

DIVISION OF LICENSING
(850) 245-5500
(850) 245-5505 FAX



POST OFFICE BOX 5647
TALLAHASSEE, FLORIDA 32314-5647

4040 ESPLANADE WAY, SUITE 135
TALLAHASSEE, FLORIDA 32399

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

COMMISSIONER ADAM H. PUTNAM

IMPORTANT NOTICE

DATE: December 2, 2016

TO: Class "A" Private Investigative Agencies

FROM: Grea Bevis, Director, Division of Licensing *G.B.*

SUBJECT: New Rule Establishing Standards for Reciprocity Agreements with Other States and Territories of the United States

Please be advised that the Division of Licensing has adopted a new rule that will become effective December 11, 2016, governing reciprocity agreements for private investigation between Florida and other states and territories of the United States.

New Rule 5N-1.121, Florida Administrative Code (FAC), establishes standards for reciprocity agreements and for the conduct of out-of-state investigators who temporarily enter Florida under such an agreement, in order to conduct an investigation that originated in their state or territory of licensure. Some key rule provisions include the following:

- ❖ Investigators and investigative agencies entering Florida shall possess current unencumbered licenses from their state or territory of licensure.
- ❖ Investigations conducted under a reciprocity agreement shall not exceed more than thirty (30) days, and shall originate in the investigator or investigative agency's state or territory of licensure.
- ❖ Investigators and investigative agencies shall not solicit business in Florida while performing an investigation.
- ❖ Out-of-state investigators may not carry a firearm while conducting professional services in Florida.

To view new Rule 5N-1.121, FAC in its entirety, go to: <https://www.flrules.org>, and type the rule number in the full text search box at the top of the page.

To see a list of states and territories with whom the Division has entered into a reciprocity agreement, go to: <http://www.freshfromflorida.com/Divisions-Offices/Licensing/Private-Investigation/Private-Investigator-Reciprocity>. Please be aware that the provisions in this rule apply to out-of-state investigators coming to Florida to conduct investigations. In all likelihood, those same or similar provisions would apply to licensed Florida investigators going to any one of the jurisdictions on this list to carry on an investigation that originated in Florida. However, if any of your agency's employees ever have a need to travel to one of these states for the purpose of conducting an investigation, we strongly recommend that you contact the licensing agency in that state for guidance and direction concerning your rights, responsibilities, and obligations under that other state's laws and rules.

If you have any questions about the issues discussed in this Important Notice, please call Ed Warren, Section Chief of Regulatory Compliance at: (850) 245-5468.