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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/25/2024	.	
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The Committee on Fiscal Policy (DiCeglie) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 316 - 2705

and insert:

Section 3. Subsection (2) of section 112.1816, Florida Statutes, is amended to read:

112.1816 Firefighters; cancer diagnosis.—

(2) Upon a diagnosis of cancer, a firefighter is entitled to all of the following benefits, as an alternative to pursuing workers' compensation benefits under chapter 440, if the



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11 firefighter has been employed by his or her employer for at  
12 least 5 continuous years, has not used tobacco products for at  
13 least the preceding 5 years, and has not been employed in any  
14 other position in the preceding 5 years which is proven to  
15 create a higher risk for any cancer:

16 (a) Cancer treatment covered within an employer-sponsored  
17 health plan or through a group health insurance trust fund. The  
18 employer must timely reimburse the firefighter for any out-of-  
19 pocket deductible, copayment, or coinsurance costs incurred due  
20 to the treatment of cancer.

21 (b) A one-time cash payout of \$25,000, upon the  
22 firefighter's initial diagnosis of cancer.

23 (c) Leave time and employee retention benefits equivalent  
24 to those provided for other injuries or illnesses incurred in  
25 the line of duty.

26  
27 If the firefighter elects to continue coverage in the employer-  
28 sponsored health plan or group health insurance trust fund after  
29 he or she terminates employment, the benefits specified in  
30 paragraphs (a) and (b) must be made available by the former  
31 employer of a firefighter for 10 years following the date on  
32 which the firefighter terminates employment so long as the  
33 firefighter otherwise met the criteria specified in this  
34 subsection when he or she terminated employment and was not  
35 subsequently employed as a firefighter following that date. ~~For~~  
36 ~~purposes of determining leave time and employee retention~~  
37 ~~policies, the employer must consider a firefighter's cancer~~  
38 ~~diagnosis as an injury or illness incurred in the line of duty.~~

39 Section 4. Paragraph (f) of subsection (2) and paragraph



40 (h) of subsection (3) of section 121.0515, Florida Statutes, are  
41 amended to read:

42 121.0515 Special Risk Class.—

43 (2) MEMBERSHIP.—

44 (f) Effective July 1, 2008, the member must be employed by  
45 the Department of Law Enforcement in the crime laboratory or by  
46 the Department of Financial Services ~~Division of State Fire~~  
47 ~~Marshal~~ in the forensic laboratory and meet the special criteria  
48 set forth in paragraph (3) (h).

49 (3) CRITERIA.—A member, to be designated as a special risk  
50 member, must meet the following criteria:

51 (h) Effective July 1, 2008, the member must be employed by  
52 the Department of Law Enforcement in the crime laboratory or by  
53 the Department of Financial Services ~~Division of State Fire~~  
54 ~~Marshal~~ in the forensic laboratory in one of the following  
55 classes:

- 56 1. Forensic technologist (class code 8459);
- 57 2. Crime laboratory technician (class code 8461);
- 58 3. Crime laboratory analyst (class code 8463);
- 59 4. Senior crime laboratory analyst (class code 8464);
- 60 5. Crime laboratory analyst supervisor (class code 8466);
- 61 6. Forensic chief (class code 9602); or
- 62 7. Forensic services quality manager (class code 9603);

63 Section 5. Subsection (6) of section 284.44, Florida  
64 Statutes, is amended to read:

65 284.44 Salary indemnification costs of state agencies.—

66 ~~(6) The Division of Risk Management shall prepare quarterly~~  
67 ~~reports to the Executive Office of the Governor and the chairs~~  
68 ~~of the legislative appropriations committees indicating for each~~



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69 ~~state agency the total amount of salary indemnification benefits~~  
70 ~~paid to claimants and the total amount of reimbursements from~~  
71 ~~state agencies to the State Risk Management Trust Fund for~~  
72 ~~initial costs for the previous quarter. These reports shall also~~  
73 ~~include information for each state agency indicating the number~~  
74 ~~of cases and amounts of initial salary indemnification costs for~~  
75 ~~which reimbursement requirements were waived by the Executive~~  
76 ~~Office of the Governor pursuant to this section.~~

77 Section 6. Subsection (12) of section 440.13, Florida  
78 Statutes, is amended to read:

79 440.13 Medical services and supplies; penalty for  
80 violations; limitations.—

81 (12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM  
82 REIMBURSEMENT ALLOWANCES.—

83 (a) A three-member panel is created, consisting of the  
84 Chief Financial Officer, or the Chief Financial Officer's  
85 designee, and two members to be appointed by the Governor,  
86 subject to confirmation by the Senate, one member who, on  
87 account of present or previous vocation, employment, or  
88 affiliation, shall be classified as a representative of  
89 employers, the other member who, on account of previous  
90 vocation, employment, or affiliation, shall be classified as a  
91 representative of employees. The panel shall determine statewide  
92 schedules of maximum reimbursement allowances for medically  
93 necessary treatment, care, and attendance provided by hospitals  
94 and ambulatory surgical centers. The maximum reimbursement  
95 allowances for inpatient hospital care shall be based on a  
96 schedule of per diem rates, to be approved by the three-member  
97 panel no later than March 1, 1994, to be used in conjunction



98 with a precertification manual as determined by the department,  
99 including maximum hours in which an outpatient may remain in  
100 observation status, which shall not exceed 23 hours. All  
101 compensable charges for hospital outpatient care shall be  
102 reimbursed at 75 percent of usual and customary charges, except  
103 as otherwise provided by this subsection. Annually, the three-  
104 member panel shall adopt schedules of maximum reimbursement  
105 allowances for hospital inpatient care, hospital outpatient  
106 care, and ambulatory surgical centers. A hospital or an  
107 ambulatory surgical center shall be reimbursed either the  
108 agreed-upon contract price or the maximum reimbursement  
109 allowance in the appropriate schedule.

110 (b) Payments for outpatient physical, occupational, and  
111 speech therapy provided by hospitals shall be the schedule of  
112 maximum reimbursement allowances for these services which  
113 applies to nonhospital providers.

114 (c) Payments for scheduled outpatient nonemergency  
115 radiological and clinical laboratory services that are not  
116 provided in conjunction with a surgical procedure shall be the  
117 schedule of maximum reimbursement allowances for these services  
118 which applies to nonhospital providers.

119 (d) 1. Outpatient reimbursement for scheduled surgeries  
120 shall be 60 percent of charges.

121 2. Reimbursement for emergency services and care as defined  
122 in s. 395.002 which does not include a maximum reimbursement  
123 allowance must be 250 percent of Medicare, unless there is a  
124 contract, in which case the contract governs reimbursement. Upon  
125 this subparagraph taking effect, the department shall engage  
126 with an actuarial services firm to begin development of maximum



127 reimbursement allowances for services subject to the  
128 reimbursement provisions of this subparagraph. This subparagraph  
129 expires June 30, 2026.

130 (e)1. By July 1 of each year, the department shall notify  
131 carriers and self-insurers of the physician and nonhospital  
132 services schedule of maximum reimbursement allowances. The  
133 notice must include publication of this schedule of maximum  
134 reimbursement allowances on the division's website. This  
135 schedule is not subject to approval by the three-member panel  
136 and does not include reimbursement for prescription medication.

137 2. Subparagraph 1. shall take effect January 1, following  
138 the July 1, 2024, notice of the physician and nonhospital  
139 services schedule of maximum reimbursement allowances that the  
140 department provides to carriers and self-insurers.

141 (f) Maximum reimbursement for a physician licensed under  
142 chapter 458 or chapter 459 shall be 110 percent of the  
143 reimbursement allowed by Medicare, using appropriate codes and  
144 modifiers or the medical reimbursement level adopted by the  
145 three-member panel as of January 1, 2003, whichever is greater.

146 (g) Maximum reimbursement for surgical procedures shall be  
147 140 percent of the reimbursement allowed by Medicare or the  
148 medical reimbursement level adopted by the three-member panel as  
149 of January 1, 2003, whichever is greater.

150 (h) As to reimbursement for a prescription medication, the  
151 reimbursement amount for a prescription shall be the average  
152 wholesale price plus \$4.18 for the dispensing fee. For  
153 repackaged or relabeled prescription medications dispensed by a  
154 dispensing practitioner as provided in s. 465.0276, the fee  
155 schedule for reimbursement shall be 112.5 percent of the average



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156 wholesale price, plus \$8.00 for the dispensing fee. For purposes  
157 of this subsection, the average wholesale price shall be  
158 calculated by multiplying the number of units dispensed times  
159 the per-unit average wholesale price set by the original  
160 manufacturer of the underlying drug dispensed by the  
161 practitioner, based upon the published manufacturer's average  
162 wholesale price published in the Medi-Span Master Drug Database  
163 as of the date of dispensing. All pharmaceutical claims  
164 submitted for repackaged or relabeled prescription medications  
165 must include the National Drug Code of the original  
166 manufacturer. Fees for pharmaceuticals and pharmaceutical  
167 services shall be reimbursable at the applicable fee schedule  
168 amount except where the employer or carrier, or a service  
169 company, third party administrator, or any entity acting on  
170 behalf of the employer or carrier directly contracts with the  
171 provider seeking reimbursement for a lower amount.

172 (i) Reimbursement for all fees and other charges for such  
173 treatment, care, and attendance, including treatment, care, and  
174 attendance provided by any hospital or other health care  
175 provider, ambulatory surgical center, work-hardening program, or  
176 pain program, must not exceed the amounts provided by the  
177 uniform schedule of maximum reimbursement allowances as  
178 determined by the panel or as otherwise provided in this  
179 section. This subsection also applies to independent medical  
180 examinations performed by health care providers under this  
181 chapter. In determining the uniform schedule, the panel shall  
182 first approve the data which it finds representative of  
183 prevailing charges in the state for similar treatment, care, and  
184 attendance of injured persons. Each health care provider, health



185 care facility, ambulatory surgical center, work-hardening  
186 program, or pain program receiving workers' compensation  
187 payments shall maintain records verifying their usual charges.  
188 In establishing the uniform schedule of maximum reimbursement  
189 allowances, the panel must consider:

190 1. The levels of reimbursement for similar treatment, care,  
191 and attendance made by other health care programs or third-party  
192 providers;

193 2. The impact upon cost to employers for providing a level  
194 of reimbursement for treatment, care, and attendance which will  
195 ensure the availability of treatment, care, and attendance  
196 required by injured workers; and

197 3. The financial impact of the reimbursement allowances  
198 upon health care providers and health care facilities, including  
199 trauma centers as defined in s. 395.4001, and its effect upon  
200 their ability to make available to injured workers such  
201 medically necessary remedial treatment, care, and attendance.  
202 The uniform schedule of maximum reimbursement allowances must be  
203 reasonable, must promote health care cost containment and  
204 efficiency with respect to the workers' compensation health care  
205 delivery system, and must be sufficient to ensure availability  
206 of such medically necessary remedial treatment, care, and  
207 attendance to injured workers.

208 (j) In addition to establishing the uniform schedule of  
209 maximum reimbursement allowances, the panel shall:

210 1. Take testimony, receive records, and collect data to  
211 evaluate the adequacy of the workers' compensation fee schedule,  
212 nationally recognized fee schedules and alternative methods of  
213 reimbursement to health care providers and health care





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214 facilities for inpatient and outpatient treatment and care.

215 2. Survey health care providers and health care facilities  
216 to determine the availability and accessibility of workers'  
217 compensation health care delivery systems for injured workers.

218 3. Survey carriers to determine the estimated impact on  
219 carrier costs and workers' compensation premium rates by  
220 implementing changes to the carrier reimbursement schedule or  
221 implementing alternative reimbursement methods.

222 4. Submit recommendations on or before January 15, 2017,  
223 and biennially thereafter, to the President of the Senate and  
224 the Speaker of the House of Representatives on methods to  
225 improve the workers' compensation health care delivery system.

226  
227 The department, as requested, shall provide data to the panel,  
228 including, but not limited to, utilization trends in the  
229 workers' compensation health care delivery system. The  
230 department shall provide the panel with an annual report  
231 regarding the resolution of medical reimbursement disputes and  
232 any actions pursuant to subsection (8). The department shall  
233 provide administrative support and service to the panel to the  
234 extent requested by the panel. The department may adopt rules  
235 pursuant to ss. 120.536(1) and 120.54 to implement this  
236 subsection. For prescription medication purchased under the  
237 requirements of this subsection, a dispensing practitioner shall  
238 not possess such medication unless payment has been made by the  
239 practitioner, the practitioner's professional practice, or the  
240 practitioner's practice management company or employer to the  
241 supplying manufacturer, wholesaler, distributor, or drug  
242 repackager within 60 days of the dispensing practitioner taking



243 possession of that medication.

244 Section 7. Present subsections (9) through (13) of section  
245 440.385, Florida Statutes, are redesignated as subsections (10)  
246 through (14), respectively, and a new subsection (9) is added to  
247 that section, to read:

248 440.385 Florida Self-Insurers Guaranty Association,  
249 Incorporated.—

250 (9) CONTRACTS AND PURCHASES.—

251 (a) After July 1, 2024, all contracts entered into, and all  
252 purchases made by, the association pursuant to this section  
253 which are valued at or more than \$100,000 must first be approved  
254 by the department. The department has 10 days to approve or deny  
255 the contract or purchase upon electronic receipt of the approval  
256 request. The contract or purchase is automatically approved if  
257 the department is nonresponsive.

258 (b) All contracts and purchases valued at or more than  
259 \$100,000 require competition through a formal bid solicitation  
260 conducted by the association. The association must undergo a  
261 formal bid solicitation process. The formal bid solicitation  
262 process must include all of the following:

263 1. The time and date for the receipt of bids, the  
264 proposals, and whether the association contemplates renewal of  
265 the contract, including the price for each year for which the  
266 contract may be renewed.

267 2. All the contractual terms and conditions applicable to  
268 the procurement.

269 (c) Evaluation of bids by the association must include  
270 consideration of the total cost for each year of the contract,  
271 including renewal years, as submitted by the vendor. The



272 association must award the contract to the most responsible and  
273 responsive vendor. Any formal bid solicitation conducted by the  
274 association must be made available, upon request, to the  
275 department via electronic delivery.

276 (d) Contracts that are required by law are exempt from this  
277 section.

278 Section 8. Present subsection (7) of section 497.101,  
279 Florida Statutes, is redesignated as subsection (11),  
280 subsections (1) through (4) are amended, and a new subsection  
281 (7) and subsections (8), (9), and (10) are added to that  
282 section, to read:

283 497.101 Board of Funeral, Cemetery, and Consumer Services;  
284 membership; appointment; terms.-

285 (1) The Board of Funeral, Cemetery, and Consumer Services  
286 is created within the Department of Financial Services and shall  
287 consist of 10 members, 9 of whom shall be appointed by ~~the~~  
288 ~~Governor from nominations made by the Chief Financial Officer~~  
289 ~~and confirmed by the Senate. The Chief Financial Officer shall~~  
290 ~~nominate one to three persons for each of the nine vacancies on~~  
291 ~~the board, and the Governor shall fill each vacancy on the board~~  
292 ~~by appointing one of the persons nominated by the Chief~~  
293 ~~Financial Officer to fill that vacancy. If the Governor objects~~  
294 ~~to each of the nominations for a vacancy, she or he shall inform~~  
295 ~~the Chief Financial Officer in writing. Upon notification of an~~  
296 ~~objection by the Governor, the Chief Financial Officer shall~~  
297 ~~submit one to three additional nominations for that vacancy~~  
298 ~~until the vacancy is filled. One member must be the State Health~~  
299 ~~Officer or her or his designee.~~

300 (2) Two members of the board must be funeral directors



301 licensed under part III of this chapter who are associated with  
302 a funeral establishment. One member of the board must be a  
303 funeral director licensed under part III of this chapter who is  
304 associated with a funeral establishment licensed under part III  
305 of this chapter which has a valid preneed license issued  
306 pursuant to this chapter ~~and who owns or operates a cinerator~~  
307 ~~facility approved under chapter 403 and licensed under part VI~~  
308 ~~of this chapter~~. Two members of the board must be persons whose  
309 primary occupation is associated with a cemetery company  
310 licensed pursuant to this chapter. Two members of the board must  
311 be consumers who are residents of this state, have never been  
312 licensed as funeral directors or embalmers, are not connected  
313 with a cemetery or cemetery company licensed pursuant to this  
314 chapter, and are not connected with the death care industry or  
315 the practice of embalming, funeral directing, or direct  
316 disposition. One of the two consumer members must be at least 60  
317 years of age. One member of the board must be a consumer who is  
318 a resident of this state; is licensed as a certified public  
319 accountant under chapter 473; has never been licensed as a  
320 funeral director or an embalmer; is not a principal or an  
321 employee of any licensee licensed under this chapter; and does  
322 not otherwise have control, as defined in s. 497.005, over any  
323 licensee licensed under this chapter. One member of the board  
324 must be a principal of a monument establishment licensed under  
325 this chapter as a monument builder. One member must be the State  
326 Health Officer or her or his designee. There may not be two or  
327 more board members who are principals or employees of the same  
328 company or partnership or group of companies or partnerships  
329 under common control.



