

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

.
.
.



1 Representative Detert offered the following:

2

3 **Amendment**

4 Remove line(s) 89-138, and insert:

5 (10) To use the name or logo of a financial institution as
6 defined in s. 655.005(1) or its affiliates or subsidiaries when
7 marketing or soliciting existing or prospective customers if
8 such marketing materials are used without the express written
9 consent of the financial institution and in a manner that would
10 lead a reasonable person to believe that the material or
11 solicitation originated from, was endorsed by, or is in any way
12 related to or the responsibility of the financial institution or
13 its affiliates or subsidiaries.

14 Section 2. Paragraph (o) is added to subsection (1) of
15 section 516.07, Florida Statutes, to read:

Amendment No. (for drafter's use only)

16 516.07 Grounds for denial of license or for disciplinary
17 action.--

18 (1) The following acts are violations of this chapter and
19 constitute grounds for denial of an application for a license to
20 make consumer finance loans and grounds for any of the
21 disciplinary actions specified in subsection (2):

22 (o) Using the name or logo of a financial institution as
23 defined in s. 655.005(1) or its affiliates or subsidiaries when
24 marketing or soliciting existing or prospective customers if
25 such marketing materials are used without the express written
26 consent of the financial institution and in a manner that would
27 lead a reasonable person to believe that the material or
28 solicitation originated from, was endorsed by, or is in any way
29 related to or the responsibility of the financial institution or
30 its affiliates or subsidiaries.

31 Section 3. Paragraph (j) is added to subsection (1) of
32 section 520.995, Florida Statutes, to read:

33 520.995 Grounds for disciplinary action.--

34 (1) The following acts are violations of this chapter and
35 constitute grounds for the disciplinary actions specified in
36 subsection (2):

37 (j) Using the name or logo of a financial institution as
38 defined in s. 655.005(1) or its affiliates or subsidiaries when
39 marketing or soliciting existing or prospective customers if
40 such marketing materials are used without the express written
41 consent of the financial institution and in a manner that would
42 lead a reasonable person to believe that the material or
43 solicitation originated from, was endorsed by, or is in any way

709555

Amendment No. (for drafter's use only)

44 related to or the responsibility of the financial institution or
45 its affiliates or subsidiaries.

46 Section 4. Paragraph (bb) is added to subsection (1) of
47 section 626.9541, Florida Statutes, to read:

48 626.9541 Unfair methods of competition and unfair or
49 deceptive acts or practices defined.--

50 (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE
51 ACTS.--The following are defined as unfair methods of
52 competition and unfair or deceptive acts or practices:

53 (bb) Deceptive use of name.--Using the name or logo of a
54 financial institution as defined in s. 655.005(1) or its
55 affiliates or subsidiaries when