

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WITHDRAWN	_____	(Y/N)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		

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1 Committee/Subcommittee hearing bill: Insurance & Banking  
 2 Subcommittee

3 Representative Raulerson offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (i) of subsection (1) of section  
 8 655.005, Florida Statutes, is amended to read:

9 655.005 Definitions.—

10 (1) As used in the financial institutions codes, unless  
 11 the context otherwise requires, the term:

12 (i) "Financial institution" means a state or federal  
 13 savings or thrift association, bank, savings bank, trust  
 14 company, international bank agency, international banking  
 15 corporation, international branch, international representative  
 16 office, international administrative office, international trust

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17 entity, international trust company representative office,  
18 limited service affiliate, credit union, or an agreement  
19 corporation operating pursuant to s. 25 of the Federal Reserve  
20 Act, 12 U.S.C. ss. 601 et seq. or Edge Act corporation organized  
21 pursuant to s. 25(a) of the Federal Reserve Act, 12 U.S.C. ss.  
22 611 et seq.

23 Section 2. Subsection (1) and paragraph (b) of subsection  
24 (2) of section 655.059, Florida Statutes, are amended to read:

25 655.059 Access to books and records; confidentiality;  
26 penalty for disclosure.—

27 (1) The books and records of a financial institution are  
28 confidential and shall be made available for inspection and  
29 examination only:

30 (a) To the office or its duly authorized representative;

31 (b) To any person duly authorized to act for the financial  
32 institution;

33 (c) To any federal or state instrumentality or agency  
34 authorized to inspect or examine the books and records of an  
35 insured financial institution;

36 (d) With respect to an international banking corporation  
37 or international trust entity, to the home-country supervisor of  
38 the international banking corporation or international trust  
39 entity, provided:

40 1. The home-country supervisor provides advance notice to  
41 the office that the home-country supervisor intends to examine

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42 the Florida office of the international banking corporation or  
43 international trust entity. Such examination may be conducted  
44 onsite or offsite and may include ongoing reporting by the  
45 Florida office of the international banking corporation or  
46 international trust entity to the home-country supervisor.

47 2. The home-country supervisor confirms to the office that  
48 the purpose of the examination is to ensure the safety and  
49 soundness of the international banking corporation or  
50 international trust entity.

51 3. The books and records pertaining to customer deposit,  
52 investment, ~~and~~ custodial, and trust accounts are not disclosed  
53 to the home-country supervisor.

54 4. At any time during the conduct of the examination, the  
55 office reserves the right to have an examiner present, ~~or~~ to  
56 participate jointly in the examination, or to receive copies of  
57 all information provided to the home-country supervisor.

58  
59 As used in ~~For purposes of~~ this paragraph, the term "home-  
60 country supervisor" means the governmental entity in the  
61 international banking corporation's or international trust  
62 entity's home country with responsibility for the supervision  
63 and regulation of the safety and soundness of the international  
64 banking corporation or international trust entity;

65 (e) As compelled by a court of competent jurisdiction,  
66 pursuant to a subpoena issued pursuant to the Florida Rules of

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67 Civil Procedure, the Florida Rules of Criminal Procedure, or the  
68 Federal Rules of Civil Procedure, or pursuant to a subpoena  
69 issued in accordance with state or federal law. ~~Before~~ Prior to  
70 the production of the books and records of a financial  
71 institution, the party seeking production must reimburse the  
72 financial institution for the reasonable costs and fees incurred  
73 in compliance with the production. If the parties disagree  
74 regarding the amount of reimbursement, the party seeking the  
75 records may request the court or agency having jurisdiction to  
76 set the amount of reimbursement;

77 (f) As compelled by legislative subpoena as provided by  
78 law, in which case the provisions of s. 655.057 apply;

79 (g) Pursuant to a subpoena, to any federal or state law  
80 enforcement or prosecutorial instrumentality authorized to  
81 investigate suspected criminal activity;

82 (h) As authorized by the board of directors of the  
83 financial institution; or

84 (i) As provided in subsection (2).

85 (2)

86 (b) The books and records pertaining to trust accounts and  
87 the deposit accounts and loans of depositors, borrowers,  
88 members, and stockholders of any financial institution shall be  
89 kept confidential by the financial institution and its  
90 directors, officers, and employees and may ~~shall~~ not be released  
91 except upon express authorization of the account holder as to

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92 her or his own accounts, loans, or voting rights. However,  
93 information relating to any loan made by a financial institution  
94 may be released without the borrower's authorization in a manner  
95 prescribed by the board of directors for the purpose of meeting  
96 the needs of commerce and for fair and accurate credit  
97 information. Information may also be released, without the  
98 authorization of a member or depositor but in a manner  
99 prescribed by the board of directors, to verify or corroborate  
100 the existence or amount of a customer's or member's account when  
101 such information is reasonably provided to meet the needs of  
102 commerce and to ensure accurate credit information. In addition,  
103 a financial institution, affiliate, and its subsidiaries, and  
104 any holding company of the financial institution or subsidiary  
105 of such holding company, may furnish to one another information  
106 relating to their customers or members, subject to the  
107 requirement that each corporation receiving information that is  
108 confidential maintain the confidentiality of such information  
109 and not provide or disclose such information to any unaffiliated  
110 person or entity. Notwithstanding this paragraph, ~~nothing in~~  
111 this subsection does not prohibit: ~~shall prohibit~~

112 1. A financial institution from disclosing financial  
113 information as referenced in this subsection as authorized  
114 ~~permitted~~ by Pub. L. No. 106-102 (1999), as set forth in 15  
115 U.S.C.A. s. 6802, as amended.

116 2. The Florida office of the international banking

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117 corporation or international trust entity from sharing books and  
118 records under this subsection with the home-country supervisor  
119 in accordance with subsection (1).

120 Section 3. Section 663.001, Florida Statutes, is created  
121 in part I of chapter 663, Florida Statutes, to read:

122 663.001 Purpose.—The purpose of this part is to establish  
123 a legal and regulatory framework for the conduct by  
124 international banking corporations of financial services  
125 business in this state. This part is intended to:

126 (1) Support the Florida operations of international  
127 banking corporations and promote the growth of international  
128 financial services to benefit the economy and consumers in this  
129 state.

130 (2) Provide for appropriate supervision and regulatory  
131 oversight to ensure that financial services activities of  
132 international banking corporations in this state are conducted  
133 responsibly and in a safe and sound manner.

134 Section 4. Subsections (6) and (9) and paragraph (b) of  
135 subsection (11) of section 663.01, Florida Statutes, are amended  
136 to read:

137 663.01 Definitions.—As used in this part, the term:

138 (6) "International banking corporation" means a banking  
139 corporation organized and licensed under the laws of a foreign  
140 country. The term ~~"international banking corporation"~~ includes,  
141 without limitation, a foreign commercial bank, foreign merchant

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142 bank, or other foreign institution that engages in banking  
143 activities usual in connection with the business of banking in  
144 the country where such foreign institution is organized or  
145 operating, including a corporation: the sole shareholders of  
146 which are one or more international banking corporations or  
147 holding companies which own or control one or more international  
148 banking corporations which are authorized to carry on a banking  
149 business, or a central bank or government agency of a foreign  
150 country and any affiliate or division thereof; which has the  
151 power to receive deposits from the general public in the country  
152 where it is chartered and organized; and which is under the  
153 supervision of the central bank or other bank regulatory  
154 authority of such country. The term also includes ~~foreign trust~~  
155 ~~companies, or any similar business entities, including, but not~~  
156 ~~limited to,~~ foreign banks with fiduciary powers which, ~~that~~  
157 conduct trust business as defined in the financial institutions  
158 codes.

159 ~~(9) "International trust company representative office"~~  
160 ~~means an office of an international banking corporation or trust~~  
161 ~~company organized and licensed under the laws of a foreign~~  
162 ~~country which office is established or maintained in this state~~  
163 ~~for the purpose of engaging in nonfiduciary activities described~~  
164 ~~in s. 663.0625, or any affiliate, subsidiary, or other person~~  
165 ~~that engages in such activities on behalf of such international~~  
166 ~~banking corporation or trust company from an office located in~~

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167 ~~this state.~~

168 ~~(10)(11)~~ "Nonresident" means:

169 (b) A person, other than an individual, whose principal  
170 place of business or domicile is outside the United States and  
171 includes a person who conducts a majority of its business  
172 activities in a foreign country and any foreign government and  
173 its subdivision, agencies, and instrumentalities. Any person who  
174 conducts business in the United States is considered to have its  
175 principal place of business outside the United States if any one  
176 of the following requirements is satisfied for its most recent  
177 fiscal year:

178 1. Its assets located outside the United States exceed its  
179 assets located within the United States;

180 2. Its gross revenues generated outside the United States  
181 exceed its gross revenues generated within the United States; or

182 3. Its payroll expenses incurred outside the United States  
183 exceed its payroll expenses incurred within the United States.

184 Section 5. Section 663.02, Florida Statutes, is amended to  
185 read:

186 663.02 Applicability of the financial institutions codes  
187 ~~state banking laws.~~

188 (1) International banking corporations having offices in  
189 this state are subject to all the provisions of the financial  
190 institutions codes ~~and chapter 655~~ as though such corporations  
191 were state banks ~~or trust companies~~, except where it may appear,

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192 from the context or otherwise, that such provisions are clearly  
193 applicable only to banks ~~or trust companies~~ organized under the  
194 laws of this state or the United States. Without limiting the  
195 foregoing general provisions, it is the intent of the  
196 Legislature that the following provisions are applicable to such  
197 banks or trust companies: s. 655.031, relating to administrative  
198 enforcement guidelines; s. 655.032, relating to investigations,  
199 subpoenas, hearings, and witnesses; s. 655.0321, relating to  
200 hearings, proceedings, and related documents and restricted  
201 access thereto; s. 655.033, relating to cease and desist orders;  
202 s. 655.037, relating to removal by the office of an officer,  
203 director, committee member, employee, or other person; s.  
204 655.041, relating to administrative fines and enforcement; s.  
205 655.50, relating to the control of money laundering and  
206 terrorist financing; and any law for which the penalty is  
207 increased under s. 775.31 for facilitating or furthering  
208 terrorism. International banking corporations do not have the  
209 powers conferred on domestic banks by s. 658.60, relating to  
210 deposits of public funds. Chapter 687, relating to interest and  
211 usury, applies to all bank loans.

212 (2) Neither an international bank agency nor an  
213 international branch shall have any greater right under, or by  
214 virtue of, this section than is granted to banks organized under  
215 the laws of this state. Legal and financial terms used herein  
216 shall be deemed to refer to equivalent terms used by the country

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217 in which the international banking corporation is organized.  
218 This chapter and the financial institutions codes may not be  
219 construed to authorize any international banking corporation ~~or~~  
220 ~~trust company~~ to conduct trust business, as defined in s.  
221 658.12, from an office in this state except for those activities  
222 specifically authorized by s. 663.061(5) ~~ss. 663.061(5) and~~  
223 ~~663.0625~~.

224 Section 6. Subsection (1) of section 663.021, Florida  
225 Statutes, is amended to read:

226 663.021 Civil action subpoena enforcement.-

227 (1) Notwithstanding s. 655.059, an international  
228 representative office, international bank agency, international  
229 branch, ~~international trust company representative office,~~ or  
230 international administrative office established under this  
231 chapter is not required to produce a book or record pertaining  
232 to a deposit account, investment account, or loan of a customer  
233 of the international banking corporation's offices that are  
234 located outside the United States or its territories in response  
235 to a subpoena if the book or record is maintained outside the  
236 United States or its territories and is not in the possession,  
237 custody, or control of the international banking corporation's  
238 office, agency, or branch established in this state.

239 Section 7. Section 663.04, Florida Statutes, is amended to  
240 read:

241 663.04 Requirements for carrying on financial institution

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242 business.—An international banking corporation ~~or trust company,~~  
243 or any affiliate, subsidiary, or other person or business entity  
244 acting as an agent for, on behalf of, or for the benefit of such  
245 international banking corporation ~~or trust company~~ who engages  
246 in such activities from an office located in this state, may not  
247 transact a banking or trust business, or maintain in this state  
248 any office for carrying on such business, or any part thereof,  
249 unless such corporation, ~~trust company,~~ affiliate, subsidiary,  
250 person, or business entity:

251 (1) Has been authorized by its charter to carry on a  
252 banking or trust business and has complied with the laws of the  
253 jurisdiction in which it is chartered.

254 (2) Has furnished to the office such proof as to the  
255 nature and character of its business and as to its financial  
256 condition as the commission or office requires.

257 (3) Has filed with the office a certified copy of that  
258 information required to be supplied to the Department of State  
259 by those provisions of part I of chapter 607 which are  
260 applicable to foreign corporations.

261 (4) Has received a license duly issued to it by the  
262 office.

263 (5) Has sufficient capital in accordance with the  
264 requirements of ~~capital accounts no less than the minimums~~  
265 ~~required per~~ s. 663.055 and the rules adopted thereunder and is  
266 not imminently insolvent or insolvent, as those terms are

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267 defined in ~~per~~ s. 655.005(1).

