

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

.  
.
.

1 Representative Berfield offered the following:

3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. (1) The Regulatory Trust Fund within the  
6 Department of Financial Services, FLAIR number 43-2-573, which  
7 is to be terminated pursuant to Section 19(f), Article III of  
8 the State Constitution on November 4, 2004, is re-created.

9 (2) All current balances of the trust fund are carried  
10 forward, and all current sources and uses of the trust fund are  
11 continued.

12 Section 2. Subsection (4) is added to section 626.99245,  
13 Florida Statutes, to read:

14 626.99245 Conflict of regulation of viaticals.--

15 (4) The offer, sale, and purchase of viatical settlement  
16 contracts and the regulation of viatical settlement providers

919457

Amendment No. (for drafter's use only)

17 | shall be within the exclusive jurisdiction of the Office of  
18 | Insurance Regulation under the provisions of part X of this  
19 | chapter.

20 | Section 3. This act shall take effect November 4, 2004.

21 |  
22 | ===== T I T L E A M E N D M E N T =====

23 | Remove the entire title and insert:

24 | A bill to be entitled

25 | An act relating to the Department of Financial Services;  
26 | re-creating the Regulatory Trust Fund within the  
27 | Department of Financial Services without modification;  
28 | carrying forward current balances and continuing current  
29 | sources and uses thereof; providing an effective date.

30 |  
31 | WHEREAS, the Legislature wishes to extend the life of the  
32 | Regulatory Trust Fund within the Department of Financial  
33 | Services, which is otherwise scheduled to be terminated pursuant  
34 | to constitutional mandate, and

35 | WHEREAS, the Legislature has reviewed the trust fund before  
36 | its scheduled termination date and has found that it continues  
37 | to meet an important public purpose, and

38 | WHEREAS, the Legislature has found that existing public  
39 | policy concerning the trust fund sets adequate parameters for  
40 | its use, and

41 | WHEREAS, the Legislature wishes to clarify that  
42 | jurisdiction over viatical settlement contracts and providers is  
43 | exclusively within the Office of Insurance Regulation under part  
44 | X of chapter 626, Florida Statutes, NOW, THEREFORE,

919457