

By Senator Burton

12-00863-24

20241066__

1 A bill to be entitled
2 An act relating to consumer protection; amending s.
3 68.087, F.S.; prohibiting certain civil actions under
4 the Florida Disposition of Unclaimed Property Act;
5 amending s. 215.971, F.S.; prohibiting state
6 government agencies from entering into certain
7 agreements with specified recipients and
8 subrecipients; amending s. 287.058, F.S.; prohibiting
9 state government agencies from entering into contracts
10 and agreements with certain entities; amending s.
11 319.261, F.S.; requiring the title to a mobile home to
12 be retired if the owner of the real property records
13 certain documents in the official records of the clerk
14 of court in the county in which the real property is
15 located; amending s. 489.147, F.S.; requiring
16 contractors to include a notice in their contracts
17 with residential property owners under certain
18 circumstances; providing requirements for notices of
19 contract cancellation; amending s. 559.9611, F.S.;
20 revising the definition of the term "depository
21 institution"; amending s. 624.424, F.S.; providing
22 requirements for certain insurers' accountants;
23 amending s. 626.854, F.S.; revising applicability of
24 provisions relating to public adjusters; amending s.
25 626.8796, F.S.; revising the content of certain public
26 adjuster contracts; amending s. 627.6426, F.S.;
27 revising the disclosure requirements of contracts for
28 short-term health insurance; amending s. 627.70132,
29 F.S.; providing that claims resulting from certain

12-00863-24

20241066__

30 loss assessments are considered to have occurred on a
31 specified date; amending s. 627.711, F.S.; requiring
32 insurers to provide a specified notice to commercial
33 residential property insurance and commercial property
34 insurance policyholders under certain circumstances;
35 amending s. 791.012, F.S.; updating the source of the
36 code for outdoor display of fireworks; creating s.
37 817.153, F.S.; defining the terms "claim" and "other
38 agreement"; prohibiting grant or contract fraud;
39 providing criminal penalties; creating s. 817.4112,
40 F.S.; prohibiting falsely representing that an
41 advertisement or communication originated from a bank
42 or lending institution; amending s. 817.45, F.S.;
43 providing criminal penalties for violations of
44 specified provisions; providing an effective date.

45
46 Be It Enacted by the Legislature of the State of Florida:

47
48 Section 1. Present subsections (3) through (6) of section
49 68.087, Florida Statutes, are redesignated as subsections (4)
50 through (7), respectively, and a new subsection (3) is added to
51 that section, to read:

52 68.087 Exemptions to civil actions.—

53 (3) In no event may a person bring an action under s.
54 68.083(2) based upon allegations or transactions arising from,
55 or to otherwise enforce, the provisions of the Florida
56 Disposition of Unclaimed Property Act under chapter 717.

57 Section 2. Subsection (4) is added to section 215.971,
58 Florida Statutes, to read:

12-00863-24

20241066__

59 215.971 Agreements funded with federal or state
60 assistance.—

61 (4) An agency may not enter into an agreement under this
62 chapter if the recipient or subrecipient fits any criteria
63 provided in s. 287.058(8).

64 Section 3. Subsection (8) is added to section 287.058,
65 Florida Statutes, to read:

66 287.058 Contract document.—

67 (8) An agency may not enter into a contract or other
68 agreement with an entity whose function is to advise the
69 ensorship or blacklisting of news sources based on subjective
70 criteria or political biases under the stated goal of fact-
71 checking or removing misinformation.

72 Section 4. Subsection (2) of section 319.261, Florida
73 Statutes, is amended to read:

74 319.261 Real property transactions; retiring title to
75 mobile home.—

76 (2) The title to the mobile home shall ~~may~~ be retired by
77 the department if the owner of the real property records the
78 following documents in the official records of the clerk of
79 court in the county in which the real property is located:

80 (a)1. The original title to the mobile home which includes
81 ~~shall include~~ a description of the mobile home, including model
82 year, make, width, length, and vehicle identification number,
83 and a statement by any recorded lienholder on the title that the
84 security interest in the home has been released~~7~~ or that such
85 security interest will be released upon retirement of the title
86 as set forth in this section;i—

87 2.~~(b)~~ The legal description of the real property, and in

12-00863-24

20241066__

88 the case of a leasehold interest, a copy of the lease agreement;
89 and-

90 3.(e) A sworn statement by the owner of the real property,
91 as shown on the real property deed or lease, that he or she is
92 the owner of the mobile home and that the home is permanently
93 affixed to the real property in accordance with state law; or

94 (b) A mortgage against the owner's mobile home and real
95 property.