268 (6) (a) Is not in bankruptcy, conservatorship,  
269 receivership, liquidation, or similar status under the laws of  
270 any country.

271 (b) Is not operating under the direct control of the  
272 government, regulatory, or supervisory authority of the  
273 jurisdiction of its incorporation through government  
274 intervention or any other extraordinary actions.

275 (c) Has not been in such status or control at any time  
276 within the 3 ~~7~~ years preceding the date of application for a  
277 license.

278

279 Notwithstanding paragraphs (a) and (b), the office may permit an  
280 international branch, international bank agency, international  
281 administrative office, or international representative office to  
282 remain open and in operation pursuant to s. 663.11(1)(b).

283 Section 8. Present subsections (4) through (8) of section  
284 663.05, Florida Statutes, are redesignated as subsections (5)  
285 through (9), respectively, a new subsection (4) is added to that  
286 section, and present subsections (4), (5), (6), paragraph (c) of  
287 present subsection (7), and present subsection (8) are amended,  
288 to read:

289 663.05 Application for license; approval or disapproval.-

290 (4) Notwithstanding subsection (1), an international  
291 banking corporation that has operated an international branch,

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292 international bank agency, international administrative office,  
293 or international representative office in this state for a  
294 minimum of 3 years in a safe and sound manner, as defined by  
295 commission rule, and that is otherwise eligible to establish an  
296 additional office may establish one or more additional  
297 international branches, international bank agencies,  
298 international administrative offices, or international  
299 representative offices by providing an abbreviated application  
300 and paying the appropriate license fee pursuant to s. 663.12.  
301 This subsection does not permit an international banking  
302 corporation to file an abbreviated application for any license  
303 type whose permissible activities are broader than those in  
304 which the international banking corporation is currently  
305 authorized to engage.

306 (5)(4) An application filed pursuant to this section must  
307 ~~shall~~ be made on a form prescribed by the commission office and  
308 ~~must shall~~ contain such information as the commission or office  
309 requires.

310 (6)(5) The office may, in its discretion, approve or  
311 disapprove the application, but it may shall not approve the  
312 application unless, in its opinion, the applicant meets each and  
313 every requirement of this part and any other applicable  
314 provision of the financial institutions codes. The office shall  
315 approve the application only if it has determined that the  
316 directors, executive officers, and principal shareholders of the

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317 international banking corporation are qualified by reason of  
318 their financial ability, reputation, and integrity and have  
319 sufficient banking and other business experience to indicate  
320 that they will manage and direct the affairs of the  
321 international banking corporation in a safe, sound, and lawful  
322 manner. In the processing of an application filed pursuant to  
323 this section applications, the time limitations under the  
324 Administrative Procedure Act do shall not apply as to approval  
325 or disapproval of the application. For applications filed on or  
326 after January 1, 2018, the time limitations for approval or  
327 disapproval of an application must be prescribed by rule of the  
328 commission.

329 (7)(6) The office may not issue a license to an  
330 international banking corporation unless:

331 (a) It is chartered in a jurisdiction in which any  
332 financial institution licensed or chartered by any state or any  
333 federal bank regulatory agency in the United States bank or  
334 trust company having its principal place of business in this  
335 state may establish similar facilities or exercise similar  
336 powers; or

337 (b) Federal law permits the appropriate federal regulatory  
338 authority to issue a comparable license to the international  
339 banking corporation.

340 (8)(7) The office may not issue a license to an  
341 international banking corporation for the purpose of operating:

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342 ~~(c) A trust representative office in this state unless the~~  
343 ~~corporation:~~

344 ~~1. Holds an unrestricted license to conduct trust business~~  
345 ~~in the foreign country under the laws of which it is organized~~  
346 ~~and chartered.~~

347 ~~2. Has been authorized by the foreign country's trust~~  
348 ~~business regulatory authority to establish the proposed~~  
349 ~~international trust representative office.~~

350 ~~3. Is adequately supervised by the central bank or trust~~  
351 ~~regulatory agency in the foreign country in which it is~~  
352 ~~organized and chartered.~~

353 ~~4. Meets all requirements under the financial institutions~~  
354 ~~codes for the operation of a trust company or trust department~~  
355 ~~as if it were a state chartered trust company or bank authorized~~  
356 ~~to exercise fiduciary powers.~~

357 ~~(9)(8)~~ The commission shall establish, by rule, the  
358 general principles which shall determine the adequacy of  
359 supervision of an international banking corporation's foreign  
360 establishments. These principles shall be based upon the need  
361 for cooperative supervisory efforts and consistent regulatory  
362 guidelines and shall address, at a minimum, the capital  
363 adequacy, asset quality, management, earnings, liquidity,  
364 internal controls, audits, and foreign exchange operations and  
365 positions of the international banking corporation. This  
366 subsection does ~~shall~~ not require examination by the home-

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367 country regulatory authorities of any office of an international  
368 banking corporation in this state. The commission may also  
369 establish, by rule, other standards for approval of an  
370 application for a license as considered necessary to ensure the  
371 safe and sound operations of the international banking  
372 corporation ~~bank or trust representative office~~ in this state.

373 Section 9. Section 663.055, Florida Statutes, is amended  
374 to read:

375 663.055 Capital requirements.—

376 (1) To qualify for a license under ~~the provisions of this~~  
377 part, the proposed capitalization of the international banking  
378 corporation must be in such amount as the office determines is  
379 necessary, taking into consideration the risk profile of the  
380 international banking corporation and the ability of the  
381 international banking corporation to operate a licensed office  
382 in a safe and sound manner. In making this determination, the  
383 office must consider the financial resources of the  
384 international banking corporation, including an international  
385 ~~banking corporation must have net capital accounts, calculated~~  
386 ~~according to United States generally accepted accounting~~  
387 ~~principles and practices, of at least:~~

388 (a) The international banking corporation's current and  
389 projected capital position, profitability, level of  
390 indebtedness, and business and strategic plans ~~Forty million~~  
391 ~~dollars for the establishment of an international bank agency,~~

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392 ~~an international branch, or an international administrative~~  
393 ~~office; or~~

394 (b) The financial condition of any of the international  
395 banking corporation's existing offices located in the United  
396 States; ~~Twenty million dollars for the establishment of an~~  
397 ~~international representative office or international trust~~  
398 ~~representative office.~~

399 (c) The minimum capital requirements of the international  
400 banking corporation's home-country jurisdiction; and

401 (d) The capital ratio standards used in the United States  
402 and in the international banking corporation's home-country  
403 jurisdiction.

404 (2) The proposed capitalization of the international  
405 banking corporation must be in such amount as the office deems  
406 adequate, but in no case may the total capital accounts of the  
407 international banking corporation be less than the minimum  
408 required under s. 658.21(2) to establish a state bank  
409 ~~Notwithstanding the provisions of paragraph (1)(a), the office~~  
410 ~~may approve an application for a license to establish an~~  
411 ~~international bank agency, an international branch, or an~~  
412 ~~international administrative office if:~~

413 ~~(a) The international banking corporation is licensed to~~  
414 ~~receive deposits from the general public in the country where it~~  
415 ~~is organized and licensed and to engage in such other activities~~  
416 ~~as are usual in connection with the business of banking in such~~

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417 ~~country;~~

418 ~~(b) The office receives a certificate that is issued by~~  
419 ~~the banking or supervisory authority of the country in which the~~  
420 ~~international banking corporation is organized and licensed and~~  
421 ~~states that the international banking corporation is duly~~  
422 ~~organized and licensed and lawfully existing in good standing,~~  
423 ~~and is empowered to conduct a banking business; and~~

424 ~~(c) The international banking corporation has been in the~~  
425 ~~business of banking for at least 10 years and is ranked by the~~  
426 ~~banking or supervisory authority of the country in which it is~~  
427 ~~organized and licensed as one of the five largest banks in that~~  
428 ~~country in terms of domestic deposits, as of the date of its~~  
429 ~~most recent statement of financial condition. However, in no~~  
430 ~~event shall the office approve an application under this~~  
431 ~~subsection for any international banking corporation with~~  
432 ~~capital accounts of less than \$20 million.~~

433 (3) The office may specify such other conditions as it  
434 determines are appropriate, considering the public interest and  
435 the need to maintain a safe, sound, and competitive banking  
436 system in this state, and the preservation of an environment  
437 conducive to the conduct of an international banking business in  
438 this state. In translating the capital accounts of an  
439 international banking corporation, the office may consider  
440 monetary corrections accounts that reflect results consistent  
441 with the requirements of generally accepted accounting

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442 ~~principles in the United States.~~

443 (4) For the purpose of this part, the capital accounts of  
444 and capital ratio standards for an international banking  
445 corporation must ~~shall~~ be determined in accordance with rules  
446 adopted by the commission. In adopting such rules, the  
447 commission shall consider similar rules adopted by bank  
448 regulatory agencies in the United States and the need to provide  
449 reasonably consistent regulatory requirements for international  
450 banking corporations ~~which will maintain the safe and sound~~  
451 ~~condition of international banking corporations~~ doing business  
452 in this state, as well as capital adequacy standards of an  
453 international banking corporation's home-country jurisdiction.

454 Section 10. Subsections (1) and (3) of section 663.06,  
455 Florida Statutes, are amended to read:

456 663.06 Licenses; permissible activities.—

457 (1) (a) An international banking corporation licensed to  
458 operate an office in this state may engage in the business  
459 authorized by this part at the office specified in such license  
460 for an indefinite period.

461 (b) An international banking corporation may operate more  
462 than one licensed office, each at a different place of business,  
463 provided that each office is ~~shall be~~ separately licensed.

464 (c) A ~~No~~ license is not transferable or assignable.  
465 However, the location of a licensed office may be changed after  
466 notification of the office.

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467        (d) Every such license must ~~shall~~ be, at all times,  
468 conspicuously displayed in the place of business specified  
469 therein.

470        (3) The license for any international banking corporation  
471 office in this state may be suspended or revoked by the office,  
472 with or without examination, upon its determination that the  
473 international banking corporation or the licensed office does  
474 not meet all requirements for original licensing. Additionally,  
475 the office shall revoke the license of any licensed office that  
476 the office determines has been inactive for 6 months or longer.  
477 The commission may by rule prescribe additional conditions or  
478 standards under which the license of an international bank  
479 agency, international branch, international representative  
480 office, ~~international trust company representative office,~~ or  
481 international administrative office may be suspended or revoked.

482        Section 11. Section 663.0601, Florida Statutes, is created  
483 to read:

484        663.0601 After-the-fact licensure process in the event of  
485 the acquisition, merger, or consolidation of international  
486 banking corporations.-If an international banking corporation  
487 proposes to acquire, merge, or consolidate with an international  
488 banking corporation that presently operates an international  
489 branch, international bank agency, international administrative  
490 office, or international representative office licensed in this  
491 state, the office may authorize the currently licensed

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492 international branch, international bank agency, international  
493 administrative office, or international representative office to  
494 remain open and in operation after consummation of the proposed  
495 acquisition, merger, or consolidation, if the acquiring  
496 international banking corporation files an after-the-fact  
497 application and all of the following conditions are met:

498 (1) The international banking corporation or corporations  
499 resulting from the acquisition, merger, or consolidation will  
500 not directly or indirectly own or control more than 5 percent of  
501 any class of the voting securities of, or control, a United  
502 States bank.

503 (2) Before consummation of the acquisition, merger, or  
504 consolidation, the international banking corporation currently  
505 licensed to operate an international branch, international bank  
506 agency, international administrative office, or international  
507 representative office in this state must provide the office at  
508 least 30 days' advance written notice, as prescribed by rules  
509 adopted by the commission, of the proposed acquisition, merger,  
510 or consolidation.

511 (3) Before consummation of the acquisition, merger, or  
512 consolidation, each international banking corporation commits in  
513 writing that it will either:

514 (a) Comply with the conditions in subsections (1) and (2)  
515 and file an after-the-fact application for a license under s.  
516 663.05(1) within 60 days after consummation of the proposed

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517 acquisition, merger, or consolidation; and refrain from engaging  
518 in new lines of business and from otherwise expanding the  
519 activities of such establishment in this state until the  
520 disposition of the after-the-fact license application, in  
521 accordance with chapter 120; or

522 (b) Promptly wind down and close any international branch,  
523 international bank agency, international administrative office,  
524 or international representative office in this state if the  
525 international banking corporations that are party to the  
526 acquisition, merger, or consolidation elect not to file an  
527 application for a license in accordance with paragraph (a); and,  
528 before such wind-down and closure, refrain from engaging in new  
529 lines of business or otherwise expanding the activities of such  
530 establishment in this state.

