

Commerce Committee

**Wednesday, January 24, 2018
1:00 PM – 2:30 PM
Webster Hall (212 Knott)**

Meeting Packet



The Florida House of Representatives

Commerce Committee

Richard Corcoran
Speaker

Jim Boyd
Chair

Meeting Agenda

Wednesday, January 24, 2018

1:00 pm – 2:30 pm

Webster Hall (212 Knott)

- I. Call to Order
- II. Roll Call
- III. Welcome and Opening Remarks
- IV. Consideration of the following bill(s):
 - HB 29 Military and Veterans Affairs by Ponder, Renner
 - CS/HB 813 Licensure of Unarmed Security Guards by Willhite
 - HB 935 Mortgage Lending by Nuñez
 - CS/HB 1167 Designation of Eligible Telecommunications Carriers by Leek
- V. Adjournment

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 29 Military and Veterans Affairs
SPONSOR(S): Ponder and others
TIED BILLS: IDEN./SIM. BILLS: SB 1884

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Commerce Committee		Wright <i>(W)</i>	Hamon <i>K.W.H.</i>
2) Local, Federal & Veterans Affairs Subcommittee			
3) Appropriations Committee			

SUMMARY ANALYSIS

Generally, the bill provides allowances for military members, veterans, and their spouses.

The bill eases professional licensing fees and requirements for certain military members, veterans, and their spouses, including:

- For the Department of Health (DOH) professional licensees, granting current DOH fee waivers for dentists, and providing an affirmative defense in certain unlicensed activity actions;
- For the Department of Business and Professional Regulation professional licensees, expanding license renewal fee waivers;
- For the Department of Agriculture and Consumer Services professional licensees, expanding current initial licensing fee waivers and creating renewal fee waivers;
- For the Office of Financial Regulation mortgage loan originators and associated persons licensees, creating an initial licensing and renewal fee waiver;
- For the Department of Financial Services professional licensees, creating fingerprinting requirement waivers and expanding initial licensure fee waivers; and
- For the Department of Education (DOE) licensees, creating certain initial fee waivers, granting a temporary certificate in education, establishing a pathway for veteran officers for certification as a school principal.

The bill specifies that laws and rules regulating apprenticeships and approved apprenticeship agreements do not invalidate any special provisions for veterans, minority persons, or women concerning apprenticeship programs, and requires the DOE to lead and coordinate outreach efforts to educate veterans about apprenticeship and career opportunities.

The bill allows Junior Reserve Officer Training instructors to participate in the Florida Teachers Classroom Supply Assistance Program.

The bill gives students who are children of an active duty member who is not stationed in this state, but whose home of record or state of legal residence is Florida, priority for attendance in the Florida Virtual School.

Lastly, the bill designates March 25 every year as "Medal of Honor Day" and allows classroom instruction related to the values of the recipients of the Congressional Medal of Honor to meet certain instructional requirements on character development and the contributions of veterans to our country.

The bill has an indeterminate fiscal impact on state government and no fiscal impact on local governments.

The bill provides an effective date of July 1, 2018.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Department of Health

Background

Licensure of Health Care Practitioners

The Division of Medical Quality Assurance (MQA), within the Department of Health (DOH), has general regulatory authority over health care practitioners in Florida.¹ The MQA works in conjunction with 22 boards and four councils to license and regulate seven types of health care facilities and more than 200 licenses in over 40 health care professions.² Each profession is regulated by an individual practice act and by ch. 456, F.S., which provides general regulatory and licensure authority for the MQA.

Military Spouses

Florida offers expedited licensing and fee waivers to the spouse of a person serving on active duty³ with the United States Armed Forces⁴ (USAF) who holds an active license to practice a health care profession in another state or jurisdiction.⁵ To qualify for expedited licensure and fee waivers, the military spouse must:⁶

- submit a complete application;⁷
- submit evidence of training or experience substantially equivalent to the requirements for licensure in this state for that health care profession and evidence that he or she has obtained a passing score on an appropriate licensing examination, if required for licensure in this state;
- attest that he or she is not, at the time of submission, the subject of a disciplinary proceeding in a jurisdiction in which he or she holds a license or by the U.S. Department of Defense for a reason related to the practice of the profession for which he or she is applying;
- have actively practiced the profession for which he or she is applying for the 3 years preceding the date of application; and
- submits to a background screening, if required for the profession for which he or she is applying, and does not have any disqualifying offenses.

Under current law, military spouses who are dentists are not eligible for expedited licensing and fee waivers. No other health care profession is excluded.

The regulatory boards (or DOH if there is no board), are also authorized to issue temporary licenses to the spouse of a member of the USAF to practice his or her health care profession in Florida, dentistry.⁸

¹ Pursuant to s. 456.001(4), F.S., health care practitioners are defined to include acupuncturists, physicians, physician assistants, chiropractors, podiatrists, naturopaths, dentists, dental hygienists, optometrists, nurses, nursing assistants, pharmacists, midwives, speech language pathologists, nursing home administrators, occupational therapists, respiratory therapists, dieticians, athletic trainers, orthotists, prosthetists, electrologists, massage therapists, clinical laboratory personnel, medical physicists, dispensers of optical devices or hearing aids, physical therapists, psychologists, social workers, counselors, and psychotherapists, among others.

² Florida Department of Health, Division of Medical Quality Assurance, *Annual Report and Long-Range Plan, Fiscal Year 2016-2017*, 3, available at http://www.floridahealth.gov/licensing-and-regulation/reports-and-publications/_documents/annual-report-1617.pdf (last visited Dec. 12, 2017).

³ Full-time duty in the active military service of the United States. 10 U.S.C. § 101(d)(1).

⁴ Includes the United States Army, Navy, Air Force, Marine Corps, and Coast Guard. 10 U.S.C. § 101(a)(4).

⁵ s. 456.024(3), F.S. The application fee, licensure fee, and unlicensed activity fee is waived for such applicants.

⁶ s. 456.024(3)(b), F.S.

⁷ DOH operates the Veterans Application for Licensure Online Response System (VALOR) to provide expedited licensing for active duty military members, honorably discharged veterans, and spouses of active duty military members with an active license in another state. See <http://www.flhealthsource.gov/valor> (last visited Dec. 12, 2017).

A temporary license is valid for one year and is not renewable.⁹ To be eligible for a temporary license, a military spouse must:¹⁰

- submit a completed application and application fee;¹¹
- provide proof that he or she is married to a member of the USAF serving on active duty in this state pursuant to official military orders;
- provide proof of a valid license from another state or jurisdiction to practice the health profession for which he or she is applying and that such license is not subject to any disciplinary proceeding;
- provide proof that he or she would otherwise be entitled to full licensure and is eligible to take the respective licensure examination as required in this state; and
- pass a criminal background screening.

A military spouse who holds a temporary license to practice dentistry must practice under the indirect supervision¹² of a dentist who holds an active license to practice in this state.¹³ This requirement does not apply to any other profession.

Unlicensed Practice of a Health Care Profession

Florida law prohibits an individual from practicing a regulated health care profession without a license. An individual must meet minimum education and training requirements to become licensed and practice a health care profession.¹⁴ Licensure is available by examination or, in many instances, by endorsement if the practitioner is licensed in another jurisdiction.

An unlicensed individual providing healthcare services is subject to administrative and criminal penalties. DOH may issue a cease and desist letter to such a person and impose, by citation, an administrative penalty of up to \$5,000 per offense.¹⁵ DOH may also seek a civil penalty of up to \$5,000 for each offense through the circuit court, in addition to or in lieu of the administrative penalty.¹⁶

An individual practicing, attempting to practice or offering to practice, a health care profession without an active, valid Florida license is subject to criminal penalties, in addition to any administrative and civil penalties incurred by the unlicensed individual.¹⁷

Each state may craft regulatory authority to determine who may engage in a particular profession within that state. Such authority may establish the minimum requirements for practicing an occupation, as well as whether a license is required to practice an occupation. For example, not all states regulate the practice of dietetics; however, 38 states, including Florida, require licensure to practice dietetics.¹⁸ Similarly, some activities may be regulated under one profession on one state in a different profession in another state.

⁸ s. 456.024(4), F.S.

⁹ s. 456.024(4)(f), F.S.

¹⁰ s. 456.024(4)(a)-(d), F.S.

¹¹ Pursuant to r. 64B-4.007, F.A.C., the application fee is \$65.

¹² s. 466.003(9), F.S., defines indirect supervision as supervision whereby a Florida-licensed dentist authorizes the procedure and a Florida-licensed dentist is on the premises while the procedures are performed.

¹³ s. 456.024(4)(j), F.S.

¹⁴ s. 456.065(1), F.S.

¹⁵ s. 456.065, F.S. Each day that the unlicensed practice continues after issuance of a notice to cease and desist constitutes a separate offense.

¹⁶ s. 456.065(2)(c), F.S.

¹⁷ s. 456.065(2)(d), F.S.

¹⁸ Commission on Dietetic Registration, *Laws that Regulate Dietitians/Nutritionist*, available at

<https://www.cdrnet.org/vault/2459/web/files/Licensurelawsregulations.pdf> (last visited on December 14, 2017).

An individual licensed in another state who moves to Florida may find that the activities they legally engaged in under a license in that other state is governed by a different professional license in Florida, and continuing to engage in the activity in Florida would constitute unlicensed practice.

Effect of the Bill

Military Spouse Health Care Profession Licensure

The bill expands the expedited licensure application process to include the spouse of an active duty military member who holds an active license to practice dentistry in another state or jurisdiction and waives the application, licensure, and unlicensed activity fees.

The bill also repeals a provision that requires the spouse of a member of the U.S. Armed Forces serving on active duty in this state who holds a temporary license to practice dentistry to practice under the supervision of a Florida-licensed dentist.

These provisions allow dentistry to be treated in the same manner as all other health professions for which a military spouse may pursue licensure in this state.

Unlicensed Practice of a Health Care Profession

The bill provides an affirmative defense to administrative, civil, and criminal causes of action for the unlicensed practice of a health care profession. The affirmative defense is available to a spouse of an individual serving on active duty with the U.S. Armed Forces if:

- the spouse is licensed in another state or jurisdiction to provide health care services for which there is no equivalent in this state;
- the spouse is providing health care services within the scope of the out-of-state license; and
- the training or experience required for the out-of-state license is substantially similar to the licensure requirements for a similar health care profession in this state.

A person who successfully claims this affirmative defense would not be subject to any of the administrative, civil, and criminal penalties that exist for the unlicensed practice of a health profession.

Department of Business and Professional Regulation

Background

The Department of Business and Professional Regulation (DBPR), through several divisions, regulates and licenses various businesses and professionals in Florida.¹⁹

DBPR has authority over the following professional boards and programs:

- Board of Architecture and Interior Design,
- Board of Auctioneers,
- Barbers' Board,
- Building Code Administrators and Inspectors Board,
- Construction Industry Licensing Board,
- Board of Cosmetology,
- Electrical Contractors' Licensing Board,
- Board of Employee Leasing Companies,
- Board of Landscape Architecture,
- Board of Pilot Commissioners,
- Board of Professional Geologists.
- Board of Veterinary Medicine,

¹⁹ s. 20.165, F.S.

- Home inspection services licensing program;
- Mold-related services licensing program,
- Florida Board of Professional Engineers.
- Board of Accountancy,
- Florida Real Estate Commission, and
- Florida Real Estate Appraisal Board.²⁰

DBPR licenses and regulates each of the above professions in accordance with that profession's practice act. Generally, to act as a regulated professional, a person must hold an appropriate license. Applicants for licensure for each profession must meet specific statutory requirements, including education and/or experience requirements, and must pay all applicable licensing and application fees.²¹ Licensees who wish to renew their license must pay a license renewal fee²² and may be subject to continuing education requirements²³ and other conditions in the various practice acts.

Fee Waivers for Military Members and Certain Spouses

Currently, the initial application fee is waived for any of the professional licenses listed above if the applicant is:

- a member, including a veteran, of the USAF who has served on active duty,
- the spouse of a member of the USAF who was married to the member during a period of active duty,
- the surviving spouse of a member of the USAF who at the time of death was serving on active duty,²⁴
- any honorably discharged military veteran for 60 months post discharge, or
- a spouse of such a veteran for 60 months post discharge.²⁵

Members of the USAF who hold a DBPR professional license prior to active duty service will be kept in "good standing" for the duration of the member's active duty and for two years afterward. Keeping the license in "good standing" means that the member does not have to register, pay dues or fees, or perform any other act to prevent his or her license from becoming delinquent. Currently, this allowance only applies as long as the member does not practice his or her profession in the private sector for profit during his or her active duty and for two years thereafter.²⁶

An active duty USAF member's spouse or surviving spouse who holds a DBPR license will also have his or her license kept in good standing, but only if he or she is absent from the state related to the member's active duty service. This allowance terminates at the end of the member's active duty service. A spouse is not required to refrain from practicing their profession in the private sector for profit in order to keep their license in good standing.²⁷

Currently, renewal fee waivers do not apply to DBPR-licensed spouses or surviving spouses of USAF active duty members who are present **in Florida**.

Effect of the Bill

Similar to the current fee waiver for initial licensure applications, the bill grants a **license renewal fee waiver** to a DBPR licensee who is:

²⁰ *Id.*

²¹ s. 455.201, F.S.

²² s. 455.203, F.S.

²³ s. 455.2123, F.S.

²⁴ s. 455.219(7)(a), F.S.; and Form # DBPR MVL 002, incorporated by Rule 61-35.029, F.A.C.

²⁵ s. 455.213(12), F.S.; and Form # DBPR MVL 002, incorporated by Rule 61-35.029, F.A.C.

²⁶ s. 455.02(1), F.S.

²⁷ s. 455.02(2), F.S.

- an active duty USAF member, during active duty service and for the 2 years following active duty discharge, regardless if he or she is engaged in his or her DBPR licensed profession in the private sector for profit in this state. Such member must complete all other license renewal requirements if he or she is actively engaged in the profession.
- the spouse of an active duty USAF member who is present in this state because of such member's active duty. and
- a surviving spouse of a member of the USAF, if such member was serving on active duty at the time of death and died within the 2 years preceding the surviving spouse's renewal due date.

Department of Agriculture and Consumer Services

Background

In addition to regulating agriculture in Florida, the Department of Agriculture and Consumer Services (DACS) also protects consumers from unfair and deceptive business practices and provides consumer information.²⁸

DACS achieves this, in part, through licensing and registering various professionals, including:

- Professional Surveyors and Mappers (ch. 472, F.S.);
- Private Investigative, Private Security, and Repossession Services (ch. 493, F.S.);
- Health Studios (ch. 501, pt. I, F.S.);
- Telemarketing Services (ch. 501, pt. IV, F.S.);
- Intrastate Movers and Brokers (ch. 507, F.S.);
- Sellers of Liquefied Petroleum Gas (ch. 527, F.S.);
- Pawnbroking (ch. 539, F.S.);
- Motor Vehicle Repair Shops (ch. 559, pt. IX, F.S.); and
- Sellers of Travel (ch. 559, pt. XI, F.S.).

DACS licenses and regulates each of the above professionals in accordance with that profession's practice act. Generally, applicants for initial licensure and licensure renewal for each profession must meet specific statutory requirements and must pay all applicable fees.

Initial Application Fee Waivers

Currently, initial applicants for the abovementioned licenses and registrations receive an application fee waiver if the applicant is:

- an honorably discharged veteran of the USAF who was discharged within 60 months of the application date,
- the spouse of such a veteran, or
- a business entity that is majority owned by such a veteran or spouse.²⁹

Applicants seeking this fee waiver must provide DACS with specific documentation proving appropriate military service, marriage, and/or business ownership.

Licensure Renewal Fee Waivers

Generally, active duty members of the USAF and their spouses and surviving spouses do not receive renewal fee allowances or waivers for the DACS professional licenses or registrations listed above. However, for such members there is an extension of time to renew a Class "G" concealed weapons

²⁸ s. 20.14(2), F.S.

²⁹ ss. 472.015, 493.6105, 501.015, 501.605, 501.607, 507.03, 527.02, 539.001, 559.904, and 559.928, F.S.

license³⁰ and there are allowances made for such members and spouses who are licensed under the Board of Professional Surveyors and Mappers (BPSM).

Members of the USAF who hold a license from the BPSM prior to active duty service are kept in "good standing" for the duration of the member's active duty and for six months afterward. Keeping the license in "good standing" means that the member does not have to register, pay dues or fees, or perform any other act to prevent the license from becoming delinquent. This allowance only applies as long as the member does not practice as a surveyor or mapper in the private sector for profit during their active duty and for two years thereafter.³¹

An active duty USAF member's spouse who holds a license from BPSM will also have his or her license kept in good standing, but only if he or she is absent from the state related to the member's active duty service. This allowance terminates at the end of the member's active duty service. A spouse is not required to refrain from practicing surveying and mapping in order to keep their licenses in good standing.³²

Currently, renewal fee waivers do not apply to BPSM-licensed spouses of active duty USAF members who are present **in Florida** or for any surviving spouses of such members.

Effect of the Bill

The bill expands the current initial licensing fee waiver for all of the abovementioned DACS professions to:

- a surviving spouse of an honorably discharged veteran,
- a current member of the USAF who has served on active duty,
- the spouse of such a member, and
- the surviving spouse of such a member if the member dies while serving on active duty.

The bill grants a renewal fee waiver for all of the abovementioned DACS professions to the following licensees or registrants:

- a current active duty member of the USAF;
- such a member's spouse;
- a current or former member of the USAF who has served on active duty within the 2 years preceding the renewal due date. A licensee who served on active duty within the 2 years preceding the renewal due date and is no longer a member of the USAF Forces must have received an honorable discharge upon separation or discharge; and
- a surviving spouse of a member of the USAF if such a member was serving on active duty at the time of death and died within the 2 years preceding the surviving spouse's renewal due date.

The bill also refines the process for renewal fee waivers for BPSM licensees by:

- extending the time that an active duty member's BPSM license remains in good standing after discharge from active duty from six months to two years; and
- clarifying that if an active duty USAF member wishes to engage in surveying or mapping in the private sector for profit in this state for the 2 years following active duty discharge, such member must complete all other license renewal requirements except remitting the license renewal fee.

³⁰ s. 790.06(11)(b), F.S. Holders of a concealed carry weapons license (Class "G" license) who are away on active duty in the USAF are granted a 180 day extension period to renew their license without incurring a late fee. This applies to USAF members who use a Class "G" license for personal use or in connection with a professional license related to private investigative, private security, or repossession services.

³¹ s. 472.016(1), F.S.

³² s. 472.016(2), F.S.

In addition, the bill mandates that those seeking such initial or renewal fee waivers must apply in a format prescribed by DACS, including the applicant's signature, under penalty of perjury, and supporting documentation.

The bill removes the initial fee waiver time limitation.

Office of Financial Regulation

Background

The Florida Office of Financial Regulation (OFR) regulates state-chartered depository and non-depository financial institutions and financial service companies. One of OFR's primary goals is to provide for and promote the safety and soundness of financial institutions while preserving the integrity of Florida's markets and financial service industries.³³

Mortgage Loan Originators

Under ch. 494, F.S., the Office of Financial Regulation (OFR) licenses and regulates the following individuals and businesses engaged in the mortgage business outside of a depository financial institution:

- *Loan originator*³⁴ – An individual who, directly or indirectly, solicits or offers to solicit a mortgage loan, accepts or offers to accept an application for a mortgage loan, negotiates or offers to negotiate the terms or conditions of a new or existing mortgage loan on behalf of a borrower or lender, or negotiates or offers to negotiate the sale of an existing mortgage loan to a noninstitutional investor for compensation or gain.
- *Mortgage broker*³⁵ – A person conducting loan originator activities through one or more licensed loan originators employed by the mortgage broker or as independent contractors to the mortgage broker.
- *Mortgage lender*³⁶ – A person making a mortgage loan or servicing a mortgage loan for others, or, for compensation or gain, directly or indirectly, selling or offering to sell a mortgage loan to a noninstitutional investor. A mortgage lender may act as a mortgage broker.³⁷

In order to obtain licensure as a mortgage loan originator under ch. 494, F.S., an individual must:³⁸

- complete a 20-hour prelicensing class;
- pass a written test (cost: \$110);³⁹
- submit an application form;
- submit a nonrefundable application fee of \$195 plus a \$20 nonrefundable fee for the Mortgage Guaranty Trust Fund;
- submit fingerprints, the cost of which is borne by the applicant; and
- authorize access to his or her credit report, the cost of which is borne by the applicant.

A mortgage loan originator license must be renewed annually by December 31.⁴⁰ In order to renew such license, an individual must:

- submit a renewal form and a nonrefundable renewal fee of \$150 plus a \$20 nonrefundable fee for the Mortgage Guaranty Trust Fund;⁴¹

³³ s. 655.001, F.S.

³⁴ s. 494.001(17), F.S.

³⁵ s. 494.001(22), F.S.

³⁶ s. 494.001(23), F.S.

³⁷ s. 494.0073, F.S.

³⁸ s. 494.00312, F.S.

³⁹ Nationwide Multistate Licensing System & Registry, *Uniform State Test (UST) Implementation Information*, <http://mortgage.nationwidelicencingsystem.org/profreq/testing/Pages/UniformStateTest.aspx> (last visited Jan. 5, 2018).

⁴⁰ ss. 494.00312(7) and 494.00313(3), F.S.

- provide documentation of completion of at least 8 hours of continuing education courses; and
- authorize access to his or her credit report, the cost of which is borne by the licensee.⁴²

Associated Persons

In addition to federal securities laws, “Blue Sky Laws” are state laws designed to protect investors against fraudulent sales practices and activities by requiring companies making offerings of securities to register their offerings before they can be sold in that state and by requiring licensure for brokerage firms, their brokers, and investment adviser representatives.⁴³

In Florida, the OFR oversees the Securities and Investor Protection Act, ch. 517, F.S. (“the Act”), which regulates the offer and sale of securities in, to, or from Florida by firms, branch offices, and individuals affiliated with these firms.

The Act requires the following individuals or businesses to be registered with the OFR under s. 517.12, F.S., in order for such persons to sell or offer to sell any securities in or from offices in this state, or to sell securities to persons in this state from offices outside this state:⁴⁴

- “Dealers,” which include:⁴⁵
 - any person, other than an associated person registered under ch. 517, F.S., who engages, either for all or part of her or his time, directly or indirectly, as broker or principal in the business of offering, buying, selling, or otherwise dealing or trading in securities issued by another person.
 - any issuer who through persons directly compensated or controlled by the issuer engages, either for all or part of her or his time, directly or indirectly, in the business of offering or selling securities which are issued or are proposed to be issued by the issuer.
- “Investment advisers,” which include any person who receives compensation, directly or indirectly, and engages for all or part of her or his time, directly or indirectly, or through publications or writings, in the business of advising others as to the value of securities or as to the advisability of investments in, purchasing of, or selling of securities, except a dealer whose performance of these services is solely incidental to the conduct of her or his business as a dealer and who receives no special compensation for such services.⁴⁶
- “Associated persons,” which include:⁴⁷
 - with respect to a dealer or investment adviser, any of the following:
 - any partner, officer, director, or branch manager of a dealer or investment adviser or any person occupying a similar status or performing similar functions;
 - any natural person directly or indirectly controlling or controlled by such dealer or investment adviser, other than an employee whose function is only clerical or ministerial; or
 - any natural person, other than a dealer, employed, appointed, or authorized by a dealer, investment adviser, or issuer to sell securities in any manner or act as an investment adviser as defined in this section.
 - with respect to a federal covered adviser, any person who is an investment adviser representative and who has a place of business in this state.

In order to register as an associated person of a securities dealer or an investment adviser, an individual must:

⁴¹ s. 494.00313(1)(a)&(b), F.S.

⁴² s. 494.00313(1)(d), F.S.

⁴³ U.S. SECURITIES AND EXCHANGE COMMISSION, *Blue Sky Laws*, <http://www.sec.gov/answers/bluesky.htm> (last visited Nov. 7, 2017).

⁴⁴ s. 517.12(1), F.S.

⁴⁵ s. 517.021(6)(a), F.S. The term “dealer”, as defined under Florida law, encompasses the definitions of “broker” and “dealer” under federal law.

⁴⁶ s. 517.021(14)(a), F.S.

⁴⁷ s. 517.021(2)(a), F.S.

- pay an assessment fee of \$50;⁴⁸
- file a written application;⁴⁹
- submit fingerprints, the cost of which shall be borne by the applicant;⁵⁰
- successfully pass oral or written examinations, unless such requirement is waived.⁵¹

The registration of an associated person expires December 31 of the year the registration became effective unless the registrant has renewed his or her registration on or before that date.⁵² Registration may be renewed by furnishing such information as the Financial Services Commission may require by rule, together with payment of a \$50 assessment fee and the payment of any amount lawfully due and owing to the OFR pursuant to any order of the OFR or pursuant to any agreement with the OFR.⁵³ An associated person who has not renewed a registration by the time the current registration expires may request reinstatement of such registration by filing with the OFR, on or before January 31 of the year following the year of expiration, such information as may be required by the Financial Services Commission by rule, together with payment of a \$50 assessment fee and a \$50 late fee.⁵⁴ Any reinstatement of registration granted by the OFR during the month of January shall be deemed effective retroactive to January 1 of that year.⁵⁵

Effect of the Bill

The bill requires the OFR to waive the following fees:

- \$195 application fee and \$20 fee for the Mortgage Guaranty Trust Fund for a mortgage loan originator, or \$50 associated person assessment fee for an applicant who:
 - is or was an active duty member of the USAF. To qualify for the fee waiver, an applicant who is a former member of the USAF must have received an honorable discharge upon separation or discharge from the USAF.
 - is married to a current or former member of the USAF and is or was married to the member during any period of active duty.
 - is the surviving spouse of a member of the USAF if the member was serving on active duty at the time of death.
- \$150 renewal fee and \$20 fee for the Mortgage Guaranty Trust Fund for a mortgage loan originator, or \$50 assessment fee for an associated person renewing his or her registration who:
 - is an active duty member of the USAF or the spouse of such member.
 - is or was a member of the USAF and served on active duty within the two years preceding the expiration date of the license. To qualify for the fee waiver, a loan originator who is a former member of the USAF who served on active duty within the two years preceding the expiration date of the license must have received an honorable discharge upon separation or discharge from the USAF.
 - is the surviving spouse of a member of the USAF if the member was serving on active duty at the time of death and died within the two years preceding the surviving spouse's license expiration date.

An individual seeking such fee waiver must submit proof, in a form prescribed by rule of the Financial Services Commission, that the individual meets one of the above fee waiver qualifications.

⁴⁸ s. 517.12(10), F.S.

⁴⁹ s. 517.12(6), F.S.

⁵⁰ s. 517.12(7), F.S.

⁵¹ s. 517.12(8), F.S.

⁵² s. 517.12(11), F.S.

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ *Id.*

Department of Financial Services

Background

The Department of Financial Services (DFS) is the state agency responsible for regulation and licensure of professions related to insurance, fire safety, and funeral and cemetery services.⁵⁶ There are a number of allowances in statute for veterans and their spouses regarding many types of insurance licenses. However, there are no similar allowances in statute for other types of licenses regulated by DFS, such as bail bonds, fire safety, and funeral and cemetery services.

The existing allowances administered by DFS are:

- Waiver of application fees⁵⁷ – Application fees are waived for applicants seeking licensure as an agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary for military members, recent military retirees (within 24 months of retirement), and their spouses.
- Temporary licensure⁵⁸ – A temporary general lines agent license may be issued to an employee, a family member, a business associate, or a personal representative of a licensed general lines agent for the purpose of continuing or winding up the business affairs of the agent or agency in the event the licensed agent has become unable to perform his or her duties because of military service.
- Exception to additional license examination requirement⁵⁹ – Reexamination of the agent is required if they have not received an appointment within 48 months of licensure. DFS may waive this requirement if the circumstance is due to military service (limited to circumstances where the veteran's service did not exceed 3 years and the exception does not apply if 6 years have passed from their licensure date).
- Relief from continuing education requirements⁶⁰ – Licensees who are unable to comply with the continuing education requirements due to active duty in the military may submit a written request for a waiver to DFS.
- Licensing and appointment of a non-resident⁶¹ – A natural person, not a resident of this state, may be licensed and appointed to represent an authorized life insurer domiciled in this state or an authorized foreign life insurer which maintains a regional home office in this state, provided such person represents such insurer exclusively at a United States military installation located in a foreign country.
- Reappointment after military service⁶² – DFS may, without requiring a further written examination, issue an appointment as an adjuster to a formerly licensed and appointed adjuster of this state who held a current adjuster's appointment at the time of entering service in the USAF, subject to certain conditions (limited to circumstances where the veteran's service did not exceed 3 years, the application and fee is filed within 12 months of honorable discharge, and the new appointment is of the same type and class).

Effect of the Bill

Funeral and Cemetery Services

The bill provides:

- a waiver of fingerprinting requirements for honorably discharged veterans for 24 months following discharge for all individually licensed funeral and cemetery services professions;

⁵⁶ Chs. 497 (funeral and cemetery), 626 (insurance), 633 (fire), and 648 (bail bonds), F.S.

⁵⁷ s. 626.171(6), F.S.

⁵⁸ s. 626.175(1)(b) and 626.9271(1), F.S.

⁵⁹ ss. 626.181(2) and 626.8427, F.S.

⁶⁰ s. 626.2815(2), F.S.

⁶¹ s. 626.322, F.S.

⁶² s. 626.871, F.S.