330           (3) Board members shall be appointed for terms of 4 years  
331 and may be reappointed; however, a member may not serve for more  
332 than 8 consecutive years.~~and~~ The State Health Officer shall  
333 serve as long as that person holds that office. The designee of  
334 the State Health Officer shall serve at the pleasure of the  
335 Chief Financial Officer ~~Governor~~.

336           (4) The Chief Financial Officer ~~Governor~~ ~~may suspend and~~  
337 ~~the Senate~~ may remove any board member for malfeasance or  
338 misfeasance, neglect of duty, incompetence, substantial  
339 inability to perform official duties, commission of a crime, or  
340 other substantial cause as determined by the Chief Financial  
341 Officer ~~Governor or Senate, as applicable,~~ to evidence a lack of  
342 fitness to sit on the board. A board member shall be deemed to  
343 have resigned her or his board membership, and that position  
344 shall be deemed vacant, upon the failure of the member to attend  
345 three consecutive meetings of the board or at least half of the  
346 meetings of the board during any 12-month period, unless the  
347 Chief Financial Officer determines that there was good and  
348 adequate justification for the absences and that such absences  
349 are not likely to continue. Any vacancy so created shall be  
350 filled as provided in subsection (1).

351           (7) Members of the board are subject to the code of ethics  
352 under part III of chapter 112. For purposes of applying part III  
353 of chapter 112 to activities of the members of the board, those  
354 persons are considered public officers, and the department is  
355 considered their agency. A board member may not vote on any  
356 measure that would inure to his or her special private gain or  
357 loss and, in accordance with s. 112.3143(2), may not vote on any  
358 measure that he or she knows would inure to the special private



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359 gain or loss of any principal by which he or she is retained,  
360 other than an agency as defined in s. 112.312; or that he or she  
361 knows would inure to the special private gain or loss of his or  
362 her relative or business associate. Before the vote is taken,  
363 such member shall publicly state to the board the nature of his  
364 or her interest in the matter from which he or she is abstaining  
365 from voting and, within 15 days after the vote occurs, disclose  
366 the nature of his or her interest as a public record in a  
367 memorandum filed with the person responsible for recording the  
368 minutes of the meeting, who shall incorporate the memorandum in  
369 the minutes.

370 (8) In accordance with ss. 112.3148 and 112.3149, a board  
371 member may not knowingly accept, directly or indirectly, any  
372 gift or expenditure from a person or entity, or an employee or  
373 representative of such person or entity, which has a contractual  
374 relationship with the department or the board, which is under  
375 consideration for a contract, or which is licensed by the  
376 department.

377 (9) A board member who fails to comply with subsection (7)  
378 or subsection (8) is subject to the penalties provided under ss.  
379 112.317 and 112.3173.

380 (10) (a) All meetings of the board are subject to the  
381 requirements of s. 286.011, and all books and records of the  
382 board are open to the public for reasonable inspection except as  
383 otherwise provided by s. 497.172 or other applicable law.

384 (b) Except for emergency meetings, the department shall  
385 give notice of any board meeting by publication on the  
386 department's website at least 7 days before the meeting. The  
387 department shall publish a meeting agenda on its website at



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388 least 7 days before the meeting. The agenda must contain the  
389 items to be considered, in order of presentation. After the  
390 agenda has been made available, a change may be made only for  
391 good cause, as determined by the person designated to preside,  
392 and must be stated in the record. Notification of such change  
393 must be at the earliest practicable time.

394 Section 9. Paragraph (a) of subsection (4) of section  
395 497.153, Florida Statutes, is amended to read:

396 497.153 Disciplinary procedures and penalties.—

397 (4) ACTION AFTER PROBABLE CAUSE FOUND.—

398 (a) Service of an administrative complaint may be in person  
399 by department staff or any person authorized to make service of  
400 process under the Florida Rules of Civil Procedure. Service upon  
401 a licensee may in the alternative be made by certified mail,  
402 return receipt requested, to the last known address of record  
403 provided by the licensee to the department. If service by  
404 certified mail cannot be made at the last address provided by  
405 the licensee to the department, service may be made by e-mail,  
406 delivery receipt required, sent to the most recent e-mail  
407 address provided by the licensee to the department in accordance  
408 with s. 497.146.

409 Section 10. Paragraph (e) of subsection (1) of section  
410 497.155, Florida Statutes, is amended to read:

411 497.155 Disciplinary citations and minor violations.—

412 (1) CITATIONS.—

413 (e) Service of a citation may be made by personal service  
414 or certified mail, restricted delivery, to the subject at the  
415 subject's last known address in accordance with s. 497.146. If  
416 service by certified mail cannot be made at the last address



417 provided by the subject to the department, service may be made  
418 by e-mail, delivery receipt required, sent to the most recent e-  
419 mail address provided by the subject to the department in  
420 accordance with s. 497.146.

421 Section 11. Paragraph (d) of subsection (3) of section  
422 497.172, Florida Statutes, is amended to read:

423 497.172 Public records exemptions; public meetings  
424 exemptions.—

425 (3) EXAMINATIONS, INSPECTIONS, AND INVESTIGATIONS.—

426 (d) Information made confidential and exempt pursuant to  
427 this subsection may be disclosed by the department as follows:

428 1. To the probable cause panel of the board, for the  
429 purpose of probable cause proceedings pursuant to s. 497.153.

430 2. To any law enforcement agency or other government agency  
431 in the performance of its official duties and responsibilities.

432 3. If the department uncovers information of immediate and  
433 serious concern to the public health, safety, or welfare, it may  
434 disseminate such information as it deems necessary for the  
435 public health, safety, or welfare.

436 4. If the department issues an emergency order pursuant to  
437 s. 497.156.

438 Section 12. Present subsection (5) of section 497.386,  
439 Florida Statutes, is redesignated as subsection (6), a new  
440 subsection (5) and subsection (7) are added to that section, and  
441 present subsection (5) of that section is amended, to read:

442 497.386 Storage, preservation, and transportation of human  
443 remains.—

444 (5) In the event of an emergency situation, including the  
445 abandonment of any establishments or facilities licensed under





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446 this chapter or any medical examiner's facility, morgue, or  
447 cemetery holding facility, the department may enter and secure  
448 such establishment, facility, or morgue during or outside of  
449 normal business hours, and remove human remains and cremains  
450 from the establishment, facility, or morgue. For purposes of  
451 this subsection, the department shall determine if a facility is  
452 abandoned and if there is an emergency situation. A licensee or  
453 licensed facility that accepts transfer of human remains and  
454 cremains from the department pursuant to this subsection may not  
455 be held liable for the condition of any human remains or  
456 cremains at the time of transfer.

457 (6) A person who violates subsection (1) or subsection (3)  
458 any provision of this section commits a misdemeanor of the first  
459 degree, punishable as provided in s. 775.082 or s. 775.083.

460 (7) A person who violates subsection (2) or subsection (4)  
461 commits a felony of the third degree, punishable as provided in  
462 s. 775.082, s. 775.083, or s. 775.084.

463 Section 13. Section 497.469, Florida Statutes, is created  
464 to read:

465 497.469 Fulfillment of preneed contracts.—

466 (1) Upon delivery of merchandise or performance of services  
467 in fulfillment of a preneed contract, either in part or in  
468 whole, a preneed licensee may withdraw the amount deposited in  
469 trust plus income earned on such amount for the merchandise  
470 delivered or services performed, when adequate documentation is  
471 submitted to the trustee.

472 (2) Any of the following documentation is satisfactory  
473 evidence to show that a preneed contract has been fulfilled:

474 (a) A certified copy of death certificate.



475 (b) An invoice for merchandise which reflects the name of  
476 the purchaser or beneficiary and the contract number.

477 (c) An acknowledgment signed by the purchaser or legally  
478 authorized person, acknowledging that merchandise was delivered  
479 or services performed.

480 (d) A burial permit or other documentation provided to a  
481 governmental agency.

482 (3) The preneed licensee shall maintain documentation that  
483 supports fulfillment of a particular contract until such records  
484 are examined by the department.

485 Section 14. Present paragraphs (c) and (d) of subsection  
486 (10) of section 624.307, Florida Statutes, are redesignated as  
487 paragraphs (d) and (e), respectively, a new paragraph (c) is  
488 added to that subsection, and paragraph (b) of that subsection  
489 is amended, to read:

490 624.307 General powers; duties.—

491 (10)

492 (b) Any person licensed or issued a certificate of  
493 authority or made an eligible surplus lines insurer by the  
494 department or the office shall respond, in writing or  
495 electronically, to the division within 14 days after receipt of  
496 a written request for documents and information from the  
497 division concerning a consumer complaint. The response must  
498 address the issues and allegations raised in the complaint and  
499 include any requested documents concerning the consumer  
500 complaint not subject to attorney-client or work-product  
501 privilege. The division may impose an administrative penalty for  
502 failure to comply with this paragraph of up to \$5,000 per  
503 violation upon any entity licensed by the department or the



504 office and up to \$1,000 per violation by any individual licensed  
505 by the department or the office.

506 (c) Each insurer issued a certificate of authority or made  
507 an eligible surplus lines insurer shall file with the department  
508 an e-mail address to which requests for response to consumer  
509 complaints shall be directed pursuant to paragraph (b). Such  
510 insurer shall also designate a contact person for escalated  
511 complaint issues and shall provide the name, e-mail address, and  
512 telephone number of such person. A licensee of the department,  
513 including an agency or a firm, may elect to designate an e-mail  
514 address to which requests for response to consumer complaints  
515 shall be directed pursuant to paragraph (b). If a licensee,  
516 including an agency or a firm, elects not to designate an e-mail  
517 address, the department shall direct requests for response to  
518 consumer complaints to the e-mail of record for the licensee in  
519 the department's licensing system. An insurer or a licensee,  
520 including an agency or a firm, may change designated contact  
521 information at any time by submitting the new information to the  
522 department using the method designated by rule by the  
523 department.

524 Section 15. Subsection (2) of section 626.171, Florida  
525 Statutes, is amended to read:

526 626.171 Application for license as an agent, customer  
527 representative, adjuster, service representative, or reinsurance  
528 intermediary.—

529 (2) In the application, the applicant shall set forth:

530 (a) His or her full name, age, social security number,  
531 residence address, business address, mailing address, contact  
532 telephone numbers, including a business telephone number, and e-



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533 mail address.

534 (b) A statement indicating the method the applicant used or  
535 is using to meet any required prelicensing education, knowledge,  
536 experience, or instructional requirements for the type of  
537 license applied for.

538 (c) Whether he or she has been refused or has voluntarily  
539 surrendered or has had suspended or revoked a license to solicit  
540 insurance by the department or by the supervising officials of  
541 any state.

542 (d) Whether any insurer or any managing general agent  
543 claims the applicant is indebted under any agency contract or  
544 otherwise and, if so, the name of the claimant, the nature of  
545 the claim, and the applicant's defense thereto, if any.

546 (e) Proof that the applicant meets the requirements for the  
547 type of license for which he or she is applying.

548 (f) The applicant's gender (male or female).

549 (g) The applicant's native language.

550 (h) The highest level of education achieved by the  
551 applicant.

552 (i) The applicant's race or ethnicity (African American,  
553 white, American Indian, Asian, Hispanic, or other).

554 (j) Such other or additional information as the department  
555 may deem proper to enable it to determine the character,  
556 experience, ability, and other qualifications of the applicant  
557 to hold himself or herself out to the public as an insurance  
558 representative.

559

560 However, the application must contain a statement that an  
561 applicant is not required to disclose his or her race or



562 ethnicity, gender, or native language, that he or she will not  
563 be penalized for not doing so, and that the department will use  
564 this information exclusively for research and statistical  
565 purposes and to improve the quality and fairness of the  
566 examinations. The department shall make provisions for  
567 applicants to submit cellular telephone numbers as part of the  
568 application process on a voluntary basis only for the purpose of  
569 two-factor authentication of secure login credentials.

570 Section 16. Paragraph (j) of subsection (2) of section  
571 626.221, Florida Statutes, is amended to read:

572 626.221 Examination requirement; exemptions.—

573 (2) However, an examination is not necessary for any of the  
574 following:

575 (j) An applicant for license as an all-lines adjuster who  
576 has the designation of Accredited Claims Adjuster (ACA) from a  
577 regionally accredited postsecondary institution in this state;  
578 Certified All Lines Adjuster (CALA) from Kaplan Financial  
579 Education; Associate in Claims (AIC) from the Insurance  
580 Institute of America; Professional Claims Adjuster (PCA) from  
581 the Professional Career Institute; Professional Property  
582 Insurance Adjuster (PPIA) from the HurriClaim Training Academy;  
583 Certified Adjuster (CA) from ALL LINES Training; Certified  
584 Claims Adjuster (CCA) from AE21 Incorporated; Claims Adjuster  
585 Certified Professional (CACP) from WebCE, Inc.; Accredited  
586 Insurance Claims Specialist (AICS) from Encore Claim Services;  
587 Professional in Claims (PIC) from 2021 Training, LLC; Registered  
588 Claims Adjuster (RCA) from American Insurance College; or  
589 Universal Claims Certification (UCC) from Claims and Litigation  
590 Management Alliance (CLM) whose curriculum has been approved by



591 the department and which includes comprehensive analysis of  
592 basic property and casualty lines of insurance and testing at  
593 least equal to that of standard department testing for the all-  
594 lines adjuster license. The department shall adopt rules  
595 establishing standards for the approval of curriculum.

596 Section 17. Subsection (6) of section 626.601, Florida  
597 Statutes, is amended to read:

598 626.601 Improper conduct; inquiry; fingerprinting.—

599 (6) The complaint and any information obtained pursuant to  
600 the investigation by the department or office are confidential  
601 and are exempt from s. 119.07 unless the department or office  
602 files a formal administrative complaint, emergency order, or  
603 consent order against the individual or entity. This subsection  
604 does not prevent the department or office from disclosing the  
605 complaint or such information as it deems necessary to conduct  
606 the investigation, to update the complainant as to the status  
607 and outcome of the complaint, to review the details of the  
608 investigation with the individual or entity being investigated  
609 or its representative, or to share such information with any law  
610 enforcement agency or other regulatory body.

611 Section 18. Subsection (3) of section 626.7351, Florida  
612 Statutes, is amended to read:

613 626.7351 Qualifications for customer representative's  
614 license.—The department may ~~shall~~ not grant or issue a license  
615 as customer representative to any individual found by it to be  
616 untrustworthy or incompetent, or who does not meet each of the  
617 following qualifications:

618 (3) Within 4 years preceding the date that the application  
619 for license was filed with the department, the applicant has



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620 earned the designation of Accredited Advisor in Insurance (AAI),  
621 Associate in General Insurance (AINS), or Accredited Customer  
622 Service Representative (ACSR) from the Insurance Institute of  
623 America; the designation of Certified Insurance Counselor (CIC)  
624 from the Society of Certified Insurance Service Counselors; the  
625 designation of Certified Professional Service Representative  
626 (CPSR) from the National Foundation for CPSR; the designation of  
627 Certified Insurance Service Representative (CISR) from the  
628 Society of Certified Insurance Service Representatives; the  
629 designation of Certified Insurance Representative (CIR) from  
630 All-Lines Training; the designation of Chartered Customer  
631 Service Representative (CCSR) from American Insurance College;  
632 the designation of Professional Customer Service Representative  
633 (PCSR) from the Professional Career Institute; the designation  
634 of Insurance Customer Service Representative (ICSR) from  
635 Statewide Insurance Associates LLC; the designation of  
636 Registered Customer Service Representative (RCSR) from a  
637 regionally accredited postsecondary institution in the state  
638 whose curriculum is approved by the department and includes  
639 comprehensive analysis of basic property and casualty lines of  
640 insurance and testing which demonstrates mastery of the subject;  
641 or a degree from an accredited institution of higher learning  
642 approved by the department when the degree includes a minimum of  
643 9 credit hours of insurance instruction, including specific  
644 instruction in the areas of property, casualty, and inland  
645 marine insurance. The department shall adopt rules establishing  
646 standards for the approval of curriculum.

647 Section 19. Section 626.878, Florida Statutes, is amended  
648 to read:



649 626.878 Rules; code of ethics.—

650 (1) An adjuster shall subscribe to the code of ethics  
651 specified in the rules of the department. The rules shall  
652 implement the provisions of this part and specify the terms and  
653 conditions of contracts, including a right to cancel, and  
654 require practices necessary to ensure fair dealing, prohibit  
655 conflicts of interest, and ensure preservation of the rights of  
656 the claimant to participate in the adjustment of claims.

657 (2) A person licensed as an adjuster must identify himself  
658 or herself in any advertisement, solicitation, or written  
659 document based on the adjuster appointment type held.

660 (3) An adjuster who has had his or her license revoked or  
661 suspended may not participate in any part of an insurance claim  
662 or in the insurance claims adjusting process, including  
663 estimating, completing, filing, negotiating, appraising,  
664 mediating, umpiring, or effecting settlement of a claim for loss  
665 or damage covered under an insurance contract. A person who  
666 provides these services while the person's license is revoked or  
667 suspended acts as an unlicensed adjuster.