531 Section 12. Subsection (1) of section 663.061, Florida  
532 Statutes, is amended to read:

533 663.061 International bank agencies; permissible  
534 activities.-

535 (1) An international bank agency licensed under this part  
536 may make any loan, extension of credit, or investment which it  
537 could make if incorporated and operating as a bank organized  
538 under the laws of this state. An international bank agency may  
539 act as custodian and may furnish investment management, and  
540 investment advisory services authorized under rules adopted by  
541 the commission, to nonresident entities or persons whose

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542 principal places of business or domicile are outside the United  
543 States and to resident entities or persons with respect to  
544 international, ~~or~~ foreign, or domestic investments. An  
545 international banking corporation that ~~which~~ has an  
546 international bank agency licensed under the terms of this part  
547 is shall be exempt from the registration requirements of s.  
548 517.12. An international bank agency licensed by the office may  
549 engage in any activity permissible for an international  
550 administrative office or international representative office.

551 Section 13. Section 663.062, Florida Statutes, is amended  
552 to read:

553 663.062 International representative offices; permissible  
554 activities.—An international representative office may promote  
555 or assist the deposit-taking, lending, or other financial or  
556 banking activities of an international banking corporation. An  
557 international representative office may serve as a liaison in  
558 Florida between an international banking corporation and its  
559 existing and potential customers. Representatives and employees  
560 based at such office may solicit business for the international  
561 banking corporation and its subsidiaries and affiliates, provide  
562 information to customers concerning their accounts, answer  
563 questions, receive applications for extensions of credit and  
564 other banking services, transmit documents on behalf of  
565 customers, and make arrangements for customers to transact  
566 business on their accounts, but a representative office may not

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567 | conduct any banking or trust business in this state. An  
568 | international representative office of an international banking  
569 | corporation that has fiduciary powers may engage in the  
570 | international trust representative office activities enumerated  
571 | in s. 663.409.

572 | Section 14. Subsection (2) of section 663.063, Florida  
573 | Statutes, is amended to read:

574 | 663.063 International administrative offices.—

575 | (2) An office established pursuant to ~~the provisions of~~  
576 | this section may ~~not~~ engage only in ~~any activity except~~ those  
577 | activities set forth in subsection (1) and the activities  
578 | permissible for an international representative office pursuant  
579 | to s. 663.062.

580 | Section 15. Section 663.064, Florida Statutes, is amended  
581 | to read:

582 | 663.064 International branches; permissible activities;  
583 | requirements.—

584 | (1) An international banking corporation that meets the  
585 | requirements of ss. 658.26, 663.04, and 663.05 may, with the  
586 | approval of the office, establish one or more branches in this  
587 | state. ~~An international branch shall have the same rights and~~  
588 | ~~privileges as a federally licensed international branch.~~ The  
589 | operations of an international branch shall be conducted  
590 | pursuant to requirements determined by the office as necessary  
591 | to ensure compliance with the provisions of the financial

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592 institutions codes, including requirements for the maintenance  
593 of accounts and records separate from those of the international  
594 banking corporation of which it is a branch.

595 (2) An international branch has the same rights and  
596 privileges as a federally licensed international branch. The  
597 permissible deposits of an international branch must be  
598 determined in accordance with rules adopted by the commission.  
599 In adopting such rules, the commission shall consider the  
600 similar deposit-taking authority of a federally licensed  
601 international branch and the need to provide reasonably  
602 consistent regulatory requirements for international banking  
603 corporations doing business in this state.

604 (3) An international branch licensed by the office may  
605 engage in any activity permissible for an international bank  
606 agency, international administrative office, or international  
607 representative office.

608 Section 16. Subsection (3) of section 663.09, Florida  
609 Statutes, is amended, and subsection (5) is added to that  
610 section, to read:

611 663.09 Reports; records.—

612 (3) Each international banking corporation ~~that~~ ~~which~~  
613 operates an office licensed under this part shall cause to be  
614 kept, at a location accepted by the office:

615 (a) Correct and complete books and records of account of  
616 the business operations transacted by such office. All policies

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617 and procedures relating specifically to ~~governing~~ the operations  
618 of such office, as well as any existing general ledger or  
619 subsidiary accounts, must ~~shall~~ be maintained in the English  
620 language. Any policies and procedures of the international  
621 banking corporation which are not specific to the operations of  
622 such office may be maintained in a language other than English  
623 ~~The office may require that any other document not written in~~  
624 ~~the English language which the office deems necessary for the~~  
625 ~~purposes of its regulatory and supervisory functions be~~  
626 ~~translated into English at the expense of the international~~  
627 ~~banking corporation.~~

628 (b) Current copies of the charter and bylaws of the  
629 international banking corporation, relative to the operations of  
630 the office, and minutes of the proceedings of its directors,  
631 officers, or committees relative to the business of the office.  
632 Such records may be maintained in a language other than English  
633 and must ~~shall~~ be kept pursuant to s. 655.91 and ~~shall be~~ made  
634 available to the office, upon request, at any time during  
635 regular business hours of the office. Any failure to keep such  
636 records as aforesaid or any refusal to produce such records upon  
637 request by the office is ~~shall be~~ grounds for suspension or  
638 revocation of any license issued under this part.

639 (5) The office may require at any time that any document  
640 not written in the English language which the office deems  
641 necessary for the purposes of its regulatory and supervisory

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642 functions be translated into English at the expense of the  
643 international banking corporation.

644 Section 17. Section 663.11, Florida Statutes, is amended  
645 to read:

646 663.11 Termination of international banking corporation's  
647 charter or authority.—

648 (1) (a) An international banking corporation that is  
649 licensed to maintain an office in this state may not continue to  
650 conduct its licensed business in this state if the international  
651 banking corporation:

652 1. Is dissolved, or its authority or existence is  
653 otherwise terminated or canceled in the jurisdiction of its  
654 incorporation;~~;~~

655 2. Is in bankruptcy, conservatorship, receivership,  
656 liquidation, or similar status under the laws of any country;~~;~~  
657 or

658 3. Is operating under the direct control of the government  
659 or the regulatory or supervisory authority of the jurisdiction  
660 of its incorporation through government intervention or any  
661 other extraordinary actions.

662 (b)1. Notwithstanding subparagraphs (a)2. and 3., the  
663 office may permit an international branch, international bank  
664 agency, international administrative office, or international  
665 representative office to remain open and in operation under the  
666 following conditions:

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667 a. Within 30 days after the occurrence of an event  
668 described in subparagraph (a)2. or subparagraph (a)3., the  
669 international branch, international bank agency, international  
670 administrative office, or international representative office  
671 provides the office with a plan to wind down its affairs and  
672 business within the subsequent 90 days or provides an interim  
673 operational plan outlining parameters for its continued  
674 operation. If the office finds that such interim operational  
675 plan does not allow for the conduct of business in a safe and  
676 sound manner, the office shall revoke the license.

677 b. The international banking corporation is authorized by  
678 the foreign country in which it is organized and licensed to  
679 address the affairs of any international branch, international  
680 bank agency, international administrative office, or  
681 international representative office in this state.

682 c. The international branch, international bank agency,  
683 international administrative office, or international  
684 representative office does not engage in any new lines of  
685 business or otherwise expand its activities in this state.

686 d. The office determines that allowing the international  
687 branch, international bank agency, international administrative  
688 office, or international representative office to remain open  
689 further domestic and foreign supervisory cooperation.

690 e. The office determines that allowing the international  
691 branch, international bank agency, international administrative

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692 office, or international representative office to remain open is  
693 in the public's interest and does not present an immediate or  
694 serious danger to the public health, safety, or welfare.

695 2. The commission may establish, by rule, additional  
696 standards and conditions for approval of an interim operational  
697 plan and for ongoing compliance with the plan. Such standards  
698 and conditions shall be based upon the need for cooperative  
699 supervisory efforts, consistent regulatory oversight, and the  
700 orderly administration of the international banking  
701 corporation's affairs.

702 3. After the resolution of all applicable events described  
703 in subparagraphs (a)2. and 3., if an international banking  
704 corporation is no longer authorized by the foreign country in  
705 which it is organized and licensed to conduct banking business,  
706 the international branch, international bank agency,  
707 international administrative office, or international  
708 representative office shall surrender its license in accordance  
709 with s. 663.06.

710 ~~(2) A certificate of the official who is responsible for~~  
711 ~~records of banking corporations of the jurisdiction of~~  
712 ~~incorporation of such international banking corporation,~~  
713 ~~attesting to the occurrence of any such event, or a certified~~  
714 ~~copy of an order or decree of a court of such jurisdiction,~~  
715 ~~directing the dissolution of such international banking~~  
716 ~~corporation, the termination of its existence, or the~~

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717 ~~cancellation of its authority, or declaring its status in~~  
718 ~~bankruptcy, conservatorship, receivership, liquidation, or~~  
719 ~~similar proceedings, or other reliable documentation that the~~  
720 ~~international banking corporation is operating under the direct~~  
721 ~~control of its government or a regulatory or supervisory~~  
722 ~~authority, shall be delivered by~~ The international banking  
723 corporation or its surviving officers and directors shall  
724 deliver to the office:-

725 (a) A certificate of the official who is responsible for  
726 records of banking corporations of the jurisdiction of  
727 incorporation of such international banking corporation,  
728 attesting to the occurrence of any event described in paragraph  
729 (1) (a);

730 (b) A certified copy of an order or decree of a court of  
731 such jurisdiction, directing the dissolution of such  
732 international banking corporation, the termination of its  
733 existence, or the cancellation of its authority or declaring its  
734 status in bankruptcy, conservatorship, receivership,  
735 liquidation, or similar proceedings; or

736 (c) Other reliable documentation evidencing that the  
737 international banking corporation is operating under the direct  
738 control of its government or a regulatory or supervisory  
739 authority.

740 (3) The filing of the certificate, order, documentation,  
741 or decree ~~has~~ shall have the same effect as the revocation of

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742 the license of such international banking corporation as  
743 provided in s. 663.06, unless the office has permitted the  
744 international branch, international bank agency, international  
745 administrative office, or international representative office to  
746 remain open and in operation pursuant to paragraph (1)(b).

747 Section 18. Subsection (1) of section 663.12, Florida  
748 Statutes, is amended to read:

749 663.12 Fees; assessments; fines.—

750 (1) Each application for a license under ~~the provisions of~~  
751 this part must ~~shall~~ be accompanied by a nonrefundable filing  
752 fee payable to the office in the following amount:

753 (a) Ten thousand dollars for establishing a state-  
754 chartered investment company.

755 (b) Ten thousand dollars for establishing an international  
756 bank agency or branch.

757 (c) Five thousand dollars for establishing an  
758 international administrative office.

759 (d) Five thousand dollars for establishing an  
760 international representative office.

761 ~~(e) Five thousand dollars for establishing an~~  
762 ~~international trust company representative office.~~

763 (e) ~~(f)~~ An amount equal to the initial filing fee for an  
764 application to convert from one type of license to another. The  
765 commission may increase the filing fee for any type of license  
766 to an amount established by rule and calculated in a manner so

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767 as to cover the direct and indirect cost of processing such  
768 applications.

769 Section 19. Subsection (11) of section 663.17, Florida  
770 Statutes, is amended to read:

771 663.17 Liquidation; possession of business and property;  
772 inventory of assets; wages; depositing collected assets;  
773 appointing agents; appointment of judges.—

774 (11) The compensation of agents and any other employees  
775 appointed by the office to assist in the liquidation of an  
776 international banking corporation, or any of the corporation's  
777 licensed offices located in this state, the distribution of its  
778 assets, or the expenses of supervision, must ~~shall~~ be paid out  
779 of the assets of the corporation in the possession hands of the  
780 office. Expenses of liquidation and approved claims for fees and  
781 assessments due the office must ~~shall~~ be given first priority  
782 among unsecured creditors.

783 Section 20. The Division of Law Revision and Information  
784 is directed to create part III of chapter 663, Florida Statutes,  
785 consisting of ss. 663.4001-663.416, Florida Statutes, to be  
786 entitled "International Trust Company Representative Offices."

787 Section 21. Section 663.4001, Florida Statutes, is created  
788 to read:

789 663.4001 Purpose.—The purpose of this part is to establish  
790 a legal and regulatory framework for the conduct by  
791 international trust entities of financial services business in

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792 this state. This part is intended to:

793 (1) Support the Florida operations of international trust  
794 entities and promote the growth of international financial  
795 services to benefit the economy and consumers in this state.

796 (2) Provide for appropriate supervision and regulatory  
797 oversight to ensure that financial services activities of  
798 international trust entities in this state are conducted  
799 responsibly and in a safe and sound manner.

800 Section 22. Section 663.401, Florida Statutes, is created  
801 to read:

802 663.401 Definitions.-

803 (1) "Affiliate" means a person or business or a group of  
804 persons or businesses acting in concert which controls, is  
805 controlled by, or is under common control of an international  
806 trust entity.

807 (2) "International trust company representative office"  
808 means an office of an international trust entity which is  
809 established or maintained in this state for the purpose of  
810 engaging in nonfiduciary activities described in s. 663.409, or  
811 any affiliate, subsidiary, or other person that engages in such  
812 activities on behalf of such international trust entity from an  
813 office located in this state.

