refunded
 569 after a temporary license has been issued.

570 (a) An applicant for a temporary license must be:

- 571 1. A natural person at least 18 years of age.
- 572 2. A United States citizen or legal alien who possesses
 573 work authorization from the United States Bureau of Citizenship
 574 and Immigration Services.

575 (b)1. In the case of a general lines agent, the department

576 | may issue a temporary license to an employee, a family member, a
577 | business associate, or a personal representative of a licensed
578 | general lines agent for the purpose of continuing or winding up
579 | the business affairs of the agent or agency in the event the
580 | licensed agent has died or become unable to perform his or her
581 | duties because of military service or illness or other physical
582 | or mental disability, subject to the following conditions:

583 | a. No other individual connected with the agent's business
584 | may be licensed as a general lines agent.

585 | b. The proposed temporary licensee shall be qualified for
586 | a regular general lines agent license under this code except as
587 | to residence, examination, education, or experience.

588 | c. Application for the temporary license shall have been
589 | made by the applicant upon statements and affidavit filed with
590 | the department on forms prescribed and furnished by the
591 | department.

592 | d. Under a temporary license and appointment, the licensee
593 | may ~~shall~~ not represent any insurer not last represented by the
594 | agent being replaced and may ~~shall~~ not be licensed or appointed
595 | as to any additional kind, line, or class of insurance other
596 | than those covered by the last existing agency appointments of
597 | the replaced agent. If an insurer withdraws from the agency
598 | during the temporary license period, the temporary licensee may
599 | be appointed by another similar insurer but only for the period
600 | remaining under the temporary license.

601 2. A regular general lines agent license may be issued to
 602 a temporary licensee upon meeting the qualifications for a
 603 general lines agent license under s. 626.731.

604 (c) In the case of a life agent, the department may issue
 605 a temporary license:

606 1. To the executor or administrator of the estate of a
 607 deceased individual licensed and appointed as a life agent at
 608 the time of death;

609 2. To a surviving next of kin of the deceased individual,
 610 if no administrator or executor has been appointed and
 611 qualified; however, any license and appointment under this
 612 subparagraph shall be canceled upon issuance of a license to an
 613 executor or administrator under subparagraph 1.; or

614 3. To an individual otherwise qualified to be licensed as
 615 an agent who has completed the educational or training
 616 requirements prescribed in s. 626.7851 and who is appointed ~~has~~
 617 ~~successfully sat for the required examination prior to~~
 618 ~~termination of such 6-month period. The department may issue~~
 619 ~~this temporary license only in the case of a life agent to~~
 620 represent an insurer of the industrial or ordinary-combination
 621 class solely for the purpose of collecting premiums and
 622 servicing in-force policies. Such licensee may not directly or
 623 indirectly solicit, negotiate, or effect contracts of insurance.

624 (d) In the case of a personal lines ~~limited license~~
 625 ~~authorizing appointment as an industrial fire or burglary agent,~~

626 | the department may issue a temporary license:

627 | 1. To the executor or administrator of the estate of a
 628 | deceased individual licensed and appointed as a personal lines
 629 | agent at the time of death;

630 | 2. To a surviving next of kin of the deceased individual,
 631 | if no administrator or executor has been appointed and
 632 | qualified. Any license and appointment under this subparagraph
 633 | shall be canceled upon issuance of a license to an executor or
 634 | administrator under subparagraph 1.; or

635 | 3. To an individual otherwise qualified to be licensed as
 636 | an agent who has completed the educational or training
 637 | requirements prescribed in s. 626.732 and who is appointed to
 638 | represent an insurer of the industrial or ordinary-combination
 639 | class solely for the purpose of collecting premiums and
 640 | servicing in-force policies. Such licensee may not directly or
 641 | indirectly solicit, negotiate, or effect contracts of insurance
 642 | ~~has successfully sat for the required examination prior to~~
 643 | ~~termination of the 6-month period.~~

644 | Section 19. Subsection (1) and paragraph (e) of subsection
 645 | (2) of section 626.221, Florida Statutes, are amended to read:

646 | 626.221 Examination requirement; exemptions.—

647 | (1) The department may ~~shall~~ not issue any license as
 648 | agent or adjuster to any individual who has not qualified for,
 649 | taken, and passed to the satisfaction of the department a
 650 | written examination of the scope prescribed in s. 626.241.