668 Section 20. Subsection (1) of section 626.929, Florida  
669 Statutes, is amended, and subsection (4) is added to that  
670 section, to read:

671 626.929 Origination, acceptance, placement of surplus lines  
672 business.—

673 (1) A licensed and appointed general lines agent while also  
674 licensed and appointed as a surplus lines agent under this part  
675 may originate surplus lines business and may accept surplus  
676 lines business from any other originating Florida-licensed  
677 general lines agent appointed and licensed as to the kinds of





678 insurance involved and may compensate such agent therefor.  
679 (4) A general lines agent while licensed as a surplus lines  
680 agent under this part may appoint these licenses with a single  
681 surplus license agent appointment pursuant to s. 624.501. Such  
682 agent may only originate surplus lines business and accept  
683 surplus lines business from other originating Florida-licensed  
684 general lines agents appointed and licensed as to the kinds of  
685 insurance involved and may compensate such agent therefor. Such  
686 agent may not be appointed by or transact general lines  
687 insurance on behalf of an admitted insurer.

688 Section 21. Paragraphs (j) is added to subsection (4) of  
689 section 627.351, Florida Statutes, to read:

690 627.351 Insurance risk apportionment plans.—

691 (4) MEDICAL MALPRACTICE RISK APPORTIONMENT; ASSOCIATION  
692 CONTRACTS AND PURCHASES.—

693 (j)1. After July 1, 2024, all contracts entered into, and  
694 all purchases made by, the association pursuant to this  
695 subsection which are valued at or more than \$100,000 must first  
696 be approved by the department. The department has 10 days to  
697 approve or deny a contract or purchase upon electronic receipt  
698 of the approval request. The contract or purchase is  
699 automatically approved if the department is nonresponsive.

700 2. All contracts and purchases valued at or more than  
701 \$100,000 require competition through a formal bid solicitation  
702 conducted by the association. The association must undergo a  
703 formal bid solicitation process by a minimum of three vendors.  
704 The formal bid solicitation process must include all of the  
705 following:

706 a. The time and date for the receipt of bids, the



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707 proposals, and whether the association contemplates renewal of  
708 the contract, including the price for each year for which the  
709 contract may be renewed.

710 b. All the contractual terms and conditions applicable to  
711 the procurement.

712 3. Evaluation of bids by the association must include  
713 consideration of the total cost for each year of the contract,  
714 including renewal years, as submitted by the vendor. The  
715 association must award the contract to the most responsible and  
716 responsive vendor. Any formal bid solicitation conducted by the  
717 association must be made available, upon request, to the  
718 department by electronic delivery.

719 Section 22. Subsection (5) is added to section 631.59,  
720 Florida Statutes, to read:

721 631.59 Duties and powers of department and office;  
722 association contracts and purchases.-

723 (5) (a) After July 1, 2024, all contracts entered into, and  
724 all purchases made by, the association pursuant to this section  
725 which are valued at or more than \$100,000 must first be approved  
726 by the department. The department has 10 days to approve or deny  
727 the contract or purchase upon electronic receipt of the approval  
728 request. The contract or purchase is automatically approved if  
729 the department is nonresponsive.

730 (b) All contracts and purchases valued at or more than  
731 \$100,000 require competition through a formal bid solicitation  
732 conducted by the association. The association must undergo a  
733 formal bid solicitation process. The formal bid solicitation  
734 process must include all of the following:

735 1. The time and date for the receipt of bids, the



736 proposals, and whether the association contemplates renewal of  
737 the contract, including the price for each year for which the  
738 contract may be renewed.

739 2. All the contractual terms and conditions applicable to  
740 the procurement.

741 (c) Evaluation of bids by the association must include  
742 consideration of the total cost for each year of the contract,  
743 including renewal years, as submitted by the vendor. The  
744 association must award the contract to the most responsible and  
745 responsive vendor. Any formal bid solicitation conducted by the  
746 association must be made available, upon request, to the  
747 department via electronic delivery.

748 (d) Paragraphs (b) and (c) do not apply to claims defense  
749 counsel or claims vendors if contracts with all vendors which  
750 may exceed \$100,000 are provided to the department for prior  
751 approval in accordance with paragraph (a).

752 Section 23. Subsection (6) is added to section 631.722,  
753 Florida Statutes, to read:

754 631.722 Powers and duties of department and office;  
755 association contracts and purchases.-

756 (6) (a) After July 1, 2024, all contracts entered into, and  
757 all purchases made by, the association pursuant to this section  
758 which are valued at or more than \$100,000 must first be approved  
759 by the department. The department has 10 days to approve or deny  
760 the contract or purchase upon electronic receipt of the approval  
761 request. The contract or purchase is automatically approved if  
762 the department is nonresponsive.

763 (b) All contracts and purchases valued at or more than  
764 \$100,000 require competition through a formal bid solicitation



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765 conducted by the association. The association must undergo a  
766 formal bid solicitation process. The formal bid solicitation  
767 process must include all of the following:

768 1. The time and date for the receipt of bids, the  
769 proposals, and whether the association contemplates renewal of  
770 the contract, including the price for each year for which the  
771 contract may be renewed.

772 2. All the contractual terms and conditions applicable to  
773 the procurement.

774 (c) Evaluation of bids by the association must include  
775 consideration of the total cost for each year of the contract,  
776 including renewal years, as submitted by the vendor. The  
777 association must award the contract to the most responsible and  
778 responsive vendor. Any formal bid solicitation conducted by the  
779 association must be made available, upon request, to the  
780 department via electronic delivery.

781 Section 24. Subsection (5) is added to section 631.821,  
782 Florida Statutes, to read:

783 631.821 Powers and duties of the department; board  
784 contracts and purchases.—

785 (5) (a) After July 1, 2024, all contracts entered into, and  
786 all purchases made by, the board pursuant to this section which  
787 are valued at or more than \$100,000 must first be approved by  
788 the department. The department has 10 days to approve or deny  
789 the contract or purchase upon electronic receipt of the approval  
790 request. The contract or purchase is automatically approved if  
791 the department is nonresponsive.

792 (b) All contracts and purchases valued at or more than  
793 \$100,000 require competition through a formal bid solicitation



794 conducted by the board. The board must undergo a formal bid  
795 solicitation process. The formal bid solicitation process must  
796 include all of the following:

797 1. The time and date for the receipt of bids, the  
798 proposals, and whether the board contemplates renewal of the  
799 contract, including the price for each year for which the  
800 contract may be renewed.

801 2. All the contractual terms and conditions applicable to  
802 the procurement.

803 (c) Evaluation of bids by the board must include  
804 consideration of the total cost for each year of the contract,  
805 including renewal years, as submitted by the vendor. The plan  
806 must award the contract to the most responsible and responsive  
807 vendor. Any formal bid solicitation conducted by the board must  
808 be made available, upon request, to the department via  
809 electronic delivery.

810 Section 25. Section 631.921, Florida Statutes, is amended  
811 to read:

812 631.921 Department powers; board contracts and purchases.-

813 (1) The corporation shall be subject to examination by the  
814 department. By March 1 of each year, the board of directors  
815 shall cause a financial report to be filed with the department  
816 for the immediately preceding calendar year in a form approved  
817 by the department.

818 (2) (a) After July 1, 2024, all contracts entered into, and  
819 all purchases made by, the board pursuant to this section which  
820 are valued at or more than \$100,000 must first be approved by  
821 the department. The department has 10 days to approve or deny  
822 the contract or purchase upon electronic receipt of the approval



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823 request. The contract or purchase is automatically approved if  
824 the department is nonresponsive.

825 (b) All contracts and purchases valued at or more than  
826 \$100,000 require competition through a formal bid solicitation  
827 conducted by the board. The board must undergo a formal bid  
828 solicitation process. The formal bid solicitation process must  
829 include all of the following:

830 1. The time and date for the receipt of bids, the  
831 proposals, and whether the board contemplates renewal of the  
832 contract, including the price for each year for which the  
833 contract may be renewed.

834 2. All the contractual terms and conditions applicable to  
835 the procurement.

836 (c) Evaluation of bids by the board must include  
837 consideration of the total cost for each year of the contract,  
838 including renewal years, as submitted by the vendor. The  
839 association must award the contract to the most responsible and  
840 responsive vendor. Any formal bid solicitation conducted by the  
841 association must be made available, upon request, to the  
842 department via electronic delivery.

843 Section 26. Paragraph (b) of subsection (3) of section  
844 633.124, Florida Statutes, is amended to read:

845 633.124 Penalty for violation of law, rule, or order to  
846 cease and desist or for failure to comply with corrective  
847 order.—

848 (3)

849 (b) A person who initiates a pyrotechnic display within any  
850 structure commits a felony of the third degree, punishable as  
851 provided in s. 775.082, s. 775.083, or s. 775.084, unless:



852           1. The structure has a fire protection system installed in  
853 compliance with s. 633.334.

854           2. The owner of the structure has authorized in writing the  
855 pyrotechnic display.

856           3. If the local jurisdiction requires a permit for the use  
857 of a pyrotechnic display in an occupied structure, such permit  
858 has been obtained and all conditions of the permit complied with  
859 or, if the local jurisdiction does not require a permit for the  
860 use of a pyrotechnic display in an occupied structure, the  
861 person initiating the display has complied with National Fire  
862 Protection Association, Inc., Standard 1126, 2021 ~~2004~~ Edition,  
863 Standard for the Use of Pyrotechnics before a Proximate  
864 Audience.

865           Section 27. Subsection (2) of section 633.202, Florida  
866 Statutes, is amended to read:

867           633.202 Florida Fire Prevention Code.—

868           (2) The State Fire Marshal shall adopt the current edition  
869 of the National Fire Protection Association's Standard 1, Fire  
870 Prevention Code but may not adopt a building, mechanical,  
871 accessibility, or plumbing code. The State Fire Marshal shall  
872 adopt the current edition of the Life Safety Code, NFPA 101,  
873 current editions, by reference. The State Fire Marshal may  
874 modify the selected codes and standards as needed to accommodate  
875 the specific needs of the state. Standards or criteria in the  
876 selected codes shall be similarly incorporated by reference. The  
877 State Fire Marshal shall incorporate within sections of the  
878 Florida Fire Prevention Code provisions that address uniform  
879 firesafety standards as established in s. 633.206. The State  
880 Fire Marshal shall incorporate within sections of the Florida



881 Fire Prevention Code provisions addressing regional and local  
882 concerns and variations.

883 Section 28. Paragraph (b) of subsection (1) of section  
884 633.206, Florida Statutes, is amended to read:

885 633.206 Uniform firesafety standards.—The Legislature  
886 hereby determines that to protect the public health, safety, and  
887 welfare it is necessary to provide for firesafety standards  
888 governing the construction and utilization of certain buildings  
889 and structures. The Legislature further determines that certain  
890 buildings or structures, due to their specialized use or to the  
891 special characteristics of the person utilizing or occupying  
892 these buildings or structures, should be subject to firesafety  
893 standards reflecting these special needs as may be appropriate.

894 (1) The department shall establish uniform firesafety  
895 standards that apply to:

896 (b) All new, existing, and proposed hospitals, nursing  
897 homes, assisted living facilities, adult family-care homes,  
898 correctional facilities, public schools, transient public  
899 lodging establishments, public food service establishments,  
900 mobile food dispensing vehicles, elevators, migrant labor camps,  
901 mobile home parks, lodging parks, recreational vehicle parks,  
902 recreational camps, residential and nonresidential child care  
903 facilities, facilities for the developmentally disabled, motion  
904 picture and television special effects productions, tunnels,  
905 energy storage systems, and self-service gasoline stations, of  
906 which standards the State Fire Marshal is the final  
907 administrative interpreting authority.

908  
909 In the event there is a dispute between the owners of the





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910 buildings specified in paragraph (b) and a local authority  
911 requiring a more stringent uniform firesafety standard for  
912 sprinkler systems, the State Fire Marshal shall be the final  
913 administrative interpreting authority and the State Fire  
914 Marshal's interpretation regarding the uniform firesafety  
915 standards shall be considered final agency action.

916 Section 29. Paragraph (b) of subsection (8) of section  
917 634.041, Florida Statutes, is amended to read:

918 634.041 Qualifications for license.—To qualify for and hold  
919 a license to issue service agreements in this state, a service  
920 agreement company must be in compliance with this part, with  
921 applicable rules of the commission, with related sections of the  
922 Florida Insurance Code, and with its charter powers and must  
923 comply with the following:

924 (8)

925 (b) A service agreement company does not have to establish  
926 and maintain an unearned premium reserve if it secures and  
927 maintains contractual liability insurance in accordance with the  
928 following:

929 1. Coverage of 100 percent of the claim exposure is  
930 obtained from an insurer or insurers approved by the office,  
931 which hold ~~holds~~ a certificate of authority under s. 624.401 to  
932 do business within this state, or secured through a risk  
933 retention groups ~~group~~, which are ~~is~~ authorized to do business  
934 within this state under s. 627.943 or s. 627.944. Such insurers  
935 ~~insurer~~ or risk retention groups ~~group~~ must maintain a surplus  
936 as regards policyholders of at least \$15 million.

937 2. If the service agreement company does not meet its  
938 contractual obligations, the contractual liability insurance



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939 policy binds its issuer to pay or cause to be paid to the  
940 service agreement holder all legitimate claims and cancellation  
941 refunds for all service agreements issued by the service  
942 agreement company while the policy was in effect. This  
943 requirement also applies to those service agreements for which  
944 no premium has been remitted to the insurer.

945         3. If the issuer of the contractual liability policy is  
946 fulfilling the service agreements covered by the contractual  
947 liability policy and the service agreement holder cancels the  
948 service agreement, the issuer must make a full refund of  
949 unearned premium to the consumer, subject to the cancellation  
950 fee provisions of s. 634.121(3). The sales representative and  
951 agent must refund to the contractual liability policy issuer  
952 their unearned pro rata commission.

953         4. The policy may not be canceled, terminated, or  
954 nonrenewed by the insurer or the service agreement company  
955 unless a 90-day written notice thereof has been given to the  
956 office by the insurer before the date of the cancellation,  
957 termination, or nonrenewal.

958         5. The service agreement company must provide the office  
959 with the claims statistics.

960         6. A policy issued in compliance with this paragraph may  
961 either pay 100 percent of claims as they are incurred, or pay  
962 100 percent of claims due in the event of the failure of the  
963 service agreement company to pay such claims when due.

964  
965 All funds or premiums remitted to an insurer by a motor vehicle  
966 service agreement company under this part shall remain in the  
967 care, custody, and control of the insurer and shall be counted



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968 as an asset of the insurer; provided, however, this requirement  
969 does not apply when the insurer and the motor vehicle service  
970 agreement company are affiliated companies and members of an  
971 insurance holding company system. If the motor vehicle service  
972 agreement company chooses to comply with this paragraph but also  
973 maintains a reserve to pay claims, such reserve shall only be  
974 considered an asset of the covered motor vehicle service  
975 agreement company and may not be simultaneously counted as an  
976 asset of any other entity.

977 Section 30. Subsection (5) of section 634.081, Florida  
978 Statutes, is amended to read:

979 634.081 Suspension or revocation of license; grounds.—

980 (5) The office shall suspend or revoke the license of a  
981 company if it finds that the ratio of gross written premiums  
982 written to net assets exceeds 10 to 1 unless the company has in  
983 excess of \$750,000 in net assets and is utilizing contractual  
984 liability insurance which cedes 100 percent of the service  
985 agreement company's claims liabilities to the contractual  
986 liability insurers insurer ~~insurer~~ or is utilizing contractual liability  
987 insurance which reimburses the service agreement company for 100  
988 percent of its paid claims. However, if a service agreement  
989 company has been licensed by the office in excess of 10 years,  
990 is in compliance with all applicable provisions of this part,  
991 and has net assets at all times in excess of \$3 million that  
992 comply with the provisions of part II of chapter 625, such  
993 company may not exceed a ratio of gross written premiums written  
994 to net assets of 15 to 1.

995 Section 31. Present subsection (5) of section 634.3077,  
996 Florida Statutes, is redesignated as subsection (6), a new



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997 subsection (5) is added to that section, and subsection (3) of  
998 that section is amended, to read:

999 634.3077 Financial requirements.—

1000 (3) An association may ~~shall~~ not be required to set up an  
1001 unearned premium reserve if it has purchased contractual  
1002 liability insurance which demonstrates to the satisfaction of  
1003 the office that 100 percent of its claim exposure is covered by  
1004 such insurance. Such contractual liability insurance shall be  
1005 obtained from an insurer or insurers that hold ~~holds~~ a  
1006 certificate of authority to do business within the state or from  
1007 an insurer or insurers approved by the office as financially  
1008 capable of meeting the obligations incurred pursuant to the  
1009 policy. For purposes of this subsection, the contractual  
1010 liability policy shall contain the following provisions:

1011 (a) In the event that the home warranty association is  
1012 unable to fulfill its obligation under its contracts issued in  
1013 this state for any reason, including insolvency, bankruptcy, or  
1014 dissolution, the contractual liability insurer will pay losses  
1015 and unearned premiums under such plans directly to persons  
1016 making claims under such contracts.

1017 (b) The insurer issuing the policy shall assume full  
1018 responsibility for the administration of claims in the event of  
1019 the inability of the association to do so.

1020 (c) The policy may not be canceled or not renewed by ~~either~~  
1021 the insurer or the association unless 60 days' written notice  
1022 thereof has been given to the office by the insurer before the  
1023 date of such cancellation or nonrenewal.

1024 (d) The contractual liability insurance policy shall insure  
1025 all home warranty contracts that were issued while the policy



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1026 was in effect whether or not the premium has been remitted to  
1027 the insurer.