96 Section 5. Subsection (6) is added to section 489.147,
97 Florida Statutes, to read:

98 489.147 Prohibited property insurance practices.-

99 (6) (a) A contractor executing during a declaration of a
100 state of emergency a contract to replace or repair a roof of a
101 residential property must include in the contract the following
102 language in bold type of not less than 18 points immediately
103 before the space reserved for the signature of the residential
104 property owner:

105
106 "You, the residential property owner, may cancel this contract
107 without penalty or obligation until 10 days following the
108 execution of the contract or until the official start date,
109 whichever comes first, because this contract was entered into
110 during a declaration of a state of emergency by the Governor. It
111 is the responsibility of your contractor to include an official
112 start date clause in your contract. This clause must state the
113 official start date and the work that will be commenced on that
114 date. If there is no official start date clause in the contract,
115 the contract may be voided within 10 days following the
116 execution of the contract."

12-00863-24

20241066__

117 (b) The residential property owner must send the notice of
118 cancellation by certified mail, return receipt requested, or
119 other form of mailing that provides proof thereof, at the
120 address specified in the contract.

121 Section 6. Subsection (9) of section 559.9611, Florida
122 Statutes, is amended to read:

123 559.9611 Definitions.—As used in this part, the term:

124 (9) “Depository institution” means a bank, credit union,
125 savings bank, savings and loan association, savings or thrift
126 association, trust company, or industrial loan company doing
127 business under the authority of, or in accordance with, a
128 license, certificate, or charter issued by the United States,
129 this state, or any other state, district, territory, or
130 commonwealth of the United States which is authorized to
131 transact business in this state ~~Florida state chartered bank,~~
132 ~~savings bank, credit union, or trust company, or a federal~~
133 ~~savings or thrift association, bank, credit union, savings bank,~~
134 ~~or thrift.~~

135 Section 7. Paragraph (d) of subsection (8) of section
136 624.424, Florida Statutes, is amended to read:

137 624.424 Annual statement and other information.—

138 (8)

139 (d) The certified public accountant that prepares the audit
140 must be licensed to practice pursuant to chapter 473 and must
141 have completed at least 4 hours of continuing education that is
142 insurance related as a condition of license renewal. The
143 continuing education must be approved by the Department of
144 Business and Professional Regulation, based on the
145 recommendations of the Department of Financial Services. An

12-00863-24

20241066__

146 insurer may not use the same accountant or partner of an
147 accounting firm responsible for preparing the report required by
148 this subsection for more than 5 consecutive years. Following
149 this period, the insurer may not use such accountant or partner
150 for a period of 5 years, but may use another accountant or
151 partner of the same firm. An insurer may request the office to
152 waive this prohibition based upon an unusual hardship to the
153 insurer and a determination that the accountant is exercising
154 independent judgment that is not unduly influenced by the
155 insurer considering such factors as the number of partners,
156 expertise of the partners or the number of insurance clients of
157 the accounting firm; the premium volume of the insurer; and the
158 number of jurisdictions in which the insurer transacts business.

159 Section 8. Subsection (19) of section 626.854, Florida
160 Statutes, is amended, and subsections (5) through (18) are
161 republished, to read:

162 626.854 "Public adjuster" defined; prohibitions.—The
163 Legislature finds that it is necessary for the protection of the
164 public to regulate public insurance adjusters and to prevent the
165 unauthorized practice of law.

166 (5) A public adjuster may not directly or indirectly
167 through any other person or entity solicit an insured or
168 claimant by any means except on Monday through Saturday of each
169 week and only between the hours of 8 a.m. and 8 p.m. on those
170 days.