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

653 (e) An applicant who has been licensed as an all-lines
654 adjuster and appointed as an independent adjuster or company
655 employee adjuster and who files ~~if~~ an application for an all-
656 lines adjuster license ~~licensure is filed~~ with the department
657 within 48 months after ~~following~~ the date of cancellation or
658 expiration of the prior appointment.

659 Section 20. Paragraph (d) of subsection (3) of section
660 626.2815, Florida Statutes, is amended to read:

661 626.2815 Continuing education requirements.—

662 (3) Each licensee except a title insurance agent must
663 complete a 5-hour update course every 2 years which is specific
664 to the license held by the licensee. The course must be
665 developed and offered by providers and approved by the
666 department. The content of the course must address all lines of
667 insurance for which examination and licensure are required and
668 include the following subject areas: insurance law updates,
669 ethics for insurance professionals, disciplinary trends and case
670 studies, industry trends, premium discounts, determining
671 suitability of products and services, and other similar
672 insurance-related topics the department determines are relevant
673 to legally and ethically carrying out the responsibilities of
674 the license granted. A licensee who holds multiple insurance
675 licenses must complete an update course that is specific to at

676 | least one of the licenses held. Except as otherwise specified,
677 | any remaining required hours of continuing education are
678 | elective and may consist of any continuing education course
679 | approved by the department under this section.

680 | (d) An individual who holds a license as a customer
681 | representative, ~~limited customer representative, motor vehicle~~
682 | ~~physical damage and mechanical breakdown insurance agent, or an~~
683 | ~~industrial fire insurance or burglary insurance agent~~ and who is
684 | not a licensed life or health agent, must also complete a
685 | minimum of 5 hours of continuing education courses every 2
686 | years.

687 | Section 21. Paragraphs (b) and (f) of subsection (1) of
688 | section 626.321, Florida Statutes, are amended to read:

689 | 626.321 Limited licenses.—

690 | (1) The department shall issue to a qualified applicant a
691 | license as agent authorized to transact a limited class of
692 | business in any of the following categories of limited lines
693 | insurance:

694 | (b) Industrial fire insurance or burglary insurance.—
695 | License covering only industrial fire insurance or burglary
696 | insurance. ~~The applicant for such a license must pass a written~~
697 | ~~examination covering such insurance.~~ A licensee under this
698 | paragraph may not hold a license as an agent for any other or
699 | additional kind or class of insurance coverage except for life
700 | insurance and health insurance. Effective July 1, 2019, all

701 licensees holding such limited license and appointment may renew
 702 the license and appointment, but no new or additional licenses
 703 may be issued pursuant to this paragraph, and a licensee whose
 704 limited license under this paragraph has been terminated,
 705 suspended, or revoked may not have such license reinstated.

706 (f) Crop hail and multiple-peril crop insurance.—License
 707 for insurance covering crops subject to unfavorable weather
 708 conditions, fire or lightning ~~lightening~~, flood, hail, insect
 709 infestation, disease, or other yield-reducing conditions or
 710 perils which is provided by the private insurance market, or
 711 which is subsidized by the Federal Group Insurance Corporation
 712 including multi-peril crop insurance. Notwithstanding any other
 713 provision of law, the limited license may be issued to a bona
 714 fide salaried employee of an association chartered under the
 715 Farm Credit Act of 1971, 12 U.S.C. ss. 2001 et seq., ~~who~~
 716 ~~satisfactorily completes the examination prescribed by the~~
 717 ~~department pursuant to s. 626.241(5).~~ The agent must be
 718 appointed by, and his or her limited license requested by, a
 719 licensed general lines agent. All business transacted by the
 720 agent must be on behalf of, in the name of, and countersigned by
 721 the agent by whom he or she is appointed. Sections 626.561 and
 722 626.748, relating to records, apply to all business written
 723 pursuant to this section. The licensee may be appointed by and
 724 licensed for only one general lines agent or agency.