814 (3) "International trust entity" means an international  
815 trust company or organization, or any similar business entity,  
816 or an affiliated or subsidiary entity that is licensed,

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817 chartered, or similarly permitted to conduct trust business in a  
818 foreign country or countries under the laws where such entity is  
819 organized and supervised.

820 Section 23. Section 663.402, Florida Statutes, is created  
821 to read:

822 663.402 Applicability of the financial institutions  
823 codes.—

824 (1) An international trust entity that operates an office  
825 licensed under this part is subject to all the financial  
826 institutions codes as though such international trust entity  
827 were a state trust company, except when it appears, from the  
828 context or otherwise, that such provisions are clearly  
829 applicable only to trust companies organized under the laws of  
830 this state or the United States. Without limiting the foregoing  
831 general provisions, it is the intent of the Legislature that the  
832 following provisions are applicable to such international trust  
833 entities having offices in this state: s. 655.031, relating to  
834 administrative enforcement guidelines; s. 655.032, relating to  
835 investigations, subpoenas, hearings, and witnesses; s. 655.0321,  
836 relating to restricted access hearings, proceedings, and related  
837 documents; s. 655.033, relating to cease and desist orders; s.  
838 655.037, relating to removal of a financial institution-related  
839 party by the office; s. 655.041, relating to administrative  
840 finances and enforcement; s. 655.50, the Florida Control of Money  
841 Laundering and Terrorist Financing in Financial Institutions

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842 Act; and any law for which the penalty is increased under s.  
843 775.31 for facilitating or furthering terrorism.

844 (2) An international trust entity does not have any  
845 greater right under, or by virtue of, this section than is  
846 granted to trust companies organized under the laws of this  
847 state. Legal and financial terms used in this chapter are deemed  
848 to refer to equivalent terms used by the country in which the  
849 international trust entity is organized. This chapter and the  
850 financial institutions codes may not be construed to authorize  
851 any international trust entity to conduct trust business, as  
852 defined in s. 658.12, from an office in this state.

853 Section 24. Section 663.403, Florida Statutes, is created  
854 to read:

855 663.403 Applicability of the Florida Business Corporation  
856 Act.—Notwithstanding s. 607.01401(12), the provisions of part I  
857 of chapter 607 which are not in conflict with the financial  
858 institutions codes and which relate to foreign corporations  
859 apply to all international trust entities and their offices  
860 doing business in this state.

861 Section 25. Section 663.404, Florida Statutes, is created  
862 to read:

863 663.404 Requirements for conducting financial institution  
864 business.—An international trust entity, or any affiliated,  
865 subsidiary, or other person or business entity acting as an  
866 agent for, on behalf of, or for the benefit of such

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867 international trust entity, who engages in such activities from  
868 an office located in this state, may not transact a trust  
869 business, or maintain in this state any office for carrying on  
870 such business, or any part thereof, unless such international  
871 trust entity, affiliate, subsidiary, person, or business entity:

872 (1) Has been authorized by charter, license, or similar  
873 authorization by operation of law to carry on trust business and  
874 has complied with the laws of each jurisdiction in which it is  
875 chartered, licensed, or otherwise authorized and created under  
876 operation of law.

877 (2) Has furnished to the office such proof as to the  
878 nature and character of its business and as to its financial  
879 condition as the commission or office requires.

880 (3) Has filed with the office a certified copy of that  
881 information required to be supplied to the Department of State  
882 by those provisions of part I of chapter 607 which are  
883 applicable to foreign corporations.

884 (4) Has received a license duly issued to it by the  
885 office.

886 (5) Has sufficient capital in accordance with the  
887 requirements of s. 663.407 and the rules adopted thereunder and  
888 is not imminently insolvent or insolvent, as those terms are  
889 defined under s. 655.005(1).

890 (6) (a) Is not in bankruptcy, conservatorship,  
891 receivership, liquidation, or similar status under the laws of

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892 any country.

893 (b) Is not operating under the direct control of the  
894 government or the regulatory or supervisory authority of the  
895 home jurisdiction in which it has been chartered, licensed, or  
896 otherwise authorized and created under operation of law, through  
897 government intervention or any other extraordinary actions.

898 (c) Has not been in such status or control at any time  
899 within the 3 years preceding the date of application for a  
900 license.

901  
902 Notwithstanding paragraphs (a) and (b), the office may permit an  
903 international trust company representative office to remain open  
904 and in operation pursuant to s. 663.412(1)(b).

905 Section 26. Section 663.405, Florida Statutes, is created  
906 to read:

907 663.405 Civil action subpoena enforcement.—

908 (1) Notwithstanding s. 655.059, an international trust  
909 company representative office established under this chapter is  
910 not required to produce a book or record pertaining to a deposit  
911 account, investment account, trust account, or loan of a  
912 customer of the international trust entity's offices that are  
913 located outside the United States or its territories in response  
914 to a subpoena, if the book or record is maintained outside the  
915 United States or its territories and is not in the possession,  
916 custody, or control of the international trust entity's

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917 representative office established in this state.

918 (2) This section applies only to a subpoena issued  
919 pursuant to the Florida Rules of Civil Procedure, the Federal  
920 Rules of Civil Procedure, or other similar law or rule of civil  
921 procedure in another state. This section does not apply to a  
922 subpoena issued by or on behalf of a federal, state, or local  
923 government law enforcement agency, administrative or regulatory  
924 agency, legislative body, or grand jury and does not limit the  
925 power of the office to access all books and records in the  
926 exercise of the office's regulatory and supervisory powers under  
927 the financial institutions codes.

928 Section 27. Section 663.406, Florida Statutes, is created  
929 to read:

930 663.406 Application for license; approval or disapproval.-

931 (1) An international trust entity, before being licensed  
932 by the office to maintain any office in this state, must  
933 subscribe and acknowledge, and submit to the office, an  
934 application that contains all of the following:

935 (a) The name of the international trust entity.

936 (b) The proposed location, by street and post office  
937 address and county, where its business is to be transacted in  
938 this state, and the name of the person who will be in charge of  
939 the business and affairs of the office.

940 (c) The location where its initial registered office will  
941 be located in this state.

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942       (d) The total amount of the capital accounts of the  
943 international trust entity.

944       (e) A complete and detailed statement of its financial  
945 condition as of a date within 180 days before the date of such  
946 application, except that the office in its discretion may, when  
947 necessary or expedient, accept such statement of financial  
948 condition as of a date within 240 days before the date of such  
949 application. The office in its discretion may, when necessary or  
950 expedient, require an independent opinion audit or the  
951 equivalent satisfactory to the office.

952       (f) A listing of any occasion within the 10 year period  
953 before the application on which either the international trust  
954 entity or any of its directors, executive officers, or principal  
955 shareholders have been arrested for, charged with, convicted of,  
956 or pled guilty or nolo contendere to, regardless of  
957 adjudication, any offense with respect to which the penalties  
958 include the possibility of imprisonment for 1 year or more, or  
959 to any offense involving money laundering, currency transaction  
960 reporting, facilitating or furthering terrorism, or fraud, or  
961 otherwise related to the operation of a financial institution.

962       (2) The office shall disallow any illegally obtained  
963 currency, monetary instruments, funds, or other financial  
964 resources from the capitalization requirements of this section,  
965 and the existence of such illegally obtained resources is  
966 grounds for denial of the application for license.

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967       (3) An international trust entity that submits an  
968 application to the office shall concurrently submit a  
969 certificate issued by the supervisory authority of the country  
970 in which the international trust entity is chartered or  
971 organized which states that the international trust entity is  
972 duly organized and licensed, or otherwise authorized by  
973 operation of law to transact business as a trust entity, and  
974 lawfully existing in good standing.

975       (4) An international trust entity that has operated an  
976 international trust company representative office in this state  
977 for at least 3 years in a safe and sound manner, as defined by  
978 commission rule, and that is otherwise eligible to establish an  
979 additional office may establish one or more international trust  
980 company representative offices by providing an abbreviated  
981 application, and paying the appropriate license fee pursuant to  
982 s. 663.413.

983       (5) An application filed pursuant to this section must be  
984 made on a form prescribed by the commission and must contain  
985 such information as the commission or office requires.

986       (6) The office may, in its discretion, approve or  
987 disapprove the application, but it may not approve the  
988 application unless, in its opinion, the applicant meets each and  
989 every requirement of this part and any other applicable  
990 provision of the financial institutions codes. The office may  
991 approve the application only if it has determined that the

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992 directors, executive officers, and principal shareholders of the  
993 international trust entity are qualified by reason of their  
994 financial ability, reputation, and integrity and have sufficient  
995 trust company and other business experience to indicate that  
996 they will manage and direct the affairs of the international  
997 trust entity in a safe, sound, and lawful manner. In the  
998 processing of any application filed pursuant to this section,  
999 the time limitations under the Administrative Procedure Act do  
1000 not apply as to approval or disapproval of the application. For  
1001 applications filed on or after January 1, 2018, the time  
1002 limitations for approval or disapproval of an application must  
1003 be prescribed by rule of the commission.

1004 (7) The office may not issue a license to an international  
1005 trust entity unless it is chartered, licensed, or similarly  
1006 authorized by operation of law in a jurisdiction in which any  
1007 financial institution licensed or chartered by any state or  
1008 federal regulatory agency in the United States may establish  
1009 similar facilities or exercise similar powers.

1010 (8) The office may not issue a license to an international  
1011 trust entity for the purpose of operating an international trust  
1012 company representative office in this state unless the trust  
1013 entity:

1014 (a) Holds an unrestricted license to conduct trust  
1015 business in the foreign country under whose laws it is organized  
1016 and chartered;

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1017 (b) Has been authorized by the foreign country's  
1018 appropriate regulatory authority to establish the proposed  
1019 international trust company representative office; and

1020 (c) Is adequately supervised by the appropriate regulatory  
1021 agency in the foreign country in which it is organized and  
1022 chartered.

1023 (9) The commission shall establish, by rule, the general  
1024 principles that determine the adequacy of supervision of an  
1025 international trust entity's foreign establishments. These  
1026 principles must be based upon the need for cooperative  
1027 supervisory efforts and consistent regulatory guidelines and  
1028 must address, at a minimum, the capital adequacy, asset quality,  
1029 management, earnings, liquidity, internal controls, audits, and  
1030 foreign exchange operations and positions of the international  
1031 trust entity. This subsection does not require examination by  
1032 the home-country regulatory authorities of any office of an  
1033 international trust entity in this state. The commission may  
1034 also establish, by rule, other standards for approval of an  
1035 application for a license as considered necessary to ensure the  
1036 safe and sound operations of the international trust entity in  
1037 this state.

1038 Section 28. Section 663.407, Florida Statutes, is created  
1039 to read:

1040 663.407 Capital requirements.-

1041 (1) For an international trust entity to qualify for a

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1042 license under this part, the proposed capitalization of the  
1043 international trust entity must be in such amount as the office  
1044 determines is necessary, taking into consideration the risk  
1045 profile of the international trust entity and the ability of the  
1046 international trust entity to operate a licensed office in a  
1047 safe and sound manner. In making this determination, the office  
1048 shall consider the financial resources of the international  
1049 trust entity, including:

1050 (a) The international trust entity's current and projected  
1051 capital position, profitability, level of indebtedness, business  
1052 and strategic plans, and off-balance sheet asset management and  
1053 administration activities;

1054 (b) The financial condition of any of the international  
1055 trust entity's existing offices located in the United States;

1056 (c) The minimum capital requirements of the international  
1057 trust entity's home-country jurisdiction; and

1058 (d) The capital ratio standards used in the United States  
1059 and in the international trust entity's home-country  
1060 jurisdiction.

1061 (2) The proposed capitalization of the international trust  
1062 entity must be in such amount as the office deems adequate, but  
1063 in no case may the total capital accounts of the international  
1064 trust entity be less than \$1 million.

1065 (3) The office may specify such other conditions as it  
1066 determines are appropriate, considering the public interest and

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1067 the need to maintain a safe, sound, and competitive financial  
1068 marketplace in this state.

1069 (4) For purposes of this part, the capital accounts of and  
1070 capital ratio standards for an international trust entity must  
1071 be determined in accordance with rules adopted by the  
1072 commission. In adopting such rules, the commission shall  
1073 consider similar rules adopted by regulatory agencies in the  
1074 United States and the need to provide reasonably consistent  
1075 regulatory requirements for international trust entities doing  
1076 business in this state, as well as capital adequacy standards of  
1077 an international trust entity's home-country jurisdiction.

1078 Section 29. Section 663.408, Florida Statutes, is created  
1079 to read:

1080 663.408 Licenses; permissible activities of licensees.-

1081 (1) (a) An international trust entity licensed to operate  
1082 an office in this state may engage in the business authorized by  
1083 this part at the office specified in such license for an  
1084 indefinite period.

1085 (b) An international trust entity may operate more than  
1086 one licensed office, each at a different place of business,  
1087 provided that each office is separately licensed.

1088 (c) A license is not transferable or assignable. However,  
1089 the location of a licensed office may be changed after  
1090 notification to the office.

1091 (d) A license must at all times be conspicuously displayed

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1092 in the place of business specified therein.