171 (6) When entering a contract for adjuster services after
172 July 1, 2023, a public adjuster:

173 (a) May not collect a fee for services on payments made to
174 a named insured unless they have a written contract with the

12-00863-24

20241066__

175 named insured, or the named insured's legal representative.

176 (b) May not contract for services to be provided by a third
177 party on behalf of the named insured or in pursuit of settlement
178 of the named insured's claim, if the cost of those services is
179 to be borne by the named insured, unless the named insured
180 agrees in writing to procure these services and such agreement
181 is entered into subsequent to the date of the contract for
182 public adjusting services.

183 (c) If a public adjuster contracts with a third-party
184 service provider to assist with the settlement of the named
185 insured's claim, without first obtaining the insured's written
186 consent, payment of the third party's fees must be made by the
187 public adjuster and may not be charged back to the named
188 insured.

189 (d) If a public adjuster represents anyone other than the
190 named insured in a claim, the public adjuster fees shall be paid
191 by the third party and may not be charged back to the named
192 insured.

193 (7) An insured or claimant may cancel a public adjuster's
194 contract to adjust a claim without penalty or obligation within
195 10 days after the date on which the contract is executed. If the
196 contract was entered into based on events that are the subject
197 of a declaration of a state of emergency by the Governor, an
198 insured or claimant may cancel the public adjuster's contract to
199 adjust a claim without penalty or obligation within 30 days
200 after the date of loss or 10 days after the date on which the
201 contract is executed, whichever is longer. The public adjuster's
202 contract must contain the following language in minimum 18-point
203 bold type immediately before the space reserved in the contract

12-00863-24

20241066__

204 for the signature of the insured or claimant:
205 "You, the insured, may cancel this contract for any reason
206 without penalty or obligation to you within 10 days after the
207 date of this contract. If this contract was entered into based
208 on events that are the subject of a declaration of a state of
209 emergency by the Governor, you may cancel this contract for any
210 reason without penalty or obligation to you within 30 days after
211 the date of loss or 10 days after the date on which the contract
212 is executed, whichever is longer. You may also cancel the
213 contract without penalty or obligation to you if I, as your
214 public adjuster, fail to provide you and your insurer a copy of
215 a written estimate within 60 days of the execution of the
216 contract, unless the failure to provide the estimate within 60
217 days is caused by factors beyond my control, in accordance with
218 s. 627.70131(5)(a)2., Florida Statutes. The 60-day cancellation
219 period for failure to provide a written estimate shall cease on
220 the date I have provided you with the written estimate."
221 The notice of cancellation shall be provided to ...(name of
222 public adjuster)..., submitted in writing and sent by certified
223 mail, return receipt requested, or other form of mailing that
224 provides proof thereof, at the address specified in the
225 contract.

226 (8) It is an unfair and deceptive insurance trade practice
227 pursuant to s. 626.9541 for a public adjuster or any other
228 person to circulate or disseminate any advertisement,
229 announcement, or statement containing any assertion,
230 representation, or statement with respect to the business of
231 insurance which is untrue, deceptive, or misleading.

232 (a) The following statements, made in any public adjuster's

12-00863-24

20241066__

233 advertisement or solicitation, are considered deceptive or
234 misleading:

235 1. A statement or representation that invites an insured
236 policyholder to submit a claim when the policyholder does not
237 have covered damage to insured property.

238 2. A statement or representation that invites an insured
239 policyholder to submit a claim by offering monetary or other
240 valuable inducement.

241 3. A statement or representation that invites an insured
242 policyholder to submit a claim by stating that there is "no
243 risk" to the policyholder by submitting such claim.

244 4. A statement or representation, or use of a logo or
245 shield, that implies or could mistakenly be construed to imply
246 that the solicitation was issued or distributed by a
247 governmental agency or is sanctioned or endorsed by a
248 governmental agency.