- a waiver of initial application fees,⁶³ provisional licensing fees, and temporary licensing fees, where applicable, including the \$5 per license special unlicensed activity fee paid with each license, for members of the Armed Forces (and their spouses) and honorably discharged veterans (within 24 months of discharge) for licensure as:
 - Embalmer, including Temporary Embalmer, Embalmer Intern, and Embalmer Apprentice;
 - Funeral Director, including Temporary Funeral Director and Funeral Director Intern;
 - Preneed Sales, including Preneed Sales Agent;
 - Brokers of Burial Rights;
 - Direct Disposer; and
 - Monument Establishment Sales Agent; and
- recognition of applicable military-issued credentials for purposes of licensure as an embalmer, funeral director, or direct disposer.⁶⁴

Insurance

The bill provides:

- a waiver of fingerprinting requirements for honorably discharged veterans for 24 months following discharge for all insurance profession licenses;
- an expansion of the waiver of application fees for insurance profession licenses. Currently the waiver applies to members of the USAF (and their spouses) and veterans who have retired within 24 months before application. The bill replaces the term “retired” with the term “separated,” which allows veterans who have less than 20 years of military service to receive the allowance; and
- for the elimination of pre-licensure course requirements for honorably discharged veterans and their spouses.⁶⁵

Fire Prevention and Control

The bill provides:

- A waiver of fingerprinting requirements for honorably discharged veterans for 24 months following discharge for all firefighting and fire safety professions.
- That DFS may extend the following periods related to license renewal or retention:
 - The six-month grace period following license expiration where the licensee does not have to pass a new examination in order to reactivate the license. The certificate holder, licensee, or permit holder receiving the time extension must be an honorably discharged veteran or his or her spouse. The extension is limited to 12 months from discharge and is available if the length of service did not exceed three years and the licensee or permit holder is within six years of the date of issue or reissue. The penalty applicable to inoperative licenses or permits is also waived for these veterans and spouses; and
 - The four-year period in which a holder of a Firefighter Certificate of Compliance must meet specified conditions to retain the certificate. The certificate holder receiving the extension of time must be an honorably discharged veteran or his or her spouse. The extension is limited to 12 months from discharge and is available if the length of service did not exceed three years and the licensee or permit holder is within six years of the date of issue or reissue.

⁶³ Ch. 626, F.S. limits the amount of application fees. Such fees shall not exceed: \$200, each, for Embalmer, Temporary Embalmer, Embalmer Intern, Funeral Director, Temporary Funeral Director, Monument Establishment Sales Agent; \$500 for Preneed Sales and Direct Disposer; and \$300 for Preneed Sales Agent.

⁶⁴ Military Occupational Code 92M, Mortuary Affairs Specialist, within the U.S. Army Quartermaster Corps, describes the following functions: performs or supervises duties relating to deceased personnel to include recovery, collection, evacuation, establishment of tentative identification, escort, and temporary burial. They also inventory, safeguard, and evacuate personal effects of deceased personnel. <http://army.com/info/mos/all> (last visited Jan. 19, 2018).

⁶⁵ Honorably discharged veterans and their spouses must also pass any required licensure exam.

- A waiver of all living and incidental expenses associated with the Florida State Fire College for all active duty military personnel (including their spouses or surviving spouses) and honorably discharged veterans (including their spouses).

Department of Education

Florida Virtual School

Background

Florida Virtual School (FLVS) was established by law to provide students in kindergarten through grade 12 with technology-based educational opportunities to gain knowledge and skills necessary to succeed.⁶⁶

Enrollment in FLVS is free for Florida residents, and non-residents may enroll but must pay tuition. Currently, there are children of military personnel who are not stationed in Florida but have a home of record or legal residence certificate stating their residence is in Florida. However, the law treats them as non-residents for purposes of FLVS enrollment, and the students must pay tuition to participate.

Currently, FLVS is required to give priority for enrollment to:

- students who need expanded access to courses to meet their educational goals, such as home education students and students in inner-city and rural high schools that do not have access to higher level courses; and
- students seeking accelerated access to obtain a high school diploma at least one semester early.⁶⁷

Effect of the Bill

The bill provides that students who are children of military personnel not stationed in Florida are considered Florida residents for purposes of FLVS enrollment if their home of record or state of legal residence certificate is Florida. This change will allow such students to enroll in FLVS without having to pay tuition. The bill also provides that such students must be given enrollment priority.

Temporary Teaching Certificate Extension

Background

Florida law establishes educator certification requirements, including requirements for earning a temporary teaching certificate.⁶⁸ In order to receive a temporary teaching certificate, an applicant must:

- meet general certification requirements;⁶⁹
- obtain full-time employment in a position that requires a Florida educator certificate by a school district program;⁷⁰ and
- demonstrate mastery of subject area knowledge⁷¹ by:
 - passing the appropriate subject area test;⁷² or
 - completing the required degree or content courses specified in state board rule for subject area specialization⁷³ and attaining at least a 2.5 grade point average on a 4.0 scale in the subject area courses.⁷⁴

⁶⁶ s. 1002.37(1), F.S.

⁶⁷ s. 1012.37(1)(b), F.S.

⁶⁸ s. 1012.56, F.S.

⁶⁹ ss. 1012.56(2)(a)-(f) and 1012.56(7)(b), F.S.

⁷⁰ s. 1012.56(1)(b), F.S.; r. 6A-4.004(1)(a)2., F.A.C.

⁷¹ ss. 1012.56(5) and (7)(b), F.S.

⁷² s. 1012.56(7)(b), F.S.

A temporary certificate is valid for three school fiscal years and is nonrenewable.⁷⁵ An educator who is employed under a temporary certificate must pass the general knowledge test within one calendar year after employment in order to remain employed in a position that requires a certificate. The educator then has until the end of the three-year certification to complete the requirement for a renewable professional certificate.⁷⁶ The State Board of Education (SBE) is required to adopt rules to allow the Department of Education (DOE) to extend the validity period of a temporary certificate for two years when the requirements for the professional certificate, not including the general knowledge requirement, were not completed due to serious illness or injury of the applicant, or due to other extenuating circumstances.⁷⁷

Effect of the Bill

The bill requires that state board rule allow the DOE to extend the validity period of a temporary certificate for two years if the requirements for the professional certificate, not including the general knowledge requirement,⁷⁸ have not been fulfilled due to the military service of an applicant's spouse.

Florida Teacher's Classroom Supply Assistance Program

Background

The Florida Teachers Classroom Supply Assistance Program is a fund for classroom teachers employed by a public school district or a public charter school to purchase, on behalf of the school district or charter school, classroom materials and supplies for the public school students assigned to them.⁷⁹ For purposes of the program, "classroom teacher" means a certified teacher employed by a public school district or a public charter school in that district on or before September 1 of each year whose full-time or job-share responsibility is the classroom instruction of students in prekindergarten through grade 12, including full-time media specialists and certified school counselors serving students in prekindergarten through grade 12, who are funded through the Florida Education Finance Program.⁸⁰

Instructors of junior reserve officer training (JROTC) may currently be ineligible for the program because they do not meet the definition of "classroom teacher." This is because JROTC instructors are not required to hold an educator certificate.⁸¹ For fiscal year 2017, the legislature appropriated \$45,286,750 for the Florida Teacher's Classroom Supply Assistance program.

Effect of the Bill

The bill provides that JROTC instructors are eligible to receive funding through the Florida Teachers Classroom Supply Assistance program.

Educational Leadership Certification

Background

The law requires the SBE to classify school services, designate certification subject areas, establish competencies for certification, and establish certification requirements for all school-based personnel.⁸²

⁷³ s. 1012.56(7)(b), F.S. Degree and content requirements specified in ch. 6A-4, F.A.C.

⁷⁴ s. 1012.56(2)(c), F.S.

⁷⁵ s. 1012.56(7), F.S. (flush-left provisions at end of subsection).

⁷⁶ *Id.*

⁷⁷ *Id.* See r. 6A-4.004, F.A.C.

⁷⁸ s. 1015.56(2)(g), F.S.

⁷⁹ ss. 1012.71, F.S. and 6(16), F.S.; ch. 2017-234, L.O.F.

⁸⁰ s. 1012.71(1) F.S.

⁸¹ ss. 1012.71(1) F.S. and 1012.55(4) F.S.

⁸² s. 1012.55(1)(b), F.S.

In Florida, aspiring school administrators⁸³ must complete a state-approved school leader preparation program and attain certification as an educational leader.⁸⁴

The SBE has established two classes of certification for school administrators – educational leadership and school principal. Certification in educational leadership qualifies an individual for any position falling under the classification “school administrator.”⁸⁵ Generally, a Level I program offered by a postsecondary institution leads to a master’s or higher degree in educational leadership and prepares an individual for certification.⁸⁶ Such institutions may offer a modified program for individuals who already hold a master’s or higher degree. School district programs may only serve school district employees who already hold a master’s or higher degree.⁸⁷

In order to advance to certification as a school principal, the individual must first hold an educational leadership certificate.⁸⁸

There are two types of school leader preparation programs:

- Level I programs are offered by school districts and postsecondary institutions and lead to initial certification in educational leadership for the purpose of preparing individuals to serve as school administrators.
- Level II programs are offered by school districts, build upon Level I training, and lead to certification as a school principal.

To receive a Level II certification as a school principal, the individual must:

- hold a valid professional certificate covering educational leadership, administration, or administration and supervision; and
- document successful performance of the duties of the school principalship in a DOE approved district school principal certification program⁸⁹

The SBE must adopt rules to allow an individual who meets the following criteria to be eligible for a temporary certificate in educational leadership:⁹⁰

- earned a passing score on the Florida Educational Leadership Examination;
- documented three years of successful experience in an executive management or leadership position; and
- documented receipt of a bachelor’s degree or higher from an accredited institution of higher learning.

An individual operating under a temporary certificate must be under the mentorship of a state-certified school administrator during the term of the temporary certificate.⁹¹

For an individual to qualify for admission to a Level II program, the individual must have obtained their certificate in educational leadership by completing a Level I school leadership preparation program, earned a highly effective or effective evaluation rating, and satisfactorily performed instructional leadership responsibilities as measured by the school district’s evaluation system.⁹² Currently there are

⁸³ School administrators include school principals, school directors, and assistant principals. *See* s. 1012.01(3)(c), F.S.

⁸⁴ *See* s. 1012.55(1)(b), F.S.; r. 6A-4.0081, F.A.C.

⁸⁵ *See* s. 1012.562, F.S.; r. 6A-4.0081, F.A.C.

⁸⁶ The individual must still earn a passing score on the Florida Educational Leadership Examination in order to be considered as a Level I program completer and earn the educational leadership certification. *See* rule 6A-5.081(2)(a)7., F.A.C.

⁸⁷ rr. 6A-5.081(1)(b)1.; 7; (c)1.; and 3.a., F.A.C. *But see* r. 6A-4.004(5)(c), F.A.C. (allowing an approved school district Level I program to admit a candidate without a master’s or higher degree, provided that the candidate is notified that he or she is not eligible to complete the program without official documentation of the master’s degree).

⁸⁸ r. 6A-4.0083, F.A.C.

⁸⁹ *Id.*

⁹⁰ s. 1012.55(1)(d), F.S. *See* r. 6A-4.004(5), F.A.C.

⁹¹ *Id.*

⁹² s.1012.562(3)(a), F.S.

71 Level II school principal preparation programs in Florida; including 67 school districts, three lab schools, and Florida Virtual School.

Effect of the Bill

The bill creates a pathway for veterans who have served either as commissioned officers or noncommissioned officers, to become school principals. The bill requires the DOE to issue a three-year temporary certificate in educational leadership to an individual whose application indicates that he or she:

- has earned a passing score on the Florida Educational Leadership Examination;
- served as a commissioned or noncommissioned military officer in the U.S. Armed Forces for at least 3 years;
- has been honorably discharged or has retired from the U.S. Armed forces; and
- is presently employed fulltime in a position for which a Florida educators' certificate is required in a Florida school (public or nonpublic) that has a DOE-approved Level II program.

The bill also requires that an approved Level II program must admit applicants who hold such a temporary certificate and requires the DOE to issue a permanent school principal certificate to an individual who holds the temporary certificate and successfully completes the Level II program.

Medal of Honor Day

Background

The Medal of Honor is the "highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States. The Medal is generally presented to Recipients by the President of the United States."⁹³

Section 1003.42(2), F.S. establishes components of required instruction for public school students. Instructional staff must teach, among other things:

- a character-development program in kindergarten through grade 12; and
- in order to encourage patriotism, the sacrifices that veterans have made in serving our country and protecting democratic values worldwide.

The law does not establish any particular grade level or courses in which instruction on these topics must be provided. However, DOE takes steps to ensure that the content is taught in public schools. The law also encourages the SBE to "adopt standards and pursue assessment of the requirements" of subsection (2) of s. 1003.42, F.S.

Each district school board is required to develop or adopt a curriculum for the character-development program and submit it to the DOE for approval. The character-development curriculum must stress the qualities of patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic and religious tolerance; and cooperation.⁹⁴ Further, instruction related to veterans should occur on or before Veteran's day and Memorial Day. Members of the instructional staff are also encouraged to use the assistance of local veterans when practicable.⁹⁵

There are various resources available to educate students about the Medal of Honor and the significance it can play in character development programs.⁹⁶

⁹³ Congressional Medal of Honor Foundation, <http://themedalofhonor.com/cmoh-foundation/history> (last visited Dec. 20, 2017).

⁹⁴ s. 1003.42(2)(s), F.S.

⁹⁵ s. 1003.42(2)(t), F.S.

⁹⁶ Congressional Medal of Honor Foundation, *History*, <http://themedalofhonor.com/character-development> (last visited Dec. 15, 2017).

Effect of the Bill

The bill allows the Governor to issue a proclamation designating March 25th as “Medal of Honor Day” and encourages public officials, schools, private organizations, and all residents of the state to commemorate Medal of Honor Day and honor any Floridian who while serving as a member of the Armed Services, distinguished himself or herself while engaged in action against an enemy of the United States.

The bill also states that a character development program that incorporates the values of the Congressional Medal of Honor and that is offered as part of a social studies, English Language arts, or other school wide character building and veteran awareness initiative meets the instructional requirements related to character development and the sacrifices made by veterans.

Licensure Interruption for Active Duty Military Personnel

Background

There is no broad mandate that applies to all professional licenses that requires relevant military experience gained during a period of active duty service in the Florida National Guard or USAF Reserves, which interrupted an applicant’s period of training for a professional license, to be considered during a licensure determination.

Some individual practice acts, such as the construction contracting practice act, require the licensing entity to consider such experience for licensure requirements.⁹⁷

Effect of the Bill

The bill requires boards of examiners or other qualification boards regulated under general law to accept periods of training and practical experience in the Florida National Guard or the U.S. Armed Forces Reserves in place of the interrupted or delayed periods of training, study, apprenticeship, or practical experience if the board finds the standard and type of work or training performed in the Florida National Guard or the US Armed Forces Reserves to be substantially the same as the standard and type required under Florida law. To be eligible for the above process, service members must request the issuance under these provisions within six months after the release from the Florida National Guard or the USAF.

Educator Certification Fees

Background

The SBE must establish, by rule, fees for applications, examinations, certification, certification renewal, late renewal, record making, and recordkeeping.⁹⁸ Fees for taking the Florida Teacher Certification Examination for the first time are as follows⁹⁹:

FTCE Test	Fee
General Knowledge Test	\$130
Subject Area Test	\$200
Professional Education Test	\$150

The fee to apply for an initial educator certificate is \$75.¹⁰⁰

⁹⁷ s. 489.1131, F.S.

⁹⁸ s. 1012.59(1), F.S.

⁹⁹ r. 6A-4.0021(4), F.A.C.

¹⁰⁰ See r. 6A-4.0012(1)(a)1., F.A.C.

Effect of the Bill

The bill requires the SBE to waive initial general knowledge, professional education, and subject area examination fees and certification fees for the following individuals:

- A member of the United States Armed Forces or a reserve component thereof who is serving or has served on active duty or the spouse of such a member.
- The surviving spouse of a member of the United States Armed Forces or a reserve component thereof who was serving on active duty at the time of death.
- An honorably discharged veteran of the United States Armed Forces or a veteran of a reserve component thereof who served on active duty and the spouse or surviving spouse of such a veteran.

Apprenticeship Programs

Background

The DOE is responsible for the development of the apprenticeship and preapprenticeship standards for trades and assisting district school boards and community college district boards of trustees in developing preapprenticeship programs.¹⁰¹

An apprenticeship program is an organized course of instruction that is registered and approved by the DOE and must address all terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices.¹⁰² The length of an apprenticeship program varies from one to five years depending on the occupation's training requirements.¹⁰³

An apprenticeship may be offered only in occupations that:

- are customarily learned in a practical way through a structured, systematic program of on-the-job, supervised training;
- are commonly recognized throughout the industry or recognized with a positive view toward changing technology;
- involve manual, mechanical, or technical skills and knowledge that require a minimum of 2,000 hours of work and training, excluding the time spent in related instruction;
- require related instruction to supplement on-the-job training; and
- involve the development of skills sufficiently broad to be applicable in like occupations throughout an industry, rather than skills that are of restricted application to the products or services of any one company¹⁰⁴

The following categories of occupations may not create an apprenticeship program: selling, retailing, or similar occupations in the distributive field; managerial occupations; and professional and scientific vocations for which entrance requirements customarily require an academic degree.¹⁰⁵

To be eligible for an apprenticeship program, the person must be at least 16 years of age. Admission requirements relating to education, physical ability, work experience, and other criteria vary based on the program's training needs. As of January 2017, there were 10,464 active registered apprentices and 193 registered program sponsors in Florida.¹⁰⁶

¹⁰¹ s. 446.011(2), F.S.

¹⁰² s. 446.021(6), F.S.

¹⁰³ s. 446.021(6), F.S.; r. 6A-23.004, F.A.C.

¹⁰⁴ s. 446.092, F.S.

¹⁰⁵ s. 446.092(6), F.S.

¹⁰⁶ Email, Florida Department of Education, Agency Legislative Bill Analysis, HB 525, (March 3, 2017).

Effect of the Bill

The bill requires the DOE to lead and coordinate outreach efforts to educate veterans about apprenticeship and career opportunities. The bill also specifies that laws and rules regulating apprenticeships and approved apprenticeship agreements do not invalidate any special provisions for veterans, minority persons, or women concerning apprenticeship programs.

B. SECTION DIRECTORY:

- Section 1 Creates s. 250.483, F.S., providing requirements relating to licensure or qualification of persons ordered into active duty or state active duty.
- Section 2 Amends s. 446.041, F.S., providing duties of DOE.
- Section 3 Amends s. 446.081, F.S., clarifying that new apprentice agreements do not invalidate certain special provisions for the standards, qualifications, or operations of an apprenticeship program.
- Section 4 Amends s. 455.02, F.S., requiring the DBPR to waive certain licensing fees for certain applicants and licensees.
- Section 5 Amends s. 456.024, F.S., revising DOH licensure requirements and providing an exemption from certain penalties.
- Section 6 Amends s. 472.015, F.S., requiring DACS to waive certain fees relating to certain surveyor and mapper license applicants and licensees.
- Section 7 Amends s. 472.016, F.S., requiring DACS to waive certain fees relating to certain surveyor and mapper license applicants and licensees.
- Section 8 Amends s. 493.6105, F.S., requiring DACS to waive certain fees relating to certain private investigator, private security, and repossession license applicants and licensees.
- Section 9 Amends s. 493.6107, F.S., requiring DACS to waive certain fees relating to certain private investigator, private security, and repossession license applicants and licensees.
- Section 10 Amends s. 493.6113, F.S., requiring DACS to waive certain fees relating to certain private investigator, private security, and repossession license applicants and licensees.
- Section 11 Amends s. 494.00312, F.S., requiring OFR to waive certain fees relating to certain loan originator license applicants and licensees.
- Section 12 Amends s. 494.00313, F.S., requiring OFR to waive certain fees relating to certain loan originator license applicants and licensees.
- Section 13 Amends s. 497.140, F.S., requiring DFS to waive certain fees relating to funeral and cemetery licenses.
- Section 14 Amends s. 497.141, F.S., requiring DFS to waive certain fees relating to funeral and cemetery licenses.
- Section 15 Amends s. 497.142, F.S., requiring DFS to waive fingerprinting requirements for certain funeral and cemetery license applicants.
- Section 16 Amends s. 497.281, F.S., requiring DFS to waive certain fees relating to certain burial rights broker license applicants.

- Section 17 Amends s. 497.368, F.S., requiring DFS to waive certain fees relating to certain embalmer license applicants.
- Section 18 Amends s. 497.369, F.S., requiring DFS to waive certain fees relating to certain embalmer license applicants.
- Section 19 Amends s. 497.370, F.S., requiring DFS to waive certain fees relating to certain embalmer intern license applicants.
- Section 20 Amends s. 497.371, F.S., requiring DFS to waive certain fees relating to certain embalmer apprentice license applicants.
- Section 21 Amends s. 497.373, F.S., requiring DFS to waive certain fees relating to certain funeral directing license applicants.
- Section 22 Amends s. 497.374, F.S., requiring DFS to waive certain fees relating to certain funeral directing license applicants.
- Section 23 Amends s. 497.375, F.S., requiring DFS to waive certain fees relating to certain funeral directing license applicants.
- Section 24 Creates s. 497.393, F.S., requiring DFS to recognize military-issued credentials relating to funeral and cemetery services for purposes of licensure as a funeral director or embalmer.
- Section 25 Amends s. 497.453, F.S., requiring DFS to waive certain fees relating certain preneed sales agent license applicants.
- Section 26 Amends s. 497.466, F.S., requiring DFS to waive certain fees relating to certain preneed sales agent license applicants.
- Section 27 Amends s. 497.554, F.S., requiring DFS to waive certain fees relating to certain monument establishment sales agent license applicants.
- Section 28 Amends s. 497.602, F.S., requiring DFS to waive certain fees relating to certain direct disposer license applicants.
- Section 29 Amends s. 501.015, F.S., requiring DACS to waive certain fees relating to certain health studio registration applicants and registrants.
- Section 30 Amends s. 501.605, F.S., requiring DACS to waive certain fees relating to certain telemarketer registration applicants and registrants.
- Section 31 Amends s. 501.607, F.S., requiring DACS to waive certain fees relating to certain telemarketer registration applicants and registrants.
- Section 32 Amends s. 501.609, F.S., requiring DACS to waive certain fees relating to certain telemarketer registration applicants and registrants.
- Section 33 Amends s. 507.03, F.S., requiring DACS to waive certain fees relating to certain intrastate movers and brokers registration applicants or registrants.
- Section 34 Amends s. 517.12, F.S., requiring OFR to waive certain fees relating to associated persons registration applicants or registrants.

- Section 35 Amends s. 527.02, F.S., requiring DACS to waive certain fees relating to certain sellers of liquefied petroleum gas license applicants and licensees.
- Section 36 Amends s. 539.001, F.S., requiring DACS to waive certain fees relating to certain pawnbroking license applicants and licensees.
- Section 37 Amends s. 559.904, F.S., requiring DACS to waive certain fees relating to certain motor vehicle repair registration applicants and registrants.
- Section 38 Amends s. 559.928, F.S., requiring DACS to waive certain fees relating to certain sellers of travel registration applicants and registrants.
- Section 39 Amends s. 626.025, F.S., requiring DFS to waive fingerprinting requirements for certain insurance license applicants.
- Section 40 Amends s. 626.171, F.S., requiring DFS to waive fingerprinting requirements for certain insurance license applicants.
- Section 41 Amends s. 626.172, F.S., requiring DFS to waive fingerprinting requirements for certain insurance license applicants.
- Section 42 Amends s. 626.202, F.S., requiring DFS to waive fingerprinting requirements for certain insurance license applicants.
- Section 43 Amends s. 626.292, F.S., requiring DFS to waive fingerprinting requirements for certain insurance license applicants.
- Section 44 Amends s. 626.321, F.S., requiring DFS to waive fingerprinting requirements for certain insurance license applicants.
- Section 45 Amends s. 626.732, F.S., providing that prelicensure coursework is not required for certain insurance license applicants.
- Section 46 Amends s. 626.7355, F.S., providing that prelicensure coursework is not required for certain insurance license applicants.
- Section 47 Amends s. 626.7851, F.S., providing that prelicensure coursework is not required for certain insurance license applicants.
- Section 48 Amends s. 626.8311, F.S., providing that prelicensure coursework is not required for certain insurance license applicants.
- Section 49 Amends s. 626.8417, F.S., providing that prelicensure coursework is not required for certain insurance license applicants.
- Section 50 Amends s. 626.8732, F.S., requiring DFS to waive fingerprinting requirements for certain insurance license applicants.
- Section 51 Amends s. 626.8734, F.S., requiring DFS to waive fingerprinting requirements for certain insurance license applicants.
- Section 52 Amends s. 626.927, F.S., providing that prelicensure coursework is not required for certain insurance license applicants.

- Section 53 Amends s. 626.9272, F.S., providing that prelicensure coursework is not required for certain insurance license applicants.
- Section 54 Amends s. 626.9912, F.S., requiring DFS to waive fingerprinting requirements for certain insurance license applicants.
- Section 55 Amends s. 633.304, F.S., providing a reexamination time extension for certain Division of State Fire Marshal licenses and permits.
- Section 56 Amends s. 633.332, F.S., providing a reexamination time extension for certain Division of State Fire Marshal licenses and permits.
- Section 57 Amends s. 633.412, F.S., requiring DFS to waive fingerprinting requirements for certain firefighter certification applicants.
- Section 58 Amends s. 633.414, F.S., providing a time extension for certain firefighter certification renewals.
- Section 59 Amends s. 633.444, F.S., providing expense waivers for certain attendees of the Florida State Fire College.
- Section 60 Amends s. 648.34, F.S., requiring DFS to waive fingerprinting requirements for certain bail bond agent license applicants.
- Section 61 Amends s. 648.355, F.S., requiring DFS to waive fingerprinting requirements for certain bail bond agent license applicants.
- Section 62 Creates s. 683.147, F.S., designating March 25 of each year as "Medal of Honor Day."
- Section 63 Amends s. 1002.37, F.S., revising priority for Florida Virtual Schools.
- Section 64 Amends s. 1003.42, F.S., approving education about the Medal of Honor to meet the standards for a character-development program.
- Section 65 Amends s. 1012.55, F.S., establishing educational leadership certification requirements.
- Section 66 Amends s. 1012.56, F.S., requiring the State Board of Education to issue rules related temporary certificates.
- Section 67 Amends s. 1012.59, F.S., requiring the State Board of Education to waive certain fees for certain education certificate applicants.
- Section 68 Provides an effective date of July 1, 2018.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill will have an indeterminate, negative fiscal impact on the affected agencies.

The bill will reduce licensing revenues to the affected agencies, but the exact amount is indeterminate. It will depend on the number of people who take advantage of the new fee waivers, although the agencies have provided a preliminary fiscal expectation.

DACS estimates that the fiscal impact to the agency will be \$182,347 for Fiscal Year 2018-2019, \$191,464 for Fiscal Year 2019-2020, and \$201,038 for Fiscal Year 2020-2021. This is based on the expected percentage of potential and current licensees that will take advantage of the new fee waivers. Additional information regarding the methodology is needed.¹⁰⁷

OFR estimates that there will be an annual reduction of \$1,784,390 in licensing fees. They used the percentage of veterans in the entire adult population of Florida as the number of expected new license applications. Additional information is needed regarding how this estimate was obtained.¹⁰⁸

DOH expects a minimal, negative fiscal impact, but they have not come to a final expected number.¹⁰⁹

DBPR indicated that their fiscal impact is indeterminate at this time, but noted that there are currently 440 licensees under DBPR that are identified as military personnel.¹¹⁰

The fiscal impact for DOE is indeterminate because the number of eligible applicants is unknown. The current total fees for the initial certification of a teacher for one subject area (examination and application fees) is \$665.¹¹¹

2. Expenditures:

Currently, there is an indeterminate fiscal impact on agency expenditures.

OFR has indicated that additional staffing may be required.¹¹²

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill will ease the transition from military life for those who aim to become a Florida professional licensee by waiving initial license fees. The bill will help military families by waiving fees.

D. FISCAL COMMENTS:

The affected agencies are currently preparing and refining their fiscal analyses. Figures will be updated when they are available.

III. COMMENTS

¹⁰⁷ Email from Andrew Liebert, Deputy Director of the Office of Legislative Affairs, Florida Department of Agriculture and Consumer Services, RE: HB 29 fiscal, regarding their estimated fiscal impact for HB 29 (Jan. 17, 2018).

¹⁰⁸ Florida Office of Financial Regulation, Agency Analysis of 2018 House Bill 29, pp. 6-7 (Jan. 19, 2018).

¹⁰⁹ Email from Paul Runk, Director of the Office of Legislative Planning, Florida Department of Health, RE: Proposed Language for Military Spouses, regarding the fiscal impact of HB 29 (Jan. 19, 2018).

¹¹⁰ Florida Department of Business and Professional Regulation, Agency Analysis of 2018 House Bill 29, p. 4 (Jan. 22, 2018).

¹¹¹ Email from Denise Potvin, Budget Chief, PreK-12 Appropriations Subcommittee, Florida House of Representatives, RE: Military, regarding the expected fiscal impact of HB 29 (Jan. 22, 2018).

¹¹² OFR, *supra* note 107 at 7.

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

Section 3 of the bill requires the State Board of Education to modify its rules to allow the DOE to extend the validity period of a temporary teaching certificate holder for two years when the requirements for the professional certificate were not completed due to the military service of an applicant's spouse. This will require the modification of rule 6A- 4.004, F.A.C.

Sections 11, 12, and 34 of the bill require an individual seeking the fee waiver to submit proof, in a form prescribed by rule of the Financial Services Commission, that the individual meets one of the specified fee waiver qualifications.

Many license application forms and licensing procedures will need to be amended by the affected agencies in order to implement this bill.