1093 (2) An international trust entity that proposes to  
1094 terminate the operations of a licensed office in this state must  
1095 surrender its license to the office and comply with such  
1096 procedures as the commission may prescribe by rule.

1097 (3) The license for an international trust company  
1098 representative office in this state may be suspended or revoked  
1099 by the office, with or without examination, upon its  
1100 determination that the international trust entity or the  
1101 licensed office does not meet all requirements for original  
1102 licensing. Additionally, the office shall revoke the license of  
1103 any licensed office that the office determines has been inactive  
1104 for 6 months or longer. The commission may by rule prescribe  
1105 additional conditions or standards under which the license of an  
1106 international trust company representative office may be  
1107 suspended or revoked.

1108 (4) If any such license is surrendered by the  
1109 international trust entity or is suspended or revoked by the  
1110 office, all rights and privileges of the international trust  
1111 entity to transact the business under the license cease. The  
1112 commission shall prescribe by rule procedures for the surrender  
1113 of a license and for the orderly cessation of business by an  
1114 international trust entity in a manner that is not harmful to  
1115 the interests of its customers or of the public.

1116 Section 30. Section 663.4081, Florida Statutes, is created

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1117 to read:

1118 663.4081 After-the-fact licensure process in the event of  
1119 the acquisition, merger, or consolidation of international trust  
1120 entities.-If an international trust entity proposes to acquire,  
1121 merge, or consolidate with an international trust entity that  
1122 presently operates an international trust company representative  
1123 office licensed in this state, the office may allow the  
1124 currently licensed international trust company representative  
1125 office to remain open and in operation after consummation of the  
1126 proposed acquisition, merger, or consolidation, subject to the  
1127 filing with the office of an after-the-fact license application  
1128 in accordance with all of the following conditions:

1129 (1) The international trust entity or entities resulting  
1130 from the acquisition, merger, or consolidation will not directly  
1131 or indirectly own or control more than 5 percent of any class of  
1132 the voting securities of, or control, a United States bank.

1133 (2) Before consummation of the acquisition, merger, or  
1134 consolidation, the international trust entity currently licensed  
1135 to operate an international trust company representative office  
1136 in this state must provide the office at least 30 days' advance  
1137 written notice, as prescribed by rules adopted by the  
1138 commission, of the proposed acquisition, merger, or  
1139 consolidation.

1140 (3) Before consummation of the acquisition, merger, or  
1141 consolidation, each international trust entity commits in

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1142 writing that it will:

1143 (a) Comply with the conditions in subsections (1) and (2)  
1144 and file an after-the-fact application for a license under s.  
1145 663.406(1) within 60 days after consummation of the proposed  
1146 acquisition, merger, or consolidation; and refrain from engaging  
1147 in new lines of business and from otherwise expanding the  
1148 activities of such establishment in this state until the  
1149 disposition of the after-the-fact license application, in  
1150 accordance with chapter 120; or

1151 (b) Promptly wind down and close any international trust  
1152 company representative office in this state if the international  
1153 trust entities that are party to the acquisition, merger, or  
1154 consolidation elect not to file an application for a license in  
1155 accordance with paragraph (a); and, before such wind-down and  
1156 closure, refrain from engaging in new lines of business or  
1157 otherwise expanding the activities of such establishment in this  
1158 state.

1159 Section 31. Section 663.0625, Florida Statutes, is  
1160 transferred, renumbered as section 663.409, Florida Statutes,  
1161 and amended, to read:

1162 663.409 ~~663.0625~~ International trust company  
1163 representative offices; permissible activities; requirements.—

1164 (1) An international trust company representative office  
1165 may conduct any nonfiduciary activities that are ancillary to  
1166 the fiduciary business of its international trust entity ~~banking~~

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1167 ~~corporation or trust company~~, but may not act as a fiduciary.  
1168 Permissible activities include advertising, marketing, and  
1169 soliciting for fiduciary business on behalf of an international  
1170 trust entity ~~banking corporation or trust company~~; contacting  
1171 existing or potential customers, answering questions, and  
1172 providing information about matters related to their accounts;  
1173 serving as a liaison in this state between the international  
1174 trust entity ~~banking corporation or trust company~~ and its  
1175 existing or potential customers; and engaging in any other  
1176 activities approved by the office or under rules of the  
1177 commission.

1178 (2) Representatives and employees at such office may not  
1179 act as a fiduciary, including, but not limited to, accepting the  
1180 fiduciary appointment, executing the fiduciary documents that  
1181 create the fiduciary relationship, ~~or~~ making discretionary  
1182 decisions regarding the investment or distribution of fiduciary  
1183 accounts, or accepting custody of any trust property or any  
1184 other good, asset, or thing of value on behalf of the affiliated  
1185 international trust entity, its subsidiaries or affiliates, or  
1186 subsidiaries and affiliates of the international trust company  
1187 representative office.

1188 (3) An international trust company representative office  
1189 licensed by the office may engage in any activities permissible  
1190 for a limited service affiliate under part IV of this chapter.

1191 Section 32. Section 663.410, Florida Statutes, is created

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1192 to read:

1193 663.410 Certification of capital accounts.—Before opening  
1194 an office in this state, and annually thereafter so long as an  
1195 international trust company representative office is maintained  
1196 in this state, an international trust entity licensed pursuant  
1197 to this part must certify to the office the amount of its  
1198 capital accounts, expressed in the currency of the home  
1199 jurisdiction where it has been authorized by charter, license,  
1200 or similar authorization by operation of law to carry on trust  
1201 business. The dollar equivalent of these amounts, as determined  
1202 by the office, is deemed to be the amount of its capital  
1203 accounts. The annual certification of capital accounts must be  
1204 received by the office on or before June 30 of each year.

1205 Section 33. Section 663.411, Florida Statutes, is created  
1206 to read:

1207 663.411 Reports; records.—

1208 (1) An international trust entity that operates an office  
1209 licensed under this part shall, at such times and in such form  
1210 as the commission prescribes, make written reports in the  
1211 English language to the office, under the oath of one of its  
1212 officers, managers, or agents transacting business in this  
1213 state, showing the amount of its assets and liabilities and  
1214 containing such other matters as the commission or office  
1215 requires. An international trust entity that maintains two or  
1216 more representative offices may consolidate such information in

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1217 one report unless the office requires otherwise for purposes of  
1218 its supervision of the condition and operations of each such  
1219 office. The late filing of such reports is subject to an  
1220 administrative fine as prescribed under s. 655.045(2). If the  
1221 international trust entity fails to make such report as directed  
1222 by the office or if such report contains a false statement  
1223 knowingly made, the same are grounds for revocation of the  
1224 license of the international trust entity.

1225 (2) An international trust entity that operates an office  
1226 licensed under this part shall cause to be kept, at a location  
1227 accepted by the office:

1228 (a) Correct and complete books and records of account of  
1229 the business operations transacted by such office. All policies  
1230 and procedures relating specifically to the operations of such  
1231 office, as well as any existing general ledger or subsidiary  
1232 accounts, must be maintained in the English language; however,  
1233 any policies and procedures of the international trust entity  
1234 which are not specific to the operations of such office may be  
1235 maintained in a language other than English.

1236 (b) Current copies of the charter or statement of  
1237 operation and bylaws of the international trust entity, relative  
1238 to the operations of the international trust company  
1239 representative office, and minutes of the proceedings of its  
1240 directors, officers, or committees relative to the business of  
1241 the international trust company representative office. Such

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1242 records may be maintained in a language other than English and  
1243 must be kept pursuant to s. 655.91 and be made available to the  
1244 office, upon request, at any time during regular business hours  
1245 of the international trust company representative office.

1246 (3) Any failure to keep such records as required in  
1247 subsection (2) or any refusal to produce such records upon  
1248 request by the office is grounds for suspension or revocation of  
1249 any license issued under this part.

1250 (4) The office may require at any time that any document  
1251 not written in the English language which the office deems  
1252 necessary for the purposes of its regulatory and supervisory  
1253 functions be translated into English at the expense of the  
1254 international trust entity.

1255 Section 34. Section 663.412, Florida Statutes, is created  
1256 to read:

1257 663.412 Termination of international trust entity's  
1258 charter or authority.-

1259 (1) (a) An international trust entity that is licensed to  
1260 maintain an office in this state may not continue to conduct its  
1261 licensed business in this state if the international trust  
1262 entity:

1263 1. Is dissolved, or its authority or existence is  
1264 otherwise terminated or canceled in the home jurisdiction where  
1265 it has been authorized by charter, license, or similar  
1266 authorization by operation of law to carry on trust business;

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1267 2. Is in bankruptcy, conservatorship, receivership,  
1268 liquidation, or similar status under the laws of any country; or

1269 3. Is operating under the direct control of the government  
1270 or the regulatory or supervisory authority of the jurisdiction  
1271 where it has been authorized by charter, license, or similar  
1272 authorization by operation of law to carry on trust business  
1273 through government intervention or any other extraordinary  
1274 actions.

1275 (b)1. Notwithstanding subparagraphs (a)2. and 3., the  
1276 office may permit an international trust company representative  
1277 office to remain open and in operation under the following  
1278 conditions:

1279 a. Within 30 days after the occurrence of an event  
1280 described in subparagraph (a)2. or subparagraph (a)3., the  
1281 international trust company representative office provides the  
1282 office with a plan to wind down its affairs and business within  
1283 the subsequent 90 days or provides an interim operational plan  
1284 outlining parameters for its continued operation. If the office  
1285 finds that such interim operational plan does not allow for the  
1286 conduct of business in a safe and sound manner, the office shall  
1287 revoke the license.

1288 b. The international trust entity is authorized by the  
1289 foreign country in which it is organized and licensed to address  
1290 the affairs of any international trust company representative  
1291 office in this state.

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1292 c. The international trust company representative office  
1293 does not engage in any new lines of business or otherwise expand  
1294 its activities in this state.

1295 d. The office determines that allowing the international  
1296 trust company representative office to remain open furthers  
1297 domestic and foreign supervisory cooperation.

1298 e. The office determines that allowing the international  
1299 trust company representative office to remain open is in the  
1300 public's interest and does not present an immediate or serious  
1301 danger to the public health, safety, or welfare.

1302 2. The commission may establish, by rule, additional  
1303 standards and conditions for approval of an interim operational  
1304 plan and for ongoing compliance with the plan. Such standards  
1305 and conditions shall be based upon the need for cooperative  
1306 supervisory efforts, consistent regulatory oversight, and the  
1307 orderly administration of the international trust entity's  
1308 affairs.

1309 3. After the resolution of all applicable events described  
1310 in subparagraphs (a)2. and 3., if an international trust entity  
1311 is no longer authorized by the foreign country in which it is  
1312 organized and supervised to conduct trust business, the  
1313 international trust company representative office shall  
1314 surrender its license in accordance with s. 663.408.

1315 (2) The international trust entity or its surviving  
1316 officers and directors shall deliver to the office:

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1317 (a) A certificate of the official who is responsible for  
1318 records of trust entities in the jurisdiction where the  
1319 international trust entity has been authorized by charter,  
1320 license, or similar authorization by operation of law to carry  
1321 on trust business of the international trust entity, attesting  
1322 to the occurrence of any event described in paragraph (1) (a);

1323 (b) A certified copy of an order or decree of a court of  
1324 such jurisdiction, directing the dissolution of such  
1325 international trust entity, the termination of its existence, or  
1326 the cancellation of its authority, or declaring its status in  
1327 bankruptcy, conservatorship, receivership, liquidation, or  
1328 similar proceedings; or

1329 (c) Other reliable documentation evidencing that the  
1330 international trust entity is operating under the direct control  
1331 of its government or a regulatory or supervisory authority.

1332 (3) The filing of the certificate, order, documentation,  
1333 or decree has the same effect as the revocation of the license  
1334 of such international trust entity as provided in s. 663.408,  
1335 unless the office has permitted the international trust company  
1336 representative office to remain open and in operation pursuant  
1337 to paragraph (1) (b).

1338 Section 35. Section 663.413, Florida Statutes, is created  
1339 to read:

1340 663.413 Application and examination fees.-

1341 (1) An application for a license to establish an

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1342 international trust company representative office under this  
1343 part must be accompanied by a nonrefundable \$5,000 filing fee,  
1344 payable to the office.

1345 (2) An international trust entity that maintains an office  
1346 licensed under this part must pay to the office examination fees  
1347 that are determined by the commission by rule and that are  
1348 calculated in a manner so as to be equal to the actual cost of  
1349 each examiner's participation in the examination, as measured by  
1350 the examiner's pay scale, plus any other expenses directly  
1351 incurred in the examination. However, the examination fees may  
1352 not be less than \$200 per day for each examiner participating in  
1353 the examination.