249 (b) For purposes of this paragraph, the term "written
250 advertisement" includes only newspapers, magazines, flyers, and
251 bulk mailers. The following disclaimer, which is not required to
252 be printed on standard size business cards, must be added in
253 bold print and capital letters in typeface no smaller than the
254 typeface of the body of the text to all written advertisements
255 by a public adjuster:

256 "THIS IS A SOLICITATION FOR BUSINESS. IF YOU HAVE HAD A CLAIM
257 FOR AN INSURED PROPERTY LOSS OR DAMAGE AND YOU ARE SATISFIED
258 WITH THE PAYMENT BY YOUR INSURER, YOU MAY DISREGARD THIS
259 ADVERTISEMENT."

260 (9) A public adjuster, a public adjuster apprentice, or any
261 person or entity acting on behalf of a public adjuster or public

12-00863-24

20241066__

262 adjuster apprentice may not give or offer to give a monetary
263 loan or advance to a client or prospective client.

264 (10) A public adjuster, public adjuster apprentice, or any
265 individual or entity acting on behalf of a public adjuster or
266 public adjuster apprentice may not give or offer to give,
267 directly or indirectly, any article of merchandise having a
268 value in excess of \$25 to any individual for the purpose of
269 advertising or as an inducement to entering into a contract with
270 a public adjuster.

271 (11) (a) If a public adjuster enters into a contract with an
272 insured or claimant to reopen a claim or file a supplemental
273 claim that seeks additional payments for a claim that has been
274 previously paid in part or in full or settled by the insurer,
275 the public adjuster may not charge, agree to, or accept from any
276 source compensation, payment, commission, fee, or any other
277 thing of value based on a previous settlement or previous claim
278 payments by the insurer for the same cause of loss. The charge,
279 compensation, payment, commission, fee, or any other thing of
280 value must be based only on the claim payments or settlements
281 paid to the insured, exclusive of attorney fees and costs,
282 obtained through the work of the public adjuster after entering
283 into the contract with the insured or claimant. Compensation for
284 the reopened or supplemental claim may not exceed 20 percent of
285 the reopened or supplemental claim payment. In no event shall
286 the contracts described in this paragraph exceed the limitations
287 in paragraph (b).

288 (b) A public adjuster may not charge, agree to, or accept
289 from any source compensation, payment, commission, fee, or any
290 other thing of value in excess of:

12-00863-24

20241066__

291 1. Ten percent of the amount of insurance claim payments or
292 settlements, exclusive of attorney fees and costs, paid to the
293 insured by the insurer for claims based on events that are the
294 subject of a declaration of a state of emergency by the
295 Governor. This provision applies to claims made during the year
296 after the declaration of emergency. After that year, the
297 limitations in subparagraph 2. apply.

298 2. Twenty percent of the amount of insurance claim payments
299 or settlements, exclusive of attorney fees and costs, paid to
300 the insured by the insurer for claims that are not based on
301 events that are the subject of a declaration of a state of
302 emergency by the Governor.

303 3. One percent of the amount of insurance claim payments or
304 settlements, paid to the insured by the insurer for any coverage
305 part of the policy where the claim payment or written agreement
306 by the insurer to pay is equal to or greater than the policy
307 limit for that part of the policy, if the payment or written
308 commitment to pay is provided within 14 days after the date of
309 loss or within 10 days after the date on which the public
310 adjusting contract is executed, whichever is later.

311 4. Zero percent of the amount of insurance claim payments
312 or settlements, paid to the insured by the insurer for any
313 coverage part of the policy where the claim payment or written
314 agreement by the insurer to pay occurs before the date on which
315 the public adjusting contract is executed.

316 (c) Insurance claim payments made by the insurer do not
317 include policy deductibles, and public adjuster compensation may
318 not be based on the deductible portion of a claim.

319 (d) Public adjuster compensation may not be based on

12-00863-24

20241066__

320 amounts attributable to additional living expenses, unless such
321 compensation is affirmatively agreed to in a separate agreement
322 that includes a disclosure in substantially the following form:
323 "I agree to retain and compensate the public adjuster for
324 adjusting my additional living expenses and securing payment
325 from my insurer for amounts attributable to additional living
326 expenses payable under the policy issued on my (home/mobile
327 home/condominium unit)."

328 (e) Public adjuster rate of compensation may not be
329 increased based solely on the fact that the claim is litigated.