There is sufficient rulemaking authority for each agency to make these changes.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to military and veterans affairs;
 3 creating s. 250.483, F.S.; providing requirements
 4 relating to licensure or qualification of persons
 5 ordered into active duty or state active duty;
 6 amending s. 446.041, F.S.; providing duties of the
 7 Department of Education; amending s. 446.081, F.S.;
 8 providing construction; amending s. 455.02, F.S.;
 9 requiring the Department of Business and Professional
 10 Regulation to waive certain fees; amending s. 456.024,
 11 F.S.; revising licensure eligibility requirements;
 12 providing an exemption from certain penalties;
 13 amending ss. 472.015, 472.016, 493.6105, 493.6107, and
 14 493.6113, F.S.; requiring the Department of
 15 Agriculture and Consumer Services to waive certain
 16 fees; amending ss. 494.00312 and 494.00313, F.S.;
 17 requiring the Office of Financial Regulation to waive
 18 certain fees; amending s. 497.140, F.S.; providing an
 19 exemption from a certain fee; amending s. 497.141,
 20 F.S.; providing an exemption from a certain fee;
 21 amending s. 497.142, F.S.; requiring the licensing
 22 authority to waive fingerprinting requirements for
 23 certain individuals; amending ss. 497.281, 497.368,
 24 497.369, 497.370, 497.371, 497.373, 497.374, and
 25 497.375, F.S.; providing exemptions from certain fees;

26 creating s. 497.393, F.S.; authorizing the licensing
 27 authority to recognize certain military-issued
 28 credentials for purposes of licensure; amending ss.
 29 497.453, 497.466, and 497.554, F.S.; providing
 30 exemptions from certain fees; amending s. 497.602,
 31 F.S.; providing an exemption from an application fee;
 32 authorizing the licensing authority to recognize
 33 certain military-issued credentials for purposes of
 34 licensure; amending s. 501.015, F.S.; requiring the
 35 Department of Agriculture and Consumer Services to
 36 waive a registration fee; amending ss. 501.605,
 37 501.607, 501.609, and 507.03, F.S.; requiring the
 38 Department of Agriculture and Consumer Services to
 39 waive certain fees for certain licensees; amending s.
 40 517.12, F.S.; requiring the Office of Financial
 41 Regulation to waive certain fees; amending ss. 527.02
 42 and 539.001, F.S.; waiving certain licensing fees;
 43 amending ss. 559.904 and 559.928, F.S.; requiring the
 44 Department of Agriculture and Consumer Services to
 45 waive certain registration fees; amending ss. 626.025,
 46 626.171, 626.172, 626.202, 626.292, and 626.321, F.S.;
 47 requiring the Department of Financial Services to
 48 waive certain fingerprinting requirements; amending
 49 ss. 626.732, 626.7355, 626.7851, 626.8311, and
 50 626.8417, F.S.; revising prelicensure course

51 requirements for certain applicants; amending ss.
 52 626.8732 and 626.8734, F.S.; requiring the Department
 53 of Financial Services to waive certain fingerprinting
 54 requirements; amending ss. 626.927 and 626.9272;
 55 providing that prelicensure course requirements are
 56 not required for certain applicants; amending s.
 57 626.9912, F.S.; requiring the department to waive
 58 certain fingerprinting requirements; amending ss.
 59 633.304 and 633.332, F.S.; authorizing the Division of
 60 State Fire Marshal to extend the period within which
 61 reexamination for certain certifications is not
 62 required for certain persons; amending s. 633.412,
 63 F.S.; requiring the Department of Financial Services
 64 to waive fingerprinting requirements for certain
 65 persons; s. 633.414, F.S.; authorizing an extension
 66 for firefighter certification renewal for certain
 67 persons; amending s. 633.444, F.S.; requiring the
 68 Division of State Fire Marshal to waive certain
 69 expenses associated with attending the Florida State
 70 Fire College; amending ss. 648.34 and 648.355, F.S.;
 71 requiring the Department of Financial Services to
 72 waive certain fingerprinting requirements; creating s.
 73 683.147, F.S.; designating March 25 of each year as
 74 "Medal of Honor Day"; amending s. 1002.37, F.S.;
 75 revising priority of Florida Virtual Schools; amending

76 s. 1003.42, F.S.; providing for a character
 77 development program that incorporates the values of
 78 the Congressional Medal of Honor; amending s. 1012.55,
 79 F.S.; requiring the State Board of Education to issue
 80 a temporary certificate in educational leadership to
 81 certain persons; revising certain exemptions from
 82 requirements for teacher certification for certain
 83 individuals; amending s. 1012.56, F.S.; requiring the
 84 State Board of Education to adopt certain rules;
 85 amending s. 1012.59, F.S.; requiring the State Board
 86 of Education to waive certain fees; providing an
 87 effective date.

88

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

90

91 Section 1. Section 250.483, Florida Statutes, is created
 92 to read:

93 250.483 Active duty; licensure or qualification.—

94 (1) If a member of the Florida National Guard or the
 95 United States Armed Forces Reserves seeking licensure or
 96 qualification for a trade, occupation, or profession is ordered
 97 into state active duty or into active duty as defined in this
 98 chapter, and his or her period of training, study,
 99 apprenticeship, or practical experience is interrupted or the
 100 start thereof is delayed, he or she is entitled to licensure or

101 qualification under the laws covering his or her licensure or
 102 qualification at the time of entrance into active duty pursuant
 103 to subsection (2).

104 (2) A board of examiners or other qualification board
 105 regulated under general law shall accept periods of training and
 106 practical experience in the Florida National Guard or the United
 107 States Armed Forces Reserves in place of the interrupted or
 108 delayed periods of training, study, apprenticeship, or practical
 109 experience if the board finds the standard and type of work or
 110 training performed in the Florida National Guard or the United
 111 States Armed Forces Reserves to be substantially the same as the
 112 standard and type required under the laws of this state.

113 (3) A member of the National Guard or the United States
 114 Armed Forces Reserves must request licensure or qualification
 115 pursuant to this section by the respective board of examiners or
 116 other qualification board within 6 months after release from
 117 active duty with the Florida National Guard or the United States
 118 Armed Forces Reserves.

119 Section 2. Subsections (7) through (12) of section
 120 446.041, Florida Statutes, are renumbered as subsections (8)
 121 through (13), respectively, and a new subsection (7) is added to
 122 that section, to read:

123 446.041 Apprenticeship program, duties of the department.—
 124 The department shall:

125 (7) Lead and coordinate outreach efforts to educate

126 veterans about apprenticeship and career opportunities.

127 Section 3. Subsection (4) is added to section 446.081,
 128 Florida Statutes, to read:

129 446.081 Limitation.—

130 (4) Nothing in ss. 446.011-446.092 or in any rules adopted
 131 or contained in any approved apprentice agreement under such
 132 sections invalidates any special provision for veterans,
 133 minority persons, or women in the standards, qualifications, or
 134 operation of the apprenticeship program which is not otherwise
 135 prohibited by any applicable general law, rule, or regulation.

136 Section 4. Subsections (1) and (2) of section 455.02,
 137 Florida Statutes, are amended to read:

138 455.02 Licensure of members of the Armed Forces in good
 139 standing and their spouses or surviving spouses with
 140 administrative boards or programs.—

141 (1) Any member of the United States Armed Forces ~~of the~~
 142 ~~United States~~ now or hereafter on active duty who, at the time
 143 of becoming such a member, was in good standing with any of the
 144 boards or programs listed in s. 20.165 and was entitled to
 145 practice or engage in his or her profession or occupation
 146 ~~vocation~~ in the state shall be kept in good standing by the
 147 applicable board or program, without registering, paying dues or
 148 fees, or performing any other act on his or her part to be
 149 performed, as long as he or she is a member of the United States
 150 Armed Forces ~~of the United States~~ on active duty and for a

151 ~~period of 2 years after discharge from active duty as a member~~
 152 ~~of the Armed Forces of the United States, if he or she is not~~
 153 ~~engaged in his or her licensed profession or vocation in the~~
 154 ~~private sector for profit.~~ A member, during active duty and for
 155 a period of 2 years after discharge from active duty, engaged in
 156 his or her licensed profession or occupation in the private
 157 sector for profit in this state must complete all license
 158 renewal provisions except remitting the license renewal fee,
 159 which shall be waived by the department.

160 (2) A spouse of a member of the ~~Armed Services of the~~
 161 United States Armed Forces who is married to a member during a
 162 period of active duty, or a surviving spouse of a member who at
 163 the time of death was serving on active duty, who is in good
 164 standing with any of the boards or programs listed in s. 20.165
 165 shall be kept in good standing by the applicable board or
 166 program as described in subsection (1) and shall be exempt from
 167 licensure renewal provisions, but only in cases of his or her
 168 absence from the state because of his or her spouse's duties
 169 with the United States Armed Forces. The department or the
 170 appropriate board or program shall waive any license renewal fee
 171 for such spouse when he or she is present in this state because
 172 of such member's active duty and for a surviving spouse of a
 173 member who at the time of death was serving on active duty and
 174 died within the 2 years preceding the date of renewal.

175 Section 5. Paragraphs (a) and (b) of subsection (3) and

176 paragraph (j) of subsection (4) of section 456.024, Florida
 177 Statutes, are amended, and subsection (5) is added to that
 178 section, to read:

179 456.024 Members of Armed Forces in good standing with
 180 administrative boards or the department; spouses; licensure.—

181 (3)(a) A person is eligible for licensure as a health care
 182 practitioner in this state if he or she:

183 1. Serves or has served as a health care practitioner in
 184 the United States Armed Forces, the United States Reserve
 185 Forces, or the National Guard;

186 2. Serves or has served on active duty with the United
 187 States Armed Forces as a health care practitioner in the United
 188 States Public Health Service; or

189 3. Is a health care practitioner, ~~other than a dentist,~~ in
 190 another state, the District of Columbia, or a possession or
 191 territory of the United States and is the spouse of a person
 192 serving on active duty with the United States Armed Forces.

193
 194 The department shall develop an application form, and each
 195 board, or the department if there is no board, shall waive the
 196 application fee, licensure fee, and unlicensed activity fee for
 197 such applicants. For purposes of this subsection, "health care
 198 practitioner" means a health care practitioner as defined in s.
 199 456.001 and a person licensed under part III of chapter 401 or
 200 part IV of chapter 468.

201 (b) The board, or the department if there is no board,
 202 shall issue a license to practice in this state to a person who:

203 1. Submits a complete application.

204 2. If he or she is a member of the United States Armed
 205 Forces, the United States Reserve Forces, or the National Guard,
 206 submits proof that he or she has received an honorable discharge
 207 within 6 months before, or will receive an honorable discharge
 208 within 6 months after, the date of submission of the
 209 application.

210 3.a. Holds an active, unencumbered license issued by
 211 another state, the District of Columbia, or a possession or
 212 territory of the United States and who has not had disciplinary
 213 action taken against him or her in the 5 years preceding the
 214 date of submission of the application;

215 b. Is a military health care practitioner in a profession
 216 for which licensure in a state or jurisdiction is not required
 217 to practice in the United States Armed Forces, if he or she
 218 submits to the department evidence of military training or
 219 experience substantially equivalent to the requirements for
 220 licensure in this state in that profession and evidence that he
 221 or she has obtained a passing score on the appropriate
 222 examination of a national or regional standards organization if
 223 required for licensure in this state; or

224 c. Is the spouse of a person serving on active duty in the
 225 United States Armed Forces and is a health care practitioner in

226 a profession, ~~excluding dentistry,~~ for which licensure in
 227 another state or jurisdiction is not required, if he or she
 228 submits to the department evidence of training or experience
 229 substantially equivalent to the requirements for licensure in
 230 this state in that profession and evidence that he or she has
 231 obtained a passing score on the appropriate examination of a
 232 national or regional standards organization if required for
 233 licensure in this state.

234 4. Attests that he or she is not, at the time of
 235 submission of the application, the subject of a disciplinary
 236 proceeding in a jurisdiction in which he or she holds a license
 237 or by the United States Department of Defense for reasons
 238 related to the practice of the profession for which he or she is
 239 applying.

240 5. Actively practiced the profession for which he or she
 241 is applying for the 3 years preceding the date of submission of
 242 the application.

243 6. Submits a set of fingerprints for a background
 244 screening pursuant to s. 456.0135, if required for the
 245 profession for which he or she is applying.

246
 247 The department shall verify information submitted by the
 248 applicant under this subsection using the National Practitioner
 249 Data Bank.

250 (4)

251 ~~(j) An applicant who is issued a temporary professional~~
 252 ~~license to practice as a dentist pursuant to this section must~~
 253 ~~practice under the indirect supervision, as defined in s.~~
 254 ~~466.003, of a dentist licensed pursuant to chapter 466.~~

255 (5) The spouse of a person serving on active duty with the
 256 United States Armed Forces shall have a defense to any citation
 257 and related cause of action brought under s. 456.065 if the
 258 following conditions are met:

259 (a) The spouse holds an active, unencumbered license
 260 issued by another state or jurisdiction to provide health care
 261 services for which there is no equivalent license in this state.

262 (b) The spouse is providing health care services within
 263 the scope of practice of the out-of-state license.

264 (c) The training or experience required by the out-of-
 265 state license is substantially similar to the license
 266 requirements to practice a similar health care profession in
 267 this state.

268 Section 6. Paragraph (b) of subsection (3) of section
 269 472.015, Florida Statutes, is amended to read:

270 472.015 Licensure.—

271 (3)

272 (b) The department shall waive the initial license fee for
 273 an honorably discharged veteran of the United States Armed
 274 Forces, the spouse or surviving spouse of such a veteran, a
 275 current member of the United States Armed Forces who has served

276 on active duty or the spouse of such a member, the surviving
 277 spouse of a member of the United States Armed Forces who died
 278 while serving on active duty, or a business entity that has a
 279 majority ownership held by such a veteran or spouse or surviving
 280 spouse if the department receives an application, in a format
 281 prescribed by the department. The application format must
 282 include the applicant's signature, under penalty of perjury, and
 283 supporting documentation, ~~within 60 months after the date of the~~
 284 ~~veteran's discharge from any branch of the United States Armed~~
 285 ~~Forces.~~ To qualify for the waiver:7

286 1. A veteran must provide to the department a copy of his
 287 or her DD Form 214, as issued by the United States Department of
 288 Defense, or another acceptable form of identification as
 289 specified by the Department of Veterans' Affairs;

290 2. The spouse or surviving spouse of a veteran must
 291 provide to the department a copy of the veteran's DD Form 214,
 292 as issued by the United States Department of Defense, or another
 293 acceptable form of identification as specified by the Department
 294 of Veterans' Affairs, and a copy of a valid marriage license or
 295 certificate verifying that he or she was lawfully married to the
 296 veteran at the time of discharge; or

297 3. A business entity must provide to the department proof
 298 that a veteran or the spouse or surviving spouse of a veteran
 299 holds a majority ownership in the business, a copy of the
 300 veteran's DD Form 214, as issued by the United States Department

301 of Defense, or another acceptable form of identification as
 302 specified by the Department of Veterans' Affairs, and, if
 303 applicable, a copy of a valid marriage license or certificate
 304 verifying that the spouse or surviving spouse of the veteran was
 305 lawfully married to the veteran at the time of discharge.

306 Section 7. Section 472.016, Florida Statutes, is amended
 307 to read:

308 472.016 Members of Armed Forces in good standing with the
 309 board.—

310 (1) Any member of the United States Armed Forces ~~of the~~
 311 ~~United States~~ who is now or in the future on active duty and
 312 who, at the time of becoming such a member of the United States
 313 Armed Forces, was in good standing with the board and entitled
 314 to practice or engage in surveying and mapping in the state
 315 shall be kept in good standing by the board, without
 316 registering, paying dues or fees, or performing any other act on
 317 his or her part to be performed, as long as he or she is a
 318 member of the United States Armed Forces ~~of the United States~~ on
 319 active duty and for a period of 2 years ~~6 months~~ after discharge
 320 from active duty, ~~provided that he or she is not engaged in the~~
 321 ~~practice of surveying or mapping in the private sector for~~
 322 ~~profit.~~ A member, during active duty and for a period of 2 years
 323 after discharge from active duty, engaged in the practice of
 324 surveying or mapping in the private sector for profit in this
 325 state must complete all licensure renewal provisions except

326 remitting the license renewal fee, which shall be waived by the
 327 department.

328 (2) The board shall adopt rules exempting the spouses of
 329 members of the United States Armed Forces ~~of the United States~~
 330 from licensure renewal provisions, but only in cases of absence
 331 from the state because of their spouses' duties with the United
 332 States Armed Forces. The department or the appropriate board or
 333 program shall waive any license renewal fee for the spouse of a
 334 member of the United States Armed Forces when such member is
 335 present in this state because of the member's active duty with
 336 the United States Armed Forces, and for the surviving spouse of
 337 a member who at the time of death was serving on active duty and
 338 died within the 2 years preceding the date of renewal.

339 Section 8. Subsection (1) of section 493.6105, Florida
 340 Statutes, is amended to read:

341 493.6105 Initial application for license.—

342 (1) Each individual, partner, or principal officer in a
 343 corporation, shall file with the department a complete
 344 application accompanied by an application fee not to exceed \$60,
 345 except that an ~~the~~ applicant for a Class "D" or Class "G"
 346 license is not required to submit an application fee. An
 347 application fee is not required for an applicant who qualifies
 348 for the fee waiver in s. 493.6107(6). The application fee is not
 349 refundable.

350 (a) The application submitted by any individual, partner,

351 or corporate officer must be approved by the department before
 352 the individual, partner, or corporate officer assumes his or her
 353 duties.

354 (b) Individuals who invest in the ownership of a licensed
 355 agency but do not participate in, direct, or control the
 356 operations of the agency are not required to file an
 357 application.

358 ~~(c) The initial application fee for a veteran, as defined~~
 359 ~~in s. 1.01, shall be waived if he or she applies for a Class~~
 360 ~~"C," Class "CC," Class "DI," Class "E," Class "EE," Class "K,"~~
 361 ~~Class "M," Class "MA," Class "MB," Class "MR," or Class "RI"~~
 362 ~~license within 24 months after being discharged from a branch of~~
 363 ~~the United States Armed Forces. An eligible veteran must include~~
 364 ~~a copy of his or her DD Form 214, as issued by the United States~~
 365 ~~Department of Defense, or another acceptable form of~~
 366 ~~identification as specified by the Department of Veterans'~~
 367 ~~Affairs with his or her application in order to obtain a waiver.~~

368 Section 9. Subsection (6) of section 493.6107, Florida
 369 Statutes, is amended to read:

370 493.6107 Fees.—

371 (6) The initial application ~~license~~ fee for a veteran, as
 372 defined in s. 1.01, the spouse or surviving spouse of such
 373 veteran, a member of the United States Armed Forces who has
 374 served on active duty, or the spouse or surviving spouse of such
 375 member who at the time of death was serving on active duty and

376 died within the 2 years preceding the initial application, shall
 377 be waived if he or she applies for a Class "C," Class "CC,"
 378 Class "DI," Class "E," Class "EE," Class "K," Class "M," Class
 379 "MA," Class "MB," Class "MR," or Class "RI" license in a format
 380 prescribed by the department. The application format must
 381 include the applicant's signature, under penalty of perjury, and
 382 supporting documentation ~~Class "M" or Class "K" license within~~
 383 ~~24 months after being discharged from any branch of the United~~
 384 ~~States Armed Forces.~~ An eligible veteran must include a copy of
 385 his or her DD Form 214, as issued by the United States
 386 Department of Defense, or another acceptable form of
 387 identification as specified by the Department of Veterans'
 388 Affairs with his or her application in order to obtain a waiver.

389
 390 A licensee seeking such waiver must apply in a format prescribed
 391 by the department, including the applicant's signature, under
 392 penalty of perjury, and supporting documentation.

393 Section 10. Subsection (7) is added to section 493.6113,
 394 Florida Statutes, is amended to read:

395 493.6113 Renewal application for licensure.-

396 (7) The department shall waive the respective fees for a
 397 licensee who:

398 (a) Is an active duty member of the United States Armed
 399 Forces or the spouse of such member;

400 (b) Is or was a member of the United States Armed Forces

401 and served on active duty within the 2 years preceding the
 402 expiration date of the license. A licensee who is a former
 403 member of the United States Armed Forces who served on active
 404 duty within the 2 years preceding the application must have
 405 received an honorable discharge upon separation or discharge
 406 from the United States Armed Forces; or

407 (c) Is the surviving spouse of a member of the United
 408 States Armed Forces who was serving on active duty at the time
 409 of death and died within the 2 years preceding the expiration
 410 date of the license.

411
 412 A licensee seeking such waiver must apply in a format prescribed
 413 by the department, including the applicant's signature, under
 414 penalty of perjury, and supporting documentation.

415 Section 11. Subsection (8) is added to section 494.00312,
 416 Florida Statutes, to read:

417 494.00312 Loan originator license.—

418 (8) The office shall waive the fees required by paragraph
 419 (2)(e) for an applicant who:

420 (a) Is or was an active duty member of the United States
 421 Armed Forces. To qualify for the fee waiver, an applicant who is
 422 a former member of the United States Armed Forces must have
 423 received an honorable discharge upon separation or discharge
 424 from the United States Armed Forces;

425 (b) Is married to a current or former member of the United

426 States Armed Forces and is or was married to the member during
 427 any period of active duty; or

428 (c) Is the surviving spouse of a member of the United
 429 States Armed Forces if the member was serving on active duty at
 430 the time of death.

431
 432 An applicant seeking such fee waiver must submit proof, in a
 433 form prescribed by commission rule, that the applicant meets one
 434 of the qualifications in this subsection.

435 Section 12. Subsection (4) is added to section 494.00313,
 436 Florida Statutes, to read:

437 494.00313 Loan originator license renewal.—

438 (4) The office shall waive the fees required by paragraph
 439 (1)(b) for a loan originator who:

440 (a) Is an active duty member of the United States Armed
 441 Forces or the spouse of such member;

442 (b) Is or was a member of the United States Armed Forces
 443 and served on active duty within the 2 years preceding the
 444 expiration date of the license pursuant to s. 494.00312(7). To
 445 qualify for the fee waiver, a loan originator who is a former
 446 member of the United States Armed Forces who served on active
 447 duty within the 2 years preceding the expiration date of the
 448 license must have received an honorable discharge upon
 449 separation or discharge from the United States Armed Forces; or

450 (c) Is the surviving spouse of a member of the United

451 States Armed Forces if the member was serving on active duty at
 452 the time of death and died within the 2 years preceding the
 453 surviving spouse's license expiration date pursuant to s.
 454 494.00312(7).

455
 456 A loan originator seeking such fee waiver must submit proof, in
 457 a form prescribed by commission rule, that the loan originator
 458 meets one of the qualifications in this subsection.

459 Section 13. Paragraph (a) of subsection (6) of section
 460 497.140, Florida Statutes, is amended to read:

461 497.140 Fees.—

462 (6)(a)1. The department shall impose, upon initial
 463 licensure and each renewal thereof, a special unlicensed
 464 activity fee of \$5 per licensee, in addition to all other fees
 465 provided for in this chapter. Such fee shall be used by the
 466 department to fund efforts to identify and combat unlicensed
 467 activity which violates this chapter. Such fee shall be in
 468 addition to all other fees collected from each licensee and
 469 shall be deposited in a separate account of the Regulatory Trust
 470 Fund; however, the department is not limited to the funds in
 471 such an account for combating improper unlicensed activity in
 472 violation of this chapter.

473 2. A member of the United States Armed Forces, such
 474 member's spouse, and a veteran of the United States Armed Forces
 475 who separated from service within 2 years preceding the

476 application for licensure are exempt from the special unlicensed
 477 activity fee associated with initial licensure. To qualify for
 478 the fee exemption under this subparagraph, a licensee must
 479 provide a copy of a military identification card, military
 480 dependent identification card, military service record, military
 481 personnel file, veteran record, discharge paper, or separation
 482 document that indicates such member is currently in good
 483 standing or such veteran was honorably discharged.

484 Section 14. Subsection (4) of section 497.141, Florida
 485 Statutes, is amended to read:

486 497.141 Licensing; general application procedures.-

487 (4) Before the issuance of any license, the department
 488 shall collect such initial fee as specified by this chapter or,
 489 where authorized, by rule of the board, unless an applicant is
 490 exempted as specified by this chapter. Upon receipt of a
 491 completed application and the appropriate fee, and certification
 492 by the board that the applicant meets the applicable
 493 requirements of law and rules, the department shall issue the
 494 license applied for. However, an applicant who is not otherwise
 495 qualified for licensure is not entitled to licensure solely
 496 based on a passing score on a required examination.

497 Section 15. Subsection (12) of section 497.142, Florida
 498 Statutes, is amended to read:

499 497.142 Licensing; fingerprinting and criminal background
 500 checks.-

501 (12) The licensing authority may by rule establish forms,
 502 procedures, and fees for the submission and processing of
 503 fingerprints required to be submitted in accordance with this
 504 chapter. The licensing authority may by rule waive the
 505 requirement for submission of fingerprints otherwise required by
 506 this chapter if the person has within the preceding 24 months
 507 submitted fingerprints to the licensing authority and the
 508 licensing authority has obtained a criminal history report
 509 utilizing those prior fingerprints. The cost for the fingerprint
 510 processing shall be paid to the Department of Law Enforcement
 511 and may be borne by the Department of Financial Services, the
 512 employer, or the person subject to the background check. The
 513 licensing authority shall waive fingerprint requirements if the
 514 licensee is an honorably discharged veteran of the United States
 515 Armed Forces if he or she applies for licensure within 2 years
 516 after discharge.

517 Section 16. Subsection (1) of section 497.281, Florida
 518 Statutes, is amended to read:

519 497.281 Licensure of brokers of burial rights.—

520 (1) (a) No person shall receive compensation to act as a
 521 third party to the sale or transfer of three or more burial
 522 rights in a 12-month period unless the person pays a license fee
 523 as determined by licensing authority rule but not to exceed \$250
 524 and is licensed with the department as a burial rights broker in
 525 accordance with this section.

526 (b) A member of the United States Armed Forces, such
 527 member's spouse, and a veteran of the United States Armed Forces
 528 who separated from service within the 2 years preceding
 529 application for licensure are exempt from the initial license
 530 fee. To qualify for the initial license fee exemption, an
 531 applicant must provide a copy of a military identification card,
 532 military dependent identification card, military service record,
 533 military personnel file, veteran record, discharge paper, or
 534 separation document that indicates such member is currently in
 535 good standing or such veteran was honorably discharged.

536 Section 17. Paragraph (a) of subsection (1) and subsection
 537 (3) of section 497.368, Florida Statutes, are amended to read:

538 497.368 Embalmers; licensure as an embalmer by
 539 examination; provisional license.—

540 (1) Any person desiring to be licensed as an embalmer
 541 shall apply to the licensing authority to take the licensure
 542 examination. The licensing authority shall examine each
 543 applicant who has remitted an examination fee set by rule of the
 544 licensing authority not to exceed \$200 plus the actual per
 545 applicant cost to the licensing authority for portions of the
 546 examination and who has:

547 (a) Completed the application form and remitted a
 548 nonrefundable application fee set by the licensing authority not
 549 to exceed \$200. A member of the United States Armed Forces, such
 550 member's spouse, and a veteran of the United States Armed Forces

551 who separated from service within the 2 years preceding
 552 application for licensure, are exempt from the application fee.
 553 To qualify for the application fee exemption, an applicant must
 554 provide a copy of a military identification card, military
 555 dependent identification card, military service record, military
 556 personnel file, veteran record, discharge paper, or separation
 557 document that indicates such member is currently in good
 558 standing or such veteran was honorably discharged.

559 (3) Any applicant who has completed the required 1-year
 560 internship and has been approved for examination as an embalmer
 561 may qualify for a provisional license to work in a licensed
 562 funeral establishment, under the direct supervision of a
 563 licensed embalmer for a limited period of 6 months as provided
 564 by rule of the licensing authority. The fee for provisional
 565 licensure shall be set by rule of the licensing authority, but
 566 may not exceed \$200, and shall be nonrefundable and in addition
 567 to the fee required in subsection (1). This provisional license
 568 may be renewed no more than one time. A member of the United
 569 States Armed Forces, such member's spouse, and a veteran of the
 570 United States Armed Forces who separated from service within the
 571 2 years preceding application for licensure are exempt from the
 572 initial provisional licensure fee. To qualify for the initial
 573 provisional licensure fee exemption, an applicant must provide a
 574 copy of a military identification card, military dependent
 575 identification card, military service record, military personnel

576 file, veteran record, discharge paper, or separation document
 577 that indicates such member is currently in good standing or such
 578 veteran was honorably discharged.

579 Section 18. Paragraph (a) of subsection (1) and subsection
 580 (5) of section 497.369, Florida Statutes, are amended to read:

581 497.369 Embalmers; licensure as an embalmer by
 582 endorsement; licensure of a temporary embalmer.-

583 (1) The licensing authority shall issue a license by
 584 endorsement to practice embalming to an applicant who has
 585 remitted an examination fee set by rule of the licensing
 586 authority not to exceed \$200 and who the licensing authority
 587 certifies:

588 (a) Has completed the application form and remitted a
 589 nonrefundable application fee set by rule of the licensing
 590 authority not to exceed \$200. A member of the United States
 591 Armed Forces, such member's spouse, and a veteran of the United
 592 States Armed Forces who separated from service within the 2
 593 years preceding application for licensure are exempt from the
 594 application fee. To qualify for the application fee exemption,
 595 an applicant must provide a copy of a military identification
 596 card, military dependent identification card, military service
 597 record, military personnel file, veteran record, discharge
 598 paper, or separation document that indicates such member is
 599 currently in good standing or such veteran was honorably
 600 discharged.

601 (5)(a) There may be adopted by the licensing authority
 602 rules authorizing an applicant who has met the requirements of
 603 paragraphs (1)(b) and (c) and who is awaiting an opportunity to
 604 take the examination required by subsection (4) to be licensed
 605 as a temporary licensed embalmer. A temporary licensed embalmer
 606 may work as an embalmer in a licensed funeral establishment
 607 under the general supervision of a licensed embalmer. Such
 608 temporary license shall expire 60 days after the date of the
 609 next available examination required under subsection (4);
 610 however, the temporary license may be renewed one time under the
 611 same conditions as initial issuance. The fee for issuance or
 612 renewal of an embalmer temporary license shall be set by rule of
 613 the licensing authority but may not exceed \$200. The fee
 614 required in this subsection shall be nonrefundable and in
 615 addition to the fee required in subsection (1).

616 (b) A member of the United States Armed Forces, such
 617 member's spouse, and a veteran of the United States Armed Forces
 618 who separated from service within the 2 years preceding
 619 application for licensure are exempt from the initial issuance
 620 fee. To qualify for the initial issuance fee exemption, an
 621 applicant must provide a copy of a military identification card,
 622 military dependent identification card, military service record,
 623 military personnel file, veteran record, discharge paper, or
 624 separation document that indicates such member is currently in
 625 good standing or such veteran was honorably discharged.

626 Section 19. Subsection (1) of section 497.370, Florida
 627 Statutes, is amended to read:

628 497.370 Embalmers; licensure of an embalmer intern.—

629 (1)(a) Any person desiring to become an embalmer intern
 630 shall make application to the licensing authority on forms
 631 specified by rule, together with a nonrefundable fee determined
 632 by rule of the licensing authority but not to exceed \$200.

633 (b) A member of the United States Armed Forces, such
 634 member's spouse, and a veteran of the United States Armed Forces
 635 who separated from service within the 2 years preceding
 636 application for licensure are exempt from the application fee.
 637 To qualify for the application fee exemption under this
 638 paragraph, an applicant must provide a copy of a military
 639 identification card, military dependent identification card,
 640 military service record, military personnel file, veteran
 641 record, discharge paper, or separation document that indicates
 642 such member is currently in good standing or such veteran was
 643 honorably discharged.

