Insurance & Banking Subcommittee

Thursday, January 25, 2024
8:00 AM - 11:00 AM
Morris Hall (17 HOB)

Action Packet

Paul Renner
Speaker

Wyman Duggan
Chair

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

1/25/2024 8:00AM

Location: Morris Hall (17 HOB)

Summary:

Insurance & Banking Subcommittee

Thursday January 25, 2024 08:00 am

HB 161	Favorable With Committee Substitute	Yeas: 15	Nays: 0
	Amendment 824961 Adopted Without Objection		
HB 593	Favorable With Committee Substitute	Yeas: 16	Nays: 0
	Amendment 935729 Adopted Without Objection		
HB 659	Favorable	Yeas: 15	Nays: 0
HB 989	Favorable With Committee Substitute	Yeas: 11	Nays: 5
	Amendment 442469 Adopted Without Objection		
HB 991	Favorable	Yeas: 16	Nays: 0
HB 1031	Favorable With Committee Substitute	Yeas: 16	Nays: 0
	Amendment 031595 Adopted Without Objection		
HB 1191	Favorable With Committee Substitute	Yeas: 17	Nays: 0
	Amendment 774229 Adopted Without Objection		
HB 1347	Favorable	Yeas: 16	Nays: 0
HB 1569	Favorable With Committee Substitute	Yeas: 16	Nays: 0
	Amendment 026541 Adopted Without Objection		

Committee meeting was reported out: Thursday, January 25, 2024 11:40AM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

1/25/2024 8:00AM

Location: Morris Hall (17 HOB)

Attendance:

	Present	*Absent*	*Excused*
Wyman Duggan (Chair)	X		
Shane Abbott	X		
Adam Anderson	X		
Christopher Benjamin	X		
David Borrero	X		
Adam Botana	X		
Jennifer Canady	X		
Tom Fabricio	X		
Gallop Franklin II	X		
Philip Griffitts, Jr.	X		
Christine Hunschofsky	X		
Tom Keen	X		
Rachel Plakon	X		
Joel Rudman	X		
Kevin Steele	X		
Cyndi Stevenson	X		
Allison Tant	X		
John Temple	X		
Chase Tramont			X
Marie Woodson	X		
Totals:	**19**	**0**	**1**

Committee meeting was reported out: Thursday, January 25, 2024 11:40AM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

1/25/2024 8:00AM

Location: Morris Hall (17 HOB)

HB 161 : Payments for Health Care Providers and Surgical Procedures under Workers' Compensation

[X] *Favorable With Committee Substitute*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Shane Abbott	X				
Adam Anderson	X				
Christopher Benjamin			X		
David Borrero	X				
Adam Botana	X				
Jennifer Canady			X		
Tom Fabricio			X		
Gallop Franklin II	X				
Philip Griffitts, Jr.	X				
Christine Hunschofsky	X				
Tom Keen	X				
Rachel Plakon	X				
Joel Rudman	X				
Kevin Steele	X				
Cyndi Stevenson	X				
Allison Tant	X				
John Temple			X		
Chase Tramont			X		
Marie Woodson	X				
Wyman Duggan (Chair)	X				
	Total Yeas: 15	**Total Nays: 0**			

HB 161 Amendments

Amendment 824961

[X] *Adopted Without Objection*

Appearances:

Chait, Richard (Lobbyist) - Proponent
Florida Workers' Advocates (FWA)
Director of Legislative Affairs
203 S. Douglas Rd., Suite 217
Coral Gables, FL 33134
Phone: (305) 442-2315

Scott, Jeff (Lobbyist) - Waive In Support
Florida Medical Association
1403 Piedmont Dr. E.
Tallahassee, FL 32308
Phone: (850) 224-4696

Committee meeting was reported out: Thursday, January 25, 2024 11:40AM

Location: Morris Hall (17 HOB)

HB 161 : Payments for Health Care Providers and Surgical Procedures under Workers' Compensation (continued)

Appearances: (continued)

Halperin, Larry, MD (General Public) - Proponent
Florida Orthopedic Society
Post President
408 Spring Valley Lane
Altomonte Springs, FL 32714
Phone: (407) 254-2500

Committee meeting was reported out: Thursday, January 25, 2024 11:40AM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

1/25/2024 8:00AM

Location: Morris Hall (17 HOB)

HB 593 : Misdescription of Beneficiaries and Banks

[X] *Favorable With Committee Substitute*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Shane Abbott	X				
Adam Anderson	X				
Christopher Benjamin			X		
David Borrero	X				
Adam Botana	X				
Jennifer Canady			X		
Tom Fabricio			X		
Gallop Franklin II	X				
Philip Griffitts, Jr.	X				
Christine Hunschofsky	X				
Tom Keen	X				
Rachel Plakon	X				
Joel Rudman	X				
Kevin Steele	X				
Cyndi Stevenson	X				
Allison Tant	X				
John Temple	X				
Chase Tramont			X		
Marie Woodson	X				
Wyman Duggan (Chair)	X				
	Total Yeas: 16	**Total Nays: 0**			

HB 593 Amendments

Amendment 935729

[X] *Adopted Without Objection*

Appearances:

Pratt, Kenneth (Lobbyist) - Opponent
Florida Bankers Association
Senior VP of Governmental Affairs
1001 Thomasville Rd., Suite 201
Tallahassee, FL 32301
Phone: (850) 509-8020

Committee meeting was reported out: Thursday, January 25, 2024 11:40AM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

1/25/2024 8:00AM

Location: Morris Hall (17 HOB)

HB 659 : Health Plans

[X] *Favorable*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Shane Abbott	X				
Adam Anderson	X				
Christopher Benjamin			X		
David Borrero	X				
Adam Botana	X				
Jennifer Canady			X		
Tom Fabricio			X		
Gallop Franklin II	X				
Philip Griffitts, Jr.	X				
Christine Hunschofsky	X				
Tom Keen	X				
Rachel Plakon	X				
Joel Rudman	X				
Kevin Steele	X				
Cyndi Stevenson	X				
Allison Tant	X				
John Temple			X		
Chase Tramont			X		
Marie Woodson	X				
Wyman Duggan (Chair)	X				
	Total Yeas: 15	**Total Nays: 0**			

Appearances:

Scott, Jeff (Lobbyist) - Waive In Support
Florida Medical Association
1403 Piedmont Dr. E.
Tallahassee, FL 32308
Phone: (850) 224-6496

Large, Toni (Lobbyist) (Lobbyist Appearance Form Submitted) - Waive In Support
Florida College of Emergency Physicians & Florida Society of Rhuematology
1100 Brookwood Dr.
Tallahassee, FL 32308
Phone: (850) 556-1461

Committee meeting was reported out: Thursday, January 25, 2024 11:40AM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

1/25/2024 8:00AM

Location: Morris Hall (17 HOB)

HB 989 : Department of Financial Services

[X] *Favorable With Committee Substitute*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Shane Abbott	X				
Adam Anderson	X				
Christopher Benjamin			X		
David Borrero	X				
Adam Botana	X				
Jennifer Canady			X		
Tom Fabricio			X		
Gallop Franklin II		X			
Philip Griffitts, Jr.	X				
Christine Hunschofsky		X			
Tom Keen		X			
Rachel Plakon	X				
Joel Rudman	X				
Kevin Steele	X				
Cyndi Stevenson	X				
Allison Tant		X			
John Temple	X				
Chase Tramont			X		
Marie Woodson		X			
Wyman Duggan (Chair)	X				
	Total Yeas: 11	**Total Nays: 5**			

HB 989 Amendments

Amendment 442469

[X] *Adopted Without Objection*

Appearances:

Amendment 442469
Salvatori, Rocco - Waive In Support
Florida Professional Firefighters
Vice President
343 W. Madison St.
Tallahassee, FL 32301
Phone: (850) 224-7333

Mitchell, Chase (Lobbyist) (State Employee) - Waive In Support
Department of Financial Services
Legislative Affairs Director
400 South Monroe Street
Tallahassee, FL 32399
Phone: (850) 413-4938

Committee meeting was reported out: Thursday, January 25, 2024 11:40AM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

1/25/2024 8:00AM

Location: Morris Hall (17 HOB)

HB 991 : Pub. Rec./Cellular Telephone Numbers and Secure Login Credentials Held by the Department of Financial Services

[X] *Favorable*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Shane Abbott	X				
Adam Anderson	X				
Christopher Benjamin			X		
David Borrero	X				
Adam Botana	X				
Jennifer Canady			X		
Tom Fabricio			X		
Gallop Franklin II	X				
Philip Griffitts, Jr.	X				
Christine Hunschofsky	X				
Tom Keen	X				
Rachel Plakon	X				
Joel Rudman	X				
Kevin Steele	X				
Cyndi Stevenson	X				
Allison Tant	X				
John Temple	X				
Chase Tramont			X		
Marie Woodson	X				
Wyman Duggan (Chair)	X				
	Total Yeas: 16	**Total Nays: 0**			

Appearances:

Mitchell, Chase (Lobbyist) (State Employee) - Waive In Support
Department of Financial Services
400 South Monroe Street
Tallahassee, FL 32399
Phone: (850) 413-4938

Committee meeting was reported out: Thursday, January 25, 2024 11:40AM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

1/25/2024 8:00AM

Location: Morris Hall (17 HOB)

HB 1031 : Debt Relief Services

[X] *Favorable With Committee Substitute*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Shane Abbott	X				
Adam Anderson	X				
Christopher Benjamin			X		
David Borrero	X				
Adam Botana	X				
Jennifer Canady			X		
Tom Fabricio			X		
Gallop Franklin II	X				
Philip Griffitts, Jr.	X				
Christine Hunschofsky	X				
Tom Keen	X				
Rachel Plakon	X				
Joel Rudman	X				
Kevin Steele	X				
Cyndi Stevenson	X				
Allison Tant	X				
John Temple	X				
Chase Tramont			X		
Marie Woodson	X				
Wyman Duggan (Chair)	X				
	Total Yeas: 16	**Total Nays: 0**			

HB 1031 Amendments

Amendment 031595

[X] *Adopted Without Objection*

Appearances:

Butcher, Corey (General Public) - Proponent
Debt Blue
Chairman
1125 E. Campbell Rd., Suite 200
Richardson, TX 75081
Phone: (214) 957-3698

Mallette, Kelly (Lobbyist) (Lobbyist Appearance Form Submitted) - Proponent
Consumer Debt Relief Initiative
104 W. Jefferson St.
Tallahassee, FL 32301
Phone: (850) 224-3427

Committee meeting was reported out: Thursday, January 25, 2024 11:40AM

Location: Morris Hall (17 HOB)

HB 1031 : Debt Relief Services (continued)

Appearances: (continued)

Amendment 031595
Mallette, Kelly (State Employee) (Lobbyist Appearance Form Submitted) - Proponent
Consumer Debt Relief Initiative
104 W. Jefferson St.
Tallahassee, FL 32301
Phone: (850) 224-3427

Committee meeting was reported out: Thursday, January 25, 2024 11:40AM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

1/25/2024 8:00AM

Location: Morris Hall (17 HOB)

HB 1191 : Assignment of Benefits for Surplus Lines Insurers

[X] *Favorable With Committee Substitute*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Shane Abbott	X				
Adam Anderson	X				
Christopher Benjamin			X		
David Borrero	X				
Adam Botana	X				
Jennifer Canady			X		
Tom Fabricio	X				
Gallop Franklin II	X				
Philip Griffitts, Jr.	X				
Christine Hunschofsky	X				
Tom Keen	X				
Rachel Plakon	X				
Joel Rudman	X				
Kevin Steele	X				
Cyndi Stevenson	X				
Allison Tant	X				
John Temple	X				
Chase Tramont			X		
Marie Woodson	X				
Wyman Duggan (Chair)	X				
	Total Yeas: 17	**Total Nays: 0**			

HB 1191 Amendments

Amendment 774229

[X] *Adopted Without Objection*

Appearances:

Rosen, Gary (General Public) - Proponent
Home Owners. No AOBs. I also have a critique of Citizens not complying with their Best Practices
2881 W. Lake Vista Cir.
Davie, FL 33328
Phone: (954) 614-7100

Committee meeting was reported out: Thursday, January 25, 2024 11:40AM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

1/25/2024 8:00AM

Location: Morris Hall (17 HOB)

HB 1347 : Consumer Finance Loans

[X] *Favorable*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Shane Abbott	X				
Adam Anderson	X				
Christopher Benjamin			X		
David Borrero	X				
Adam Botana	X				
Jennifer Canady			X		
Tom Fabricio			X		
Gallop Franklin II	X				
Philip Griffitts, Jr.	X				
Christine Hunschofsky	X				
Tom Keen	X				
Rachel Plakon	X				
Joel Rudman	X				
Kevin Steele	X				
Cyndi Stevenson	X				
Allison Tant	X				
John Temple	X				
Chase Tramont			X		
Marie Woodson	X				
Wyman Duggan (Chair)	X				
Total Yeas: 16		**Total Nays: 0**			

Appearances:

Jenkins, Scott (Lobbyist) - Proponent
Florida Financial Services Assoc.
Executive Director
201 East Park Avenue, Suite 200 B
Tallahassee, FL 32301
Phone: (850) 661-0829

Kraynak, Jessica (Lobbyist) - Waive In Support
Florida Retail Federation
Director of Government Affairs
227 South Adams Street
Tallahassee, FL 32301
Phone: (850) 694-1216

Fecci, Tammy (Lobbyist) - Waive In Opposition
Florida Conference of Catholic Bishops
Associate for Life & Dignity
201 West Park Avenue
Tallahassee, FL 32301
Phone: (239) 218-8661

Committee meeting was reported out: Thursday, January 25, 2024 11:40AM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

1/25/2024 8:00AM

Location: Morris Hall (17 HOB)

HB 1569 : Exemption from Regulation for Bona Fide Nonprofit Organizations

[X] *Favorable With Committee Substitute*

	Yea	*Nay*	*No Vote*	*Absentee Yea*	*Absentee Nay*
Shane Abbott	X				
Adam Anderson	X				
Christopher Benjamin			X		
David Borrero	X				
Adam Botana	X				
Jennifer Canady			X		
Tom Fabricio			X		
Gallop Franklin II	X				
Philip Griffitts, Jr.	X				
Christine Hunschofsky	X				
Tom Keen	X				
Rachel Plakon	X				
Joel Rudman	X				
Kevin Steele	X				
Cyndi Stevenson	X				
Allison Tant	X				
John Temple	X				
Chase Tramont			X		
Marie Woodson	X				
Wyman Duggan (Chair)	X				
	Total Yeas: 16	**Total Nays: 0**			

HB 1569 Amendments

Amendment 026541

[X] *Adopted Without Objection*

Appearances:

Amendment 026541
Collins, Carlecia (Lobbyist) (Lobbyist Appearance Form Submitted) - Waive In Support
Habitat for Humanity of Florida, Inc.
301 S. Bronogh St. #600
Tallahassee, FL
Phone: (850) 577-9090

Collins, Carlecia (Lobbyist) (Lobbyist Appearance Form Submitted) - Waive In Support
Habitat for Humanity of Florida, Inc
301 South Bronough Street Suite 600
Tallahassee FL
Phone: (850) 577-9090

Committee meeting was reported out: Thursday, January 25, 2024 11:40AM

COMMITTEE MEETING REPORT

Insurance & Banking Subcommittee

1/25/2024 8:00AM

Location: Morris Hall (17 HOB)

Presentation/Workshop/Other Business Appearances:

Presentation on Citizens Property Insurance Corporation
Cerio, Tim (Lobbyist) (At Request of Member, Committee or Staff) - Information Only
Citizens Property Insurance Corporation
President, CEO, Executive Director
2101 Maryland Circle
Tallahassee, FL
Phone: (850) 513-3757

Committee meeting was reported out: Thursday, January 25, 2024 11:40AM

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	_____

Committee/Subcommittee hearing bill: Insurance & Banking Subcommittee

Representative Daley offered the following:

Amendment

Remove lines 29-34 and insert:

chapter 458 or chapter 459 shall be 150 ~~110~~ percent of the reimbursement allowed by Medicare, using appropriate codes and modifiers or the medical reimbursement level adopted by the three-member panel as of January 1, 2003, whichever is greater.

(g) Maximum reimbursement for surgical procedures shall be 150 ~~140~~ percent of the reimbursement allowed by Medicare or the

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	____	

Committee/Subcommittee hearing bill: Insurance & Banking Subcommittee

Representative Beltran offered the following:

Amendment

Remove lines 55-84 and insert:

order ~~the person identified by number as permitted by paragraph (2)(a), the following rules apply:~~

~~(a) If the originator is a bank, the originator is obliged to pay its order.~~

~~(b) If the originator is not a bank and proves that the person identified by number was not entitled to receive payment from the originator, the originator is not obliged to pay its order unless the originator's bank proves that the originator, before acceptance of the originator's order, had notice that payment of a payment order issued by the originator might be~~

~~made by the beneficiary's bank on the basis of an identifying or bank account number even if it identifies a person different from the named beneficiary. Proof of notice may be made by any admissible evidence. The originator's bank satisfies the burden of proof if it proves that the originator, before the payment order was accepted, signed a writing stating the information to which the notice relates~~.

(4) ~~In a case governed by paragraph (2)(a),~~ If the beneficiary's bank improperly ~~rightfully~~ pays any ~~the~~ person ~~identified by number and that person was~~ not entitled or intended to receive payment from the originator, the amount paid may be recovered from that person to the extent allowed by the law governing mistake and restitution. ~~as follows:~~

~~(a) If the originator is obliged to pay its payment order as stated in subsection (3), the originator has the right to recover.~~

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		

Committee/Subcommittee hearing bill: Insurance & Banking Subcommittee

Representative LaMarca offered the following:

Amendment

Remove everything after the enacting clause and insert:

Section 1. Section 17.69, Florida Statutes, is created to read:

17.69 Federal Tax Liaison.—

(1) The Federal Tax Liaison position is created within the department. The purpose of the position is to assist the taxpayers of the state.

(2) The Chief Financial Officer shall appoint a Federal Tax Liaison. The Federal Tax Liaison reports directly to the Chief Financial Officer, but is not otherwise under the

authority of the department or of any employee of the department.

(3) The Federal Tax Liaison may

(a) Assist taxpayers by answering taxpayer questions.

