

**5N-1.120 Filing of Application; Temporary Authority for Out-of-State Licensees During Declared Emergencies.**

(1) Procedures. Any person who meets the qualifications prescribed by Chapter 493, F.S., and desires a license in the profession or services provided for in the law, shall file with the division an application using the applications and support forms in Rule 5N-1.100, F.A.C.

(a) In determining whether an applicant has the experience required to perform the types of services permitted under the license for which application is being made, the applicant shall, upon request by the division, submit sworn affidavits from former employers during the relevant time period, attesting that the applicant was employed and working at the claimed profession or service.

(b) Each license issued by the division shall specify on its face the classification of such license. No licensed agency or individual shall engage in regulated activities reserved for any other classification without possessing the appropriate license. No license issued in any of the licensed classifications shall be transferable from the original licensee to any other person. In addition, all licenses will expire at midnight of every second or third year after its date of issuance.

(2) Out-of-State Security Personnel Providing Temporary Security Services in Florida During Declared Emergencies. This section is applicable only for the protection of persons and property following a natural disaster or other emergency in response to which the Governor or the appropriate federal agency has issued a state of emergency. Out-of-state security personnel providing temporary security services in the state of Florida during a declared emergency shall:

(a) Be currently licensed by another state or territory which has licensure standards substantially similar to or greater than those required by Chapter 493, F.S., for at least one year with no disciplinary action taken against him or her by such state or an active law enforcement officer currently certified by his or her state. For purposes of this section, substantially similar shall mean requiring the completion of a criminal history background check and classroom and range training as a precondition of licensure;

(b) Carry personal photo-identification issued by his or her home state and proof of licensure issued by the home state;

(c) Carry only the firearms and ammunition permitted by the licensing laws and rules of his or her home state, except that rifles and shotguns shall be prohibited;

(d) Operate in this state only for the duration of the declared state of emergency and any subsequent extensions;

(e) Upon request, provide a statement that the appropriate government official of his or her home state agrees to accept service of process on his or her behalf; and,

(f) Be subject to the regulatory authority of the department and the requirements of Chapter 493, F.S., and this rule chapter. Failure to abide by these requirements will subject out of state security personnel to disciplinary action as provided by Chapter 493, F.S., and this rule chapter, except as provided herein.

(g) Be sponsored by a Class "B" Security Agency licensed in this state. Sponsored out-of-state security personnel will be considered an agent or an employee of the sponsoring "B" Security Agency during the period the out-of-state personnel are providing services in this state. A Class "B" Security Agency sponsor will ensure the sponsored personnel comply with the requirements of Chapter 493, F.S., and this rule chapter.

(3) Out-of-state security personnel who are solely employed as either in-house or contracted security personnel to an entity engaged in providing electric, gas, water, wastewater or telecommunications services to the public, and are engaged in infrastructure repair and service restoration, are exempted from paragraph (2)(g) of this rule chapter.

*Rulemaking Authority 493.6103, 493.6109 FS. Law Implemented 493.6105, 493.6109, 493.6111, 493.6113, 493.6118(1)(m) FS. History—New 2-4-91, Amended 2-1-93, 7-31-96, Formerly 1C-3.120, Amended 12-16-13, 10-10-18.*