1028 (5) An association licensed under this part is not required  
1029 to establish an unearned premium reserve or maintain contractual  
1030 liability insurance and may allow its premiums to exceed the  
1031 ratio to net assets limitation of this section if the  
1032 association complies with the following:

1033 (a) The association or, if the association is a direct or  
1034 indirect wholly owned subsidiary of a parent corporation, its  
1035 parent corporation has, and maintains at all times, a minimum  
1036 net worth of at least \$100 million and provides the office with  
1037 the following:

1038 1. A copy of the association's annual audited financial  
1039 statements or the audited consolidated financial statements of  
1040 the association's parent corporation, prepared by an independent  
1041 certified public accountant in accordance with generally  
1042 accepted accounting principles, which clearly demonstrate the  
1043 net worth of the association or its parent corporation to be  
1044 \$100 million, and a quarterly written certification to the  
1045 office that the association or its parent corporation continues  
1046 to maintain the net worth required under this paragraph.

1047 2. The association's or its parent corporation's Form 10-K,  
1048 Form 10-Q, or Form 20-F as filed with the United States  
1049 Securities and Exchange Commission or such other documents  
1050 required to be filed with a recognized stock exchange, which  
1051 shall be provided on a quarterly and annual basis within 10 days  
1052 after the last date each such report must be filed with the  
1053 Securities and Exchange Commission, the National Association of  
1054 Securities Dealers Automated Quotations system, or other



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1055 recognized stock exchange.

1056

1057 Failure to timely file the documents required under this  
1058 paragraph may, at the discretion of the office, subject the  
1059 association to suspension or revocation of its license under  
1060 this part.

1061 (b) If the net worth of a parent corporation is used to  
1062 satisfy the net worth provisions of paragraph (a), the following  
1063 requirements must be met:

1064 1. The parent corporation must guarantee all service  
1065 warranty obligations of the association, wherever written, on a  
1066 form approved in advance by the office. A cancellation,  
1067 termination, or modification of the guarantee does not become  
1068 effective unless the parent corporation provides the office  
1069 written notice at least 90 days before the effective date of the  
1070 cancellation, termination, or modification and the office  
1071 approves the request in writing. Before the effective date of  
1072 the cancellation, termination, or modification of the guarantee,  
1073 the association must demonstrate to the satisfaction of the  
1074 office compliance with all applicable provisions of this part,  
1075 including whether the association will meet the requirements of  
1076 this section by the purchase of contractual liability insurance,  
1077 establishing required reserves, or other method allowed under  
1078 this section. If the association or parent corporation does not  
1079 demonstrate to the satisfaction of the office compliance with  
1080 all applicable provisions of this part, the association or  
1081 parent association shall immediately cease writing new and  
1082 renewal business upon the effective date of the cancellation,  
1083 termination, or modification.



1084 2. The association must maintain at all times net assets of  
1085 at least \$750,000.

1086 Section 32. Section 634.317, Florida Statutes, is amended  
1087 to read:

1088 634.317 License and appointment required.—No person may  
1089 solicit, negotiate, or effectuate home warranty contracts for  
1090 remuneration in this state unless such person is licensed and  
1091 appointed as a sales representative. A licensed and appointed  
1092 sales representative shall be directly responsible and  
1093 accountable for all acts of the licensee's employees. A  
1094 municipality, a county government, a special district, an entity  
1095 operated by a municipality or county government, or an employee  
1096 or agent of a municipality, a county government, a special  
1097 district, or an entity operated by a municipality or county  
1098 government is exempt from the licensing and appointing  
1099 requirements of this section.

1100 Section 33. Present subsection (9) of section 648.25,  
1101 Florida Statutes, is redesignated as subsection (10), and a new  
1102 subsection (9) and subsection (11) are added to that section, to  
1103 read:

1104 648.25 Definitions.—As used in this chapter, the term:  
1105 (9) "Referring bail bond agent" means the limited surety  
1106 agent who is requesting the transfer bond. The referring bail  
1107 bond agent is the agent held liable for the transfer bond, along  
1108 with the issuing surety company.

1109 (11) "Transfer bond" means the appearance bond and power of  
1110 attorney form posted by a limited surety agent who is registered  
1111 in the county where the defendant is being held in custody.

1112 Section 34. Subsection (3) of section 648.26, Florida



1113 Statutes, is amended to read:

1114 648.26 Department of Financial Services; administration.—

1115 (3) The papers, documents, reports, or any other  
1116 investigatory records of the department are confidential and  
1117 exempt from s. 119.07(1) until such investigation is completed  
1118 or ceases to be active, unless the department or office files a  
1119 formal administrative complaint, emergency order, or consent  
1120 order against the individual or entity. For the purpose of this  
1121 section, an investigation is considered active while the  
1122 investigation is being conducted by the department with a  
1123 reasonable, good faith belief that it may lead to the filing of  
1124 administrative, civil, or criminal proceedings. An investigation  
1125 does not cease to be active if the department is proceeding with  
1126 reasonable dispatch and there is good faith belief that action  
1127 may be initiated by the department or other administrative or  
1128 law enforcement agency. This subsection does not prevent the  
1129 department or office from disclosing the content of a complaint  
1130 or such information as it deems necessary to conduct the  
1131 investigation, to update the complainant as to the status and  
1132 outcome of the complaint, to review the details of the  
1133 investigation with the subject or the subject's representative,  
1134 or to share such information with any law enforcement agency or  
1135 other regulatory body.

1136 Section 35. Paragraph (a) of subsection (1) of section  
1137 648.30, Florida Statutes, is amended to read:

1138 648.30 Licensure and appointment required; prohibited acts;  
1139 penalties.—

1140 (1) (a) A person or entity may not act in the capacity of a  
1141 bail bond agent or bail bond agency or perform any of the





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1142 functions, duties, or powers prescribed for bail bond agents or  
1143 bail bond agencies under this chapter unless that person or  
1144 entity is qualified, licensed, and appointed as provided in this  
1145 chapter ~~and employed by a bail bond agency.~~

1146 Section 36. Subsection (1) of section 648.355, Florida  
1147 Statutes, is amended to read:

1148 648.355 Limited surety agents and professional bail bond  
1149 agents; qualifications.—

1150 (1) The applicant shall furnish, with the application for  
1151 license, a complete set of the applicant's fingerprints in  
1152 accordance with s. 626.171(4) ~~and a recent credential-sized,~~  
1153 ~~fullface photograph of the applicant.~~ The department may not  
1154 issue a license under this section until the department has  
1155 received a report from the Department of Law Enforcement and the  
1156 Federal Bureau of Investigation relative to the existence or  
1157 nonexistence of a criminal history report based on the  
1158 applicant's fingerprints.

1159 Section 37. Section 717.101, Florida Statutes, is amended  
1160 to read:

1161 717.101 Definitions.—As used in this chapter, unless the  
1162 context otherwise requires:

1163 (1) "Aggregate" means the amounts reported for owners of  
1164 unclaimed property of less than \$10 ~~\$50~~ or where there is no  
1165 name for the individual or entity listed on the holder's  
1166 records, regardless of the amount to be reported.

1167 (2) "Apparent owner" means the person whose name appears on  
1168 the records of the holder as the person entitled to property  
1169 held, issued, or owing by the holder.

1170 (3) "Audit" means an action or proceeding to examine and



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1171 verify a person's records, books, accounts, and other documents  
1172 to ascertain and determine compliance with this chapter.

1173 (4) "Audit agent" means a person with whom the department  
1174 enters into a contract with to conduct an audit or examination.  
1175 The term includes an independent contractor of the person and  
1176 each individual participating in the audit on behalf of the  
1177 person or contractor.

1178 (5)~~(3)~~ "Banking organization" means any and all banks,  
1179 trust companies, private bankers, savings banks, industrial  
1180 banks, safe-deposit companies, savings and loan associations,  
1181 credit unions, and investment companies in this state, organized  
1182 under or subject to the laws of this state or of the United  
1183 States, including entities organized under 12 U.S.C. s. 611, but  
1184 does not include Federal Reserve Banks. The term also includes  
1185 any corporation, business association, or other organization  
1186 that:

1187 (a) Is a wholly or partially owned subsidiary of any  
1188 banking, banking corporation, or bank holding company that  
1189 performs any or all of the functions of a banking organization;  
1190 or

1191 (b) Performs functions pursuant to the terms of a contract  
1192 with any banking organization ~~state or national bank,~~  
1193 ~~international banking entity or similar entity, trust company,~~  
1194 ~~savings bank, industrial savings bank, land bank, safe-deposit~~  
1195 ~~company, private bank, or any organization otherwise defined by~~  
1196 ~~law as a bank or banking organization.~~

1197 (6)~~(4)~~ "Business association" means any for-profit or  
1198 nonprofit corporation other than a public corporation; joint  
1199 stock company; investment company; unincorporated association or



1200 association of two or more individuals for business purposes,  
1201 whether or not for profit; partnership; joint venture; limited  
1202 liability company; sole proprietorship; business trust; trust  
1203 company; land bank; safe-deposit company; safekeeping  
1204 depository; financial organization; insurance company; federally  
1205 chartered entity; utility company; or other business entity,  
1206 whether or not for profit corporation (other than a public  
1207 corporation), joint stock company, investment company, business  
1208 trust, partnership, limited liability company, or association of  
1209 two or more individuals for business purposes, whether for  
1210 profit or not for profit.

1211 (7)-(5) "Claimant" means the person on whose behalf a claim  
1212 is filed.

1213 (8) "Claimant's representative" means an attorney who is a  
1214 member in good standing of The Florida Bar, a certified public  
1215 accountant licensed in this state, or a private investigator who  
1216 is duly licensed to do business in this state, registered with  
1217 the department, and authorized by the claimant to claim  
1218 unclaimed property on the claimant's behalf. The term does not  
1219 include a person acting in a representative capacity, such as a  
1220 personal representative, guardian, trustee, or attorney, whose  
1221 representation is not contingent upon the discovery or location  
1222 of unclaimed property; provided, however, that any agreement  
1223 entered into for the purpose of evading s. 717.135 is invalid  
1224 and unenforceable.

1225 (9)-(6) "Credit balance" means an account balance in the  
1226 customer's favor.

1227 (10)-(7) "Department" means the Department of Financial  
1228 Services.



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1229        (11)-(8) "Domicile" means the state of incorporation for a  
1230 corporation; the state of filing for a business association,  
1231 other than a corporation, whose formation or organization  
1232 requires a filing with a state; the state of organization for a  
1233 business association, other than a corporation, whose formation  
1234 or organization does not require a filing with a state; or the  
1235 state of home office for a federally chartered entity ~~incorporated~~  
1236 ~~under the laws of a state, or, for an unincorporated business~~  
1237 ~~association, the state where the business association is~~  
1238 ~~organized.~~

1239        (12)-(9) "Due diligence" means the use of reasonable and  
1240 prudent methods under particular circumstances to locate  
1241 apparent owners of inactive accounts using the taxpayer  
1242 identification number or social security number, if known, which  
1243 may include, but are not limited to, using a nationwide  
1244 database, cross-indexing with other records of the holder,  
1245 mailing to the last known address unless the last known address  
1246 is known to be inaccurate, providing written notice as described  
1247 in this chapter by electronic mail if an apparent owner has  
1248 elected such delivery, or engaging a licensed agency or company  
1249 capable of conducting such search and providing updated  
1250 addresses.

1251        (13) "Electronic" means relating to technology having  
1252 electrical, digital, magnetic, wireless, optical,  
1253 electromagnetic, or similar capabilities.

1254        (14)-(10) "Financial organization" means a ~~state or federal~~  
1255 savings association, savings and loan association, savings bank,  
1256 industrial bank, bank, banking organization, trust company,  
1257 international bank agency, cooperative bank, building and loan



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1258 association, or credit union.

1259 (15)~~(11)~~ "Health care provider" means any state-licensed  
1260 entity that provides and receives payment for health care  
1261 services. These entities include, but are not limited to,  
1262 hospitals, outpatient centers, physician practices, and skilled  
1263 nursing facilities.

1264 (16)~~(12)~~ "Holder" means:

1265 (a) A person, wherever organized or domiciled, who is in  
1266 possession or control or has custody of property or the rights  
1267 to property belonging to another; is indebted to another on an  
1268 obligation; or is obligated to hold for the account of, or to  
1269 deliver or pay to, the owner, property subject to this chapter;  
1270 or

1271 ~~(a) In possession of property belonging to another;~~

1272 ~~(b) A trustee in case of a trust; or~~

1273 ~~(c) Indebted to another on an obligation.~~

1274 (17)~~(13)~~ "Insurance company" means an association,  
1275 corporation, or fraternal or mutual benefit organization,  
1276 whether for profit or not for profit, which is engaged in  
1277 providing insurance coverage.

1278 (18)~~(14)~~ "Intangible property" includes, by way of  
1279 illustration and not limitation:

1280 (a) Moneys, checks, virtual currency, drafts, deposits,  
1281 interest, dividends, and income.

1282 (b) Credit balances, customer overpayments, security  
1283 deposits and other instruments as defined by chapter 679,  
1284 refunds, unpaid wages, unused airline tickets, and unidentified  
1285 remittances.

1286 (c) Stocks, and other intangible ownership interests in



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1287 business associations.

1288 (d) Moneys deposited to redeem stocks, bonds, bearer bonds,  
1289 original issue discount bonds, coupons, and other securities, or  
1290 to make distributions.

1291 (e) Amounts due and payable under the terms of insurance  
1292 policies.

1293 (f) Amounts distributable from a trust or custodial fund  
1294 established under a plan to provide any health, welfare,  
1295 pension, vacation, severance, retirement, death, stock purchase,  
1296 profit sharing, employee savings, supplemental unemployment  
1297 insurance, or similar benefit.

1298 (19) ~~(15)~~ "Last known address" means a description of the  
1299 location of the apparent owner sufficient for the purpose of the  
1300 delivery of mail. For the purposes of identifying, reporting,  
1301 and remitting property to the department which is presumed to be  
1302 unclaimed, "last known address" includes any partial description  
1303 of the location of the apparent owner sufficient to establish  
1304 the apparent owner was a resident of this state at the time of  
1305 last contact with the apparent owner or at the time the property  
1306 became due and payable.

1307 (20) ~~(16)~~ "Lawful charges" means charges against dormant  
1308 accounts that are authorized by statute for the purpose of  
1309 offsetting the costs of maintaining the dormant account.

1310 (21) ~~(17)~~ "Managed care payor" means a health care plan that  
1311 has a defined system of selecting and limiting health care  
1312 providers as evidenced by a managed care contract with the  
1313 health care providers. These plans include, but are not limited  
1314 to, managed care health insurance companies and health  
1315 maintenance organizations.



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1316            (22)~~(18)~~ "Owner" means a person, or the person's legal  
1317 representative, entitled to receive or having a legal or  
1318 equitable interest in or claim against property subject to this  
1319 chapter; a depositor in the case of a deposit; a beneficiary in  
1320 the case of a trust or a deposit in trust; or a payee in the  
1321 case of a negotiable instrument or other intangible property a  
1322 depositor in the case of a deposit, a beneficiary in the case of  
1323 a trust or a deposit in trust, or a payee in the case of other  
1324 intangible property, or a person having a legal or equitable  
1325 interest in property subject to this chapter or his or her legal  
1326 representative.

1327            (23) "Person" means an individual; an estate; a business  
1328 association; a corporation; a firm; an association; a joint  
1329 adventure; a partnership; a government or governmental  
1330 subdivision, agency, or instrumentality; or any other legal or  
1331 commercial entity.

1332            (24)~~(19)~~ "Public corporation" means a corporation created  
1333 by the state, founded and owned in the public interest,  
1334 supported by public funds, and governed by those deriving their  
1335 power from the state.

1336            (25) "Record" means information that is inscribed on a  
1337 tangible medium or that is stored in an electronic or other  
1338 medium and is retrievable in perceivable form.

1339            (26)~~(20)~~ "Reportable period" means the calendar year ending  
1340 December 31 of each year.

1341            (27)~~(21)~~ "State," when applied to a part of the United  
1342 States, includes any state, district, commonwealth, territory,  
1343 insular possession, and any other area subject to the  
1344 legislative authority of the United States.



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1345        ~~(28)(22)~~ "Trust instrument" means a trust instrument as  
1346 defined in s. 736.0103.

1347        ~~(23)~~ "Ultimate equitable owner" means a natural person who,  
1348 directly or indirectly, owns or controls an ownership interest  
1349 in a corporation, a foreign corporation, an alien business  
1350 organization, or any other form of business organization,  
1351 regardless of whether such natural person owns or controls such  
1352 ownership interest through one or more natural persons or one or  
1353 more proxies, powers of attorney, nominees, corporations,  
1354 associations, partnerships, trusts, joint stock companies, or  
1355 other entities or devices, or any combination thereof.

1356        (29) "Unclaimed Property Purchase Agreement" means the form  
1357 adopted by the department pursuant to s. 717.135 which must be  
1358 used, without modification or amendment, by a claimant's  
1359 representative to purchase unclaimed property from an owner.

1360        (30) "Unclaimed Property Recovery Agreement" means the form  
1361 adopted by the department pursuant to s. 717.135 which must be  
1362 used, without modification or amendment, by a claimant's  
1363 representative to obtain an owner's consent and authority to  
1364 recover unclaimed property on the owner's behalf.