(b) Direct taxpayers to the proper departments or offices within the Internal Revenue Service in order to hasten resolution to taxpayer issues.

(c) Prepare recommendations for the Internal Revenue Service of any actions that will help resolve problems encountered by taxpayers.

(d) Provide information about the policies, practices and procedures the Internal Revenue Service uses to ensure compliance with the tax laws.

(e) Request records from the Internal Revenue Service to assist taxpayer inquiries with the taxpayer's consent.

Section 2. Paragraphs (g) through (n) of subsection (2) of section 20.121, Florida Statutes, are redesignated as paragraphs (f) through (m), respectively, and paragraph (e) and present paragraph (f) of subsection (2) of that section are amended to read:

20.121 Department of Financial Services.—There is created a Department of Financial Services.

(2) DIVISIONS.—The Department of Financial Services shall consist of the following divisions and office:

(e) The Division of Criminal Investigations ~~Investigative and Forensic Services~~, which shall function as a criminal justice agency for purposes of ss. 943.045-943.08. The division may initiate and conduct investigations into any matter under the jurisdiction of the Chief Financial Officer and Fire Marshal within or outside of this state as it deems necessary. ~~If, during an investigation, the division has reason to believe that any criminal law of this state or the United States has or may have been violated, it shall refer any records tending to show such violation to state law enforcement and, if applicable, federal prosecutorial agencies and shall provide investigative assistance to those agencies as appropriate. The division shall include the following bureaus and office:~~

~~1. The Bureau of Forensic Services;~~

~~2. The Bureau of Fire, Arson, and Explosives Investigations;~~

~~3. The Office of Fiscal Integrity, which shall have a separate budget;~~

~~4. The Bureau of Insurance Fraud; and~~

~~5. The Bureau of Workers' Compensation Fraud.~~

~~(f) The Division of Public Assistance Fraud, which shall function as a criminal justice agency for purposes of ss. 943.045-943.08. The division shall conduct investigations pursuant to s. 414.411 within or outside of the state as it deems necessary. If, during an investigation, the division has~~

~~reason to believe that any criminal law of the state has or may have been violated, it shall refer any records supporting such violation to state or federal law enforcement or prosecutorial agencies and shall provide investigative assistance to those agencies as required.~~

Section 3. Subsection (2) of section 112.1816, Florida Statutes, is amended to read:

112.1816 Firefighters; cancer diagnosis.—

(2) Upon a diagnosis of cancer, a firefighter is entitled to the following benefits, as an alternative to pursuing workers' compensation benefits under chapter 440, if the firefighter has been employed by his or her employer for at least 5 continuous years, has not used tobacco products for at least the preceding 5 years, and has not been employed in any other position in the preceding 5 years which is proven to create a higher risk for any cancer:

(a) Cancer treatment covered within an employer-sponsored health plan or through a group health insurance trust fund. The employer must timely reimburse the firefighter for any out-of-pocket deductible, copayment, or coinsurance costs incurred due to the treatment of cancer.

(b) A one-time cash payout of $25,000, upon the firefighter's initial diagnosis of cancer.

(c) Leave time and job retention benefits equivalent to those provided for other injuries or illnesses incurred in the line of duty.

If the firefighter elects to continue coverage in the employer-sponsored health plan or group health insurance trust fund after he or she terminates employment, the benefits specified in paragraphs (a) and (b) must be made available by the former employer of a firefighter for 10 years following the date on which the firefighter terminates employment so long as the firefighter otherwise met the criteria specified in this subsection when he or she terminated employment and was not subsequently employed as a firefighter following that date. For purposes of determining leave time and employee retention policies, the employer must consider a firefighter's cancer diagnosis as an injury or illness incurred in the line of duty.

Section 4. Paragraph (f) of subsection (2) and paragraph (h) of subsection (3) of section 121.0515, Florida Statutes, are amended to read:

121.0515 Special Risk Class.—

(2) MEMBERSHIP.—

(f) Effective July 1, 2008, the member must be employed by the Department of Law Enforcement in the crime laboratory or by the Department of Financial Services ~~Division of State Fire~~

~~Marshal~~ in the forensic laboratory and meet the special criteria set forth in paragraph (3)(h).

(3) CRITERIA.—A member, to be designated as a special risk member, must meet the following criteria:

(h) Effective July 1, 2024 ~~2008~~, the member must be employed by the Department of Law Enforcement in the crime laboratory or by the Department of Financial Services ~~Division of State Fire Marshal~~ in the forensic laboratory in one of the following classes:

1. Forensic technologist (class code 8459);
2. Crime laboratory technician (class code 8461);
3. Crime laboratory analyst (class code 8463);
4. Senior crime laboratory analyst (class code 8464);
5. Crime laboratory analyst supervisor (class code 8466);
6. Forensic chief (class code 9602); or
7. Forensic services quality manager (class code 9603);

Section 5. Subsections (1) and (2) of section 215.5586, Florida Statutes, as amended by section 5 of chapter 2023-349, Laws of Florida, are amended to read:

215.5586 My Safe Florida Home Program.—There is established within the Department of Financial Services the My Safe Florida Home Program. The department shall provide fiscal accountability, contract management, and strategic leadership for the program, consistent with this section. This section does not create an entitlement for property owners or obligate the

state in any way to fund the inspection or retrofitting of residential property in this state. Implementation of this program is subject to annual legislative appropriations. It is the intent of the Legislature that the My Safe Florida Home Program provide licensed inspectors to perform inspections for eligible homes ~~owners of site-built, single-family, residential properties~~ and grants to fund hurricane mitigation projects for those homes ~~eligible applicants~~ as funding allows. The program shall develop and implement a comprehensive and coordinated approach for hurricane damage mitigation that may include the following:

(1) HURRICANE MITIGATION INSPECTIONS.—

(a) To be eligible for a hurricane mitigation inspection, all of the following criteria must be met:

1. The home must be a single-family, detached residential property or a townhouse, as defined in s. 481.203.

2. The home must be site-built and owner-occupied.

3. The homeowner must have been granted a homestead exemption on the home under chapter 196.

(b) An application for an inspection must contain a signed or electronically verified statement made under penalty of perjury that the applicant has submitted only a single inspection application and must have attached documents demonstrating that the applicant meets the requirements of

paragraph (a). An applicant may submit a new inspection application if all of the following criteria are met:

1. The original application has already been denied or withdrawn.

2. The program's eligibility requirements or applicant's qualifications have changed since the original application date.

3. The applicant reasonably believes that the home will be eligible under the new requirements or qualifications.

(c) An applicant who meets the requirements of paragraph (a) may apply for and receive an inspection without also applying for a grant pursuant to subsection (2) and without meeting the requirements of paragraph (2)(a).

(d) ~~(a)~~ Licensed inspectors are to provide home inspections of eligible homes ~~site-built, single-family, residential properties for which a homestead exemption has been granted,~~ to determine what mitigation measures are needed, what insurance premium discounts may be available, and what improvements to existing residential properties are needed to reduce the property's vulnerability to hurricane damage. ~~An inspector may inspect a townhouse as defined in s. 481.203 to determine if opening protection mitigation as listed in paragraph (2)(c) would provide improvements to mitigate hurricane damage.~~

(e) ~~(b)~~ The Department of Financial Services shall contract with wind certification entities to provide hurricane mitigation

inspections. The inspections provided to homeowners, at a minimum, must include:

1. A home inspection and report that summarizes the results and identifies recommended improvements a homeowner may take to mitigate hurricane damage.

2. A range of cost estimates regarding the recommended mitigation improvements.

3. Information regarding estimated premium discounts, correlated to the current mitigation features and the recommended mitigation improvements identified by the inspection.

(f) ~~(e)~~ To qualify for selection by the department as a wind certification entity to provide hurricane mitigation inspections, the entity must, at a minimum, meet the following requirements:

1. Use hurricane mitigation inspectors who are licensed or certified as:

a. A building inspector under s. 468.607;

b. A general, building, or residential contractor under s. 489.111;

c. A professional engineer under s. 471.015;

d. A professional architect under s. 481.213; or

e. A home inspector under s. 468.8314 and who have completed at least 3 hours of hurricane mitigation training approved by the Construction Industry Licensing Board, which

training must include hurricane mitigation techniques, compliance with the uniform mitigation verification form, and completion of a proficiency exam.

2. Use hurricane mitigation inspectors who also have undergone drug testing and a background screening. The department may conduct criminal record checks of inspectors used by wind certification entities. Inspectors must submit a set of fingerprints to the department for state and national criminal history checks and must pay the fingerprint processing fee set forth in s. 624.501. The fingerprints must be sent by the department to the Department of Law Enforcement and forwarded to the Federal Bureau of Investigation for processing. The results must be returned to the department for screening. The fingerprints must be taken by a law enforcement agency, designated examination center, or other department-approved entity.

3. Provide a quality assurance program including a reinspection component.

~~(d) An application for an inspection must contain a signed or electronically verified statement made under penalty of perjury that the applicant has submitted only a single application for that home.~~

~~(e) The owner of a site-built, single-family, residential property or townhouse as defined in s. 481.203, for which a homestead exemption has been granted, may apply for and receive~~

~~an inspection without also applying for a grant pursuant to subsection (2) and without meeting the requirements of paragraph (2)(a).~~

(2) HURRICANE MITIGATION GRANTS.—Financial grants shall be used ~~to encourage single-family, site-built, owner-occupied, residential property owners~~ to retrofit eligible homes based on the recommendations made in a hurricane mitigation inspection ~~their properties~~ to make the homes ~~them~~ less vulnerable to hurricane damage.

(a) ~~For a homeowner~~ To be eligible for a grant, all of the following criteria must be met:

1. The home must be a single-family, detached residential property or a townhouse, as defined in s. 481.203.

2. The home must be site-built and owner-occupied.

3.~~1.~~ The homeowner must have been granted a homestead exemption on the home under chapter 196.

4.~~2.~~ The home must be a dwelling with an insured value of $700,000 or less. Homeowners who are low-income persons, as defined in s. 420.0004(11), are exempt from this requirement.

5.~~3.~~ The home must undergo an acceptable hurricane mitigation inspection as provided in subsection (1).

6.~~4.~~ The building permit application for initial construction of the home must have been made before January 1, 2008.

7.~~5.~~ The homeowner must agree to make his or her home available for inspection once a mitigation project is completed.

(b)1. An application for a grant must contain a signed or electronically verified statement made under penalty of perjury that the applicant has submitted only a single grant application and must have attached documents demonstrating that the applicant meets the requirements of ~~this~~ paragraph (a).

2. An applicant may submit a new grant application if all of the following criteria are met:

a. The original application has already been denied or withdrawn.

b. The program's eligibility requirements or applicant's qualifications have changed since the original application date.

c. The applicant reasonably believes that the home will be eligible under the new requirements or qualifications.

(c)~~(b)~~ All grants must be matched on the basis of $1 provided by the applicant for $2 provided by the state up to a maximum state contribution of $10,000 toward the actual cost of the mitigation project.

(d)~~(c)~~ The program shall require ~~create a process in which contractors agree to participate and homeowners select from a list of participating contractors. All~~ mitigation work to ~~must~~ be based upon the securing of all required local permits and inspections, and the work must be performed by properly licensed contractors. The program shall approve only a homeowner grant

application that includes an acknowledged statement from the homeowner containing the name and state license number of the contractor the homeowner intends to use for the mitigation work. The program must electronically verify that the contractor's state license number is accurate and up to date before grant approval ~~Hurricane mitigation inspectors qualifying for the program may also participate as mitigation contractors as long as the inspectors meet the department's qualifications and certification requirements for mitigation contractors~~.

~~(d) Matching fund grants shall also be made available to local governments and nonprofit entities for projects that will reduce hurricane damage to single-family, site-built, owner-occupied, residential property. The department shall liberally construe those requirements in favor of availing the state of the opportunity to leverage funding for the My Safe Florida Home Program with other sources of funding.~~

(e) When recommended by a hurricane mitigation inspection, grants for eligible homes may be used for the following improvements:

1. Opening protection, including windows, skylights, exterior doors, and garage doors.

2. Exterior doors, including garage doors.

3. Reinforcing roof-to-wall connections.

4. Improving the strength of roof-deck attachments.

5. Secondary Water Resistance (SWR) barrier for roof.

(f) When recommended by a hurricane mitigation inspection, grants for townhouses, as defined in s. 481.203, may only be used for opening protection.

(g) The department may require that improvements be made to all openings, including exterior doors and garage doors, as a condition of reimbursing a homeowner approved for a grant. The department may adopt, by rule, the maximum grant allowances for any improvement allowable under paragraph (e) or this paragraph.

~~(g) Grants may be used on a previously inspected existing structure or on a rebuild. A rebuild is defined as a site-built, single-family dwelling under construction to replace a home that was destroyed or significantly damaged by a hurricane and deemed unlivable by a regulatory authority. The homeowner must be a low-income homeowner as defined in paragraph (h), must have had a homestead exemption for that home before the hurricane, and must be intending to rebuild the home as that homeowner's homestead.~~

(h) Low-income homeowners, as defined in s. 420.0004(11), who otherwise meet the requirements of this subsection ~~paragraphs (a), (c), (e), and (g)~~ are eligible for a grant of up to $10,000 and are not required to provide a matching amount to receive the grant. The program may accept a certification directly from a low-income homeowner that the homeowner meets the requirements of s. 420.0004(11) if the homeowner provides

such certification in a signed or electronically verified statement made under penalty of perjury.

(i) The department shall develop a process that ensures the most efficient means to collect and verify grant applications to determine eligibility and may direct hurricane mitigation inspectors to collect and verify grant application information or use the Internet or other electronic means to collect information and determine eligibility.

(j) Homeowners must finalize construction and request a final inspection, or request an extension for an additional 6 months, within 1 year after grant approval. If the homeowners fail to comply, the application shall be deemed abandoned and the grant money reverts back to the department.

(3) REQUESTS FOR INFORMATION.—The department may request that the applicant provide additional information. An application shall be deemed withdrawn by the applicant if the department does not receive a response to its request for additional information within 60 days after the notification of any apparent errors or omissions.

(4)~~(3)~~ EDUCATION, CONSUMER AWARENESS, AND OUTREACH.—

(a) The department may undertake a statewide multimedia public outreach and advertising campaign to inform consumers of the availability and benefits of hurricane inspections and of the safety and financial benefits of residential hurricane

damage mitigation. The department may seek out and use local, state, federal, and private funds to support the campaign.

(b) The program may develop brochures for distribution to Citizens Property Insurance Corporation, and other licensed entities or nonprofits that work with the department to educate the public on the benefits of the program ~~general contractors, roofing contractors, and real estate brokers and sales associates who are licensed under part I of chapter 475 which provide information on the benefits to homeowners of residential hurricane damage mitigation~~. Citizens Property Insurance Corporation is encouraged to distribute the brochure to policyholders of the corporation. ~~Contractors are encouraged to distribute the brochures to homeowners at the first meeting with a homeowner who is considering contracting for home or roof repair or contracting for the construction of a new home. Real estate brokers and sales associates are encouraged to distribute the brochure to clients before the purchase of a home.~~ The brochures may be made available electronically.

(5) ~~(4)~~ FUNDING.—The department may seek out and leverage local, state, federal, or private funds to enhance the financial resources of the program.

(6) ~~(5)~~ RULES.—The Department of Financial Services shall adopt rules pursuant to ss. 120.536(1) and 120.54 to govern the program; implement the provisions of this section; including rules governing hurricane mitigation inspections and grants,

mitigation contractors, and training of inspectors and contractors; and carry out the duties of the department under this section.

(7)~~(6)~~ HURRICANE MITIGATION INSPECTOR LIST.—The department shall develop and maintain as a public record a current list of hurricane mitigation inspectors authorized to conduct hurricane mitigation inspections pursuant to this section.

(8)~~(7)~~ CONTRACT MANAGEMENT.—

(a) The department may contract with third parties for grants management, inspection services, contractor services for low-income homeowners, information technology, educational outreach, and auditing services. Such contracts are considered direct costs of the program and are not subject to administrative cost limits. The department shall contract with providers that have a demonstrated record of successful business operations in areas directly related to the services to be provided and shall ensure the highest accountability for use of state funds, consistent with this section.

(b) The department shall implement a quality assurance and reinspection program that determines whether mitigation ~~initial~~ inspections and mitigation projects ~~home improvements~~ are completed in a manner consistent with the intent of the program. The department may use valid random sampling in order to perform the quality assurance portion of the program.

(9) ~~(8)~~ INTENT.—It is the intent of the Legislature that grants made to residential property owners under this section shall be considered disaster-relief assistance within the meaning of s. 139 of the Internal Revenue Code of 1986, as amended.

(10) ~~(9)~~ REPORTS.—The department shall make an annual report on the activities of the program that shall account for the use of state funds and indicate the number of inspections requested, the number of inspections performed, the number of grant applications received, the number and value of grants approved, and the estimated average annual amount of insurance premium discounts and total estimated annual amount of insurance premium discounts homeowners received from insurers as a result of mitigation funded through the program. The report must be delivered to the President of the Senate and the Speaker of the House of Representatives by February 1 of each year.

Section 6. Subsection (6) of section 284.44, Florida Statutes, is amended to read:

284.44 Salary indemnification costs of state agencies.—

~~(6) The Division of Risk Management shall prepare quarterly reports to the Executive Office of the Governor and the chairs of the legislative appropriations committees indicating for each state agency the total amount of salary indemnification benefits paid to claimants and the total amount of reimbursements from state agencies to the State Risk~~

~~Management Trust Fund for initial costs for the previous quarter. These reports shall also include information for each state agency indicating the number of cases and amounts of initial salary indemnification costs for which reimbursement requirements were waived by the Executive Office of the Governor pursuant to this section.~~

Section 7. Paragraph (a) of subsection (12) of section 440.13, Florida Statutes, is amended to read:

440.13 Medical services and supplies; penalty for violations; limitations.—

(12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM REIMBURSEMENT ALLOWANCES.—

(a) A three-member panel is created, consisting of the Chief Financial Officer, or the Chief Financial Officer's designee, and two members to be appointed by the Governor, subject to confirmation by the Senate, one member who, on account of present or previous vocation, employment, or affiliation, shall be classified as a representative of employers, the other member who, on account of previous vocation, employment, or affiliation, shall be classified as a representative of employees. The panel shall determine statewide schedules of maximum reimbursement allowances for medically necessary treatment, care, and attendance provided by hospitals and ambulatory surgical centers. The maximum reimbursement allowances for inpatient hospital care shall be based on a

schedule of per diem rates, to be approved by the three-member panel no later than March 1, 1994, to be used in conjunction with a precertification manual as determined by the department, including maximum hours in which an outpatient may remain in observation status, which shall not exceed 23 hours. All compensable charges for hospital outpatient care shall be reimbursed at 75 percent of usual and customary charges, except as otherwise provided by this subsection. Annually, the three-member panel shall adopt schedules of maximum reimbursement allowances for hospital inpatient care, hospital outpatient care, and ambulatory surgical centers. A hospital or an ambulatory surgical center shall be reimbursed either the agreed-upon contract price or the maximum reimbursement allowance in the appropriate schedule. Reimbursement for emergency services and care, as defined in s. 395.002, without a maximum reimbursement allowance must be at 75 percent of the hospital's charge, unless there is a contract, in which case the contract governs reimbursement.