1354 Section 36. Section 663.414, Florida Statutes, is created  
1355 to read:

1356 663.414 Rules; exemption from statement of estimated  
1357 regulatory costs requirements.—In addition to any other  
1358 rulemaking authority it has under the financial institutions  
1359 codes, the commission may adopt reasonable rules that it deems  
1360 advisable for the administration of international trust entities  
1361 under this part in the interest of protecting depositors,  
1362 creditors, borrowers, or the public interest and in the interest  
1363 of maintaining a sound banking and trust system in this state.  
1364 Because of the difficulty in obtaining economic data with regard  
1365 to such trusts, ss. 120.54(3)(b) and 120.541 do not apply to the  
1366 adoption of rules pursuant to this section.

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1367 Section 37. Section 663.415, Florida Statutes, is created  
1368 to read:

1369 663.415 Travel expenses.—If domestic or foreign travel is  
1370 deemed necessary by the office to effectuate the purposes of  
1371 this part, the office must be reimbursed for actual, reasonable,  
1372 and necessary expenses incurred in such domestic or foreign  
1373 travel by the international trust company representative office  
1374 under examination.

1375 Section 38. The Division of Law Revision and Information  
1376 is directed to create part IV of chapter 663, Florida Statutes,  
1377 consisting of ss. 663.530-663.540, Florida Statutes, to be  
1378 entitled "Limited Service Affiliates of International Trust  
1379 Entities."

1380 Section 39. Section 663.530, Florida Statutes, is created  
1381 to read:

1382 663.530 Definitions.—

1383 (1) As used in ss. 663.531-663.539, the term:

1384 (a) "Foreign country" means a country other than the  
1385 United States and includes any colony, dependency, or possession  
1386 of such country notwithstanding any definitions in chapter 658,  
1387 and any territory of the United States, including Guam, American  
1388 Samoa, the Virgin Islands, and the Commonwealth of Puerto Rico.

1389 (b) "Home-country regulator" means the supervisory  
1390 authority or equivalent or other similarly sanctioned body,  
1391 organization, governmental entity, or recognized authority,

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1392 which has similar responsibilities in a foreign country in which  
1393 and by whom an international trust entity is licensed,  
1394 chartered, or has similar authorization to organize and operate.

1395 (c) "International trust entity" means an international  
1396 trust company or organization, or any similar business entity,  
1397 or an affiliated or subsidiary entity that is licensed,  
1398 chartered, or similarly permitted to conduct trust business in a  
1399 foreign country or countries under the laws where such entity is  
1400 organized and supervised.

1401 (d) "Limited service affiliate" means a marketing and  
1402 liaison office that engages in the permissible activities  
1403 enumerated in s. 663.531 for the benefit of an international  
1404 trust entity.

1405 (e) "Nonresident" has the same meaning as in s. 663.01.

1406 (f) "Professional" means an accountant, attorney, or other  
1407 financial services and wealth planning professional who is  
1408 licensed by a governing body or affiliated with a licensed,  
1409 chartered, or similarly authorized entity.

1410 (g) "Registrant" means a person or entity that is  
1411 registered to perform the permissible activities outlined in s.  
1412 663.531 related to or for the benefit of an affiliated  
1413 international trust entity.

1414 (2) As used in ss. 663.531-663.539, the terms "affiliate,"  
1415 "commission," "executive officer," "financial institution,"  
1416 "financial institution-affiliated party," "financial

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1417 institutions codes," "office," "officer," "state," and  
1418 "subsidiary" have the same meaning as provided in s. 655.005.

1419 Section 40. Section 663.531, Florida Statutes, is created  
1420 to read:

1421 663.531 Permissible activities; prohibited activities.—

1422 (1) Registration as a limited service affiliate under this  
1423 part does not provide any exemption from licensure,  
1424 registration, application, and requirements to conduct licensed  
1425 business activities in this state. A limited service affiliate  
1426 may engage in any of the following permissible activities, which  
1427 are not meant to be restrictive unless an activity is prohibited  
1428 under subsection (2):

1429 (a) Marketing and liaison services related to or for the  
1430 benefit of the affiliated international trust entities, directed  
1431 exclusively at professionals and current or prospective  
1432 nonresident clients of an affiliated international trust entity;

1433 (b) Advertising and marketing at trade, industry, or  
1434 professional events;

1435 (c) Transmission of documents between the international  
1436 trust entity and its current or prospective clients or a  
1437 designee of such clients; and

1438 (d) Transmission of information about the trust or trust  
1439 holdings of current clients between current clients or their  
1440 designees and the international trust entity.

1441 (2) A limited service affiliate may not engage in any of

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1442 the following activities:

1443 (a) Advertising and marketing related to or for the  
1444 benefit of the international trust entity which are directed to  
1445 the general public;

1446 (b) Acting as a fiduciary, including, but not limited to,  
1447 accepting the fiduciary appointment, executing the fiduciary  
1448 documents that create the fiduciary relationship, or making  
1449 discretionary decisions regarding the investment or distribution  
1450 of fiduciary accounts;

1451 (c) Accepting custody of any trust property or any other  
1452 good, asset, or thing of value on behalf of the affiliated  
1453 international trust entity, its subsidiaries or affiliates, or  
1454 subsidiaries and affiliates of the limited service affiliate;

1455 (d) Soliciting business within this state from the general  
1456 public related to or for the benefit of an affiliated  
1457 international trust entity;

1458 (e) Adding a director, an executive officer, a principal  
1459 shareholder, a manager, a managing member, or an equivalent  
1460 position to the limited service affiliate without prior written  
1461 notification to the office;

1462 (f) Commencing services for an international trust entity  
1463 without complying with the requirements of s. 663.532;

1464 (g) Providing services for any international trust entity  
1465 that is in bankruptcy, conservatorship, receivership,  
1466 liquidation, or a similar status under the laws of any country;

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1467 or

1468 (h) Otherwise conducting banking or trust business.

1469 (3) The provisions of subsection (2) are not deemed to  
1470 prevent the limited service affiliate's use of an international  
1471 trust entity's website, or its own website, if the posted  
1472 information or communication includes the following:

1473 (a) The following statement: "Certain described services  
1474 are not offered to the general public in Florida, but are  
1475 marketed by ... (insert name of limited service affiliate)...  
1476 exclusively to professionals and current or prospective non-U.S.  
1477 resident clients of the affiliated international trust entity or  
1478 entities."

1479 (b) The notice required by s. 663.535.

1480 (4) In addition to any other power conferred upon it to  
1481 enforce and administer this chapter and the financial  
1482 institutions codes, the office may impose any remedy or penalty  
1483 pursuant to s. 655.033, relating to cease and desist orders; s.  
1484 655.034, relating to injunctions; s. 655.037, relating to  
1485 removal of a financial institution-affiliated party by the  
1486 office; or s. 655.041, relating to administrative fines and  
1487 enforcement, if a limited service affiliate engages in any of  
1488 the impermissible activities in subsection (2).

1489 Section 41. Effective upon this act becoming a law,  
1490 section 663.532, Florida Statutes, is created to read:

1491 663.532 Registration.—No later than March 31, 2018, a

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1492 person or entity that previously qualified under the moratorium  
1493 in s. 663.041 must apply for registration as a limited service  
1494 affiliate or cease doing business in this state. Notwithstanding  
1495 the expiration of the moratorium under s. 663.041, a person or  
1496 entity that previously qualified under such moratorium may  
1497 remain open and in operation but shall refrain from engaging in  
1498 new lines of business in this state until the disposition of  
1499 registration as a limited service affiliate.

1500 Section 42. Section 663.532, Florida Statutes, as created  
1501 by this act, is amended to read:

1502 663.532 Registration.-

1503 (1) To register as a limited service affiliate, a proposed  
1504 registrant must file a written notice with the office, in the  
1505 manner and on a form prescribed by the commission, together with  
1506 a nonrefundable \$2,500 registration fee. Such written notice  
1507 must include:

1508 (a) The name under which the proposed registrant will  
1509 conduct business in this state;

1510 (b) A copy of the articles of incorporation or articles of  
1511 organization, or the equivalent, of the proposed registrant;

1512 (c) The physical address where the proposed registrant  
1513 will conduct business;

1514 (d) The mailing address of the proposed registrant;

1515 (e) The name and biographical information of each  
1516 director, executive officer, manager, managing member, or

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1517 equivalent position of the proposed registrant, to be submitted  
1518 on a form prescribed by the commission;

1519 (f) The number of officers and employees of the proposed  
1520 registrant;

1521 (g) A detailed list and description of the activities to  
1522 be conducted by the proposed registrant. The detailed list and  
1523 description must include:

1524 1. The services and activities of the proposed registrant;

1525 2. An explanation of how the services and activities of  
1526 the proposed registrant serve the business purpose of each  
1527 international trust entity; and

1528 3. An explanation of how the services and activities of  
1529 the proposed registrant are distinguishable from those of the  
1530 permissible activities of an international trust company  
1531 representative office described under s. 663.409.

1532 (h) Disclosure of any instance occurring within the prior  
1533 10 years of a limited service affiliate's director, executive  
1534 officer, principal shareholder, manager, managing member, or  
1535 equivalent position who was:

1536 1. Arrested for, charged with, or convicted of, or who  
1537 pled guilty or nolo contendere to, regardless of adjudication,  
1538 any offense that is punishable by imprisonment for a term  
1539 exceeding 1 year, or to any offense that involves money  
1540 laundering, currency transaction reporting, tax evasion,  
1541 facilitating or furthering terrorism, fraud, theft, larceny,

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1542 embezzlement, fraudulent conversion, misappropriation of  
1543 property, dishonesty, breach of trust, breach of fiduciary duty,  
1544 or moral turpitude, or that is otherwise related to the  
1545 operation of a financial institution;

1546 2. Fined or sanctioned as a result of a complaint to the  
1547 office or any other state or federal regulatory agency;

1548 3. Ordered to pay a fine or penalty in a proceeding  
1549 initiated by a federal, state, foreign, or local law enforcement  
1550 agency or an international agency related to money laundering,  
1551 currency transaction reporting, tax evasion, facilitating or  
1552 furthering terrorism, fraud, theft, larceny, embezzlement,  
1553 fraudulent conversion, misappropriation of property, dishonesty,  
1554 breach of trust, breach of fiduciary duty, moral turpitude, or  
1555 that is otherwise related to the operation of a financial  
1556 institution.

1557 (i) A declaration under penalty of perjury signed by the  
1558 executive officer, manager, or managing member of the proposed  
1559 registrant that, to the best of his or her knowledge:

1560 a. No employee, representative, or agent provides, or will  
1561 provide, banking services; promotes or sells, or will promote or  
1562 sell, investments; or accepts, or will accept, custody of  
1563 assets; and

1564 b. No employee, representative, or agent acts, or will  
1565 act, as a fiduciary in this state, which includes, but is not  
1566 limited to, accepting the fiduciary appointment, executing the

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1567 fiduciary documents that create the fiduciary relationship, or  
1568 making discretionary decisions regarding the investment or  
1569 distribution of fiduciary accounts.

1570 c. The jurisdiction of the international trust entity or  
1571 its offices, subsidiaries, or any affiliates that are directly  
1572 involved in or facilitate the financial services functions,  
1573 banking, or fiduciary activities of the international trust  
1574 entity is not listed on the Financial Action Task Force Public  
1575 Statement or on its list of jurisdictions with deficiencies in  
1576 anti-money laundering or counterterrorism.

1577 (j) For each international trust entity that the proposed  
1578 registrant will provide services for in this state, the  
1579 following:

1580 1. The name of the international trust entity;

1581 2. A list of the current officers and directors of the  
1582 international trust entity;

1583 3. Any country where the international trust entity is  
1584 organized or authorized to do business;

1585 4. The name of the home-country regulator;

1586 5. Proof that the international trust entity has been  
1587 authorized by charter, license, or similar authorization by its  
1588 home-country regulator to engage in trust business;

1589 6. Proof that the international trust entity lawfully  
1590 exists and is in good standing under the laws of the  
1591 jurisdiction where it is chartered, licensed, or organized;

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1592 7. A statement that the international trust entity is not  
1593 in bankruptcy, conservatorship, receivership, liquidation, or in  
1594 a similar status under the laws of any country;

1595 8. Proof that the international trust entity is not  
1596 operating under the direct control of the government or the  
1597 regulatory or supervisory authority of the jurisdiction of its  
1598 incorporation, through government intervention or any other  
1599 extraordinary actions, and confirmation that it has not been in  
1600 such a status or under such control at any time within the prior  
1601 3 years;

1602 9. Proof and confirmation that the proposed registrant is  
1603 affiliated with the international trust entities provided in the  
1604 notice; and

1605 10. Proof that the jurisdictions where the international  
1606 trust entity or its offices, subsidiaries, or any affiliates  
1607 that are directly involved in or that facilitate the financial  
1608 services functions, banking, or fiduciary activities of the  
1609 international trust entity are not listed on the Financial  
1610 Action Task Force Public Statement or on its list of  
1611 jurisdictions with deficiencies in anti-money laundering or  
1612 counterterrorism.

1613 (k) A declaration under penalty of perjury, signed by an  
1614 executive officer, manager, or managing member of each  
1615 affiliated international trust entity, declaring that the  
1616 information provided to the office is true and correct to the

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1617 best of his or her knowledge.