725 Section 22. Subsection (1) of section 626.471, Florida

726 Statutes, is amended to read:

727 626.471 Termination of appointment.—

728 (1) Subject to an appointee's contract rights, an
 729 appointing entity may terminate its appointment of any appointee
 730 at any time. Except when termination is upon a ground which
 731 would subject the appointee to suspension or revocation of his
 732 or her license and appointment under s. 626.611 or s. 626.621,
 733 and except as provided by contract between the appointing entity
 734 and the appointee, the appointing entity shall give at least 60
 735 days' advance written notice of its intention to terminate such
 736 appointment to the appointee, either by delivering the notice
 737 ~~delivery thereof~~ to the appointee in person, or by sending it
 738 via electronic mail or mailing it, postage prepaid, addressed to
 739 the appointee at his or her last e-mail or mailing address of
 740 record with the appointing entity. ~~Notice so mailed shall be~~
 741 ~~deemed to have been given when deposited in a United States~~
 742 ~~Postal Service mail depository.~~

743 Section 23. Section 626.536, Florida Statutes, is amended
 744 to read:

745 626.536 Reporting of administrative actions.—Within 30
 746 days after the final disposition of an administrative action
 747 taken against a licensee ~~or insurance agency~~ by a governmental
 748 agency or other regulatory agency in this or any other state or
 749 jurisdiction relating to the business of insurance, the sale of
 750 securities, or activity involving fraud, dishonesty,

751 | trustworthiness, or breach of a fiduciary duty, the licensee ~~or~~
 752 | ~~insurance agency~~ must submit a copy of the order, consent to
 753 | order, or other relevant legal documents to the department. The
 754 | department may adopt rules to administer this section.

755 | Section 24. Subsection (7) is added to section 626.6215,
 756 | Florida Statutes, to read:

757 | 626.6215 Grounds for discretionary refusal, suspension, or
 758 | revocation of insurance agency license.—The department may, in
 759 | its discretion, deny, suspend, revoke, or refuse to continue the
 760 | license of any insurance agency if it finds, as to any insurance
 761 | agency or as to any majority owner, partner, manager, director,
 762 | officer, or other person who manages or controls such insurance
 763 | agency, that any one or more of the following applicable grounds
 764 | exist:

765 | (7) If a license to practice or to conduct any regulated
 766 | profession, business, or vocation has been denied, suspended, or
 767 | revoked or has had any other adverse administrative action taken
 768 | against it by this state, any other state, any nation, any
 769 | possession or district of the United States, any court, or any
 770 | lawful agency thereof.

771 | Section 25. Section 626.729, Florida Statutes, is amended
 772 | to read:

773 | 626.729 "Industrial fire insurance" defined.—For the
 774 | purposes of this code, "industrial fire insurance" is insurance
 775 | against loss by fire of either buildings and other structures or

776 contents, which may include extended coverage; windstorm
777 insurance; basic limits owners, landlords, or tenants liability
778 insurance with single limits of \$25,000; comprehensive personal
779 liability insurance with a single limit of \$25,000; or burglary
780 insurance, under which the premiums are collected quarterly or
781 more often and the face amount of the insurance provided by the
782 policy on one risk is not more than \$50,000, including the
783 contents of such buildings and other structures, ~~and the insurer~~
784 ~~issuing such policy is operating under a system of collecting a~~
785 ~~debit by its agents. A temporary license for an industrial fire~~
786 ~~or burglary agent issued pursuant to s. 626.175 shall be solely~~
787 ~~for the purpose of collecting premiums and servicing in-force~~
788 ~~policies, and such licensee shall not directly or indirectly~~
789 ~~solicit, negotiate, or effect contracts of insurance.~~

790 Section 26. Subsection (9) of section 626.8437, Florida
791 Statutes, is amended to read:

792 626.8437 Grounds for denial, suspension, revocation, or
793 refusal to renew license or appointment.—The department shall
794 deny, suspend, revoke, or refuse to renew or continue the
795 license or appointment of any title insurance agent or agency,
796 and it shall suspend or revoke the eligibility to hold a license
797 or appointment of such person, if it finds that as to the
798 applicant, licensee, appointee, or any principal thereof, any
799 one or more of the following grounds exist:

800 (9) Willful failure to comply with, or willful violation

801 of, any proper order or rule of the department or willful
 802 violation of any provision of the Florida Insurance Code ~~this~~
 803 ~~act~~.