The department, as requested, shall provide data to the panel, including, but not limited to, utilization trends in the workers' compensation health care delivery system. The department shall provide the panel with an annual report regarding the resolution of medical reimbursement disputes and any actions pursuant to subsection (8). The department shall

provide administrative support and service to the panel to the extent requested by the panel. For prescription medication purchased under the requirements of this subsection, a dispensing practitioner shall not possess such medication unless payment has been made by the practitioner, the practitioner's professional practice, or the practitioner's practice management company or employer to the supplying manufacturer, wholesaler, distributor, or drug repackager within 60 days of the dispensing practitioner taking possession of that medication.

Section 8. Subsections (9) through (13) of section 440.385, Florida Statutes, are renumbered as subsections (10) through (14), respectively, and a new subsection (9) is added to that section to read:

440.385 Florida Self-Insurers Guaranty Association, Incorporated.—

(9) CONTRACTS AND PURCHASES.—

(a) After July 1, 2024, all contracts entered into, and all purchases made by, the association pursuant to this section which are valued at or more than $100,000 must first be approved by the department. The department has 10 days to approve or deny the contract or purchase upon electronic receipt of the approval request. The contract or purchase is automatically approved if the department is nonresponsive.

(b) All contracts and purchases valued at or more than $100,000 require competition through a formal bid solicitation

conducted by the association. The association must undergo a formal bid solicitation process. The formal bid solicitation process must include all of the following:

1. The time and date for the receipt of bids, the proposals, and whether the association contemplates renewal of the contract, including the price for each year for which the contract may be renewed.

2. All the contractual terms and conditions applicable to the procurement.

(c) Evaluation of bids by the association must include consideration of the total cost for each year of the contract, including renewal years, as submitted by the vendor. The association must award the contract to the most responsible and responsive vendor. Any formal bid solicitation conducted by the association must be made available, upon request, to the department via electronic delivery.

(d) Contracts that are required by law are exempt from this section.

Section 9. Subsection (7) of section 497.101, Florida Statutes, is renumbered as subsection (11), subsections (1) through (4) are amended, and a new subsection (7) and subsections (8), (9), and (10) are added to that section, to read:

497.101 Board of Funeral, Cemetery, and Consumer Services; membership; appointment; terms.—

(1) The Board of Funeral, Cemetery, and Consumer Services is created within the Department of Financial Services and shall consist of 10 members, 9 of whom shall be appointed by ~~the Governor from nominations made by~~ the Chief Financial Officer ~~and confirmed by the Senate~~. ~~The Chief Financial Officer shall nominate one to three persons for each of the nine vacancies on the board, and the Governor shall fill each vacancy on the board by appointing one of the persons nominated by the Chief Financial Officer to fill that vacancy. If the Governor objects to each of the nominations for a vacancy, she or he shall inform the Chief Financial Officer in writing. Upon notification of an objection by the Governor, the Chief Financial Officer shall submit one to three additional nominations for that vacancy until the vacancy is filled.~~ One member must be the State Health Officer or her or his designee.

(2) Two members of the board must be funeral directors licensed under part III of this chapter who are associated with a funeral establishment. One member of the board must be a funeral director licensed under part III of this chapter who is associated with a funeral establishment licensed under part III of this chapter which has a valid preneed license issued pursuant to this chapter ~~and who owns or operates a cinerator facility approved under chapter 403 and licensed under part VI of this chapter~~. Two members of the board must be persons whose primary occupation is associated with a cemetery company

licensed pursuant to this chapter. Two members of the board must be consumers who are residents of this state, have never been licensed as funeral directors or embalmers, are not connected with a cemetery or cemetery company licensed pursuant to this chapter, and are not connected with the death care industry or the practice of embalming, funeral directing, or direct disposition. One of the two consumer members must be at least 60 years of age. One member of the board must be a consumer who is a resident of this state; is licensed as a certified public accountant under chapter 473; has never been licensed as a funeral director or an embalmer; is not a principal or an employee of any licensee licensed under this chapter; and does not otherwise have control, as defined in s. 497.005, over any licensee licensed under this chapter. One member of the board must be a principal of a monument establishment licensed under this chapter as a monument builder. One member must be the State Health Officer or her or his designee. There may not be two or more board members who are principals or employees of the same company or partnership or group of companies or partnerships under common control.

(3) Board members shall be appointed for terms of 4 years and may be reappointed; however, a member may not serve for more than 8 consecutive years.~~, and~~ The State Health Officer shall serve as long as that person holds that office. The designee of

the State Health Officer shall serve at the pleasure of the Chief Financial Officer ~~Governor~~.

(4) The Chief Financial Officer ~~Governor may suspend and the Senate~~ may remove any board member for malfeasance or misfeasance, neglect of duty, incompetence, substantial inability to perform official duties, commission of a crime, or other substantial cause as determined by the Chief Financial Officer ~~Governor or Senate, as applicable,~~ to evidence a lack of fitness to sit on the board. A board member shall be deemed to have resigned her or his board membership, and that position shall be deemed vacant, upon the failure of the member to attend three consecutive meetings of the board or at least half of the meetings of the board during any 12-month period, unless the Chief Financial Officer determines that there was good and adequate justification for the absences and that such absences are not likely to continue. Any vacancy so created shall be filled as provided in subsection (1).

(7) Members of the board are subject to the code of ethics under part III of chapter 112. For purposes of applying part III of chapter 112 to activities of the members of the board, those persons are considered public officers, and the department is considered their agency. A board member may not vote on any measure that would inure to his or her special private gain or loss and, in accordance with s. 112.3143(2), may not vote on any measure that he or she knows would inure to the special private

gain or loss of any principal by which he or she is retained, other than an agency as defined in s. 112.312; or that he or she knows would inure to the special private gain or loss of his or her relative or business associate. Before the vote is taken, such member shall publicly state to the board the nature of his or her interest in the matter from which he or she is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes.

(8) In accordance with ss. 112.3148 and 112.3149, a board member may not knowingly accept, directly or indirectly, any gift or expenditure from a person or entity, or an employee or representative of such person or entity, which has a contractual relationship with the department or the board, which is under consideration for a contract, or which is licensed by the department.

(9) A board member who fails to comply with subsection (7) or subsection (8) is subject to the penalties provided under ss. 112.317 and 112.3173.

(10)(a) All meetings of the board are subject to the requirements of s. 286.011, and all books and records of the board are open to the public for reasonable inspection except as otherwise provided by s. 497.172 or other applicable law.

(b) Except for emergency meetings, the department shall give notice of any board meeting by publication on the department's website at least 7 days before the meeting. The department shall publish a meeting agenda on its website at least 7 days before the meeting. The agenda must contain the items to be considered in order of presentation. After the agenda has been made available, a change may be made only for good cause, as determined by the person designated to preside, and must be stated in the record. Notification of such change must be at the earliest practicable time.

Section 10. Paragraph (a) of subsection (4) of section 497.153, Florida Statutes, is amended to read:

497.153 Disciplinary procedures and penalties.—

(4) ACTION AFTER PROBABLE CAUSE FOUND.—

(a) Service of an administrative complaint may be in person by department staff or any person authorized to make service of process under the Florida Rules of Civil Procedure. Service upon a licensee may in the alternative be made by certified mail, return receipt requested, to the last known address of record provided by the licensee to the department. If service by certified mail cannot be made at the last address provided by the licensee to the department, service may be made by e-mail, delivery receipt required, sent to the most recent e-mail address provided by the licensee to the department in accordance with s. 497.146.

Section 11. Paragraph (e) of subsection (1) of section 497.155, Florida Statutes, is amended to read:

497.155 Disciplinary citations and minor violations.—

(1) CITATIONS.—

(e) Service of a citation may be made by personal service or certified mail, restricted delivery, to the subject at the subject's last known address in accordance with s. 497.146. If service by certified mail cannot be made at the last address provided by the subject to the department, service may be made by e-mail, delivery receipt required, sent to the most recent e-mail address provided by the subject to the department in accordance with s. 497.146.

Section 12. Paragraph (a) of subsection (3) of section 624.155, Florida Statutes, is amended to read:

624.155 Civil remedy.—

(3)(a) As a condition precedent to bringing an action under this section, the department and the authorized insurer must have been given 60 days' written notice of the violation. Notice to the authorized insurer must be provided by the department to the e-mail address designated by the insurer ~~under s. 624.422~~.

Section 13. Paragraphs (c) and (d) subsection (10) of section 624.307, Florida Statutes, are redesignated as paragraphs (d) and (e), respectively, paragraph (b) is amended,

and a new paragraph (c) is added to subsection (10) of that section, to read:

624.307 General powers; duties.—

(10)

(b) Any person licensed or issued a certificate of authority or made an eligible surplus lines insurer by the department or the office shall respond, in writing or electronically, to the division within 14 days after receipt of a written request for documents and information from the division concerning a consumer complaint. The response must address the issues and allegations raised in the complaint and include any requested documents concerning the consumer complaint not subject to attorney-client or work-product privilege. The division may impose an administrative penalty for failure to comply with this paragraph of up to $5,000 per violation upon any entity licensed by the department or the office and up to $1,000 per violation by any individual licensed by the department or the office.

(c) Each insurer issued a certificate of authority or made an eligible surplus lines insurer shall file with the department an e-mail address to which requests for response to consumer complaints shall be directed pursuant to paragraph (b). Such insurer shall also designate a contact person for escalated complaint issues and shall provide the name, e-mail address, and telephone number of such person. A licensee of the department,

including an agency or a firm, may elect to designated an e-mail address to which requests for response to consumer complaints shall be directed pursuant to paragraph (b). If a licensee, including an agency or a firm, elects not to designate an e-mail address, the department shall direct requests for response to consumer complaints to the e-mail of record for the licensee in the department's licensing system. An insurer or a licensee, including an agency or a firm, may change a designated contact information at any time by submitting the new information to the department using the method designated by rule by the department.

Section 14. Subsection (2) of section 626.171, Florida Statutes, is amended to read:

626.171 Application for license as an agent, customer representative, adjuster, service representative, or reinsurance intermediary.—

(2) In the application, the applicant shall set forth:

(a) His or her full name, age, social security number, residence address, business address, mailing address, contact telephone numbers, including a business telephone number, and e-mail address.

(b) A statement indicating the method the applicant used or is using to meet any required prelicensing education, knowledge, experience, or instructional requirements for the type of license applied for.

(c) Whether he or she has been refused or has voluntarily surrendered or has had suspended or revoked a license to solicit insurance by the department or by the supervising officials of any state.

(d) Whether any insurer or any managing general agent claims the applicant is indebted under any agency contract or otherwise and, if so, the name of the claimant, the nature of the claim, and the applicant's defense thereto, if any.

(e) Proof that the applicant meets the requirements for the type of license for which he or she is applying.

(f) The applicant's gender (male or female).

(g) The applicant's native language.

(h) The highest level of education achieved by the applicant.

(i) The applicant's race or ethnicity (African American, white, American Indian, Asian, Hispanic, or other).

(j) Such other or additional information as the department may deem proper to enable it to determine the character, experience, ability, and other qualifications of the applicant to hold himself or herself out to the public as an insurance representative.

However, the application must contain a statement that an applicant is not required to disclose his or her race or ethnicity, gender, or native language, that he or she will not

be penalized for not doing so, and that the department will use this information exclusively for research and statistical purposes and to improve the quality and fairness of the examinations. The department shall make provisions for applicants to submit cellular telephone numbers as part of the application process on a voluntary basis for purpose of two-factor authentication of secure login credentials only.

Section 15. Paragraph (j) of subsection (2) of section 626.221, Florida Statutes, is amended to read:

626.221 Examination requirement; exemptions.—

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

(j) An applicant for license as an all-lines adjuster who has the designation of Accredited Claims Adjuster (ACA) from a regionally accredited postsecondary institution in this state; Certified All Lines Adjuster (CALA) from Kaplan Financial Education; Associate in Claims (AIC) from the Insurance Institute of America; Professional Claims Adjuster (PCA) from the Professional Career Institute; Professional Property Insurance Adjuster (PPIA) from the HurriClaim Training Academy; Certified Adjuster (CA) from ALL LINES Training; Certified Claims Adjuster (CCA) from AE21 Incorporated; Claims Adjuster Certified Professional (CACP) from WebCE, Inc.; Accredited Insurance Claims Specialist (AICS) from Encore Claim Services; Professional in Claims (PIC) from 2021 Training, LLC; Registered

Claims Adjuster (RCA) from American Insurance College; or Universal Claims Certification (UCC) from Claims and Litigation Management Alliance (CLM) whose curriculum has been approved by the department and which includes comprehensive analysis of basic property and casualty lines of insurance and testing at least equal to that of standard department testing for the all-lines adjuster license. The department shall adopt rules establishing standards for the approval of curriculum.

Section 16. Subsection (6) of section 626.601, Florida Statutes, is amended to read:

626.601 Improper conduct; inquiry; fingerprinting.—

(6) The complaint and any information obtained pursuant to the investigation by the department or office are confidential and are exempt from s. 119.07 unless the department or office files a formal administrative complaint, emergency order, or consent order against the individual or entity. This subsection does not prevent the department or office from disclosing the complaint or such information as it deems necessary to conduct the investigation, to update the complainant as to the status and outcome of the complaint, to review the details of the investigation with the individual or entity or their representative, or to share such information with any law enforcement agency or other regulatory body.

Section 17. Subsection (3) of section 626.7351, Florida Statutes, is amended to read:

626.7351 Qualifications for customer representative's license.—The department shall not grant or issue a license as customer representative to any individual found by it to be untrustworthy or incompetent, or who does not meet each of the following qualifications:

(3) Within 4 years preceding the date that the application for license was filed with the department, the applicant has earned the designation of Accredited Advisor in Insurance (AAI), Associate in General Insurance (AINS), or Accredited Customer Service Representative (ACSR) from the Insurance Institute of America; the designation of Certified Insurance Counselor (CIC) from the Society of Certified Insurance Service Counselors; the designation of Certified Professional Service Representative (CPSR) from the National Foundation for CPSR; the designation of Certified Insurance Service Representative (CISR) from the Society of Certified Insurance Service Representatives; the designation of Certified Insurance Representative (CIR) from All-Lines Training; the designation of Chartered Customer Service Representative (CCSR) from American Insurance College; the designation of Professional Customer Service Representative (PCSR) from the Professional Career Institute; the designation of Insurance Customer Service Representative (ICSR) from Statewide Insurance Associates LLC; the designation of Registered Customer Service Representative (RCSR) from a regionally accredited postsecondary institution in the state

whose curriculum is approved by the department and includes comprehensive analysis of basic property and casualty lines of insurance and testing which demonstrates mastery of the subject; or a degree from an accredited institution of higher learning approved by the department when the degree includes a minimum of 9 credit hours of insurance instruction, including specific instruction in the areas of property, casualty, and inland marine insurance. The department shall adopt rules establishing standards for the approval of curriculum.

Section 18. Section 626.878, Florida Statutes, is amended to read:

626.878 Rules; code of ethics.—

(1) An adjuster shall subscribe to the code of ethics specified in the rules of the department. The rules shall implement the provisions of this part and specify the terms and conditions of contracts, including a right to cancel, and require practices necessary to ensure fair dealing, prohibit conflicts of interest, and ensure preservation of the rights of the claimant to participate in the adjustment of claims.

(2) A person licensed as an adjuster must identify himself or herself in any advertisement, solicitation, or written document based on the adjuster appointment type held.

(3) An adjuster who has had his or her licensed revoked or suspended may not participate in any part of an insurance claim or in the insurance claims adjusting process, including

estimating, completing, filing, negotiating, appraising, mediating, umpiring, or effecting settlement of a claim for loss or damage covered under an insurance contract. A person who provides these services while the person's license is revoked or suspended acts as an unlicensed adjuster.

Section 19. Subsection (1) of section 626.929, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

626.929 Origination, acceptance, placement of surplus lines business.—

(1) A licensed and appointed general lines agent while also licensed and appointed as a surplus lines agent under this part may originate surplus lines business and may accept surplus lines business from any other originating Florida-licensed general lines agent appointed and licensed as to the kinds of insurance involved and may compensate such agent therefor.

(4) A general lines agent while licensed as a surplus lines agent under this part may appoint these licenses with a single surplus license agent appointment pursuant to s. 624.501. Such agent may only originate surplus lines business and accept surplus lines business from other originating Florida-licensed general lines agents appointed and licensed as to the kinds of insurance involved and may compensate such agent therefor. Such agent may not be appointed by or transact general lines insurance on behalf of an admitted insurer.

Section 20. Paragraphs (j) is added to subsection (4) of section 627.351, Florida Statutes, to read:

627.351 Insurance risk apportionment plans.—

(4) MEDICAL MALPRACTICE RISK APPORTIONMENT; ASSOCIATION CONTRACTS AND PURCHASES.—

(j)1. After July 1, 2024, all contracts entered into, and all purchases made by, the association pursuant to this subsection which are valued at or more than $100,000 must first be approved by the department. The department has 10 days to approve or deny a contract or purchase upon electronic receipt of the approval request. The contract or purchase is automatically approved if the department is nonresponsive.