1365        ~~(31)(24)~~ "United States" means any state, district,  
1366 commonwealth, territory, insular possession, and any other area  
1367 subject to the legislative authority of the United States of  
1368 America.

1369        ~~(32)(25)~~ "Utility" means a person who owns or operates, for  
1370 public use, any plant, equipment, property, franchise, or  
1371 license for the transmission of communications or the  
1372 production, storage, transmission, sale, delivery, or furnishing  
1373 of electricity, water, steam, or gas.





1374 (33) (a) "Virtual currency" means digital units of exchange  
1375 which:

- 1376 1. Have a centralized repository or administrator;  
1377 2. Are decentralized and have no centralized repository or  
1378 administrator; or  
1379 3. May be created or obtained by computing or manufacturing  
1380 effort.

1381 (b) The term does not include any of the following:

- 1382 1. Digital units that:  
1383 a. Are used solely within online gaming platforms;  
1384 b. Have no market or application outside of the online  
1385 gaming platforms in sub-subparagraph a.;  
1386 c. Cannot be converted into, or redeemed for, fiat currency  
1387 or virtual currency; and  
1388 d. Can or cannot be redeemed for real-world goods,  
1389 services, discounts, or purchases.

1390 2. Digital units that can be redeemed for:

- 1391 a. Real-world goods, services, discounts, or purchases as  
1392 part of a customer affinity or rewards program with the issuer  
1393 or other designated merchants; or  
1394 b. Digital units in another customer affinity or rewards  
1395 program, but cannot be converted into, or redeemed for, fiat  
1396 currency or virtual currency.

1397 3. Digital units used as part of prepaid cards.

1398 Section 38. Subsections (3) and (4) are added to section  
1399 717.102, Florida Statutes, to read:

1400 717.102 Property presumed unclaimed; general rule.—

1401 (3) A presumption that property is unclaimed is rebutted by  
1402 an apparent owner's expression of interest in the property. An



1403 owner's expression of interest in property includes:  
1404 (a) A record communicated by the apparent owner to the  
1405 holder or agent of the holder concerning the property or the  
1406 account in which the property is held;  
1407 (b) An oral communication by the apparent owner to the  
1408 holder or agent of the holder concerning the property or the  
1409 account in which the property is held, if the holder or its  
1410 agent contemporaneously makes and preserves a record of the fact  
1411 of the apparent owner's communication;  
1412 (c) Presentment of a check or other instrument of payment  
1413 of a dividend, interest payment, or other distribution, with  
1414 respect to an account, underlying security, or interest in a  
1415 business association;  
1416 (d) Activity directed by an apparent owner in the account  
1417 in which the property is held, including accessing the account  
1418 or information concerning the account, or a direction by the  
1419 apparent owner to increase, decrease, or otherwise change the  
1420 amount or type of property held in the account;  
1421 (e) A deposit into or withdrawal from an account at a  
1422 financial organization, excluding an automatic deposit or  
1423 withdrawal previously authorized by the apparent owner or an  
1424 automatic reinvestment of dividends or interest, which does not  
1425 constitute an expression of interest; or  
1426 (f) Any other action by the apparent owner which reasonably  
1427 demonstrates to the holder that the apparent owner knows that  
1428 the property exists.  
1429 (4) If a holder learns or receives confirmation of an  
1430 apparent owner's death, the property is presumed unclaimed 2  
1431 years after the date of death, unless a fiduciary appointed to



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1432 represent the estate of the apparent owner has made an  
1433 expression of interest in the property before the expiration of  
1434 the 2-year period. This subsection may not be construed to  
1435 extend the otherwise applicable dormancy period prescribed by  
1436 this chapter.

1437 Section 39. Subsection (5) of section 717.106, Florida  
1438 Statutes, is amended to read:

1439 717.106 Bank deposits and funds in financial  
1440 organizations.—

1441 (5) If the documents establishing a deposit described in  
1442 subsection (1) state the address of a beneficiary of the  
1443 deposit, and the account has a value of at least \$50, notice  
1444 shall be given to the beneficiary as provided for notice to the  
1445 apparent owner under s. 717.117(6) ~~s. 717.117(4)~~. This  
1446 subsection shall apply to accounts opened on or after October 1,  
1447 1990.

1448 Section 40. Section 717.1065, Florida Statutes, is created  
1449 to read:

1450 717.1065 Virtual currency.—

1451 (1) Any virtual currency held or owing by a banking  
1452 organization, corporation, custodian, exchange, or other entity  
1453 engaged in virtual currency business activity is presumed  
1454 unclaimed unless the owner, within 5 years, has communicated in  
1455 writing with the banking organization, corporation, custodian,  
1456 exchange, or other entity engaged in virtual currency business  
1457 activity concerning the virtual currency or otherwise indicated  
1458 an interest as evidenced by a memorandum or other record on file  
1459 with the banking organization, corporation, custodian, exchange,  
1460 or other entity engaged in virtual currency business activity.



1461 (2) A holder may not deduct from the amount of any virtual  
1462 currency subject to this section any charges imposed by reason  
1463 of the virtual currency unless there is a valid and enforceable  
1464 written contract between the holder and the owner of the virtual  
1465 currency pursuant to which the holder may impose those charges  
1466 and the holder does not regularly reverse or otherwise cancel  
1467 those charges with respect to the virtual currency.

1468 Section 41. Paragraph (a) of subsection (1) of section  
1469 717.1101, Florida Statutes, is amended to read:

1470 717.1101 Unclaimed equity and debt of business  
1471 associations.—

1472 (1) (a) Stock or other equity interest in a business  
1473 association is presumed unclaimed on the date of 3 years after  
1474 the earliest of the following:

1475 1. Three years after The date of the most recent of any  
1476 owner-generated activity or communication related to the  
1477 account, as recorded and maintained in the holder's database and  
1478 records systems sufficient enough to demonstrate the owner's  
1479 continued awareness or interest in the property dividend, stock  
1480 split, or other distribution unclaimed by the apparent owner;

1481 2. Three years after the date of the death of the owner, as  
1482 evidenced by: The date of a statement of account or other  
1483 notification or communication that was returned as  
1484 undeliverable; or

1485 a. Notice to the holder of the owner's death by an  
1486 administrator, beneficiary, relative, or trustee, or by a  
1487 personal representative or other legal representative of the  
1488 owner's estate;

1489 b. Receipt by the holder of a copy of the death certificate



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1490 of the owner;

1491 c. Confirmation by the holder of the owner's death through  
1492 other means; or

1493 d. Other evidence from which the holder may reasonably  
1494 conclude that the owner is deceased; or

1495 3. One year after the date on which the holder receives  
1496 notice under subparagraph 2. if the notice is received 2 years  
1497 or less after the owner's death and the holder lacked knowledge  
1498 of the owner's death during that period of 2 years or less ~~The~~  
1499 ~~date the holder discontinued mailings, notifications, or~~  
1500 ~~communications to the apparent owner.~~

1501 Section 42. Subsection (1) of section 717.112, Florida  
1502 Statutes, is amended, and a new subsection (6) is added to that  
1503 section, to read:

1504 717.112 Property held by agents and fiduciaries.—

1505 (1) ~~Except as provided in ss. 717.1125 and 733.816,~~ All  
1506 intangible property and any income or increment thereon held in  
1507 a fiduciary capacity for the benefit of another person,  
1508 including property held by an attorney in fact or an agent,  
1509 except as provided in ss. 717.1125 and 733.816, is presumed  
1510 unclaimed unless the owner has within 5 years after it has  
1511 become payable or distributable increased or decreased the  
1512 principal, accepted payment of principal or income, communicated  
1513 in writing concerning the property, or otherwise indicated an  
1514 interest as evidenced by a memorandum or other record on file  
1515 with the fiduciary.

1516 (6) This section does not relieve a fiduciary of its duties  
1517 under applicable Florida law.

1518 Section 43. Section 717.1125, Florida Statutes, is amended



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1519 to read:

1520 717.1125 Property held by fiduciaries under trust  
1521 instruments.—All intangible property and any income or increment  
1522 thereon held in a fiduciary capacity for the benefit of another  
1523 person under a trust instrument is presumed unclaimed unless the  
1524 owner has, within 2 years after it has become payable or  
1525 distributable, increased or decreased the principal, accepted  
1526 payment of principal or income, communicated concerning the  
1527 property, or otherwise indicated an interest as evidenced by a  
1528 memorandum or other record on file with the fiduciary. This  
1529 section does not relieve a fiduciary of its duties under the  
1530 Florida Trust Code.

1531 Section 44. Effective January 1, 2025, section 717.117,  
1532 Florida Statutes, is amended to read:

1533 717.117 Report of unclaimed property.—

1534 (1) Every person holding funds or other property, tangible  
1535 or intangible, presumed unclaimed and subject to custody as  
1536 unclaimed property under this chapter shall report to the  
1537 department ~~on such forms as the department may prescribe by~~  
1538 ~~rule. In lieu of forms, a report identifying 25 or more~~  
1539 ~~different apparent owners must be submitted by the holder via~~  
1540 electronic medium as the department may prescribe by rule. The  
1541 report must include:

1542 (a) Except for traveler's checks and money orders, the  
1543 name, social security number or taxpayer identification number,  
1544 ~~and~~ date of birth, if known, and last known address, if any, of  
1545 each person appearing from the records of the holder to be the  
1546 owner of any property which is presumed unclaimed and which has  
1547 a value of \$10 ~~\$50~~ or more.



1548 (b) For unclaimed funds that ~~which~~ have a value of \$10 ~~\$50~~  
1549 or more held or owing under any life or endowment insurance  
1550 policy or annuity contract, the identifying information required  
1551 to be provided under paragraph (a) for both full name, taxpayer  
1552 identification number or social security number, date of birth,  
1553 if known, and last known address of the insured or annuitant and  
1554 ~~of~~ the beneficiary according to records of the insurance company  
1555 holding or owing the funds.

1556 (c) For all tangible property held in a safe-deposit box or  
1557 other safekeeping repository, a description of the property and  
1558 the place where the property is held and may be inspected by the  
1559 department, and any amounts owing to the holder. Contents of a  
1560 safe-deposit box or other safekeeping repository which consist  
1561 of documents or writings of a private nature and which have  
1562 little or no apparent value shall not be presumed unclaimed.

1563 (d) The nature or type of property, any accounting or ~~and~~  
1564 identifying number associated with the property, a if any, or  
1565 description of the property, and the amount appearing from the  
1566 records to be due. Items of value less than \$10 ~~under \$50~~ each  
1567 may be reported in the aggregate.

1568 (e) The date the property became payable, demandable, or  
1569 returnable, and the date of the last transaction with the  
1570 apparent owner with respect to the property.

1571 (f) Any other information the department may prescribe by  
1572 rule as necessary for the administration of this chapter.

1573 (2) If the total value of all presumed unclaimed property,  
1574 whether tangible or intangible, held by a person is less than  
1575 \$10, a zero balance report may be filed for that reporting  
1576 period



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1577           ~~(f) Any person or business association or public~~  
1578 ~~corporation holding funds presumed unclaimed and having a total~~  
1579 ~~value of \$10 or less may file a zero balance report for that~~  
1580 ~~reporting period. The balance brought forward to the new~~  
1581 ~~reporting period is zero.~~

1582           ~~(g) Such other information as the department may prescribe~~  
1583 ~~by rule as necessary for the administration of this chapter.~~

1584           ~~(3)~~~~(h)~~ Credit balances, customer overpayments, security  
1585 deposits, and refunds having a value of less than \$10 may ~~shall~~  
1586 not be presumed unclaimed.

1587           ~~(4)~~~~(2)~~ If the holder of property presumed unclaimed and  
1588 subject to custody as unclaimed property is a successor holder  
1589 or if the holder has changed the holder's name while in  
1590 possession of the property, the holder must ~~shall~~ file with the  
1591 holder's report all known names and addresses of each prior  
1592 holder of the property. Compliance with this subsection means  
1593 the holder exercises reasonable and prudent efforts to determine  
1594 the names of all prior holders.

1595           ~~(5)~~~~(3)~~ The report must be filed before May 1 of each year.  
1596 The report applies ~~shall apply~~ to the preceding calendar year.  
1597 Upon written request by any person required to file a report,  
1598 and upon a showing of good cause, the department may extend the  
1599 reporting date. The department may impose and collect a penalty  
1600 of \$10 per day up to a maximum of \$500 for the failure to timely  
1601 report, if an extension was not provided or if the holder of the  
1602 property failed ~~the failure~~ to include in a report information  
1603 required by this chapter which was in the holder's possession at  
1604 the time of reporting. The penalty must ~~shall~~ be remitted to the  
1605 department within 30 days after the date of the notification to





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1606 the holder that the penalty is due and owing. As necessary for  
1607 proper administration of this chapter, the department may waive  
1608 any penalty due with appropriate justification. ~~On written~~  
1609 ~~request by any person required to file a report and upon a~~  
1610 ~~showing of good cause, the department may postpone the reporting~~  
1611 ~~date.~~ The department must provide information contained in a  
1612 report filed with the department to any person requesting a copy  
1613 of the report or information contained in a report, to the  
1614 extent the information requested is not confidential, within 45  
1615 days after the department determines that the report ~~has been~~  
1616 ~~processed and added to the unclaimed property database~~  
1617 ~~subsequent to a determination that the report is accurate and~~  
1618 acceptable and that the reported property is the same as the  
1619 remitted property.

1620 (6)~~(4)~~ Holders of inactive accounts having a value of \$50  
1621 or more shall use due diligence to locate and notify apparent  
1622 owners that the entity is holding unclaimed property available  
1623 for them to recover. Not more than 120 days and not less than 60  
1624 days prior to filing the report required by this section, the  
1625 holder in possession of property presumed unclaimed and subject  
1626 to custody as unclaimed property under this chapter shall send  
1627 written notice by first-class United States mail to the apparent  
1628 owner at the apparent owner's last known address from the  
1629 holder's records or from other available sources, or via  
1630 electronic mail if the apparent owner has elected this method of  
1631 delivery, informing the apparent owner that the holder is in  
1632 possession of property subject to this chapter, if the holder  
1633 has in its records a mailing or electronic ~~an~~ address for the  
1634 apparent owner which the holder's records do not disclose to be



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1635 inaccurate. These two means of contact are not mutually  
1636 exclusive; if the mailing address is determined to be  
1637 inaccurate, electronic mail may be used if so elected by the  
1638 apparent owner.

1639 (7) The written notice to the apparent owner required under  
1640 this section must:

1641 (a) Contain a heading that reads substantially as follows:  
1642 "Notice. The State of Florida requires us to notify you that  
1643 your property may be transferred to the custody of the Florida  
1644 Department of Financial Services if you do not contact us before  
1645 (insert date that is at least 30 days after the date of the  
1646 notice)."

1647 (b) Identify the type, nature, and, except for property  
1648 that does not have a fixed value, value of the property that is  
1649 the subject of the notice.

1650 (c) State that the property will be turned over to the  
1651 custody of the department as unclaimed property if no response  
1652 to this letter is received.

1653 (d) State that any property that is not legal tender of the  
1654 United States may be sold or liquidated by the department.

1655 (e) State that after the property is turned over to the  
1656 department, an apparent owner seeking return of the property may  
1657 file a claim with the department.

1658 (f) State that the property is currently with a holder and  
1659 provide instructions that the apparent owner must follow to  
1660 prevent the holder from reporting and paying for the property or  
1661 from delivering the property to the department.

1662 (8)~~(5)~~ Any holder of intangible property may file with the  
1663 department a petition for determination that the property is



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1664 unclaimed requesting the department to accept custody of the  
1665 property. The petition shall state any special circumstances  
1666 that exist, contain the information required by subsection (4)  
1667 ~~(2)~~, and show that a diligent search has been made to locate the  
1668 owner. If the department finds that the proof of diligent search  
1669 is satisfactory, it shall give notice as provided in s. 717.118  
1670 and accept custody of the property.

1671 (9)~~(6)~~ Upon written request by any entity or person  
1672 required to file a report, stating such entity's or person's  
1673 justification for such action, the department may place that  
1674 entity or person in an inactive status as an unclaimed property  
1675 "holder."

1676 (10)~~(7)~~ (a) This section does not apply to the unclaimed  
1677 patronage refunds as provided for by contract or through bylaw  
1678 provisions of entities organized under chapter 425 or that are  
1679 exempt from ad valorem taxation pursuant to s. 196.2002.

1680 (b) This section does not apply to intangible property  
1681 held, issued, or owing by a business association subject to the  
1682 jurisdiction of the United States Surface Transportation Board  
1683 or its successor federal agency if the apparent owner of such  
1684 intangible property is a business association. The holder of  
1685 such property does not have any obligation to report, to pay, or  
1686 to deliver such property to the department.

1687 (c) This section does not apply to credit balances,  
1688 overpayments, refunds, or outstanding checks owed by a health  
1689 care provider to a managed care payor with whom the health care  
1690 provider has a managed care contract, provided that the credit  
1691 balances, overpayments, refunds, or outstanding checks become  
1692 due and owing pursuant to the managed care contract.