644
 645 The application shall indicate the name and address of the
 646 licensed embalmer under whose supervision the intern will
 647 receive training and the name of the licensed funeral
 648 establishment or centralized embalming facility where such
 649 training is to be conducted. The embalmer intern shall intern
 650 under the direct supervision of a licensed embalmer who has an

651 active, valid license under s. 497.368 or s. 497.369.

652 Section 20. Section 497.371, Florida Statutes, is amended
653 to read:

654 497.371 Embalmers; establishment of embalmer apprentice
655 program.—

656 (1) The licensing authority adopts rules establishing an
657 embalmer apprentice program. An embalmer apprentice may perform
658 only those tasks, functions, and duties relating to embalming
659 which are performed under the direct supervision of an embalmer
660 who has an active, valid license under s. 497.368 or s. 497.369.
661 An embalmer apprentice is eligible to serve in an apprentice
662 capacity for a period not to exceed 3 years as may be determined
663 by licensing authority rule or for a period not to exceed 5
664 years if the apprentice is enrolled in and attending a course in
665 mortuary science or funeral service education at any mortuary
666 college or funeral service education college or school. An
667 embalmer apprentice shall be issued a license upon payment of a
668 licensure fee as determined by licensing authority rule but not
669 to exceed \$200.

670 (2) A member of the United States Armed Forces, such
671 member's spouse, and a veteran of the United States Armed Forces
672 who separated from service within the 2 years preceding
673 application for licensure are exempt from the licensure fee. To
674 qualify for the licensure fee exemption under this subsection,
675 an applicant must provide a copy of a military identification

676 card, military dependent identification card, military service
 677 record, military personnel file, veteran record, discharge
 678 paper, or separation document that indicates such member is
 679 currently in good standing or such veteran was honorably
 680 discharged.

681
 682 An applicant for the embalmer apprentice program may not be
 683 issued a license unless the licensing authority determines that
 684 the applicant is of good character and has not demonstrated a
 685 history of lack of trustworthiness or integrity in business or
 686 professional matters.

687 Section 21. Paragraph (a) of subsection (1) and subsection
 688 (3) of section 497.373, Florida Statutes, are amended to read:

689 497.373 Funeral directing; licensure as a funeral director
 690 by examination; provisional license.—

691 (1) Any person desiring to be licensed as a funeral
 692 director shall apply to the licensing authority to take the
 693 licensure examination. The licensing authority shall examine
 694 each applicant who has remitted an examination fee set by rule
 695 of the licensing authority not to exceed \$200 plus the actual
 696 per applicant cost to the licensing authority for portions of
 697 the examination and who the licensing authority certifies has:

698 (a) Completed the application form and remitted a
 699 nonrefundable application fee set by rule of the licensing
 700 authority not to exceed \$200. A member of the United States

701 Armed Forces, such member's spouse, and a veteran of the United
702 States Armed Forces who separated from service within the 2
703 years preceding application for licensure are exempt from the
704 application fee. To qualify for the application fee exemption,
705 an applicant must provide a copy of a military identification
706 card, military dependent identification card, military service
707 record, military personnel file, veteran record, discharge
708 paper, or separation document that indicates such member is
709 currently in good standing or such veteran was honorably
710 discharged.

711 (3) Any applicant who has completed the required 1-year
712 internship and has been approved for examination as a funeral
713 director may qualify for a provisional license to work in a
714 licensed funeral establishment, under the direct supervision of
715 a licensed funeral director for 6 months as provided by rule of
716 the licensing authority. However, a provisional licensee may
717 work under the general supervision of a licensed funeral
718 director upon passage of the laws and rules examination required
719 under paragraph (2)(b). The fee for provisional licensure shall
720 be set by rule of the licensing authority but may not exceed
721 \$200. The fee required in this subsection shall be nonrefundable
722 and in addition to the fee required by subsection (1). This
723 provisional license may be renewed no more than one time. A
724 member of the United States Armed Forces, such member's spouse,
725 and a veteran of the United States Armed Forces who separated

726 from service within the 2 years preceding application for
 727 licensure are exempt from the initial provisional licensure fee.
 728 To qualify for the initial provisional licensure fee exemption,
 729 a licensee must provide a copy of a military identification
 730 card, military dependent identification card, military service
 731 record, military personnel file, veteran record, discharge
 732 paper, or separation document that indicates such member is
 733 currently in good standing or such veteran was honorably
 734 discharged.

735 Section 22. Paragraph (a) of subsection (1) and subsection
 736 (5) of section 497.374, Florida Statutes, are amended to read:

737 497.374 Funeral directing; licensure as a funeral director
 738 by endorsement; licensure of a temporary funeral director.—

739 (1) The licensing authority shall issue a license by
 740 endorsement to practice funeral directing to an applicant who
 741 has remitted a fee set by rule of the licensing authority not to
 742 exceed \$200 and who:

743 (a) Has completed the application form and remitted a
 744 nonrefundable application fee set by rule of the licensing
 745 authority not to exceed \$200. A member of the United States
 746 Armed Forces, such member's spouse, and a veteran of the United
 747 States Armed Forces who separated from service within the 2
 748 years preceding application for licensure are exempt from the
 749 nonrefundable application fee. To qualify for the exemption, an
 750 applicant must provide a copy of a military identification card,

751 military dependent identification card, military service record,
 752 military personnel file, veteran record, discharge paper, or
 753 separation document that indicates such member is currently in
 754 good standing or such veteran was honorably discharged.

755 (5) There may be adopted rules authorizing an applicant
 756 who has met the requirements of paragraphs (1)(b) and (c) and
 757 who is awaiting an opportunity to take the examination required
 758 by subsection (4) to obtain a license as a temporary funeral
 759 director. A licensed temporary funeral director may work as a
 760 funeral director in a licensed funeral establishment under the
 761 general supervision of a funeral director licensed under
 762 subsection (1) or s. 497.373. Such license shall expire 60 days
 763 after the date of the next available examination required under
 764 subsection (4); however, the temporary license may be renewed
 765 one time under the same conditions as initial issuance. The fee
 766 for initial issuance or renewal of a temporary license under
 767 this subsection shall be set by rule of the licensing authority
 768 but may not exceed \$200. The fee required in this subsection
 769 shall be nonrefundable and in addition to the fee required in
 770 subsection (1). A member of the United States Armed Forces, such
 771 member's spouse, and a veteran of the United States Armed Forces
 772 who separated from service within the 2 years preceding
 773 application for licensure are exempt from the initial issuance
 774 fee. To qualify for the initial issuance fee exemption, an
 775 applicant must provide a copy of a military identification card,

776 military dependent identification card, military service record,
 777 military personnel file, veteran record, discharge paper, or
 778 separation document that indicates such member is currently in
 779 good standing or such veteran was honorably discharged.

780 Section 23. Paragraph (a) of subsection (1) of section
 781 497.375, Florida Statutes, is amended to read:

782 497.375 Funeral directing; licensure of a funeral director
 783 intern.—

784 (1)(a) Any person desiring to become a funeral director
 785 intern must apply to the licensing authority on forms prescribed
 786 by rule of the licensing authority, together with a
 787 nonrefundable fee set by rule of the licensing authority not to
 788 exceed \$200. A member of the United States Armed Forces, such
 789 member's spouse, and a veteran of the United States Armed Forces
 790 who separated from service within the 2 years preceding
 791 application for licensure are exempt from the application fee.
 792 To qualify for the application fee exemption, an applicant must
 793 provide a copy of a military identification card, military
 794 dependent identification card, military service record, military
 795 personnel file, veteran record, discharge paper, or separation
 796 document that indicates such member is currently in good
 797 standing or such veteran was honorably discharged.

798 Section 24. Section 497.393, Florida Statutes, is created
 799 to read:

800 497.393 Licensure; military-issued credentials for

801 licensure.—The licensing authority shall recognize military-
 802 issued credentials relating to funeral and cemetery services for
 803 purposes of licensure as a funeral director or embalmer.

804 Section 25. Paragraph (n) of subsection (1) of section
 805 497.453, Florida Statutes, is amended to read:

806 497.453 Application for preneed license, procedures and
 807 criteria; renewal; reports.—

808 (1) PRENEED LICENSE APPLICATION PROCEDURES.—

809 (n) The application shall be accompanied by a
 810 nonrefundable fee as determined by licensing authority rule but
 811 not to exceed \$500. A member of the United States Armed Forces,
 812 such member's spouse, and a veteran of the United States Armed
 813 Forces who separated from service within the 2 years preceding
 814 application for licensure are exempt from the application fee.
 815 To qualify for the application fee exemption, an applicant must
 816 provide a copy of a military identification card, military
 817 dependent identification card, military service record, military
 818 personnel file, veteran record, discharge paper, or separation
 819 document that indicates such member is currently in good
 820 standing or such veteran was honorably discharged.

821 Section 26. Paragraph (h) of subsection (2) of section
 822 497.466, Florida Statutes, is amended to read:

823 497.466 Preneed sales agents, license required;
 824 application procedures and criteria; appointment of agents;
 825 responsibility of preneed licensee.—

826 (2) PRENEED SALES AGENT LICENSE; APPLICATION PROCEDURES.—

827 (h) The application shall be accompanied by a
 828 nonrefundable fee of \$150 if made through the department's
 829 online licensing system or \$175 if made using paper forms.
 830 Payment of either fee shall entitle the applicant to one initial
 831 appointment without payment of further fees by the preneed sales
 832 agent or the appointing preneed licensee if a preneed sales
 833 agent license is issued. The licensing authority may from time
 834 to time increase such fees but not to exceed \$300. A member of
 835 the United States Armed Forces, such member's spouse, and a
 836 veteran of the United States Armed Forces who separated from
 837 service within the 2 years preceding application for licensure
 838 are exempt from the application fee. To qualify for the
 839 application fee exemption, an applicant must provide a copy of a
 840 military identification card, military dependent identification
 841 card, military service record, military personnel file, veteran
 842 record, discharge paper, or separation document that indicates
 843 such member is currently in good standing or such veteran was
 844 honorably discharged.

845 Section 27. Paragraph (e) of subsection (2) of section
 846 497.554, Florida Statutes, is amended to read:

847 497.554 Monument establishment sales representatives.—

848 (2) APPLICATION PROCEDURES.—Licensure as a monument
 849 establishment sales agent shall be by submission of an
 850 application for licensure to the department on a form prescribed

851 by rule.

852 (e) The monument establishment sales agent application
 853 shall be accompanied by a fee of \$50. The licensing authority
 854 may from time to time increase the application fee by rule but
 855 not to exceed \$200. A member of the United States Armed Forces,
 856 such member's spouse, and a veteran of the United States Armed
 857 Forces who separated from service within the 2 years preceding
 858 application for licensure are exempt from the application fee.
 859 To qualify for the application fee exemption, an applicant must
 860 provide a copy of a military identification card, military
 861 dependent identification card, military service record, military
 862 personnel file, veteran record, discharge paper, or separation
 863 document that indicates such member is currently in good
 864 standing or such veteran was honorably discharged.

865 Section 28. Paragraph (i) of subsection (2) and subsection
 866 (4) of section 497.602, Florida Statutes, are amended to read:

867 497.602 Direct disposers, license required; licensing
 868 procedures and criteria; regulation.-

869 (2) APPLICATION PROCEDURES.-

870 (i) The application shall be accompanied by a
 871 nonrefundable fee of \$300. The licensing authority may from time
 872 to time increase the fee by rule but not to exceed more than
 873 \$500. A member of the United States Armed Forces, such member's
 874 spouse, and a veteran of the United States Armed Forces who
 875 separated from service within the 2 years preceding application

876 for licensure are exempt from the application fee. To qualify
877 for the application fee exemption, an applicant must provide a
878 copy of a military identification card, military dependent
879 identification card, military service record, military personnel
880 file, veteran record, discharge paper, or separation document
881 that indicates such member is currently in good standing or such
882 veteran was honorably discharged.

883 (4) ISSUANCE OF LICENSE.—Upon approval of the application
884 by the licensing authority, the license shall be issued. The
885 licensing authority shall recognize military-issued credentials
886 relating to funeral and cemetery services for purposes of
887 licensure as a direct disposer.

888 Section 29. Subsection (2) of section 501.015, Florida
889 Statutes, is amended to read:

890 501.015 Health studios; registration requirements and
891 fees.—Each health studio shall:

892 (2) Remit an annual registration fee of \$300 to the
893 department at the time of registration for each of the health
894 studio's business locations.

895 (a) The department shall waive the initial registration
896 fee for an honorably discharged veteran of the United States
897 Armed Forces, the spouse or surviving spouse of such a veteran,
898 a current member of the United States Armed Forces who has
899 served on active duty, the spouse of such a member, the
900 surviving spouse of a member of the United States Armed Forces

901 if the member died while serving on active duty, or a business
 902 entity that has a majority ownership held by such a veteran or
 903 spouse or surviving spouse if the department receives an
 904 application, in a format prescribed by the department. The
 905 application format must include the applicant's signature, under
 906 penalty of perjury, and supporting documentation, ~~within 60~~
 907 ~~months after the date of the veteran's discharge from any branch~~
 908 ~~of the United States Armed Forces.~~ To qualify for the waiver:7

909 1. A veteran must provide to the department a copy of his
 910 or her DD Form 214, as issued by the United States Department of
 911 Defense, or another acceptable form of identification as
 912 specified by the Department of Veterans' Affairs;

913 2. The spouse or surviving spouse of a veteran must
 914 provide to the department a copy of the veteran's DD Form 214,
 915 as issued by the United States Department of Defense, or another
 916 acceptable form of identification as specified by the Department
 917 of Veterans' Affairs, and a copy of a valid marriage license or
 918 certificate verifying that he or she was lawfully married to the
 919 veteran at the time of discharge; or

920 3. A business entity must provide to the department proof
 921 that a veteran or the spouse or surviving spouse of a veteran
 922 holds a majority ownership in the business, a copy of the
 923 veteran's DD Form 214, as issued by the United States Department
 924 of Defense, or another acceptable form of identification as
 925 specified by the Department of Veterans' Affairs, and, if

926 applicable, a copy of a valid marriage license or certificate
 927 verifying that the spouse or surviving spouse of the veteran was
 928 lawfully married to the veteran at the time of discharge.

929 (b) The department shall waive the registration renewal
 930 fee for a registrant who:

931 1. Is an active duty member of the United States Armed
 932 Forces or the spouse of such member;

933 2. Is or was a member of the United States Armed Forces
 934 and served on active duty within the 2 years preceding the
 935 renewal date. To qualify for the fee waiver, a registrant who is
 936 a former member of the United States Armed Forces who served on
 937 active duty within the 2 years preceding the expiration date of
 938 the registration must have received an honorable discharge upon
 939 separation or discharge from the United States Armed Forces; or

940 3. Is the surviving spouse of a member of the United
 941 States Armed Forces if the member was serving on active duty at
 942 the time of death and died within the 2 years preceding the date
 943 of renewal.

944

945 A registrant seeking such waiver must apply in a format
 946 prescribed by the department, including the applicant's
 947 signature, under penalty of perjury, and supporting
 948 documentation.

949 Section 30. Paragraph (b) of subsection (5) of section
 950 501.605, Florida Statutes, is amended to read:

951 501.605 Licensure of commercial telephone sellers and
 952 entities providing substance abuse marketing services.—

953 (5) An application filed pursuant to this part must be
 954 verified and accompanied by:

955 (b) A fee for licensing in the amount of \$1,500. The fee
 956 shall be deposited into the General Inspection Trust Fund. The
 957 department shall waive the initial license fee for an honorably
 958 discharged veteran of the United States Armed Forces, the spouse
 959 or surviving spouse of such a veteran, a current member of the
 960 United States Armed Forces who has served on active duty, the
 961 spouse of such a member, the surviving spouse of a member of the
 962 United States Armed Forces if such member died while serving on
 963 active duty, or a business entity that has a majority ownership
 964 held by such a veteran or spouse or surviving spouse if the
 965 department receives an application, in a format prescribed by
 966 the department. The application format must include the
 967 applicant's signature, under penalty of perjury, and supporting
 968 documentation, within 60 months after the date of the veteran's
 969 discharge from any branch of the United States Armed Forces. To
 970 qualify for the waiver:7

971 1. A veteran must provide to the department a copy of his
 972 or her DD Form 214, as issued by the United States Department of
 973 Defense, or another acceptable form of identification as
 974 specified by the Department of Veterans' Affairs;

975 2. The spouse or surviving spouse of a veteran must

976 provide to the department a copy of the veteran's DD Form 214,
 977 as issued by the United States Department of Defense, or another
 978 acceptable form of identification as specified by the Department
 979 of Veterans' Affairs, and a copy of a valid marriage license or
 980 certificate verifying that he or she was lawfully married to the
 981 veteran at the time of discharge; or

982 3. A business entity must provide to the department proof
 983 that a veteran or the spouse or surviving spouse of a veteran
 984 holds a majority ownership in the business, a copy of the
 985 veteran's DD Form 214, as issued by the United States Department
 986 of Defense, or another acceptable form of identification as
 987 specified by the Department of Veterans' Affairs, and, if
 988 applicable, a copy of a valid marriage license or certificate
 989 verifying that the spouse or surviving spouse of the veteran was
 990 lawfully married to the veteran at the time of discharge.

991 Section 31. Paragraph (b) of subsection (2) of section
 992 501.607, Florida Statutes, is amended to read:

993 501.607 Licensure of salespersons.—

994 (2) An application filed pursuant to this section must be
 995 verified and be accompanied by:

996 (b) A fee for licensing in the amount of \$50 per
 997 salesperson. The fee shall be deposited into the General
 998 Inspection Trust Fund. The fee for licensing may be paid after
 999 the application is filed, but must be paid within 14 days after
 1000 the applicant begins work as a salesperson. The department shall

1001 waive the initial license fee for an honorably discharged
 1002 veteran of the United States Armed Forces, the spouse or
 1003 surviving spouse of such a veteran, a current member of the
 1004 United States Armed Forces who has served on active duty, the
 1005 spouse of such a member, the surviving spouse of a member of the
 1006 United States Armed Forces if the member died while serving on
 1007 active duty, or a business entity that has a majority ownership
 1008 held by such a veteran or spouse or surviving spouse if the
 1009 department receives an application, in a format prescribed by
 1010 the department. The application format must include the
 1011 applicant's signature, under penalty of perjury, and supporting
 1012 documentation, ~~within 60 months after the date of the veteran's~~
 1013 ~~discharge from any branch of the United States Armed Forces.~~ To
 1014 qualify for the waiver:7

1015 1. A veteran must provide to the department a copy of his
 1016 or her DD Form 214, as issued by the United States Department of
 1017 Defense, or another acceptable form of identification as
 1018 specified by the Department of Veterans' Affairs;

1019 2. The spouse or surviving spouse of a veteran must
 1020 provide to the department a copy of the veteran's DD Form 214,
 1021 as issued by the United States Department of Defense, or another
 1022 acceptable form of identification as specified by the Department
 1023 of Veterans' Affairs, and a copy of a valid marriage license or
 1024 certificate verifying that he or she was lawfully married to the
 1025 veteran at the time of discharge; or

1026 3. A business entity must provide to the department proof
 1027 that a veteran or the spouse or surviving spouse of a veteran
 1028 holds a majority ownership in the business, a copy of the
 1029 veteran's DD Form 214, as issued by the United States Department
 1030 of Defense, or another acceptable form of identification as
 1031 specified by the Department of Veterans' Affairs, and, if
 1032 applicable, a copy of a valid marriage license or certificate
 1033 verifying that the spouse or surviving spouse of the veteran was
 1034 lawfully married to the veteran at the time of discharge.

1035 Section 32. Subsection (5) is added to section 501.609,
 1036 Florida Statutes, is amended to read:

1037 501.609 License renewal.—

1038 (5) The department shall waive the annual fee to renew for
 1039 a licensee who:

1040 (a) Is an active duty member of the United States Armed
 1041 Forces or the spouse of such member;

1042 (b) Is or was a member of the United States Armed Forces,
 1043 and served on active duty within the 2 years preceding the
 1044 renewal date. To qualify for the fee waiver, a licensee who is a
 1045 former member of the United States Armed Forces who served on
 1046 active duty within the 2 years preceding the expiration date of
 1047 the registration must have received an honorable discharge upon
 1048 separation or discharge from the United States Armed Forces; or

1049 (c) Is the surviving spouse of a member of the United
 1050 States Armed Forces if the member was serving on active duty at

1051 the time of death and died within the 2 years preceding the
 1052 renewal.

1054 A licensee seeking such waiver must apply in a format prescribed
 1055 by the department, including the applicant's signature, under
 1056 penalty of perjury, and supporting documentation.

1057 Section 33. Paragraph (b) of subsection (3) of section
 1058 507.03, Florida Statutes, is amended, and paragraph (c) is added
 1059 to that subsection, to read:

1060 507.03 Registration.—

1061 (3)

1062 (b) The department shall waive the initial registration
 1063 fee for an honorably discharged veteran of the United States
 1064 Armed Forces, the spouse or surviving spouse of such a veteran,
 1065 a current member of the United States Armed Forces who has
 1066 served on active duty, the spouse of such a member, the
 1067 surviving spouse of a member of the United States Armed Forces
 1068 if the member died while serving on active duty, or a business
 1069 entity that has a majority ownership held by such a veteran or
 1070 spouse or surviving spouse if the department receives an
 1071 application, in a format prescribed by the department. The
 1072 application format must include the applicant's signature, under
 1073 penalty of perjury, and supporting documentation, ~~within 60~~
 1074 ~~months after the date of the veteran's discharge from any branch~~
 1075 ~~of the United States Armed Forces.~~ To qualify for the waiver: 7

1076 1. A veteran must provide to the department a copy of his
 1077 or her DD Form 214, as issued by the United States Department of
 1078 Defense, or another acceptable form of identification as
 1079 specified by the Department of Veterans' Affairs;

1080 2. The spouse or surviving spouse of a veteran must
 1081 provide to the department a copy of the veteran's DD Form 214,
 1082 as issued by the United States Department of Defense, or another
 1083 acceptable form of identification as specified by the Department
 1084 of Veterans' Affairs, and a copy of a valid marriage license or
 1085 certificate verifying that he or she was lawfully married to the
 1086 veteran at the time of discharge; or

1087 3. A business entity must provide to the department proof
 1088 that a veteran or the spouse or surviving spouse of a veteran
 1089 holds a majority ownership in the business, a copy of the
 1090 veteran's DD Form 214, as issued by the United States Department
 1091 of Defense, or another acceptable form of identification as
 1092 specified by the Department of Veterans' Affairs, and, if
 1093 applicable, a copy of a valid marriage license or certificate
 1094 verifying that the spouse or surviving spouse of the veteran was
 1095 lawfully married to the veteran at the time of discharge.

1096 (c) The department shall waive the biennial fee to renew
 1097 for a registrant who:

1098 1. Is an active duty member of the United States Armed
 1099 Forces or the spouse of such member;

1100 2. Is or was a member of the United States Armed Forces

1101 and served on active duty within the 2 years preceding the
 1102 expiration date. To qualify for the fee waiver, a registrant who
 1103 is a former member of the United States Armed Forces who served
 1104 on active duty within the 2 years preceding the expiration date
 1105 of the registration must have received an honorable discharge
 1106 upon separation or discharge from the United States Armed
 1107 Forces; or

1108 3. Is the surviving spouse of a member of the United
 1109 States Armed Forces if the member was serving on active duty at
 1110 the time of death and died within the 2 years preceding the
 1111 renewal.

1112
 1113 A registrant seeking such waiver must apply in a format
 1114 prescribed by the department, including the applicant's
 1115 signature, under penalty of perjury, and supporting
 1116 documentation.

1117 Section 34. Subsections (10) and (11) of section 517.12,
 1118 Florida Statutes, are amended to read:

1119 517.12 Registration of dealers, associated persons,
 1120 intermediaries, and investment advisers.—

1121 (10)(a) An applicant for registration shall pay an
 1122 assessment fee of \$200, in the case of a dealer or investment
 1123 adviser, or \$50, in the case of an associated person. An
 1124 associated person may be assessed an additional fee to cover the
 1125 cost for the fingerprints to be processed by the office. Such

1126 fee shall be determined by rule of the commission. Such fees
 1127 become the revenue of the state, except for those assessments
 1128 provided for under s. 517.131(1) until such time as the
 1129 Securities Guaranty Fund satisfies the statutory limits, and are
 1130 not returnable in the event that registration is withdrawn or
 1131 not granted.

1132 (b) The office shall waive the \$50 assessment fee for an
 1133 associated person required by paragraph (a) for an applicant
 1134 who:

1135 1. Is or was an active duty member of the United States
 1136 Armed Forces. To qualify for the fee waiver, an applicant who is
 1137 a former member of the United States Armed Forces must have
 1138 received an honorable discharge upon separation or discharge
 1139 from the United States Armed Forces;

1140 2. Is married to a current or former member of the United
 1141 States Armed Forces and is or was married to the member during
 1142 any period of active duty; or

1143 3. Is the surviving spouse of a member of the United
 1144 States Armed Forces if the member was serving on active duty at
 1145 the time of death.

1146
 1147 An applicant seeking such fee waiver must submit proof, in a
 1148 form prescribed by commission rule, that the applicant meets one
 1149 of the qualifications in this paragraph.

1150 (11) (a) If the office finds that the applicant is of good

1151 | repute and character and has complied with the provisions of
 1152 | this chapter and the rules made pursuant hereto, it shall
 1153 | register the applicant. The registration of each dealer,
 1154 | investment adviser, and associated person expires on December 31
 1155 | of the year the registration became effective unless the
 1156 | registrant has renewed his or her registration on or before that
 1157 | date. Registration may be renewed by furnishing such information
 1158 | as the commission may require, together with payment of the fee
 1159 | required in paragraph (10) (a) ~~subsection (10)~~ for dealers,
 1160 | investment advisers, or associated persons and the payment of
 1161 | any amount lawfully due and owing to the office pursuant to any
 1162 | order of the office or pursuant to any agreement with the
 1163 | office. Any dealer, investment adviser, or associated person who
 1164 | has not renewed a registration by the time the current
 1165 | registration expires may request reinstatement of such
 1166 | registration by filing with the office, on or before January 31
 1167 | of the year following the year of expiration, such information
 1168 | as may be required by the commission, together with payment of
 1169 | the fee required in paragraph (10) (a) ~~subsection (10)~~ for
 1170 | dealers, investment advisers, or associated persons and a late
 1171 | fee equal to the amount of such fee. Any reinstatement of
 1172 | registration granted by the office during the month of January
 1173 | shall be deemed effective retroactive to January 1 of that year.
 1174 | (b) The office shall waive the \$50 assessment fee for an
 1175 | associated person required by paragraph (10) (a) for a registrant

1176 renewing his or her registration who:

1177 1. Is an active duty member of the United States Armed
 1178 Forces or the spouse of such member;

1179 2. Is or was a member of the United States Armed Forces
 1180 and served on active duty within the 2 years preceding the
 1181 expiration date of the registration pursuant to paragraph (a).

1182 To qualify for the fee waiver, a registrant who is a former
 1183 member of the United States Armed Forces who served on active
 1184 duty within the 2 years preceding the expiration date of the
 1185 registration must have received an honorable discharge upon
 1186 separation or discharge from the United States Armed Forces; or

1187 3. Is the surviving spouse of a member of the United
 1188 States Armed Forces if the member was serving on active duty at
 1189 the time of death and died within the 2 years preceding the
 1190 surviving spouse's registration expiration date pursuant to
 1191 paragraph (a).

1192
 1193 A registrant seeking such fee waiver must submit proof, in a
 1194 form prescribed by commission rule, that the registrant meets
 1195 one of the qualifications in this paragraph.

1196 Section 35. Paragraph (b) of subsection (3) of section
 1197 527.02, Florida Statutes, is amended, and paragraph (c) is added
 1198 to that subsection, to read:

1199 527.02 License; penalty; fees.—

1200 (3)

1201 (b) The department shall waive the initial license fee for
 1202 an honorably discharged veteran of the United States Armed
 1203 Forces, the spouse or surviving spouse of such a veteran, a
 1204 current member of the United States Armed Forces who has served
 1205 on active duty, the spouse of such a member, the surviving
 1206 spouse of a member of the United States Armed Forces if the
 1207 member died while serving on active duty, or a business entity
 1208 that has a majority ownership held by such a veteran or spouse
 1209 or surviving spouse if the department receives an application,
 1210 in a format prescribed by the department. The application format
 1211 must include the applicant's signature, under penalty of
 1212 perjury, and supporting documentation, ~~within 60 months after~~
 1213 ~~the date of the veteran's discharge from any branch of the~~
 1214 ~~United States Armed Forces.~~ To qualify for the waiver:7

1215 1. A veteran must provide to the department a copy of his
 1216 or her DD Form 214, as issued by the United States Department of
 1217 Defense or another acceptable form of identification as
 1218 specified by the Department of Veterans' Affairs;

1219 2. The spouse or surviving spouse of a veteran must
 1220 provide to the department a copy of the veteran's DD Form 214,
 1221 as issued by the United States Department of Defense, or another
 1222 acceptable form of identification as specified by the Department
 1223 of Veterans' Affairs, and a copy of a valid marriage license or
 1224 certificate verifying that he or she was lawfully married to the
 1225 veteran at the time of discharge; or

1226 3. A business entity must provide to the department proof
 1227 that a veteran or the spouse or surviving spouse of a veteran
 1228 holds a majority ownership in the business, a copy of the
 1229 veteran's DD Form 214, as issued by the United States Department
 1230 of Defense, or another acceptable form of identification as
 1231 specified by the Department of Veterans' Affairs, and, if
 1232 applicable, a copy of a valid marriage license or certificate
 1233 verifying that the spouse or surviving spouse of the veteran was
 1234 lawfully married to the veteran at the time of discharge.

1235 (c) The department shall waive license renewal fees for a
 1236 licensee who:

1237 1. Is an active duty member of the United States Armed
 1238 Forces or the spouse of such member;

1239 2. Is or was a member of the United States Armed Forces
 1240 and served on active duty within the 2 years preceding the
 1241 renewal date. To qualify for the fee waiver under this
 1242 subparagraph, a licensee who is a former member of the United
 1243 States Armed Forces who served on active duty within the 2 years
 1244 preceding the annual renewal date must have received an
 1245 honorable discharge upon separation or discharge from the United
 1246 States Armed Forces; or

1247 3. Is the surviving spouse of a member of the United
 1248 States Armed Forces if such member was serving on active duty at
 1249 the time of death and died within the 2 years preceding the
 1250 surviving spouse's renewal.