2. All contracts and purchases valued at or more than $100,000 require competition through a formal bid solicitation conducted by the association. The association must undergo a formal bid solicitation process by a minimum of three vendors. The formal bid solicitation process must include all of the following:

a. The time and date for the receipt of bids, the proposals, and whether the association contemplates renewal of the contract, including the price for each year for which the contract may be renewed.

b. All the contractual terms and conditions applicable to the procurement.

3. Evaluation of bids by the association must include consideration of the total cost for each year of the contract, including renewal years, as submitted by the vendor. The association must award the contract to the most responsible and responsive vendor. Any formal bid solicitation conducted by the association must be made available, upon request, to the department by electronic delivery.

Section 21. Subsection (2) of section 627.43141, Florida Statutes, is amended to read:

627.43141 Notice of change in policy terms.—

(2) A renewal policy may contain a change in policy terms. If such change occurs, the insurer shall give the named insured advance written notice summarizing the change, which may be enclosed in ~~along with~~ the written notice of renewal premium required under ss. 627.4133 and 627.728 or sent separately within the timeframe required under the Florida Insurance Code for the provision of a notice of nonrenewal to the named insured for that line of insurance. The insurer must also provide a sample copy of the notice to the named insured's insurance agent before or at the same time that notice is provided to the named insured. Such notice shall be entitled "Notice of Change in Policy Terms~~.~~" and shall be in bold type of not less than 14 points and included as a single page or consecutive pages, as necessary, within the written notice.

Section 22. Paragraph (a) of subsection (3) of section 627.70152, Florida Statutes, is amended to read:

627.70152 Suits arising under a property insurance policy.—

(3) NOTICE.—

(a) As a condition precedent to filing a suit under a property insurance policy, a claimant must provide the department with written notice of intent to initiate litigation on a form provided by the department. Such notice must be given at least 10 business days before filing suit under the policy, but may not be given before the insurer has made a determination of coverage under s. 627.70131. Notice to the insurer must be provided by the department to the e-mail address designated by the insurer ~~under s. 624.422~~. The notice must state with specificity all of the following information:

1. That the notice is provided pursuant to this section.

2. The alleged acts or omissions of the insurer giving rise to the suit, which may include a denial of coverage.

3. If provided by an attorney or other representative, that a copy of the notice was provided to the claimant.

4. If the notice is provided following a denial of coverage, an estimate of damages, if known.

5. If the notice is provided following acts or omissions by the insurer other than denial of coverage, both of the following:

a. The presuit settlement demand, which must itemize the damages, attorney fees, and costs.

b. The disputed amount.

Documentation to support the information provided in this paragraph may be provided along with the notice to the insurer.

Section 23. Subsection (5) is added to section 631.59, Florida Statutes, to read:

631.59 Duties and powers of department and office; association contracts and purchases.—

(5)(a) After July 1, 2024, all contracts entered into, and all purchases made by, the association pursuant to this section which are valued at or more than $100,000 must first be approved by the department. The department has 10 days to approve or deny the contract or purchase upon electronic receipt of the approval request. The contract or purchase is automatically approved if the department is nonresponsive.

(b) All contracts and purchases valued at or more than $100,000 require competition through a formal bid solicitation conducted by the association. The association must undergo a formal bid solicitation process. The formal bid solicitation process must include all of the following:

1. The time and date for the receipt of bids, the proposals, and whether the association contemplates renewal of

the contract, including the price for each year for which the contract may be renewed.

2. All the contractual terms and conditions applicable to the procurement.

(c) Evaluation of bids by the association must include consideration of the total cost for each year of the contract, including renewal years, as submitted by the vendor. The association must award the contract to the most responsible and responsive vendor. Any formal bid solicitation conducted by the association must be made available, upon request, to the department via electronic delivery.

(d) The provisions of subparagraphs (b) and (c) do not apply to claims defense counsel or claims vendors provided that contracts with all vendors which may exceed $100,000 are provided to the Department for prior approval in accordance with subparagraph (a).

Section 24. Subsection (6) is added to section 631.722, Florida Statutes, to read:

631.722 Powers and duties of department and office; association contracts and purchases.—

(6)(a) After July 1, 2024, all contracts entered into, and all purchases made by, the association pursuant to this section which are valued at or more than $100,000 must first be approved by the department. The department has 10 days to approve or deny the contract or purchase upon electronic receipt of the approval

request. The contract or purchase is automatically approved if the department is nonresponsive.

(b) All contracts and purchases valued at or more than $100,000 require competition through a formal bid solicitation conducted by the association. The association must undergo a formal bid solicitation process. The formal bid solicitation process must include all of the following:

1. The time and date for the receipt of bids, the proposals, and whether the association contemplates renewal of the contract, including the price for each year for which the contract may be renewed.

2. All the contractual terms and conditions applicable to the procurement.

(c) Evaluation of bids by the association must include consideration of the total cost for each year of the contract, including renewal years, as submitted by the vendor. The association must award the contract to the most responsible and responsive vendor. Any formal bid solicitation conducted by the association must be made available, upon request, to the department via electronic delivery.

Section 25. Subsection (5) is added to section 631.821, Florida Statutes, to read:

631.821 Powers and duties of the department; board contracts and purchases.—

(5)(a) After July 1, 2024, all contracts entered into, and all purchases made by, the board pursuant to this section which are valued at or more than $100,000 must first be approved by the department. The department has 10 days to approve or deny the contract or purchase upon electronic receipt of the approval request. The contract or purchase is automatically approved if the department is nonresponsive.

(b) All contracts and purchases valued at or more than $100,000 require competition through a formal bid solicitation conducted by the board. The board must undergo a formal bid solicitation process. The formal bid solicitation process must include all of the following:

1. The time and date for the receipt of bids, the proposals, and whether the board contemplates renewal of the contract, including the price for each year for which the contract may be renewed.

2. All the contractual terms and conditions applicable to the procurement.

(c) Evaluation of bids by the board must include consideration of the total cost for each year of the contract, including renewal years, as submitted by the vendor. The plan must award the contract to the most responsible and responsive vendor. Any formal bid solicitation conducted by the board must be made available, upon request, to the department via electronic delivery.

Section 26. Section 631.921, Florida Statutes, is amended to read:

631.921 Department powers; board contracts and purchases.—

(1) The corporation shall be subject to examination by the department. By March 1 of each year, the board of directors shall cause a financial report to be filed with the department for the immediately preceding calendar year in a form approved by the department.

(2)(a) After July 1, 2024, all contracts entered into, and all purchases made by, the board pursuant to this section which are valued at or more than $100,000 must first be approved by the department. The department has 10 days to approve or deny the contract or purchase upon electronic receipt of the approval request. The contract or purchase is automatically approved if the department is nonresponsive.

(b) All contracts and purchases valued at or more than $100,000 require competition through a formal bid solicitation conducted by the board. The board must undergo a formal bid solicitation process. The formal bid solicitation process must include all of the following:

1. The time and date for the receipt of bids, the proposals, and whether the board contemplates renewal of the contract, including the price for each year for which the contract may be renewed.

2. All the contractual terms and conditions applicable to the procurement.

(c) Evaluation of bids by the board must include consideration of the total cost for each year of the contract, including renewal years, as submitted by the vendor. The association must award the contract to the most responsible and responsive vendor. Any formal bid solicitation conducted by the association must be made available, upon request, to the department via electronic delivery.

Section 27. Paragraph (b) of subsection (3) of section 633.124, Florida Statutes, is amended to read:

633.124 Penalty for violation of law, rule, or order to cease and desist or for failure to comply with corrective order.—

(3)

(b) A person who initiates a pyrotechnic display within any structure commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, unless:

1. The structure has a fire protection system installed in compliance with s. 633.334.

2. The owner of the structure has authorized in writing the pyrotechnic display.

3. If the local jurisdiction requires a permit for the use of a pyrotechnic display in an occupied structure, such permit has been obtained and all conditions of the permit complied with

or, if the local jurisdiction does not require a permit for the use of a pyrotechnic display in an occupied structure, the person initiating the display has complied with National Fire Protection Association, Inc., Standard 1126, 2021 ~~2001~~ Edition, Standard for the Use of Pyrotechnics before a Proximate Audience.

Section 28. Subsection (2) of section 633.202, Florida Statutes, is amended to read:

633.202 Florida Fire Prevention Code.—

(2) The State Fire Marshal shall adopt the current edition of the National Fire Protection Association's Standard 1, Fire Prevention Code but may not adopt a building, mechanical, accessibility, or plumbing code. The State Fire Marshal shall adopt the current edition of the Life Safety Code, NFPA 101, current editions, by reference. The State Fire Marshal may modify the selected codes and standards as needed to accommodate the specific needs of the state. Standards or criteria in the selected codes shall be similarly incorporated by reference. The State Fire Marshal shall incorporate within sections of the Florida Fire Prevention Code provisions that address uniform firesafety standards as established in s. 633.206. The State Fire Marshal shall incorporate within sections of the Florida Fire Prevention Code provisions addressing regional and local concerns and variations.

Section 29. Paragraph (b) of subsection (1) of section 633.206, Florida Statutes, is amended to read:

633.206 Uniform firesafety standards.—The Legislature hereby determines that to protect the public health, safety, and welfare it is necessary to provide for firesafety standards governing the construction and utilization of certain buildings and structures. The Legislature further determines that certain buildings or structures, due to their specialized use or to the special characteristics of the person utilizing or occupying these buildings or structures, should be subject to firesafety standards reflecting these special needs as may be appropriate.

(1) The department shall establish uniform firesafety standards that apply to:

(b) All new, existing, and proposed hospitals, nursing homes, assisted living facilities, adult family-care homes, correctional facilities, public schools, transient public lodging establishments, public food service establishments, mobile food dispensing vehicles, elevators, migrant labor camps, mobile home parks, lodging parks, recreational vehicle parks, recreational camps, residential and nonresidential child care facilities, facilities for the developmentally disabled, motion picture and television special effects productions, tunnels, energy storage systems, and self-service gasoline stations, of which standards the State Fire Marshal is the final administrative interpreting authority.

In the event there is a dispute between the owners of the buildings specified in paragraph (b) and a local authority requiring a more stringent uniform firesafety standard for sprinkler systems, the State Fire Marshal shall be the final administrative interpreting authority and the State Fire Marshal's interpretation regarding the uniform firesafety standards shall be considered final agency action.

Section 30. Paragraph (b) of subsection (8) of section 634.041, Florida Statutes, is amended to read:

634.041 Qualifications for license.—To qualify for and hold a license to issue service agreements in this state, a service agreement company must be in compliance with this part, with applicable rules of the commission, with related sections of the Florida Insurance Code, and with its charter powers and must comply with the following:

(8)

(b) A service agreement company does not have to establish and maintain an unearned premium reserve if it secures and maintains contractual liability insurance in accordance with the following:

1. Coverage of 100 percent of the claim exposure is obtained from an insurer or insurers approved by the office, which hold ~~holds~~ a certificate of authority under s. 624.401 to do business within this state, or secured through ~~a~~ risk

retention groups ~~group~~, which are ~~is~~ authorized to do business within this state under s. 627.943 or s. 627.944. Such insurers ~~insurer~~ or risk retention groups ~~group~~ must maintain a surplus as regards policyholders of at least $15 million.

2. If the service agreement company does not meet its contractual obligations, the contractual liability insurance policy binds its issuer to pay or cause to be paid to the service agreement holder all legitimate claims and cancellation refunds for all service agreements issued by the service agreement company while the policy was in effect. This requirement also applies to those service agreements for which no premium has been remitted to the insurer.

3. If the issuer of the contractual liability policy is fulfilling the service agreements covered by the contractual liability policy and the service agreement holder cancels the service agreement, the issuer must make a full refund of unearned premium to the consumer, subject to the cancellation fee provisions of s. 634.121(3). The sales representative and agent must refund to the contractual liability policy issuer their unearned pro rata commission.

4. The policy may not be canceled, terminated, or nonrenewed by the insurer or the service agreement company unless a 90-day written notice thereof has been given to the office by the insurer before the date of the cancellation, termination, or nonrenewal.

5. The service agreement company must provide the office with the claims statistics.

6. A policy issued in compliance with this paragraph may either pay 100 percent of claims as they are incurred, or pay 100 percent of claims due in the event of the failure of the service agreement company to pay such claims when due.

All funds or premiums remitted to an insurer by a motor vehicle service agreement company under this part shall remain in the care, custody, and control of the insurer and shall be counted as an asset of the insurer; provided, however, this requirement does not apply when the insurer and the motor vehicle service agreement company are affiliated companies and members of an insurance holding company system. If the motor vehicle service agreement company chooses to comply with this paragraph but also maintains a reserve to pay claims, such reserve shall only be considered an asset of the covered motor vehicle service agreement company and may not be simultaneously counted as an asset of any other entity.

Section 31. Subsection (5) of section 634.081, Florida Statutes, is amended to read:

634.081 Suspension or revocation of license; grounds.—

(5) The office shall suspend or revoke the license of a company if it finds that the ratio of gross written premiums written to net assets exceeds 10 to 1 unless the company has in

excess of $750,000 in net assets and is utilizing contractual liability insurance which cedes 100 percent of the service agreement company's claims liabilities to the contractual liability insurers ~~insurer~~ or is utilizing contractual liability insurance which reimburses the service agreement company for 100 percent of its paid claims. However, if a service agreement company has been licensed by the office in excess of 10 years, is in compliance with all applicable provisions of this part, and has net assets at all times in excess of $3 million that comply with the provisions of part II of chapter 625, such company may not exceed a ratio of gross written premiums written to net assets of 15 to 1.

Section 32. Subsection (5) of section 634.3077, Florida Statutes, is renumbered as subsection (6), subsection (3) is amended, and a new subsection (5) is added to that section, to read:

634.3077 Financial requirements.—

(3) An association may ~~shall~~ not be required to set up an unearned premium reserve if it has purchased contractual liability insurance which demonstrates to the satisfaction of the office that 100 percent of its claim exposure is covered by such insurance. Such contractual liability insurance shall be obtained from an insurer or insurers that hold ~~holds~~ a certificate of authority to do business within the state or from an insurer or insurers approved by the office as financially

capable of meeting the obligations incurred pursuant to the policy. For purposes of this subsection, the contractual liability policy shall contain the following provisions:

(a) In the event that the home warranty association is unable to fulfill its obligation under its contracts issued in this state for any reason, including insolvency, bankruptcy, or dissolution, the contractual liability insurer will pay losses and unearned premiums under such plans directly to persons making claims under such contracts.

(b) The insurer issuing the policy shall assume full responsibility for the administration of claims in the event of the inability of the association to do so.

(c) The policy may not be canceled or not renewed by ~~either~~ the insurer or the association unless 60 days' written notice thereof has been given to the office by the insurer before the date of such cancellation or nonrenewal.

(d) The contractual liability insurance policy shall insure all home warranty contracts that were issued while the policy was in effect whether or not the premium has been remitted to the insurer.

(5) An association licensed under this part is not required to establish an unearned premium reserve or maintain contractual liability insurance and may allow its premiums to exceed the ratio to net assets limitation of this section if the association complies with the following:

(a) The association or, if the association is a direct or indirect wholly owned subsidiary of a parent corporation, its parent corporation has, and maintains at all times, a minimum net worth of at least $100 million and provides the office with the following:

1. A copy of the association's annual audited financial statements or the audited consolidated financial statements of the association's parent corporation, prepared by an independent certified public accountant in accordance with generally accepted accounting principles, which clearly demonstrate the net worth of the association or its parent corporation to be $100 million, and a quarterly written certification to the office that the association or its parent corporation continues to maintain the net worth required under this paragraph.

2. The association's or its parent corporation's Form 10-K, Form 10-Q, or Form 20-F as filed with the United States Securities and Exchange Commission or such other documents required to be filed with a recognized stock exchange, which shall be provided on a quarterly and annual basis within 10 days after the last date each such report must be filed with the Securities and Exchange Commission, the National Association of Security Dealers Automated Quotation system, or other recognized stock exchange.

Failure to timely file the documents required under this paragraph may, at the discretion of the office, subject the association to suspension or revocation of its license under this part.

(b) If the net worth of a parent corporation is used to satisfy the net worth provisions of paragraph (a), the following provisions must be met:

1. The parent corporation must guarantee all service warranty obligations of the association, wherever written, on a form approved in advance by the office. A cancellation, termination, or modification of the guarantee does not become effective unless the parent corporation provides the office written notice at least 90 days before the effective date of the cancellation, termination, or modification and the office approves the request in writing. Before the effective date of the cancellation, termination, or modification of the guarantee, the association must demonstrate to the satisfaction of the office compliance with all applicable provisions of this part, including whether the association will meet the requirements of this section by the purchase of contractual liability insurance, establishing required reserves, or other method allowed under this section. If the association or parent corporation does not demonstrate to the satisfaction of the office compliance with all applicable provisions of this part, the association or parent association shall immediately cease writing new and

renewal business upon the effective date of the cancellation, termination, or modification.

2. The association must maintain at all times net assets of at least $750,000.

Section 33. Section 634.317, Florida Statutes, is amended to read:

634.317 License and appointment required.—No person may solicit, negotiate, or effectuate home warranty contracts for remuneration in this state unless such person is licensed and appointed as a sales representative. A licensed and appointed sales representative shall be directly responsible and accountable for all acts of the licensee's employees. Municipalities, county governments, special districts, entities operated by a municipality or county government, and the employees or agents of a municipality, county government, special district, or entity operated by a municipality or county government, are exempt from these licensing and appointing requirements.

Section 34. Subsection (9) of section 648.25, Florida Statutes, is renumbered as subsection (10), and a new subsection (9) and subsection (11) are added to that section to read:

648.25 Definitions.—As used in this chapter, the term:

(9) "Referring bail bond agent" is the limited surety agent who is appointed with the surety company issuing the transfer bond that is to be posted in a county where the

referring limited surety agent is not registered. The referring bail bond agent is the appointed agent held liable for the transfer bond, along with the issuing surety company.

(11) "Transfer bond" means the appearance bond and power of attorney form posted by a limited surety agent who is registered in the county where the defendant is being held in custody, and who is appointed to represent the same surety company issuing the appearance bond as the referring bail bond agent.