330 (f) Any maneuver, shift, or device through which the limits
331 on compensation set forth in this subsection are exceeded is a
332 violation of this chapter punishable as provided under s.
333 626.8698.

334 (12) (a) Each public adjuster must provide to the claimant
335 or insured a written estimate of the loss to assist in the
336 submission of a proof of loss or any other claim for payment of
337 insurance proceeds within 60 days after the date of the
338 contract. The written estimate must include an itemized, per-
339 unit estimate of the repairs, including itemized information on
340 equipment, materials, labor, and supplies, in accordance with
341 accepted industry standards. The public adjuster shall retain
342 such written estimate for at least 5 years and shall make the
343 estimate available to the claimant or insured, the insurer, and
344 the department upon request.

345 (b) An insured may cancel the contract with no additional
346 penalties or fees charged by the public adjuster if such an
347 estimate is not provided within 60 days after executing the
348 contract, subject to the cancellation notice requirement in this

12-00863-24

20241066__

349 section, unless the failure to provide the estimate within 60
350 days is caused by factors beyond the control of the public
351 adjuster. The cancellation period shall cease on the date the
352 public adjuster provides the written estimate to the insured.

353 (13) A public adjuster, public adjuster apprentice, or any
354 person acting on behalf of a public adjuster or apprentice may
355 not accept referrals of business from any person with whom the
356 public adjuster conducts business if there is any form or manner
357 of agreement to compensate the person, directly or indirectly,
358 for referring business to the public adjuster. A public adjuster
359 may not compensate any person, except for another public
360 adjuster, directly or indirectly, for the principal purpose of
361 referring business to the public adjuster.

362 (14) A company employee adjuster, independent adjuster,
363 attorney, investigator, or other persons acting on behalf of an
364 insurer that needs access to an insured or claimant or to the
365 insured property that is the subject of a claim must provide at
366 least 48 hours' notice to the insured or claimant, public
367 adjuster, or legal representative before scheduling a meeting
368 with the claimant or an onsite inspection of the insured
369 property. The insured or claimant may deny access to the
370 property if the notice has not been provided. The insured or
371 claimant may waive the 48-hour notice.

372 (15) The public adjuster must ensure that prompt notice is
373 given of the claim to the insurer, the public adjuster's
374 contract is provided to the insurer, the property is available
375 for inspection of the loss or damage by the insurer, and the
376 insurer is given an opportunity to interview the insured
377 directly about the loss and claim. The insurer must be allowed

12-00863-24

20241066__

378 to obtain necessary information to investigate and respond to
379 the claim.

380 (a) The insurer may not exclude the public adjuster from
381 its in-person meetings with the insured. The insurer shall meet
382 or communicate with the public adjuster in an effort to reach
383 agreement as to the scope of the covered loss under the
384 insurance policy. The public adjuster shall meet or communicate
385 with the insurer in an effort to reach agreement as to the scope
386 of the covered loss under the insurance policy. This section
387 does not impair the terms and conditions of the insurance policy
388 in effect at the time the claim is filed.

389 (b) A public adjuster may not restrict or prevent an
390 insurer, company employee adjuster, independent adjuster,
391 attorney, investigator, or other person acting on behalf of the
392 insurer from having reasonable access at reasonable times to any
393 insured or claimant or to the insured property that is the
394 subject of a claim.

395 (c) A public adjuster may not act or fail to reasonably act
396 in any manner that obstructs or prevents an insurer or insurer's
397 adjuster from timely conducting an inspection of any part of the
398 insured property for which there is a claim for loss or damage.
399 The public adjuster representing the insureds may be present for
400 the insurer's inspection, but if the unavailability of the
401 public adjuster otherwise delays the insurer's timely inspection
402 of the property, the public adjuster or the insureds must allow
403 the insurer to have access to the property without the
404 participation or presence of the public adjuster or insureds in
405 order to facilitate the insurer's prompt inspection of the loss
406 or damage.