1618  
1619 The proposed registrant may provide additional information in  
1620 the form of exhibits when attempting to satisfy any of the  
1621 registration requirements. All information that the proposed  
1622 registrant desires to present to support the written notice must  
1623 be submitted with the notice.

1624 (2) The office may request additional information as the  
1625 office reasonably requires. Any request for additional  
1626 information must be made by the office within 30 days after  
1627 initial receipt of the written notice and the full amount of the  
1628 fee specified in subsection (1). Additional information must be  
1629 submitted within 60 days after a request has been made by the  
1630 office. Failure to respond to such request within 60 days after  
1631 the date of the request is a ground for denial of the  
1632 registration. A notice is not deemed complete until all  
1633 requested information has been submitted to the office. Upon  
1634 deeming the notice complete, the office has 120 days to register  
1635 the limited service affiliate or issue a denial. An order  
1636 denying a registration must contain notice of opportunity for a  
1637 hearing pursuant to ss. 120.569 and 120.57.

1638 (3) A registration under this part must be summarily  
1639 suspended by the office if the limited service affiliate made a  
1640 material false statement in the written notice. The summary  
1641 suspension must remain in effect until a final order is entered

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1642 by the office. For purposes of s. 120.60(6), a material false  
1643 statement made in the limited service affiliate's written notice  
1644 constitutes an immediate and serious danger to the public  
1645 health, safety, and welfare. If a limited service affiliate made  
1646 a material false statement in the written notice, the office  
1647 must enter a final order revoking the registration and may issue  
1648 a fine as prescribed by s. 655.041 or issue an order of  
1649 suspension, removal, or prohibition under s. 655.037 to a  
1650 financial institution-affiliated party of the limited service  
1651 affiliate.

1652 (4) Upon the filing of a completed registration notice  
1653 under this section, the office shall make investigation of the  
1654 character, reputation, business experience, and business  
1655 qualifications of the limited service affiliate's proposed  
1656 directors, executive officers, principal shareholder, managers,  
1657 managing members, or equivalent positions. The office shall  
1658 approve the application only if it has determined that such  
1659 persons are qualified by reason of their ability, reputation,  
1660 and integrity and have sufficient experience to manage and  
1661 direct the affairs of the limited service affiliate in a lawful  
1662 manner and in accordance with the requirements for obtaining and  
1663 maintaining a registration under this part. When evaluating a  
1664 registration notice, the office may consider factors reasonably  
1665 related to an offense or related to a violation, fine, or  
1666 penalty, such as mitigating factors, history of multiple

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1667 violations, severity of the offense, and showings of  
1668 rehabilitation.

1669 (5) A registration is not transferable or assignable.

1670 (6) Fees collected under this section must be submitted in  
1671 the manner prescribed by the commission and must be deposited  
1672 into the Financial Institutions' Regulatory Trust Fund pursuant  
1673 to s. 655.049 for the purpose of administering this part.

1674 (7) A person or entity in operation as of January 1, 2018,  
1675 which meets the definition of a limited service affiliate under  
1676 s. 663.530, must, on or before March 31, 2018, apply for  
1677 registration as a limited service affiliate or cease doing  
1678 business in this state.

1679 (8) No later than March 31, 2018, a person or entity that  
1680 previously qualified under the moratorium in s. 663.041 must  
1681 apply for registration as a limited service affiliate or cease  
1682 doing business in this state. Notwithstanding the expiration of  
1683 the moratorium under s. 663.041, a person or entity that  
1684 previously qualified under such moratorium may remain open and  
1685 in operation but shall refrain from engaging in new lines of  
1686 business in this state until the disposition of registration as  
1687 a limited service affiliate.

1688 Section 43. Section 663.5325, Florida Statutes, is created  
1689 to read:

1690 663.5325 Civil action subpoena enforcement.—

1691 (1) Notwithstanding s. 655.059, a limited service

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1692 affiliate established under this chapter is not required to  
1693 produce a book or record pertaining to a customer of an  
1694 affiliated international trust entity that is located outside  
1695 the United States or its territories in response to a subpoena  
1696 if the book or record is maintained outside the United States or  
1697 its territories and is not in the possession, custody, or  
1698 control of the limited service affiliate.

1699 (2) This section applies only to a subpoena issued  
1700 pursuant to the Florida Rules of Civil Procedure, the Federal  
1701 Rules of Civil Procedure, or other similar law or rule of civil  
1702 procedure in another state or territory of the United States.  
1703 This section does not apply to a subpoena issued by or on behalf  
1704 of a federal, state, or local government law enforcement agency,  
1705 administrative or regulatory agency, legislative body, or grand  
1706 jury and does not limit the power of the office to access all  
1707 books and records in the exercise of the office's regulatory and  
1708 supervisory powers under the financial institutions codes.

1709 Section 44. Section 663.533, Florida Statutes, is created  
1710 to read:

1711 663.533 Applicability of the financial institutions  
1712 codes.—A limited service affiliate is subject to the financial  
1713 institutions codes. Without limiting the foregoing, the  
1714 following provisions are applicable to a limited service  
1715 affiliate:

1716 (1) Section 655.012, relating to general supervisory

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- 1717 powers of the office.
- 1718 (2) Section 655.031, relating to administrative  
1719 enforcement guidelines.
- 1720 (3) Section 655.032, relating to investigations,  
1721 subpoenas, hearings, and witnesses.
- 1722 (4) Section 655.0321, relating to restricted access to  
1723 certain hearings, proceedings, and related documents.
- 1724 (5) Section 655.033, relating to cease and desist orders.
- 1725 (6) Section 655.034, relating to injunctions.
- 1726 (7) Section 655.037, relating to removal of a financial  
1727 institution-affiliated party by the office.
- 1728 (8) Section 655.041, relating to administrative fines and  
1729 enforcement.
- 1730 (9) Section 655.057, relating to restrictions on access to  
1731 public records.
- 1732 (10) Section 655.059, relating to access to books and  
1733 records.
- 1734 (11) Section 655.0591, relating to trade secret documents.
- 1735 (12) Section 655.91, relating to records of institutions  
1736 and copies thereof; retention and destruction.
- 1737 (13) Section 655.968, relating to financial institutions;  
1738 transactions relating to Iran or terrorism.
- 1739
- 1740 This section does not prohibit the office from investigating or  
1741 examining an entity to ensure that it is not in violation of

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1742 this chapter or applicable provisions of the financial  
1743 institutions codes.

1744 Section 45. Section 663.534, Florida Statutes, is created  
1745 to read:

1746 663.534 Events that require notice to be provided to the  
1747 office.—A registrant must report to the office, within 15 days  
1748 of its knowledge of the occurrence, any changes to the  
1749 information previously relied upon by the office when  
1750 registering or renewing a registration under this part.

1751 Section 46. Section 663.535, Florida Statutes, is created  
1752 to read:

1753 663.535 Notice to customers.—All marketing documents and  
1754 advertisements and any display at the location of the limited  
1755 service affiliate or at any trade or marketing event must  
1756 contain the following statement in a contrasting color in at  
1757 least 10-point type: "The Florida Office of Financial Regulation  
1758 DOES NOT provide safety and soundness oversight of this company,  
1759 does not provide any opinion as to any affiliated companies or  
1760 products, and does not provide the oversight of this company's  
1761 affiliated international trust entities or the jurisdictions  
1762 within which they operate. This company may not act as a  
1763 fiduciary and may not accept the fiduciary appointment, execute  
1764 or transmit fiduciary documents, take possession of any assets,  
1765 create a fiduciary relationship, make discretionary decisions

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1766 regarding the investment or distribution of fiduciary accounts,  
1767 provide banking services, or promote or sell investments."

1768 Section 47. Section 663.536, Florida Statutes, is created  
1769 to read:

1770 663.536 Recordkeeping requirements for trade, industry, or  
1771 professional events.—A registrant registered only under this  
1772 part who participates in a trade, industry, or professional  
1773 event pursuant to s. 663.531 must keep a record of its  
1774 participation in the event. The record must be maintained for at  
1775 least 2 years following the event and must contain the following  
1776 information:

1777 (1) The date, time, and location of the event;

1778 (2) To the extent known or available, a list of  
1779 participants in the event, including other vendors, presenters,  
1780 attendees, and targeted attendees;

1781 (3) The nature and purpose of the event;

1782 (4) The registrant's purpose for participating in the  
1783 event; and

1784 (5) Samples of materials or, when samples are unavailable,  
1785 descriptions of materials provided by the registrant to  
1786 attendees and other participants.

1787 Section 48. Section 663.537, Florida Statutes, is created  
1788 to read:

1789 663.537 Examination or investigation of a limited service  
1790 affiliate.—

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1791       (1) The office may conduct an examination or investigation  
1792 of a limited service affiliate at any time that it deems  
1793 necessary to determine whether the limited service affiliate or  
1794 financial institution-affiliated party thereof has violated, or  
1795 is about to violate, any provision of this chapter, any  
1796 applicable provision of the financial institutions codes, or any  
1797 rule adopted by the commission pursuant to this chapter or the  
1798 financial institutions codes. The office shall conduct an  
1799 examination of each limited service affiliate at least once  
1800 every 18 months to assess compliance with this part and the  
1801 financial institutions codes. The office may conduct an  
1802 examination, before or after registration, of any person or  
1803 entity that submits a notice for registration to confirm  
1804 information provided in the registration filing and to confirm  
1805 the activities of the person or entity seeking registration.

1806       (2) For each examination of a limited service affiliate  
1807 authorized under this part, the limited service affiliate shall  
1808 pay a fee for the costs of the examination by the office. As  
1809 used in this section, the term "costs" means the salary and  
1810 travel expenses of field staff which are directly attributable  
1811 to the examination of the registrant and the travel expenses of  
1812 any supervisory and support staff required as a result of  
1813 examination findings. The costs of examination must be  
1814 determined as follows:

1815       (a) The office shall charge each limited service affiliate

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1816 in this state an examination fee equal to the actual cost of  
1817 each examiner's participation during each examination of such  
1818 limited service affiliate. The examination fee must equal the  
1819 actual cost of the examination, but such fees, inclusive of  
1820 travel expenses and other incidental expenses, may not be less  
1821 than \$200 per day for each examiner participating in the  
1822 examination.

1823 (b) As used in this section, the term "actual cost" means  
1824 the direct salary, excluding employee benefits; travel expenses;  
1825 and other incidental expenses required as a result of the  
1826 examination staff's onsite and offsite examination of the  
1827 limited service affiliate. In addition, the term includes the  
1828 travel expenses of any supervisory staff required as a result of  
1829 examination findings.

1830 (3) All examination fee payments must be received within  
1831 30 days after receipt of an invoice from the office and must be  
1832 submitted in a manner prescribed by the commission. The office  
1833 may levy a late fee of up to \$100 per day that a payment is  
1834 overdue, unless waived by the office for good cause. However, if  
1835 the late payment of costs is intentional, the office may levy an  
1836 administrative fine of up to \$1,000 per day for each day the  
1837 payment is overdue.

1838 (4) All fees collected under this section must be  
1839 submitted in the manner prescribed by the commission and must be  
1840 deposited into the Financial Institutions' Regulatory Trust Fund

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1841 pursuant to s. 655.049 for the purpose of administering this  
1842 part.

1843 Section 49. Section 663.538, Florida Statutes, is created  
1844 to read:

1845 663.538 Suspension, revocation, or voluntary surrender of  
1846 registration.-

1847 (1) A registrant that proposes to terminate operations in  
1848 this state shall surrender its registration to the office and  
1849 comply with such procedures as required by rule of the  
1850 commission.

1851 (2) A registrant that fails to renew its registration may  
1852 be subject to a fine and penalty; however, such registrant may  
1853 renew its registration within 30 days after expiration or may  
1854 surrender the registration in accordance with procedures  
1855 prescribed by commission rule.

1856 (3) The registration of a limited service affiliate in  
1857 this state may be suspended or revoked by the office, with or  
1858 without examination, upon the office's determination that the  
1859 registrant does not meet all requirements for original or  
1860 renewal registration.

1861 (4) If a registrant surrenders its registration or its  
1862 registration is suspended or revoked by the office, all rights  
1863 and privileges afforded by this part to the registered limited  
1864 service affiliate cease.

1865 (5) At least 60 days before a proposed date of voluntary

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1866 termination of a registration, a registrant must provide to the  
1867 office written notice by letter of its intention to surrender  
1868 its registration and terminate operations. The notice must  
1869 include the proposed date of termination and the name of the  
1870 officer in charge of the termination procedures.

1871 (6) The office may conduct an examination of the books and  
1872 records of a limited service affiliate at any time after receipt  
1873 of the notice of surrender of registration to confirm the  
1874 winding down of operations.

1875 (7) Operations of a registrant are deemed terminated  
1876 effective upon the later of the expiration of 60 days from the  
1877 date of the filing of the notice of voluntary surrender or upon  
1878 the date provided in the notice of voluntary surrender, unless  
1879 the office provides written notice specifying the grounds for  
1880 denial of such proposed termination. The office may not deny a  
1881 request to terminate unless it learns of the existence of any  
1882 outstanding claim or claims against the registrant, it finds  
1883 that the requirements to terminate operations have not been  
1884 satisfied, or there is an immediate and serious danger to the  
1885 public health, safety, and welfare if the termination occurred.