1693           ~~(11)-(8)~~(a) As used in this subsection, the term "property  
1694 identifier" means the descriptor used by the holder to identify  
1695 the unclaimed property.

1696           (b) Social security numbers and property identifiers  
1697 contained in reports required under this section, held by the  
1698 department, are confidential and exempt from s. 119.07(1) and s.  
1699 24(a), Art. I of the State Constitution.

1700           (c) This exemption applies to social security numbers and  
1701 property identifiers held by the department before, on, or after  
1702 the effective date of this exemption.

1703           Section 45. Present subsections (4), (5), and (6) of  
1704 section 717.119, Florida Statutes, are redesignated as  
1705 subsections (5), (6), and (7), respectively, and a new  
1706 subsection (4) and subsection (8) are added to that section, to  
1707 read:

1708           717.119 Payment or delivery of unclaimed property.—

1709           (4) All virtual currency reported under this chapter on the  
1710 annual report filing required in s. 717.117 shall be remitted to  
1711 the department with the report. The holder shall liquidate the  
1712 virtual currency and remit the proceeds to the department. The  
1713 liquidation must occur within 30 days before the filing of the  
1714 report. Upon delivery of the virtual currency proceeds to the  
1715 department, the holder is relieved of all liability of every  
1716 kind in accordance with the provisions of s. 717.1201 to every  
1717 person for any losses or damages resulting to the person by the  
1718 delivery to the department of the virtual currency proceeds.

1719           (8) A holder may not assign or otherwise transfer its  
1720 obligation to report, pay, or deliver property or to comply with  
1721 the provisions of this chapter, other than to a parent,



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1722 subsidiary, or affiliate of the holder.

1723 (a) Unless otherwise agreed to by the parties to a  
1724 transaction, the holder's successor by merger or consolidation,  
1725 or any person or entity that acquires all or substantially all  
1726 of the holder's capital stock or assets, is responsible for  
1727 fulfilling the holder's obligation to report, pay, or deliver  
1728 property or to comply with the duties of this chapter regarding  
1729 the transfer of property owed to the holder's successor and  
1730 being held for an owner resulting from the merger,  
1731 consolidation, or acquisition.

1732 (b) This subsection does not prohibit a holder from  
1733 contracting with a third party for the reporting of unclaimed  
1734 property, but the holder remains responsible to the department  
1735 for the complete, accurate, and timely reporting of the  
1736 property.

1737 Section 46. Section 717.1201, Florida Statutes, is amended  
1738 to read:

1739 717.1201 Custody by state; holder ~~relieved from~~ liability;  
1740 reimbursement of holder paying claim; reclaiming for owner;  
1741 ~~defense of holder;~~ payment of safe-deposit box or repository  
1742 charges.—

1743 (1) Upon the good faith payment or delivery of property to  
1744 the department, the state assumes custody and responsibility for  
1745 the safekeeping of the property. Any person who pays or delivers  
1746 unclaimed property to the department in good faith is relieved  
1747 of all liability to the extent of the value of the property paid  
1748 or delivered for any claim then existing or which thereafter may  
1749 arise or be made in respect to the property.

1750 (a) A holder's substantial compliance with s. 717.117(6)



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1751 and good faith payment or delivery of unclaimed property to the  
1752 department releases the holder from liability that may arise  
1753 from such payment or delivery, and such delivery and payment may  
1754 be pled as a defense in any suit or action brought by reason of  
1755 such delivery or payment. This paragraph does not relieve a  
1756 fiduciary of its duties under the Florida Trust Code or Florida  
1757 Probate Code.

1758 (b) If the holder pays or delivers property to the  
1759 department in good faith and thereafter any other person claims  
1760 the property from the holder paying or delivering, or another  
1761 state claims the money or property under that state's laws  
1762 relating to escheat or abandoned or unclaimed property, the  
1763 department, upon written notice of the claim, shall defend the  
1764 holder against the claim and indemnify the holder against any  
1765 liability on the claim, except that a holder may not be  
1766 indemnified against penalties imposed by another state.

1767 (2) For the purposes of this section, a payment or delivery  
1768 of unclaimed property is made in good faith if:

1769 (a) The payment or delivery was made in conjunction with an  
1770 accurate and acceptable report.

1771 (b) The payment or delivery was made in a reasonable  
1772 attempt to comply with this chapter and other applicable Florida  
1773 law.

1774 (c) The holder had a reasonable basis for believing, based  
1775 on the facts then known, that the property was unclaimed and  
1776 subject to this chapter.

1777 (d) There is no showing that the records pursuant to which  
1778 the delivery was made did not meet reasonable commercial  
1779 standards of practice in the industry.



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1780           (3)~~(2)~~ Any holder who has paid money to the department  
1781 pursuant to this chapter may make payment to any person  
1782 appearing to be entitled to payment and, upon filing proof that  
1783 the payee is entitled thereto, the department shall forthwith  
1784 repay the holder without deduction of any fee or other charges.  
1785 If repayment is sought for a payment made on a negotiable  
1786 instrument, including a traveler's check or money order, the  
1787 holder must be repaid under this subsection upon filing proof  
1788 that the instrument was duly presented and that the payee is  
1789 entitled to payment. The holder shall be repaid for payment made  
1790 under this subsection even if the payment was made to a person  
1791 whose claim was barred under s. 717.129(1).

1792           (4)~~(3)~~ Any holder who has delivered property, including a  
1793 certificate of any interest in a business association, other  
1794 than money to the department pursuant to this chapter may  
1795 reclaim the property if still in the possession of the  
1796 department, without payment of any fee or other charges, upon  
1797 filing proof that the owner has claimed the property from the  
1798 holder.

1799           (5)~~(4)~~ The department may accept an affidavit of the holder  
1800 stating the facts that entitle the holder to recover money and  
1801 property under this section as sufficient proof.

1802           ~~(5) If the holder pays or delivers property to the~~  
1803 ~~department in good faith and thereafter any other person claims~~  
1804 ~~the property from the holder paying or delivering, or another~~  
1805 ~~state claims the money or property under that state's laws~~  
1806 ~~relating to escheat or abandoned or unclaimed property, the~~  
1807 ~~department, upon written notice of the claim, shall defend the~~  
1808 ~~holder against the claim and indemnify the holder against any~~



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1809 ~~liability on the claim.~~

1810 ~~(6) For the purposes of this section, "good faith" means~~  
1811 ~~that:~~

1812 ~~(a) Payment or delivery was made in a reasonable attempt to~~  
1813 ~~comply with this chapter.~~

1814 ~~(b) The person delivering the property was not a fiduciary~~  
1815 ~~then in breach of trust in respect to the property and had a~~  
1816 ~~reasonable basis for believing, based on the facts then known to~~  
1817 ~~that person, that the property was unclaimed for the purposes of~~  
1818 ~~this chapter.~~

1819 ~~(c) There is no showing that the records pursuant to which~~  
1820 ~~the delivery was made did not meet reasonable commercial~~  
1821 ~~standards of practice in the industry.~~

1822 ~~(6)~~ (7) Property removed from a safe-deposit box or other  
1823 safekeeping repository is received by the department subject to  
1824 the holder's right under this subsection to be reimbursed for  
1825 the actual cost of the opening and to any valid lien or contract  
1826 providing for the holder to be reimbursed for unpaid rent or  
1827 storage charges. The department shall make the reimbursement to  
1828 the holder out of the proceeds remaining after the deduction of  
1829 the department's selling cost.

1830 (7) If it appears to the satisfaction of the department  
1831 that, because of some mistake of fact, error in calculation, or  
1832 erroneous interpretation of a statute, a person has paid or  
1833 delivered to the department pursuant to any provision of this  
1834 chapter any money or other property not required by this chapter  
1835 to be so paid or delivered, the department may, within 5 years  
1836 after such erroneous payment or delivery, refund or redeliver  
1837 such money or other property to the person, provided that such





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1838 money or property has not been paid or delivered to a claimant  
1839 or otherwise disposed of in accordance with this chapter.

1840 Section 47. Subsection (1) of section 717.1242, Florida  
1841 Statutes, is amended to read:

1842 717.1242 Restatement of jurisdiction of the circuit court  
1843 sitting in probate and the department.—

1844 (1) It is and has been the intent of the Legislature that,  
1845 pursuant to s. 26.012(2)(b), circuit courts have jurisdiction of  
1846 proceedings relating to the settlement of the estates of  
1847 decedents and other jurisdiction usually pertaining to courts of  
1848 probate. It is and has been the intent of the Legislature that,  
1849 pursuant to this chapter s. 717.124, the department determines  
1850 the merits of claims and entitlements to unclaimed ~~for~~ property  
1851 paid or delivered to the department under this chapter.

1852 Consistent with this legislative intent, any ~~estate or~~  
1853 beneficiary, devisee, heir, personal representative, or other  
1854 interested person, as those terms are defined in the Florida  
1855 Probate Code and the Florida Trust Code s. 731.201, of an estate  
1856 seeking to obtain property paid or delivered to the department  
1857 under this chapter must file a claim with the department as  
1858 provided in s. 717.124.

1859 Section 48. Subsection (4) of section 717.1243, Florida  
1860 Statutes, is amended to read:

1861 717.1243 Small estate accounts.—

1862 (4) This section ~~only~~ applies only if all of the unclaimed  
1863 property held by the department on behalf of the owner has an  
1864 aggregate value of \$20,000 ~~\$10,000~~ or less and no probate  
1865 proceeding is pending.

1866 Section 49. Subsection (2) of section 717.129, Florida



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1867 Statutes, is amended to read:

1868 717.129 Periods of limitation.—

1869 (2) The department may not commence an ~~Ne~~ action or  
1870 proceeding to enforce this chapter with respect to the  
1871 reporting, payment, or delivery of property or any other duty of  
1872 a holder under this chapter ~~may be commenced by the department~~  
1873 with respect to any duty of a holder under this chapter more  
1874 than 10 years after the duty arose. The period of limitation  
1875 established under this subsection is tolled by the earlier of  
1876 the department's or audit agent's delivery of a notice that a  
1877 holder is subject to an audit or examination under s. 717.1301  
1878 or the holder's written election to enter into an unclaimed  
1879 property voluntary disclosure agreement.

1880 Section 50. Section 717.1301, Florida Statutes, is amended  
1881 to read:

1882 717.1301 Investigations; examinations; subpoenas.—

1883 (1) To carry out the chapter's purpose of protecting the  
1884 interest of missing owners through the safeguarding of their  
1885 property and to administer and enforce this chapter, the  
1886 department may:

1887 (a) Investigate, examine, inspect, request, or otherwise  
1888 gather information or evidence on claim documents from a  
1889 claimant or a claimant's representative during its review of a  
1890 claim.

1891 (b) Audit the records of a person or the records in the  
1892 possession of an agent, representative, subsidiary, or affiliate  
1893 of the person subject to this chapter to determine whether the  
1894 person complied with this chapter. Such records may include  
1895 information to verify the completeness or accuracy of the



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1896 records provided, even if such records may not identify property  
1897 reportable to the department.

1898 (c) Take testimony of a person, including the person's  
1899 employee, agent, representative, subsidiary, or affiliate, to  
1900 determine whether the person complied with this chapter.

1901 (d) Issue an administrative subpoena to require that the  
1902 records specified in paragraph (b) be made available for  
1903 examination or audit and that the testimony specified in  
1904 paragraph (c) be provided.

1905 (e) Bring an action in a court of competent jurisdiction  
1906 seeking enforcement of an administrative subpoena issued under  
1907 this section, which the court shall consider under procedures  
1908 that will lead to an expeditious resolution of the action.

1909 (f) Bring an administrative action or an action in a court  
1910 of competent jurisdiction to enforce this chapter.

1911 (2) If a person is subject to reporting property under this  
1912 chapter, the department may require the person to file a  
1913 verified report in a form prescribed by the department. The  
1914 verified report must:

1915 (a) State whether the person is holding property reportable  
1916 under this chapter;

1917 (b) Describe the property not previously reported, the  
1918 property about which the department has inquired, or the  
1919 property that is in dispute as to whether it is reportable under  
1920 this chapter; and

1921 (c) State the amount or value of the property.

1922 (3) The department may authorize a compliance review of a  
1923 report for a specified reporting year. The review must be  
1924 limited to the contents of the report filed, as required by s.



1925 717.117 and subsection (2), and all supporting documents related  
1926 to the reports. If the review results in a finding of a  
1927 deficiency in unclaimed property due and payable to the  
1928 department, the department shall notify the holder in writing of  
1929 the amount of deficiency within 1 year after the authorization  
1930 of the compliance review. If the holder fails to pay the  
1931 deficiency within 90 days, the department may seek to enforce  
1932 the assessment under subsection (1). The department is not  
1933 required to conduct a review under this section before  
1934 initiating an audit.

1935 (4) Notwithstanding any other provision of law, in a  
1936 contract providing for the location or collection of unclaimed  
1937 property, the department may authorize the contractor to deduct  
1938 its fees and expenses for services provided under the contract  
1939 from the unclaimed property that the contractor has recovered or  
1940 collected under the contract. The department shall annually  
1941 report to the Chief Financial Officer the total amount collected  
1942 or recovered by each contractor during the previous fiscal year  
1943 and the total fees and expenses deducted by each contractor.

1944 ~~(1) The department may make investigations and examinations~~  
1945 ~~within or outside this state of claims, reports, and other~~  
1946 ~~records as it deems necessary to administer and enforce the~~  
1947 ~~provisions of this chapter. In such investigations and~~  
1948 ~~examinations the department may administer oaths, examine~~  
1949 ~~witnesses, issue subpoenas, and otherwise gather evidence. The~~  
1950 ~~department may request any person who has not filed a report~~  
1951 ~~under s. 717.117 to file a verified report stating whether or~~  
1952 ~~not the person is holding any unclaimed property reportable or~~  
1953 ~~deliverable under this chapter.~~



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1954           ~~(2) Subpoenas for witnesses whose evidence is deemed~~  
1955 ~~material to any investigation or examination under this section~~  
1956 ~~may be issued by the department under seal of the department, or~~  
1957 ~~by any court of competent jurisdiction, commanding such~~  
1958 ~~witnesses to appear before the department at a time and place~~  
1959 ~~named and to bring such books, records, and documents as may be~~  
1960 ~~specified or to submit such books, records, and documents to~~  
1961 ~~inspection. Such subpoenas may be served by an authorized~~  
1962 ~~representative of the department.~~

1963           ~~(3) If any person shall refuse to testify, produce books,~~  
1964 ~~records, and documents, or otherwise refuse to obey a subpoena~~  
1965 ~~issued under this section, the department may present its~~  
1966 ~~petition to a court of competent jurisdiction in or for the~~  
1967 ~~county in which such person resides or has its principal place~~  
1968 ~~of business, whereupon the court shall issue its rule nisi~~  
1969 ~~requiring such person to obey forthwith the subpoena issued by~~  
1970 ~~the department or show cause for failing to obey said subpoena.~~  
1971 ~~Unless said person shows sufficient cause for failing to obey~~  
1972 ~~the subpoena, the court shall forthwith direct such person to~~  
1973 ~~obey the same subject to such punishment as the court may direct~~  
1974 ~~including, but not limited to, the restraint, by injunction or~~  
1975 ~~by appointment of a receiver, of any transfer, pledge,~~  
1976 ~~assignment, or other disposition of such person's assets or any~~  
1977 ~~concealment, alteration, destruction, or other disposition of~~  
1978 ~~subpoenaed books, records, or documents as the court deems~~  
1979 ~~appropriate, until such person has fully complied with such~~  
1980 ~~subpoena and the department has completed its investigation or~~  
1981 ~~examination. The department is entitled to the summary procedure~~  
1982 ~~provided in s. 51.011, and the court shall advance the cause on~~



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1983 ~~its calendar. Costs incurred by the department to obtain an~~  
1984 ~~order granting, in whole or in part, its petition shall be taxed~~  
1985 ~~against the subpoenaed person, and failure to comply with such~~  
1986 ~~order shall be a contempt of court.~~

1987 ~~(4) Witnesses shall be entitled to the same fees and~~  
1988 ~~mileage as they may be entitled by law for attending as~~  
1989 ~~witnesses in the circuit court, except where such examination or~~  
1990 ~~investigation is held at the place of business or residence of~~  
1991 ~~the witness.~~

1992 (5) The material compiled by the department in an  
1993 investigation or examination under this chapter is confidential  
1994 until the investigation or examination is complete. If any such  
1995 material contains a holder's financial or proprietary  
1996 information, it may not be disclosed or made public by the  
1997 department after the investigation or audit is completed, except  
1998 as required by a court of competent jurisdiction in the course  
1999 of a judicial proceeding in which the state is a party, or  
2000 pursuant to an agreement with another state allowing joint  
2001 audits. Such material may be considered a trade secret and  
2002 exempt from s. 119.07(1) as provided for in s. 119.0715. The  
2003 records, data, and information gathered ~~material compiled~~ by the  
2004 department in an investigation or audit ~~examination~~ under this  
2005 chapter remain ~~remains~~ confidential ~~after the department's~~  
2006 ~~investigation or examination is complete~~ if the department has  
2007 submitted the material or any part of it to any law enforcement  
2008 agency or other administrative agency for further investigation  
2009 or for the filing of a criminal or civil prosecution and such  
2010 investigation has not been completed or become inactive.