12-00863-24

20241066__

407 (16) A licensed contractor under part I of chapter 489, or
408 a subcontractor of such licensee, may not advertise, solicit,
409 offer to handle, handle, or perform public adjuster services as
410 provided in subsection (1) unless licensed and compliant as a
411 public adjuster under this chapter. The prohibition against
412 solicitation does not preclude a contractor from suggesting or
413 otherwise recommending to a consumer that the consumer consider
414 contacting his or her insurer to determine if the proposed
415 repair is covered under the consumer's insurance policy, except
416 as it relates to solicitation prohibited in s. 489.147. In
417 addition, the contractor may discuss or explain a bid for
418 construction or repair of covered property with the residential
419 property owner who has suffered loss or damage covered by a
420 property insurance policy, or the insurer of such property, if
421 the contractor is doing so for the usual and customary fees
422 applicable to the work to be performed as stated in the contract
423 between the contractor and the insured.

424 (17) A public adjuster shall not acquire any interest in
425 salvaged property, except with the written consent and
426 permission of the insured through a signed affidavit.

427 (18) A public adjuster, a public adjuster apprentice, or a
428 person acting on behalf of an adjuster or apprentice may not
429 enter into a contract or accept a power of attorney that vests
430 in the public adjuster, the public adjuster apprentice, or the
431 person acting on behalf of the adjuster or apprentice the
432 effective authority to choose the persons or entities that will
433 perform repair work in a property insurance claim or provide
434 goods or services that will require the insured or third-party
435 claimant to expend funds in excess of those payable to the

12-00863-24

20241066__

436 public adjuster under the terms of the contract for adjusting
437 services.

438 (19) Subsections (5)-(18) apply only to residential
439 property insurance policies and condominium unit owner policies
440 as described in s. 718.111(11), except that subsection (11) also
441 applies to coverages provided by condominium association,
442 cooperative association, apartment building, and similar
443 policies, including policies covering the common elements of a
444 homeowners' association.

445 Section 9. Subsection (2) of section 626.8796, Florida
446 Statutes, is amended to read:

447 626.8796 Public adjuster contracts; disclosure statement;
448 fraud statement.—

449 (2) A public adjuster contract relating to a property and
450 casualty claim must contain the full name, permanent business
451 address, phone number, e-mail address, and license number of the
452 public adjuster; the full name and license number of the public
453 adjusting firm; and the insured's full name, street address,
454 phone number, and e-mail address, together with a brief
455 description of the loss. The contract must state the percentage
456 of compensation for the public adjuster's services in minimum
457 18-point bold type before the space reserved in the contract for
458 the signature of the insured; the type of claim, including an
459 emergency claim, nonemergency claim, or supplemental claim; the
460 initials of the named insured on each page that does not contain
461 the insured's signature; the signatures of the public adjuster
462 and all named insureds; and the signature date. If all of the
463 named insureds' signatures are not available, the public
464 adjuster must submit an affidavit signed by the available named

12-00863-24

20241066__

465 insureds attesting that they have authority to enter into the
466 contract and settle all claim issues on behalf of the named
467 insureds. An unaltered copy of the executed contract must be
468 remitted to the insured at the time of execution and to the
469 insurer, or the insurer's representative within 7 days after
470 execution. A public adjusting firm that adjusts claims primarily
471 for commercial entities with operations in more than one state
472 and that does not directly or indirectly perform adjusting
473 services for insurers or individual homeowners is deemed to
474 comply with the requirements of this subsection if, at the time
475 a proof of loss is submitted, the public adjusting firm remits
476 to the insurer an affidavit signed by the public adjuster or
477 public adjuster apprentice that identifies:

478 (a) The full name, permanent business address, phone
479 number, e-mail address, and license number of the public
480 adjuster or public adjuster apprentice.

481 (b) The full name of the public adjusting firm.

482 (c) The insured's full name, street address, phone number,
483 and e-mail address, together with a brief description of the
484 loss.

485 (d) An attestation that the compensation for public
486 adjusting services will not exceed the limitations provided by
487 law.

488 (e) The type of claim, including an emergency claim,
489 nonemergency claim, or supplemental claim.

490 Section 10. Section 627.6426, Florida Statutes, is amended
491 to read:

492 627.6426 Short-term health insurance.—

493 (1) For purposes of this part, the term "short-term health

12-00863-24

20241066__

494 insurance" means health insurance coverage provided by an issuer
495 with an expiration date specified in the contract that is less
496 than 12 months after the original effective date of the contract
497 and, taking into account renewals or extensions, has a duration
498 not to exceed 36 months in total.

