

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1  
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. 497.263, F.S.;  
7 revising the requirements for cemetery companies  
8 licenses; amending s. 497.266, F.S.; conforming  
9 provisions to changes made by the act; amending s.  
10 497.376, F.S.; providing requirements for a  
11 combination license as funeral director and embalmer;  
12 amending s. 497.377, F.S.; revising the requirements  
13 for combination funeral director and embalmer  
14 internships; amending s. 497.380, F.S.; revising the  
15 requirements for a funeral establishment and the  
16 requirements and responsibilities of a funeral  
17 director in charge; amending s. 497.385, F.S.;  
18 revising the requirements for a licensed embalming  
19 facility; amending s. 497.452, F.S.; revising the  
20 applicability of specified provisions related to  
21 cemeteries; amending s. 497.453, F.S.; providing  
22 reporting requirements for certain preneed licensees;  
23 amending s. 497.458, F.S.; revising the requirements  
24 for the disposition of proceeds received on preneed  
25 contracts; amending s. 497.459, F.S.; requiring

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

26 | preneed licensees, under certain circumstances, to  
 27 | provide certain persons with a written notice of  
 28 | intent to distribute funds under the preneed contract;  
 29 | specifying how and where such notice must be sent;  
 30 | providing that funds held in trust must be distributed  
 31 | in accordance with the contract terms if certain  
 32 | persons fail to respond to the notice within a certain  
 33 | timeframe; providing construction; providing  
 34 | rulemaking authority; amending s. 497.464, F.S.;;  
 35 | revising the requirements of certain preneed  
 36 | contracts; amending s. 497.604, F.S.;; revising the  
 37 | requirements for a direct disposal establishment;  
 38 | amending s. 497.606, F.S.;; revising the requirements  
 39 | for a cinerator facility; creating s. 553.7921, F.S.;;  
 40 | requiring a contractor to file a fire alarm permit  
 41 | application and receive the permit under certain  
 42 | circumstances; providing requirements for the  
 43 | application; amending s. 626.175. F.S.;; revising the  
 44 | requirements for a specified nonrenewable temporary  
 45 | license; revising the types of nonrenewable temporary  
 46 | licenses issued by the Department of Financial  
 47 | Services; amending s. 626.207, F.S.;; authorizing  
 48 | disqualified persons meeting specified requirements to  
 49 | reapply for relicensure; amending s. 626.221, F.S.;;  
 50 | revising the language relating to an exemption from

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

51 examination for specified license applicants under  
52 certain circumstances; amending s. 626.2815, F.S.;  
53 deleting provisions requiring certain licensed  
54 customer representatives and insurance agents to  
55 complete continuation education courses; amending s.  
56 626.321, F.S.; revising the requirements for certain  
57 lines insurance licenses; prohibiting issuance or  
58 reinstatement of certain lines insurance licenses  
59 beginning on a specified date; amending s. 626.471,  
60 F.S.; revising the method of delivery of certain  
61 notice; amending s. 626.536, F.S.; deleting provisions  
62 relating to reporting administrative actions taken  
63 against an insurance agency; amending s. 626.6215,  
64 F.S.; providing additional grounds for which the  
65 department may take specified action against the  
66 license of an insurance agency; amending s. 626.729,  
67 F.S.; redefining the term "industrial fire insurance";  
68 amending ss. 626.8437 and 626.844, F.S.; specifying  
69 grounds for certain administrative actions against  
70 licenses or appointments of specified insurance agents  
71 or agencies; amending s. 626.8732, F.S.; revising the  
72 requirements for nonresident public adjuster's  
73 licenses; amending s. 627.7015, F.S.; requiring  
74 mediators to report mediation settlements and  
75 settlement amounts to all parties at the close of

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

76 mediation; amending s. 633.218, F.S.; deleting a  
77 provision that requires the identification of  
78 specified buildings or space for firesafety purposes;  
79 amending s. 633.306, F.S.; providing standards for  
80 fire equipment installation; amending s. 633.312,  
81 F.S.; specifying the delivery methods of a firesafety  
82 inspection report; requiring the State Fire Marshal to  
83 adopt rules; amending s. 633.520, F.S.; requiring the  
84 Division of State Fire Marshal to adopt rules to  
85 establish cancer prevention best practices; amending  
86 s. 648.49, F.S.; requiring the department to meet  
87 certain requirements when suspending a person's  
88 eligibility to apply for a license or appointment;  
89 revising methods for reinstatement of a license, an  
90 appointment, or certain eligibility; amending s.  
91 717.124, F.S.; providing disbursement processes for  
92 unclaimed property claims; providing rulemaking  
93 authority; repealing ss. 626.521 and 626.7355, F.S.,  
94 relating to credit and character reports and to a  
95 temporary license as customer representative pending  
96 examination, respectively; amending ss. 626.022,  
97 626.025, and 633.216, F.S.; conforming cross-  
98 references; providing legislative findings;  
99 establishing the Florida Blockchain Task Force within  
100 the department; requiring the task force to develop a

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

101 specified master plan; specifying the composition of  
 102 the task force; specifying duties and procedures of  
 103 the task force; providing that task force members  
 104 shall serve without compensation and are not entitled  
 105 to certain reimbursement; requiring the task force to  
 106 submit a specified report to the Governor and the  
 107 Legislature and to make presentations; providing that  
 108 the task force is entitled to assistance and services  
 109 of state governmental entities; requiring the  
 110 department to provide support staff and other  
 111 assistance to the task force; providing for  
 112 termination of the task force; providing effective  
 113 dates.

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

116  
 117 Section 1. Section 17.56, Florida Statutes, is amended to  
 118 read:

119 17.56 Division of Treasury to maintain ~~turn over to the~~  
 120 ~~Division of Accounting and Auditing~~ all warrants paid.—The  
 121 Division of Treasury shall maintain ~~turn over to the Division of~~  
 122 ~~Accounting and Auditing~~ all warrants drawn by the Chief  
 123 Financial Officer ~~or the Comptroller~~ and paid by the Division of  
 124 Treasury for 10 years after the date on which a warrant was  
 125 presented for payment. ~~The warrants shall be turned over as soon~~

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

126 | ~~as the Division of Treasury shall have recorded such warrants~~  
 127 | ~~and charged the same against the accounts upon which such~~  
 128 | ~~warrants are drawn.~~

129 | Section 2. Paragraph (a) of subsection (3) of section  
 130 | 497.263, Florida Statutes, is amended to read:

131 | 497.263 Cemetery companies; license required; licensure  
 132 | requirements and procedures.—

133 | (3) ACTION CONCERNING APPLICATIONS.—If the licensing  
 134 | authority finds that the applicant meets the criteria  
 135 | established in subsection (2), the applicant shall be notified  
 136 | that a license will be issued when all of the following  
 137 | conditions are satisfied:

138 | (a) The establishment of a care and maintenance trust fund  
 139 | containing not less than \$50,000 has been certified by a trust  
 140 | company ~~operating pursuant to chapter 660,~~ a state or national  
 141 | bank holding trust powers, or a savings and loan association  
 142 | holding trust powers as provided in s. 497.458, pursuant to a  
 143 | trust agreement approved by the licensing authority. The \$50,000  
 144 | required for the care and maintenance trust fund shall be over  
 145 | and above the \$50,000 net worth required by subsection (2).

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

148 | 497.266 Care and maintenance trust fund; remedy of  
 149 | department for noncompliance.—

150 | (1) A ~~No~~ cemetery company may not establish a cemetery, or

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

151 operate a cemetery if already established, without providing for  
 152 the future care and maintenance of the cemetery, for which a  
 153 care and maintenance trust fund shall be established, to be  
 154 known as "the care and maintenance trust fund of ....." The  
 155 trust fund shall be established with a trust company ~~operating~~  
 156 ~~pursuant to chapter 660~~, with a state or national bank holding  
 157 trust powers, or with a federal or state savings and loan  
 158 association holding trust powers. Trust funds which are with a  
 159 state or national bank or savings and loan association licensed  
 160 in this state on October 1, 1993, shall remain in force;  
 161 however, when the amount of any such trust fund exceeds the  
 162 amount that is insured by an agency of the Federal Government,  
 163 the cemetery company shall transfer that trust fund to a trust  
 164 company ~~operating pursuant to chapter 660~~, to a state or  
 165 national bank holding trust powers, or to a federal or state  
 166 savings and loan association holding trust powers.

