

By the Committee on Banking and Insurance; and Senator DiCeglie

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1                                   A bill to be entitled  
2       An act relating to the Department of Financial  
3       Services; creating s. 17.69, F.S.; creating the  
4       federal tax liaison position within the department;  
5       providing the purpose of the position; requiring the  
6       Chief Financial Officer to appoint the federal tax  
7       liaison; providing that such liaison reports to the  
8       Chief Financial Officer but is not under the authority  
9       of the department or any employee of the department;  
10      authorizing the federal tax liaison to perform certain  
11      actions; amending s. 20.121, F.S.; renaming the  
12      Division of Investigative and Forensic Services in the  
13      Department of Financial Services as the Division of  
14      Criminal Investigations; deleting provisions relating  
15      to duties of such division and to bureaus and offices  
16      in such division; abolishing the Division of Public  
17      Assistance Fraud; amending s. 121.0515, F.S.; revising  
18      requirements for the Special Risk Class membership;  
19      amending s. 215.5586, F.S.; revising legislative  
20      intent; revising requirements for My Safe Florida Home  
21      Program mitigation inspections and mitigation grants;  
22      providing additional requirements for applications for  
23      inspections and mitigation grants; deleting provisions  
24      relating to matching fund grants; revising  
25      improvements for which grants may be used; providing a  
26      timeframe for finalizing construction and requesting a  
27      final inspection or an extension; providing that grant  
28      applications are deemed abandoned under a specified  
29      circumstance; authorizing the department to request

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30 additional information; providing that applications  
31 are deemed withdrawn under a specified circumstance;  
32 amending s. 284.44, F.S.; deleting provisions relating  
33 to certain quarterly reports prepared by the Division  
34 of Risk Management; amending s. 440.13, F.S.;

35 providing the reimbursement schedule requirements for  
36 emergency services and care under workers'  
37 compensation under certain circumstances; amending s.  
38 440.385, F.S.; providing requirements for certain  
39 contracts entered into and purchases made by the  
40 Florida Self-Insurers Guaranty Association,  
41 Incorporated; providing duties of the department and  
42 the association relating to these contracts and  
43 purchases; amending s. 497.101, F.S.; revising the  
44 requirements for appointing and nominating members of  
45 the Board of Funeral, Cemetery, and Consumer Services;  
46 revising the members' terms; revising the authority to  
47 remove board members; providing for vacancy  
48 appointments; providing that board members are subject  
49 to the code of ethics under part III of ch. 112, F.S.;

50 providing requirements for board members' conduct;  
51 specifying prohibited acts; providing penalties;  
52 providing requirements for board meetings, books, and  
53 records; requiring notices of board meetings;  
54 providing requirements for board meetings; amending s.  
55 497.153, F.S.; authorizing service by e-mail of  
56 administrative complaints against certain licensees  
57 under certain circumstances; amending s. 497.155,  
58 F.S.; authorizing service of citations by e-mail under

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59 certain circumstances; amending s. 624.155, F.S.;

60 deleting a cross-reference; amending s. 624.307, F.S.;

61 requiring eligible surplus lines insurers to respond

62 to the department or the Office of Insurance

63 Regulation after receipt of requests for documents and

64 information concerning consumer complaints; providing

65 penalties for failure to comply; requiring authorized

66 insurers and eligible surplus lines insurers to file

67 e-mail addresses with the department and to designate

68 contact persons for specified purposes; authorizing

69 changes of designated contact information; amending s.

70 626.171, F.S.; requiring the department to make

71 provisions for certain insurance license applicants to

72 submit cellular telephone numbers for a specified

73 purpose; amending s. 626.221, F.S.; providing a

74 qualification for an all-lines adjuster license;

75 amending s. 626.601, F.S.; revising construction;

76 amending s. 626.7351, F.S.; providing a qualification

77 for a customer representative's license; amending s.

78 626.878, F.S.; providing duties and prohibited acts

79 for adjusters; amending s. 626.929, F.S.; specifying

80 that licensed and appointed general lines agents,

81 rather than general lines agents, may engage in

82 certain activities while also licensed and appointed

83 as surplus lines agents; authorizing general lines

84 agents that are also licensed as surplus lines agents

85 to make certain appointments; authorizing such agents

86 to originate specified business and accept specified

87 business; prohibiting such agents from being appointed

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88 by a certain insurer or transacting certain insurance;  
89 amending s. 627.351, F.S.; providing requirements for  
90 certain contracts entered into and purchases made by  
91 the Florida Joint Underwriting Association; providing  
92 duties of the department and the association regarding  
93 such contracts and purchases; amending s. 627.43141,  
94 F.S.; providing requirements for a certain notice of  
95 change in insurance renewal policy terms; amending s.  
96 627.70152, F.S.; deleting a cross-reference; amending  
97 s. 631.59, F.S.; providing requirements for certain  
98 contracts entered into and purchases made by the  
99 Florida Insurance Guaranty Association, Incorporated;  
100 providing duties of the department and the association  
101 regarding such contracts and purchases; amending ss.  
102 631.722, 631.821, and 631.921, F.S.; providing  
103 requirements for certain contracts entered into and  
104 purchases made by the Florida Life and Health  
105 Insurance Guaranty Association, the board of directors  
106 of the Florida Health Maintenance Organization  
107 Consumer Assistance Plan, and the board of directors  
108 of the Florida Workers' Compensation Insurance  
109 Guaranty Association, respectively; providing duties  
110 of the department and of the associations and boards  
111 regarding such contracts and purchases; amending s.  
112 633.124, F.S.; updating the edition of a manual for  
113 the use of pyrotechnics; amending s. 633.202, F.S.;  
114 revising the duties of the State Fire Marshal;  
115 amending s. 633.206, F.S.; revising the requirements  
116 for uniform firesafety standards established by the

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117 department; amending s. 634.041, F.S.; specifying the  
118 conditions under which service agreement companies do  
119 not have to establish and maintain unearned premium  
120 reserves; amending s. 634.081, F.S.; specifying the  
121 conditions under which service agreement companies'  
122 licenses are not suspended or revoked under certain  
123 circumstances; amending s. 634.3077, F.S.; specifying  
124 requirements for certain contractual liability  
125 insurance obtained by home warranty associations;  
126 providing that such associations are not required to  
127 establish unearned premium reserves or maintain  
128 contractual liability insurance; authorizing such  
129 associations to allow their premiums to exceed certain  
130 limitations under certain circumstances; amending s.  
131 634.317, F.S.; providing that agents and employees of  
132 municipal and county government are exempt from sales  
133 representative licenses and appointments under certain  
134 circumstances; amending s. 648.25, F.S.; providing  
135 definitions; amending s. 648.26, F.S.; revising the  
136 circumstances under which investigatory records of the  
137 department are confidential and exempt from public  
138 records requirements; revising construction; amending  
139 s. 648.30, F.S.; revising circumstances under which a  
140 person or entity may act in the capacity of a bail  
141 bond agent or bail bond agency and perform certain  
142 functions, duties, and powers; amending s. 648.355,  
143 F.S.; revising the requirements for limited surety  
144 agents and professional bail bond agents license  
145 applications; amending s. 648.43, F.S.; revising