Section 35. Subsection (3) of section 648.26, Florida Statutes, is amended to read:

648.26 Department of Financial Services; administration.—

(3) The papers, documents, reports, or any other investigatory records of the department are confidential and exempt from s. 119.07(1) until such investigation is completed or ceases to be active, unless the department or office files a formal administrative complaint, emergency order, or consent order against the individual or entity. For the purpose of this section, an investigation is considered active while the investigation is being conducted by the department with a reasonable, good faith belief that it may lead to the filing of administrative, civil, or criminal proceedings. An investigation does not cease to be active if the department is proceeding with reasonable dispatch and there is good faith belief that action may be initiated by the department or other administrative or

law enforcement agency. This subsection does not prevent the department or office from disclosing the content of a complaint or such information as it deems necessary to conduct the investigation, to update the complainant as to the status and outcome of the complaint, to review the details of the investigation with the subject or the subject's representative, or to share such information with any law enforcement agency or other regulatory body.

Section 36. Paragraph (a) of subsection (1) of section 648.30, Florida Statutes, is amended to read:

648.30 Licensure and appointment required; prohibited acts; penalties.—

(1)(a) A person or entity may not act in the capacity of a bail bond agent or bail bond agency or perform any of the functions, duties, or powers prescribed for bail bond agents or bail bond agencies under this chapter unless that person or entity is qualified, licensed, and appointed as provided in this chapter ~~and employed by a bail bond agency~~.

Section 37. Subsection (1) of section 648.355, Florida Statutes, is amended to read:

648.355 Limited surety agents and professional bail bond agents; qualifications.—

(1) The applicant shall furnish, with the application for license, a complete set of the applicant's fingerprints in accordance with s. 626.171(4) ~~and a recent credential-sized,~~

~~fullface photograph of the applicant~~. The department may not issue a license under this section until the department has received a report from the Department of Law Enforcement and the Federal Bureau of Investigation relative to the existence or nonexistence of a criminal history report based on the applicant's fingerprints.

Section 38. Subsection (3) of section 648.43, Florida Statutes, is amended to read:

648.43 Power of attorney; approval by office; filing of copies; notification of transfer bond.—

(3) Every bail bond agent who executes or countersigns a transfer bond shall indicate in writing on the bond the name, ~~and~~ address, and license number of the referring bail bond agent.

Section 39. Section 717.101, Florida Statutes, is amended to read:

717.101 Definitions.—As used in this chapter, unless the context otherwise requires:

(1) "Aggregate" means the amounts reported for owners of unclaimed property of less than $50 or where there is no name for the individual or entity listed on the holder's records, regardless of the amount to be reported.

(2) "Apparent owner" means the person whose name appears on the records of the holder as the person entitled to property held, issued, or owing by the holder.

(3) "Audit" means an action or proceeding to examine and verify a person's records, books, accounts, and other documents to ascertain and determine compliance with this chapter.

(4) "Audit agent" means a person with whom the department enters into a contract with to conduct an audit or examination. The term includes an independent contractor of the person and each individual participating in the audit on behalf of the person or contractor.

(5) ~~(3)~~ "Banking organization" means any and all banks, trust companies, private bankers, savings banks, industrial banks, safe-deposit companies, savings and loan associations, credit unions, and investment companies in this state, organized under or subject to the laws of this state or of the United States, including entities organized under 12 U.S.C. s. 611, but does not include federal reserve banks. The term also includes any corporation, business association, or other organization that:

(a) Is a wholly or partially owned subsidiary of any banking, banking corporation, or bank holding company that performs any or all of the functions of a banking organization; or

(b) Performs functions pursuant to the terms of a contract with any banking organization ~~state or national bank, international banking entity or similar entity, trust company, savings bank, industrial savings bank, land bank, safe-deposit~~

~~company, private bank, or any organization otherwise defined by law as a bank or banking organization~~.

(6)~~(4)~~ "Business association" means any for-profit or nonprofit corporation other than a public corporation; joint stock company; investment company; unincorporated association or association of two or more individuals for business purposes, whether or not for profit; partnership; joint venture; limited liability company; sole proprietorship; business trust; trust company; land bank; safe-deposit company; safekeeping depository; financial organization; insurance company; federally chartered entity; utility company; or other business entity, whether or not for profit ~~corporation (other than a public corporation), joint stock company, investment company, business trust, partnership, limited liability company, or association of two or more individuals for business purposes, whether for profit or not for profit~~.

(7)~~(5)~~ "Claimant" means the person on whose behalf a claim is filed.

(8) "Claimant's representative" means an attorney who is a member in good standing of The Florida Bar, a certified public accountant licensed in this state, or private investigator who is duly licensed to do business in the state, registered with the department, and authorized by the claimant to claim unclaimed property on the claimant's behalf. The term does not include a person acting in a representative capacity, such as a

personal representative, guardian, trustee, or attorney, whose representation is not contingent upon the discovery or location of unclaimed property; provided, however, that any agreement entered into for the purpose of evading s. 717.135 is invalid and unenforceable.

(9) ~~(6)~~ "Credit balance" means an account balance in the customer's favor.

(10) ~~(7)~~ "Department" means the Department of Financial Services.

(11) ~~(8)~~ "Domicile" means the state of incorporation for a corporation; the state of filing for a business association, other than a corporation, whose formation or organization requires a filing with a state; the state of organization for a business association, other than a corporation, whose formation or organization does not require a filing with a state; the state of home office for a federally charted entity ~~incorporated under the laws of a state, or, for an unincorporated business association, the state where the business association is organized~~.

(12) ~~(9)~~ "Due diligence" means the use of reasonable and prudent methods under particular circumstances to locate apparent owners of inactive accounts using the taxpayer identification number or social security number, if known, which may include, but are not limited to, using a nationwide database, cross-indexing with other records of the holder,

mailing to the last known address unless the last known address is known to be inaccurate, providing written notice as described in this chapter by electronic mail if an apparent owner has elected such delivery, or engaging a licensed agency or company capable of conducting such search and providing updated addresses.

(13) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(14)~~(10)~~ "Financial organization" means a ~~state or federal~~ savings association, savings and loan association, savings bank, industrial bank, bank, banking organization, trust company, international bank agency, cooperative bank, building and loan association, or credit union.

(15)~~(11)~~ "Health care provider" means any state-licensed entity that provides and receives payment for health care services. These entities include, but are not limited to, hospitals, outpatient centers, physician practices, and skilled nursing facilities.

(16)~~(12)~~ "Holder" means:

(a) A person~~, wherever organized or domiciled,~~ who is in possession or control or has custody of property or the rights to property belonging to another; is indebted to another on an obligation; or is obligated to hold for the account of, or to

deliver or pay to, the owner, property subject to this chapter; or~~:~~

~~(a) In possession of property belonging to another;~~

(b) A trustee in case of a trust~~; or~~

~~(c) Indebted to another on an obligation~~.

(17)~~(13)~~ "Insurance company" means an association, corporation, or fraternal or mutual benefit organization, whether for profit or not for profit, which is engaged in providing insurance coverage.

(18)~~(14)~~ "Intangible property" includes, by way of illustration and not limitation:

(a) Moneys, checks, virtual currency, drafts, deposits, interest, dividends, and income.

(b) Credit balances, customer overpayments, security deposits and other instruments as defined by chapter 679, refunds, unpaid wages, unused airline tickets, and unidentified remittances.

(c) Stocks, and other intangible ownership interests in business associations.

(d) Moneys deposited to redeem stocks, bonds, bearer bonds, original issue discount bonds, coupons, and other securities, or to make distributions.

(e) Amounts due and payable under the terms of insurance policies.

(f) Amounts distributable from a trust or custodial fund established under a plan to provide any health, welfare, pension, vacation, severance, retirement, death, stock purchase, profit sharing, employee savings, supplemental unemployment insurance, or similar benefit.

(19)~~(15)~~ "Last known address" means a description of the location of the apparent owner sufficient for the purpose of the delivery of mail. For the purposes of identifying, reporting, and remitting property to the department which is presumed to be unclaimed, "last known address" includes any partial description of the location of the apparent owner sufficient to establish the apparent owner was a resident of this state at the time of last contact with the apparent owner or at the time the property became due and payable.

(20)~~(16)~~ "Lawful charges" means charges against dormant accounts that are authorized by statute for the purpose of offsetting the costs of maintaining the dormant account.

(21)~~(17)~~ "Managed care payor" means a health care plan that has a defined system of selecting and limiting health care providers as evidenced by a managed care contract with the health care providers. These plans include, but are not limited to, managed care health insurance companies and health maintenance organizations.

(22)~~(18)~~ "Owner" means a person, or the person's legal representative, entitled to receive or having a legal or

equitable interest in or claim against property subject to this chapter; a depositor in the case of a deposit; a beneficiary in the case of a trust or a deposit in trust; or a payee in the case of a negotiable instrument or other intangible property ~~a depositor in the case of a deposit, a beneficiary in the case of a trust or a deposit in trust, or a payee in the case of other intangible property, or a person having a legal or equitable interest in property subject to this chapter or his or her legal representative~~.

(23) "Person" means an individual; estate; business association; corporation; firm; association; joint adventure; partnership; government or governmental subdivision, agency, or instrumentality; or any other legal or commercial entity.

(24)~~(19)~~ "Public corporation" means a corporation created by the state, founded and owned in the public interest, supported by public funds, and governed by those deriving their power from the state.

(25) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(26)~~(20)~~ "Reportable period" means the calendar year ending December 31 of each year.

(27)~~(21)~~ "State," when applied to a part of the United States, includes any state, district, commonwealth, territory,

insular possession, and any other area subject to the legislative authority of the United States.

(28) ~~(22)~~ "Trust instrument" means a trust instrument as defined in s. 736.0103.

~~(23) "Ultimate equitable owner" means a natural person who, directly or indirectly, owns or controls an ownership interest in a corporation, a foreign corporation, an alien business organization, or any other form of business organization, regardless of whether such natural person owns or controls such ownership interest through one or more natural persons or one or more proxies, powers of attorney, nominees, corporations, associations, partnerships, trusts, joint stock companies, or other entities or devices, or any combination thereof.~~

(29) "Unclaimed Property Purchase Agreement" means the form adopted by the department pursuant to s. 717.135 which must be used, without modification or amendment, by a claimant's representative to purchase unclaimed property from an owner.

(30) "Unclaimed Property Recovery Agreement" means the form adopted by the department pursuant to s. 717.135 which must be used, without modification or amendment, by a claimant's representative to obtain an owner's consent and authority to recover unclaimed property on the owner's behalf.

(31) ~~(24)~~ "United States" means any state, district, commonwealth, territory, insular possession, and any other area

subject to the legislative authority of the United States of America.

(32)~~(25)~~ "Utility" means a person who owns or operates, for public use, any plant, equipment, property, franchise, or license for the transmission of communications or the production, storage, transmission, sale, delivery, or furnishing of electricity, water, steam, or gas.

(33)(a) "Virtual currency" means digital units of exchange that:

1. Have a centralized repository or administrator;

2. Are decentralized and have no centralized repository or administrator; or

3. May be created or obtained by computing or manufacturing effort.

(b) The term does not include any of the following:

1. Digital units that:

a. Are used solely within online gaming platforms;

b. Have no market or application outside of the online gaming platforms in sub-subparagraph a.;

c. Cannot be converted into, or redeemed for, fiat currency or virtual currency; and

d. Can or cannot be redeemed for real-world goods, services, discounts, or purchases.

2. Digital units that can be redeemed for:

a. Real-world goods, services, discounts, or purchases as part of a customer affinity or rewards program with the issuer or other designated merchants; or

b. Digital units in another customer affinity or rewards program, but cannot be converted into, or redeemed for, fiat currency or virtual currency.

3. Digital units used as part of prepaid cards.

Section 40. Subsections (3) and (4) are added to section 717.102, Florida Statutes, to read:

717.102 Property presumed unclaimed; general rule.—

(3) A presumption that property is unclaimed is rebutted by an apparent owner's expression of interest in the property. An owner's expression of interest in property includes:

(a) A record communicated by the apparent owner to the holder or agent of the holder concerning the property or the account in which the property is held;

(b) An oral communication by the apparent owner to the holder or agent of the holder concerning the property or the account in which the property is held, if the holder or its agent contemporaneously makes and preserves a record of the fact of the apparent owner's communication;

(c) Presentment of a check or other instrument of payment of a dividend, interest payment, or other distribution, with respect to an account, underlying security, or interest in a business association;

(d) Activity directed by an apparent owner in the account in which the property is held, including accessing the account or information concerning the account, or a direction by the apparent owner to increase, decrease, or otherwise change the amount or type of property held in the account;

(e) A deposit into or withdrawal from an account at a financial organization, excluding an automatic deposit or withdrawal previously authorized by the apparent owner or an automatic reinvestment of dividends or interest, which does not constitute an expression of interest; or

(f) Any other action by the apparent owner which reasonably demonstrates to the holder that the apparent owner knows that the property exists.

(4) A deceased owner is incapable of expressing an interest in property.

Section 41. Subsection (5) of section 717.106, Florida Statutes, is amended to read:

717.106 Bank deposits and funds in financial organizations.—

(5) If the documents establishing a deposit described in subsection (1) state the address of a beneficiary of the deposit, and the account has a value of at least $50, notice shall be given to the beneficiary as provided for notice to the apparent owner under s. 717.117(6) ~~s. 717.117(4)~~. This

subsection shall apply to accounts opened on or after October 1, 1990.

Section 42. Section 717.1065, Florida Statutes, is created to read:

717.1065 Virtual currency.—

(1) Any virtual currency held or owing by a banking organization, corporation, custodian, exchange, or other entity engaged in virtual currency business activity is presumed unclaimed unless the owner, within 5 years, has communicated in writing with the banking organization, corporation, custodian, exchange, or other entity engaged in virtual currency business activity concerning the virtual currency or otherwise indicated an interest as evidenced by a memorandum or other record on file with the banking organization, corporation, custodian, exchange, or other entity engaged in virtual currency business activity.

(2) A holder may not deduct from the amount of any virtual currency subject to this section any charges imposed by reason of the virtual currency unless there is a valid and enforceable written contract between the holder and the owner of the virtual currency pursuant to which the holder may impose those charges and does not regularly reverse or otherwise cancel those charges with respect to the virtual currency.

Section 43. Paragraph (a) of subsection (1) of section 717.1101, Florida Statutes, is amended to read:

717.1101 Unclaimed equity and debt of business associations.—

(1)(a) Stock or other equity interest in a business association is presumed unclaimed on the date of ~~3 years after~~ the earliest of the following:

1. Three years after ~~The date of~~ the most recent of any owner-generated activity or communication related to the account, as recorded and maintained in the holder's database and records systems sufficient enough to demonstrate the owners continued awareness or interest in the property ~~dividend, stock split, or other distribution unclaimed by the apparent owner~~;

2. Three years after the date of the death of the owner, as evidenced by: ~~The date of a statement of account or other notification or communication that was returned as undeliverable; or~~

a. Notice to the holder of the owner's death by an administrator, beneficiary, relative, or trustee, or by a personal representative or other legal representative of the owner's estate;

b. Receipt by the holder of a copy of the death certificate of the owner;

c. Confirmation by the holder of the owner's death though other means; or

d. Other evidence from which the holder may reasonably conclude that the owner is deceased; or

3. One year after the date on which the holder receives notice under subparagraph 2. if the notice is received 2 years or less after the owner's death and the holder lacked knowledge of the owner's death during that period of 2 years or less ~~The date the holder discontinued mailings, notifications, or communications to the apparent owner~~.

Section 44. Subsection (1) of section 717.112, Florida Statutes, is amended to read:

717.112 Property held by agents and fiduciaries.—

(1) ~~Except as provided in ss. 717.1125 and 733.816,~~ All intangible property and any income or increment thereon held in a fiduciary capacity for the benefit of another person, including property held by an attorney in fact or an agent, except as provided in ss. 717.1125 and 733.816, is presumed unclaimed unless the owner has within 5 years after it has become payable or distributable increased or decreased the principal, accepted payment of principal or income, communicated in writing concerning the property, or otherwise indicated an interest as evidenced by a memorandum or other record on file with the fiduciary.

Section 45. Section 717.117, Florida Statutes, is amended to read:

717.117 Report of unclaimed property.—

(1) Every person holding funds or other property, tangible or intangible, presumed unclaimed and subject to custody as

unclaimed property under this chapter shall report to the department ~~on such forms as the department may prescribe by rule. In lieu of forms, a report identifying 25 or more different apparent owners must be submitted by the holder~~ via electronic medium as the department may prescribe by rule. The report must include:

(a) ~~Except for traveler's checks and money orders,~~ The name, social security number or taxpayer identification number, ~~and~~ date of birth, ~~if known,~~ and last known address~~, if any,~~ of each person appearing from the records of the holder to be the owner of any property which is presumed unclaimed and which has a value of $10 ~~$50~~ or more.

(b) For unclaimed funds that ~~which~~ have a value of $10 ~~$50~~ or more held or owing under any life or endowment insurance policy or annuity contract, the identifying information provided in paragraph (a) for both ~~full name, taxpayer identification number or social security number, date of birth, if known, and last known address of~~ the insured or annuitant and ~~of~~ the beneficiary according to records of the insurance company holding or owing the funds.

(c) For all tangible property held in a safe-deposit box or other safekeeping repository, a description of the property and the place where the property is held and may be inspected by the department, and any amounts owing to the holder. Contents of a safe-deposit box or other safekeeping repository which consist

of documents or writings of a private nature and which have little or no apparent value shall not be presumed unclaimed.

(d) The nature or type of property, any accounting or ~~and~~ identifying number associated with the property, a ~~if any, or~~ description of the property, and the amount appearing from the records to be due. Items of value under $10 ~~$50~~ each may be reported in the aggregate.

(e) The date the property became payable, demandable, or returnable, and the date of the last transaction with the apparent owner with respect to the property.

(f) Any other information the department may prescribe by rule as necessary for the administration of this chapter.

(2) If the total value of all presumed unclaimed property, whether tangible or intangible, held by a person is less than $10, a zero balance report may be filed for that reporting period.

~~(f) Any person or business association or public corporation holding funds presumed unclaimed and having a total value of $10 or less may file a zero balance report for that reporting period. The balance brought forward to the new reporting period is zero.~~

~~(g) Such other information as the department may prescribe by rule as necessary for the administration of this chapter.~~

(3) ~~(h)~~ Credit balances, customer overpayments, security deposits, and refunds having a value of less than $10 shall not be presumed unclaimed.