167 Section 4. Section 497.376, Florida Statutes, is amended  
 168 to read:

169 497.376 License as funeral director and embalmer  
 170 permitted.—

171 (1) This chapter does not prohibit a person from holding a  
 172 license as an embalmer and a license as a funeral director at  
 173 the same time. There may be issued and renewed by the licensing  
 174 authority a combination license as both funeral director and  
 175 embalmer to persons meeting the separate requirements for both

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

176 licenses as set forth in this chapter. The licensing authority  
 177 may adopt rules providing procedures for applying for and  
 178 renewing such combination license. The licensing authority may  
 179 by rule establish application, renewal, and other fees for such  
 180 combination license, which fees may ~~shall~~ not exceed the sum of  
 181 the maximum fees for the separate funeral director and embalmer  
 182 license categories as provided in this chapter. A person ~~Persons~~  
 183 holding a combination license as a funeral director and an  
 184 embalmer is ~~shall be~~ subject to regulation under this chapter  
 185 both as a funeral director and an embalmer.

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

190 Section 5. Section 497.377, Florida Statutes, is amended  
 191 to read:

192 497.377 Combination funeral directors and embalmers;  
 193 ~~Concurrent~~ internships.-

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

198 (2)(a) An applicant who has not completed the educational  
 199 credentials required for a combination license as both funeral  
 200 director and embalmer is eligible for licensure as a combination



ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

201 funeral director and embalmer intern if the applicant:  
 202 1. Is currently enrolled in and attending a college  
 203 accredited by the American Board of Funeral Service Education  
 204 (ABFSE) in a course of study in mortuary science accredited by  
 205 ABFSE.  
 206 2. Has completed at least 75 percent of the course of  
 207 study in mortuary science as certified by the college in which  
 208 the applicant is currently enrolled.  
 209 3. Has taken and received a passing grade in a college  
 210 credit course in mortuary law or funeral service law and has  
 211 taken and received a passing grade in a college credit course in  
 212 ethics.  
 213 (b) An application for a combination funeral director and  
 214 embalmer intern license must include the name and address of the  
 215 funeral director licensed under s. 497.373 or s. 497.374(1) and  
 216 the embalmer licensed under s. 497.368 or s. 497.369 under whose  
 217 supervision the intern will receive training and the name of the  
 218 licensed funeral establishment at which the training will be  
 219 conducted.  
 220 (c) A combination funeral director and embalmer intern may  
 221 perform only the tasks, functions, and duties relating to  
 222 funeral directing and embalming which are performed under the  
 223 direct supervision of a licensed funeral director who has an  
 224 active, valid license under s. 497.373 or s. 497.374(1) and an  
 225 embalmer who has an active, valid license under s. 497.368 or s.

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

226 497.369. However, a combination funeral director and embalmer  
227 intern may perform such tasks, functions, and duties under the  
228 general supervision of a licensed funeral director and embalmer  
229 upon graduation from a college accredited by ABFSE with a degree  
230 as specified in s. 497.373(1)(d) and upon passage of the  
231 examination required under s. 497.373(2)(b) if the funeral  
232 director in charge of the internship training establishment,  
233 after 6 months of direct supervision, certifies to the licensing  
234 authority that the intern is competent to complete the  
235 internship under general supervision.

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

239 2. The licensing authority may adopt rules that allow a  
240 combination funeral director and embalmer intern to renew her or  
241 his combination funeral director and embalmer intern license for  
242 an additional 1 year if the combination funeral director and  
243 embalmer intern demonstrates her or his failure to complete the  
244 internship before expiration of the license due to illness,  
245 personal injury, or other substantial hardship beyond her or his  
246 reasonable control or demonstrates that she or he has completed  
247 the requirements for licensure as a combination funeral director  
248 and embalmer but is awaiting the results of a licensure  
249 examination.

250 Section 6. Subsection (7) of section 497.380, Florida

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

251 Statutes, is amended to read:

252 497.380 Funeral establishment; licensure; display of  
 253 license.-

254 (7) Each licensed funeral establishment shall have a ~~one~~  
 255 ~~full-time~~ funeral director in charge and shall have a licensed  
 256 funeral director reasonably available to the public during  
 257 normal business hours for the establishment. The ~~full-time~~  
 258 funeral director in charge is responsible for ensuring that the  
 259 facility, its operation, and all persons employed in the  
 260 facility comply with all applicable state and federal laws and  
 261 rules. A funeral director in charge, with appropriate, active  
 262 licenses, may serve as a funeral director in charge for not more  
 263 than a total of two of the following: funeral establishments,  
 264 centralized embalming facilities, direct disposal  
 265 establishments, or cinerator facilities, as long as the two  
 266 locations are not more than 75 miles apart as measured in a  
 267 straight line ~~The full-time funeral director in charge must have~~  
 268 ~~an active license and may not be the full-time funeral director~~  
 269 ~~in charge of any other funeral establishment or of any other~~  
 270 ~~direct disposal establishment. Effective October 1, 2010, The~~  
 271 ~~full-time~~ funeral director in charge must hold an active, valid  
 272 funeral director license and an active, valid embalmer license,  
 273 or combination license as a funeral director and an embalmer.  
 274 However, a funeral director may serve as funeral director in  
 275 charge without an embalmer license or combination license if the

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

276 establishment does not have an embalming room on site or may  
 277 continue as the ~~full-time~~ funeral director in charge without an  
 278 embalmer or combination license if, as of September 30, 2010:

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

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

283 (c) The name of the funeral director was included, as  
 284 required in subsection (4), in the funeral establishment's most  
 285 recent application for issuance or renewal of its license or was  
 286 included in the establishment's report of change provided under  
 287 paragraph (12) (c).

288 Section 7. Paragraph (b) of subsection (2) of section  
 289 497.385, Florida Statutes, is amended to read:

290 497.385 Removal services; refrigeration facilities;  
 291 centralized embalming facilities.—In order to ensure that the  
 292 removal, refrigeration, and embalming of all dead human bodies  
 293 is conducted in a manner that properly protects the public's  
 294 health and safety, the licensing authority shall adopt rules to  
 295 provide for the licensure of removal services, refrigeration  
 296 facilities, and centralized embalming facilities operated  
 297 independently of funeral establishments, direct disposal  
 298 establishments, and cinerator facilities.

299 (2) CENTRALIZED EMBALMING FACILITIES.—In order to ensure  
 300 that all funeral establishments have access to embalming

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

301 facilities that comply with all applicable health and safety  
 302 requirements, the licensing authority shall adopt rules to  
 303 provide for the licensure and operation of centralized embalming  
 304 facilities and shall require, at a minimum, the following:

305 (b) Each licensed centralized embalming facility shall  
 306 have at least one ~~full-time~~ embalmer in charge. The ~~full-time~~  
 307 embalmer in charge must have an active, valid embalmer license  
 308 or combination license as a funeral director and embalmer and  
 309 ~~may not be the full-time embalmer in charge, full-time funeral~~  
 310 ~~director in charge, or full-time direct disposer in charge of~~  
 311 ~~any other establishment licensed under this chapter. A funeral~~  
 312 director in charge, with appropriate, active licenses, may serve  
 313 as a funeral director in charge for not more than a total of two  
 314 of the following: funeral establishments, centralized embalming  
 315 facilities, direct disposal establishments, or cinerator  
 316 facilities, as long as the two locations are not more than 75  
 317 miles apart as measured in a straight line.