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146 requirements for bail bond agents to execute and  
147 countersign transfer bonds; amending s. 717.101, F.S.;  
148 defining and revising terms; amending s. 717.102,  
149 F.S.; providing a rebuttal to a presumption of  
150 unclaimed property; providing requirements for such  
151 rebuttal; amending s. 717.106, F.S.; conforming a  
152 cross-reference; creating s. 717.1065, F.S.; providing  
153 circumstances under which virtual currency held or  
154 owing by banking organizations is not presumed  
155 unclaimed; prohibiting virtual currency holders from  
156 deducting certain charges from the amount of certain  
157 virtual currency under certain circumstances;  
158 providing an exception; amending s. 717.1101, F.S.;  
159 revising the date on which stocks and other equity  
160 interests in business associations are presumed  
161 unclaimed; amending s. 717.112, F.S.; providing that  
162 certain intangible property held by attorneys in fact  
163 and by agents in a fiduciary capacity are presumed  
164 unclaimed under certain circumstances; revising the  
165 requirements for claiming such property; amending s.  
166 717.117, F.S.; deleting the paper option for reports  
167 by holders of unclaimed funds and property; revising  
168 the requirements for reporting the owners of unclaimed  
169 property and funds; authorizing the department to  
170 extend reporting dates under certain circumstances;  
171 revising the circumstances under which the department  
172 may impose and collect penalties; requiring holders of  
173 certain inactive accounts to notify apparent owners;  
174 revising the manner of sending such notices; providing

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175 requirements for such notices; amending s. 717.119,  
176 F.S.; requiring certain virtual currency to be  
177 remitted to the department; providing requirements for  
178 the liquidation of such virtual currency; providing  
179 that holders of such virtual currency are relieved of  
180 all liability upon delivery of the virtual currency to  
181 the department; prohibiting holders from assigning or  
182 transferring certain obligations or from complying  
183 with certain provisions; providing that certain  
184 entities are responsible for meeting holders'  
185 obligations and complying with certain provisions  
186 under certain circumstances; providing construction;  
187 amending s. 717.1201, F.S.; providing that good faith  
188 payments and deliveries of property to the department  
189 relieve holders of all liability; authorizing the  
190 department to refund and redeliver certain money and  
191 property under certain circumstances; amending s.  
192 717.123, F.S.; revising the maximum amount that the  
193 department shall retain from funds of unclaimed  
194 property to make certain payment; amending s.  
195 717.1242, F.S.; revising legislative intent; providing  
196 circumstances under which the department is considered  
197 an interested party in probate proceedings; amending  
198 s. 717.1243, F.S.; revising applicability of certain  
199 provisions relating to unclaimed small estate  
200 accounts; amending s. 717.1245, F.S.; specifying the  
201 fees, costs, and compensation that persons filing  
202 petitions for writ of garnishment of unclaimed  
203 property must pay; requiring such persons to file

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204 claims with the department under a specified  
205 circumstance; amending s. 717.129, F.S.; revising the  
206 requirements and the tolling for the periods of  
207 limitation relating to duties of holders of unclaimed  
208 funds and property; amending s. 717.1301, F.S.;  
209 revising the department's authorities on the  
210 disposition of unclaimed funds and property for  
211 specified purposes; prohibiting certain materials from  
212 being disclosed or made public under certain  
213 circumstances; revising the basis for the department's  
214 cost assessment against holders of unclaimed funds and  
215 property; amending s. 717.1311, F.S.; revising the  
216 recordkeeping requirements for funds and property  
217 holders; amending s. 717.1322, F.S.; revising acts  
218 that are violations of specified provisions and  
219 constitute grounds for administrative enforcement  
220 actions and civil enforcement by the department;  
221 providing that claimants' representatives, rather than  
222 registrants, are subject to civil enforcement and  
223 disciplinary actions for certain violations; amending  
224 s. 717.1333, F.S.; conforming provisions to changes  
225 made by the act; amending s. 717.134, F.S.; conforming  
226 provisions to changes made by the act; amending s.  
227 717.135, F.S.; revising the information that certain  
228 agreements relating to unclaimed property must  
229 disclose; applying certain provisions relating to such  
230 agreements to purchasers; deleting a requirement for  
231 Unclaimed Property Purchase Agreements; providing  
232 nonapplicability; amending s. 717.1400, F.S.; deleting



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233 a circumstance under which certain persons must  
234 register with the department; amending ss. 197.582 and  
235 717.1382, F.S.; conforming cross-references; providing  
236 a directive to the Division of Law Revision; providing  
237 an appropriation; providing effective dates.

238

239 Be It Enacted by the Legislature of the State of Florida:

240

241 Section 1. Section 17.69, Florida Statutes, is created to  
242 read:

243 17.69 Federal tax liaison.-

244 (1) The federal tax liaison position is created within the  
245 department. The purpose of the position is to assist the  
246 taxpayers of this state as provided in subsection (3).

247 (2) The Chief Financial Officer shall appoint the federal  
248 tax liaison. The federal tax liaison reports directly to the  
249 Chief Financial Officer but is not otherwise under the authority  
250 of the department or of any employee of the department.

251 (3) The federal tax liaison may do all of the following:

252 (a) Assist taxpayers by answering taxpayer questions.

253 (b) Direct taxpayers to the proper departments or offices  
254 within the Internal Revenue Service in order to hasten  
255 resolution of taxpayer issues.

256 (c) Prepare recommendations for the Internal Revenue  
257 Service of any actions that will help resolve problems  
258 encountered by taxpayers.

259 (d) Provide information about the policies, practices, and  
260 procedures that the Internal Revenue Service uses to ensure  
261 compliance with the tax laws.

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262 (e) With the consent of the taxpayer, request records from  
263 the Internal Revenue Service to assist the liaison in responding  
264 to taxpayer inquiries.

265 Section 2. Present paragraphs (g) through (n) of subsection  
266 (2) of section 20.121, Florida Statutes, are redesignated as  
267 paragraphs (f) through (m), respectively, and paragraph (e) and  
268 present paragraph (f) of that subsection are amended, to read:

269 20.121 Department of Financial Services.—There is created a  
270 Department of Financial Services.

271 (2) DIVISIONS.—The Department of Financial Services shall  
272 consist of the following divisions and office:

273 (e) The Division of Criminal Investigations ~~Investigative~~  
274 ~~and Forensic Services~~, which shall function as a criminal  
275 justice agency for purposes of ss. 943.045-943.08. The division  
276 may initiate and conduct investigations into any matter under  
277 the jurisdiction of the Chief Financial Officer and Fire Marshal  
278 within or outside of this state as it deems necessary. ~~If,~~  
279 ~~during an investigation, the division has reason to believe that~~  
280 ~~any criminal law of this state or the United States has or may~~  
281 ~~have been violated, it shall refer any records tending to show~~  
282 ~~such violation to state law enforcement and, if applicable,~~  
283 ~~federal prosecutorial agencies and shall provide investigative~~  
284 ~~assistance to those agencies as appropriate. The division shall~~  
285 ~~include the following bureaus and office:~~

286 ~~1. The Bureau of Forensic Services;~~

287 ~~2. The Bureau of Fire, Arson, and Explosives~~  
288 ~~Investigations;~~

289 ~~3. The Office of Fiscal Integrity, which shall have a~~  
290 ~~separate budget;~~

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291 ~~4. The Bureau of Insurance Fraud; and~~

292 ~~5. The Bureau of Workers' Compensation Fraud.~~

293 ~~(f) The Division of Public Assistance Fraud, which shall~~  
294 ~~function as a criminal justice agency for purposes of ss.~~  
295 ~~943.045-943.08. The division shall conduct investigations~~  
296 ~~pursuant to s. 414.411 within or outside of the state as it~~  
297 ~~deems necessary. If, during an investigation, the division has~~  
298 ~~reason to believe that any criminal law of the state has or may~~  
299 ~~have been violated, it shall refer any records supporting such~~  
300 ~~violation to state or federal law enforcement or prosecutorial~~  
301 ~~agencies and shall provide investigative assistance to those~~  
302 ~~agencies as required.~~

303 Section 3. Paragraph (f) of subsection (2) and paragraph  
304 (h) of subsection (3) of section 121.0515, Florida Statutes, are  
305 amended to read:

306 121.0515 Special Risk Class.—

307 (2) MEMBERSHIP.—

308 (f) Effective July 1, 2024 ~~2008~~, the member must be  
309 employed by the Department of Law Enforcement in the crime  
310 laboratory or by the Division of Criminal Investigations ~~State~~  
311 ~~Fire Marshal~~ in the forensic laboratory and meet the special  
312 criteria set forth in paragraph (3) (h).