1251
 1252 A licensee seeking such waiver must apply in a format prescribed
 1253 by the department, including the applicant's signature, under
 1254 penalty of perjury, and supporting documentation.

1255 Section 36. Paragraph (c) of subsection (3) of section
 1256 539.001, Florida Statutes, is amended, and paragraph (g) is
 1257 added to that subsection, to read:

1258 539.001 The Florida Pawnbroking Act.—

1259 (3) LICENSE REQUIRED.—

1260 (c) Each license is valid for a period of 1 year unless it
 1261 is earlier relinquished, suspended, or revoked. Each license
 1262 shall be renewed annually, and each licensee shall, initially
 1263 and annually thereafter, pay to the agency a license fee of \$300
 1264 for each license held. The agency shall waive the initial
 1265 license fee for an honorably discharged veteran of the United
 1266 States Armed Forces, the spouse or surviving spouse of such a
 1267 veteran, a current member of the United States Armed Forces who
 1268 has served on active duty, the spouse of such a member, the
 1269 surviving spouse of a member of the United States Armed Forces
 1270 if the member died while serving on active duty, or a business
 1271 entity that has a majority ownership held by such a veteran or
 1272 spouse or surviving spouse if the agency receives an
 1273 application, in a format prescribed by the agency. The
 1274 application format must include the applicant's signature, under
 1275 penalty of perjury, and supporting documentation, ~~within 60~~

1276 ~~months after the date of the veteran's discharge from any branch~~
 1277 ~~of the United States Armed Forces.~~ To qualify for the waiver:7

1278 1. A veteran must provide to the agency a copy of his or
 1279 her DD Form 214, as issued by the United States Department of
 1280 Defense, or another acceptable form of identification as
 1281 specified by the Department of Veterans' Affairs;

1282 2. The spouse or surviving spouse of a veteran must
 1283 provide to the agency a copy of the veteran's DD Form 214, as
 1284 issued by the United States Department of Defense, or another
 1285 acceptable form of identification as specified by the Department
 1286 of Veterans' Affairs, and a copy of a valid marriage license or
 1287 certificate verifying that he or she was lawfully married to the
 1288 veteran at the time of discharge; or

1289 3. A business entity must provide to the agency proof that
 1290 a veteran or the spouse or surviving spouse of a veteran holds a
 1291 majority ownership in the business, a copy of the veteran's DD
 1292 Form 214, as issued by the United States Department of Defense,
 1293 or another acceptable form of identification as specified by the
 1294 Department of Veterans' Affairs, and, if applicable, a copy of a
 1295 valid marriage license or certificate verifying that the spouse
 1296 or surviving spouse of the veteran was lawfully married to the
 1297 veteran at the time of discharge.

1298 (g) The agency shall waive license renewal fee for a
 1299 licensee who:

1300 1. Is an active duty member of the United States Armed

1301 Forces or the spouse of such member;

1302 2. Is or was a member of the United States Armed Forces,
 1303 and served on active duty within the 2 years preceding the
 1304 renewal date. To qualify for the fee waiver under this
 1305 subparagraph, a licensee who is a former member of the United
 1306 States Armed Forces who served on active duty within the 2 years
 1307 preceding the annual renewal date must have received an
 1308 honorable discharge upon separation or discharge from the United
 1309 States Armed Forces; or

1310 3. Is the surviving spouse of a member of the United
 1311 States Armed Forces if the member was serving on active duty at
 1312 the time of death and died within the 2 years preceding the
 1313 renewal.

1314
 1315 A licensee seeking such waiver must apply in a format prescribed
 1316 by the agency, including the applicant's signature, under
 1317 penalty of perjury, and supporting documentation.

1318 Section 37. Paragraph (b) of subsection (3) of section
 1319 559.904, Florida Statutes, is amended, and paragraph (c) is
 1320 added to that subsection, to read:

1321 559.904 Motor vehicle repair shop registration;
 1322 application; exemption.—

1323 (3)

1324 (b) The department shall waive the initial registration
 1325 fee for an honorably discharged veteran of the United States

1326 Armed Forces, the spouse or surviving spouse of such a veteran,
 1327 a current member of the United States Armed Forces who has
 1328 served on active duty, the spouse of such a member, the
 1329 surviving spouse of a member of the United States Armed Forces
 1330 if the member died while serving on active duty, or a business
 1331 entity that has a majority ownership held by such a veteran or
 1332 spouse or surviving spouse if the department receives an
 1333 application, in a format prescribed by the department. The
 1334 application format must include the applicant's signature, under
 1335 penalty of perjury, and supporting documentation, ~~within 60~~
 1336 ~~months after the date of the veteran's discharge from any branch~~
 1337 ~~of the United States Armed Forces.~~ To qualify for the waiver: 7

1338 1. A veteran must provide to the department a copy of his
 1339 or her DD Form 214, as issued by the United States Department of
 1340 Defense, or another acceptable form of identification as
 1341 specified by the Department of Veterans' Affairs;

1342 2. The spouse or surviving spouse of a veteran must
 1343 provide to the department a copy of the veteran's DD Form 214,
 1344 as issued by the United States Department of Defense, or another
 1345 acceptable form of identification as specified by the Department
 1346 of Veterans' Affairs, and a copy of a valid marriage license or
 1347 certificate verifying that he or she was lawfully married to the
 1348 veteran at the time of discharge; or

1349 3. A business entity must provide to the department proof
 1350 that a veteran or the spouse or surviving spouse of a veteran

1351 holds a majority ownership in the business, a copy of the
 1352 veteran's DD Form 214, as issued by the United States Department
 1353 of Defense or another acceptable form of identification as
 1354 specified by the Department of Veterans' Affairs, and, if
 1355 applicable, a copy of a valid marriage license or certificate
 1356 verifying that the spouse or surviving spouse of the veteran was
 1357 lawfully married to the veteran at the time of discharge.

1358 (c) The department shall waive registration renewal fees
 1359 for a registrant who:

1360 1. Is an active duty member of the United States Armed
 1361 Forces or the spouse of such member;

1362 2. Is or was a member of the United States Armed Forces
 1363 and served on active duty within the 2 years preceding the
 1364 renewal date. To qualify for the fee waiver under this
 1365 subparagraph, a registrant who is a former member of the United
 1366 States Armed Forces who served on active duty within the 2 years
 1367 preceding the biennial renewal date must have received an
 1368 honorable discharge upon separation or discharge from the United
 1369 States Armed Forces; or

1370 3. Is the surviving spouse of a member of the United
 1371 States Armed Forces if the member was serving on active duty at
 1372 the time of death and died within the 2 years preceding the
 1373 renewal.

1374
 1375 A registrant seeking such waiver must apply in a format

1376 prescribed by the department, including the applicant's
 1377 signature, under penalty of perjury, and supporting
 1378 documentation.

1379 Section 38. Paragraph (c) of subsection (2) of section
 1380 559.928, Florida Statutes, is amended, and paragraph (d) is
 1381 added to that subsection, to read:

1382 559.928 Registration.—

1383 (2)

1384 (c) The department shall waive the initial registration
 1385 fee for an honorably discharged veteran of the United States
 1386 Armed Forces, the spouse or surviving spouse of such a veteran,
 1387 a current member of the United States Armed Forces who has
 1388 served on active duty, the spouse of such a member, the
 1389 surviving spouse of a member of the United States Armed Forces
 1390 if the member died while serving on active duty, or a business
 1391 entity that has a majority ownership held by such a veteran or
 1392 spouse or surviving spouse if the department receives an
 1393 application, in a format prescribed by the department. The
 1394 application format must include the applicant's signature, under
 1395 penalty of perjury, and supporting documentation, ~~within 60~~
 1396 ~~months after the date of the veteran's discharge from any branch~~
 1397 ~~of the United States Armed Forces.~~ To qualify for the waiver: r

1398 1. A veteran must provide to the department a copy of his
 1399 or her DD Form 214, as issued by the United States Department of
 1400 Defense, or another acceptable form of identification as

1401 specified by the Department of Veterans' Affairs;

1402 2. The spouse or surviving spouse of a veteran must
 1403 provide to the department a copy of the veteran's DD Form 214,
 1404 as issued by the United States Department of Defense, or another
 1405 acceptable form of identification as specified by the Department
 1406 of Veterans' Affairs, and a copy of a valid marriage license or
 1407 certificate verifying that he or she was lawfully married to the
 1408 veteran at the time of discharge; or

1409 3. A business entity must provide to the department proof
 1410 that a veteran or the spouse or surviving spouse of a veteran
 1411 holds a majority ownership in the business, a copy of the
 1412 veteran's DD Form 214, as issued by the United States Department
 1413 of Defense, or another acceptable form of identification as
 1414 specified by the Department of Veterans' Affairs, and, if
 1415 applicable, a copy of a valid marriage license or certificate
 1416 verifying that the spouse or surviving spouse of the veteran was
 1417 lawfully married to the veteran at the time of discharge.

1418 (d) The department shall waive the registration renewal
 1419 fee for a registrant who:

1420 1. Is an active duty member of the United States Armed
 1421 Forces or the spouse of such member;

1422 2. Is or was a member of the United States Armed Forces
 1423 and served on active duty within the 2 years preceding the
 1424 renewal date. To qualify for the fee waiver under this
 1425 subparagraph, a registrant who is a former member of the United

1426 States Armed Forces who served on active duty within the 2 years
 1427 preceding the annual registration renewal date must have
 1428 received an honorable discharge upon separation or discharge
 1429 from the United States Armed Forces; or

1430 3. Is the surviving spouse of a member of the United
 1431 States Armed Forces if the member was serving on active duty at
 1432 the time of death and died within the 2 years preceding the
 1433 renewal.

1434
 1435 A registrant seeking such waiver must apply in a format
 1436 prescribed by the department, including the applicant's
 1437 signature, under penalty of perjury, and supporting
 1438 documentation.

1439 Section 39. Subsection (2) of section 626.025, Florida
 1440 Statutes, is amended to read:

1441 626.025 Consumer protections.—To transact insurance,
 1442 agents shall comply with consumer protection laws, including the
 1443 following, as applicable:

1444 (2) Fingerprinting requirements for resident and
 1445 nonresident agents, as required under s. 626.171 or s. 626.202.
 1446 The department shall waive the fingerprinting requirement for an
 1447 agent who is an honorably discharged veteran of the United
 1448 States Armed Forces if he or she applies for licensure within 2
 1449 years after discharge.

1450 Section 40. Subsections (4) and (6) of section 626.171,

1451 Florida Statutes, are amended to read:

1452 626.171 Application for license as an agent, customer
 1453 representative, adjuster, service representative, managing
 1454 general agent, or reinsurance intermediary.-

1455 (4) An applicant for a license as an agent, customer
 1456 representative, adjuster, service representative, managing
 1457 general agent, or reinsurance intermediary must submit a set of
 1458 the individual applicant's fingerprints, or, if the applicant is
 1459 not an individual, a set of the fingerprints of the sole
 1460 proprietor, majority owner, partners, officers, and directors,
 1461 to the department and must pay the fingerprint processing fee
 1462 set forth in s. 624.501. Fingerprints shall be used to
 1463 investigate the applicant's qualifications pursuant to s.
 1464 626.201. The fingerprints shall be taken by a law enforcement
 1465 agency, designated examination center, or other department-
 1466 approved entity. The department shall require all designated
 1467 examination centers to have fingerprinting equipment and to take
 1468 fingerprints from any applicant or prospective applicant who
 1469 pays the applicable fee. The department may not approve an
 1470 application for licensure as an agent, customer service
 1471 representative, adjuster, service representative, managing
 1472 general agent, or reinsurance intermediary if fingerprints have
 1473 not been submitted. The department shall waive fingerprint
 1474 requirements for an applicant who is an honorably discharged
 1475 veteran of the United States Armed Forces if he or she applies

1476 for licensure within 2 years after discharge.

1477 (6) Members of the United States Armed Forces and their
 1478 spouses, and veterans of the United States Armed Forces who have
 1479 separated from service ~~retired~~ within 24 months before
 1480 application for licensure, are exempt from the application
 1481 filing fee prescribed in s. 624.501. Qualified individuals must
 1482 provide a copy of a military identification card, military
 1483 dependent identification card, military service record, military
 1484 personnel file, veteran record, discharge paper, ~~or separation~~
 1485 ~~document,~~ or a separation document that indicates such members
 1486 ~~of the United States Armed Forces~~ are currently in good standing
 1487 or such veterans were honorably discharged.

1488 Section 41. Paragraph (f) of subsection (2) of section
 1489 626.172, Florida Statutes, is amended to read:

1490 626.172 Application for insurance agency license.—

1491 (2) An application for an insurance agency license must be
 1492 signed by an individual required to be listed in the application
 1493 under paragraph (a). An insurance agency may permit a third
 1494 party to complete, submit, and sign an application on the
 1495 insurance agency's behalf; however, the insurance agency is
 1496 responsible for ensuring that the information on the application
 1497 is true and correct and is accountable for any misstatements or
 1498 misrepresentations. The application for an insurance agency
 1499 license must include:

1500 (f) The fingerprints of each of the following:

- 1501 1. A sole proprietor;
- 1502 2. Each individual required to be listed in the
- 1503 application under paragraph (a); and
- 1504 3. Each individual who directs or participates in the
- 1505 management or control of an incorporated agency whose shares are
- 1506 not traded on a securities exchange.

1507

1508 Fingerprints must be taken by a law enforcement agency or other

1509 entity approved by the department and must be accompanied by the

1510 fingerprint processing fee specified in s. 624.501. Fingerprints

1511 must be processed in accordance with s. 624.34. However,

1512 fingerprints need not be filed for an individual who is

1513 currently licensed and appointed under this chapter. The

1514 department shall waive fingerprint requirements for an applicant

1515 who is an honorably discharged veteran of the United States

1516 Armed Forces if he or she applies for licensure within 2 years

1517 after discharge. This paragraph does not apply to corporations

1518 whose voting shares are traded on a securities exchange.

1519 Section 42. Section 626.202, Florida Statutes, is amended

1520 to read:

1521 626.202 Fingerprinting requirements.—If there is a change

1522 in ownership or control of any entity licensed under this

1523 chapter, or if a new partner, officer, or director is employed

1524 or appointed, a set of fingerprints of the new owner, partner,

1525 officer, or director must be filed with the department or office

1526 within 30 days after the change. The acquisition of 10 percent
 1527 or more of the voting securities of a licensed entity is
 1528 considered a change of ownership or control. The fingerprints
 1529 must be taken by a law enforcement agency or other department-
 1530 approved entity and be accompanied by the fingerprint processing
 1531 fee in s. 624.501. The department shall waive the fingerprint
 1532 requirement if the owner, partner, officer, or director is an
 1533 honorably discharged veteran of the United States Armed Forces
 1534 if he or she is employed or appointed within 2 years after
 1535 discharge.

1536 Section 43. Paragraph (c) of subsection (2) of section
 1537 626.292, Florida Statutes, is amended to read:

1538 626.292 Transfer of license from another state.—

1539 (2) To qualify for a license transfer, an individual
 1540 applicant must meet the following requirements:

1541 (c) The individual must submit a completed application for
 1542 this state which is received by the department within 90 days
 1543 after the date the individual became a resident of this state,
 1544 along with payment of the applicable fees set forth in s.
 1545 624.501 and submission of the following documents:

1546 1. A certification issued by the appropriate official of
 1547 the applicant's home state identifying the type of license and
 1548 lines of authority under the license and stating that, at the
 1549 time the license from the home state was canceled, the applicant
 1550 was in good standing in that state or that the state's Producer

1551 Database records, maintained by the National Association of
 1552 Insurance Commissioners, its affiliates, or subsidiaries,
 1553 indicate that the agent or all-lines adjuster is or was licensed
 1554 in good standing for the line of authority requested.

1555 2. A set of the applicant's fingerprints in accordance
 1556 with s. 626.171(4). The department shall waive the fingerprint
 1557 requirement for an applicant who is an honorably discharged
 1558 veteran of the United States Armed Forces if he or she applies
 1559 for a license transfer within 2 years after discharge.

1560 Section 44. Paragraph (c) of subsection (1) of section
 1561 626.321, Florida Statutes, is amended to read:

1562 626.321 Limited licenses.—

1563 (1) The department shall issue to a qualified applicant a
 1564 license as agent authorized to transact a limited class of
 1565 business in any of the following categories of limited lines
 1566 insurance:

1567 (c) Travel insurance.—License covering only policies and
 1568 certificates of travel insurance which are subject to review by
 1569 the office. Policies and certificates of travel insurance may
 1570 provide coverage for risks incidental to travel, planned travel,
 1571 or accommodations while traveling, including, but not limited
 1572 to, accidental death and dismemberment of a traveler; trip or
 1573 event cancellation, interruption, or delay; loss of or damage to
 1574 personal effects or travel documents; damages to travel
 1575 accommodations; baggage delay; emergency medical travel or

1576 evacuation of a traveler; or medical, surgical, and hospital
 1577 expenses related to an illness or emergency of a traveler. Such
 1578 policy or certificate may be issued for terms longer than 90
 1579 days, but, other than a policy or certificate providing coverage
 1580 for air ambulatory services only, each policy or certificate
 1581 must be limited to coverage for travel or use of accommodations
 1582 of no longer than 90 days. The license may be issued only:

1583 1. To a full-time salaried employee of a common carrier or
 1584 a full-time salaried employee or owner of a transportation
 1585 ticket agency and may authorize the sale of such ticket policies
 1586 only in connection with the sale of transportation tickets, or
 1587 to the full-time salaried employee of such an agent. Such policy
 1588 may not be for more than 48 hours or more than the duration of a
 1589 specified one-way trip or round trip.

1590 2. To an entity or individual that is:

1591 a. The developer of a timeshare plan that is the subject
 1592 of an approved public offering statement under chapter 721;

1593 b. An exchange company operating an exchange program
 1594 approved under chapter 721;

1595 c. A managing entity operating a timeshare plan approved
 1596 under chapter 721;

1597 d. A seller of travel as defined in chapter 559; or

1598 e. A subsidiary or affiliate of any of the entities
 1599 described in sub-subparagraphs a.-d.

1600 3. To a full-time salaried employee of a licensed general

1601 lines agent or a business entity that offers travel planning
 1602 services if insurance sales activities authorized by the license
 1603 are in connection with, and incidental to, travel.

1604 a. A license issued to a business entity that offers
 1605 travel planning services must encompass each office, branch
 1606 office, or place of business making use of the entity's business
 1607 name in order to offer, solicit, and sell insurance pursuant to
 1608 this paragraph.

1609 b. The application for licensure must list the name,
 1610 address, and phone number for each office, branch office, or
 1611 place of business that is to be covered by the license. The
 1612 licensee shall notify the department of the name, address, and
 1613 phone number of any new location that is to be covered by the
 1614 license before the new office, branch office, or place of
 1615 business engages in the sale of insurance pursuant to this
 1616 paragraph. The licensee shall notify the department within 30
 1617 days after the closing or terminating of an office, branch
 1618 office, or place of business. Upon receipt of the notice, the
 1619 department shall delete the office, branch office, or place of
 1620 business from the license.

1621 c. A licensed and appointed entity is directly responsible
 1622 and accountable for all acts of the licensee's employees and
 1623 parties with whom the licensee has entered into a contractual
 1624 agreement to offer travel insurance.

1625

1626 A licensee shall require each individual who offers policies or
 1627 certificates under subparagraph 2. or subparagraph 3. to receive
 1628 initial training from a general lines agent or an insurer
 1629 authorized under chapter 624 to transact insurance within this
 1630 state. For an entity applying for a license as a travel
 1631 insurance agent, the fingerprinting requirement of this section
 1632 applies only to the president, secretary, and treasurer and to
 1633 any other officer or person who directs or controls the travel
 1634 insurance operations of the entity. The department shall waive
 1635 the fingerprinting requirement for an individual who is an
 1636 honorably discharged veteran of the United States Armed Forces
 1637 if he or she has been discharged within the previous 2 years.

1638 Section 45. Subsection (6) of section 626.732, Florida
 1639 Statutes, is renumbered as subsection (7), and a new subsection
 1640 (6) is added to that section, to read:

1641 626.732 Requirement as to knowledge, experience, or
 1642 instruction.—

1643 (6) Prelicensure coursework is not required for an
 1644 applicant who is an honorably discharged veteran of the United
 1645 States Armed Forces or the spouse of such a veteran.

1646 Section 46. Subsection (13) is added to section 626.7355,
 1647 Florida Statutes, to read:

1648 626.7355 Temporary license as customer representative
 1649 pending examination.—

1650 (13) Prelicensure customer representative educational

1651 course enrollment is not required for an applicant who is an
 1652 honorably discharged veteran of the United States Armed Forces
 1653 or the spouse of such a veteran.

1654 Section 47. Section 626.7851, Florida Statutes, is amended
 1655 to read:

1656 626.7851 Requirement as to knowledge, experience, or
 1657 instruction.—An applicant for a license as a life agent, except
 1658 for a chartered life underwriter (CLU), shall not be qualified
 1659 or licensed unless within the 4 years immediately preceding the
 1660 date the application for a license is filed with the department
 1661 he or she has:

1662 (1) Successfully completed 40 hours of coursework in life
 1663 insurance, annuities, and variable contracts approved by the
 1664 department, 3 hours of which shall be on the subject matter of
 1665 ethics. Courses must include instruction on the subject matter
 1666 of unauthorized entities engaging in the business of insurance;

1667 (2) Successfully completed a minimum of 60 hours of
 1668 coursework in multiple areas of insurance, which included life
 1669 insurance, annuities, and variable contracts, approved by the
 1670 department, 3 hours of which shall be on the subject matter of
 1671 ethics. Courses must include instruction on the subject matter
 1672 of unauthorized entities engaging in the business of insurance;

1673 (3) Earned or maintained an active designation as
 1674 Chartered Financial Consultant (ChFC) from the American College
 1675 of Financial Services; or Fellow, Life Management Institute

1676 (FLMI) from the Life Management Institute;

1677 (4) Held an active license in life insurance in another
 1678 state. This provision may not be used unless the other state
 1679 grants reciprocal treatment to licensees formerly licensed in
 1680 the state; or

1681 (5) Been employed by the department or office for at least
 1682 1 year, full time in life insurance regulatory matters and who
 1683 was not terminated for cause, and application for examination is
 1684 made within 4 years after the date of termination of his or her
 1685 employment with the department or office.

1686
 1687 Successful completion of prelicensure coursework is not required
 1688 for an applicant who is an honorably discharged veteran of the
 1689 United States Armed Forces or the spouse of such a veteran.

1690 Section 48. Section 626.8311, Florida Statutes, is amended
 1691 to read:

1692 626.8311 Requirement as to knowledge, experience, or
 1693 instruction.—An applicant for a license as a health agent,
 1694 except for a chartered life underwriter (CLU), shall not be
 1695 qualified or licensed unless within the 4 years immediately
 1696 preceding the date the application for license is filed with the
 1697 department he or she has:

1698 (1) Successfully completed 40 hours of coursework in
 1699 health insurance, approved by the department, 3 hours of which
 1700 shall be on the subject matter of ethics. Courses must include

1701 instruction on the subject matter of unauthorized entities
 1702 engaging in the business of insurance, to include the Florida
 1703 Nonprofit Multiple-Employer Welfare Arrangement Act and the
 1704 Employee Retirement Income Security Act, 29 U.S.C. ss. 1001 et
 1705 seq., as it relates to the provision of health insurance by
 1706 employers to their employees and the regulation thereof;

1707 (2) Successfully completed a minimum of 60 hours of
 1708 coursework in multiple areas of insurance, which included health
 1709 insurance, approved by the department, 3 hours of which shall be
 1710 on the subject matter of ethics. Courses must include
 1711 instruction on the subject matter of unauthorized entities
 1712 engaging in the business of insurance;

1713 (3) Earned or maintained an active designation as a
 1714 Registered Health Underwriter (RHU), Chartered Healthcare
 1715 Consultant (ChHC), or Registered Employee Benefits Consultant
 1716 (REBC) from the American College of Financial Services;
 1717 Certified Employee Benefit Specialist (CEBS) from the Wharton
 1718 School of the University of Pennsylvania; or Health Insurance
 1719 Associate (HIA) from America's Health Insurance Plans;

1720 (4) Held an active license in health insurance in another
 1721 state. This provision may not be utilized unless the other state
 1722 grants reciprocal treatment to licensees formerly licensed in
 1723 Florida; or

1724 (5) Been employed by the department or office for at least
 1725 1 year, full time in health insurance regulatory matters and who

1726 was not terminated for cause, and application for examination is
 1727 made within 4 years after the date of termination of his or her
 1728 employment with the department or office.

1729
 1730 Successful completion of prelicensure coursework is not required
 1731 for an applicant who is an honorably discharged veteran of the
 1732 United States Armed Forces or the spouse of such a veteran.

1733 Section 49. Subsection (7) is added to section 626.8417,
 1734 Florida Statutes, to read:

1735 626.8417 Title insurance agent licensure; exemptions.—

1736 (7) Successful completion of prelicensure coursework is
 1737 not required for an applicant who is an honorably discharged
 1738 veteran of the United States Armed Forces or the spouse of such
 1739 a veteran.

1740 Section 50. Paragraph (a) of subsection (2) of section
 1741 626.8732, Florida Statutes, is amended to read:

1742 626.8732 Nonresident public adjuster's qualifications,
 1743 bond.—

1744 (2) The applicant shall furnish the following with his or
 1745 her application:

1746 (a) A complete set of his or her fingerprints. The
 1747 applicant's fingerprints must be certified by an authorized law
 1748 enforcement officer. The department may not authorize an
 1749 applicant to take the required examination or issue a
 1750 nonresident public adjuster's license to the applicant until the

1751 department has received a report from the Florida Department of
 1752 Law Enforcement and the Federal Bureau of Investigation relative
 1753 to the existence or nonexistence of a criminal history report
 1754 based on the applicant's fingerprints. The department shall
 1755 waive the fingerprint requirement for applicant who is an
 1756 honorably discharged veteran of the United States Armed Forces
 1757 if he or she applies for licensure within 2 years after
 1758 discharge.

1759 Section 51. Paragraph (a) of subsection (2) of section
 1760 626.8734, Florida Statutes, is amended to read:

1761 626.8734 Nonresident all-lines adjuster license
 1762 qualifications.—

1763 (2) The applicant must furnish the following with his or
 1764 her application:

1765 (a) A complete set of his or her fingerprints. The
 1766 applicant's fingerprints must be certified by an authorized law
 1767 enforcement officer. The department shall waive the fingerprint
 1768 requirement for an applicant who is an honorably discharged
 1769 veteran of the United States Armed Forces if he or she applies
 1770 for licensure within 2 years after discharge.

1771 Section 52. Subsection (7) is added to section 626.927,
 1772 Florida Statutes, to read:

1773 626.927 Licensing of surplus lines agent.—

1774 (7) Successful completion of prelicensure coursework is
 1775 not required for an individual who is an honorably discharged

1776 veteran of the United States Armed Forces or the spouse of such
 1777 a veteran.

1778 Section 53. Subsection (7) is added to section 626.9272,
 1779 Florida Statutes, to read:

1780 626.9272 Licensing of nonresident surplus lines agents.-

1781 (7) Successful completion of prelicensure coursework is
 1782 not required for an applicant who is an honorably discharged
 1783 veteran of the United States Armed Forces or the spouse of such
 1784 a veteran.

1785 Section 54. Paragraph (e) of subsection (3) of section
 1786 626.9912, Florida Statutes, is amended to read:

1787 626.9912 Viatical settlement provider license required;
 1788 application for license.-

1789 (3) In the application, the applicant must provide all of
 1790 the following:

1791 (e) With respect to each individual identified under
 1792 paragraph (d):

1793 1. A sworn biographical statement on forms adopted by the
 1794 commission and supplied by the office.

1795 2. A set of fingerprints on forms prescribed by the
 1796 commission, certified by a law enforcement officer, and
 1797 accompanied by the fingerprinting fee specified in s. 624.501.
 1798 The department shall waive the fingerprint requirement for an
 1799 applicant who is an honorably discharged veteran of the United
 1800 States Armed Forces if he or she applies for licensure within 2

1801 years after discharge.

1802 3. Authority for release of information relating to the
1803 investigation of the individual's background.

1804 Section 55. Paragraph (a) of subsection (4) of section
1805 633.304, Florida Statutes, is amended to read:

1806 633.304 Fire suppression equipment; license to install or
1807 maintain.—

1808 (4)

1809 (a) Such licenses and permits shall be issued by the
1810 division for 2 years beginning January 1, 2000, and each 2-year
1811 period thereafter and expiring December 31 of the second year.
1812 All licenses or permits issued will expire on December 31 of
1813 each odd-numbered year. The failure to renew a license or permit
1814 by December 31 of the second year will cause the license or
1815 permit to become inoperative. The holder of an inoperative
1816 license or permit may not engage in any activities for which a
1817 license or permit is required by this section. A license or
1818 permit which is inoperative because of the failure to renew it
1819 shall be restored upon payment of the applicable fee plus a
1820 penalty equal to the applicable fee, if the application for
1821 renewal is filed no later than the following March 31. The
1822 period within which reexamination is not required may, in the
1823 discretion of the department, be extended to 12 months after
1824 discharge from military service if the military service does not
1825 exceed 3 years, but in no event more than 6 years from the date

1826 of issue or renewal, if applicable, for licenses or permits held
 1827 by an honorably discharged veteran of the United States Armed
 1828 Forces or the spouse of such a veteran. A qualifying veteran and
 1829 the spouse of such veteran are not subject to the penalty fee.

1830 If the application for restoration is not made before the March
 1831 31st deadline, the fee for restoration shall be equal to the
 1832 original application fee and the penalty provided for herein,
 1833 and, in addition, the State Fire Marshal shall require
 1834 reexamination of the applicant. The fee for a license or permit
 1835 issued for 1 year or less shall be prorated at 50 percent of the
 1836 applicable fee for a biennial license or permit.