318 Section 8. Paragraph (b) of subsection (2) of section  
 319 497.452, Florida Statutes, is amended, and paragraph (a) of that  
 320 subsection is republished, to read:

321 497.452 Preneed license required.—

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

324 (b) ~~The provisions of~~ Paragraph (a) does ~~de~~ not apply to a  
 325 trust company ~~operating pursuant to chapter 660,~~ to a national

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

326 or state bank holding trust powers, or to a federal or state  
 327 savings and loan association having trust powers which company,  
 328 bank, or association receives any money in trust pursuant to the  
 329 sale of a preneed contract.

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

332 497.453 Application for preneed license, procedures and  
 333 criteria; renewal; reports.-

334 (8) ANNUAL TRUST REPORTS.-

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

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

343 1. As to each year, which is referred to in this paragraph  
 344 as "Year 1," in which any preneed licensee or group of preneed  
 345 licensees under common control in aggregate sell in this state  
 346 15,000 or more preneed contracts, the licensee or licensees  
 347 shall, during the following year, which is referred to in this  
 348 paragraph as "Year 2":

349 a. Prepare in regard to each such licensee a report of  
 350 preneed operations in this state in Year 1, on a form prescribed

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

351 by department rule;

352 b. Cause and pay for the report to be audited by an  
353 independent certified public accounting firm concerning the  
354 accuracy and fairness of the presentation of the data provided  
355 in the report; and

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

360 2. The report required under subparagraph 1. shall be  
361 prepared and submitted using forms and procedures specified by  
362 department rule. The department may adopt rules specifying the  
363 format of, and procedures for, the report and the information to  
364 be included in the report.

365 Section 10. Paragraph (c) of subsection (1) of section  
366 497.458, Florida Statutes, is amended to read:

367 497.458 Disposition of proceeds received on contracts.—

368 (1)

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

375 Section 11. Subsection (7) is added to section 497.459,

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

376 Florida Statutes, to read:

377 497.459 Cancellation of, or default on, preneed contracts;  
378 required notice.—

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

380 (a) To ensure the performance of unfulfilled preneed  
381 contracts, upon the occurrence of the earliest of any of the  
382 following events, a preneed licensee shall provide to the  
383 purchaser or to the beneficiary's legally authorized person  
384 written notice of the preneed licensee's intent to distribute  
385 funds in accordance with the terms of the preneed contract, if  
386 any obligation of the preneed licensee remains to be fulfilled  
387 under the contract:

388 1. Fifty years after the date of execution of the preneed  
389 contract by the purchaser.

390 2. The beneficiary of the preneed contract attains the age  
391 of 105 years of age or older.

392 3. The social security number of the beneficiary of the  
393 preneed contract, as shown on the contract, is contained within  
394 the United States Social Security Administration Death Master  
395 File.

396 (b)1. The notice in paragraph (a) must be provided by  
397 certified mail, registered mail, or permitted delivery service,  
398 return receipt requested, to the last known mailing address of  
399 the purchaser or the beneficiary's legally authorized person,  
400 whichever is applicable, as provided to the preneed licensee. If



ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

401 the notice is returned as undeliverable within 30 calendar days  
402 after the preneed licensee sent the notice, the trustee shall  
403 perform a diligent search and inquiry to obtain a different  
404 address for the purchaser or the beneficiary's legally  
405 authorized person, whichever is applicable. For purposes of this  
406 subparagraph, any address known and used by the purchaser or the  
407 beneficiary's legally authorized person, whichever is  
408 applicable, for sending regular mailings or other communications  
409 from the purchaser or the beneficiary's legally authorized  
410 person, whichever is applicable, to the preneed licensee or any  
411 address produced through a current address service or searchable  
412 database shall be included with other addresses produced from  
413 the diligent search and inquiry, if any. If the trustee's  
414 diligent search and inquiry produces an address different from  
415 the notice address, the trustee shall mail a copy of the notice  
416 by certified mail, registered mail, or permitted delivery  
417 service, return receipt requested, to any and all addresses  
418 produced as a result of the diligent search and inquiry.

419 2. If the purchaser or the beneficiary's legally  
420 authorized person, whichever is applicable, fails to respond to  
421 such notice within 120 days after delivery of the last mailed  
422 notice under subparagraph 1., the funds held in trust must be  
423 distributed in accordance with the terms of the preneed  
424 contract, the trust agreement, and any applicable provisions of  
425 chapter 717.

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

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

429        (d) The licensing authority shall have authority to adopt  
 430 rules for the review and approval of notice forms used by  
 431 preneed licensees to provide notice under this subsection.

432        Section 12. Subsection (2) of section 497.464, Florida  
 433 Statutes, is amended to read:

434        497.464 Alternative preneed contracts.—

435        (2) The contract must require that a trust be established  
 436 by the preneed licensee on behalf of, and for the use, benefit,  
 437 and protection of, the purchaser and that the trustee must be a  
 438 trust company ~~operating pursuant to chapter 660~~, a national or  
 439 state bank holding trust powers, or a federal or state savings  
 440 and loan association holding trust powers.

441        Section 13. Subsection (8) of section 497.604, Florida  
 442 Statutes, is amended to read:

443        497.604 Direct disposal establishments, license required;  
 444 licensing procedures and criteria; license renewal; regulation;  
 445 display of license.—

446        (8) SUPERVISION OF FACILITIES.—

447        (a) ~~Effective October 1, 2010,~~ Each direct disposal  
 448 establishment shall have a ~~one full-time licensed~~ funeral  
 449 director ~~acting as the direct disposer~~ in charge, subject to s.  
 450 497.380(7). However, a licensed direct disposer may continue

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

451 acting as the direct disposer in charge, if, as of September 30,  
 452 2010:

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

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

457 3. The name of the licensed direct disposer was included,  
 458 as required in paragraph (2)(c), in the direct disposal  
 459 establishment's most recent application for issuance or renewal  
 460 of its license or was included in the establishment's notice of  
 461 change provided under subsection (7).

462 (b) The ~~licensed~~ funeral director in charge or ~~licensed~~  
 463 direct disposer in charge of a direct disposal establishment  
 464 must be reasonably available to the public during normal  
 465 business hours for the establishment ~~and may be in charge of~~  
 466 ~~only one direct disposal establishment~~. The ~~licensed~~ funeral  
 467 director in charge or ~~licensed~~ direct disposer in charge of the  
 468 establishment is responsible for making sure the facility, its  
 469 operations, and all persons employed in the facility comply with  
 470 all applicable state and federal laws and rules. A funeral  
 471 director in charge, with appropriate, active licenses, may serve  
 472 as a funeral director in charge for not more than a total of two  
 473 of the following: funeral establishments, centralized embalming  
 474 facilities, direct disposal establishments, or cinerator  
 475 facilities, as long as the two locations are not more than 75

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

476 | miles apart as measured in a straight line.

477 | Section 14. Subsection (8) of section 497.606, Florida  
478 | Statutes, is amended to read:

479 | 497.606 Cinerator facility, licensure required; licensing  
480 | procedures and criteria; license renewal; regulation.—

481 | (8) SUPERVISION OF FACILITIES.—Each cinerator facility  
482 | shall have a one full-time licensed direct disposer in charge or  
483 | a licensed funeral director in charge for that facility. ~~Such~~  
484 | ~~person may be in charge of only one facility.~~ Such ~~licensed~~  
485 | funeral director in charge or ~~licensed~~ direct disposer in charge  
486 | shall be responsible for making sure the facility, its  
487 | operations, and all persons employed in the facility comply with  
488 | all applicable state and federal laws and rules. A funeral  
489 | director in charge, with appropriate, active licenses, may serve  
490 | as a funeral director in charge for not more than a total of two  
491 | of the following: funeral establishments, centralized embalming  
492 | facilities, direct disposal establishments, or cinerator  
493 | facilities, as long as the two locations are not more than 75  
494 | miles apart as measured in a straight line.