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

315 (h) Effective July 1, 2024 ~~2008~~, the member must be  
316 employed by the Department of Law Enforcement in the crime  
317 laboratory or by the Division of Criminal Investigations ~~State~~  
318 ~~Fire Marshal~~ in the forensic laboratory in one of the following  
319 classes:

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- 320 1. Forensic technologist (class code 8459);  
321 2. Crime laboratory technician (class code 8461);  
322 3. Crime laboratory analyst (class code 8463);  
323 4. Senior crime laboratory analyst (class code 8464);  
324 5. Crime laboratory analyst supervisor (class code 8466);  
325 6. Forensic chief (class code 9602); or  
326 7. Forensic services quality manager (class code 9603);  
327 Section 4. Section 215.5586, Florida Statutes, is amended

328 to read:

329 215.5586 My Safe Florida Home Program.—There is established  
330 within the Department of Financial Services the My Safe Florida  
331 Home Program. The department shall provide fiscal  
332 accountability, contract management, and strategic leadership  
333 for the program, consistent with this section. This section does  
334 not create an entitlement for property owners or obligate the  
335 state in any way to fund the inspection or retrofitting of  
336 residential property in this state. Implementation of this  
337 program is subject to annual legislative appropriations. It is  
338 the intent of the Legislature that, subject to the availability  
339 of funds, the My Safe Florida Home Program provide licensed  
340 inspectors to perform inspections for eligible homes ~~owners of~~  
341 ~~site-built, single-family, residential properties~~ and grants to  
342 fund hurricane mitigation projects for those homes ~~eligible~~  
343 ~~applicants~~. The department shall implement the program in such a  
344 manner that the total amount of funding requested by accepted  
345 applications, whether for inspections, grants, or other services  
346 or assistance, does not exceed the total amount of available  
347 funds. If, after applications are processed and approved, funds  
348 remain available, the department may accept applications up to

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349 the available amount. The program shall develop and implement a  
350 comprehensive and coordinated approach for hurricane damage  
351 mitigation that may include the following:

352 (1) HURRICANE MITIGATION INSPECTIONS.—

353 (a) To be eligible for a hurricane mitigation inspection,  
354 all of the following criteria must be met:

355 1. The home must be a single-family, detached residential  
356 property or a townhouse, as defined in s. 481.203.

357 2. The home must be site-built and owner-occupied.

358 3. The homeowner must have been granted a homestead  
359 exemption on the home under chapter 196.

360 (b) An application for an inspection must contain a signed  
361 or electronically verified statement made under penalty of  
362 perjury that the applicant has submitted only a single  
363 inspection application and must have attached documents  
364 demonstrating that the applicant meets the requirements of  
365 paragraph (a). An applicant may submit a new inspection  
366 application if all of the following criteria are met:

367 1. The original application has already been denied or  
368 withdrawn.

369 2. The program's eligibility requirements or applicant's  
370 qualifications have changed since the original application date.

371 3. The applicant reasonably believes that the home will be  
372 eligible under the new requirements or qualifications.

373 (c) An applicant who meets the requirements of paragraph  
374 (a) may apply for and receive an inspection without also  
375 applying for a grant pursuant to subsection (2) and without  
376 meeting the requirements of paragraph (2) (a).

377 (d) ~~(a)~~ Licensed inspectors are to provide home inspections

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378 of eligible homes ~~site built, single family, residential~~  
379 ~~properties for which a homestead exemption has been granted,~~ to  
380 determine what mitigation measures are needed, what insurance  
381 premium discounts may be available, and what improvements to  
382 existing residential properties are needed to reduce the  
383 property's vulnerability to hurricane damage. ~~An inspector may~~  
384 ~~inspect a townhouse as defined in s. 481.203 to determine if~~  
385 ~~opening protection mitigation as listed in paragraph (2) (e)~~  
386 ~~would provide improvements to mitigate hurricane damage.~~

387 (e) ~~(b)~~ The Department of Financial Services shall contract  
388 with wind certification entities to provide hurricane mitigation  
389 inspections. The inspections provided to homeowners, at a  
390 minimum, must include:

391 1. A home inspection and report that summarizes the results  
392 and identifies recommended improvements a homeowner may take to  
393 mitigate hurricane damage.

394 2. A range of cost estimates regarding the recommended  
395 mitigation improvements.

396 3. Information regarding estimated premium discounts,  
397 correlated to the current mitigation features and the  
398 recommended mitigation improvements identified by the  
399 inspection.

400 (f) ~~(e)~~ To qualify for selection by the department as a wind  
401 certification entity to provide hurricane mitigation  
402 inspections, the entity must, at a minimum, meet the following  
403 requirements:

404 1. Use hurricane mitigation inspectors who are licensed or  
405 certified as:

406 a. A building inspector under s. 468.607;

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407 b. A general, building, or residential contractor under s.  
408 489.111;

409 c. A professional engineer under s. 471.015;

410 d. A professional architect under s. 481.213; or

411 e. A home inspector under s. 468.8314 and who have  
412 completed at least 3 hours of hurricane mitigation training  
413 approved by the Construction Industry Licensing Board, which  
414 training must include hurricane mitigation techniques,  
415 compliance with the uniform mitigation verification form, and  
416 completion of a proficiency exam.

417 2. Use hurricane mitigation inspectors who also have  
418 undergone drug testing and a background screening. The  
419 department may conduct criminal record checks of inspectors used  
420 by wind certification entities. Inspectors must submit a set of  
421 fingerprints to the department for state and national criminal  
422 history checks and must pay the fingerprint processing fee set  
423 forth in s. 624.501. The fingerprints must be sent by the  
424 department to the Department of Law Enforcement and forwarded to  
425 the Federal Bureau of Investigation for processing. The results  
426 must be returned to the department for screening. The  
427 fingerprints must be taken by a law enforcement agency,  
428 designated examination center, or other department-approved  
429 entity.

430 3. Provide a quality assurance program including a  
431 reinspection component.

432 ~~(d) An application for an inspection must contain a signed~~  
433 ~~or electronically verified statement made under penalty of~~  
434 ~~perjury that the applicant has submitted only a single~~  
435 ~~application for that home.~~

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436 ~~(c) The owner of a site built, single-family, residential~~  
437 ~~property or townhouse as defined in s. 481.203, for which a~~  
438 ~~homestead exemption has been granted, may apply for and receive~~  
439 ~~an inspection without also applying for a grant pursuant to~~  
440 ~~subsection (2) and without meeting the requirements of paragraph~~  
441 ~~(2)(a).~~

442 (2) HURRICANE MITIGATION GRANTS.—Financial grants must  
443 ~~shall be used to encourage single-family, site-built, owner-~~  
444 ~~occupied, residential property owners to retrofit eligible homes~~  
445 based on the recommendations made in a hurricane mitigation  
446 inspection their properties to make the homes ~~them~~ less  
447 vulnerable to hurricane damage.

448 (a) ~~For a homeowner~~ To be eligible for a grant, all of the  
449 following criteria must be met:

450 1. The home must be a single-family, detached residential  
451 property or a townhouse, as defined in s. 481.203.

452 2. The home must be site-built and owner-occupied.

453 ~~3.1.~~ The homeowner must have been granted a homestead  
454 exemption on the home under chapter 196.

455 ~~4.2.~~ The home must be a dwelling with an insured value of  
456 \$700,000 or less. Homeowners who are low-income persons, as  
457 defined in s. 420.0004(11), are exempt from this requirement.

458 ~~5.3.~~ The home must undergo an acceptable hurricane  
459 mitigation inspection as provided in subsection (1).

460 ~~6.4.~~ The building permit application for initial  
461 construction of the home must have been made before January 1,  
462 2008.

463 ~~7.5.~~ The homeowner must agree to make his or her home  
464 available for inspection once a mitigation project is completed.