2011 (6) If an investigation or an audit ~~examination~~ of the



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2012 records of any person results in the disclosure of property  
2013 reportable and deliverable under this chapter, the department  
2014 may assess the cost of the investigation or audit ~~the~~  
2015 ~~examination~~ against the holder at ~~the rate of \$100 per 8 hour~~  
2016 ~~day for each investigator or examiner. Such fee shall be~~  
2017 ~~calculated on an hourly basis and shall be rounded to the~~  
2018 ~~nearest hour. The person shall also pay the travel expense and~~  
2019 ~~per diem subsistence allowance provided for state employees in~~  
2020 ~~s. 112.061. The person shall not be required to pay a per diem~~  
2021 ~~fee and expenses of an examination or investigation which shall~~  
2022 ~~consume more than 30 worker-days in any one year unless such~~  
2023 ~~examination or investigation is due to fraudulent practices of~~  
2024 ~~the person, in which case such person shall be required to pay~~  
2025 ~~the entire cost regardless of time consumed. The fee for the~~  
2026 ~~costs of the investigation or audit shall be remitted to the~~  
2027 ~~department within 30 days after the date of the notification~~  
2028 ~~that the fee is due and owing. Any person who fails to pay the~~  
2029 ~~fee within 30 days after the date of the notification that the~~  
2030 ~~fee is due and owing shall pay to the department interest at the~~  
2031 ~~rate of 12 percent per annum on such fee from the date of the~~  
2032 ~~notification.~~

2033 Section 51. Subsection (1) of section 717.1311, Florida  
2034 Statutes, is amended to read:

2035 717.1311 Retention of records.—

2036 (1) Every holder required to file a report under s. 717.117  
2037 shall maintain a record of the specific type of property,  
2038 amount, name, and last known address of the owner for 10 ~~5~~ years  
2039 after the property becomes reportable, except to the extent that  
2040 a shorter time is provided in subsection (2) or by rule of the



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2041 department.

2042 Section 52. Paragraph (j) of subsection (1) and subsection  
2043 (3) of section 717.1322, Florida Statutes, are amended to read:

2044 717.1322 Administrative and civil enforcement.—

2045 (1) The following acts are violations of this chapter and  
2046 constitute grounds for an administrative enforcement action by  
2047 the department in accordance with the requirements of chapter  
2048 120 and for civil enforcement by the department in a court of  
2049 competent jurisdiction:

2050 (j) Requesting or receiving compensation for notifying a  
2051 person of his or her unclaimed property or assisting another  
2052 person in filing a claim for unclaimed property, unless the  
2053 person is an attorney licensed to practice law in this state, a  
2054 Florida-certified public accountant, or a private investigator  
2055 licensed under chapter 493, or entering into, or making a  
2056 solicitation to enter into, an agreement to file a claim for  
2057 unclaimed property owned by another, ~~or a contract or agreement~~  
2058 ~~to purchase unclaimed property,~~ unless such person is registered  
2059 with the department under this chapter and an attorney licensed  
2060 to practice law in this state in the regular practice of her or  
2061 his profession, a Florida-certified public accountant who is  
2062 acting within the scope of the practice of public accounting as  
2063 defined in chapter 473, or a private investigator licensed under  
2064 chapter 493. This paragraph does not apply to a person who has  
2065 been granted a durable power of attorney to convey and receive  
2066 all of the real and personal property of the owner, is the  
2067 court-appointed guardian of the owner, has been employed as an  
2068 attorney or qualified representative to contest the department's  
2069 denial of a claim, or has been employed as an attorney to





2070 probate the estate of the owner or an heir or legatee of the  
2071 owner.

2072 (3) A claimant's representative ~~registrant~~ is subject to  
2073 civil enforcement and the disciplinary actions specified in  
2074 subsection (2) for violations of subsection (1) by an agent or  
2075 employee of the registrant's employer if the claimant's  
2076 representative ~~registrant~~ knew or should have known that such  
2077 agent or employee was violating any provision of this chapter.

2078 Section 53. Subsection (1) of section 717.1333, Florida  
2079 Statutes, is amended to read:

2080 717.1333 Evidence; estimations; audit reports and  
2081 worksheets, investigator ~~examiner's worksheets, investigative~~  
2082 reports and worksheets, other related documents.-

2083 (1) In any proceeding involving a holder under ss. 120.569  
2084 and 120.57 in which an audit agent ~~auditor, examiner,~~ or  
2085 investigator acting under authority of this chapter is available  
2086 for cross-examination, any official written report, worksheet,  
2087 or other related paper, or copy thereof, compiled, prepared,  
2088 drafted, or otherwise made or received by the audit agent  
2089 ~~auditor, examiner,~~ or investigator, after being duly  
2090 authenticated by the audit agent ~~auditor, examiner,~~ or  
2091 investigator, may be admitted as competent evidence upon the  
2092 oath of the audit agent ~~auditor, examiner,~~ or investigator that  
2093 the report, worksheet, or related paper was prepared or received  
2094 as a result of an audit, examination, or investigation of the  
2095 books and records of the person audited, examined, or  
2096 investigated, or the agent thereof.

2097 Section 54. Subsections (1) and (2) of section 717.134,  
2098 Florida Statutes, are amended to read:



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2099 717.134 Penalties and interest.-

2100 (1) For any person who willfully fails to render any report  
2101 required under this chapter, the department may impose and  
2102 collect a penalty of \$500 per day up to a maximum of \$5,000 and  
2103 25 percent of the value of property not reported until an  
2104 appropriate a report is provided ~~rendered for any person who~~  
2105 ~~willfully fails to render any report required under this~~  
2106 ~~chapter.~~ Upon a holder's showing of good cause, the department  
2107 may waive said penalty or any portion thereof. If the holder  
2108 acted in good faith and without negligence, the department shall  
2109 waive the penalty provided herein.

2110 (2) For any person who willfully refuses to pay or deliver  
2111 unclaimed property to the department as required under this  
2112 chapter, the department may impose and collect a penalty of \$500  
2113 per day up to a maximum of \$5,000 and 25 percent of the value of  
2114 property not paid or delivered until the property is paid or  
2115 ~~delivered for any person who willfully refuses to pay or deliver~~  
2116 ~~abandoned property to the department as required under this~~  
2117 ~~chapter.~~

2118 Section 55. Section 717.135, Florida Statutes, is amended  
2119 to read:

2120 717.135 Recovery agreements and purchase agreements for  
2121 claims filed by a claimant's representative; fees and costs, or  
2122 total net gain.-

2123 (1) In order to protect the interests of owners of  
2124 unclaimed property, the department shall adopt by rule a form  
2125 entitled "Unclaimed Property Recovery Agreement" and a form  
2126 entitled "Unclaimed Property Purchase Agreement."

2127 (2) The Unclaimed Property Recovery Agreement and the



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2128 Unclaimed Property Purchase Agreement must include and disclose  
2129 all of the following:

2130 (a) The total dollar amount of unclaimed property accounts  
2131 claimed or sold.

2132 (b) The total percentage of all authorized fees and costs  
2133 to be paid to the claimant's representative or the percentage of  
2134 the value of the property to be paid as net gain to the  
2135 purchasing claimant's representative.

2136 (c) The total dollar amount to be deducted and received  
2137 from the claimant as fees and costs by the claimant's  
2138 representative or the total net dollar amount to be received by  
2139 the purchasing claimant's representative.

2140 (d) The net dollar amount to be received by the claimant or  
2141 the seller.

2142 (e) For each account claimed, the unclaimed property  
2143 account number.

2144 (f) For the Unclaimed Property Purchase Agreement, a  
2145 statement that the amount of the purchase price will be remitted  
2146 to the seller by the purchaser within 30 days after the  
2147 execution of the agreement by the seller.

2148 (g) The name, address, e-mail address, phone number, and  
2149 license number of the claimant's representative.

2150 (h)1. The manual signature of the claimant or seller and  
2151 the date signed, affixed on the agreement by the claimant or  
2152 seller.

2153 2. Notwithstanding any other provision of this chapter to  
2154 the contrary, the department may allow an apparent owner, who is  
2155 also the claimant or seller, to sign the agreement  
2156 electronically ~~for claims of \$2,000 or less~~. All electronic



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2157 signatures on the Unclaimed Property Recovery Agreement and the  
2158 Unclaimed Property Purchase Agreement must be affixed on the  
2159 agreement by the claimant or seller using the specific,  
2160 exclusive eSignature product and protocol authorized by the  
2161 department.

2162 (i) The social security number or taxpayer identification  
2163 number of the claimant or seller, if a number has been issued to  
2164 the claimant or seller.

2165 (j) The total fees and costs, or the total discount in the  
2166 case of a purchase agreement, which may not exceed 30 percent of  
2167 the claimed amount. In the case of a recovery agreement, if the  
2168 total fees and costs exceed 30 percent, the fees and costs shall  
2169 be reduced to 30 percent and the net balance shall be remitted  
2170 directly by the department to the claimant. In the case of a  
2171 purchase agreement, if the total net gain of the claimant's  
2172 representative exceeds 30 percent, the claim will be denied.

2173 (3) For an Unclaimed Property Purchase Agreement form,  
2174 proof that the purchaser has made payment must be filed with the  
2175 department along with the claim. If proof of payment is not  
2176 provided, the claim is void.

2177 (4) A claimant's representative must use the Unclaimed  
2178 Property Recovery Agreement or the Unclaimed Property Purchase  
2179 Agreement as the exclusive means of entering into an agreement  
2180 or a contract with a claimant or seller to file a claim with the  
2181 department.

2182 (5) Fees and costs may be owed or paid to, or received by,  
2183 a claimant's representative only after a filed claim has been  
2184 approved and if the claimant's representative used an agreement  
2185 authorized by this section.



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2186 (6) A claimant's representative may not use or distribute  
2187 any other agreement of any type, conveyed by any method, with  
2188 respect to the claimant or seller which relates, directly or  
2189 indirectly, to unclaimed property accounts held by the  
2190 department or the Chief Financial Officer other than the  
2191 agreements authorized by this section. Any engagement,  
2192 authorization, recovery, or fee agreement that is not authorized  
2193 by this section is void. A claimant's representative is subject  
2194 to administrative and civil enforcement under s. 717.1322 if he  
2195 or she uses an agreement that is not authorized by this section  
2196 and if the agreement is used to apply, directly or indirectly,  
2197 to unclaimed property held by this state. This subsection does  
2198 not prohibit lawful nonagreement, noncontractual, or advertising  
2199 communications between or among the parties.

2200 (7) The Unclaimed Property Recovery Agreement ~~and the~~  
2201 ~~Unclaimed Property Purchase Agreement~~ may not contain language  
2202 that makes the agreement irrevocable or that creates an  
2203 assignment of any portion of unclaimed property held by the  
2204 department.

2205 (8) When a claim is approved, the department may pay any  
2206 additional account that is owned by the claimant but has not  
2207 been claimed at the time of approval, provided that a subsequent  
2208 claim has not been filed or is not pending for the claimant at  
2209 the time of approval.

2210 (9) This section does not supersede s. 717.1241.

2211 (10) This section does not apply to the sale and purchase  
2212 of Florida-held unclaimed property accounts through a bankruptcy  
2213 estate representative or other person or entity authorized  
2214 pursuant to Title 11 of the United States Code or an order of a



2215 bankruptcy court to act on behalf of or for the benefit of the  
2216 debtor, its creditors, and its bankruptcy estate.

2217 Section 56. Subsections (1), (2), and (3) of section  
2218 717.1400, Florida Statutes, are amended to read:

2219 717.1400 Registration.—

2220 (1) In order to file claims as a claimant's representative,  
2221 ~~acquire ownership of or entitlement to unclaimed property,~~  
2222 receive a distribution of fees and costs from the department,  
2223 and obtain unclaimed property dollar amounts and numbers of  
2224 reported shares of stock held by the department, a private  
2225 investigator holding a Class "C" individual license under  
2226 chapter 493 must register with the department on such form as  
2227 the department prescribes by rule and must be verified by the  
2228 applicant. To register with the department, a private  
2229 investigator must provide:

2230 (a) A legible copy of the applicant's Class "A" business  
2231 license under chapter 493 or that of the applicant's firm or  
2232 employer which holds a Class "A" business license under chapter  
2233 493.

2234 (b) A legible copy of the applicant's Class "C" individual  
2235 license issued under chapter 493.

2236 (c) The business address and telephone number of the  
2237 applicant's private investigative firm or employer.

2238 (d) The names of agents or employees, if any, who are  
2239 designated to act on behalf of the private investigator,  
2240 together with a legible copy of their photo identification  
2241 issued by an agency of the United States, or a state, or a  
2242 political subdivision thereof.

2243 (e) Sufficient information to enable the department to



2244 disburse funds by electronic funds transfer.

2245 (f) The tax identification number of the private  
2246 investigator's firm or employer which holds a Class "A" business  
2247 license under chapter 493.

2248 (2) In order to file claims as a claimant's representative,  
2249 ~~acquire ownership of or entitlement to unclaimed property,~~  
2250 receive a distribution of fees and costs from the department,  
2251 and obtain unclaimed property dollar amounts and numbers of  
2252 reported shares of stock held by the department, a Florida-  
2253 certified public accountant must register with the department on  
2254 such form as the department prescribes by rule and must be  
2255 verified by the applicant. To register with the department, a  
2256 Florida-certified public accountant must provide:

2257 (a) The applicant's Florida Board of Accountancy number.

2258 (b) A legible copy of the applicant's current driver  
2259 license showing the full name and current address of such  
2260 person. If a current driver license is not available, another  
2261 form of identification showing the full name and current address  
2262 of such person or persons shall be filed with the department.

2263 (c) The business address and telephone number of the  
2264 applicant's public accounting firm or employer.

2265 (d) The names of agents or employees, if any, who are  
2266 designated to act on behalf of the Florida-certified public  
2267 accountant, together with a legible copy of their photo  
2268 identification issued by an agency of the United States, or a  
2269 state, or a political subdivision thereof.

2270 (e) Sufficient information to enable the department to  
2271 disburse funds by electronic funds transfer.

2272 (f) The tax identification number of the accountant's



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2273 public accounting firm employer.

2274 (3) In order to file claims as a claimant's representative,  
2275 ~~acquire ownership of or entitlement to unclaimed property,~~  
2276 receive a distribution of fees and costs from the department,  
2277 and obtain unclaimed property dollar amounts and numbers of  
2278 reported shares of stock held by the department, an attorney  
2279 licensed to practice in this state must register with the  
2280 department on such form as the department prescribes by rule and  
2281 must be verified by the applicant. To register with the  
2282 department, such attorney must provide:

2283 (a) The applicant's Florida Bar number.

2284 (b) A legible copy of the applicant's current driver  
2285 license showing the full name and current address of such  
2286 person. If a current driver license is not available, another  
2287 form of identification showing the full name and current address  
2288 of such person or persons shall be filed with the department.

2289 (c) The business address and telephone number of the  
2290 applicant's firm or employer.

2291 (d) The names of agents or employees, if any, who are  
2292 designated to act on behalf of the attorney, together with a  
2293 legible copy of their photo identification issued by an agency  
2294 of the United States, or a state, or a political subdivision  
2295 thereof.

2296 (e) Sufficient information to enable the department to  
2297 disburse funds by electronic funds transfer.

2298 (f) The tax identification number of the attorney's firm or  
2299 employer.

2300 Section 57. Paragraph (a) of subsection (2) of section  
2301 197.582, Florida Statutes, is amended to read:





2302 197.582 Disbursement of proceeds of sale.-  
2303 (2) (a) If the property is purchased for an amount in excess  
2304 of the statutory bid of the certificateholder, the surplus must  
2305 be paid over and disbursed by the clerk as set forth in  
2306 subsections (3), (5), and (6). If the opening bid included the  
2307 homestead assessment pursuant to s. 197.502(6)(c), that amount  
2308 must be treated as surplus and distributed in the same manner.  
2309 The clerk shall distribute the surplus to the governmental units  
2310 for the payment of any lien of record held by a governmental  
2311 unit against the property, including any tax certificates not  
2312 incorporated in the tax deed application and omitted taxes, if  
2313 any. If there remains a balance of undistributed funds, the  
2314 balance must be retained by the clerk for the benefit of persons  
2315 described in s. 197.522(1)(a), except those persons described in  
2316 s. 197.502(4)(h), as their interests may appear. The clerk shall  
2317 mail notices to such persons notifying them of the funds held  
2318 for their benefit at the addresses provided in s. 197.502(4).  
2319 Such notice constitutes compliance with the requirements of s.  
2320 717.117(6) ~~s. 717.117(4)~~. Any service charges and costs of  
2321 mailing notices shall be paid out of the excess balance held by  
2322 the clerk. Notice must be provided in substantially the  
2323 following form:

2324 NOTICE OF SURPLUS FUNDS FROM TAX DEED SALE  
2325 CLERK OF COURT  
2326 .... COUNTY, FLORIDA  
2327 Tax Deed #.....  
2328 Certificate #.....  
2329 Property Description: .....  
2330 Pursuant to chapter 197, Florida Statutes, the above



2331 property was sold at public sale on ...(date of sale)..., and a  
2332 surplus of \$...(amount)... (subject to change) will be held by  
2333 this office for 120 days beginning on the date of this notice to  
2334 benefit the persons having an interest in this property as  
2335 described in section 197.502(4), Florida Statutes, as their  
2336 interests may appear (except for those persons described in  
2337 section 197.502(4)(h), Florida Statutes).