1837 Section 56. Subsection (1) of section 633.332, Florida
 1838 Statutes, is amended to read:

1839 633.332 Certificate; expiration; renewal; inactive
 1840 certificate; continuing education.—

1841 (1) Certificates shall expire every 2 years at midnight on
 1842 June 30. All certificates must be renewed every 2 years. The
 1843 failure to renew a certificate before June 30 shall cause the
 1844 certificate to become inoperative, and it is unlawful thereafter
 1845 for a person to engage, offer to engage, or hold herself or
 1846 himself out as engaging in contracting under the certificate
 1847 unless the certificate is restored or reissued. A certificate
 1848 which is inoperative because of failure to renew shall be
 1849 restored on payment of the proper renewal fee if the application
 1850 for restoration is made within 90 days after June 30. If the

1851 application for restoration is not made within the 90-day
 1852 period, the fee for restoration must be equal to the original
 1853 application fee, and, in addition, the State Fire Marshal must
 1854 require examination or reexamination of the applicant. The
 1855 period within which reexamination is not required may, in the
 1856 discretion of the department, be extended to 12 months after
 1857 discharge from military service if the military service does not
 1858 exceed 3 years, but in no event more than 6 years from the date
 1859 of issue or renewal, if applicable, for certificates held by an
 1860 honorably discharged veteran of the United States Armed Forces
 1861 or the spouse of such a veteran.

1862 Section 57. Subsection (3) of section 633.412, Florida
 1863 Statutes, is amended to read:

1864 633.412 Firefighters; qualifications for certification.—A
 1865 person applying for certification as a firefighter must:

1866 (3) Submit a set of fingerprints to the division with a
 1867 current processing fee. The fingerprints will be forwarded to
 1868 the Department of Law Enforcement for state processing and
 1869 forwarded by the Department of Law Enforcement to the Federal
 1870 Bureau of Investigation for national processing. The department
 1871 shall waive the fingerprint requirement for an applicant who is
 1872 an honorably discharged veteran of the United States Armed
 1873 Forces if he or she applies for certification within 2 years
 1874 after discharge.

1875 Section 58. Section 633.414, Florida Statutes, is amended

1876 to read:

1877 633.414 Retention of firefighter and volunteer firefighter
1878 certifications.—

1879 (1) In order for a firefighter to retain her or his
1880 Firefighter Certificate of Compliance, every 4 years he or she
1881 must meet the requirements for renewal provided in this chapter
1882 and by rule, which must include at least one of the following:

1883 (a) Be active as a firefighter.

1884 (b) Maintain a current and valid fire service instructor
1885 certificate, instruct at least 40 hours during the 4-year
1886 period, and provide proof of such instruction to the division,
1887 which proof must be registered in an electronic database
1888 designated by the division.

1889 (c) Within 6 months before the 4-year period expires,
1890 successfully complete a Firefighter Retention Refresher Course
1891 consisting of a minimum of 40 hours of training to be prescribed
1892 by rule.

1893 (d) Within 6 months before the 4-year period expires,
1894 successfully retake and pass the Minimum Standards Course
1895 examination pursuant to s. 633.408.

1896 (2) In order for a volunteer firefighter to retain her or
1897 his Volunteer Firefighter Certificate of Completion, every 4
1898 years he or she must:

1899 (a) Be active as a volunteer firefighter; or

1900 (b) Successfully complete a refresher course consisting of

1901 a minimum of 40 hours of training to be prescribed by rule.

1902 (3) Subsection (1) does not apply to state-certified
 1903 firefighters who are certified and employed full-time, as
 1904 determined by the fire service provider, as firesafety
 1905 inspectors or fire investigators, regardless of their employment
 1906 status as firefighters or volunteer firefighters.

1907 (4) For the purposes of this section, the term "active"
 1908 means being employed as a firefighter or providing service as a
 1909 volunteer firefighter for a cumulative period of 6 months within
 1910 a 4-year period.

1911 (5) The 4-year period begins upon issuance of the
 1912 certificate or separation from employment.

1913 (6) A certificate for a firefighter or volunteer
 1914 firefighter expires if he or she fails to meet the requirements
 1915 of this section.

1916 (7) The State Fire Marshal may deny, refuse to renew,
 1917 suspend, or revoke the certificate of a firefighter or volunteer
 1918 firefighter if the State Fire Marshal finds that any of the
 1919 following grounds exists:

1920 (a) Any cause for which issuance of a certificate could
 1921 have been denied if it had then existed and had been known to
 1922 the division.

1923 (b) A violation of any provision of this chapter or any
 1924 rule or order of the State Fire Marshal.

1925 (c) Falsification of a record relating to any certificate

1926 issued by the division.

1927

1928 The 4-year period may, in the discretion of the department, be
 1929 extended for an honorably discharged veteran of the United
 1930 States Armed Forces or the spouse of such a veteran to 12 months
 1931 after discharge from military service if the military service
 1932 does not exceed 3 years, but in no event more than 6 years from
 1933 the date of issue or renewal, if applicable.

1934 Section 59. Subsection (3) is added to section 633.444,
 1935 Florida Statutes, to read:

1936 633.444 Division powers and duties; Florida State Fire
 1937 College.—

1938 (3) The division shall waive all living and incidental
 1939 expenses associated with attending the Florida State Fire
 1940 College for an active duty member of the United States Armed
 1941 Forces, the spouse of such a member who was serving on active
 1942 duty at the time of death and died within the 2 years preceding
 1943 the spouse attending the college, an honorably discharged
 1944 veteran of the United States Armed Forces, or the spouse or
 1945 surviving spouse of such a veteran.

1946 Section 60. Subsection (4) of section 648.34, Florida
 1947 Statutes, is amended to read:

1948 648.34 Bail bond agents; qualifications.—

1949 (4) The applicant shall furnish, with his or her
 1950 application, a complete set of his or her fingerprints and a

1951 recent credential-sized, fullface photograph of the applicant.
 1952 The applicant's fingerprints shall be certified by an authorized
 1953 law enforcement officer. The department shall not authorize an
 1954 applicant to take the required examination until the department
 1955 has received a report from the Department of Law Enforcement and
 1956 the Federal Bureau of Investigation relative to the existence or
 1957 nonexistence of a criminal history report based on the
 1958 applicant's fingerprints. The department shall waive the
 1959 fingerprint requirement for an applicant who is an honorably
 1960 discharged veteran of the United States Armed Forces if he or
 1961 she applies for licensure within 2 years after discharge.

1962 Section 61. Subsection (4) of section 648.355, Florida
 1963 Statutes, is amended to read:

1964 648.355 Temporary limited license as limited surety agent
 1965 or professional bail bond agent; pending examination.-

1966 (4) The applicant shall furnish, with the application for
 1967 temporary license, a complete set of the applicant's
 1968 fingerprints and a recent credential-sized, fullface photograph
 1969 of the applicant. The applicant's fingerprints shall be
 1970 certified by an authorized law enforcement officer. The
 1971 department shall not issue a temporary license under this
 1972 section until the department has received a report from the
 1973 Department of Law Enforcement and the Federal Bureau of
 1974 Investigation relative to the existence or nonexistence of a
 1975 criminal history report based on the applicant's fingerprints.

1976 The department shall waive the fingerprint requirement for an
 1977 applicant who is an honorably discharged veteran of the United
 1978 States Armed Forces if he or she applies for licensure within 2
 1979 years after discharge.

1980 Section 62. Section 683.147, Florida Statutes, is created
 1981 to read:

1982 683.147 Medal of Honor Day.—

1983 (1) March 25 of each year is designated as "Medal of Honor
 1984 Day."

1985 (2) The Governor may annually issue a proclamation
 1986 designating March 25 as Medal of Honor Day and calling upon
 1987 public officials, schools, private organizations, and all
 1988 residents of the state to commemorate Medal of Honor Day and
 1989 honor recipients of the Congressional Medal of Honor who
 1990 distinguished themselves through their conspicuous bravery and
 1991 gallantry during wartime, and at considerable risk to their own
 1992 lives, while serving as members of the United States Armed
 1993 Forces.

1994 Section 63. Paragraph (b) of subsection (1) of section
 1995 1002.37, Florida Statutes, is amended to read:

1996 1002.37 The Florida Virtual School.—

1997 (1)

1998 (b) The mission of the Florida Virtual School is to
 1999 provide students with technology-based educational opportunities
 2000 to gain the knowledge and skills necessary to succeed. The

2001 school shall serve any student in the state who meets the
 2002 profile for success in this educational delivery context and
 2003 shall give priority to:

2004 1. Students who need expanded access to courses in order
 2005 to meet their educational goals, such as home education students
 2006 and students in inner-city and rural high schools who do not
 2007 have access to higher-level courses.

2008 2. Students seeking accelerated access in order to obtain
 2009 a high school diploma at least one semester early.

2010 3. Students who are children of an active duty member of
 2011 the United States Armed Forces who is not stationed in this
 2012 state whose home of record or state of legal residence is
 2013 Florida.

2014
 2015 The board of trustees of the Florida Virtual School shall
 2016 identify appropriate performance measures and standards based on
 2017 student achievement that reflect the school's statutory mission
 2018 and priorities, and shall implement an accountability system for
 2019 the school that includes assessment of its effectiveness and
 2020 efficiency in providing quality services that encourage high
 2021 student achievement, seamless articulation, and maximum access.

2022 Section 64. Subsection (2) of section 1003.42, Florida
 2023 Statutes, is amended to read:

2024 1003.42 Required instruction.—

2025 (2) Members of the instructional staff of the public

2026 schools, subject to the rules of the State Board of Education
 2027 and the district school board, shall teach efficiently and
 2028 faithfully, using the books and materials required that meet the
 2029 highest standards for professionalism and historical accuracy,
 2030 following the prescribed courses of study, and employing
 2031 approved methods of instruction, the following:

2032 (a) The history and content of the Declaration of
 2033 Independence, including national sovereignty, natural law, self-
 2034 evident truth, equality of all persons, limited government,
 2035 popular sovereignty, and inalienable rights of life, liberty,
 2036 and property, and how they form the philosophical foundation of
 2037 our government.

2038 (b) The history, meaning, significance, and effect of the
 2039 provisions of the Constitution of the United States and
 2040 amendments thereto, with emphasis on each of the 10 amendments
 2041 that make up the Bill of Rights and how the constitution
 2042 provides the structure of our government.

2043 (c) The arguments in support of adopting our republican
 2044 form of government, as they are embodied in the most important
 2045 of the Federalist Papers.

2046 (d) Flag education, including proper flag display and flag
 2047 salute.

2048 (e) The elements of civil government, including the
 2049 primary functions of and interrelationships between the Federal
 2050 Government, the state, and its counties, municipalities, school

2051 districts, and special districts.

2052 (f) The history of the United States, including the period
 2053 of discovery, early colonies, the War for Independence, the
 2054 Civil War, the expansion of the United States to its present
 2055 boundaries, the world wars, and the civil rights movement to the
 2056 present. American history shall be viewed as factual, not as
 2057 constructed, shall be viewed as knowable, teachable, and
 2058 testable, and shall be defined as the creation of a new nation
 2059 based largely on the universal principles stated in the
 2060 Declaration of Independence.

2061 (g) The history of the Holocaust (1933-1945), the
 2062 systematic, planned annihilation of European Jews and other
 2063 groups by Nazi Germany, a watershed event in the history of
 2064 humanity, to be taught in a manner that leads to an
 2065 investigation of human behavior, an understanding of the
 2066 ramifications of prejudice, racism, and stereotyping, and an
 2067 examination of what it means to be a responsible and respectful
 2068 person, for the purposes of encouraging tolerance of diversity
 2069 in a pluralistic society and for nurturing and protecting
 2070 democratic values and institutions.

2071 (h) The history of African Americans, including the
 2072 history of African peoples before the political conflicts that
 2073 led to the development of slavery, the passage to America, the
 2074 enslavement experience, abolition, and the contributions of
 2075 African Americans to society. Instructional materials shall

2076 include the contributions of African Americans to American
 2077 society.

2078 (i) The elementary principles of agriculture.

2079 (j) The true effects of all alcoholic and intoxicating
 2080 liquors and beverages and narcotics upon the human body and
 2081 mind.

2082 (k) Kindness to animals.

2083 (l) The history of the state.

2084 (m) The conservation of natural resources.

2085 (n) Comprehensive health education that addresses concepts
 2086 of community health; consumer health; environmental health;
 2087 family life, including an awareness of the benefits of sexual
 2088 abstinence as the expected standard and the consequences of
 2089 teenage pregnancy; mental and emotional health; injury
 2090 prevention and safety; Internet safety; nutrition; personal
 2091 health; prevention and control of disease; and substance use and
 2092 abuse. The health education curriculum for students in grades 7
 2093 through 12 shall include a teen dating violence and abuse
 2094 component that includes, but is not limited to, the definition
 2095 of dating violence and abuse, the warning signs of dating
 2096 violence and abusive behavior, the characteristics of healthy
 2097 relationships, measures to prevent and stop dating violence and
 2098 abuse, and community resources available to victims of dating
 2099 violence and abuse.

2100 (o) Such additional materials, subjects, courses, or

2101 | fields in such grades as are prescribed by law or by rules of
 2102 | the State Board of Education and the district school board in
 2103 | fulfilling the requirements of law.

2104 | (p) The study of Hispanic contributions to the United
 2105 | States.

2106 | (q) The study of women's contributions to the United
 2107 | States.

2108 | (r) The nature and importance of free enterprise to the
 2109 | United States economy.

2110 | (s) A character-development program in the elementary
 2111 | schools, similar to Character First or Character Counts, which
 2112 | is secular in nature. Beginning in school year 2004-2005, the
 2113 | character-development program shall be required in kindergarten
 2114 | through grade 12. Each district school board shall develop or
 2115 | adopt a curriculum for the character-development program that
 2116 | shall be submitted to the department for approval. The
 2117 | character-development curriculum shall stress the qualities of
 2118 | patriotism; responsibility; citizenship; kindness; respect for
 2119 | authority, life, liberty, and personal property; honesty;
 2120 | charity; self-control; racial, ethnic, and religious tolerance;
 2121 | and cooperation. The character-development curriculum for grades
 2122 | 9 through 12 shall, at a minimum, include instruction on
 2123 | developing leadership skills, interpersonal skills, organization
 2124 | skills, and research skills; creating a resume; developing and
 2125 | practicing the skills necessary for employment interviews;

2126 conflict resolution, workplace ethics, and workplace law;
 2127 managing stress and expectations; and developing skills that
 2128 enable students to become more resilient and self-motivated.

2129 (t) In order to encourage patriotism, the sacrifices that
 2130 veterans and Medal of Honor recipients have made in serving our
 2131 country and protecting democratic values worldwide. Such
 2132 instruction must occur on or before Medal of Honor Day,
 2133 Veterans' Day, and Memorial Day. Members of the instructional
 2134 staff are encouraged to use the assistance of local veterans and
 2135 Medal of Honor recipients when practicable.

2136
 2137 The State Board of Education is encouraged to adopt standards
 2138 and pursue assessment of the requirements of this subsection. A
 2139 character development program that incorporates the values of
 2140 the recipients of the Congressional Medal of Honor and that is
 2141 offered as part of a social studies, English Language Arts, or
 2142 other schoolwide character building and veteran awareness
 2143 initiative meets the requirements of paragraphs (s) and (t).

2144 Section 65. Subsection (4) of section 1012.55, Florida
 2145 Statutes, is amended, and paragraph (e) is added to subsection
 2146 (1) of that section, to read:

2147 1012.55 Positions for which certificates required.—

2148 (1)

2149 (e)1. The department shall issue a 3-year temporary
 2150 certificate in educational leadership under s. 1012.56(7) to an

2151 individual who:

2152 a. Earned a passing score on the Florida Educational

2153 Leadership Examination.

2154 b. Served as a commissioned or noncommissioned military

2155 officer in the United States Armed Forces for at least 3 years.

2156 c. Was honorably discharged or has retired from the United

2157 States Armed Forces.

2158 d. Is employed full time in a position for which an

2159 educator certificate is required in a Florida public school,

2160 state-supported school, or nonpublic school that has a Level II

2161 program under s. 1012.562.

2162 2. A Level II program under s. 1012.562 must accept an

2163 applicant who holds a temporary certificate under subparagraph

2164 1. The department shall issue a permanent certification as a

2165 school principal to an individual who holds a temporary

2166 certificate under subparagraph 1. and successfully completes the

2167 Level II program.

2168 (4) A commissioned or noncommissioned military officer who

2169 is an instructor of junior reserve officer training shall be

2170 exempt from requirements for teacher certification, except for

2171 the background screening pursuant to s. 1012.32, if he or she

2172 meets the following qualifications:

2173 (a) Is retired from active military duty, pursuant to

2174 chapter 102 of Title 10 U.S.C.

2175 (b) Satisfies criteria established by the appropriate

2176 military service for certification by the service as a junior
 2177 reserve officer training instructor.

2178 (c) Has an exemplary military record.

2179
 2180 If such instructor is assigned instructional duties other than
 2181 junior reserve officer training, he or she shall hold the
 2182 certificate required by law and rules of the state board for the
 2183 type of service rendered. An instructor of junior reserve
 2184 officer training under this subsection may receive funding
 2185 through the Florida Teachers Classroom Supply Assistance Program
 2186 under s. 1012.71.

2187 Section 66. Subsection (7) of section 1012.56, Florida
 2188 Statutes, is amended to read:

2189 1012.56 Educator certification requirements.—

2190 (7) TYPES AND TERMS OF CERTIFICATION.—

2191 (a) The Department of Education shall issue a professional
 2192 certificate for a period not to exceed 5 years to any applicant
 2193 who fulfills one of the following:

2194 1. Meets all the requirements outlined in subsection (2).

2195 2. For a professional certificate covering grades 6
 2196 through 12:

2197 a. Meets the requirements of paragraphs (2)(a)-(h).

2198 b. Holds a master's or higher degree in the area of
 2199 science, technology, engineering, or mathematics.

2200 c. Teaches a high school course in the subject of the

2201 advanced degree.

2202 d. Is rated highly effective as determined by the
 2203 teacher's performance evaluation under s. 1012.34, based in part
 2204 on student performance as measured by a statewide, standardized
 2205 assessment or an Advanced Placement, Advanced International
 2206 Certificate of Education, or International Baccalaureate
 2207 examination.

2208 e. Achieves a passing score on the Florida professional
 2209 education competency examination required by state board rule.

2210 3. Meets the requirements of paragraphs (2)(a)-(h) and
 2211 completes a professional preparation and education competence
 2212 program approved by the department pursuant to paragraph (8)(c).
 2213 An applicant who completes the program and is rated highly
 2214 effective as determined by his or her performance evaluation
 2215 under s. 1012.34 is not required to take or achieve a passing
 2216 score on the professional education competency examination in
 2217 order to be awarded a professional certificate.

2218 (b) The department shall issue a temporary certificate to
 2219 any applicant who completes the requirements outlined in
 2220 paragraphs (2)(a)-(f) and completes the subject area content
 2221 requirements specified in state board rule or demonstrates
 2222 mastery of subject area knowledge pursuant to subsection (5) and
 2223 holds an accredited degree or a degree approved by the
 2224 Department of Education at the level required for the subject
 2225 area specialization in state board rule.

2226 (c) The department shall issue one nonrenewable 2-year
 2227 temporary certificate and one nonrenewable 5-year professional
 2228 certificate to a qualified applicant who holds a bachelor's
 2229 degree in the area of speech-language impairment to allow for
 2230 completion of a master's degree program in speech-language
 2231 impairment.

2232
 2233 Each temporary certificate is valid for 3 school fiscal years
 2234 and is nonrenewable. However, the requirement in paragraph
 2235 (2)(g) must be met within 1 calendar year of the date of
 2236 employment under the temporary certificate. Individuals who are
 2237 employed under contract at the end of the 1 calendar year time
 2238 period may continue to be employed through the end of the school
 2239 year in which they have been contracted. A school district shall
 2240 not employ, or continue the employment of, an individual in a
 2241 position for which a temporary certificate is required beyond
 2242 this time period if the individual has not met the requirement
 2243 of paragraph (2)(g). At least 1 year before an individual's
 2244 temporary certificate is set to expire, the department shall
 2245 electronically notify the individual of the date on which his or
 2246 her certificate will expire and provide a list of each method by
 2247 which the qualifications for a professional certificate can be
 2248 completed. The State Board of Education shall adopt rules to
 2249 allow the department to extend the validity period of a
 2250 temporary certificate for 2 years when the requirements for the

2251 professional certificate, not including the requirement in
 2252 paragraph (2)(g), were not completed due to the serious illness
 2253 or injury of the applicant, the military service of an
 2254 applicant's spouse, or other extraordinary extenuating
 2255 circumstances. The rules must authorize the department to extend
 2256 the validity period of a temporary certificate ~~or~~ for 1 year if
 2257 the ~~temporary~~ certificateholder is rated effective or highly
 2258 effective based solely on a student learning growth formula
 2259 approved by the Commissioner of Education pursuant to s.
 2260 1012.34(8). The department shall reissue the temporary
 2261 certificate for 2 additional years upon approval by the
 2262 Commissioner of Education. A written request for reissuance of
 2263 the certificate shall be submitted by the district school
 2264 superintendent, the governing authority of a university lab
 2265 school, the governing authority of a state-supported school, or
 2266 the governing authority of a private school.

2267 Section 67. Subsection (3) is added to section 1012.59,
 2268 Florida Statutes, to read:

2269 1012.59 Certification fees.—

2270 (3) The State Board of Education shall waive initial
 2271 general knowledge, professional education, and subject area
 2272 examination fees and certification fees for:

2273 (a) A member of the United States Armed Forces or a
 2274 reserve component thereof who is serving or has served on active
 2275 duty or the spouse of such a member.

2276 (b) The surviving spouse of a member of the United States
 2277 Armed Forces or a reserve component thereof who was serving on
 2278 active duty at the time of death.

2279 (c) An honorably discharged veteran of the United States
 2280 Armed Forces or a veteran of a reserve component thereof who
 2281 served on active duty and the spouse or surviving spouse of such
 2282 a veteran.

2283 Section 68. This act shall take effect July 1, 2018.

COMMERCE COMMITTEE

HB 29 by Rep. Ponder Military and Veterans Affairs

AMENDMENT SUMMARY January 24, 2018

Amendment 1 by Rep. Ponder (Line 118): The amendment:

- Allows members of the board of directors for Florida is for Veterans, Inc. (FVI), to be eligible for reappointment to the board for one additional term of 4 years.
- Provides additional requirements or limitations for receiving FVI's training grants , including:
 - requiring that the business receiving the grant to train a veteran employee cover the entire cost of training before receiving reimbursement,
 - lowering the maximum time the training program may last from 48 to 12 months;
 - removing specific limitations on who may be the training provider;
 - and other modifications for implementing the grant program.
- Changes the requirements for FVI's entrepreneurship initiative programs by:
 - expanding those who may administer such a program from universities to include any entity who meets the requirements;
 - requiring that the administering entity to have a demonstrated experience working with veteran entrepreneurs;
 - removing the requirement that the administering entity have certain onsite centers; and
 - and other modifications for implementing the entrepreneurship initiative program.

Amendment 2 by Rep. Ponder (Line 497): The amendment deletes the proposed waiver of fingerprinting requirements for recently honorably discharged military veterans who are applicants for licenses for funeral and cemetery services professions.

Amendment 3 by Rep. Ponder (Line 804): The amendment limits the proposed application fee waiver for a preneed (funeral services) license to individuals, only. Businesses that apply for this license will continue to incur the application fee. It also provides a method for a member or veteran of the military to certify their knowledge, training, and experience to gain credit in licensing for military issued credentials relevant to funeral directing, embalming, and direct disposing and provides the rulemaking authority to implement such certification.

Amendment 4 by Rep. Ponder (Line 1439): The amendment:

Deletes the proposed waiver of fingerprinting requirements for recently honorably discharged military veterans who are applicants for insurance or fire safety related licenses.

- Revises the proposed waiver of preclosure coursework requirements to include members of the United States Armed Forces and their spouses, in addition to veterans and their spouses, when applying for insurance licenses.
- Removes proposed waiver of preclosure coursework requirements in those instances where the coursework is the only knowledge acquisition/demonstration element prior to receiving an insurance license, i.e., where there no examination prior to licensure.
- Deletes the proposed extension of time prior to reexamination for two fire safety related licenses that currently can be placed in "inactive" status to obtain the extension of time.



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Commerce Committee

2 Representative Ponder offered the following:

4 **Amendment (with title amendment)**

5 Between lines 118 and 119, insert:

6 Section 2. Paragraph (c) of subsection (4) of section
7 295.21, Florida Statutes, is amended to read:

8 295.21 Florida Is For Veterans, Inc.—

9 (4) GOVERNANCE.—

10 (c) Each member of the board of directors shall be
11 appointed for a term of 4 years, except that, to achieve
12 staggered terms, the initial appointees of the Governor shall
13 serve terms of 2 years. A member is eligible ~~ineligible~~ for
14 reappointment to the board ~~except that a member appointed to a~~
15 ~~term of 2 years or less may be reappointed for one~~ an additional
16 term of 4 years. ~~The initial appointments to the board must be~~



Amendment No. 1

17 ~~made by July 15, 2014.~~ Vacancies on the board shall be filled in
18 the same manner as the original appointment. A vacancy that
19 occurs before the scheduled expiration of the term of the member
20 shall be filled for the remainder of the unexpired term.

21 Section 3. Paragraphs (d) and (e) of subsection (3) of
22 section 295.22, Florida Statutes, are amended to read:

23 295.22 Veterans Employment and Training Services Program.-

24 (3) ADMINISTRATION.-Florida Is For Veterans, Inc., shall
25 administer the Veterans Employment and Training Services Program
26 and perform all of the following functions:

27 (d) Create a grant program to provide funding to assist
28 veterans in meeting the workforce-skill needs of businesses
29 seeking to hire, promote, or generally improve specialized
30 skills of veterans, establish criteria for approval of requests
31 for funding, and maximize the use of funding for this program.
32 Grant funds may be used only in the absence of available
33 veteran-specific federally funded programs. Grants may fund
34 specialized training specific to a particular business.

35 1. ~~Grant funds may be allocated to any training provider~~
36 ~~selected by the business, including a career center, a Florida~~
37 ~~College System institution, a state university, or an in-house~~
38 ~~training provider of the business.~~ If grant funds are used to
39 provide a technical certificate, a licensure, or a degree, funds
40 may be allocated only upon a review that includes, but is not
41 limited to, documentation of accreditation and licensure.



Amendment No. 1

42 Instruction funded through the program terminates when
43 participants demonstrate competence at the level specified in
44 the request but may not exceed 12 ~~48~~ months. Preference shall be
45 given to target industry businesses, as defined in s. 288.106,
46 and to businesses in the defense supply, cloud virtualization,
47 or commercial aviation manufacturing industries.

48 ~~2. Costs and expenditures for the grant program must be~~
49 ~~documented and separated from those incurred by the training~~
50 ~~provider.~~ Costs and expenditures shall be limited to \$8,000 per
51 veteran trainee. Qualified businesses must cover the entire cost
52 for all of the training provided before receiving reimbursement
53 from the corporation equal to 50 percent of the cost to train a
54 veteran who is a permanent, full-time employee. Eligible costs
55 and expenditures include:

- 56 a. Tuition and fees.
57 ~~b. Curriculum development.~~
58 c. Books and classroom materials.
59 d. Rental fees for facilities ~~at public colleges and~~
60 ~~universities, including virtual training labs.~~
61 ~~e. Overhead or indirect costs not to exceed 5 percent of~~
62 ~~the grant amount.~~

63 3. Before funds are allocated for a request pursuant to
64 this section, the corporation shall prepare a grant agreement
65 between the business requesting funds, ~~the educational~~
66 ~~institution or training provider receiving funding through the~~



Amendment No. 1

67 ~~program,~~ and the corporation. Such agreement must include, but
68 need not be limited to:

69 a. Identification of the personnel necessary to conduct
70 the instructional program, instructional program description,
71 and any vendors used to conduct the instructional program~~the~~
72 ~~qualifications of such personnel, and the respective~~
73 ~~responsibilities of the parties for paying costs associated with~~
74 ~~the employment of such personnel.~~

75 ~~b. Identification of the match provided by the business,~~
76 ~~including cash and in-kind contributions, equal to at least 50~~
77 ~~percent of the total grant amount.~~

78 ~~b.e.~~ Identification of the estimated duration of the
79 instructional program.

80 ~~c.d.~~ Identification of all direct, training-related costs.

81 ~~d.e.~~ Identification of special program requirements that
82 are not otherwise addressed in the agreement.

83 ~~e.f.~~ Permission to access aggregate information specific
84 to the wages and performance of participants upon the completion
85 of instruction for evaluation purposes. The agreement must
86 specify that any evaluation published subsequent to the
87 instruction may not identify the employer or any individual
88 participant.

89 4. A business may receive a grant under the Quick-Response
90 Training Program created under s. 288.047 and a grant under this
91 section for the same veteran trainee. If a business receives



Amendment No. 1

92 funds under both programs, one grant agreement may be entered
93 into with CareerSource Florida, Inc., as the grant
94 administrator.

95 (e) Contract with one or more entities to administer an
96 entrepreneur initiative program for veterans in this state which
97 connects business leaders in the state with veterans seeking to
98 become entrepreneurs.

99 1. The corporation shall award each contract in accordance
100 with the competitive bidding requirements in s. 287.057 to one
101 or more public or private entities ~~universities~~ that:

102 a. Demonstrate the ability to implement the program and
103 the commitment of ~~university~~ resources, including financial
104 resources, to such programs.

105 b. Have a demonstrated experience working with military
106 ~~and veteran entrepreneurs resource center~~.

107 c. ~~Have a regional small business development center in~~
108 ~~the Florida Small Business Development Center Network.~~

109 ~~d.~~ As determined by the corporation, have been nationally
110 recognized for their performance in assisting entrepreneurs
111 launch successful businesses in Florida ~~commitment to the~~
112 ~~military and veterans~~.

113 2. Each contract must include performance metrics,
114 including a focus on employment and business creation. ~~Each~~
115 ~~university must coordinate with any entrepreneurship center~~
116 ~~located at the university~~. The entity ~~university~~ may also work



Amendment No. 1

117 | with an university or college ~~entity~~ offering related programs
118 | to refer veterans or to provide services. The entrepreneur
119 | initiative program may include activities and assistance such as
120 | peer-to-peer learning sessions, mentoring, technical assistance,
121 | business roundtables, networking opportunities, support of
122 | student organizations, speaker series, or other tools within a
123 | virtual environment.