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465 (b)1. An application for a grant must contain a signed or  
466 electronically verified statement made under penalty of perjury  
467 that the applicant has submitted only a single grant application  
468 and must have attached documents demonstrating that the  
469 applicant meets the requirements of ~~this~~ paragraph (a).

470 2. An applicant may submit a new grant application if all  
471 of the following criteria are met:

472 a. The original application has already been denied or  
473 withdrawn.

474 b. The program's eligibility requirements or applicant's  
475 qualifications have changed since the original application date.

476 c. The applicant reasonably believes that the home will be  
477 eligible under the new requirements or qualifications.

478 (c)(b) All grants must be matched on the basis of \$1  
479 provided by the applicant for \$2 provided by the state up to a  
480 maximum state contribution of \$10,000 toward the actual cost of  
481 the mitigation project.

482 (d)(e) The program shall require ~~create a process in which~~  
483 ~~contractors agree to participate and homeowners select from a~~  
484 ~~list of participating contractors. All mitigation work to must~~  
485 be based upon the securing of all required local permits and  
486 inspections, and the work must be performed by properly licensed  
487 contractors. The program shall approve only a homeowner grant  
488 application that includes an acknowledged statement from the  
489 homeowner containing the name and state license number of the  
490 contractor the homeowner intends to use for the mitigation work.  
491 The program must electronically verify that the contractor's  
492 state license number is accurate and up to date before grant  
493 approval ~~Hurricane mitigation inspectors qualifying for the~~

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494 ~~program may also participate as mitigation contractors as long~~  
495 ~~as the inspectors meet the department's qualifications and~~  
496 ~~certification requirements for mitigation contractors.~~

497 ~~(d) Matching fund grants shall also be made available to~~  
498 ~~local governments and nonprofit entities for projects that will~~  
499 ~~reduce hurricane damage to single-family, site-built, owner-~~  
500 ~~occupied, residential property. The department shall liberally~~  
501 ~~construe those requirements in favor of availing the state of~~  
502 ~~the opportunity to leverage funding for the My Safe Florida Home~~  
503 ~~Program with other sources of funding.~~

504 (e) When recommended by a hurricane mitigation inspection,  
505 grants for eligible homes may be used for the following  
506 improvements:

507 1. Opening protection, including windows, skylights,  
508 exterior doors, and garage doors.

509 2. Exterior doors, including garage doors.

510 3. Reinforcing roof-to-wall connections.

511 4. Improving the strength of roof-deck attachments.

512 5. Secondary Water Resistance (SWR) barrier for roof.

513 (f) When recommended by a hurricane mitigation inspection,  
514 grants for townhouses, as defined in s. 481.203, may only be  
515 used for opening protection.

516 (g) The department may require that improvements be made to  
517 all openings, including exterior doors and garage doors, as a  
518 condition of reimbursing a homeowner approved for a grant. The  
519 department may adopt, by rule, the maximum grant allowances for  
520 any improvement allowable under paragraph (e) or this paragraph.

521 ~~(g) Grants may be used on a previously inspected existing~~  
522 ~~structure or on a rebuild. A rebuild is defined as a site-built,~~

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523 ~~single family dwelling under construction to replace a home that~~  
524 ~~was destroyed or significantly damaged by a hurricane and deemed~~  
525 ~~unlivable by a regulatory authority. The homeowner must be a~~  
526 ~~low income homeowner as defined in paragraph (h), must have had~~  
527 ~~a homestead exemption for that home before the hurricane, and~~  
528 ~~must be intending to rebuild the home as that homeowner's~~  
529 ~~homestead.~~

530 (h) Low-income homeowners, as defined in s. 420.0004(11),  
531 who otherwise meet the requirements of this subsection  
532 ~~paragraphs (a), (c), (e), and (g)~~ are eligible for a grant of up  
533 to \$10,000 and are not required to provide a matching amount to  
534 receive the grant. The program may accept a certification  
535 directly from a low-income homeowner that the homeowner meets  
536 the requirements of s. 420.0004(11) if the homeowner provides  
537 such certification in a signed or electronically verified  
538 statement made under penalty of perjury.

539 (i) The department shall develop a process that ensures the  
540 most efficient means to collect and verify grant applications to  
541 determine eligibility and may direct hurricane mitigation  
542 inspectors to collect and verify grant application information  
543 or use the Internet or other electronic means to collect  
544 information and determine eligibility.

545 (j) Homeowners must finalize construction and request a  
546 final inspection, or request an extension for an additional 6  
547 months, within 1 year after grant approval. If the homeowners  
548 fail to comply, the application shall be deemed abandoned and  
549 the grant money reverts back to the department.

550 (3) REQUESTS FOR INFORMATION.—The department may request  
551 that the applicant provide additional information. An

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552 application shall be deemed withdrawn by the applicant if the  
553 department does not receive a response to its request for  
554 additional information within 60 days after the notification of  
555 any apparent errors or omissions.

556 (4)~~(3)~~ EDUCATION, CONSUMER AWARENESS, AND OUTREACH.—

557 (a) The department may undertake a statewide multimedia  
558 public outreach and advertising campaign to inform consumers of  
559 the availability and benefits of hurricane inspections and of  
560 the safety and financial benefits of residential hurricane  
561 damage mitigation. The department may seek out and use local,  
562 state, federal, and private funds to support the campaign.

563 (b) The program may develop brochures for distribution to  
564 Citizens Property Insurance Corporation, and other licensed  
565 entities or nonprofits that work with the department to educate  
566 the public on the benefits of the program ~~general contractors,~~  
567 ~~roofing contractors, and real estate brokers and sales~~  
568 ~~associates who are licensed under part I of chapter 475 which~~  
569 ~~provide information on the benefits to homeowners of residential~~  
570 ~~hurricane damage mitigation.~~ Citizens Property Insurance  
571 Corporation is encouraged to distribute the brochure to  
572 policyholders of the corporation. ~~Contractors are encouraged to~~  
573 ~~distribute the brochures to homeowners at the first meeting with~~  
574 ~~a homeowner who is considering contracting for home or roof~~  
575 ~~repair or contracting for the construction of a new home.~~ Real  
576 estate brokers and sales associates are encouraged to distribute  
577 the brochure to clients before the purchase of a home. The  
578 brochures may be made available electronically.

579 (5)~~(4)~~ FUNDING.—The department may seek out and leverage  
580 local, state, federal, or private funds to enhance the financial

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581 resources of the program.

582 (6)~~(5)~~ RULES.—The Department of Financial Services shall  
583 adopt rules pursuant to ss. 120.536(1) and 120.54 to govern the  
584 program; implement the provisions of this section; including  
585 rules governing hurricane mitigation inspections and grants,  
586 mitigation contractors, and training of inspectors and  
587 contractors; and carry out the duties of the department under  
588 this section.

589 (7)~~(6)~~ HURRICANE MITIGATION INSPECTOR LIST.—The department  
590 shall develop and maintain as a public record a current list of  
591 hurricane mitigation inspectors authorized to conduct hurricane  
592 mitigation inspections pursuant to this section.

593 (8)~~(7)~~ CONTRACT MANAGEMENT.—

594 (a) The department may contract with third parties for  
595 grants management, inspection services, contractor services for  
596 low-income homeowners, information technology, educational  
597 outreach, and auditing services. Such contracts are considered  
598 direct costs of the program and are not subject to  
599 administrative cost limits. The department shall contract with  
600 providers that have a demonstrated record of successful business  
601 operations in areas directly related to the services to be  
602 provided and shall ensure the highest accountability for use of  
603 state funds, consistent with this section.

604 (b) The department shall implement a quality assurance and  
605 reinspection program that determines whether mitigation ~~initial~~  
606 inspections and mitigation projects ~~home improvements~~ are  
607 completed in a manner consistent with the intent of the program.  
608 The department may use valid random sampling in order to perform  
609 the quality assurance portion of the program.