495 | Section 15. Section 553.7921, Florida Statutes, is created  
496 | to read:

497 | 553.7921 Fire alarm permit application to local  
498 | enforcement agency.—

499 | (1) A contractor must file a Uniform Fire Alarm Permit  
500 | Application as provided in subsection (2) with the local

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

501 enforcement agency and must receive the fire alarm permit  
 502 before:

503 (a) Installing or replacing a fire alarm if the local  
 504 enforcement agency requires a plan review for the installation  
 505 or replacement; or

506 (b) Repairing an existing alarm system that was previously  
 507 permitted by the local enforcement agency if the local  
 508 enforcement agency requires a fire alarm permit for the repair.

509 (2) A Uniform Fire Alarm Permit Application must be  
 510 submitted with any drawing, plan, and supporting documentation  
 511 required by a local enforcement agency for a project for which a  
 512 plan review or fire alarm permit is required under subsection  
 513 (1). The application may be submitted electronically or by  
 514 facsimile and must be signed by the owner, or the owner's  
 515 authorized representative, and the contractor, or the  
 516 contractor's agent. The application must contain the following  
 517 information, in a substantially similar form:

518  
 519 UNIFORM FIRE ALARM PERMIT APPLICATION

520  
 521 Tax Folio No. \_\_\_\_\_ Application No. \_\_\_\_\_  
 522 Owner's or Representative's Name \_\_\_\_\_  
 523 Property Address \_\_\_\_\_  
 524 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 525 Phone Number \_\_\_\_\_

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

526 | Fee Simple Titleholder's Name (if other than owner)  
527 | \_\_\_\_\_  
528 | Fee Simple Titleholder's Address (if other than owner)  
529 | \_\_\_\_\_  
530 | Description of Work  
531 | \_\_\_\_\_  
532 | New Install      Replacement      Addition      Other  
533 | Construction Type  
534 | Proposed Use  
535 | Alarm Contractor's Name  
536 | Alarm Contractor's Address  
537 | City                      State                      Zip  
538 | Phone Number  
539 | Alarm Contractor's License Number  
540 |  
541 | Application is hereby made to obtain a permit to do the work or  
542 | installation as indicated. I certify that no work or  
543 | installation has commenced before the filing of this permit  
544 | application and that all of the foregoing information is true  
545 | and accurate.  
546 |  
547 | Signature of Owner or Owner's Representative  
548 | \_\_\_\_\_  
549 |  
550 | Printed Name  
      | \_\_\_\_\_

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568  
569  
570  
571  
572  
573  
574  
575

Signature of Contractor or Agent

Printed Name

Section 16. Subsection (1) of section 626.175, Florida Statutes, is amended to read:

626.175 Temporary licensing.—

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

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

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

(b)1. In the case of a general lines agent, the department may issue a temporary license to an employee, a family member, a

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

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

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

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

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

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

600 2. A regular general lines agent license may be issued to



ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

601 a temporary licensee upon meeting the qualifications for a  
 602 general lines agent license under s. 626.731.

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

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

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

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

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

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

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

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

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

643           Section 17. Paragraph (b) of subsection (3) of section  
 644 626.207, Florida Statutes, is amended to read:

645           626.207 Disqualification of applicants and licensees;  
 646 penalties against licensees; rulemaking authority.—

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

650           (b) A 7-year disqualifying period for all felonies to

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

651 | which neither the permanent bar in subsection (2) nor the 15-  
 652 | year disqualifying period in paragraph (a) applies.  
 653 | Notwithstanding subsection (4), an applicant who served at least  
 654 | half of the disqualifying period may reapply for a license if,  
 655 | during that time, the applicant has not been found guilty of or  
 656 | has not pleaded guilty or nolo contendere to a crime. The  
 657 | department may issue the applicant a license on a probationary  
 658 | basis for the remainder of the disqualifying period. The  
 659 | applicant's probationary period ends at the end of the  
 660 | disqualifying period.

661 | Section 18. Subsection (1) and paragraph (e) of subsection  
 662 | (2) of section 626.221, Florida Statutes, are amended to read:

663 | 626.221 Examination requirement; exemptions.—

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

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

670 | (e) An applicant who has been licensed as an all-lines  
 671 | adjuster and appointed as an independent adjuster or company  
 672 | employee adjuster and who files ~~if~~ an application for an all-  
 673 | lines adjuster license licensure is filed with the department  
 674 | within 48 months after ~~following~~ the date of cancellation or  
 675 | expiration of the prior appointment.

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

676 Section 19. Paragraph (d) of subsection (3) of section  
 677 626.2815, Florida Statutes, is amended to read:

678 626.2815 Continuing education requirements.—

679 (3) Each licensee except a title insurance agent must  
 680 complete a 5-hour update course every 2 years which is specific  
 681 to the license held by the licensee. The course must be  
 682 developed and offered by providers and approved by the  
 683 department. The content of the course must address all lines of  
 684 insurance for which examination and licensure are required and  
 685 include the following subject areas: insurance law updates,  
 686 ethics for insurance professionals, disciplinary trends and case  
 687 studies, industry trends, premium discounts, determining  
 688 suitability of products and services, and other similar  
 689 insurance-related topics the department determines are relevant  
 690 to legally and ethically carrying out the responsibilities of  
 691 the license granted. A licensee who holds multiple insurance  
 692 licenses must complete an update course that is specific to at  
 693 least one of the licenses held. Except as otherwise specified,  
 694 any remaining required hours of continuing education are  
 695 elective and may consist of any continuing education course  
 696 approved by the department under this section.

697 (d) An individual who holds a license as a customer  
 698 representative, ~~limited customer representative, motor vehicle~~  
 699 ~~physical damage and mechanical breakdown insurance agent, or an~~  
 700 ~~industrial fire insurance or burglary insurance agent~~ and who is

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

701 not a licensed life or health agent, must also complete a  
702 minimum of 5 hours of continuing education courses every 2  
703 years.

704 Section 20. Paragraphs (b) and (f) of subsection (1) of  
705 section 626.321, Florida Statutes, are amended to read:

706 626.321 Limited licenses.—

707 (1) The department shall issue to a qualified applicant a  
708 license as agent authorized to transact a limited class of  
709 business in any of the following categories of limited lines  
710 insurance:

711 (b) Industrial fire insurance or burglary insurance.—  
712 License covering only industrial fire insurance or burglary  
713 insurance. ~~The applicant for such a license must pass a written~~  
714 ~~examination covering such insurance.~~ A licensee under this  
715 paragraph may not hold a license as an agent for any other or  
716 additional kind or class of insurance coverage except for life  
717 insurance and health insurance. Effective July 1, 2019, all  
718 licensees holding such limited license and appointment may renew  
719 the license and appointment, but no new or additional licenses  
720 may be issued pursuant to this paragraph, and a licensee whose  
721 limited license under this paragraph has been terminated,  
722 suspended, or revoked may not have such license reinstated.

723 (f) Crop hail and multiple-peril crop insurance.—License  
724 for insurance covering crops subject to unfavorable weather  
725 conditions, fire or lightning ~~lightening~~, flood, hail, insect

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

726 infestation, disease, or other yield-reducing conditions or  
727 perils which is provided by the private insurance market, or  
728 which is subsidized by the Federal Group Insurance Corporation  
729 including multi-peril crop insurance. Notwithstanding any other  
730 provision of law, the limited license may be issued to a bona  
731 fide salaried employee of an association chartered under the  
732 Farm Credit Act of 1971, 12 U.S.C. ss. 2001 et seq., ~~who~~  
733 ~~satisfactorily completes the examination prescribed by the~~  
734 ~~department pursuant to s. 626.241(5).~~ The agent must be  
735 appointed by, and his or her limited license requested by, a  
736 licensed general lines agent. All business transacted by the  
737 agent must be on behalf of, in the name of, and countersigned by  
738 the agent by whom he or she is appointed. Sections 626.561 and  
739 626.748, relating to records, apply to all business written  
740 pursuant to this section. The licensee may be appointed by and  
741 licensed for only one general lines agent or agency.