124 |

125 | -----

126 |

T I T L E A M E N D M E N T

127 |

Between lines 5 and 6, insert:

128 |

amending s. 295.21, F.S., providing that a member of the board
129 | of directors for Florida is for Veterans, Inc., is eligible for
130 | reappointment under certain circumstances; amending s.

131 |

295.22(3), F.S., providing requirements and limitations for

132 |

receiving training grants from Florida is for Veterans, Inc.;



Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Commerce Committee
 2 Representative Ponder offered the following:

Amendment (with title amendment)

Remove lines 497-516

T I T L E A M E N D M E N T

Remove lines 21-23 and insert:
amending ss. 497.281, 497.368,



Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Commerce Committee

2 Representative Ponder offered the following:

4 **Amendment**

5 Remove lines 804-887 and insert:

6 A member of the United States Armed Forces and a veteran of the
7 United States Armed Forces seeking licensure as a funeral
8 director or embalmer under this section shall submit to the
9 licensing authority a certification that the military-issued
10 credential reflects knowledge, training, and experience
11 substantially similar to the requirements of this chapter for
12 licensure as a funeral director or embalmer. The licensing
13 authority shall adopt rules specifying forms and procedures to
14 be used by persons seeking licensure under this section. The
15 licensing authority may conduct an investigation and further



Amendment No. 3

16 inquiry of any person regarding any military-issued credential
17 sought to be recognized.

18 Section 25. Paragraph (n) of subsection (1) of section
19 497.453, Florida Statutes, is amended to read:

20 497.453 Application for preneed license, procedures and
21 criteria; renewal; reports.—

22 (1) PRENEED LICENSE APPLICATION PROCEDURES.—

23 (n) The application shall be accompanied by a
24 nonrefundable fee as determined by licensing authority rule but
25 not to exceed \$500. A member of the United States Armed Forces,
26 such member's spouse, and a veteran of the United States Armed
27 Forces who separated from service within the 2 years preceding
28 application for licensure are exempt from the application fee
29 when applying as an individual. To qualify for the application
30 fee exemption, an applicant must provide a copy of a military
31 identification card, military dependent identification card,
32 military service record, military personnel file, veteran
33 record, discharge paper, or separation document that indicates
34 such member is currently in good standing or such veteran was
35 honorably discharged.

36 Section 26. Paragraph (h) of subsection (2) of section
37 497.466, Florida Statutes, is amended to read:

38 497.466 Preneed sales agents, license required;
39 application procedures and criteria; appointment of agents;
40 responsibility of preneed licensee.—

914065 - h0029-line 804.docx

Published On: 1/23/2018 6:51:07 PM



Amendment No. 3

41 (2) PRENEED SALES AGENT LICENSE; APPLICATION PROCEDURES.-

42 (h) The application shall be accompanied by a
43 nonrefundable fee of \$150 if made through the department's
44 online licensing system or \$175 if made using paper forms.
45 Payment of either fee shall entitle the applicant to one initial
46 appointment without payment of further fees by the preneed sales
47 agent or the appointing preneed licensee if a preneed sales
48 agent license is issued. The licensing authority may from time
49 to time increase such fees but not to exceed \$300. A member of
50 the United States Armed Forces, such member's spouse, and a
51 veteran of the United States Armed Forces who separated from
52 service within the 2 years preceding application for licensure
53 are exempt from the application fee. To qualify for the
54 application fee exemption, an applicant must provide a copy of a
55 military identification card, military dependent identification
56 card, military service record, military personnel file, veteran
57 record, discharge paper, or separation document that indicates
58 such member is currently in good standing or such veteran was
59 honorably discharged.

60 Section 27. Paragraph (e) of subsection (2) of section
61 497.554, Florida Statutes, is amended to read:

62 497.554 Monument establishment sales representatives.-

63 (2) APPLICATION PROCEDURES.-Licensure as a monument
64 establishment sales agent shall be by submission of an
65 application for licensure to the department on a form prescribed

914065 - h0029-line 804.docx

Published On: 1/23/2018 6:51:07 PM



Amendment No. 3

66 by rule.

67 (e) The monument establishment sales agent application
68 shall be accompanied by a fee of \$50. The licensing authority
69 may from time to time increase the application fee by rule but
70 not to exceed \$200. A member of the United States Armed Forces,
71 such member's spouse, and a veteran of the United States Armed
72 Forces who separated from service within the 2 years preceding
73 application for licensure are exempt from the application fee.
74 To qualify for the application fee exemption, an applicant must
75 provide a copy of a military identification card, military
76 dependent identification card, military service record, military
77 personnel file, veteran record, discharge paper, or separation
78 document that indicates such member is currently in good
79 standing or such veteran was honorably discharged.

80 Section 28. Paragraph (i) of subsection (2) and subsection
81 (4) of section 497.602, Florida Statutes, are amended to read:

82 497.602 Direct disposers, license required; licensing
83 procedures and criteria; regulation.—

84 (2) APPLICATION PROCEDURES.—

85 (i) The application shall be accompanied by a
86 nonrefundable fee of \$300. The licensing authority may from time
87 to time increase the fee by rule but not to exceed more than
88 \$500. A member of the United States Armed Forces, such member's
89 spouse, and a veteran of the United States Armed Forces who
90 separated from service within the 2 years preceding application



Amendment No. 3

91 for licensure are exempt from the application fee. To qualify
92 for the application fee exemption, an applicant must provide a
93 copy of a military identification card, military dependent
94 identification card, military service record, military personnel
95 file, veteran record, discharge paper, or separation document
96 that indicates such member is currently in good standing or such
97 veteran was honorably discharged.

98 (4) ISSUANCE OF LICENSE.—Upon approval of the application
99 by the licensing authority, the license shall be issued. The
100 licensing authority shall recognize military-issued credentials
101 relating to funeral and cemetery services for purposes of
102 licensure as a direct disposer. A member of the United States
103 Armed Forces and a veteran of the United States Armed Forces
104 seeking licensure as a direct disposer under this section shall
105 submit to the licensing authority a certification that the
106 military-issued credential reflects knowledge, training, and
107 experience substantially similar to the requirements of this
108 chapter for licensure as a direct disposer. The licensing
109 authority shall adopt rules specifying forms and procedures to
110 be used by members and veterans of the US Armed Forces seeking
111 licensure under this section. The licensing authority may
112 conduct investigation and further inquiry of any person
113 regarding any military-issued credential sought to be
114 recognized.



Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Commerce Committee

2 Representative Ponder offered the following:

3

4 **Amendment (with title amendment)**

5 Remove lines 1439-1979 and insert:

6 Section 39. Subsection (6) of section 626.171, Florida
7 Statutes, is amended to read:

8 626.171 Application for license as an agent, customer
9 representative, adjuster, service representative, managing
10 general agent, or reinsurance intermediary.-

11 (6) Members of the United States Armed Forces and their
12 spouses, and veterans of the United States Armed Forces who have
13 separated from service ~~retired~~ within 24 months before
14 application for licensure, are exempt from the application
15 filing fee prescribed in s. 624.501. Qualified individuals must
16 provide a copy of a military identification card, military

065291 - h0029-line 1439.docx

Published On: 1/23/2018 6:52:07 PM



Amendment No. 4

17 dependent identification card, military service record, military
18 personnel file, veteran record, discharge paper, ~~or separation~~
19 ~~document,~~ or a separation document that indicates such members
20 ~~of the United States Armed Forces~~ are currently in good standing
21 or such veterans were honorably discharged.

22 Section 40. Subsection (6) of section 626.732, Florida
23 Statutes, is renumbered as subsection (7), and a new subsection
24 (6) is added to that section, to read:

25 626.732 Requirement as to knowledge, experience, or
26 instruction.—

27 (6) Prelicensure coursework is not required for an
28 applicant who is a member or veteran of the United States Armed
29 Forces or the spouse of such a member or veteran. Qualified
30 individuals must provide a copy of a military identification
31 card, military dependent identification card, military service
32 record, military personnel file, veteran record, discharge paper
33 or separation document that indicates such members are currently
34 in good standing or such veterans were honorably discharged.

35 Section 41. Section 626.7851, Florida Statutes, is amended
36 to read:

37 626.7851 Requirement as to knowledge, experience, or
38 instruction.—An applicant for a license as a life agent, except
39 for a chartered life underwriter (CLU), shall not be qualified
40 or licensed unless within the 4 years immediately preceding the
41 date the application for a license is filed with the department

065291 - h0029-line 1439.docx

Published On: 1/23/2018 6:52:07 PM



Amendment No. 4

42 he or she has:

43 (1) Successfully completed 40 hours of coursework in life
44 insurance, annuities, and variable contracts approved by the
45 department, 3 hours of which shall be on the subject matter of
46 ethics. Courses must include instruction on the subject matter
47 of unauthorized entities engaging in the business of insurance;

48 (2) Successfully completed a minimum of 60 hours of
49 coursework in multiple areas of insurance, which included life
50 insurance, annuities, and variable contracts, approved by the
51 department, 3 hours of which shall be on the subject matter of
52 ethics. Courses must include instruction on the subject matter
53 of unauthorized entities engaging in the business of insurance;

54 (3) Earned or maintained an active designation as
55 Chartered Financial Consultant (ChFC) from the American College
56 of Financial Services; or Fellow, Life Management Institute
57 (FLMI) from the Life Management Institute;

58 (4) Held an active license in life insurance in another
59 state. This provision may not be used unless the other state
60 grants reciprocal treatment to licensees formerly licensed in
61 the state; or

62 (5) Been employed by the department or office for at least
63 1 year, full time in life insurance regulatory matters and who
64 was not terminated for cause, and application for examination is
65 made within 4 years after the date of termination of his or her
66 employment with the department or office.

065291 - h0029-line 1439.docx

Published On: 1/23/2018 6:52:07 PM



Amendment No. 4

67
68 Prelicensure coursework is not required for an applicant who is
69 a member or veteran of the United States Armed Forces or the
70 spouse of such a member or veteran. Qualified individuals must
71 provide a copy of a military identification card, military
72 dependent identification card, military service record, military
73 personnel file, veteran record, discharge paper or separation
74 document that indicates such members are currently in good
75 standing or such veterans were honorably discharged.

76 Section 42. Section 626.8311, Florida Statutes, is amended
77 to read:

78 626.8311 Requirement as to knowledge, experience, or
79 instruction.—An applicant for a license as a health agent,
80 except for a chartered life underwriter (CLU), shall not be
81 qualified or licensed unless within the 4 years immediately
82 preceding the date the application for license is filed with the
83 department he or she has:

84 (1) Successfully completed 40 hours of coursework in
85 health insurance, approved by the department, 3 hours of which
86 shall be on the subject matter of ethics. Courses must include
87 instruction on the subject matter of unauthorized entities
88 engaging in the business of insurance, to include the Florida
89 Nonprofit Multiple-Employer Welfare Arrangement Act and the
90 Employee Retirement Income Security Act, 29 U.S.C. ss. 1001 et
91 seq., as it relates to the provision of health insurance by

065291 - h0029-line 1439.docx

Published On: 1/23/2018 6:52:07 PM



Amendment No. 4

92 employers to their employees and the regulation thereof;

93 (2) Successfully completed a minimum of 60 hours of
94 coursework in multiple areas of insurance, which included health
95 insurance, approved by the department, 3 hours of which shall be
96 on the subject matter of ethics. Courses must include
97 instruction on the subject matter of unauthorized entities
98 engaging in the business of insurance;

99 (3) Earned or maintained an active designation as a
100 Registered Health Underwriter (RHU), Chartered Healthcare
101 Consultant (ChHC), or Registered Employee Benefits Consultant
102 (REBC) from the American College of Financial Services;
103 Certified Employee Benefit Specialist (CEBS) from the Wharton
104 School of the University of Pennsylvania; or Health Insurance
105 Associate (HIA) from America's Health Insurance Plans;

106 (4) Held an active license in health insurance in another
107 state. This provision may not be utilized unless the other state
108 grants reciprocal treatment to licensees formerly licensed in
109 Florida; or

110 (5) Been employed by the department or office for at least
111 1 year, full time in health insurance regulatory matters and who
112 was not terminated for cause, and application for examination is
113 made within 4 years after the date of termination of his or her
114 employment with the department or office.

115
116 Prelicensure coursework is not required for an applicant who is



Amendment No. 4

117 a member or veteran of the United States Armed Forces or the
118 spouse of such a member or veteran. Qualified individuals must
119 provide a copy of a military identification card, military
120 dependent identification card, military service record, military
121 personnel file, veteran record, discharge paper or separation
122 document that indicates such members are currently in good
123 standing or such veterans were honorably discharged.

124 Section 43. Subsection (7) is added to section 626.8417,
125 Florida Statutes, to read:

126 626.8417 Title insurance agent licensure; exemptions.—

127 (7) Prelicensure coursework is not required for an
128 applicant who is a member or veteran of the United States Armed
129 Forces or the spouse of such a member or veteran. Qualified
130 individuals must provide a copy of a military identification
131 card, military dependent identification card, military service
132 record, military personnel file, veteran record, discharge paper
133 or separation document that indicates such members are currently
134 in good standing or such veterans were honorably discharged.

135 Section 44. Subsection (7) is added to section 626.927,
136 Florida Statutes, to read:

137 626.927 Licensing of surplus lines agent.—

138 (7) Prelicensure coursework is not required for an
139 applicant who is a member or veteran of the United States Armed
140 Forces or the spouse of such a member or veteran. Qualified
141 individuals must provide a copy of a military identification

065291 - h0029-line 1439.docx

Published On: 1/23/2018 6:52:07 PM



Amendment No. 4

142 card, military dependent identification card, military service
143 record, military personnel file, veteran record, discharge paper
144 or separation document that indicates such members are currently
145 in good standing or such veterans were honorably discharged.

146 Section 45. Section 633.414, Florida Statutes, is amended
147 to read:

148 633.414 Retention of firefighter and volunteer firefighter
149 certifications.—

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

154 (a) Be active as a firefighter.

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

160 (c) Within 6 months before the 4-year period expires,
161 successfully complete a Firefighter Retention Refresher Course
162 consisting of a minimum of 40 hours of training to be prescribed
163 by rule.

164 (d) Within 6 months before the 4-year period expires,
165 successfully retake and pass the Minimum Standards Course
166 examination pursuant to s. 633.408.

065291 - h0029-line 1439.docx

Published On: 1/23/2018 6:52:07 PM



Amendment No. 4

167 (2) In order for a volunteer firefighter to retain her or
168 his Volunteer Firefighter Certificate of Completion, every 4
169 years he or she must:

170 (a) Be active as a volunteer firefighter; or

171 (b) Successfully complete a refresher course consisting of
172 a minimum of 40 hours of training to be prescribed by rule.

173 (3) Subsection (1) does not apply to state-certified
174 firefighters who are certified and employed full-time, as
175 determined by the fire service provider, as firesafety
176 inspectors or fire investigators, regardless of their employment
177 status as firefighters or volunteer firefighters.

178 (4) For the purposes of this section, the term "active"
179 means being employed as a firefighter or providing service as a
180 volunteer firefighter for a cumulative period of 6 months within
181 a 4-year period.

182 (5) The 4-year period begins upon issuance of the
183 certificate or separation from employment.

184 (6) A certificate for a firefighter or volunteer
185 firefighter expires if he or she fails to meet the requirements
186 of this section.

187 (7) The State Fire Marshal may deny, refuse to renew,
188 suspend, or revoke the certificate of a firefighter or volunteer
189 firefighter if the State Fire Marshal finds that any of the
190 following grounds exists:

191 (a) Any cause for which issuance of a certificate could

065291 - h0029-line 1439.docx

Published On: 1/23/2018 6:52:07 PM



Amendment No. 4

192 have been denied if it had then existed and had been known to
193 the division.

194 (b) A violation of any provision of this chapter or any
195 rule or order of the State Fire Marshal.

196 (c) Falsification of a record relating to any certificate
197 issued by the division.

198
199 The 4-year period may, in the discretion of the department, be
200 extended for an honorably discharged veteran of the United
201 States Armed Forces or the spouse of such a veteran to 12 months
202 after discharge from military service if the military service
203 does not exceed 3 years, but in no event more than 6 years from
204 the date of issue or renewal, if applicable. Qualified
205 individuals must provide a copy of a military identification
206 card, military dependent identification card, military service
207 record, military personnel file, veteran record, discharge paper
208 or separation document that indicates such members are currently
209 in good standing or such veterans were honorably discharged.

210 Section 46. Subsection (3) is added to section 633.444,
211 Florida Statutes, to read:

212 633.444 Division powers and duties; Florida State Fire
213 College.-

214 (3) The division shall waive all living and incidental
215 expenses associated with attending the Florida State Fire
216 College for an active duty member of the United States Armed



Amendment No. 4

217 Forces, the spouse of such a member who was serving on active
218 duty at the time of death and died within the 2 years preceding
219 the spouse attending the college, an honorably discharged
220 veteran of the United States Armed Forces, or the spouse or
221 surviving spouse of such a veteran. Qualified individuals must
222 provide a copy of a military identification card, military
223 dependent identification card, military service record, military
224 personnel file, veteran record, discharge paper or separation
225 document that indicates such members are currently in good
226 standing or such veterans were honorably discharged.

227
228
229 -----
230 **T I T L E A M E N D M E N T**

231 Remove lines 45-72 and insert:

232 waive certain registration fees; amending s. 626.171, F.S.;

233 revising fee waiver qualification requirements for certain

234 applicants; amending ss. 626.732, 626.7851, 626.8311, 626.8417,

235 and 626.927, F.S.; revising prelicensure course requirements for

236 certain applicants; amending s. 633.414, F.S.; authorizing an

237 extension for firefighter certification renewal for certain

238 persons; amending s. 633.444, F.S.; requiring the Division of

239 State Fire Marshal to waive certain expenses associated with

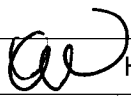
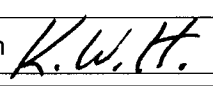
240 attending the Florida State Fire College; creating s.

065291 - h0029-line 1439.docx

Published On: 1/23/2018 6:52:07 PM

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 813 Licensure of Unarmed Security Guards
SPONSOR(S): Careers and Competition Subcommittee, Willhite
TIED BILLS: **IDEN./SIM. BILLS:** SB 1574

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Careers & Competition Subcommittee	13 Y, 0 N, As CS	Wright	Anstead
2) Commerce Committee		Wright 	Hamon 

SUMMARY ANALYSIS

The Department of Agriculture and Consumer Services, Division of Licensing, is responsible for the licensure and regulation of private security, private investigations, and recovery services professionals.

To act as an unarmed security officer, a person must obtain a Class "D" private security license, which includes the completion of an in-person 40 hour training course at a Class "DS" licensed school or training facility.

The bill will allow:

- applicants for a Class "D" unarmed security officer license to take the required training online, and
- Class "DS" school and training facility licensees to offer such training courses online.

The bill does not appear to have a fiscal impact on state or local government.

The bill has an effective date of July 1, 2018.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

The mission of the Department of Agriculture and Consumer Services (DACS) is to safeguard the public and support Florida's agricultural economy by:

- ensuring the safety and wholesomeness of food and other consumer products through inspection and testing programs;
- protecting consumers from unfair and deceptive business practices and providing consumer information;
- assisting Florida's farmers and agricultural industries with the production and promotion of agricultural products; and
- conserving and protecting the state's agricultural and natural resources by reducing wildfires, promoting environmentally safe agricultural practices, and managing public lands.¹

The Division of Licensing (DOL) within DACS is responsible for protecting the public from unethical business practices on the part of persons providing private security, private investigative and recovery services to the public through licensure and regulation of those industries pursuant to ch. 493, F.S. Additionally, DOL is responsible for the issuance of Concealed Weapon or Firearm Licenses in accordance with s. 790.06, F.S.²

Security Officers

Section 493.6101, F.S., defines the following:

- "security officer" means any individual who, for consideration, advertises as providing or performs bodyguard services or otherwise guards persons or property; attempts to prevent theft or unlawful taking of goods, wares, and merchandise; or attempts to prevent the misappropriation or concealment of goods, wares or merchandise, money, bonds, stocks, choses in action, notes, or other documents, papers, and articles of value or procurement of the return thereof. The term also includes armored car personnel and those personnel engaged in the transportation of prisoners.³
- "security agency" means any person who, for consideration, advertises as providing or is engaged in the business of furnishing security services, armored car services, or transporting prisoners.

Class "D" License

To become an unarmed security officer in Florida, a Class "D" private security license from DOL is required.⁴

"Unarmed" means that no firearm shall be carried while providing security officer services.⁵

To qualify for a Class "D" license, an applicant must:

- be at least 18 years old;
- be one of the following:

¹ DACS, *About*, <http://www.freshfromflorida.com/About/> (last visited Jan. 10, 2018).

² *Id.* at Division of Licensing.

³ s. 493.6101(19), F.S.

⁴ s. 493.6301(5), F.S. Exceptions to the licensure requirement are listed in s. 493.6102, F.S.

⁵ s. 493.6101(9), F.S. Carrying a firearm in the course of performing such duties requires a Class "G" license in addition. s. 493.6115(2), F.S.

- a United States citizen,
- a permanent legal resident, or
- a holder of a work visa from the United States Citizenship and Immigration Service;
- have no disqualifying criminal history;
- be of good moral character;
- have no history of:
 - mental illness,
 - alcohol abuse,
 - or substance abuse;
- submit an application to DOL with certain identifying information,⁶ and
- complete 40 hours of required training and submit proof thereof to DACS.⁷

Currently, the required training must take place in-person at a licensed school or training facility that has a physical location.⁸ Many states, including California and Georgia, do not prohibit online training for unarmed security officers.⁹

Class “DS” Schools and Training Facilities

Schools and training facilities that provide required training services for Class “D” license applicants must submit an application for a Class “DS” license to DOL with the following information:

- the name and address of the school or training facility,
- the street address of the place where training will be conducted, and
- a copy of the curriculum and final exam to be administered,¹⁰ in accordance with the requirements set forth by DACS.¹¹

Currently, such schools and training facilities may only provide in-person classes at a physical location.¹²

Effect of the Bill

The bill will allow applicants for a Class “D” unarmed security officer license to take the required training online. Such training is valid only if DACS receives verification of such applicant’s identity, attendance, and successful completion of such training. DACS will establish the reporting requirements by rule.

The bill will also allow applicants for a Class “DS” school and training facility license to list a website address on their application in lieu of a physical or street address, thus allowing them to offer online courses.

The bill provides an effective date of July 1, 2018.

B. SECTION DIRECTORY:

Section 1 Amends s. 493.6303, F.S., to allow verified online training for applicants for a Class “D” license.

⁶ s. 493.6105, F.S.

⁷ s. 493.6303(4)(a), F.S.

⁸ ss. 493.6303(4)(a) and 493.6304, F.S.; and DACS, Agency Analysis of HB 813, p. 1 (Dec. 27, 2018).

⁹ Cal. Bus. & Prof. § 7583.6 (2017); Ga. Comp. R. & Regs. r. 509-3-.02; and O.C.G.A. § 43-38-7.1(a).

¹⁰ s. 493.6304, F.S.

¹¹ r. 5N-1.140, F.A.C.

¹² DACS, *supra* note 8.

Section 2 Amends s. 493.6304, F.S., to allow an entity to list its website address in lieu of a physical address on its application for a license as a Class "DS" school or training facility.

Section 3 Provides an effective date for the bill.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Online training may make the profession more accessible based on increased ease in obtaining the required training. Schools and training facilities may also offer training at a lower cost due to reduced costs from running physical facilities.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

DACS will need to develop rules to implement this bill. Authority to do so is found in ss. 493.6303(4)(a) and 493.6304(3), F.S.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On January 16, 2018, the Careers and Competition Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The committee substitute:

- provides that online training for unarmed security guard applicants is valid only if DACS receives verification of such applicant's identity, attendance, and successful completion of such training; and
- clarifies language to allow schools and training facilities to offer online courses.

This analysis is drafted to the committee substitute as passed by the Careers and Competition Subcommittee.

1 A bill to be entitled
 2 An act relating to licensure of unarmed security
 3 guards; amending s. 493.6303, F.S.; authorizing
 4 security officer training classes to be offered online
 5 under certain circumstances; requiring the Department
 6 of Agriculture and Consumer Services to establish
 7 reporting requirements for verification of training
 8 submission; amending s. 493.6304, F.S.; conforming
 9 provisions to changes made by the act; providing an
 10 effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Paragraph (a) of subsection (4) of section
 15 493.6303, Florida Statutes, is amended to read:

16 493.6303 License requirements.—In addition to the license
 17 requirements set forth elsewhere in this chapter, each
 18 individual or agency must comply with the following additional
 19 requirements:

20 (4)(a) An applicant for a Class "D" license must submit
 21 proof of successful completion of a minimum of 40 hours of
 22 professional training at a school or training facility licensed
 23 by the department. Such training may be conducted by in-person
 24 instruction or online through the school or facility's secure
 25 website, provided that the applicant's identity, attendance, and

26 successful completion of training are verified, and such
 27 verification is provided to the department upon completion of
 28 the training. The department shall by rule establish the general
 29 content, ~~and~~ number of hours of each subject area to be taught,
 30 and reporting requirements for verification of the training
 31 submission.

32 Section 2. Paragraphs (a) and (b) of subsection (2) of
 33 section 493.6304, Florida Statutes, are amended to read:

34 493.6304 Security officer school or training facility.—

35 (2) The application shall be signed and verified by the
 36 applicant under oath as provided in s. 92.525 and must contain,
 37 at a minimum, the following information:

38 (a) The name and address of the school or training
 39 facility, or if the training is conducted online, the school or
 40 facility's name and website address, and, if the applicant is an
 41 individual, her or his name, address, and social security or
 42 alien registration number.

43 (b) The street address or website address of the place at
 44 which the training is to be conducted.

45 Section 3. This act shall take effect July 1, 2018.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 935 Mortgage Lending
SPONSOR(S): Nuñez
TIED BILLS: IDEN./SIM. BILLS: SB 894

Table with 4 columns: REFERENCE, ACTION, ANALYST, STAFF DIRECTOR or BUDGET/POLICY CHIEF. Row 1: 1) Insurance & Banking Subcommittee, 13 Y, 1 N, Hinshelwood, Luczynski. Row 2: 2) Commerce Committee, Hinshelwood, Hamon, K.W.H.

SUMMARY ANALYSIS

The Office of Financial Regulation (OFR) licenses and regulates various aspects of non-depository mortgage businesses, including mortgage loan originators, mortgage brokers, and mortgage lenders. Unless otherwise exempt, a person acting in such capacity must be licensed if the person takes part in making a "mortgage loan." For residential mortgage loans, licensure is required where the mortgage is primarily for personal, family, or household use; licensure is not required where the residential mortgage loan is made for a business purpose. The exclusion of business purpose residential mortgage loans under Florida law is consistent with the federal law that regulates mortgage loan originators and the federal laws that regulate mortgage disclosures.

Two current exemptions in ch. 494, F.S., permit an individual investor to make or acquire a mortgage loan with his or her own funds, or to sell such mortgage loan, without being licensed as a mortgage lender, so long as the individual does not "hold himself or herself out to the public as being in the mortgage lending business." However, this phrase is currently undefined.

The bill makes the following changes:

- Amends the definition of "mortgage loan" such that a residential mortgage loan made for a business purpose will fall under the definition of a "mortgage loan." Persons originating, brokering, or lending for such loans will be subject to licensure by the OFR, unless they are otherwise exempt.
Provides a definition of the phrase "hold himself or herself out to the public as being in the mortgage lending business," as that phrase is used in two current licensing exemptions.

The bill has no impact on local governments, an indeterminate fiscal impact on the private sector, and a positive but indeterminate impact on state revenues. The bill would increase expenditures to the state. The OFR has estimated that it will need two additional full-time employee positions at a cost of \$62,242 each, for a total of \$124,484, in order to perform licensing and regulatory functions.

The bill provides an effective date of January 1, 2019.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background: Federal Regulation of the Mortgage Industry

Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (SAFE Act)

The SAFE Act¹ was enacted on July 30, 2008, and was designed to enhance consumer protection and reduce fraud through the setting of minimum standards for the licensing and registration of mortgage loan originators.² Mortgage loan originators who work for an insured depository institution (e.g., a bank or credit union) or its owned or controlled subsidiary that is regulated by a federal banking agency, or for an institution regulated by the Farm Credit Administration, must comply with federal registration requirements; all other mortgage loan originators are licensed by the states so long as minimum requirements for licensing and renewal are maintained.³ Both federal registration and state licensing must be accomplished through the same online registration system, the Nationwide Mortgage Licensing System and Registry (NMLS).⁴

The SAFE Act defines a “residential mortgage loan” as “any loan primarily for personal, family, or household use that is secured by a mortgage, deed of trust, or other equivalent consensual security interest on a dwelling . . . or residential real estate upon which is constructed or intended to be constructed a dwelling”⁵ Because the SAFE Act’s definition of “residential mortgage loan” includes the requirement that it be made “primarily for personal, family, or household use”, residential mortgage loans made for business purposes are excluded from the scope of the SAFE Act’s regulation.

Truth in Lending Act (TILA) and Real Estate Settlement Procedures Act (RESPA)

The TILA’s regulations⁶ are intended to:⁷

- Promote the informed use of consumer credit by requiring disclosures about its terms and cost,
- Ensure that consumers are provided with greater and more timely information on the nature and costs of the residential real estate settlement process, and
- Effect certain changes in the settlement process for residential real estate that will result in more effective advance disclosure to home buyers and sellers of settlement costs.

TILA affords consumers certain protections, including:

- Giving consumers the right to cancel certain credit transactions that involve a lien on a consumer’s principal dwelling.⁸
- Requiring a maximum interest rate to be stated in variable-rate contracts secured by the consumer’s dwelling.⁹

¹ 12 U.S.C. §§ 5101 *et seq.*

² 12 C.F.R. § 1008.1(b).

³ Nationwide Multistate Licensing System & Registry, *SAFE Mortgage Licensing Act of 2008*, <http://mortgage.nationwidelicencingsystem.org/safe/Pages/default.aspx> (last visited Jan. 12, 2018); 12 C.F.R. §§ 1008.101 – 1008.203.

⁴ Consumer Financial Protection Bureau, *CFPB Consumer Laws and Regulations: SAFE Act*, http://files.consumerfinance.gov/f/201203_cfpb_update_SAFE_Act_Exam_Procedures.pdf, at 1 (last visited Jan. 12, 2018).

