

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WITHDRAWN        (Y/N)  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: Regulatory Affairs  
2 Committee

3 Representative Broxson offered the following:  
4

5 **Amendment (with title amendment)**

6 Between lines 133 and 134, insert:

7 Section 2. Section 655.017, Florida Statutes, is created  
8 to read:

9 655.017 General rule.

10 (1) All counties and municipalities of this state are  
11 prohibited from enacting and enforcing ordinances, resolutions,  
12 and rules regulating financial or lending activities, including  
13 ordinances, resolutions, and rules disqualifying persons from  
14 doing business with a city, county, or municipality based upon  
15 lending interest rates or imposing reporting requirements or any  
16 other obligations upon persons regarding financial services or

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17 lending practices of persons or entities, and any subsidiaries  
18 or affiliates thereof, who:

19 (a) Are subject to the jurisdiction of the office,  
20 pursuant to the financial institutions codes;

21 (b) Are subject to the jurisdiction of the Board of  
22 Governors of the Federal Reserve System, the Office of the  
23 Comptroller of the Currency, the National Credit Union  
24 Administration, the Federal Deposit Insurance Corporation, the  
25 Federal Trade Commission, or the United States Department of  
26 Housing and Urban Development;

27 (c) Originate, purchase, sell, assign, secure, or service  
28 property interests or obligations created by financial  
29 transactions or loans made, executed, or originated by persons  
30 referred to in paragraph (a) or paragraph (b) to assist or  
31 facilitate such transactions; or

32 (d) Are chartered by the United States Congress to engage  
33 in secondary market mortgage transactions.

34 (2) (a) Nothing in this section shall prevent counties and  
35 municipalities of this state from engaging in a civil  
36 investigation or from initiating an administrative proceeding or  
37 commencing a civil proceeding before a court of competent  
38 jurisdiction to determine compliance with or to enforce a  
39 statute of this State, a regulation or order of a State agency,  
40 or a rule or ordinance of any county or municipality of this  
41 state that is not preempted pursuant to (1).

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42 (b) Notwithstanding (a), each financial institution must  
43 report any civil investigation or civil or administrative  
44 proceeding by a county or municipality in accordance with s.  
45 655.948. The office shall have sole and exclusive jurisdiction  
46 to initiate appropriate administrative or civil proceedings to  
47 enforce any applicable laws, rules, or regulations, to the  
48 extent the office determines that such county or municipal  
49 investigation or action:

50 1. is based on a local ordinance, resolution or rule that  
51 is preempted pursuant to (1); or

52 2. directly and specifically regulates the manner,  
53 content, or terms and conditions of any financial transaction or  
54 any account related thereto, as may be authorized for financial  
55 institutions to engage in, or prevents, significantly interferes  
56 with, or alters the exercise of powers granted to a financial  
57 institution under the financial institutions codes or by any  
58 applicable federal law or regulation.

59 (c) Nothing in this section shall limit or restrict the  
60 powers of the Department of Legal Affairs or law enforcement  
61 agencies of this state to commence criminal proceedings, or of  
62 the Department of Legal Affairs to bring a civil action.

63  
64  
65 -----  
66 **T I T L E A M E N D M E N T**

67 Remove line 4 and insert:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 673 (2014)

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68 "related interest"; creating s. 655.017, F.S.; preempting the  
69 regulation of activities and operations of financial  
70 institutions to the state; providing for counties and  
71 municipalities to engage in investigations and proceedings  
72 against financial institutions that are not preempted; providing  
73 for the office's sole and exclusive jurisdiction in certain  
74 cases; providing for the Department of Legal Affairs and law  
75 enforcement to engage in certain proceedings; amending s.  
76 655.0322, F.S.;