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610       (9)~~(8)~~ INTENT.—It is the intent of the Legislature that  
611 grants made to residential property owners under this section  
612 shall be considered disaster-relief assistance within the  
613 meaning of s. 139 of the Internal Revenue Code of 1986, as  
614 amended.

615       (10)~~(9)~~ REPORTS.—The department shall make an annual report  
616 on the activities of the program that shall account for the use  
617 of state funds and indicate the number of inspections requested,  
618 the number of inspections performed, the number of grant  
619 applications received, the number and value of grants approved,  
620 and the estimated average annual amount of insurance premium  
621 discounts and total estimated annual amount of insurance premium  
622 discounts homeowners received from insurers as a result of  
623 mitigation funded through the program. The report must be  
624 delivered to the President of the Senate and the Speaker of the  
625 House of Representatives by February 1 of each year.

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

628       284.44 Salary indemnification costs of state agencies.—

629       ~~(6) The Division of Risk Management shall prepare quarterly~~  
630 ~~reports to the Executive Office of the Governor and the chairs~~  
631 ~~of the legislative appropriations committees indicating for each~~  
632 ~~state agency the total amount of salary indemnification benefits~~  
633 ~~paid to claimants and the total amount of reimbursements from~~  
634 ~~state agencies to the State Risk Management Trust Fund for~~  
635 ~~initial costs for the previous quarter. These reports shall also~~  
636 ~~include information for each state agency indicating the number~~  
637 ~~of cases and amounts of initial salary indemnification costs for~~  
638 ~~which reimbursement requirements were waived by the Executive~~

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639 ~~Office of the Governor pursuant to this section.~~

640 Section 6. Paragraph (a) of subsection (12) of section  
641 440.13, Florida Statutes, is amended to read:

642 440.13 Medical services and supplies; penalty for  
643 violations; limitations.—

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

646 (a) A three-member panel is created, consisting of the  
647 Chief Financial Officer, or the Chief Financial Officer's  
648 designee, and two members to be appointed by the Governor,  
649 subject to confirmation by the Senate, one member who, on  
650 account of present or previous vocation, employment, or  
651 affiliation, shall be classified as a representative of  
652 employers, the other member who, on account of previous  
653 vocation, employment, or affiliation, shall be classified as a  
654 representative of employees. The panel shall determine statewide  
655 schedules of maximum reimbursement allowances for medically  
656 necessary treatment, care, and attendance provided by hospitals  
657 and ambulatory surgical centers. The maximum reimbursement  
658 allowances for inpatient hospital care shall be based on a  
659 schedule of per diem rates, to be approved by the three-member  
660 panel no later than March 1, 1994, to be used in conjunction  
661 with a precertification manual as determined by the department,  
662 including maximum hours in which an outpatient may remain in  
663 observation status, which shall not exceed 23 hours. All  
664 compensable charges for hospital outpatient care shall be  
665 reimbursed at 75 percent of usual and customary charges, except  
666 as otherwise provided by this subsection. Annually, the three-  
667 member panel shall adopt schedules of maximum reimbursement

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668 allowances for hospital inpatient care, hospital outpatient  
669 care, and ambulatory surgical centers. A hospital or an  
670 ambulatory surgical center shall be reimbursed either the  
671 agreed-upon contract price or the maximum reimbursement  
672 allowance in the appropriate schedule. Reimbursement for  
673 emergency services and care, as defined in s. 395.002, without a  
674 maximum reimbursement allowance must be at 75 percent of the  
675 hospital's charge, unless there is a contract, in which case the  
676 contract governs reimbursement.

677  
678 The department, as requested, shall provide data to the panel,  
679 including, but not limited to, utilization trends in the  
680 workers' compensation health care delivery system. The  
681 department shall provide the panel with an annual report  
682 regarding the resolution of medical reimbursement disputes and  
683 any actions pursuant to subsection (8). The department shall  
684 provide administrative support and service to the panel to the  
685 extent requested by the panel. For prescription medication  
686 purchased under the requirements of this subsection, a  
687 dispensing practitioner shall not possess such medication unless  
688 payment has been made by the practitioner, the practitioner's  
689 professional practice, or the practitioner's practice management  
690 company or employer to the supplying manufacturer, wholesaler,  
691 distributor, or drug repackager within 60 days of the dispensing  
692 practitioner taking possession of that medication.

693 Section 7. Present subsections (9) through (13) of section  
694 440.385, Florida Statutes, are redesignated as subsections (10)  
695 through (14), respectively, and a new subsection (9) is added to  
696 that section, to read:



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697 440.385 Florida Self-Insurers Guaranty Association,  
698 Incorporated.—

699 (9) CONTRACTS AND PURCHASES.—

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

707 (b) All contracts and purchases valued at or more than  
708 \$100,000 require competition through a formal bid solicitation  
709 conducted by the association. The association must undergo a  
710 formal bid solicitation process. The formal bid solicitation  
711 process must include all of the following:

712 1. The time and date for the receipt of bids, the  
713 proposals, and whether the association contemplates renewal of  
714 the contract, including the price for each year for which the  
715 contract may be renewed.

716 2. All the contractual terms and conditions applicable to  
717 the procurement.

718 (c) Evaluation of bids by the association must include  
719 consideration of the total cost for each year of the contract,  
720 including renewal years, as submitted by the vendor. The  
721 association must award the contract to the most responsible and  
722 responsive vendor. Any formal bid solicitation conducted by the  
723 association must be made available, upon request, to the  
724 department via electronic delivery.

725 Section 8. Present subsection (7) of section 497.101,

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726 Florida Statutes, is redesignated as subsection (11),  
727 subsections (1) through (4) are amended, and a new subsection  
728 (7) and subsections (8), (9), and (10) are added to that  
729 section, to read:

730 497.101 Board of Funeral, Cemetery, and Consumer Services;  
731 membership; appointment; terms.—

732 (1) The Board of Funeral, Cemetery, and Consumer Services  
733 is created within the Department of Financial Services and shall  
734 consist of 10 members, 9 of whom shall be appointed by the  
735 ~~Governor from nominations made by~~ the Chief Financial Officer  
736 ~~and confirmed by the Senate. The Chief Financial Officer shall~~  
737 ~~nominate one to three persons for each of the nine vacancies on~~  
738 ~~the board, and the Governor shall fill each vacancy on the board~~  
739 ~~by appointing one of the persons nominated by the Chief~~  
740 ~~Financial Officer to fill that vacancy. If the Governor objects~~  
741 ~~to each of the nominations for a vacancy, she or he shall inform~~  
742 ~~the Chief Financial Officer in writing. Upon notification of an~~  
743 ~~objection by the Governor, the Chief Financial Officer shall~~  
744 ~~submit one to three additional nominations for that vacancy~~  
745 ~~until the vacancy is filled. One member must be the State Health~~  
746 ~~Officer or her or his designee.~~

747 (2) Two members of the board must be funeral directors  
748 licensed under part III of this chapter who are associated with  
749 a funeral establishment. One member of the board must be a  
750 funeral director licensed under part III of this chapter who is  
751 associated with a funeral establishment licensed under part III  
752 of this chapter which has a valid preneed license issued  
753 pursuant to this chapter ~~and who owns or operates a cinerator~~  
754 ~~facility approved under chapter 403 and licensed under part VI~~

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755 ~~of this chapter.~~ Two members of the board must be persons whose  
756 primary occupation is associated with a cemetery company  
757 licensed pursuant to this chapter. Two members of the board must  
758 be consumers who are residents of this state, have never been  
759 licensed as funeral directors or embalmers, are not connected  
760 with a cemetery or cemetery company licensed pursuant to this  
761 chapter, and are not connected with the death care industry or  
762 the practice of embalming, funeral directing, or direct  
763 disposition. One of the two consumer members must be at least 60  
764 years of age. One member of the board must be a consumer who is  
765 a resident of this state; is licensed as a certified public  
766 accountant under chapter 473; has never been licensed as a  
767 funeral director or an embalmer; is not a principal or an  
768 employee of any licensee licensed under this chapter; and does  
769 not otherwise have control, as defined in s. 497.005, over any  
770 licensee licensed under this chapter. One member of the board  
771 must be a principal of a monument establishment licensed under  
772 this chapter as a monument builder. One member must be the State  
773 Health Officer or her or his designee. There may not be two or  
774 more board members who are principals or employees of the same  
775 company or partnership or group of companies or partnerships  
776 under common control.