(4) ~~(2)~~ If the holder of property presumed unclaimed and subject to custody as unclaimed property is a successor holder or if the holder has changed the holder's name while in possession of the property, the holder shall file with the holder's report all known names and addresses of each prior holder of the property. Compliance with this subsection means the holder exercises reasonable and prudent efforts to determine the names of all prior holders.

(5) ~~(3)~~ The report must be filed before May 1 of each year. The report shall apply to the preceding calendar year. On written request by any person required to file a report, and upon a showing of good cause, the department may extend the reporting date. The department may impose and collect a penalty of $10 per day up to a maximum of $500 for the failure to timely report, if an extension was not provided or if the holder of the property failed ~~the failure~~ to include in a report information required by this chapter which was in the holder's possession at the time of reporting. The penalty shall be remitted to the department within 30 days after the date of the notification to the holder that the penalty is due and owing. As necessary for proper administration of this chapter, the department may waive any penalty due with appropriate justification. ~~On written~~

~~request by any person required to file a report and upon a showing of good cause, the department may postpone the reporting date.~~ The department must provide information contained in a report filed with the department to any person requesting a copy of the report or information contained in a report, to the extent the information requested is not confidential, within 45 days after the department determines that the report ~~has been processed and added to the unclaimed property database subsequent to a determination that the report~~ is accurate and acceptable and that the reported property is the same as the remitted property.

(6) ~~(4)~~ Holders of inactive accounts having a value of $50 or more shall use due diligence to locate and notify apparent owners that the entity is holding unclaimed property available for them to recover. Not more than 120 days and not less than 60 days prior to filing the report required by this section, the holder in possession of property presumed unclaimed and subject to custody as unclaimed property under this chapter shall send written notice by first-class United States mail to the apparent owner at the apparent owner's last known address from the holder's records or from other available sources, or via electronic mail if the apparent owner has elected this method of delivery, informing the apparent owner that the holder is in possession of property subject to this chapter, if the holder has in its records a mailing or electronic ~~an~~ address for the

apparent owner which the holder's records do not disclose to be inaccurate. These two means of contact are not mutually exclusive; if the mailing address is determined to be inaccurate, electronic mail may be used if so elected by the apparent owner.

(7) The written notice to the apparent owner required under this section must:

(a) Contain a heading that reads substantially as follows: "Notice. The State of Florida requires us to notify you that your property may be transferred to the custody of the Florida Department of Financial Services if you do not contact us before (insert date that is 30 days after the date of notice)."

(b) Identify the type, nature, and, except for property that does not have a fixed value, value of the property that is the subject of the notice.

(c) State that the property will be turned over to the custody of the department if no response is received within 30 days after the date of the notice.

(d) State that any property that is not legal tender of the United States may be sold or liquidated by the department.

(e) State that after the property is turned over to the department, an apparent owner seeking return of the property may file a claim with the department.

(f) State that the property is currently with a holder and provide instructions that the apparent owner must follow to

prevent the holder from reporting and paying for the property or from delivering the property to the department.

(8)~~(5)~~ Any holder of intangible property may file with the department a petition for determination that the property is unclaimed requesting the department to accept custody of the property. The petition shall state any special circumstances that exist, contain the information required by subsection (4) ~~(2)~~, and show that a diligent search has been made to locate the owner. If the department finds that the proof of diligent search is satisfactory, it shall give notice as provided in s. 717.118 and accept custody of the property.

(9)~~(6)~~ Upon written request by any entity or person required to file a report, stating such entity's or person's justification for such action, the department may place that entity or person in an inactive status as an unclaimed property "holder."

(10)~~(7)~~(a) This section does not apply to the unclaimed patronage refunds as provided for by contract or through bylaw provisions of entities organized under chapter 425 or that are exempt from ad valorem taxation pursuant to s. 196.2002.

(b) This section does not apply to intangible property held, issued, or owing by a business association subject to the jurisdiction of the United States Surface Transportation Board or its successor federal agency if the apparent owner of such intangible property is a business association. The holder of

such property does not have any obligation to report, to pay, or to deliver such property to the department.

(c) This section does not apply to credit balances, overpayments, refunds, or outstanding checks owed by a health care provider to a managed care payor with whom the health care provider has a managed care contract, provided that the credit balances, overpayments, refunds, or outstanding checks become due and owing pursuant to the managed care contract.

(11) ~~(8)~~ (a) As used in this subsection, the term "property identifier" means the descriptor used by the holder to identify the unclaimed property.

(b) Social security numbers and property identifiers contained in reports required under this section, held by the department, are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(c) This exemption applies to social security numbers and property identifiers held by the department before, on, or after the effective date of this exemption.

(12) This section shall take effect on January 1, 2025.

Section 46. Subsections (4), (5), and (6) of section 717.119, Florida Statutes, are renumbered as subsections (5), (6), and (7), respectively, and a new subsection (4) and subsection (8) are added to that section, to read:

717.119 Payment or delivery of unclaimed property.—

(4) All virtual currency reported under this chapter on the annual report filing required in s. 717.117 shall be remitted to the department with the report. The holder shall liquidate the virtual currency and remit the proceeds to the department. The liquidation must occur within 30 before the filing of the report. Upon delivery of the virtual currency proceeds to the department, the holder is relieved of all liability of every kind in accordance with the provisions of s. 717.1201 to every person for any losses or damages resulting to the person by the delivery to the department of the virtual currency proceeds.

(8) A holder may not assign or otherwise transfer its obligation to report, pay, or deliver property or to comply with the provisions of this chapter, other than to a parent, subsidiary, or affiliate of the holder.

(a) Unless otherwise agreed to by the parties to a transaction, the holder's successor by merger or consolidation, or any person or entity that acquires all or substantially all of the holder's capital stock or assets, is responsible for fulfilling the holder's obligation to report, pay, or deliver property or to comply with the duties of this chapter regarding the transfer to it of property owed to and being held for an owner resulting from the merger, consolidation, or acquisition.

(b) This subsection does not prohibit a holder from contracting with a third party for the reporting of unclaimed

property, but the holder remains responsible to the department for the complete, accurate, and timely reporting of the property.

Section 47. Section 717.1201, Florida Statutes, is amended to read:

717.1201 Custody by state; holder ~~relieved from~~ liability; reimbursement of holder paying claim; reclaiming for owner; ~~defense of holder;~~ payment of safe-deposit box or repository charges.—

(1) Upon the good faith payment or delivery of property to the department, the state assumes custody and responsibility for the safekeeping of property. Any person who pays or delivers property to the department in good faith is relieved of all liability to the extent of the value of the property paid or delivered for any claim then existing or which thereafter may arise or be made in respect to the property.

(a) A holder's substantial compliance with s. 717.117(4) and good faith payment or delivery of property to the department terminates any legal relationship between the holder and the owner with respect to the property reported and releases and discharges the holder from any and all liability to the owner, the owner's heirs, personal representatives, successors, or assigns by reason of such payment or delivery, regardless of whether such property is in fact and in law unclaimed property, and such delivery and payment may be plead as a bar to recovery

and are a conclusive defense in any suit or action brought by the owner, the owner's heirs, personal representatives, successors, and assigns or any claimant against the holder by reason of such delivery or payment.

(b) If the holder pays or delivers property to the department in good faith and thereafter any other person claims the property from the holder paying or delivering, or another state claims the money or property under that state's laws relating to escheat or abandoned or unclaimed property, the department, upon written notice of the claim, shall defend the holder against the claim and indemnify the holder against any liability on the claim, except that a holder may not be indemnified against penalties imposed by another state.

(2) For the purposes of this section, a payment or delivery of property is made in good faith if:

(a) The payment or delivery was made in conjunction with an accurate and acceptable report.

(b) The payment or delivery was made in a reasonable attempt to comply with this chapter.

(c) The holder had a reasonable basis for believing, based on the facts then known, that the property was unclaimed and subject to this chapter.

(d) There is no showing that the records pursuant to which the delivery was made did not meet reasonable commercial standards of practice in the industry.

(3) ~~(2)~~ Any holder who has paid money to the department pursuant to this chapter may make payment to any person appearing to be entitled to payment and, upon filing proof that the payee is entitled thereto, the department shall forthwith repay the holder without deduction of any fee or other charges. If repayment is sought for a payment made on a negotiable instrument, including a traveler's check or money order, the holder must be repaid under this subsection upon filing proof that the instrument was duly presented and that the payee is entitled to payment. The holder shall be repaid for payment made under this subsection even if the payment was made to a person whose claim was barred under s. 717.129(1).

(4) ~~(3)~~ Any holder who has delivered property, including a certificate of any interest in a business association, other than money to the department pursuant to this chapter may reclaim the property if still in the possession of the department, without payment of any fee or other charges, upon filing proof that the owner has claimed the property from the holder.

(5) ~~(4)~~ The department may accept an affidavit of the holder stating the facts that entitle the holder to recover money and property under this section as sufficient proof.

~~(5) If the holder pays or delivers property to the department in good faith and thereafter any other person claims the property from the holder paying or delivering, or another~~

~~state claims the money or property under that state's laws relating to escheat or abandoned or unclaimed property, the department, upon written notice of the claim, shall defend the holder against the claim and indemnify the holder against any liability on the claim.~~

~~(6) For the purposes of this section, "good faith" means that:~~

~~(a) Payment or delivery was made in a reasonable attempt to comply with this chapter.~~

~~(b) The person delivering the property was not a fiduciary then in breach of trust in respect to the property and had a reasonable basis for believing, based on the facts then known to that person, that the property was unclaimed for the purposes of this chapter.~~

~~(c) There is no showing that the records pursuant to which the delivery was made did not meet reasonable commercial standards of practice in the industry.~~

(6) ~~(7)~~ Property removed from a safe-deposit box or other safekeeping repository is received by the department subject to the holder's right under this subsection to be reimbursed for the actual cost of the opening and to any valid lien or contract providing for the holder to be reimbursed for unpaid rent or storage charges. The department shall make the reimbursement to the holder out of the proceeds remaining after the deduction of the department's selling cost.

(7) If it appears to the satisfaction of the department that, because of some mistake of fact, error in calculation, or erroneous interpretation of a statute, a person has paid or delivered to the department pursuant to any provision of this chapter any money or other property not required by this chapter to be so paid or delivered, the department may, within 5 years after such erroneous payment or delivery, refund or redeliver such money or other property to the person, provided that such money or property has not been paid or delivered to a claimant or otherwise disposed of in accordance with this chapter.

Section 48. Subsection (1) of section 717.123, Florida Statutes, is amended to read:

717.123 Deposit of funds.—

(1) All funds received under this chapter, including the proceeds from the sale of unclaimed property under s. 717.122, shall forthwith be deposited by the department in the Unclaimed Property Trust Fund. The department shall retain, from funds received under this chapter, an amount not exceeding $65 ~~$15~~ million from which the department shall make prompt payment of claims allowed by the department and shall pay the costs incurred by the department in administering and enforcing this chapter. All remaining funds received by the department under this chapter shall be deposited by the department into the State School Fund.

Section 49. Section 717.1242, Florida Statutes, is amended to read:

717.1242 Restatement of jurisdiction of the circuit court sitting in probate and the department.—

(1) It is and has been the intent of the Legislature that, pursuant to s. 26.012(2)(b), circuit courts have jurisdiction of proceedings relating to the settlement of the estates of decedents and other jurisdiction usually pertaining to courts of probate. It is and has been the intent of the Legislature that, pursuant to this chapter ~~s. 717.124~~, the department determines the merits of claims and entitlements to ~~for~~ property paid or delivered to the department under this chapter. Consistent with this legislative intent, any ~~estate or~~ beneficiary, devisee, heir, personal representative, or other interested person, as those terms are defined in s. 731.201, of an estate seeking to obtain property paid or delivered to the department under this chapter must file a claim with the department as provided in s. 717.124.

(2) If a beneficiary, devisee, heir, personal representative, or other interested person, as those terms are defined in s. 731.201, of an estate seeks administration of the estate, of which unclaimed property makes up 50 percent or more of the assets, the department shall be considered an interested party and provided with notice of any such proceeding as

provided in the Florida Probate Code and the Florida Probate Rules.

(3) ~~(2)~~ If any estate or heir of an estate seeks or obtains an order from a circuit court sitting in probate directing the department to pay or deliver to any person property paid or delivered to the department under this chapter, the estate or heir shall be ordered to pay the department reasonable costs and attorney's fees in any proceeding brought by the department to oppose, appeal, or collaterally attack the order if the department is the prevailing party in any such proceeding.

Section 50. Subsection (4) of section 717.1243, Florida Statutes, is amended to read:

717.1243 Small estate accounts.—

(4) This section ~~only~~ applies only if all of the unclaimed property held by the department on behalf of the owner has an aggregate value of $20,000 ~~$10,000~~ or less and no probate proceeding is pending.

Section 51. Subsection (2) of section 717.129, Florida Statutes, is amended to read:

717.129 Periods of limitation.—

(2) The department may not commence an ~~No~~ action or proceeding to enforce this chapter with respect to the reporting, payment, or delivery of property or any other duty of a holder under this chapter ~~may be commenced by the department with respect to any duty of a holder under this chapter~~ more

than 10 years after the duty arose. The period of limitation established under this subsection is tolled by the earlier of the department's or audit agent's delivery of a notice that a holder is subject to an audit or examination under s. 717.1301 or the holder's written election to enter into an unclaimed property voluntary disclosure agreement.

Section 52. Section 717.1301, Florida Statutes, is amended to read:

717.1301 Investigations; examinations; subpoenas.—

(1) To carry out the chapter's purpose of protecting the interest of missing owners through the safeguarding of their property and to administer and enforce this chapter, the department may:

(a) Investigate, examine, inspect, request, or otherwise gather information or evidence on, claim documents from a claimant or a claimant's representative during its review of a claim.

(b) Audit the records of a person or the records in the possession of an agent, representative, subsidiary, or affiliate of the person subject to this chapter to determine whether the person complied with this chapter. Such records may include information to verify the completeness or accuracy of the records provided, even if such records may not identify property reportable to the department.

(c) Take testimony of a person, including the person's employee, agent, representative, subsidiary, or affiliate, to determine whether the person complied with this chapter.

(d) Issue an administrative subpoena to require that the records specified in paragraph (b) be made available for examination or audit and that the testimony specified in paragraph (c) be provided.

(e) Bring an action in a court of competent jurisdiction seeking enforcement of an administrative subpoena issued under this section, which the court shall consider under procedures that will lead to an expeditious resolution of the action.

(f) Bring an administrative action or an action in a court of competent jurisdiction to enforce this chapter.

(2) If a person is subject to reporting property under this chapter, the department may require the person to file a verified report in a form prescribed by the department. The verified report must:

(a) State whether the person is holding property reportable under this chapter;

(b) Describe the property not previously reported, the property about which the department has inquired, or the property that is in dispute as to whether it is reportable under this chapter; and

(c) State the amount or value of the property.

(3) The department may authorize a compliance review of a report for a specified reporting year. The review must be limited to the contents of the report filed, as required by s. 717.117 and subsection (2), and all supporting documents related to the reports. If the review results in a finding of a deficiency in unclaimed property due and payable to the department, the department shall notify the holder in writing of the amount of deficiency within 1 year after the authorization of the compliance review. If the holder fails to pay the deficiency within 90 days, the department may seek to enforce the assessment under subsection (1). The department is not required to conduct a review under this section before initiating an audit.

(4) Notwithstanding any other provision of law, in a contract providing for the location or collection of unclaimed property, the department may authorize the contractor to deduct its fees and expenses for services provided under the contract from the unclaimed property that the contractor has recovered or collected under the contract. The department shall annually report to the Chief Financial Officer the total amount collected or recovered by each contractor during the previous fiscal year and the total fees and expenses deducted by each contractor.

~~(1) The department may make investigations and examinations within or outside this state of claims, reports, and other records as it deems necessary to administer and~~

~~enforce the provisions of this chapter. In such investigations and examinations the department may administer oaths, examine witnesses, issue subpoenas, and otherwise gather evidence. The department may request any person who has not filed a report under s. 717.117 to file a verified report stating whether or not the person is holding any unclaimed property reportable or deliverable under this chapter.~~

~~(2) Subpoenas for witnesses whose evidence is deemed material to any investigation or examination under this section may be issued by the department under seal of the department, or by any court of competent jurisdiction, commanding such witnesses to appear before the department at a time and place named and to bring such books, records, and documents as may be specified or to submit such books, records, and documents to inspection. Such subpoenas may be served by an authorized representative of the department.~~

~~(3) If any person shall refuse to testify, produce books, records, and documents, or otherwise refuse to obey a subpoena issued under this section, the department may present its petition to a court of competent jurisdiction in or for the county in which such person resides or has its principal place of business, whereupon the court shall issue its rule nisi requiring such person to obey forthwith the subpoena issued by the department or show cause for failing to obey said subpoena. Unless said person shows sufficient cause for failing to obey~~

~~the subpoena, the court shall forthwith direct such person to obey the same subject to such punishment as the court may direct including, but not limited to, the restraint, by injunction or by appointment of a receiver, of any transfer, pledge, assignment, or other disposition of such person's assets or any concealment, alteration, destruction, or other disposition of subpoenaed books, records, or documents as the court deems appropriate, until such person has fully complied with such subpoena and the department has completed its investigation or examination. The department is entitled to the summary procedure provided in s. 51.011, and the court shall advance the cause on its calendar. Costs incurred by the department to obtain an order granting, in whole or in part, its petition shall be taxed against the subpoenaed person, and failure to comply with such order shall be a contempt of court.~~

~~(4) Witnesses shall be entitled to the same fees and mileage as they may be entitled by law for attending as witnesses in the circuit court, except where such examination or investigation is held at the place of business or residence of the witness.~~

(5) The material compiled by the department in an investigation or examination under this chapter is confidential until the investigation or examination is complete. If any such material contains a holder's financial or proprietary information, it may not be disclosed or made public by the

department after the investigation or audit is completed, except as required by a court of competent jurisdiction in the course of a judicial proceeding in which the state is a party, or pursuant to an agreement with another state allowing joint audits. Such material may be considered trade secret and exempt from s. 119.07(1) as provided for in s. 119.0715. The records, data, and information gathered ~~material compiled~~ by the department in an investigation or audit ~~examination~~ under this chapter remain ~~remains~~ confidential ~~after the department's investigation or examination is complete~~ if the department has submitted the material or any part of it to any law enforcement agency or other administrative agency for further investigation or for the filing of a criminal or civil prosecution and such investigation has not been completed or become inactive.