499 (2) All contracts for short-term health insurance entered
500 into by an issuer and an individual seeking coverage shall
501 include the following written disclosures signed by the
502 purchaser at the time of purchase disclosure:

503 (a) The following statement:

504
505 "This coverage is not required to comply with certain federal
506 market requirements for health insurance, principally those
507 contained in the Patient Protection and Affordable Care Act. Be
508 sure to check your policy carefully to make sure you are aware
509 of any exclusions or limitations regarding coverage of
510 preexisting conditions or health benefits (such as
511 hospitalization, emergency services, maternity care, preventive
512 care, prescription drugs, and mental health and substance use
513 disorder services). Your policy might also have lifetime and/or
514 annual dollar limits on health benefits. If this coverage
515 expires or you lose eligibility for this coverage, you might
516 have to wait until an open enrollment period to get other health
517 insurance coverage."

518
519 (b) The following information:

520 1. The duration of the contract, including any waiting
521 period.

522 2. Any essential health benefit under 42 U.S.C. s. 18022(b)

12-00863-24

20241066__

523 that the contract does not provide.

524 3. The content of coverage.

525 4. Any exclusion of preexisting conditions.

526 (3) These disclosures must be printed in no less than 12-
527 point type and in a color that is readable. A copy of the signed
528 disclosures must be maintained by the issuer for a period of 5
529 years after the date of purchase.

530 (4) Disclosures provided by electronic means must meet the
531 requirements of subsection (2).

532 Section 11. Present subsection (4) of section 627.70132,
533 Florida Statutes, is redesignated as subsection (5), and a new
534 subsection (4) is added to that section, to read:

535 627.70132 Notice of property insurance claim.—

536 (4) A claim resulting from loss assessment as described in
537 s. 627.714 is considered to have occurred on the date of the
538 notice of loss assessment sent by a unit owner's condominium
539 association.

540 Section 12. Subsection (1) of section 627.711, Florida
541 Statutes, is amended to read:

542 627.711 Notice of premium discounts for hurricane loss
543 mitigation; uniform mitigation verification inspection form.—

544 (1) Using a form prescribed by the Office of Insurance
545 Regulation, the insurer shall clearly notify the applicant or
546 policyholder of any personal lines residential property
547 insurance policy, commercial residential property insurance
548 policy, or commercial property insurance policy at the time of
549 the issuance of the policy and at each renewal, of the
550 availability and the range of each premium discount, credit,
551 other rate differential, or reduction in deductibles, and

12-00863-24

20241066__

552 combinations of discounts, credits, rate differentials, or
553 reductions in deductibles, for properties on which fixtures or
554 construction techniques demonstrated to reduce the amount of
555 loss in a windstorm can be or have been installed or
556 implemented. The prescribed form shall describe generally what
557 actions the policyholders may be able to take to reduce their
558 windstorm premium. The prescribed form and a list of such ranges
559 approved by the office for each insurer licensed in the state
560 and providing such discounts, credits, other rate differentials,
561 or reductions in deductibles for properties described in this
562 subsection shall be available for electronic viewing and
563 download from the Department of Financial Services' or the
564 Office of Insurance Regulation's Internet website. The Financial
565 Services Commission may adopt rules to implement this
566 subsection.

567 Section 13. Section 791.012, Florida Statutes, is amended
568 to read:

569 791.012 Minimum fireworks safety standards.—The outdoor
570 display of fireworks in this state shall be governed by the
571 National Fire Protection Association (NFPA) 1123, Code for
572 Fireworks Display, 2018 ~~1995~~ Edition, ~~approved by the American~~
573 ~~National Standards Institute~~. Any state, county, or municipal
574 law, rule, or ordinance may provide for more stringent
575 regulations for the outdoor display of fireworks, but in no
576 event may any such law, rule, or ordinance provide for less
577 stringent regulations for the outdoor display of fireworks. The
578 division shall promulgate rules to carry out the provisions of
579 this section. The Code for Fireworks Display shall not govern
580 the display of any fireworks on private, residential property

12-00863-24

20241066__

581 and shall not govern the display of those items included under
582 s. 791.01(4)(b) and (c) and authorized for sale thereunder.