777 (3) Board members shall be appointed for terms of 4 years  
778 and may be reappointed; however, a member may not serve for more  
779 than 8 consecutive years.~~and~~ The State Health Officer shall  
780 serve as long as that person holds that office. The designee of  
781 the State Health Officer shall serve at the pleasure of the  
782 Chief Financial Officer ~~Governor~~.

783 (4) The Chief Financial Officer ~~Governor~~ ~~may suspend and~~

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784 ~~the Senate~~ may remove any board member for malfeasance or  
785 misfeasance, neglect of duty, incompetence, substantial  
786 inability to perform official duties, commission of a crime, or  
787 other substantial cause as determined by the Chief Financial  
788 Officer ~~Governor or Senate, as applicable,~~ to evidence a lack of  
789 fitness to sit on the board. A board member shall be deemed to  
790 have resigned her or his board membership, and that position  
791 shall be deemed vacant, upon the failure of the member to attend  
792 three consecutive meetings of the board or at least half of the  
793 meetings of the board during any 12-month period, unless the  
794 Chief Financial Officer determines that there was good and  
795 adequate justification for the absences and that such absences  
796 are not likely to continue. Any vacancy so created shall be  
797 filled as provided in subsection (1).

798 (7) Members of the board are subject to the code of ethics  
799 under part III of chapter 112. For purposes of applying part III  
800 of chapter 112 to activities of the members of the board, those  
801 persons are considered public officers, and the department is  
802 considered their agency. A board member may not vote on any  
803 measure that would inure to his or her special private gain or  
804 loss and, in accordance with s. 112.3143(2), may not vote on any  
805 measure that he or she knows would inure to the special private  
806 gain or loss of any principal by which he or she is retained,  
807 other than an agency as defined in s. 112.312; or that he or she  
808 knows would inure to the special private gain or loss of his or  
809 her relative or business associate. Before the vote is taken,  
810 such member shall publicly state to the board the nature of his  
811 or her interest in the matter from which he or she is abstaining  
812 from voting and, within 15 days after the vote occurs, disclose

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813 the nature of his or her interest as a public record in a  
814 memorandum filed with the person responsible for recording the  
815 minutes of the meeting, who shall incorporate the memorandum in  
816 the minutes.

817 (8) In accordance with ss. 112.3148 and 112.3149, a board  
818 member may not knowingly accept, directly or indirectly, any  
819 gift or expenditure from a person or entity, or an employee or  
820 representative of such person or entity, which has a contractual  
821 relationship with the department or the board, which is under  
822 consideration for a contract, or which is licensed by the  
823 department.

824 (9) A board member who fails to comply with subsection (7)  
825 or subsection (8) is subject to the penalties provided under ss.  
826 112.317 and 112.3173.

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

831 (b) Except for emergency meetings, the department shall  
832 give notice of any board meeting by publication on the  
833 department's website at least 7 days before the meeting. The  
834 department shall publish a meeting agenda on its website at  
835 least 7 days before the meeting. The agenda must contain the  
836 items to be considered, in order of presentation. After the  
837 agenda has been made available, a change may be made only for  
838 good cause, as determined by the person designated to preside,  
839 and must be stated in the record. Notification of such change  
840 must be at the earliest practicable time.

841 Section 9. Paragraph (a) of subsection (4) of section

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842 497.153, Florida Statutes, is amended to read:

843 497.153 Disciplinary procedures and penalties.—

844 (4) ACTION AFTER PROBABLE CAUSE FOUND.—

845 (a) Service of an administrative complaint may be in person  
846 by department staff or any person authorized to make service of  
847 process under the Florida Rules of Civil Procedure. Service upon  
848 a licensee may in the alternative be made by certified mail,  
849 return receipt requested, to the last known address of record  
850 provided by the licensee to the department. If service by  
851 certified mail cannot be made at the last address provided by  
852 the licensee to the department, service may be made by e-mail,  
853 delivery receipt required, sent to the most recent e-mail  
854 address provided by the licensee to the department in accordance  
855 with s. 497.146.

856 Section 10. Paragraph (e) of subsection (1) of section  
857 497.155, Florida Statutes, is amended to read:

858 497.155 Disciplinary citations and minor violations.—

859 (1) CITATIONS.—

860 (e) Service of a citation may be made by personal service  
861 or certified mail, restricted delivery, to the subject at the  
862 subject's last known address in accordance with s. 497.146. If  
863 service by certified mail cannot be made at the last address  
864 provided by the subject to the department, service may be made  
865 by e-mail, delivery receipt required, sent to the most recent e-  
866 mail address provided by the subject to the department in  
867 accordance with s. 497.146.

868 Section 11. Paragraph (a) of subsection (3) of section  
869 624.155, Florida Statutes, is amended to read:

870 624.155 Civil remedy.—

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871 (3) (a) As a condition precedent to bringing an action under  
872 this section, the department and the authorized insurer must  
873 have been given 60 days' written notice of the violation. Notice  
874 to the authorized insurer must be provided by the department to  
875 the e-mail address designated by the insurer ~~under s. 624.422.~~

876 Section 12. Present paragraphs (c) and (d) of subsection  
877 (10) of section 624.307, Florida Statutes, are redesignated as  
878 paragraphs (d) and (e), respectively, a new paragraph (c) is  
879 added to that subsection, and paragraph (b) of that subsection  
880 is amended, to read:

881 624.307 General powers; duties.—

882 (10)

883 (b) Any person licensed or issued a certificate of  
884 authority or made an eligible surplus lines insurer by the  
885 department or the office shall respond, in writing or  
886 electronically, to the division within 14 days after receipt of  
887 a written request for documents and information from the  
888 division concerning a consumer complaint. The response must  
889 address the issues and allegations raised in the complaint and  
890 include any requested documents concerning the consumer  
891 complaint not subject to attorney-client or work-product  
892 privilege. The division may impose an administrative penalty for  
893 failure to comply with this paragraph of up to \$5,000 per  
894 violation upon any entity licensed by the department or the  
895 office and up to \$1,000 per violation by any individual licensed  
896 by the department or the office.

897 (c) Each insurer issued a certificate of authority or made  
898 an eligible surplus lines insurer shall file with the department  
899 an e-mail address to which requests for response to consumer

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900 complaints shall be directed pursuant to paragraph (b). Such  
901 insurer shall also designate a contact person for escalated  
902 complaint issues and shall provide the name, e-mail address, and  
903 telephone number of such person. A licensee of the department,  
904 including an agency or a firm, may elect to designate an e-mail  
905 address to which requests for response to consumer complaints  
906 shall be directed pursuant to paragraph (b). If a licensee,  
907 including an agency or a firm, elects not to designate an e-mail  
908 address, the department shall direct requests for response to  
909 consumer complaints to the e-mail of record for the licensee in  
910 the department's licensing system. An insurer or a licensee,  
911 including an agency or a firm, may change designated contact  
912 information at any time by submitting the new information to the  
913 department using the method designated by rule by the  
914 department.

915 Section 13. Subsection (2) of section 626.171, Florida  
916 Statutes, is amended to read:

917 626.171 Application for license as an agent, customer  
918 representative, adjuster, service representative, or reinsurance  
919 intermediary.—

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

921 (a) His or her full name, age, social security number,  
922 residence address, business address, mailing address, contact  
923 telephone numbers, including a business telephone number, and e-  
924 mail address.