(6) If an investigation or an audit ~~examination~~ of the records of any person results in the disclosure of property reportable and deliverable under this chapter, the department may assess the cost of the investigation or audit ~~the examination~~ against the holder ~~at the rate of $100 per 8-hour day for each investigator or examiner~~. ~~Such fee shall be calculated on an hourly basis and shall be rounded to the nearest hour. The person shall also pay the travel expense and per diem subsistence allowance provided for state employees in s. 112.061. The person shall not be required to pay a per diem fee and expenses of an examination or investigation which shall~~

~~consume more than 30 worker-days in any one year unless such examination or investigation is due to fraudulent practices of the person, in which case such person shall be required to pay the entire cost regardless of time consumed.~~ The fee for the costs of the investigation or audit shall be remitted to the department within 30 days after the date of the notification that the fee is due and owing. Any person who fails to pay the fee within 30 days after the date of the notification that the fee is due and owing shall pay to the department interest at the rate of 12 percent per annum on such fee from the date of the notification.

Section 53. Subsection (1) of section 717.1311, Florida Statutes, is amended to read:

717.1311 Retention of records.—

(1) Every holder required to file a report under s. 717.117 shall maintain a record of the specific type of property, amount, name, and last known address of the owner for 10 ~~5~~ years after the property becomes reportable, except to the extent that a shorter time is provided in subsection (2) or by rule of the department.

Section 54. Paragraph (j) of subsection (1) and subsection (3) of section 717.1322, Florida Statutes, are amended to read:

717.1322 Administrative and civil enforcement.—

(1) The following acts are violations of this chapter and constitute grounds for an administrative enforcement action by

the department in accordance with the requirements of chapter 120 and for civil enforcement by the department in a court of competent jurisdiction:

(j) Requesting or receiving compensation for notifying a person of his or her unclaimed property or assisting another person in filing a claim for unclaimed property, unless the person is an attorney licensed to practice law in this state, a Florida-certified public accountant, or a private investigator licensed under chapter 493, or entering into, or making a solicitation to enter into, an agreement to file a claim for unclaimed property owned by another, ~~or a contract or agreement to purchase unclaimed property,~~ unless such person is registered with the department under this chapter and an attorney licensed to practice law in this state in the regular practice of her or his profession, a Florida-certified public accountant who is acting within the scope of the practice of public accounting as defined in chapter 473, or a private investigator licensed under chapter 493. This paragraph does not apply to a person who has been granted a durable power of attorney to convey and receive all of the real and personal property of the owner, is the court-appointed guardian of the owner, has been employed as an attorney or qualified representative to contest the department's denial of a claim, or has been employed as an attorney to probate the estate of the owner or an heir or legatee of the owner.

(3) A claimant's representative ~~registrant~~ is subject to civil enforcement and the disciplinary actions specified in subsection (2) for violations of subsection (1) by an agent or employee of the registrant's employer if the claimant's representative ~~registrant~~ knew or should have known that such agent or employee was violating any provision of this chapter.

Section 55. Subsection (1) of section 717.1333, Florida Statutes, is amended to read:

717.1333 Evidence; estimations; audit reports and worksheets, investigator ~~examiner's worksheets, investigative~~ reports and worksheets, other related documents.—

(1) In any proceeding involving a holder under ss. 120.569 and 120.57 in which an audit agent ~~auditor, examiner,~~ or investigator acting under authority of this chapter is available for cross-examination, any official written report, worksheet, or other related paper, or copy thereof, compiled, prepared, drafted, or otherwise made or received by the audit agent ~~auditor, examiner,~~ or investigator, after being duly authenticated by the audit agent ~~auditor, examiner,~~ or investigator, may be admitted as competent evidence upon the oath of the audit agent ~~auditor, examiner,~~ or investigator that the report, worksheet, or related paper was prepared or received as a result of an audit, examination, or investigation of the books and records of the person audited, examined, or investigated, or the agent thereof.

Section 56. Subsections (1) and (2) of section 717.134, Florida Statutes, are amended to read:

717.134 Penalties and interest.—

(1) For any person who willfully fails to render any report required under this chapter, the department may impose and collect a penalty of $500 per day up to a maximum of $5,000 and 25 percent of the value of property not reported until an appropriate ~~a~~ report is provided ~~rendered for any person who willfully fails to render any report required under this chapter~~. Upon a holder's showing of good cause, the department may waive said penalty or any portion thereof. If the holder acted in good faith and without negligence, the department shall waive the penalty provided herein.

(2) For any person who willfully refuses to pay or deliver unclaimed property to the department as required under this chapter, the department may impose and collect a penalty of $500 per day up to a maximum of $5,000 and 25 percent of the value of property not paid or delivered until the property is paid or delivered ~~for any person who willfully refuses to pay or deliver abandoned property to the department as required under this chapter~~.

Section 57. Section 717.135, Florida Statutes, is amended to read:

717.135 Recovery agreements and purchase agreements for claims filed by a claimant's representative or a purchaser; fees and costs, or total net gain.—

(1) In order to protect the interests of owners of unclaimed property, the department shall adopt by rule a form entitled "Unclaimed Property Recovery Agreement" and a form entitled "Unclaimed Property Purchase Agreement."

(2) The Unclaimed Property Recovery Agreement and the Unclaimed Property Purchase Agreement must include and disclose all of the following:

(a) The total dollar amount of unclaimed property accounts claimed or sold.

(b) The total percentage of all authorized fees and costs to be paid to the claimant's representative or the percentage of the value of the property to be paid as net gain to the purchaser ~~purchasing claimant's representative~~.

(c) The total dollar amount to be deducted and received from the claimant as fees and costs by the claimant's representative or the total net dollar amount to be received by the purchaser ~~purchasing claimant's representative~~.

(d) The net dollar amount to be received by the claimant or the seller.

(e) For each account claimed, the unclaimed property account number.

(f) For the Unclaimed Property Purchase Agreement, a statement that the amount of the purchase price will be remitted to the seller by the purchaser within 30 days after the execution of the agreement by the seller.

(g) The name, address, e-mail address, phone number, and license number of the claimant's representative, or the name, address, e-mail address, and phone number of the purchaser.

(h)1. The manual signature of the claimant or seller and the date signed, affixed on the agreement by the claimant or seller.

2. Notwithstanding any other provision of this chapter to the contrary, the department may allow an apparent owner, who is also the claimant or seller, to sign the agreement electronically ~~for claims of $2,000 or less~~. All electronic signatures on the Unclaimed Property Recovery Agreement and the Unclaimed Property Purchase Agreement must be affixed on the agreement by the claimant or seller using the specific, exclusive eSignature product and protocol authorized by the department.

(i) The social security number or taxpayer identification number of the claimant or seller, if a number has been issued to the claimant or seller.

(j) The total fees and costs, or the total discount in the case of a purchase agreement, which may not exceed 30 percent of the claimed amount. In the case of a recovery agreement, if the

total fees and costs exceed 30 percent, the fees and costs shall be reduced to 30 percent and the net balance shall be remitted directly by the department to the claimant. In the case of a purchase agreement, if the total net gain of the purchaser exceeds 30 percent, the claim will be denied.

(3) For an Unclaimed Property Purchase Agreement form, proof that the purchaser has made payment must be filed with the department along with the claim. If proof of payment is not provided, the claim is void.

(4) A claimant's representative or a purchaser must use the Unclaimed Property Recovery Agreement or the Unclaimed Property Purchase Agreement as the exclusive means of entering into an agreement or a contract with a claimant or seller to file a claim with the department.

(5) Fees and costs may be owed or paid to, or received by, a claimant's representative or a purchaser only after a filed claim has been approved and if the claimant's representative used an agreement authorized by this section.

(6) A claimant's representative or a purchaser may not use or distribute any other agreement of any type, conveyed by any method, with respect to the claimant or seller which relates, directly or indirectly, to unclaimed property accounts held by the department or the Chief Financial Officer other than the agreements authorized by this section. Any engagement, authorization, recovery, or fee agreement that is not authorized

by this section is void. A claimant's representative or a purchaser is subject to administrative and civil enforcement under s. 717.1322 if he or she uses an agreement that is not authorized by this section and if the agreement is used to apply, directly or indirectly, to unclaimed property held by this state. This subsection does not prohibit lawful nonagreement, noncontractual, or advertising communications between or among the parties.

(7) The Unclaimed Property Recovery Agreement ~~and the Unclaimed Property Purchase Agreement~~ may not contain language that makes the agreement irrevocable or that creates an assignment of any portion of unclaimed property held by the department.

(8) When a claim is approved, the department may pay any additional account that is owned by the claimant but has not been claimed at the time of approval, provided that a subsequent claim has not been filed or is not pending for the claimant at the time of approval.

(9) This section does not supersede s. 717.1241.

(10) This section does not apply to the sale and purchase of Florida-held unclaimed property accounts through a bankruptcy trustee appointed to represent a debtor's estate in a bankruptcy proceeding in accordance with the United States Bankruptcy Code.

Section 58. Subsections (1), (2), and (3) of section 717.1400, Florida Statutes, are amended to read:

717.1400 Registration.—

(1) In order to file claims as a claimant's representative, ~~acquire ownership of or entitlement to unclaimed property,~~ receive a distribution of fees and costs from the department, and obtain unclaimed property dollar amounts and numbers of reported shares of stock held by the department, a private investigator holding a Class "C" individual license under chapter 493 must register with the department on such form as the department prescribes by rule and must be verified by the applicant. To register with the department, a private investigator must provide:

(a) A legible copy of the applicant's Class "A" business license under chapter 493 or that of the applicant's firm or employer which holds a Class "A" business license under chapter 493.

(b) A legible copy of the applicant's Class "C" individual license issued under chapter 493.

(c) The business address and telephone number of the applicant's private investigative firm or employer.

(d) The names of agents or employees, if any, who are designated to act on behalf of the private investigator, together with a legible copy of their photo identification issued by an agency of the United States, or a state, or a political subdivision thereof.

(e) Sufficient information to enable the department to disburse funds by electronic funds transfer.

(f) The tax identification number of the private investigator's firm or employer which holds a Class "A" business license under chapter 493.

(2) In order to file claims as a claimant's representative, ~~acquire ownership of or entitlement to unclaimed property,~~ receive a distribution of fees and costs from the department, and obtain unclaimed property dollar amounts and numbers of reported shares of stock held by the department, a Florida-certified public accountant must register with the department on such form as the department prescribes by rule and must be verified by the applicant. To register with the department, a Florida-certified public accountant must provide:

(a) The applicant's Florida Board of Accountancy number.

(b) A legible copy of the applicant's current driver license showing the full name and current address of such person. If a current driver license is not available, another form of identification showing the full name and current address of such person or persons shall be filed with the department.

(c) The business address and telephone number of the applicant's public accounting firm or employer.

(d) The names of agents or employees, if any, who are designated to act on behalf of the Florida-certified public accountant, together with a legible copy of their photo

identification issued by an agency of the United States, or a state, or a political subdivision thereof.

(e) Sufficient information to enable the department to disburse funds by electronic funds transfer.

(f) The tax identification number of the accountant's public accounting firm employer.

(3) In order to file claims as a claimant's representative, ~~acquire ownership of or entitlement to unclaimed property,~~ receive a distribution of fees and costs from the department, and obtain unclaimed property dollar amounts and numbers of reported shares of stock held by the department, an attorney licensed to practice in this state must register with the department on such form as the department prescribes by rule and must be verified by the applicant. To register with the department, such attorney must provide:

(a) The applicant's Florida Bar number.

(b) A legible copy of the applicant's current driver license showing the full name and current address of such person. If a current driver license is not available, another form of identification showing the full name and current address of such person or persons shall be filed with the department.

(c) The business address and telephone number of the applicant's firm or employer.

(d) The names of agents or employees, if any, who are designated to act on behalf of the attorney, together with a

legible copy of their photo identification issued by an agency of the United States, or a state, or a political subdivision thereof.

(e) Sufficient information to enable the department to disburse funds by electronic funds transfer.

(f) The tax identification number of the attorney's firm or employer.

Section 59. Paragraph (a) of subsection (2) of section 197.582, Florida Statutes, is amended to read:

197.582 Disbursement of proceeds of sale.—

(2)(a) If the property is purchased for an amount in excess of the statutory bid of the certificateholder, the surplus must be paid over and disbursed by the clerk as set forth in subsections (3), (5), and (6). If the opening bid included the homestead assessment pursuant to s. 197.502(6)(c), that amount must be treated as surplus and distributed in the same manner. The clerk shall distribute the surplus to the governmental units for the payment of any lien of record held by a governmental unit against the property, including any tax certificates not incorporated in the tax deed application and omitted taxes, if any. If there remains a balance of undistributed funds, the balance must be retained by the clerk for the benefit of persons described in s. 197.522(1)(a), except those persons described in s. 197.502(4)(h), as their interests may appear. The clerk shall mail notices to such persons

notifying them of the funds held for their benefit at the addresses provided in s. 197.502(4). Such notice constitutes compliance with the requirements of s. 717.117(6) ~~s. 717.117(4)~~. Any service charges and costs of mailing notices shall be paid out of the excess balance held by the clerk. Notice must be provided in substantially the following form:

NOTICE OF SURPLUS FUNDS FROM TAX DEED SALE

CLERK OF COURT

.... COUNTY, FLORIDA

Tax Deed #.....

Certificate #.....

Property Description: .....

Pursuant to chapter 197, Florida Statutes, the above property was sold at public sale on ...(date of sale)..., and a surplus of $...(amount)... (subject to change) will be held by this office for 120 days beginning on the date of this notice to benefit the persons having an interest in this property as described in section 197.502(4), Florida Statutes, as their interests may appear (except for those persons described in section 197.502(4)(h), Florida Statutes).

To the extent possible, these funds will be used to satisfy in full each claimant with a senior mortgage or lien in the property before distribution of any funds to any junior mortgage or lien claimant or to the former property owner. To be considered for funds when they are distributed, you must file a

notarized statement of claim with this office within 120 days of this notice. If you are a lienholder, your claim must include the particulars of your lien and the amounts currently due. Any lienholder claim that is not filed within the 120-day deadline is barred.

A copy of this notice must be attached to your statement of claim. After the office examines the filed claim statements, it will notify you if you are entitled to any payment.

Dated: .....

Clerk of Court

Section 60. Subsection (1) of section 717.1382, Florida Statutes, is amended to read:

717.1382 United States savings bond; unclaimed property; escheatment; procedure.—

(1) Notwithstanding any other provision of law, a United States savings bond in possession of the department or registered to a person with a last known address in the state, including a bond that is lost, stolen, or destroyed, is presumed abandoned and unclaimed 5 years after the bond reaches maturity and no longer earns interest and shall be reported and remitted to the department by the financial institution or other holder in accordance with ss. 717.117(1) and (5) ~~(3)~~ and 717.119, if the department is not in possession of the bond.

Section 61. The Division of Law Revision is directed to prepare a reviser's bill for the 2025 Regular Session of the

Legislature to change the term "Division of Investigative and Forensic Services" wherever the term appears in the Florida Statutes to "Division of Criminal Investigations."

Section 62. For the 2024-2025 fiscal year, 1 full-time equivalent position with associated salary rate of $110,000 is authorized and the sum of $183,863 in recurring funds and the sum of $5,067 in non-recurring funds is appropriated from the Insurance Regulatory Trust Fund to the Department of Financial Services to support the full-time equivalent position.

Section 63. Except as otherwise, this act shall take effect upon becoming law.

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	____

Committee/Subcommittee hearing bill: Insurance & Banking Subcommittee

Representative Buchanan offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 817.803, Florida Statutes, is amended to read:

817.803 Exceptions. ~~Nothing in~~ This part does not apply ~~applies~~ to:

(1) Any debt management or credit counseling services provided in the practice of law in this state.~~;~~

(2) Any person who engages in debt adjustment to adjust the indebtedness owed to such person.~~; or~~

(3) Any of the following entities or their subsidiaries:

(a) The Federal National Mortgage Association.~~;~~

(b) The Federal Home Loan Mortgage Corporation.~~,~~

(c) The Florida Housing Finance Corporation, a public corporation created in s. 420.504.~~,~~

(d) A bank, bank holding company, trust company, savings and loan association, credit union, credit card bank, or savings bank that is regulated and supervised by the Office of the Comptroller of the Currency, the Office of Thrift Supervision, the Federal Reserve, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Office of Financial Regulation of the Department of Financial Services, or any state banking regulator.~~,~~

(e) A consumer reporting agency as defined in the Federal Fair Credit Reporting Act, 15 U.S.C. ss. 1681-1681y, as it existed on April 5, 2004.~~, or~~

(f) Any subsidiary or affiliate of a bank holding company, its employees and its exclusive agents acting under written agreement.

(4)(a) Any telemarketer or seller who provides any debt relief service within the scope of the Telemarketing and Consumer Fraud and Abuse Prevention Act, 15 U.S.C. ss. 6101-6108, and the Telemarketing Sales Rule, 16 C.F.R. part 310, and who therefore is required to comply with such federal regulation, if such telemarketer or seller does not receive from the debtor and disburse to a creditor any money or other thing

of value, in accordance with the definition of debt management services under s. 817.801(4)(b).

(b) As used in this subsection, the terms "telemarketer," "seller," and "debt relief service" have the same meaning as in 16 C.F.R. s. 310.2.

Section 2. This act shall take effect July 1, 2024.

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

Remove lines 3-12 and insert:

s. 817.803, F.S.; providing an exception from specified provisions for telemarketers and sellers who provide debt relief services under certain circumstances; defining terms; providing an effective date.

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		

Committee/Subcommittee hearing bill: Insurance & Banking Subcommittee

Representative Fabricio offered the following:

Amendment

Remove lines 33-36 and insert:

(b) In addition to residential and commercial property insurance policies issued by authorized insurers, the prohibition under paragraph (a) also applies to residential or commercial property insurance policies issued by an eligible surplus lines insurer on or after July 1, 2024.