742 Section 21. Subsection (1) of section 626.471, Florida  
743 Statutes, is amended to read:

744 626.471 Termination of appointment.—

745 (1) Subject to an appointee's contract rights, an  
746 appointing entity may terminate its appointment of any appointee  
747 at any time. Except when termination is upon a ground that ~~which~~  
748 would subject the appointee to suspension or revocation of his  
749 or her license and appointment under s. 626.611 or s. 626.621,  
750 and except as provided by contract between the appointing entity

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

751 and the appointee, the appointing entity shall give at least 60  
 752 days' advance written notice of its intention to terminate such  
 753 appointment to the appointee, ~~either~~ by delivery thereof to the  
 754 appointee in person, ~~or~~ by mailing it, postage prepaid, or by e-  
 755 mail. If delivery is by mail or e-mail, the notice must be  
 756 addressed to the appointee at his or her last mailing or e-mail  
 757 address of record with the appointing entity. Notice ~~is~~ ~~so~~  
 758 ~~mailed shall be~~ deemed to have been given when deposited in a  
 759 United States Postal Service mail depository or when the e-mail  
 760 is sent, as applicable.

761 Section 22. Section 626.536, Florida Statutes, is amended  
 762 to read:

763 626.536 Reporting of administrative actions.—Within 30  
 764 days after the final disposition of an administrative action  
 765 taken against a licensee ~~or insurance agency~~ by a governmental  
 766 agency or other regulatory agency in this or any other state or  
 767 jurisdiction relating to the business of insurance, the sale of  
 768 securities, or activity involving fraud, dishonesty,  
 769 trustworthiness, or breach of a fiduciary duty, the licensee ~~or~~  
 770 ~~insurance agency~~ must submit a copy of the order, consent to  
 771 order, or other relevant legal documents to the department. The  
 772 department may adopt rules to administer this section.

773 Section 23. Subsection (7) is added to section 626.6215,  
 774 Florida Statutes, to read:

775 626.6215 Grounds for discretionary refusal, suspension, or

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

776 revocation of insurance agency license.—The department may, in  
 777 its discretion, deny, suspend, revoke, or refuse to continue the  
 778 license of any insurance agency if it finds, as to any insurance  
 779 agency or as to any majority owner, partner, manager, director,  
 780 officer, or other person who manages or controls such insurance  
 781 agency, that any one or more of the following applicable grounds  
 782 exist:

783 (7) A denial, suspension, or revocation of, or any other  
 784 adverse administrative action against, a license to practice or  
 785 conduct any regulated profession, business, or vocation by this  
 786 state, any other state, any nation, any possession or district  
 787 of the United States, or any court or any lawful agency thereof.

788 Section 24. Section 626.729, Florida Statutes, is amended  
 789 to read:

790 626.729 "Industrial fire insurance" defined.—As used in  
 791 ~~For the purposes of~~ this code, the term "industrial fire  
 792 insurance" means: is

793 (1) Insurance against loss by fire of either buildings and  
 794 other structures or contents, which may include extended  
 795 coverage;

796 (2) Windstorm insurance;

797 (3) Basic limits owners, landlords, or tenants liability  
 798 insurance with single limits of \$25,000;

799 (4) Comprehensive personal liability insurance with a  
 800 single limit of \$25,000; or



ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

801       (5) Burglary insurance, under which the premiums are  
 802 collected quarterly or more often and the face amount of the  
 803 insurance provided by the policy on one risk is not more than  
 804 \$50,000, including the contents of such buildings and other  
 805 structures, ~~and the insurer issuing such policy is operating~~  
 806 ~~under a system of collecting a debit by its agents. A temporary~~  
 807 ~~license for an industrial fire or burglary agent issued pursuant~~  
 808 ~~to s. 626.175 shall be solely for the purpose of collecting~~  
 809 ~~premiums and servicing in-force policies, and such licensee~~  
 810 ~~shall not directly or indirectly solicit, negotiate, or effect~~  
 811 ~~contracts of insurance.~~

812       Section 25. Subsection (9) of section 626.8437, Florida  
 813 Statutes, is amended to read:

814       626.8437 Grounds for denial, suspension, revocation, or  
 815 refusal to renew license or appointment.—The department shall  
 816 deny, suspend, revoke, or refuse to renew or continue the  
 817 license or appointment of any title insurance agent or agency,  
 818 and it shall suspend or revoke the eligibility to hold a license  
 819 or appointment of such person, if it finds that as to the  
 820 applicant, licensee, appointee, or any principal thereof, any  
 821 one or more of the following grounds exist:

822       (9) Willful failure to comply with, or willful violation  
 823 of, any proper order or rule of the department or willful  
 824 violation of any provision of the Florida Insurance Code ~~this~~  
 825 ~~act.~~

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

826 Section 26. Subsection (2) of section 626.844, Florida  
 827 Statutes, is amended to read:

828 626.844 Grounds for discretionary refusal, suspension, or  
 829 revocation of license or appointment.—The department may, in its  
 830 discretion, deny, suspend, revoke, or refuse to renew or  
 831 continue the license or appointment of any title insurance agent  
 832 or agency, and it may suspend or revoke the eligibility to hold  
 833 a license or appointment of any such title insurance agent or  
 834 agency if it finds that as to the applicant or licensee or  
 835 appointee, or any principal thereof, any one or more of the  
 836 following grounds exist under circumstances for which such  
 837 denial, suspension, revocation, or refusal is not mandatory  
 838 under s. 626.8437:

839 (2) Violation of any provision of the Florida Insurance  
 840 Code ~~this act~~ in the course of dealing under the license or  
 841 appointment.

842 Section 27. Paragraph (e) of subsection (1) and paragraphs  
 843 (b) and (c) of subsection (2) of section 626.8732, Florida  
 844 Statutes, are amended to read:

845 626.8732 Nonresident public adjuster's qualifications,  
 846 bond.—

847 (1) The department shall, upon application therefor, issue  
 848 a license to an applicant for a nonresident public adjuster's  
 849 license upon determining that the applicant has paid the  
 850 applicable license fees required under s. 624.501 and:

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

851 (e) Has been licensed and employed as a public adjuster in  
 852 the applicant's state of residence on a continual basis for the  
 853 past 6 months ~~year~~, or, if the applicant's state of residence  
 854 does not issue licenses to individuals who act as public  
 855 adjusters, the applicant has been licensed and employed as a  
 856 resident insurance company adjuster, a public adjuster, or an  
 857 independent adjuster in his or her state of residence or any  
 858 other state on a continual basis for the past 6 months ~~year~~.

859 (2) The applicant shall furnish the following with his or  
 860 her application:

861 (b) If currently licensed as a resident public adjuster in  
 862 the applicant's state of residence, a certificate or letter of  
 863 authorization from the licensing authority of the applicant's  
 864 state of residence, stating that the applicant holds a current  
 865 or comparable license to act as a public adjuster and has held  
 866 the license continuously for the past 6 months ~~year~~. The  
 867 certificate or letter of authorization must be signed by the  
 868 insurance commissioner or his or her deputy or the appropriate  
 869 licensing official and must disclose whether the adjuster has  
 870 ever had any license or eligibility to hold any license  
 871 declined, denied, suspended, revoked, or placed on probation or  
 872 whether an administrative fine or penalty has been levied  
 873 against the adjuster and, if so, the reason for the action.