925 (b) A statement indicating the method the applicant used or  
926 is using to meet any required prelicensing education, knowledge,  
927 experience, or instructional requirements for the type of  
928 license applied for.



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929 (c) Whether he or she has been refused or has voluntarily  
930 surrendered or has had suspended or revoked a license to solicit  
931 insurance by the department or by the supervising officials of  
932 any state.

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

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

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

940 (g) The applicant's native language.

941 (h) The highest level of education achieved by the  
942 applicant.

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

945 (j) Such other or additional information as the department  
946 may deem proper to enable it to determine the character,  
947 experience, ability, and other qualifications of the applicant  
948 to hold himself or herself out to the public as an insurance  
949 representative.

950

951 However, the application must contain a statement that an  
952 applicant is not required to disclose his or her race or  
953 ethnicity, gender, or native language, that he or she will not  
954 be penalized for not doing so, and that the department will use  
955 this information exclusively for research and statistical  
956 purposes and to improve the quality and fairness of the  
957 examinations. The department shall make provisions for

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958 applicants to submit cellular telephone numbers as part of the  
959 application process on a voluntary basis for purpose of two-  
960 factor authentication of secure login credentials only.

961 Section 14. Paragraph (j) of subsection (2) of section  
962 626.221, Florida Statutes, is amended to read:

963 626.221 Examination requirement; exemptions.—

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

966 (j) An applicant for license as an all-lines adjuster who  
967 has the designation of Accredited Claims Adjuster (ACA) from a  
968 regionally accredited postsecondary institution in this state;  
969 Certified All Lines Adjuster (CALA) from Kaplan Financial  
970 Education; Associate in Claims (AIC) from the Insurance  
971 Institute of America; Professional Claims Adjuster (PCA) from  
972 the Professional Career Institute; Professional Property  
973 Insurance Adjuster (PPIA) from the HurriClaim Training Academy;  
974 Certified Adjuster (CA) from ALL LINES Training; Certified  
975 Claims Adjuster (CCA) from AE21 Incorporated; Claims Adjuster  
976 Certified Professional (CACP) from WebCE, Inc.; Accredited  
977 Insurance Claims Specialist (AICS) from Encore Claim Services;  
978 Professional in Claims (PIC) from 2021 Training, LLC; Registered  
979 Claims Adjuster (RCA) from American Insurance College; or  
980 Universal Claims Certification (UCC) from Claims and Litigation  
981 Management Alliance (CLM) whose curriculum has been approved by  
982 the department and which includes comprehensive analysis of  
983 basic property and casualty lines of insurance and testing at  
984 least equal to that of standard department testing for the all-  
985 lines adjuster license. The department shall adopt rules  
986 establishing standards for the approval of curriculum.

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987 Section 15. Subsection (6) of section 626.601, Florida  
988 Statutes, is amended to read:

989 626.601 Improper conduct; inquiry; fingerprinting.—

990 (6) The complaint and any information obtained pursuant to  
991 the investigation by the department or office are confidential  
992 and are exempt from s. 119.07 unless the department or office  
993 files a formal administrative complaint, emergency order, or  
994 consent order against the individual or entity. This subsection  
995 does not prevent the department or office from disclosing the  
996 complaint or such information as it deems necessary to conduct  
997 the investigation, to update the complainant as to the status  
998 and outcome of the complaint, to review the details of the  
999 investigation with the individual or entity or its  
1000 representative, or to share such information with any law  
1001 enforcement agency or other regulatory body.

1002 Section 16. Subsection (3) of section 626.7351, Florida  
1003 Statutes, is amended to read:

1004 626.7351 Qualifications for customer representative's  
1005 license.—The department may ~~shall~~ not grant or issue a license  
1006 as customer representative to any individual found by it to be  
1007 untrustworthy or incompetent, or who does not meet each of the  
1008 following qualifications:

1009 (3) Within 4 years preceding the date that the application  
1010 for license was filed with the department, the applicant has  
1011 earned the designation of Accredited Advisor in Insurance (AAI),  
1012 Associate in General Insurance (AINS), or Accredited Customer  
1013 Service Representative (ACSR) from the Insurance Institute of  
1014 America; the designation of Certified Insurance Counselor (CIC)  
1015 from the Society of Certified Insurance Service Counselors; the

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1016 designation of Certified Professional Service Representative  
1017 (CPSR) from the National Foundation for CPSR; the designation of  
1018 Certified Insurance Service Representative (CISR) from the  
1019 Society of Certified Insurance Service Representatives; the  
1020 designation of Certified Insurance Representative (CIR) from  
1021 All-Lines Training; the designation of Chartered Customer  
1022 Service Representative (CCSR) from American Insurance College;  
1023 the designation of Professional Customer Service Representative  
1024 (PCSR) from the Professional Career Institute; the designation  
1025 of Insurance Customer Service Representative (ICSR) from  
1026 Statewide Insurance Associates LLC; the designation of  
1027 Registered Customer Service Representative (RCSR) from a  
1028 regionally accredited postsecondary institution in the state  
1029 whose curriculum is approved by the department and includes  
1030 comprehensive analysis of basic property and casualty lines of  
1031 insurance and testing which demonstrates mastery of the subject;  
1032 or a degree from an accredited institution of higher learning  
1033 approved by the department when the degree includes a minimum of  
1034 9 credit hours of insurance instruction, including specific  
1035 instruction in the areas of property, casualty, and inland  
1036 marine insurance. The department shall adopt rules establishing  
1037 standards for the approval of curriculum.

1038 Section 17. Section 626.878, Florida Statutes, is amended  
1039 to read:

1040 626.878 Rules; code of ethics.—

1041 (1) An adjuster shall subscribe to the code of ethics  
1042 specified in the rules of the department. The rules shall  
1043 implement the provisions of this part and specify the terms and  
1044 conditions of contracts, including a right to cancel, and

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1045 require practices necessary to ensure fair dealing, prohibit  
1046 conflicts of interest, and ensure preservation of the rights of  
1047 the claimant to participate in the adjustment of claims.

1048 (2) A person licensed as an adjuster must identify himself  
1049 or herself in any advertisement, solicitation, or written  
1050 document based on the adjuster appointment type held.

1051 (3) An adjuster who has had his or her licensed revoked or  
1052 suspended may not participate in any part of an insurance claim  
1053 or in the insurance claims adjusting process, including  
1054 estimating, completing, filing, negotiating, appraising,  
1055 mediating, umpiring, or effecting settlement of a claim for loss  
1056 or damage covered under an insurance contract. A person who  
1057 provides these services while the person's license is revoked or  
1058 suspended acts as an unlicensed adjuster.

1059 Section 18. Subsection (1) of section 626.929, Florida  
1060 Statutes, is amended, and subsection (4) is added to that  
1061 section, to read:

1062 626.929 Origination, acceptance, placement of surplus lines  
1063 business.—

1064 (1) A licensed and appointed general lines agent while also  
1065 licensed and appointed as a surplus lines agent under this part  
1066 may originate surplus lines business and may accept surplus  
1067 lines business from any other originating Florida-licensed  
1068 general lines agent appointed and licensed as to the kinds of  
1069 insurance involved and may compensate such agent therefor.

1070 (4) A general lines agent while licensed as a surplus lines  
1071 agent under this part may appoint these licenses with a single  
1072 surplus license agent appointment pursuant to s. 624.501. Such  
1073 agent may only originate surplus lines business and accept

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1074 surplus lines business from other originating Florida-licensed  
1075 general lines agents appointed and licensed as to the kinds of  
1076 insurance involved and may compensate such agent therefor. Such  
1077 agent may not be appointed by or transact general lines  
1078 insurance on behalf of an admitted insurer.