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	_____

Committee/Subcommittee hearing bill: Insurance & Banking Subcommittee

Representative Grant offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (2) of section 494.0011, Florida Statutes, is amended to read:

494.0011 Powers and duties of the commission and office.—

(2) The commission may adopt rules to administer parts I, II, and III of this chapter, including rules:

(b) Relating to compliance with the S.A.F.E. Mortgage Licensing Act of 2008, including rules to:

1. Require loan originators, mortgage brokers, mortgage lenders, and branch offices to register through the registry.

2. Require the use of uniform forms that have been approved by the registry, and any subsequent amendments to such forms if the forms are substantially in compliance with the provisions of this chapter. Uniform forms that the commission may adopt include, but are not limited to:

a. Uniform Mortgage Lender/Mortgage Broker Form, MU1.

b. Uniform Mortgage Biographical Statement & Consent Form, MU2.

c. Uniform Mortgage Branch Office Form, MU3.

d. Uniform Individual Mortgage License/Registration & Consent Form, MU4.

3. Require the filing of forms, documents, and fees in accordance with the requirements of the registry.

4. Prescribe requirements for amending or surrendering a license or other activities as the commission deems necessary for the office's participation in the registry.

5. Prescribe procedures that allow a licensee to challenge information contained in the registry.

6. Prescribe procedures for reporting violations of this chapter and disciplinary actions on licensees to the registry.

7. Prescribe criteria and processes for determining whether an organization is and remains a bona fide nonprofit organization for the purpose of determining whether the organization and its employees acting as loan originators may be

exempt from regulation under this chapter pursuant to s. 494.00115.

Section 2. Present subsections (3), (4), and (5) of section 494.00115, Florida Statutes, are redesignated as subsections (4), (5), and (6), respectively, and a new subsection (3) is added to that section, to read:

494.00115 Exemptions.—

(3)(a) As provided in this subsection, a bona fide nonprofit organization and an employee of a bona fide nonprofit organization who acts as a loan originator only with respect to his or her work duties to the bona fide nonprofit organization, and who acts as a loan originator only with respect to residential mortgage loans with terms that are favorable to the borrower, are exempt from regulation under this chapter.

1. For an organization to be considered a bona fide nonprofit organization under this subsection, the office must determine, pursuant to criteria and processes established by rule, that the organization satisfies all of the following criteria:

a. Has the status of a tax-exempt organization under s. 501(c)(3) of the Internal Revenue Code of 1986.

b. Promotes affordable housing or provides homeownership education or similar services.

c. Conducts its activities in a manner that serves public or charitable purposes rather than commercial purposes.

d. Receives funding and revenue and charges fees in a manner that does not incentivize it or its employees to act other than in the best interests of its clients.

e. Compensates its employees in a manner that does not incentivize employees to act other than in the best interests of its clients.

f. Provides or identifies for the borrower residential mortgage loans with terms favorable to the borrower and comparable to mortgage loans and housing assistance provided under government housing assistance programs.

2. For residential mortgage loans to be deemed under this section to have terms that are favorable to the borrower, the office must determine that the terms are consistent with loan origination in a public or charitable context, rather than a commercial context.

(b) The office must periodically examine the books and activities of an organization that it determines is a bona fide nonprofit organization and revoke its status as a bona fide nonprofit organization if it does not continue to meet the criteria specified in paragraph (a).

Section 3. This act shall take effect July 1, 2024.

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

Remove lines 4-7 and insert:
494.0011, F.S.; authorizing the Financial Services Commission to adopt rules prescribing criteria and processes for determining whether an organization is a bona fide nonprofit organization for a specified purpose; amending s. 494.00115, F.S.; providing exemptions from regulation under ch. 494, F.S., for bona fide nonprofit organizations and certain employees of a bona fide nonprofit organization that meet specified criteria; requiring the Office of Financial Regulation to make a specified determination; requiring the office to make certain a determination related to the terms of residential mortgage loans originated by such employees; requiring the office to periodically examine the books and activities of a bona fide nonprofit organization and to revoke its status in certain circumstances; providing an effective date.

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: INSURANCE & BANKING

Meeting Date: JAN 25, 2024

☐ Bill/PCS/PCB Number: HB 161

☐ Amendment Barcode Number: _____

☐ Presentation/Workshop Topic: _____

Name: RICHARD CHAIT

Representing: FLORIDA WORKERS' ADVOCATES (FWA)

Title: DIRECTOR OF LEGISLATIVE AFFAIRS

Address: 2030 S. DOUGLAS RD, STE 217

City: CORAL GABLES State/Zip: FL 33134

Phone Number: 305 442 2318 / 608 2593 (c)

☒ Registered Lobbyist

☐ State Employee

☐ I wish to Appear in Person

☐ Appearing in response to subpoena

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☐ Lobbyist Appearance form submitted

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☒ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

Amendment: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: Banking & Insurance Subcommittee

Meeting Date: 1/25/24

☐ Bill/PCS/PCB Number: HB 161

☐ Amendment Barcode Number: _____

☐ Presentation/Workshop Topic: _____

Name: Jeff Scott

Representing: Florida Medical Association

Title: _____

Address: 1463 Piedmont Dr. E.

City: Tallahassee State/Zip: FL 32308

Phone Number: 850 224-6496

☑ Registered Lobbyist

☐ State Employee

☐ I wish to Appear in Person

☐ Appearing in response to subpoena

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☐ Lobbyist Appearance form submitted

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☐ Opponent ☐ Waive in Support ☑ Waive in Opposition ☐ Info only ☐

Amendment: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: House Insurance & Banking

Meeting Date: Jan 25, 24

☑ Bill/PCS/PCB Number: 161

☐ Amendment Barcode Number: _____

☐ Presentation/Workshop Topic: _____

Name: Larry Halperin, MD

Representing: Florida Orthopedic Society

Title: Past President

Address: 408 Spring Valley Lane

City: Altamonte Springs State/Zip: FL 32714

Phone Number: 407-254-2500

- ☐ Registered Lobbyist
- ☐ State Employee
- ☑ I wish to Appear in Person
- ☐ Appearing in response to subpoena
- ☐ Appearing in response to an inquiry for information made by member, committee, or staff
- ☐ Appearing at the written request of the chair
- ☐ Judge or elected officer appearing in official capacity
- ☐ Lobbyist Appearance form submitted

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☑ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

Amendment: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill ☑ Amendment ☐

Bill/PCS/PCB Number: 593

Amendment Number: _____

Name: Kenneth Pratt

Representing: Florida Bankers Association

Title: Senior VP of Governmental Affairs

Address: 1001 Thomasville Rd Ste 201

City: Tallahassee State/Zip: FL 32301

Phone Number: 850-509-8020 Meeting Date: 1/25/24

Committee/Subcommittee: Insurance and Banking Subcommittee

Presentation/Workshop Topic: Misdescription of Beneficiaries and Banks

Registered Lobbyist: YES ☑ NO ☐

State Employee: YES ☐ NO ☑

☑ I wish to speak

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing in response to subpoena

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☐ Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☐ Opponent ☑ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

Amendment: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: Banking & Insurance Subcommittee

Meeting Date: 1/25/24

☐ Bill/PCS/PCB Number: HB 659

☐ Amendment Barcode Number: _____

☐ Presentation/Workshop Topic: _____

Name: Jeff Scott

Representing: Florida Medical Association

Title: _____

Address: 1403 Piedmont Dr. E.

City: Tallahassee State/Zip: FL 32308

Phone Number: 850 224-6496

☑ Registered Lobbyist

☐ State Employee

☐ I wish to Appear in Person

☐ Appearing in response to subpoena

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☐ Lobbyist Appearance form submitted

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☐ Opponent ☐ Waive in Support ☑ Waive in Opposition ☐ Info only ☐

Amendment: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: House Insurance & Banking

Meeting Date: Jan 25, 24

☑ Bill/PCS/PCB Number: 1059

☐ Amendment Barcode Number: _____

☐ Presentation/Workshop Topic: _____

Name: Toni Large

Representing: Florida College of Emergency Physicians & Florida Society of Rheumatology

Title: _____

Address: 1100 Brookwood Dr

City: Tallahassee State/Zip: FL 32308

Phone Number: (850) 556-1461

☑ Registered Lobbyist

☐ State Employee

☐ I wish to Appear in Person

☐ Appearing in response to subpoena

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☑ Lobbyist Appearance form submitted

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill:	Proponent	☑	Opponent	☐	Waive in Support	☑	Waive in Opposition	☐	Info only ☐
Amendment:	Proponent	☐	Opponent	☐	Waive in Support	☐	Waive in Opposition	☐	Info only ☐

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: Insurance & Banking Sub.

Meeting Date: 1/25/24

☐ Bill/PCS/PCB Number: 989

☒ Amendment Barcode Number: 442469

☐ Presentation/Workshop Topic: _____

Name: Rocco Salvatori

Representing: Florida Professional Firefighters

Title: Vice Pres.

Address: 343 W Madison St

City: Tallahassee State/Zip: FL 32301

Phone Number: 850-224-7333

☒ Registered Lobbyist

☐ State Employee

☐ I wish to Appear in Person

☐ Appearing in response to subpoena

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☒ Lobbyist Appearance form submitted

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

Amendment: Proponent ☐ Opponent ☐ Waive in Support ☒ Waive in Opposition ☐ Info only ☐

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: Insurance + Banking Subcommittee

Meeting Date: 01/25/24

☒ Bill/PCS/PCB Number: HB 989 Dept of Financial Servic

☐ Amendment Barcode Number: _____

☐ Presentation/Workshop Topic: _____

Name: CHASE MITCHELL

Representing: DEPT OF FINANCIAL SERVICES

Title: LEG AFFAIRS DIRECTOR

Address: 400 S MONROE ST

City: TALLAHASSEE State/Zip: FL 32399

Phone Number: (850) 413-4938

Registered Lobbyist: YES ☒ * NO ☐

**Registered lobbyists must have a House appearance record on file with the Public Integrity & Elections Committee (Rule 17.1(h))*

State Employee: YES ☒ NO ☐

☐ I wish to speak at the meeting

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing in response to subpoena

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill:	Proponent ☐	Opponent ☐	Waive in Support ☒	Waive in Opposition ☐	Info only ☐
Amendment:	Proponent ☐	Opponent ☐	Waive in Support ☐	Waive in Opposition ☐	Info only ☐

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: INS & BANKING

Meeting Date: 1/25

☑ Bill/PCS/PCB Number: 991

☐ Amendment Barcode Number:

☐ Presentation/Workshop Topic:

Name: CHASE MITCHELL

Representing: DEPT OF FINANCIAL SERVICES

Title: LEG AFFAIRS DIRECTOR

Address: 400 S Monroe St

City: Tallahassee State/Zip: FL 32399

Phone Number: (850) 413-4958

Registered Lobbyist: YES ☑* NO ☐

**Registered lobbyists must have a House appearance record on file with the Public Integrity & Elections Committee (Rule 17.1(h))*

State Employee: YES ☑ NO ☐

☐ I wish to speak at the meeting

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing in response to subpoena

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☐ Opponent ☐ Waive in Support ☑ Waive in Opposition ☐ Info only ☐

Amendment: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: Insurance & Banking

Meeting Date: 01/25/24

☑ Bill/PCS/PCB Number: HB 1031

☐ Amendment Barcode Number: _____

☐ Presentation/Workshop Topic: _____

Name: Casey Butcher

Representing: Debt Blue

Title: Chairman

Address: 1125 E Campbell Rd. Suite 200

City: Richardson State/Zip: TX 75081

Phone Number: 214-957-3698

☐ Registered Lobbyist

☐ State Employee

☑ I wish to Appear in Person

☐ Appearing in response to subpoena

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☐ Lobbyist Appearance form submitted

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☑ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

Amendment: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: Insurance & Banking

Meeting Date: 1/25/24

☒ Bill/PCS/PCB Number: 103

☐ Amendment Barcode Number:

☐ Presentation/Workshop Topic: B

Name: Kelly Mallette

Representing: Consumer Debt Relief Initiative

Title:

Address: 104 W Jefferson St

City: Tallahassee State/Zip: FL 32301

Phone Number: (850) 224-3427

☒ Registered Lobbyist

☐ State Employee

☐ I wish to Appear in Person

☐ Appearing in response to subpoena

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☒ Lobbyist Appearance form submitted

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☒ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

Amendment: Proponent ☒ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

48639479

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: **Insurance & Banking Subcommittee**

Meeting Date: **January 25, 2024 8:00 AM**

☑ Bill/PCS/PCB Number:	**HB 1191 : Assignment of Benefits for Surplus Lines Insurers**
☐ Amendment Barcode Number:	**N/A**
☐ Presentation/Workshop Topic:	**N/A**

Name: **rosen, gary**

Representing: **Home Owners. No AOBs. I also have a critique of Citizens not complying with their Best Practices**

Title:

Address: **2881 w lake vista cir**

City: **davie** State/Zip: **FL 33328**

Phone Number: **9546147100**

☐ Registered Lobbyist
☐ State Employee
☑ I Wish to Appear in Person
☐ Appearing in response to subpoena
☐ Appearing in response to an inquiry for information made by member, committee or staff
☐ Appearing at the written request of the chair
☐ Judge or elected officer appearing in official capacity
☐ Lobbyist Appearance Form Submitted

Bill
Proponent
Amendment

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: Fl. B & I

Meeting Date: 1/25/24

☑ Bill/PCS/PCB Number: 1347-Consumer Finance Loans

☐ Amendment Barcode Number: _____

☐ Presentation/Workshop Topic: _____

Name: Scott Jenkins

Representing: FL Financial Services Assoc.

Title: Exec. Director

Address: 201 E. Park Ave Ste. 200B

City: Tallahassee State/Zip: FL 32301

Phone Number: 850 681 0829

☑ Registered Lobbyist

☐ State Employee

☐ I wish to Appear in Person

☐ Appearing in response to subpoena

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☐ Lobbyist Appearance form submitted

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☑ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

Amendment: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit both copies to the Committee Administrative Assistant at the meeting.

Bill ☑ Amendment ☐

Bill/PCS/PCB Number: 1347

Amendment Barcode Number: _____

Name: Jessica Kraynak

Representing: Florida Retail Federation

Title: Director of Govt Affairs

Address: 227 South Adams St.

City: Tallahassee State/Zip: FL 32301

Phone Number: 850-694-1216 Meeting Date: _____

Committee/Subcommittee: Insurance & Banking Subcommittee

Presentation/Workshop Topic: _____

Registered Lobbyist: YES ☑ NO ☐

State Employee: YES ☐ NO ☑

☐ I wish to speak

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing in response to subpoena

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☐ Lobbyist Appearance form submitted online

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☐ Opponent ☐ Waive in Support ☑ Waive in Opposition ☐ Info only ☐

Amendment: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: Civil Justice Subcommittee

Meeting Date: Thurs. Jan 25, 2024

☒ Bill/PCS/PCB Number: HB 1347

☐ Amendment Barcode Number: _____

☐ Presentation/Workshop Topic: _____

Name: Tammy Fecci (pronounced "Fechy")

Representing: Florida Conference of Catholic Bishops

Title: Associate for Life + Dignity

Address: 201 W. Park Ave

City: Tallahassee State/Zip: FL

Phone Number: 239-218-8661

☒ Registered Lobbyist

☐ State Employee

☐ I wish to Appear in Person

☐ Appearing in response to subpoena

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☐ Appearing at the written request of the chair

☐ Judge or elected officer appearing in official capacity

☐ Lobbyist Appearance form submitted

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☒ Info only ☐

Amendment: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

72176891

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: **Insurance & Banking Subcommittee**

Meeting Date: **January 25, 2024 8:00 AM**

☒ Bill/PCS/PCB Number: ~~HB 1569~~ : Exemption from Regulation for Bona Fide ~~Nonprofit Organizations~~

☒ Amendment Barcode Number: ~~N/A~~ 265411

☐ Presentation/Workshop Topic: **N/A**

Name: **Collins, Carlecia**

Representing: **Habitat for Humanity of Florida, Inc**

Title:

Address: **301 South Bronough Street, Suite 600**

City: **Tallahassee** State/Zip: **FL**

Phone Number: **(850) 577-9090**

☑ Registered Lobbyist
☐ State Employee
☑ I Wish to Appear in Person
☐ Appearing in response to subpoena
☐ Appearing in response to an inquiry for information made by member, committee or staff
☐ Appearing at the written request of the chair
☐ Judge or elected officer appearing in official capacity
☑ Lobbyist Appearance Form Submitted

Bill
Waive In Support
Amendment

72176891

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: **Insurance & Banking Subcommittee**

Meeting Date: **January 25, 2024 8:00 AM**

☑ Bill/PCS/PCB Number:	**HB 1569 : Exemption from Regulation for Bona Fide Nonprofit Organizations**
☐ Amendment Barcode Number:	**N/A**
☐ Presentation/Workshop Topic:	**N/A**

Name: **Collins, Carlecia**

Representing: **Habitat for Humanity of Florida, Inc**

Title:

Address: **301 South Bronough Street, Suite 600**

City: **Tallahassee** State/Zip: **FL**

Phone Number: **(850) 577-9090**

☑ Registered Lobbyist
☐ State Employee
☑ I Wish to Appear in Person
☐ Appearing in response to subpoena
☐ Appearing in response to an inquiry for information made by member, committee or staff
☐ Appearing at the written request of the chair
☐ Judge or elected officer appearing in official capacity
☑ Lobbyist Appearance Form Submitted

Bill
Waive In Support
Amendment

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Committee/Subcommittee: Insurance & Banking

Meeting Date: 01/25/24

☐ Bill/PCS/PCB Number: _____

☐ Amendment Barcode Number: _____

☐ ~~Presentation~~/Workshop Topic: _____

Name: Tim Cerio

Representing: Citizens Property Insurance Corporation

Title: President / CEO / Executive Director

Address: 2101 Maryland Circle

City: Tallahassee State/Zip: FL

Phone Number: 8505333757

☑ Registered Lobbyist

☐ State Employee

☐ I wish to Appear in Person

☐ Appearing in response to subpoena

☐ Appearing in response to an inquiry for information made by member, committee, or staff

☑ Appearing at the ~~written~~ request of the chair

☐ Judge or elected officer appearing in official capacity

☐ Lobbyist Appearance form submitted

(If you are testifying on an amendment, please also indicate your position as a proponent or opponent on the bill as a whole.)

Bill: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐

Amendment: Proponent ☐ Opponent ☐ Waive in Support ☐ Waive in Opposition ☐ Info only ☐