2338 To the extent possible, these funds will be used to satisfy  
2339 in full each claimant with a senior mortgage or lien in the  
2340 property before distribution of any funds to any junior mortgage  
2341 or lien claimant or to the former property owner. To be  
2342 considered for funds when they are distributed, you must file a  
2343 notarized statement of claim with this office within 120 days of  
2344 this notice. If you are a lienholder, your claim must include  
2345 the particulars of your lien and the amounts currently due. Any  
2346 lienholder claim that is not filed within the 120-day deadline  
2347 is barred.

2348 A copy of this notice must be attached to your statement of  
2349 claim. After the office examines the filed claim statements, it  
2350 will notify you if you are entitled to any payment.

2351 Dated: .....

2352 Clerk of Court

2353 Section 58. Subsection (1) of section 717.1382, Florida  
2354 Statutes, is amended to read:

2355 717.1382 United States savings bond; unclaimed property;  
2356 escheatment; procedure.—

2357 (1) Notwithstanding any other provision of law, a United  
2358 States savings bond in possession of the department or  
2359 registered to a person with a last known address in the state,



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2360 including a bond that is lost, stolen, or destroyed, is presumed  
2361 abandoned and unclaimed 5 years after the bond reaches maturity  
2362 and no longer earns interest and shall be reported and remitted  
2363 to the department by the financial institution or other holder  
2364 in accordance with ss. 717.117(1) and (5) ~~ss. 717.117(1) and (3)~~  
2365 and 717.119, if the department is not in possession of the bond.

2366 Section 59. Paragraph (c) of subsection (10) of section  
2367 766.302, Florida Statutes, is amended to read:

2368 766.302 Definitions; ss. 766.301-766.316.—As used in ss.  
2369 766.301-766.316, the term:

2370 (10) "Family residential or custodial care" means care  
2371 normally rendered by trained professional attendants which is  
2372 beyond the scope of child care duties, but which is provided by  
2373 family members. Family members who provide nonprofessional  
2374 residential or custodial care may not be compensated under this  
2375 act for care that falls within the scope of child care duties  
2376 and other services normally and gratuitously provided by family  
2377 members. Family residential or custodial care shall be performed  
2378 only at the direction and control of a physician when such care  
2379 is medically necessary. Reasonable charges for expenses for  
2380 family residential or custodial care provided by a family member  
2381 shall be determined as follows:

2382 ~~(c) The award of family residential or custodial care as~~  
2383 ~~defined in this section shall not be included in the current~~  
2384 ~~estimates for purposes of s. 766.314(9)(c).~~

2385 Section 60. Paragraph (c) of subsection (9) of section  
2386 766.314, Florida Statutes, is amended to read:

2387 766.314 Assessments; plan of operation.—

2388 (9)



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2389 (c) If the total of all current estimates equals or exceeds  
2390 100 ~~80~~ percent of the funds on hand and the funds that will  
2391 become available to the association within the next 12 months  
2392 from all sources described in subsection (4) ~~subsections (4)~~ and  
2393 paragraph (5) (a) ~~(5) and paragraph (7) (a)~~, the association may  
2394 not accept any new claims without express authority from the  
2395 Legislature. ~~Nothing in~~ This section does not preclude ~~precludes~~  
2396 the association from accepting any claim if the injury occurred  
2397 18 months or more before the effective date of this suspension.  
2398 Within 30 days after the effective date of this suspension, the  
2399 association shall notify the Governor, the Speaker of the House  
2400 of Representatives, the President of the Senate, the Office of  
2401 Insurance Regulation, the Agency for Health Care Administration,  
2402 and the Department of Health of this suspension.

2403 Section 61. The Division of Law Revision is directed to  
2404 prepare a reviser's bill for the 2025 Regular Session of the  
2405 Legislature to change the term "Division of Investigative and  
2406 Forensic Services" wherever the term appears in the Florida  
2407 Statutes to "Division of Criminal Investigations."

2408 Section 62. The Florida Birth-Related Neurological Injury  
2409 Compensation Association shall, in consultation with the Office  
2410 of Insurance Regulation and the Agency for Health Care  
2411 Administration, provide a report to the Governor, the Chief  
2412 Financial Officer, the President of the Senate, and the Speaker  
2413 of the House of Representatives by September 1, 2024, which  
2414 shall include, but not be limited to, all of the following:

2415 (1) Recommendations for defining actuarial soundness for  
2416 the association, including options for phase-in, if appropriate.

2417 (2) Recommendations for timing of reporting actuarial



2418 soundness and to whom it should be reported.  
2419 (3) Recommendations for ensuring a revenue level to  
2420 maintain actuarial soundness, including options for phase-in, if  
2421 appropriate.

2422

2423 ===== T I T L E A M E N D M E N T =====

2424 And the title is amended as follows:

2425 Delete lines 17 - 249

2426 and insert:

2427 Assistance Fraud; amending s. 112.1816, F.S.; revising  
2428 the benefits a firefighter is entitled to upon a  
2429 diagnosis of cancer; amending s. 121.0515, F.S.;

2430 revising requirements for the Special Risk Class  
2431 membership; amending s. 284.44, F.S.; deleting  
2432 provisions relating to certain quarterly reports  
2433 prepared by the Division of Risk Management; amending  
2434 s. 440.13, F.S.; providing the reimbursement schedule  
2435 requirements for emergency services and care under  
2436 workers' compensation under certain circumstances;  
2437 requiring the department to engage with an actuarial  
2438 services firm under certain circumstances for a  
2439 specified purpose; providing for future expiration;  
2440 authorizing the department to adopt rules; amending s.  
2441 440.385, F.S.; providing requirements for certain  
2442 contracts entered into and purchases made after a  
2443 specified date by the Florida Self-Insurers Guaranty  
2444 Association, Incorporated; providing duties of the  
2445 department and the association relating to such  
2446 contracts and purchases; providing that certain



2447 contracts are exempt from certain provisions; amending  
2448 s. 497.101, F.S.; revising the requirements for  
2449 appointing and nominating members of the Board of  
2450 Funeral, Cemetery, and Consumer Services; revising the  
2451 members' terms; revising the authority to remove board  
2452 members; providing for appointments to fill vacancies  
2453 on the board; providing that board members are subject  
2454 to the code of ethics under part III of ch. 112, F.S.;  
2455 providing requirements for board members' conduct;  
2456 specifying prohibited acts; providing penalties;  
2457 providing requirements for board meetings, books, and  
2458 records; requiring notices of board meetings;  
2459 providing requirements for board meetings; amending s.  
2460 497.153, F.S.; authorizing service by e-mail of  
2461 administrative complaints against certain licensees  
2462 under certain circumstances; amending s. 497.155,  
2463 F.S.; authorizing service of citations by e-mail under  
2464 certain circumstances; amending s. 497.172, F.S.;  
2465 revising the circumstances under which information  
2466 made confidential and exempt may be disclosed by the  
2467 department; amending s. 497.386, F.S.; authorizing the  
2468 department to take certain actions in the event of an  
2469 emergency situation; requiring the department to make  
2470 certain determinations; prohibiting a licensee or  
2471 licensed facility that accepts the transfer of human  
2472 remains and cremains from being liable for the  
2473 condition of human remains and cremains under certain  
2474 circumstances; revising criminal penalties for  
2475 violations of provisions related to storage,



2476 preservation, and transportation of human remains and  
2477 cremains; creating s. 497.469, F.S.; authorizing a  
2478 preneed licensee to withdraw a specified amount  
2479 deposited into trust under certain circumstances;  
2480 providing that certain documentation is satisfactory  
2481 evidence to show that a preneed contract has been  
2482 fulfilled; requiring a preneed licensee to maintain  
2483 certain documentation for a specified timeframe;  
2484 amending s. 624.307, F.S.; requiring eligible surplus  
2485 lines insurers to respond to the department or the  
2486 Office of Insurance Regulation after receipt of  
2487 requests for documents and information concerning  
2488 consumer complaints; providing penalties for failure  
2489 to comply; requiring authorized insurers and eligible  
2490 surplus lines insurers to file e-mail addresses with  
2491 the department and to designate contact persons for  
2492 specified purposes; authorizing changes of designated  
2493 contact information; amending s. 626.171, F.S.;  
2494 requiring the department to make provisions for  
2495 certain insurance license applicants to submit  
2496 cellular telephone numbers for a specified purpose;  
2497 amending s. 626.221, F.S.; providing a qualification  
2498 for an all-lines adjuster license; amending s.  
2499 626.601, F.S.; revising construction; amending s.  
2500 626.7351, F.S.; revising qualifications for a customer  
2501 representative's license; amending s. 626.878, F.S.;  
2502 providing duties and prohibited acts for adjusters;  
2503 amending s. 626.929, F.S.; specifying that licensed  
2504 and appointed general lines agents, rather than



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2505 general lines agents, may engage in certain activities  
2506 while also licensed and appointed as surplus lines  
2507 agents; authorizing general lines agents that are also  
2508 licensed as surplus lines agents to make certain  
2509 appointments; authorizing such agents to originate  
2510 specified business and accept specified business;  
2511 prohibiting such agents from being appointed by a  
2512 certain insurer or transacting certain insurance;  
2513 amending s. 627.351, F.S.; providing requirements for  
2514 certain contracts entered into and purchases made  
2515 after a specified date by the Florida Joint  
2516 Underwriting Association; providing duties of the  
2517 department and the association regarding such  
2518 contracts and purchases; amending s. 631.59, F.S.;  
2519 providing requirements for certain contracts entered  
2520 into and purchases made after a specified date by the  
2521 Florida Insurance Guaranty Association, Incorporated;  
2522 providing duties of the department and the association  
2523 regarding such contracts and purchases; providing  
2524 applicability; amending ss. 631.722, 631.821, and  
2525 631.921, F.S.; providing requirements for certain  
2526 contracts entered into and purchases made after a  
2527 specified date by the Florida Life and Health  
2528 Insurance Guaranty Association, the board of directors  
2529 of the Florida Health Maintenance Organization  
2530 Consumer Assistance Plan, and the board of directors  
2531 of the Florida Workers' Compensation Insurance  
2532 Guaranty Association, respectively; providing duties  
2533 of the department and of the associations and boards





2534 regarding such contracts and purchases; amending s.  
2535 633.124, F.S.; updating the edition of a manual for  
2536 the use of pyrotechnics; amending s. 633.202, F.S.;  
2537 revising the duties of the State Fire Marshal;  
2538 amending s. 633.206, F.S.; revising the applicability  
2539 of requirements for uniform firesafety standards  
2540 established by the department; amending s. 634.041,  
2541 F.S.; specifying the conditions under which service  
2542 agreement companies do not have to establish and  
2543 maintain unearned premium reserves; amending s.  
2544 634.081, F.S.; revising the conditions under which  
2545 service agreement companies' licenses are not  
2546 suspended or revoked under certain circumstances;  
2547 amending s. 634.3077, F.S.; revising requirements for  
2548 certain contractual liability insurance obtained by  
2549 home warranty associations; providing that such  
2550 associations are not required to establish unearned  
2551 premium reserves or maintain contractual liability  
2552 insurance; authorizing such associations to allow  
2553 their premiums to exceed certain limitations under  
2554 certain circumstances; providing requirements for such  
2555 associations; providing a penalty; amending s.  
2556 634.317, F.S.; providing that certain entities and  
2557 their employees and agents are exempt from certain  
2558 licensing and appointment requirements; amending s.  
2559 648.25, F.S.; defining the terms "referring bail bond  
2560 agent" and "transfer bond"; amending s. 648.26, F.S.;  
2561 revising the circumstances under which investigatory  
2562 records of the department are confidential and exempt



2563 from public records requirements; revising  
2564 construction; amending s. 648.30, F.S.; revising  
2565 circumstances under which a person or entity may act  
2566 in the capacity of a bail bond agent or bail bond  
2567 agency and perform certain functions, duties, and  
2568 powers; amending s. 648.355, F.S.; revising the  
2569 requirements for limited surety agents and  
2570 professional bail bond agents license applications;  
2571 amending s. 717.101, F.S.; defining and revising  
2572 terms; amending s. 717.102, F.S.; providing a rebuttal  
2573 to a presumption of unclaimed property; providing  
2574 requirements for such rebuttal; providing that, under  
2575 certain circumstances, certain property is presumed  
2576 unclaimed 2 years after the date of the apparent  
2577 owner's death; providing an exception; providing  
2578 construction; amending s. 717.106, F.S.; conforming a  
2579 cross-reference; creating s. 717.1065, F.S.; providing  
2580 circumstances under which virtual currency held or  
2581 owing by banking organizations is not presumed  
2582 unclaimed; prohibiting virtual currency holders from  
2583 deducting certain charges from the amount of certain  
2584 virtual currency under certain circumstances;  
2585 providing an exception; amending s. 717.1101, F.S.;  
2586 revising the date on which stocks and other equity  
2587 interests in business associations are presumed  
2588 unclaimed; amending s. 717.112, F.S.; providing that  
2589 certain intangible property and income or increment  
2590 thereon held by attorneys in fact and by agents in a  
2591 fiduciary capacity are presumed unclaimed under



2592 certain circumstances; revising the requirements for  
2593 claiming such property; providing construction;  
2594 amending s. 717.1125, F.S.; providing construction;  
2595 amending s. 717.117, F.S.; deleting the paper option  
2596 for reports by holders of unclaimed funds and  
2597 property; revising the reporting requirements for  
2598 owners of unclaimed property and funds; authorizing  
2599 the department to extend reporting dates under certain  
2600 circumstances; revising the circumstances under which  
2601 the department may impose and collect penalties;  
2602 requiring holders of certain inactive accounts to  
2603 notify apparent owners; revising the manner of sending  
2604 such notices; providing requirements for such notices;  
2605 amending s. 717.119, F.S.; requiring certain virtual  
2606 currency to be remitted to the department; providing  
2607 requirements for the liquidation of such virtual  
2608 currency; providing that holders of such virtual  
2609 currency are relieved of all liability upon delivery  
2610 of the virtual currency to the department; prohibiting  
2611 holders from assigning or transferring certain  
2612 obligations or from complying with certain provisions;  
2613 providing that certain entities are responsible for  
2614 meeting holders' obligations and complying with  
2615 certain provisions under certain circumstances;  
2616 providing construction; amending s. 717.1201, F.S.;  
2617 providing that good faith payments or deliveries of  
2618 unclaimed property to the department release holders  
2619 from certain liabilities; authorizing a certain  
2620 defense in certain suits or actions; providing



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2621 construction; requiring the department to defend the  
2622 holder against certain claims and indemnify the holder  
2623 against certain liability; specifying when a payment  
2624 or delivery of unclaimed property is made in good  
2625 faith; authorizing the department to refund and  
2626 redeliver certain money and property under certain  
2627 circumstances and within a specified timeframe;  
2628 amending s. 717.1242, F.S.; revising legislative  
2629 intent; amending s. 717.1243, F.S.; revising  
2630 applicability of certain provisions relating to  
2631 unclaimed small estate accounts; amending s. 717.129,  
2632 F.S.; revising the requirements and the tolling for  
2633 the periods of limitation relating to duties of  
2634 holders of unclaimed funds and property; amending s.  
2635 717.1301, F.S.; revising the department's authorities  
2636 on the disposition of unclaimed funds and property for  
2637 specified purposes; prohibiting certain materials from  
2638 being disclosed or made public under certain  
2639 circumstances; providing an exception; revising the  
2640 basis for the department's cost assessment against  
2641 holders of unclaimed funds and property; amending s.  
2642 717.1311, F.S.; revising the recordkeeping  
2643 requirements for funds and property holders; amending  
2644 s. 717.1322, F.S.; revising acts that are violations  
2645 of specified provisions and constitute grounds for  
2646 administrative enforcement actions and civil  
2647 enforcement by the department; providing that  
2648 claimants' representatives, rather than registrants,  
2649 are subject to civil enforcement and disciplinary



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2650 actions for certain violations; amending s. 717.1333,  
2651 F.S.; conforming provisions to changes made by the  
2652 act; amending s. 717.134, F.S.; conforming provisions  
2653 to changes made by the act; amending s. 717.135, F.S.;  
2654 revising the information that certain agreements  
2655 relating to unclaimed property must disclose; deleting  
2656 a requirement for Unclaimed Property Purchase  
2657 Agreements; providing applicability; amending s.  
2658 717.1400, F.S.; deleting a circumstance under which  
2659 certain persons must register with the department;  
2660 amending ss. 197.582 and 717.1382, F.S.; conforming  
2661 cross-references; amending s. 766.302, F.S.; revising  
2662 the manner in which reasonable charges for expenses  
2663 for family residential or custodial care are  
2664 determined; amending s. 766.314, F.S.; revising the  
2665 prohibition relating to the Florida Birth-Related  
2666 Neurological Injury Compensation Plan accepting new  
2667 claims; providing a directive to the Division of Law  
2668 Revision; requiring the Florida Birth-Related  
2669 Neurological Injury Compensation Association, in  
2670 consultation with specified entities, to submit, by a  
2671 specified date, a specified report to the Governor,  
2672 the Chief Financial Officer, and the Legislature;  
2673 specifying requirements for the report; providing