874 (c) If the applicant's state of residence does not require  
 875 licensure as a public adjuster and the applicant has been

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

876 licensed as a resident insurance adjuster in his or her state of  
 877 residence or any other state, a certificate or letter of  
 878 authorization from the licensing authority stating that the  
 879 applicant holds or has held a license to act as such an  
 880 insurance adjuster and has held the license continuously for the  
 881 past 6 months ~~year~~. The certificate or letter of authorization  
 882 must be signed by the insurance commissioner or his or her  
 883 deputy or the appropriate licensing official and must disclose  
 884 whether or not the adjuster has ever had any license or  
 885 eligibility to hold any license declined, denied, suspended,  
 886 revoked, or placed on probation or whether an administrative  
 887 fine or penalty has been levied against the adjuster and, if so,  
 888 the reason for the action.

889 Section 28. Subsection (6) of section 627.7015, Florida  
 890 Statutes, is amended to read:

891 627.7015 Alternative procedure for resolution of disputed  
 892 property insurance claims.—

893 (6) (a) Mediation is nonbinding; however, if a written  
 894 settlement is reached, the policyholder has 3 business days  
 895 within which the policyholder may rescind the settlement unless  
 896 the policyholder has cashed or deposited any check or draft  
 897 disbursed to the policyholder for the disputed matters as a  
 898 result of the conference. If a settlement agreement is reached  
 899 and is not rescinded, it is binding and acts as a release of all  
 900 specific claims that were presented in that mediation

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

901 conference.

902 (b) At the conclusion of the mediation, the mediator shall  
903 provide a written report of the results of mediation, including  
904 any settlement amount, to the insurer, the policyholder, and the  
905 policyholder's representative if the policyholder is represented  
906 at the mediation.

907 Section 29. Paragraph (f) of subsection (1) of section  
908 633.218, Florida Statutes, is amended, and paragraphs (a)  
909 through (e) of that subsection are republished, to read:

910 633.218 Inspections of state buildings and premises; tests  
911 of firesafety equipment; building plans to be approved.—

912 (1)(a) It is the duty of the State Fire Marshal and her or  
913 his agents to inspect, or cause to be inspected, each state-  
914 owned building on a recurring basis established by rule, and to  
915 ensure that high-hazard occupancies are inspected at least  
916 annually, for the purpose of ascertaining and causing to be  
917 corrected any conditions liable to cause fire or endanger life  
918 from fire and any violation of the firesafety standards for  
919 state-owned buildings, this chapter, or the rules adopted  
920 pursuant hereto. The State Fire Marshal shall, within 7 days  
921 following an inspection, submit a report of such inspection to  
922 the head of the state agency responsible for the building.

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

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

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

929 (d) Each department shall, in its annual budget proposal  
 930 and for all proposals for new construction or renovations to  
 931 existing structures, include requests for sufficient funds to  
 932 pay for any charges or fees imposed by the State Fire Marshal  
 933 for review of plans, renovations, occupancy, or inspections,  
 934 whether recurring or high hazard.

935 (e) For purposes of this section:

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

938 (I) That contains combustible or explosive matter or  
 939 flammable conditions dangerous to the safety of life or  
 940 property;

941 (II) At which persons receive educational instruction;

942 (III) At which persons reside, excluding private  
 943 dwellings; or

944 (IV) Containing three or more floor levels.

945 b. As used in this subparagraph, the phrase "building or  
 946 structure":

947 (I) Includes, but is not limited to, all hospitals and  
 948 residential health care facilities, nursing homes and other  
 949 adult care facilities, correctional or detention facilities,  
 950 public schools, public lodging establishments, migrant labor

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

951 | camps, residential child care facilities, and self-service  
 952 | gasoline stations.

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

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

958 | ~~(f) A state-owned building or state-leased building or~~  
 959 | ~~space shall be identified through use of the United States~~  
 960 | ~~National Grid Coordinate System.~~

961 | Section 30. Paragraph (c) of subsection (1) of section  
 962 | 633.306, Florida Statutes, is amended to read:

963 | 633.306 Requirements for installation, inspection, and  
 964 | maintenance of fire suppression equipment.—

965 | (1) The requirements for installation of fire  
 966 | extinguishers and preengineered systems are as follows:

967 | (c) Equipment shall be installed in accordance with the  
 968 | applicable standards of the National Fire Protection Association  
 969 | and the manufacturer's drawings and specifications, using only  
 970 | components and parts specified by the manufacturer or listed as  
 971 | equal parts by a nationally recognized testing laboratory, such  
 972 | as Underwriters Laboratories, Inc., or Factory Mutual  
 973 | Laboratories, Inc.

974 | Section 31. Subsections (4) and (5) of section 633.312,  
 975 | Florida Statutes, are renumbered as subsections (5) and (6),

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

976 | respectively, subsection (3) is amended, and a new subsection  
 977 | (4) is added to that section, to read:

978 |       633.312 Inspection of fire control systems, fire hydrants,  
 979 | and fire protection systems.—

980 |       (3) (a) The inspecting contractor shall provide to the  
 981 | building owner or hydrant owner and the local authority having  
 982 | jurisdiction a copy of the applicable uniform summary inspection  
 983 | report established under this chapter. The local authority  
 984 | having jurisdiction may accept uniform summary inspection  
 985 | reports by United States mail, by hand delivery, by electronic  
 986 | submission, or through a third-party vendor that collects the  
 987 | reports on behalf of the local authority having jurisdiction.

988 |       (b) The State Fire Marshal shall adopt rules to implement  
 989 | a uniform summary inspection report and submission procedures to  
 990 | be used by all third-party vendors and local authorities having  
 991 | jurisdiction. For purposes of this section, a uniform summary  
 992 | inspection report must record the address where the fire  
 993 | protection system or hydrant is located, the company and person  
 994 | conducting the inspection and their license number, the date of  
 995 | the inspection, and the fire protection system or hydrant  
 996 | inspection status, including a brief summary of each deficiency,  
 997 | critical deficiency, noncritical deficiency, or impairment  
 998 | found. A contractor's detailed inspection report is not required  
 999 | to follow the uniform summary inspection report format. The  
 1000 | State Fire Marshal shall establish by rule a submission



ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1001 procedure for each means provided under paragraph (a) by which a  
 1002 local authority having jurisdiction may accept uniform summary  
 1003 inspection reports. Each of the submission procedures must allow  
 1004 a contractor to attach additional documents with the submission  
 1005 of a uniform summary inspection report, including a physical  
 1006 copy of the contractor's detailed inspection report. A  
 1007 submission procedure may not require a contractor to submit  
 1008 information contained within the detailed inspection report  
 1009 unless the information is required to be included in the uniform  
 1010 summary inspection report.

1011 (4) The maintenance of fire hydrant and fire protection  
 1012 systems as well as corrective actions on deficient systems is  
 1013 the responsibility of the owner of the system or hydrant.  
 1014 Equipment requiring periodic testing or operation to ensure its  
 1015 maintenance shall be tested or operated as specified in the Fire  
 1016 Prevention Code, Life Safety Code, National Fire Protection  
 1017 Association standards, or as directed by the appropriate  
 1018 authority, provided that such appropriate authority may not  
 1019 require a sprinkler system not required by the Fire Prevention  
 1020 Code, Life Safety Code, or National Fire Protection Association  
 1021 standards to be removed regardless of its condition. This  
 1022 section does not prohibit governmental entities from inspecting  
 1023 and enforcing firesafety codes.

1024 Section 32. Section 633.520, Florida Statutes, is amended  
 1025 to read:

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1026           633.520 Safety; firefighter employer responsibilities.—  
 1027           (1) Each ~~Every~~ firefighter employer shall furnish and use  
 1028 safety devices and safeguards, adopt and use methods and  
 1029 processes reasonably adequate to render such an employment and  
 1030 place of employment safe, and do every other thing reasonably  
 1031 necessary to protect the lives, health, and safety of such  
 1032 firefighter employees. As used in this section, the terms "safe"  
 1033 and "safety," as applied to any employment or place of  
 1034 employment, mean such freedom from danger as is reasonably  
 1035 necessary for the protection of the lives, health, and safety of  
 1036 firefighter employees, including conditions and methods of  
 1037 sanitation and hygiene. Safety devices and safeguards required  
 1038 to be furnished by the firefighter employer by this section or  
 1039 by the division under authority of this section do not include  
 1040 personal apparel and protective devices that replace personal  
 1041 apparel normally worn by firefighter employees during regular  
 1042 working hours.