804 Section 27. Subsection (2) of section 626.844, Florida
 805 Statutes, is amended to read:

806 626.844 Grounds for discretionary refusal, suspension, or
 807 revocation of license or appointment.—The department may, in its
 808 discretion, deny, suspend, revoke, or refuse to renew or
 809 continue the license or appointment of any title insurance agent
 810 or agency, and it may suspend or revoke the eligibility to hold
 811 a license or appointment of any such title insurance agent or
 812 agency if it finds that as to the applicant or licensee or
 813 appointee, or any principal thereof, any one or more of the
 814 following grounds exist under circumstances for which such
 815 denial, suspension, revocation, or refusal is not mandatory
 816 under s. 626.8437:

817 (2) Violation of any provision of the Florida Insurance
 818 Code ~~this act~~ in the course of dealing under the license or
 819 appointment.

820 Section 28. Paragraph (e) of subsection (1) and paragraphs
 821 (b) and (c) of subsection (2) of section 626.8732, Florida
 822 Statutes, are amended to read:

823 626.8732 Nonresident public adjuster's qualifications,
 824 bond.—

825 (1) The department shall, upon application therefor, issue

826 a license to an applicant for a nonresident public adjuster's
 827 license upon determining that the applicant has paid the
 828 applicable license fees required under s. 624.501 and:

829 (e) Has been licensed and employed as a public adjuster in
 830 the applicant's state of residence on a continual basis for the
 831 past 6 months ~~year~~, or, if the applicant's state of residence
 832 does not issue licenses to individuals who act as public
 833 adjusters, the applicant has been licensed and employed as a
 834 resident insurance company or independent adjuster, or employed
 835 as a public adjuster, in his or her state of residence or any
 836 other state on a continual basis for the past year.

837 (2) The applicant shall furnish the following with his or
 838 her application:

839 (b) If currently licensed as a resident public adjuster in
 840 the applicant's state of residence, a certificate or letter of
 841 authorization from the licensing authority of the applicant's
 842 state of residence, stating that the applicant holds a current
 843 or comparable license to act as a public adjuster and has held
 844 the license continuously for the past 6 months ~~year~~. The
 845 certificate or letter of authorization must be signed by the
 846 insurance commissioner or his or her deputy or the appropriate
 847 licensing official and must disclose whether the adjuster has
 848 ever had any license or eligibility to hold any license
 849 declined, denied, suspended, revoked, or placed on probation or
 850 whether an administrative fine or penalty has been levied

851 against the adjuster and, if so, the reason for the action.

852 (c) If the applicant's state of residence does not require
 853 licensure as a public adjuster and the applicant has been
 854 licensed as a resident insurance adjuster in his or her state of
 855 residence or any other state, a certificate or letter of
 856 authorization from the licensing authority stating that the
 857 applicant holds or has held a license to act as such an
 858 insurance adjuster and has held the license continuously for the
 859 past 6 months ~~year~~. The certificate or letter of authorization
 860 must be signed by the insurance commissioner or his or her
 861 deputy or the appropriate licensing official and must disclose
 862 whether or not the adjuster has ever had any license or
 863 eligibility to hold any license declined, denied, suspended,
 864 revoked, or placed on probation or whether an administrative
 865 fine or penalty has been levied against the adjuster and, if so,
 866 the reason for the action.