1886 Section 50. Section 663.539, Florida Statutes, is created  
1887 to read:

1888 663.539 Biennial registration renewal.—A registration must  
1889 be renewed every 2 years. A registration must be renewed by  
1890 furnishing such information as the commission requires, together

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1891 with payment of a \$500 nonrefundable renewal fee. All fees  
1892 received by the office pursuant to this section must be  
1893 submitted in the manner prescribed by the commission and must be  
1894 deposited into the Financial Institutions' Regulatory Trust Fund  
1895 pursuant to s. 655.049 for the purpose of administering this  
1896 part. A complete biennial renewal of registration must include a  
1897 declaration under penalty of perjury, signed by the executive  
1898 officer or managing member of the registrant, declaring that the  
1899 information submitted for the purposes of renewal is true and  
1900 correct to the best of his or her knowledge, and confirming or  
1901 providing all of the following:

1902 (1) That the registrant is in compliance with this part.

1903 (2) The physical location of the principal place of  
1904 business of the registrant.

1905 (3) The telephone number of the registrant.

1906 (4) A list of the registrant's current directors,  
1907 executive officers, principal shareholder, managers, managing  
1908 members, or equivalent positions.

1909 (5) Any updates or changes in information which were not  
1910 previously provided either in the initial registration or in  
1911 subsequent registration renewals or which were not previously  
1912 disclosed to the office.

1913 Section 51. For the purpose of incorporating the amendment  
1914 made by this act to section 663.01, Florida Statutes, in a

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1915 reference thereto, subsection (4) of section 663.16, Florida  
1916 Statutes, is reenacted to read:

1917 663.16 Definitions; ss. 663.17-663.181.—As used in ss.  
1918 663.17-663.181, the term:

1919 (4) Except where the context otherwise requires,  
1920 "international banking corporation" or "corporation" has the  
1921 same meaning as that provided in s. 663.01 and includes any  
1922 licensed office of an international banking corporation  
1923 operating in this state.

1924 Section 52. Except as otherwise expressly provided in this  
1925 act, this act shall take effect January 1, 2018.

1926

1927 -----

1928 **T I T L E A M E N D M E N T**

1929 Remove everything before the enacting clause and insert:  
1930 An act relating to international financial institutions;  
1931 amending s. 655.005, F.S.; redefining the term "financial  
1932 institution" to include international trust entities and limited  
1933 service affiliates; amending s. 655.059, F.S.; specifying  
1934 conditions under which confidential books and records of  
1935 international trust entities may be disclosed to their home-  
1936 country supervisors; revising conditions for such disclosure for  
1937 international banking corporations; redefining the term "home-  
1938 country supervisor"; requiring books and records pertaining to  
1939 trust accounts to be kept confidential by financial institutions

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1940 and their directors, officers, and employees; providing an  
1941 exception; providing construction; creating s. 663.001, F.S.;  
1942 providing legislative intent; amending s. 663.01, F.S.;  
1943 redefining terms; deleting the definition of the term  
1944 "international trust company representative office"; amending s.  
1945 663.02, F.S.; revising applicability of the financial  
1946 institutions codes as to international banking corporations;  
1947 amending s. 663.021, F.S.; conforming a provision to changes  
1948 made by the act; amending s. 663.04, F.S.; deleting  
1949 international trust companies from requirements for carrying on  
1950 financial institution business; conforming a provision to  
1951 changes made by the act; authorizing the Office of Financial  
1952 Regulation to permit certain entities that would otherwise be  
1953 prohibited from carrying on financial institution business to  
1954 remain open and in operation under certain circumstances;  
1955 amending s. 663.05, F.S.; providing for an abbreviated  
1956 application procedure for certain entities established by an  
1957 international banking corporation; specifying that the Financial  
1958 Services Commission, rather than the office, prescribes a  
1959 certain application form; requiring the commission to adopt  
1960 rules for a time limitation for an application decision after a  
1961 specified date; revising conditions for the office to issue an  
1962 international banking corporation license; conforming a  
1963 provision to changes made by the act; amending s. 663.055, F.S.;  
1964 revising capital requirements for international banking

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1965 corporations; amending s. 663.06, F.S.; making technical  
1966 changes; conforming a provision to changes made by the act;  
1967 creating s. 663.0601, F.S.; providing an after-the-fact  
1968 licensure process in the event of the acquisition, merger, or  
1969 consolidation of international banking corporations; specifying  
1970 conditions for such license; amending s. 663.061, F.S.;  
1971 providing permissible activities for international bank  
1972 agencies; amending s. 663.062, F.S.; providing permissible  
1973 activities for certain international representative offices;  
1974 amending s. 663.063, F.S.; providing permissible activities for  
1975 international administrative offices; amending s. 663.064, F.S.;  
1976 requiring the commission to adopt rules relating to permissible  
1977 deposits of international branches; providing permissible  
1978 activities for international branches; amending s. 663.09, F.S.;  
1979 revising requirements for the maintenance of books and records  
1980 of international banking corporations; authorizing the office to  
1981 require international banking corporations to translate certain  
1982 documents into English at the expense of the international  
1983 banking corporations; amending s. 663.11, F.S.; authorizing the  
1984 office to permit certain entities that would otherwise be  
1985 prohibited from continuing business to remain open and in  
1986 operation under certain circumstances; authorizing the  
1987 commission to adopt certain rules; requiring an entity to  
1988 surrender its license under certain circumstances; making  
1989 technical and conforming changes; amending s. 663.12, F.S.;

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1990 conforming a provision to changes made by the act; amending s.  
1991 663.17, F.S.; making technical changes; providing a directive to  
1992 the Division of Law Revision and Information; creating part III  
1993 of ch. 663, F.S., entitled "International Trust Company  
1994 Representative Offices"; creating s. 663.4001, F.S.; providing  
1995 legislative intent; creating s. 663.401, F.S.; defining terms;  
1996 creating s. 663.402, F.S.; providing applicability of the  
1997 financial institutions codes as to international trust entities;  
1998 creating s. 663.403, F.S.; providing applicability of the  
1999 Florida Business Corporation Act as to international trust  
2000 entities; creating s. 663.404, F.S.; specifying requirements for  
2001 an international trust entity or certain related entities to  
2002 conduct financial institution business; authorizing the office  
2003 to permit an international trust company representative office  
2004 that would otherwise be prohibited from continuing business to  
2005 remain open and in operation under certain circumstances;  
2006 creating s. 663.405, F.S.; providing that an international trust  
2007 company representative office is not required to produce certain  
2008 books and records under certain circumstances; providing  
2009 applicability; creating s. 663.406, F.S.; providing requirements  
2010 for applications for an international trust entity license;  
2011 requiring the office to disallow certain financial resources  
2012 from capitalization requirements; requiring the international  
2013 trust entity to submit to the office a certain certificate;  
2014 providing an abbreviated application process for certain

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2015 international trust entities to establish international trust  
2016 company representative offices; specifying parameters and  
2017 requirements for the office in determining whether to approve or  
2018 disapprove an application; requiring the commission to adopt by  
2019 rule general principles regarding the adequacy of supervision of  
2020 an international trust entity's foreign establishments rules;  
2021 creating s. 663.407, F.S.; providing capital requirements for an  
2022 international trust entity; requiring the commission to adopt  
2023 rules; creating s. 663.408, F.S.; providing permissible  
2024 activities under and requirements and limitations for  
2025 international trust entity licenses; providing procedures,  
2026 conditions, and requirements for the suspension, revocation, or  
2027 surrender of an international trust entity license; creating s.  
2028 663.4081, F.S.; providing for an after-the-fact licensure  
2029 process in the event of the acquisition, merger, or  
2030 consolidation of international trust entities; specifying  
2031 conditions for such licensure; transferring, renumbering, and  
2032 amending s. 663.0625; adding prohibited activities of  
2033 representatives and employees of an international trust company  
2034 representative office; conforming provisions to changes made by  
2035 the act; creating s. 663.410, F.S.; requiring international  
2036 trust entities to certify to the office the amount of their  
2037 capital accounts at specified intervals; providing construction;  
2038 creating s. 663.411, F.S.; specifying reporting and  
2039 recordkeeping requirements for international trust entities;

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2040 providing penalties; authorizing the office to require an  
2041 international trust entity to translate certain documents into  
2042 English at the international trust entity's expense; creating s.  
2043 663.412, F.S.; prohibiting an international trust entity from  
2044 conducting business in this state under certain circumstances;  
2045 authorizing the office to permit an international trust company  
2046 representative office to remain open and in operation under  
2047 certain circumstances; authorizing the commission to adopt  
2048 certain rules; requiring an entity to surrender its license  
2049 under certain circumstances; requiring an international trust  
2050 entity or its surviving officers and directors to deliver  
2051 specified documents to the office; providing construction;  
2052 creating s. 663.413, F.S.; specifying application and  
2053 examination fees for international trust company representative  
2054 offices; creating s. 663.414, F.S.; authorizing the commission  
2055 to adopt certain rules; providing an exemption from statement of  
2056 estimated regulatory costs requirements; creating s. 663.415,  
2057 F.S.; requiring international trust company representative  
2058 offices that are under examination to reimburse domestic or  
2059 foreign travel expenses of the office; providing a directive to  
2060 the Division of Law Revision and Information; creating part IV  
2061 of ch. 663, F.S., entitled "Limited Service Affiliates of  
2062 International Trust Entities"; creating s. 663.530, F.S.;  
2063 defining terms; creating s. 663.531, F.S.; specifying  
2064 permissible and impermissible activities of a limited service

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2065 affiliate; requiring specified notices to be posted on an  
2066 international trust entity's or limited service affiliate's  
2067 website; authorizing enforcement actions by the office;  
2068 providing construction; creating s. 663.532, F.S.; requiring  
2069 certain persons or entities to register as limited service  
2070 affiliates by a specified date or cease doing business in this  
2071 state; permitting certain persons or entities to remain open and  
2072 in operation under certain circumstances; amending s. 663.532,  
2073 F.S., as created by this act; specifying registration notice  
2074 requirements and a fee for limited service affiliates; providing  
2075 requirements and procedures for additional information requested  
2076 by the office; providing summary suspension requirements and  
2077 procedures; requiring the office to make investigation of  
2078 specified persons upon the filing of a completed registration  
2079 notice; requiring the office to approve an application under  
2080 certain conditions; providing factors for the office to consider  
2081 when evaluating a previous offense, violation, fine, or penalty  
2082 of specified persons; providing that registrations are not  
2083 transferable or assignable; providing for deposit of fees into a  
2084 specified trust fund; requiring the commission to adopt rules;  
2085 requiring certain persons or entities to register as limited  
2086 service affiliates by a specified date or cease doing business  
2087 in this state; creating s. 663.5325, F.S.; providing that a  
2088 limited service affiliate is not required to produce certain  
2089 books and records under certain circumstances; providing

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2090 applicability; creating s. 663.533, F.S.; providing  
2091 applicability of the financial institutions codes as to limited  
2092 service affiliates; providing construction; creating s. 663.534,  
2093 F.S.; requiring a registrant to report changes of certain  
2094 information to the office within a specified timeframe; creating  
2095 s. 663.535, F.S.; requiring a specified notice to customers in  
2096 marketing documents, advertisements, and displays at the limited  
2097 service affiliate's location or at certain events; creating s.  
2098 663.536, F.S.; specifying recordkeeping requirements relating to  
2099 certain events that a registered limited service affiliate  
2100 participates in; creating s. 663.537, F.S.; authorizing the  
2101 office to conduct examinations or investigations of limited  
2102 service affiliates for certain purposes; specifying a minimum  
2103 interval of examinations to assess compliance; authorizing the  
2104 office to examine a person or entity submitting a notice of  
2105 registration for certain purposes; requiring limited service  
2106 affiliates to pay specified costs of examination within a  
2107 specified time; defining the terms "costs" and "actual cost";  
2108 providing penalties; specifying the trust fund where examination  
2109 fees must be deposited; requiring the commission to adopt rules;  
2110 creating s. 663.538, F.S.; providing requirements and procedures  
2111 relating to the suspension, revocation, or voluntary surrender  
2112 of a limited service affiliate's registration; providing a  
2113 penalty; authorizing the office to conduct examinations under  
2114 certain circumstances; prohibiting the office from denying a

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2115 request to terminate operations except under certain  
2116 circumstances; providing construction; creating s. 663.539,  
2117 F.S.; requiring a limited service affiliate to renew its  
2118 registration biennially; specifying the renewal fee and the  
2119 trust fund where such fee must be deposited; specifying  
2120 requirements for the renewal registration; reenacting s. 663.16,  
2121 F.S., relating to definitions, to incorporate the amendment made  
2122 to s. 663.01, F.S., in a reference thereto; providing effective  
2123 dates.