583 Section 14. Section 817.153, Florida Statutes, is created
584 to read:

585 817.153 Grant and contract fraud.—

586 (1) As used in this section, the term:

587 (a) "Claim" means an application, request, or demand for
588 money or property under a state grant agreement, state contract,
589 or other agreement with the state for money or property, whether
590 or not the United States or a specified state agency has title
591 to the money or property, presented or caused to be presented to
592 any officer, employee, or agent of a state agency, as well as
593 any request for a drawdown or other payment that is made to a
594 computerized payment administration system.

595 (b) "Other agreement" includes a loan, subsidy, and payment
596 for a specified use; an award; and subaward, regardless of
597 whether one or more persons entering into the agreement is a
598 contractor or subcontractor.

599 (2) A person commits grant or contract fraud if he or she:

600 (a) Knowingly presents or causes to be presented a claim
601 related to a grant agreement, contract, or other agreement with
602 the state, or any agency thereof, that a person knows or should
603 know is false or fraudulent.

604 (b) Knowingly makes, uses, or causes to be made or used any
605 false statement, omission, or misrepresentation of a material
606 fact in any application, proposal, bid, progress report, budget,
607 financial statement, audit, or other document that is required
608 to be submitted in order to directly or indirectly receive or
609 retain funds provided in whole or in part pursuant to a state

12-00863-24

20241066__

610 grant agreement, state contract, or other agreement with the
611 state.

612 (c) Knowingly makes, uses, or causes to be made or used
613 false records or statements material to false or fraudulent
614 claims under a grant agreement, state contract, or other
615 agreement with the state.

616 (d) Knowingly conceals, avoids, or decreases an obligation
617 to pay or transmit funds or property with respect to a state
618 grant agreement, state contract, or other agreement with the
619 state, or knowingly makes, uses, or causes to be made or used a
620 false record or statement material to such an obligation.

621
622 Proof of specific intent to defraud is not required. Innocent
623 mistake is a defense to an action under this section.

624 (3) If the value of the property involved in a violation of
625 this section is:

626 (a) Less than \$20,000, the offender commits a felony of the
627 third degree, punishable as provided in s. 775.082, s. 775.083,
628 or s. 775.084.

629 (b) At least \$20,000, but less than \$100,000, the offender
630 commits a felony of the second degree, punishable as provided in
631 s. 775.082, s. 775.083, or s. 775.084.

632 (c) At least \$100,000, the offender commits a felony of the
633 first degree, punishable as provided in s. 775.082, s. 775.083,
634 or s. 775.084.

635 (4) This section applies to all grant agreements, state
636 contracts, or other agreements with the state, regardless of
637 whether the funds being provided pursuant to those grant
638 agreements, state contracts, or other agreements with the state

12-00863-24

20241066__

639 are state funds or federal pass-through funds.

640 Section 15. Section 817.4112, Florida Statutes, is created
641 to read:

642 817.4112 Falsely representing origin of advertisement or
643 communication.—A person or business entity may not knowingly
644 make statements, or disseminate, in oral, written, electronic,
645 or printed form or otherwise, any advertisement or communication
646 that has the intent or purpose of falsely representing that such
647 advertisement or communication originated from a bank or lending
648 institution.

649 Section 16. Section 817.45, Florida Statutes, is amended to
650 read:

651 817.45 Penalty.—Any person convicted of violating any of
652 the provisions of s. 817.41, s. 817.411, s. 817.4112, or s.
653 817.44 is guilty of a misdemeanor of the first degree,
654 punishable as provided in s. 775.082 or s. 775.083. Upon a
655 second or subsequent conviction for violation of s. 817.41, s.
656 817.411, s. 817.4112, or s. 817.44, such person is guilty of a
657 misdemeanor of the first degree, punishable as provided in s.
658 775.082 or by a fine not exceeding \$10,000, or by both.

659 Section 17. This act shall take effect July 1, 2024.