⁵ 12 C.F.R. § 1008.23. The term “dwelling” has the same meaning under ch. 494, F.S., and the federal SAFE Act, as both rely on the definition of “dwelling” that is provided in TILA. s. 494.001(24)(a), F.S., and 12 C.F.R. § 1008.23.

⁶ 12 C.F.R. Part 1026.

⁷ 12 C.F.R. § 1026.1(b).

⁸ *Id.*

⁹ *Id.*

- Imposing limitations on open-end credit plans secured by the consumer's dwelling and on "high-cost" mortgages secured by the consumer's principal dwelling.¹⁰
- Requiring that a loan estimate be provided within three business days from application.¹¹
- Requiring that a closing disclosure be provided to consumers three business days before loan consummation.¹²

RESPA's regulations¹³ are intended to require certain timely disclosures regarding the nature and costs of the real estate settlement process. Due to the overlapping disclosure requirements in RESPA and TILA relating to most closed-end consumer credit transactions secured by real property, disclosures and forms for these types of transactions have been integrated and are governed by TILA regulations.¹⁴

Both TILA and RESPA exempt from their regulations a mortgage loan made "primarily for a business, commercial or agricultural purpose."¹⁵ Therefore, TILA and RESPA do not cover "business purpose" mortgage loans but rather only "consumer purpose" mortgage loans. When determining whether credit is for consumer purposes, the creditor must evaluate all of the following factors:¹⁶

- 1) *Any statement obtained from the consumer describing the purpose of the proceeds.*
 - For example, a statement that the proceeds will be used for a vacation trip would indicate a consumer purpose.
 - If the loan has a mixed-purpose (e.g., proceeds will be used to buy a car that will be used for personal and business purposes), the lender must look to the primary purpose of the loan to decide whether disclosures are necessary. A statement of purpose from the consumer will help the lender make that decision.
 - A checked box indicating that the loan is for a business purpose, absent any documentation showing the intended use of the proceeds could be insufficient evidence that the loan did not have a consumer purpose.
- 2) *The consumer's primary occupation and how it relates to the use of the proceeds.* The higher the correlation between the consumer's occupation and the property purchased from the loan proceeds, the greater the likelihood that the loan has a business purpose. For example, proceeds used to purchase dental supplies for a dentist would indicate a business purpose.
- 3) *Personal management of the assets purchased from proceeds.* The lower the degree of the borrower's personal involvement in the management of the investment or enterprise purchased by the loan proceeds, the less likely the loan will have a business purpose. For example, money borrowed to purchase stock in an automobile company by an individual who does not work for that company would indicate a personal investment and a consumer purpose.
- 4) *The size of the transaction.* The larger the size of the transaction, the more likely the loan will have a business purpose. For example, if the loan is for a \$5,000,000 real estate transaction, that might indicate a business purpose.
- 5) *The amount of income derived from the property acquired by the loan proceeds relative to the borrower's total income.* The lesser the income derived from the acquired property, the more likely the loan will have a consumer purpose. For example, if the borrower has an annual salary

¹⁰ *Id.*

¹¹ Consumer Financial Protection Bureau, *CFPB Consumer Laws and Regulations: TILA*, https://s3.amazonaws.com/files.consumerfinance.gov/f/201503_cfpb_truth-in-lending-act.pdf, at 4 (last visited Jan. 12, 2018).

¹² *Id.*

¹³ 12 C.F.R. Part 1024.

¹⁴ Consumer Financial Protection Bureau, *2013 Integrated Mortgage Disclosure Rule Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth in Lending Act (Regulation Z)*, <https://www.consumerfinance.gov/policy-compliance/rulemaking/final-rules/2013-integrated-mortgage-disclosure-rule-under-real-estate-settlement-procedures-act-regulation-x-and-truth-lending-act-regulation-z/> (last visited Jan. 12, 2018).

¹⁵ 12 C.F.R. § 1026.3(a).

¹⁶ Consumer Financial Protection Bureau, *CFPB Consumer Laws and Regulations: TILA*, https://s3.amazonaws.com/files.consumerfinance.gov/f/201503_cfpb_truth-in-lending-act.pdf, at 6-9 (last visited Jan. 12, 2018). RESPA states that "[p]ersons may rely on [TILA] in determining whether the [business purpose loan] exemption applies." 12 C.F.R. § 1024.5(b)(2).

of \$100,000 and receives about \$500 in annual dividends from the acquired property, that would indicate a consumer purpose.

All five factors must be evaluated before the lender can conclude that disclosures are not necessary. Normally, no one factor, by itself, is sufficient reason to determine the applicability of Regulation Z. In any event, the financial institution may routinely furnish disclosures to the consumer. Disclosure under such circumstances does not control whether the transaction is covered, but can assure protection to the financial institution and compliance with the law.¹⁷

Background: State Regulation of Non-Depository Mortgage Business

The Office of Financial Regulation (OFR) regulates banks, credit unions, other financial institutions, finance companies, and the securities industry.¹⁸ The OFR's Division of Consumer Finance licenses and regulates various aspects of the non-depository financial services industries, including individuals and businesses engaged in the mortgage business.

Under ch. 494, F.S., the OFR licenses and regulates the following individuals and businesses engaged in the mortgage business outside of a depository financial institution:

- *Loan originator*¹⁹ – An individual who, directly or indirectly, solicits or offers to solicit a mortgage loan, accepts or offers to accept an application for a mortgage loan, negotiates or offers to negotiate the terms or conditions of a new or existing mortgage loan on behalf of a borrower or lender, or negotiates or offers to negotiate the sale of an existing mortgage loan to a noninstitutional investor for compensation or gain. The term includes an individual who is required to be licensed as a loan originator under the S.A.F.E. Mortgage Licensing Act of 2008. The term does not include an employee of a mortgage broker or mortgage lender whose duties are limited to physically handling a completed application form or transmitting a completed application form to a lender on behalf of a prospective borrower.
- *Mortgage broker*²⁰ – A person conducting loan originator activities through one or more licensed loan originators employed by the mortgage broker or as independent contractors to the mortgage broker.
- *Mortgage lender*²¹ – A person making a mortgage loan or servicing a mortgage loan for others, or, for compensation or gain, directly or indirectly, selling or offering to sell a mortgage loan to a noninstitutional investor. A mortgage lender may act as a mortgage broker.²²

The conditions requiring licensure as a mortgage loan originator, mortgage broker, or mortgage lender include whether a person takes part in making a "mortgage loan," as defined under ch. 494, F.S. Currently, the definition includes a:²³

- Residential loan primarily for personal, family, or household use which is secured by a mortgage, deed of trust, or other equivalent consensual security interest on a dwelling for the purchase of residential real estate upon which a dwelling is to be constructed. A "dwelling" is a residential structure or mobile home which contains one to four family housing units, or individual units of condominiums or cooperatives.²⁴
- Loan on commercial real property if the borrower is an individual or the lender is a noninstitutional investor.
- Loan on improved real property consisting of five or more dwelling units if the borrower is an individual or the lender is a noninstitutional investor.

¹⁷ *Id.*

¹⁸ s. 20.121(3)(a)2., F.S.

¹⁹ s. 494.001(17), F.S.

²⁰ s. 494.001(22), F.S.

²¹ s. 494.001(23), F.S.

²² s. 494.0073, F.S.

²³ s. 494.001(24), F.S.

²⁴ *Id.*; 15 U.S.C. § 1602(w).

Because the definition of a residential mortgage loan in ch. 494, F.S., includes the requirement that it be made “primarily for personal, family, or household use”, then a person originating, brokering, or lending for a business purpose loan does not need to be licensed under ch. 494, F.S. The exclusion of business purpose residential mortgage loans under Florida law is consistent with the federal law that regulates mortgage loan originators (the SAFE Act) and the federal laws that regulate mortgage disclosures (TILA and RESPA).

In order to obtain licensure as a mortgage *loan originator*, an individual must:²⁵

- Complete a 20-hour prelicensing class;²⁶
- Pass a written test (cost: \$110);²⁷
- Submit an application form;
- Submit a nonrefundable application fee of \$195 plus a \$20 nonrefundable fee for the Mortgage Guaranty Trust Fund;
- Submit fingerprints, the cost of which is borne by the applicant; and
- Authorize access to his or her credit report, the cost of which is borne by the applicant.

In order to obtain licensure as a *mortgage broker*, a person must:²⁸

- Submit an application form, which must designate a qualified principal loan originator;
- Submit a nonrefundable application fee of \$425 plus a \$100 nonrefundable fee for the Mortgage Guaranty Trust Fund;
- Submit fingerprints for each of the applicant’s control persons, the cost of which is borne by the person subject to the background check; and
- Authorize access to the credit reports of each of the applicant’s control persons, the cost of which is borne by the applicant.

In order to obtain licensure as a *mortgage lender*, a person must:²⁹

- Submit an application form, which must designate a qualified principal loan originator;
- Submit a nonrefundable application fee of \$500 plus a \$100 nonrefundable fee for the Mortgage Guaranty Trust Fund;
- Submit fingerprints for each of the applicant’s control persons, the cost of which is borne by the person subject to the background check;
- Submit a copy of the applicant’s financial audit report for the most recent fiscal year, which must document that the applicant has a net worth of at least \$63,000 if the applicant is not seeking a servicing endorsement, or at least \$250,000 if the applicant is seeking a servicing endorsement; and
- Authorize access to the credit reports of each of the applicant’s control persons, the cost of which is borne by the applicant.

All of the above licenses must be renewed annually by December 31.³⁰ In order to renew:

- A mortgage *loan originator* license, an individual must submit a renewal form and a nonrefundable renewal fee of \$150 plus a \$20 nonrefundable fee for the Mortgage Guaranty Trust Fund; provide documentation of completion of at least 8 hours of continuing education

²⁵ s. 494.00312, F.S.

²⁶ The cost of prelicensing courses may vary by course provider, but one such course provider charges \$349 for the required 20-hour course. See MortgageEducation.com, *Mortgage Loan Originator Courses*, <https://www.mortgage-education.com/StatePage.aspx?StateCode=FL> (last visited Jan. 12, 2018).

²⁷ Nationwide Multistate Licensing System & Registry, *Uniform State Test (UST) Implementation Information*, <http://mortgage.nationwidelicensingsystem.org/profreq/testing/Pages/UniformStateTest.aspx> (last visited Jan. 12, 2018).

²⁸ s. 494.00321, F.S.

²⁹ s. 494.00611, F.S.

³⁰ ss. 494.00312(7), 494.00321(7), and 494.00611, F.S.

courses;³¹ and authorize access to his or her credit report, the cost of which is borne by the licensee.³²

- A *mortgage broker* license, a person must submit a renewal form and a nonrefundable renewal fee of \$375 plus a \$100 nonrefundable fee for the Mortgage Guaranty Trust Fund; submit fingerprints for any new control persons who have not been screened; and authorize access to the credit reports of each of the mortgage broker's control persons, the cost of which is borne by the licensee.³³
- A *mortgage lender* license, a person must submit a renewal form and a nonrefundable renewal fee of \$475 plus a \$100 nonrefundable fee for the Mortgage Guaranty Trust Fund; submit fingerprints for any new control persons who have not been screened; submit proof that the mortgage lender continues to meet the applicable net worth requirement; and authorize access to the credit reports of each of the mortgage lender's control persons, the cost of which is borne by the licensee.³⁴

The following persons are currently exempt from regulation under ch. 494, F.S.:³⁵

- a) Any person operating exclusively as a registered loan originator³⁶ in accordance with the S.A.F.E. Mortgage Licensing Act of 2008.
- b) A depository institution; certain regulated subsidiaries that are owned and controlled by a depository institution; or institutions regulated by the Farm Credit Administration.
- c) The Federal National Mortgage Association; the Federal Home Loan Mortgage Corporation; any agency of the Federal Government; any state, county, or municipal government; or any quasi-governmental agency that acts in such capacity under the specific authority of the laws of any state or the United States.
- d) An attorney licensed in this state who negotiates the terms of a mortgage loan on behalf of a client as an ancillary matter to the attorney's representation of the client.
- e) A person involved solely in the extension of credit relating to the purchase of a timeshare plan.
- f) A person who performs only real estate brokerage activities and is licensed or registered in this state under part I of chapter 475, F.S., unless the person is compensated by a lender, a mortgage broker, or other loan originator or by an agent of such lender, mortgage broker, or other loan originator.

The following persons are currently exempt from the mortgage lender licensing requirements of ch. 494, F.S.:

- a) A person acting in a fiduciary capacity conferred by the authority of a court.
- b) A person who, as a seller of his or her own real property, receives one or more mortgages in a purchase money transaction.
- c) A person who acts solely under contract and as an agent for federal, state, or municipal agencies for the purpose of servicing mortgage loans.
- d) A person who makes only nonresidential mortgage loans and sells loans only to institutional investors.
- e) An individual making or acquiring a mortgage loan using his or her own funds for his or her own investment, and who does not hold himself or herself out to the public as being in the mortgage lending business.

³¹ The cost of continuing education courses may vary by course provider, but one such course provider charges \$159 for the required 8-hour course. See MortgageEducation.com, *Mortgage Loan Originator Courses*, <https://www.mortgage-education.com/StatePage.aspx?StateCode=FL> (last visited Jan. 12, 2018).

³² s. 494.00313, F.S.

³³ s. 494.00322, F.S.

³⁴ s. 494.00612, F.S.

³⁵ s. 494.00115(1), F.S.

³⁶ A "registered loan originator" is "a loan originator who is employed by a depository institution, by a subsidiary that is owned and controlled by a depository institution and regulated by a federal banking agency, or by an institution regulated by the Farm Credit Administration, and who is registered with and maintains a unique identifier through the [Nationwide Mortgage Licensing System and Registry]." A registered loan originator must comply with federal registration requirements rather than the loan originator licensing requirements under ch. 494, F.S.

- f) An individual selling a mortgage that was made or purchased with that individual's funds for his or her own investment, and who does not hold himself or herself out to the public as being in the mortgage lending business.

Each ch. 494, F.S., licensee is subject to:

- Certain requirements for the maintenance of books and records relating to the licensee's compliance with the chapter, with regard to expenses paid by the licensee on behalf of the borrower, and relating to its advertisements.³⁷
- The OFR's investigation and examination authority.³⁸
- The OFR's enforcement authority such as injunctions, cease and desist orders, suspension or revocation of licensure, and administrative fines.³⁹

As part of the administrative penalties and fines available to the OFR under ch. 494, F.S., a violation of the RESPA, TILA, or any regulations adopted thereunder committed in any mortgage transaction, is a ground for disciplinary action.⁴⁰

Effect of the Bill

The bill amends the definition of "mortgage loan" by removing the requirement that a residential mortgage loan be used primarily for personal, family, or household purposes. As a result, a residential mortgage loan made for a business purpose will fall under the definition of a "mortgage loan." Persons originating, brokering, or lending for such loans will be subject to licensure by the OFR, unless otherwise exempt under s. 494.00115, F.S.

Two current exemptions in ch. 494, F.S., permit an individual investor to make or acquire a mortgage loan with his or her own funds, or to sell such mortgage loan, without being licensed as a mortgage lender under ch. 494, F.S., so long as the individual does not "hold himself or herself out to the public as being in the mortgage lending business." The bill specifies that the phrase "hold himself or herself out to the public as being in the mortgage lending business," includes the following:

- Representing to the public, through advertising or other means of communicating or providing information, including the use of business cards, stationery, brochures, signs, rate lists, or promotional items, by any method, that such individual can or will perform the activities described in the definition of "mortgage lender."
- Soliciting in a manner that would lead the intended audience to reasonably believe that such individual is in the business of performing the activities described in the definition of "mortgage lender."
- Maintaining a commercial business establishment at which, or premises from which, such individual regularly performs the activities described in the definition of "mortgage lender" or regularly meets with current or prospective mortgage borrowers.
- Advertising, soliciting, or conducting business through the use of a name, trademark, service mark, trade name, Internet address, or logo that indicates or reasonably implies that the business being advertised, solicited, or conducted is of the kind or character of business transacted or conducted by a licensed mortgage lender or is likely to lead any person to believe that such business is that of a licensed mortgage lender.

B. SECTION DIRECTORY:

Section 1. Amends s. 494.001, F.S., relating to definitions.

Section 2. Amends s. 494.00115, F.S., relating to exemptions.

³⁷ ss. 494.0016 and 494.00165(2), F.S.

³⁸ s. 494.0012, F.S.

³⁹ ss. 494.0013, 494.0014, and 494.00255, F.S.

⁴⁰ s. 494.00255(1)(m), F.S.

Section 3. Provides an effective date of January 1, 2019.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill would have a positive impact on revenue to the state because the addition of any new licensees will result in an increase in licensing fees received by the OFR. However, as it is unknown how many new licensees will result from the bill's passage, the impact on state revenues is indeterminate.

2. Expenditures:

The bill would increase expenditures to the state. The addition of any new licensees has a corresponding impact on the responsibility of the OFR to provide regulatory oversight of the additional licensees. The OFR has estimated that it will need two additional full-time employee positions at a cost of \$62,242 each, for a total of \$124,484, in order to perform licensing and regulatory functions.⁴¹

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The bill does not appear to have an impact on local government revenues.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Consumers who take out a residential mortgage loan, regardless of the loan's purpose, will have to utilize the services of a licensed loan originator, mortgage broker, or mortgage lender. To the extent that such licensed mortgage professionals comply with TILA and RESPA mortgage disclosures as a matter of course, even on business purpose mortgage loans, the consumer is afforded more protection in the form of disclosures regarding the terms and costs of the mortgage loan.

Persons who are currently involved in making residential mortgage loans for a business purpose but are not licensed will be required to become licensed under ch. 494, F.S., in order to continue such activity. However, as it is unknown how many new licensees will result from the bill's passage, the fiscal impact to the private sector is indeterminate.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill does not appear to create a need for rulemaking or rulemaking authority.

C. DRAFTING ISSUES OR OTHER COMMENTS:

A violation of RESPA, TILA, or any regulations adopted thereunder committed in any mortgage transaction, is a ground for disciplinary action under ch. 494, F.S. Both RESPA and TILA exclude business purpose loans from the scope of their regulation. Therefore, a person may be subject to licensure under ch. 494, F.S., but would not necessarily be required to provide the disclosures required under RESPA and TILA if the residential mortgage loan is made for a business purpose.

The body of this bill is substantially similar to language that was included in CS/CS/HB 747 (2017) as enrolled and sent to the Governor. The Governor vetoed the 2017 bill on June 26, 2017, for reasons relating to portions of the 2017 bill that are contained in this bill.⁴² Relating to the language that is contained in this bill, the Governor's veto letter noted that the legislation "expands the regulatory environment on residential mortgages and adds overly prescriptive regulations pertaining to mortgage lending. These requirements would make Florida one of the most restrictive states in the nation in the residential mortgage lending arena."⁴³

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

⁴² Letter from Rick Scott, Governor of the state of Fla., to Ken Detzner, Sec'y of State (June 26, 2017), <http://www.flgov.com/wp-content/uploads/2017/06/HB-747-Veto-Letter.pdf> (last visited Jan. 12, 2018).

⁴³ *Id.*

1 A bill to be entitled
 2 An act relating to mortgage lending; amending s.
 3 494.001, F.S.; revising the definition of the term
 4 "mortgage loan"; amending s. 494.00115, F.S.;
 5 providing a definition for the term "hold himself or
 6 herself out to the public as being in the mortgage
 7 lending business"; providing an effective date.

8
 9 Be It Enacted by the Legislature of the State of Florida:

10
 11 Section 1. Subsection (24) of section 494.001, Florida
 12 Statutes, is amended to read:

13 494.001 Definitions.—As used in this chapter, the term:

14 (24) "Mortgage loan" means any:

15 (a) Residential loan that ~~primarily for personal, family,~~
 16 ~~or household use which~~ is secured by a mortgage, deed of trust,
 17 or other equivalent consensual security interest on a dwelling,
 18 as defined in s. 103(w) ~~s. 103(v)~~ of the federal Truth in
 19 Lending Act, or for the purchase of residential real estate upon
 20 which a dwelling is to be constructed;

21 (b) Loan on commercial real property if the borrower is an
 22 individual or the lender is a noninstitutional investor; or

23 (c) Loan on improved real property consisting of five or
 24 more dwelling units if the borrower is an individual or the
 25 lender is a noninstitutional investor.

26 Section 2. Subsection (4) is added to section 494.00115,
 27 Florida Statutes, to read:

28 494.00115 Exemptions.—

29 (4) As used in this section, the term "hold himself or
 30 herself out to the public as being in the mortgage lending
 31 business" includes any of the following:

32 (a) Representing to the public, through advertising or
 33 other means of communicating or providing information, including
 34 the use of business cards, stationery, brochures, signs, rate
 35 lists, or promotional items, by any method, that such individual
 36 can or will perform the activities described in s. 494.001(23).

37 (b) Soliciting in a manner that would lead the intended
 38 audience to reasonably believe that such individual is in the
 39 business of performing the activities described in s.
 40 494.001(23).

41 (c) Maintaining a commercial business establishment at
 42 which, or premises from which, such individual regularly
 43 performs the activities described in s. 494.001(23) or regularly
 44 meets with current or prospective mortgage borrowers.

45 (d) Advertising, soliciting, or conducting business
 46 through the use of a name, trademark, service mark, trade name,
 47 Internet address, or logo that indicates or reasonably implies
 48 that the business being advertised, solicited, or conducted is
 49 of the kind or character of business transacted or conducted by
 50 a licensed mortgage lender or is likely to lead any person to

HB 935

2018

51 believe that such business is that of a licensed mortgage
52 lender.

53 Section 3. This act shall take effect January 1, 2019.

COMMERCE COMMITTEE

**HB 935 by Rep. Nuñez
Mortgage Lending**

**AMENDMENT SUMMARY
January 24, 2018**

Amendment 1 by Rep. Nuñez (line 53):

- Changes the effective date of the bill from January 1, 2019, to July 1, 2019.



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Commerce Committee

2 Representative Nuñez offered the following:

3

4 **Amendment**

5 Remove line 53 and insert:

6 Section 3. This act shall take effect July 1, 2019.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 1167 Designation of Eligible Telecommunications Carriers
SPONSOR(S): Energy & Utilities Subcommittee; Leek
TIED BILLS: IDEN./SIM. **BILLS:** SB 1018

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Energy & Utilities Subcommittee	12 Y, 0 N, As CS	Keating	Keating
2) Commerce Committee		Keating <i>OK</i>	Hamon <i>K.W.H.</i>

SUMMARY ANALYSIS

“Universal Service” is the principle that all Americans should have access to communications services. To promote universal service, the Federal Communications Commission (FCC) administers the federal Universal Service Fund (USF). The federal USF pays for four programs, including the Lifeline/Link Up (Lifeline) program that provides monthly discounts to qualifying low-income consumers for voice and broadband services and the Connect America Fund (High-Cost Support) program that subsidizes telecommunications services to rural areas of the nation. To receive funding support through the federal USF for participation in these programs, a telecommunications company must be designated as an eligible telecommunications carrier (ETC). Federal law gives state utility commissions primary responsibility for designating ETCs. The FCC is responsible for designating ETCs for each state whose utility commission lacks authority to do so. Since 2011, the Florida Public Service Commission (PSC) has lacked authority to designate wireless carriers as ETCs.

The bill amends s. 364.10, F.S., to authorize the PSC, upon petition, to designate wireless carriers as ETCs pursuant to federal law for the limited purpose of participating in the Lifeline program.

The bill does not appear to have a fiscal impact on state or local governments.

The bill provides that it will take effect upon becoming law.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

“Universal Service” is the principle that all Americans should have access to communications services. The federal Telecommunications Act of 1996 established principles for universal service that specifically focused on increasing access to services for consumers living in rural and isolated areas, and for consumers with low-incomes. Additional principles called for increased access to services in the nation’s schools, libraries, and rural health care facilities.¹

To promote universal service, the Federal Communications Commission (FCC) administers the federal Universal Service Fund (USF). All telecommunications service providers and certain other providers of telecommunications must contribute to the federal USF based on a percentage of their interstate and international end-user telecommunications revenues. These companies include wireline phone companies, wireless phone companies, paging service companies, and certain Voice over Internet Protocol (VoIP) providers. Some consumers may notice a “Universal Service” line item on their telephone bills. This line item appears when a company chooses to recover its USF contributions directly from its customers by billing them this charge.²

The federal USF pays for four programs³:

- The Lifeline/Link Up (Lifeline) program provides monthly discounts to qualifying low-income consumers for voice and broadband services.
- The Connect America Fund (High-Cost Support) program ensures that consumers in all regions of the nation have access to telecommunications services at rates that are affordable and reasonably comparable to those in urban areas.
- The Schools and Libraries program makes discounts available to eligible schools and libraries for eligible telecommunications services, Internet access, and internal connections so that schools and libraries may have access to affordable telecommunications and information services
- The Rural Health Care program seeks to improve the quality of health care available to patients in rural communities by ensuring that health care providers serving those communities have access to telecom and broadband services.

To receive funding support through the federal USF for participation in the Lifeline program or the High-Cost Support program, a telecommunications company must be designated as an eligible telecommunications carrier (ETC). A company may seek a limited ETC designation to receive support only to offer services under the Lifeline program.

Federal law gives state utility commissions primary responsibility for designating ETCs. The FCC is responsible for designating ETCs for each state whose utility commission lacks authority to do so.

In 2005, the Legislature created s. 364.011, F.S., which identifies specific services, including wireless telecommunications service, as exempt from oversight by the Florida Public Service Commission (PSC) “except to the extent ... specifically authorized by federal law.”⁴ Based on its authority to designate

¹ FEDERAL COMMUNICATIONS COMMISSION, *Universal Service*, <https://www.fcc.gov/general/universal-service> (last visited January 12, 2018).

² *Id.*

³ FEDERAL COMMUNICATIONS COMMISSION, *Universal Service Support Mechanisms*, <https://www.fcc.gov/consumers/guides/universal-service-support-mechanisms> (last visited January 12, 2018).

⁴ Chapter 2005-132, Laws of Fla.

ETCs under federal law, the PSC determined that the quoted language allowed it to designate wireless carriers as ETCs.

In 2011, the Legislature passed the “Regulatory Reform Act,” completing the overall deregulation of retail landline telecommunications service in Florida.⁵ Part of the Act amended s. 364.011, F.S., to remove the exception for PSC oversight “specifically authorized by federal law.” Accordingly, the PSC has refrained from designating wireless carriers as ETCs since the Act became effective.⁶ Thus, since 2011, a wireless carrier that wishes to be designated as an ETC to provide Lifeline service in Florida must apply to the FCC.

There are currently 13 wireline ETCs and 4 wireless ETCs designated in Florida.⁷ There are currently 35 petitions for wireless ETC designation pending at the FCC, all of which request ETC designation for operations in Florida, among other states.⁸

Section 364.10, F.S., governs the provision of Lifeline service in Florida by telecommunications companies designated as ETCs.

Effect of Proposed Changes

The bill amends s. 364.10, F.S., to authorize the PSC, upon petition, to designate wireless carriers as ETCs pursuant to federal law for the limited purpose of participating in the Lifeline program. The bill provides that this authority is granted notwithstanding the exemption of wireless telecommunications service from PSC oversight in general, as specified in s. 364.011, F.S.

The bill provides that it will become effective upon becoming law.

B. SECTION DIRECTORY:

Section 1. Amending s. 364.10, F.S., relating to Lifeline service.

Section 2. Providing an effective date of upon becoming law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

⁵ Chapter 2011-36, Laws of Fla.

⁶ Florida Public Service Commission, Agency Analysis of 2018 Senate Bill 1018, p. 1 (Dec. 13, 2017).

⁷ *Id.* at p. 2

⁸ *Id.* See also FEDERAL COMMUNICATIONS COMMISSION, *Lifeline Compliance Plans & ETC Petitions*, <https://www.fcc.gov/general/lifeline-compliance-plans-etc-petitions> (last visited January 12, 2018).

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Given the backlog of pending requests at the FCC, the bill may allow a wireless carrier that seeks designation as an ETC in Florida to receive such a designation more expeditiously and, as a result, to offer services to eligible customers under the Lifeline program.⁹

D. FISCAL COMMENTS:

Florida historically has been, and continues to be, a net payer into the federal USF. The FCC's most recent annual USF monitoring report shows that telecommunications carriers contributed \$525 million associated with revenues from Florida operations and received \$220 million in payments from the federal USF for use in Florida.¹⁰

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to affect county or municipal government.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

Not applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On January 16, 2018, the Energy & Utilities Subcommittee adopted a strike-all amendment to the bill and reported the bill favorably as a committee substitute. The amendment authorized the PSC, upon petition, to designate wireless carriers as ETCs pursuant to federal law for the limited purpose of participating in the Lifeline program.

⁹ Florida Public Service Commission, Agency Analysis of 2018 Senate Bill 1018, p. 2 (Dec. 13, 2017).

¹⁰ FEDERAL COMMUNICATIONS COMMISSION, *Universal Service Monitoring Report*, 2016, at 18, available at <https://www.fcc.gov/general/federal-state-joint-board-monitoring-reports>.

1 A bill to be entitled
 2 An act relating to designation of eligible
 3 telecommunications carriers; amending s. 364.10, F.S.;
 4 authorizing the Public Service Commission to designate
 5 any commercial mobile radio service provider as an
 6 "eligible telecommunications carrier" for the purpose
 7 of providing Lifeline service; providing an effective
 8 date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Paragraph (a) of subsection (1) of section
 13 364.10, Florida Statutes, is amended to read:

14 364.10 Lifeline service.—

15 (1)(a) An eligible telecommunications carrier shall
 16 provide a Lifeline Assistance Plan to qualified residential
 17 subscribers, as defined in the eligible telecommunications
 18 carrier's published schedules. For the purposes of this section,
 19 the term "eligible telecommunications carrier" means a
 20 telecommunications company, as defined by s. 364.02, which is
 21 designated as an eligible telecommunications carrier by the
 22 commission pursuant to 47 C.F.R. s. 54.201. Notwithstanding the
 23 provision of s. 364.011 that exempts certain commercial mobile
 24 radio service providers from commission oversight, the term
 25 "eligible telecommunications carrier" includes any commercial

CS/HB 1167

2018

26 | mobile radio service provider designated by the commission
27 | pursuant to 47 C.F.R. s. 54.201 and the commission is authorized
28 | to make such a designation, upon petition, for the limited
29 | purpose of providing Lifeline service.

30 | Section 2. This act shall take effect July 1, 2018.