1043           (2) The division shall adopt rules to establish employers'  
 1044 cancer prevention best practices related to personal protective  
 1045 equipment, decontamination, fire suppression equipment, and fire  
 1046 stations.

1047           Section 33. Subsection (1) of section 648.49, Florida  
 1048 Statutes, is amended to read:

1049           648.49 Duration of suspension or revocation.—

1050           (1) The department shall, in its order suspending a

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1051 license or appointment or in its order suspending the  
 1052 eligibility of a person to hold or apply for a license or  
 1053 appointment, specify the period during which the suspension is  
 1054 to be in effect, but such period may not exceed 2 years. The  
 1055 license, ~~or~~ appointment, or and eligibility to hold or apply for  
 1056 a license or appointment remains ~~shall remain~~ suspended during  
 1057 the period so specified, subject, however, to any rescission or  
 1058 modification of the order by the department, or modification or  
 1059 reversal thereof by the court, before the ~~prior to~~ expiration of  
 1060 the suspension period. A license or appointment that ~~which~~ has  
 1061 been suspended may not be reinstated, nor shall the eligibility  
 1062 to hold such license or appointment be reinstated, except upon  
 1063 the filing and approval of an application ~~request~~ for such  
 1064 reinstatement, but the department may not approve an application  
 1065 for ~~grant~~ such reinstatement if it finds that the circumstances  
 1066 for which the license or appointment was suspended still exist  
 1067 or are likely to recur. In each case involving suspension, the  
 1068 department has the discretion to require the former licensee to  
 1069 successfully complete a basic certification course in the  
 1070 criminal justice system, consisting of not less than 80 hours  
 1071 approved by the department.

1072 Section 34. Subsection (8) of section 717.124, Florida  
 1073 Statutes, is renumbered as subsection (11), and a new subsection  
 1074 (8) and subsections (9) and (10) are added to that section, to  
 1075 read:

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1076           717.124 Unclaimed property claims.—  
 1077           (8) Notwithstanding any other provision of this chapter,  
 1078 the department may develop and implement an identification  
 1079 verification and disbursement process by which an account valued  
 1080 at \$2,000 or less, after being received by the department and  
 1081 added to the unclaimed property database, may be disbursed to an  
 1082 apparent owner after the department has verified that the  
 1083 apparent owner is living and that the apparent owner's current  
 1084 address is correct. The department shall include with the  
 1085 payment a notification and explanation of the dollar amount, the  
 1086 source, and the property type of each account included in the  
 1087 disbursement. The department shall adopt rules to implement this  
 1088 subsection.  
 1089           (9) (a) Notwithstanding any other provision of this  
 1090 chapter, the department may develop and implement a verification  
 1091 and disbursement process by which an account, after being  
 1092 received by the department and added to the unclaimed property  
 1093 database, for which the apparent owner entity is:  
 1094           1. A state agency in this state or a subdivision or  
 1095 successor agency thereof;  
 1096           2. A county government in this state or a subdivision  
 1097 thereof;  
 1098           3. A public school district in this state or a subdivision  
 1099 thereof;  
 1100           4. A municipality in this state or a subdivision thereof;

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1101 or  
 1102 5. A special taxing district or authority in this state,  
 1103  
 1104 may be disbursed to the apparent owner entity or successor  
 1105 entity. The department shall include with the payment a  
 1106 notification and explanation of the dollar amount, the source,  
 1107 and the property type of each account included in the  
 1108 disbursement.  
 1109 (b) The department may adopt rules to implement this  
 1110 subsection.  
 1111 (10) Notwithstanding any other provision of this chapter,  
 1112 the department may develop a process by which a registered  
 1113 claimant's representative or a buyer of unclaimed property may  
 1114 electronically submit to the department an electronic image of a  
 1115 completed claim and claims-related documents pursuant to this  
 1116 chapter, including a limited power of attorney or purchase  
 1117 agreement that has been manually signed and dated by a claimant  
 1118 or seller pursuant to s. 717.135 or s. 717.1351, after the  
 1119 claimant's representative or the buyer of unclaimed property  
 1120 receives the original documents provided by the claimant or the  
 1121 seller for any claim. Each claim filed by a registered  
 1122 claimant's representative or a buyer of unclaimed property must  
 1123 include a statement by the claimant's representative or the  
 1124 buyer of unclaimed property attesting that all documents are  
 1125 true copies of the original documents and that all original

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1126 | documents are physically in the possession of the claimant's  
 1127 | representative or the buyer of unclaimed property. All original  
 1128 | documents must be kept in the original form, by claim number,  
 1129 | under the secure control of the claimant's representative or the  
 1130 | buyer of unclaimed property and must be available for inspection  
 1131 | by the department in accordance with s. 717.1315. The department  
 1132 | may adopt rules to implement this subsection.

1133 |       Section 35. Section 626.521, Florida Statutes, is  
 1134 | repealed.

1135 |       Section 36. Section 626.7355, Florida Statutes, is  
 1136 | repealed.

1137 |       Section 37. Paragraph (a) of subsection (1) of section  
 1138 | 626.022, Florida Statutes, is amended to read:

1139 |       626.022 Scope of part.—

1140 |       (1) This part applies as to insurance agents, service  
 1141 | representatives, adjusters, and insurance agencies; as to any  
 1142 | and all kinds of insurance; and as to stock insurers, mutual  
 1143 | insurers, reciprocal insurers, and all other types of insurers,  
 1144 | except that:

1145 |       (a) It does not apply as to reinsurance, except that ss.  
 1146 | 626.011-626.022, ss. 626.112-626.181, ss. 626.191-626.211, ss.  
 1147 | 626.291-626.301, s. 626.331, ss. 626.342-626.511 ~~ss. 626.342-~~  
 1148 | ~~626.521~~, ss. 626.541-626.591, and ss. 626.601-626.711 shall  
 1149 | apply as to reinsurance intermediaries as defined in s.  
 1150 | 626.7492.

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1151 Section 38. Subsection (4) of section 626.025, Florida  
 1152 Statutes, is amended to read:

1153 626.025 Consumer protections.—To transact insurance,  
 1154 agents shall comply with consumer protection laws, including the  
 1155 following, as applicable:

1156 (4) The submission of credit and character reports, as  
 1157 required by s. 626.171 ~~or s. 626.521~~.

1158 Section 39. Subsection (1) of section 633.216, Florida  
 1159 Statutes, is amended to read:

1160 633.216 Inspection of buildings and equipment; orders;  
 1161 firesafety inspection training requirements; certification;  
 1162 disciplinary action.—The State Fire Marshal and her or his  
 1163 agents or persons authorized to enforce laws and rules of the  
 1164 State Fire Marshal shall, at any reasonable hour, when the State  
 1165 Fire Marshal has reasonable cause to believe that a violation of  
 1166 this chapter or s. 509.215, or a rule adopted thereunder, or a  
 1167 minimum firesafety code adopted by the State Fire Marshal or a  
 1168 local authority, may exist, inspect any and all buildings and  
 1169 structures which are subject to the requirements of this chapter  
 1170 or s. 509.215 and rules adopted thereunder. The authority to  
 1171 inspect shall extend to all equipment, vehicles, and chemicals  
 1172 which are located on or within the premises of any such building  
 1173 or structure.

