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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/23/2024	.	
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The Committee on Banking and Insurance (Calatayud) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Section 817.803, Florida Statutes, is amended to read:

817.803 Exceptions. ~~Nothing in~~ This part does not apply ~~applies~~ to:

(1) Any debt management or credit counseling services provided in the practice of law in this state.†



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11 (2) Any person who engages in debt adjustment to adjust the  
12 indebtedness owed to such person.~~† or~~

13 (3) Any of the following entities or their subsidiaries:

14 (a) The Federal National Mortgage Association.~~†~~

15 (b) The Federal Home Loan Mortgage Corporation.~~†~~

16 (c) The Florida Housing Finance Corporation, a public  
17 corporation created in s. 420.504.~~†~~

18 (d) A bank, bank holding company, trust company, savings  
19 and loan association, credit union, credit card bank, or savings  
20 bank that is regulated and supervised by the Office of the  
21 Comptroller of the Currency, the Office of Thrift Supervision,  
22 the Federal Reserve, the Federal Deposit Insurance Corporation,  
23 the National Credit Union Administration, the Office of  
24 Financial Regulation of the Department of Financial Services, or  
25 any state banking regulator.~~†~~

26 (e) A consumer reporting agency as defined in the Federal  
27 Fair Credit Reporting Act, 15 U.S.C. ss. 1681-1681y, as it  
28 existed on April 5, 2004.~~† or~~

29 (f) Any subsidiary or affiliate of a bank holding company,  
30 its employees and its exclusive agents acting under written  
31 agreement.

32 (4) (a) Any telemarketer or seller who provides any debt  
33 relief service within the scope of the Telemarketing and  
34 Consumer Fraud and Abuse Prevention Act, 15 U.S.C. ss. 6101-  
35 6108, and the Telemarketing Sales Rule, 16 C.F.R. part 310, and  
36 who therefore is required to comply with such federal  
37 regulation, if such telemarketer or seller does not receive from  
38 the debtor and disburse to a creditor any money or other thing  
39 of value, in accordance with the definition of debt management



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40 services under s. 817.801(4)(b).

41 (b) As used in this subsection, the terms "telemarketer,"  
42 "seller," and "debt relief service" have the same meaning as in  
43 16 C.F.R. s. 310.2.

44 Section 2. This act shall take effect July 1, 2024.

45

46 ===== T I T L E A M E N D M E N T =====

47 And the title is amended as follows:

48 Delete everything before the enacting clause  
49 and insert:

50 A bill to be entitled

51 An act relating to debt relief services; amending s.  
52 817.803, F.S.; providing an exception from specified  
53 provisions for telemarketers and sellers who provide  
54 debt relief services under certain circumstances;  
55 defining terms; providing an effective date.