867 Section 29. Subsection (1) of section 633.216, Florida
 868 Statutes, is amended to read:

869 633.216 Inspection of buildings and equipment; orders;
 870 firesafety inspection training requirements; certification;
 871 disciplinary action.—The State Fire Marshal and her or his
 872 agents or persons authorized to enforce laws and rules of the
 873 State Fire Marshal shall, at any reasonable hour, when the State
 874 Fire Marshal has reasonable cause to believe that a violation of
 875 this chapter or s. 509.215, or a rule adopted thereunder, or a

876 | minimum firesafety code adopted by the State Fire Marshal or a
 877 | local authority, may exist, inspect any and all buildings and
 878 | structures which are subject to the requirements of this chapter
 879 | or s. 509.215 and rules adopted thereunder. The authority to
 880 | inspect shall extend to all equipment, vehicles, and chemicals
 881 | which are located on or within the premises of any such building
 882 | or structure.

883 | (1) Each county, municipality, and special district that
 884 | has firesafety enforcement responsibilities shall employ or
 885 | contract with a firesafety inspector. Except as provided in s.
 886 | 633.312(2), ~~and~~ (3), and (4) the firesafety inspector must
 887 | conduct all firesafety inspections that are required by law. The
 888 | governing body of a county, municipality, or special district
 889 | that has firesafety enforcement responsibilities may provide a
 890 | schedule of fees to pay only the costs of inspections conducted
 891 | pursuant to this subsection and related administrative expenses.
 892 | Two or more counties, municipalities, or special districts that
 893 | have firesafety enforcement responsibilities may jointly employ
 894 | or contract with a firesafety inspector.

895 | Section 30. Subsection (5) of section 627.7015, Florida
 896 | Statutes, is amended to read:

897 | 627.7015 Alternative procedure for resolution of disputed
 898 | property insurance claims.—

899 | (5) All statements made and documents produced at a
 900 | mediation conference shall be deemed to be settlement

901 negotiations in anticipation of litigation within the scope of
 902 s. 90.408. The insurer must report the settlement obtained
 903 through mediation, including the settlement amount, to all
 904 parties within 10 days after the conclusion of the mediation
 905 conference. All parties to the mediation must negotiate in good
 906 faith and must have the authority to immediately settle the
 907 claim. Mediators are deemed to be agents of the department and
 908 shall have the immunity from suit provided in s. 44.107.

909 Section 31. Subsection (1) of section 648.49, Florida
 910 Statutes, is amended to read:

911 648.49 Duration of suspension or revocation.—

912 (1) The department shall, in its order suspending a
 913 license or appointment or in its order suspending the
 914 eligibility of a person to hold or apply for a license or
 915 appointment, specify the period during which the suspension is
 916 to be in effect, but such period may not exceed 2 years. The
 917 license, ~~or~~ appointment, or and eligibility to hold or apply for
 918 a license or appointment remains ~~shall remain~~ suspended during
 919 the period so specified, subject, however, to any rescission or
 920 modification of the order by the department, or modification or
 921 reversal thereof by the court, before the ~~prior to~~ expiration of
 922 the suspension period. A license or appointment that ~~which~~ has
 923 been suspended may not be reinstated, nor shall the eligibility
 924 to hold such license or appointment be reinstated, except upon
 925 the filing and approval of an application ~~request~~ for such

926 reinstatement, but the department may not approve an application
 927 for ~~grant~~ such reinstatement if it finds that the circumstances
 928 for which the license or appointment was suspended still exist
 929 or are likely to recur. In each case involving suspension, the
 930 department has the discretion to require the former licensee to
 931 successfully complete a basic certification course in the
 932 criminal justice system, consisting of not less than 80 hours
 933 approved by the department.

934 Section 32. Subsection (1) of section 717.123, Florida
 935 Statutes, is amended to read:

936 717.123 Deposit of funds.—

937 (1) All funds received under this chapter, including the
 938 proceeds from the sale of unclaimed property under s. 717.122,
 939 shall forthwith be deposited by the department in the Unclaimed
 940 Property Trust Fund. The department shall retain, from funds
 941 received under this chapter, an amount not exceeding \$30 ~~\$15~~
 942 million from which the department shall make prompt payment of
 943 claims allowed by the department and shall pay the costs
 944 incurred by the department in administering and enforcing this
 945 chapter. All remaining funds received by the department under
 946 this chapter shall be deposited by the department into the State
 947 School Fund.