1174 (1) Each county, municipality, and special district that  
 1175 has firesafety enforcement responsibilities shall employ or

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1176 contract with a firesafety inspector. Except as provided in s.  
1177 633.312(2), ~~and (3), and (4),~~ the firesafety inspector must  
1178 conduct all firesafety inspections that are required by law. The  
1179 governing body of a county, municipality, or special district  
1180 that has firesafety enforcement responsibilities may provide a  
1181 schedule of fees to pay only the costs of inspections conducted  
1182 pursuant to this subsection and related administrative expenses.  
1183 Two or more counties, municipalities, or special districts that  
1184 have firesafety enforcement responsibilities may jointly employ  
1185 or contract with a firesafety inspector.

1186 Section 40. (1) The Legislature finds that:

1187 (a) Blockchain technology and distributed ledger  
1188 technology allow the secure recording of transactions through  
1189 cryptographic algorithms and distributed record sharing, and  
1190 such technology has reached a point where the opportunities for  
1191 efficiency, cost savings, and cybersecurity deserve study.

1192 (b) Blockchain technology is a promising way to facilitate  
1193 more efficient government service delivery models and economies  
1194 of scale, including facilitating safe paperless transactions and  
1195 recordkeeping that are nearly impervious to cyberattacks and  
1196 data destruction.

1197 (c) Blockchain technology can reduce the prevalence of  
1198 disparate government computer systems, databases, and custom-  
1199 built software interfaces; reduce costs associated with  
1200 maintenance and implementation; streamline information sharing;



ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1201 and allow more areas of the state to electronically participate  
 1202 in government services.

1203 (d) Nations, other states, and municipalities across the  
 1204 world are studying and implementing governmental reforms that  
 1205 bolster trust and reduce bureaucracy through verifiable open  
 1206 source blockchain technology in a variety of areas, including,  
 1207 but not limited to, medical and health records, land records,  
 1208 banking, tax and fee payments, smart contracts, professional  
 1209 accrediting, and property auctions.

1210 (e) It is in the public interest to establish a Florida  
 1211 Blockchain Task Force comprised of government and industry  
 1212 representatives to study the ways in which state, county, and  
 1213 municipal governments can benefit from a transition to a  
 1214 blockchain-based system for recordkeeping, security, and service  
 1215 delivery and to develop and submit recommendations to the  
 1216 Governor and the Legislature concerning the potential for  
 1217 implementation of blockchain-based systems that promote  
 1218 government efficiencies, better services for citizens, economic  
 1219 development, and safer cyber-secure interaction between  
 1220 government and the public.

1221 (2) The Florida Blockchain Task Force, a task force as  
 1222 defined in s. 20.03, Florida Statutes, is established within the  
 1223 Department of Financial Services to explore and develop a master  
 1224 plan for fostering the expansion of the blockchain industry in  
 1225 the state, to recommend policies and state investments to help

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1226 make this state a leader in blockchain technology, and to issue  
 1227 a report to the Governor and the Legislature. The task force  
 1228 shall study if and how state, county, and municipal governments  
 1229 can benefit from a transition to a blockchain-based system for  
 1230 recordkeeping, data security, financial transactions, and  
 1231 service delivery and identify ways to improve government  
 1232 interaction with businesses and the public.

1233 (a) The master plan shall:

1234 1. Identify the economic growth and development  
 1235 opportunities presented by blockchain technology.

1236 2. Assess the existing blockchain industry in the state.

1237 3. Identify innovative and successful blockchain  
 1238 applications currently used by industry and other governments to  
 1239 determine viability for state applications.

1240 4. Review workforce needs and academic programs required  
 1241 to build blockchain technology expertise across all relevant  
 1242 industries.

1243 5. Make recommendations to the Governor and the  
 1244 Legislature that will promote innovation and economic growth by  
 1245 reducing barriers to and expediting the expansion of the state's  
 1246 blockchain industry.

1247 (b) The task force shall consist of 13 members. Membership  
 1248 shall be as follows:

1249 1. Three agency heads or executive directors of cabinet  
 1250 agencies, or their designees, appointed by the Governor.

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1251 2. Four members of the public or private sector with  
 1252 knowledge and experience in blockchain technology, appointed by  
 1253 the Governor.

1254 3. Three members from the public or private sector with  
 1255 knowledge and experience in blockchain technology, appointed by  
 1256 the Chief Financial Officer.

1257 4. One member from the private sector with knowledge and  
 1258 experience in blockchain technology, appointed by the President  
 1259 of the Senate.

1260 5. One member from the private sector with knowledge and  
 1261 experience in blockchain technology, appointed by the Speaker of  
 1262 the House of Representatives.

1263 6. One certified public accountant licensed pursuant to  
 1264 chapter 473 with knowledge and experience in blockchain  
 1265 technology, appointed by the Governor.

1266  
 1267 Members of the task force shall reflect the ethnic diversity of  
 1268 the state.

1269 (c) Within 90 days after the effective date of this act, a  
 1270 majority of the members of the task force must be appointed and  
 1271 the task force shall hold its first meeting. The task force  
 1272 shall elect one of its members to serve as chair. Members of the  
 1273 task force shall serve for the duration of the existence of the  
 1274 task force. Any vacancy that occurs shall be filled in the same  
 1275 manner as the original appointment. Task force members shall

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1276 serve without compensation, and are not entitled to  
1277 reimbursement for per diem or travel expenses.

1278 (d) The task force shall study blockchain technology,  
1279 including, but not limited to, the following:

1280 1. Opportunities and risks associated with using  
1281 blockchain and distributed ledger technology for state and local  
1282 governments.

1283 2. Different types of blockchains, both public and  
1284 private, and different consensus algorithms.

1285 3. Projects and cases currently under development in other  
1286 states and local governments, and how these cases could be  
1287 applied in this state.

1288 4. Ways the Legislature can modify general law to support  
1289 secure paperless recordkeeping, increase cybersecurity, improve  
1290 interactions with citizens, and encourage blockchain innovation  
1291 for businesses in the state.

1292 5. Identifying potential economic incentives for companies  
1293 investing in blockchain technologies in collaboration with the  
1294 state.

1295 6. Recommending projects for potential blockchain  
1296 solutions, including, but not limited to, use cases for state  
1297 agencies that would improve services for citizens or businesses.

1298 7. Identifying the technical skills necessary to develop  
1299 blockchain technology and ensuring that instruction in such  
1300 skills is available at secondary and postsecondary educational

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1301 institutions in this state.

1302 (3) The task force shall submit a report to the Governor,  
 1303 the President of the Senate, and the Speaker of the House of  
 1304 Representatives and present its findings to the appropriate  
 1305 legislative committees in each house of the Legislature within  
 1306 180 days after the initial meeting of the task force. The report  
 1307 must include:

1308 (a) A general description of the costs and benefits of  
 1309 state and local government agencies using blockchain technology.

1310 (b) Recommendations concerning the feasibility of  
 1311 implementing blockchain technology in the state and the best  
 1312 approach to finance the cost of implementation.

1313 (c) Recommendations for specific implementations to be  
 1314 developed by relevant state agencies.

1315 (d) Any draft legislation the task force deems appropriate  
 1316 to implement such blockchain technologies.

1317 (e) Identification of one pilot project that may be  
 1318 implemented in the state.

1319 (f) Any other information deemed relevant by the task  
 1320 force.

1321 (4) The task force is entitled to the assistance and  
 1322 services of any state agency, board, bureau, or commission as  
 1323 necessary and available for the purposes of this section.

1324 (5) The Department of Financial Services shall provide  
 1325 support staff for the task force and any relevant studies, data,

ENROLLED

CS/CS/CS/HB 1393, Engrossed 2

2019 Legislature

1326 | and materials in its possession to assist the task force in the  
 1327 | performance of its duties.

1328 | (6) The task force shall terminate upon submission of the  
 1329 | report and the presentation of findings.

1330 | (7) This section shall take effect upon this act becoming  
 1331 | a law.

1332 | Section 41. Except as otherwise expressly provided in this  
 1333 | act and except for this section, which shall take effect upon  
 1334 | this act becoming a law, this act shall take effect July 1,  
 1335 | 2019.