948 Section 33. Subsection (8) of section 717.124, Florida
 949 Statutes, is renumbered as subsection (11), and a new subsection
 950 (8) and subsections (9) and (10) are added to that section, to

951 read:

952 717.124 Unclaimed property claims.—

953 (8) Notwithstanding any other provision of this chapter,
954 the department may develop and implement an identification
955 verification and disbursement process by which an account valued
956 at \$2,000 or less, after being received by the department and
957 added to the unclaimed property database, may be disbursed to an
958 apparent owner after the department has verified that the
959 apparent owner is living and that the apparent owner's current
960 address is correct. The department shall include with the
961 payment a notification and explanation of the dollar amount, the
962 source, and the property type of each account included in the
963 disbursement. The department may adopt rules to implement this
964 subsection.

965 (9) (a) Notwithstanding any other provision of this
966 chapter, the department may develop and implement a verification
967 and disbursement process by which an account, after being
968 received by the department and added to the unclaimed property
969 database, for which the apparent owner entity is:

970 1. A state agency in this state or a subdivision or
971 successor agency thereof;

972 2. A county government in this state or a subdivision
973 thereof;

974 3. A public school district in this state or a subdivision
975 thereof;

976 4. A municipality in this state or a subdivision thereof;

977 or

978 5. A special taxing district or authority in this state,

979
980 may be disbursed to the apparent owner entity or successor

981 entity. The department shall include with the payment a

982 notification and explanation of the dollar amount, the source,

983 and the property type of each account included in the

984 disbursement.

985 (b) The department may adopt rules to implement this
986 subsection.

987 (10) Notwithstanding any other provision of this chapter,

988 the department may develop a process by which a registered

989 claimant's representative or a buyer of unclaimed property may

990 electronically submit to the department an electronic image of a

991 completed claim and claims-related documents pursuant to this

992 chapter, including a limited power of attorney or purchase

993 agreement that has been manually signed and dated by a claimant

994 or seller pursuant to s. 717.135 or s. 717.1351, after the

995 claimant's representative or the buyer of unclaimed property

996 receives the original documents provided by the claimant or the

997 seller for any claim. Each claim filed by a registered

998 claimant's representative or a buyer of unclaimed property must

999 include a statement by the claimant's representative or the

1000 buyer of unclaimed property attesting that all documents are

1001 true copies of the original documents and that all original
 1002 documents are physically in the possession of the claimant's
 1003 representative or the buyer of unclaimed property. All original
 1004 documents must be kept in the original form, by claim number,
 1005 under the secure control of the claimant's representative or the
 1006 buyer of unclaimed property and must be available for inspection
 1007 by the department in accordance with s. 717.1315. The department
 1008 may adopt rules to implement this subsection.

1009 Section 34. Section 626.521, Florida Statutes, is
 1010 repealed.

1011 Section 35. Section 626.7355, Florida Statutes, is
 1012 repealed.

1013 Section 36. Paragraph (a) of subsection (1) of section
 1014 626.022, Florida Statutes, is amended to read:

1015 626.022 Scope of part.—

1016 (1) This part applies as to insurance agents, service
 1017 representatives, adjusters, and insurance agencies; as to any
 1018 and all kinds of insurance; and as to stock insurers, mutual
 1019 insurers, reciprocal insurers, and all other types of insurers,
 1020 except that:

1021 (a) It does not apply as to reinsurance, except that ss.
 1022 626.011-626.022, ss. 626.112-626.181, ss. 626.191-626.211, ss.
 1023 626.291-626.301, s. 626.331, ss. 626.342-626.511 ~~ss. 626.342-~~
 1024 ~~626.521~~, ss. 626.541-626.591, and ss. 626.601-626.711 shall
 1025 apply as to reinsurance intermediaries as defined in s.

1026 | 626.7492.

1027 | Section 37. Subsection (4) of section 626.025, Florida
1028 | Statutes, is amended to read:

1029 | 626.025 Consumer protections.—To transact insurance,
1030 | agents shall comply with consumer protection laws, including the
1031 | following, as applicable:

1032 | (4) The submission of credit and character reports, as
1033 | required by s. 626.171 ~~or s. 626.521~~.

1034 | Section 38. This act shall take effect July 1, 2019.