1079 Section 19. Paragraphs (j) is added to subsection (4) of  
1080 section 627.351, Florida Statutes, to read:

1081 627.351 Insurance risk apportionment plans.—

1082 (4) MEDICAL MALPRACTICE RISK APPORTIONMENT; ASSOCIATION  
1083 CONTRACTS AND PURCHASES.—

1084 (j)1. After July 1, 2024, all contracts entered into, and  
1085 all purchases made by, the association pursuant to this  
1086 subsection which are valued at or more than \$100,000 must first  
1087 be approved by the department. The department has 10 days to  
1088 approve or deny a contract or purchase upon electronic receipt  
1089 of the approval request. The contract or purchase is  
1090 automatically approved if the department is nonresponsive.

1091 2. All contracts and purchases valued at or more than  
1092 \$100,000 require competition through a formal bid solicitation  
1093 conducted by the association. The association must undergo a  
1094 formal bid solicitation process by a minimum of three vendors.  
1095 The formal bid solicitation process must include all of the  
1096 following:

1097 a. The time and date for the receipt of bids, the  
1098 proposals, and whether the association contemplates renewal of  
1099 the contract, including the price for each year for which the  
1100 contract may be renewed.

1101 b. All the contractual terms and conditions applicable to  
1102 the procurement.

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1103       3. Evaluation of bids by the association must include  
1104 consideration of the total cost for each year of the contract,  
1105 including renewal years, as submitted by the vendor. The  
1106 association must award the contract to the most responsible and  
1107 responsive vendor. Any formal bid solicitation conducted by the  
1108 association must be made available, upon request, to the  
1109 department by electronic delivery.

1110       Section 20. Subsection (2) of section 627.43141, Florida  
1111 Statutes, is amended to read:

1112       627.43141 Notice of change in policy terms.—

1113       (2) A renewal policy may contain a change in policy terms.  
1114 If such change occurs, the insurer shall give the named insured  
1115 advance written notice summarizing the change, which may be  
1116 enclosed in ~~along with~~ the written notice of renewal premium  
1117 required under ss. 627.4133 and 627.728 or sent separately  
1118 within the timeframe required under the Florida Insurance Code  
1119 for the provision of a notice of nonrenewal to the named insured  
1120 for that line of insurance. The insurer must also provide a  
1121 sample copy of the notice to the named insured's insurance agent  
1122 before or at the same time that notice is provided to the named  
1123 insured. Such notice shall be entitled "Notice of Change in  
1124 Policy Terms—" and shall be in bold type of not less than 14  
1125 points and included as a single page or consecutive pages, as  
1126 necessary, within the written notice.

1127       Section 21. Paragraph (a) of subsection (3) of section  
1128 627.70152, Florida Statutes, is amended to read:

1129       627.70152 Suits arising under a property insurance policy.—

1130       (3) NOTICE.—

1131       (a) As a condition precedent to filing a suit under a

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1132 property insurance policy, a claimant must provide the  
1133 department with written notice of intent to initiate litigation  
1134 on a form provided by the department. Such notice must be given  
1135 at least 10 business days before filing suit under the policy,  
1136 but may not be given before the insurer has made a determination  
1137 of coverage under s. 627.70131. Notice to the insurer must be  
1138 provided by the department to the e-mail address designated by  
1139 the insurer ~~under s. 624.422~~. The notice must state with  
1140 specificity all of the following information:

- 1141 1. That the notice is provided pursuant to this section.
- 1142 2. The alleged acts or omissions of the insurer giving rise  
1143 to the suit, which may include a denial of coverage.
- 1144 3. If provided by an attorney or other representative, that  
1145 a copy of the notice was provided to the claimant.
- 1146 4. If the notice is provided following a denial of  
1147 coverage, an estimate of damages, if known.
- 1148 5. If the notice is provided following acts or omissions by  
1149 the insurer other than denial of coverage, both of the  
1150 following:
  - 1151 a. The presuit settlement demand, which must itemize the  
1152 damages, attorney fees, and costs.
  - 1153 b. The disputed amount.

1154  
1155 Documentation to support the information provided in this  
1156 paragraph may be provided along with the notice to the insurer.

1157 Section 22. Subsection (5) is added to section 631.59,  
1158 Florida Statutes, to read:

1159 631.59 Duties and powers of department and office;  
1160 association contracts and purchases.-



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1161 (5) (a) After July 1, 2024, all contracts entered into, and  
1162 all purchases made by, the association pursuant to this section  
1163 which are valued at or more than \$100,000 must first be approved  
1164 by the department. The department has 10 days to approve or deny  
1165 the contract or purchase upon electronic receipt of the approval  
1166 request. The contract or purchase is automatically approved if  
1167 the department is nonresponsive.

1168 (b) All contracts and purchases valued at or more than  
1169 \$100,000 require competition through a formal bid solicitation  
1170 conducted by the association. The association must undergo a  
1171 formal bid solicitation process. The formal bid solicitation  
1172 process must include all of the following:

1173 1. The time and date for the receipt of bids, the  
1174 proposals, and whether the association contemplates renewal of  
1175 the contract, including the price for each year for which the  
1176 contract may be renewed.

1177 2. All the contractual terms and conditions applicable to  
1178 the procurement.

1179 (c) Evaluation of bids by the association must include  
1180 consideration of the total cost for each year of the contract,  
1181 including renewal years, as submitted by the vendor. The  
1182 association must award the contract to the most responsible and  
1183 responsive vendor. Any formal bid solicitation conducted by the  
1184 association must be made available, upon request, to the  
1185 department via electronic delivery.

1186 Section 23. Subsection (6) is added to section 631.722,  
1187 Florida Statutes, to read:

1188 631.722 Powers and duties of department and office;  
1189 association contracts and purchases.-

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1190 (6) (a) After July 1, 2024, all contracts entered into, and  
1191 all purchases made by, the association pursuant to this section  
1192 which are valued at or more than \$100,000 must first be approved  
1193 by the department. The department has 10 days to approve or deny  
1194 the contract or purchase upon electronic receipt of the approval  
1195 request. The contract or purchase is automatically approved if  
1196 the department is nonresponsive.

1197 (b) All contracts and purchases valued at or more than  
1198 \$100,000 require competition through a formal bid solicitation  
1199 conducted by the association. The association must undergo a  
1200 formal bid solicitation process. The formal bid solicitation  
1201 process must include all of the following:

1202 1. The time and date for the receipt of bids, the  
1203 proposals, and whether the association contemplates renewal of  
1204 the contract, including the price for each year for which the  
1205 contract may be renewed.

1206 2. All the contractual terms and conditions applicable to  
1207 the procurement.

1208 (c) Evaluation of bids by the association must include  
1209 consideration of the total cost for each year of the contract,  
1210 including renewal years, as submitted by the vendor. The  
1211 association must award the contract to the most responsible and  
1212 responsive vendor. Any formal bid solicitation conducted by the  
1213 association must be made available, upon request, to the  
1214 department via electronic delivery.

1215 Section 24. Subsection (5) is added to section 631.821,  
1216 Florida Statutes, to read:

1217 631.821 Powers and duties of the department; board  
1218 contracts and purchases.-

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1219 (5) (a) After July 1, 2024, all contracts entered into, and  
1220 all purchases made by, the board pursuant to this section which  
1221 are valued at or more than \$100,000 must first be approved by  
1222 the department. The department has 10 days to approve or deny  
1223 the contract or purchase upon electronic receipt of the approval  
1224 request. The contract or purchase is automatically approved if  
1225 the department is nonresponsive.

1226 (b) All contracts and purchases valued at or more than  
1227 \$100,000 require competition through a formal bid solicitation  
1228 conducted by the board. The board must undergo a formal bid  
1229 solicitation process. The formal bid solicitation process must  
1230 include all of the following:

1231 1. The time and date for the receipt of bids, the  
1232 proposals, and whether the board contemplates renewal of the  
1233 contract, including the price for each year for which the  
1234 contract may be renewed.

1235 2. All the contractual terms and conditions applicable to  
1236 the procurement.

1237 (c) Evaluation of bids by the board must include  
1238 consideration of the total cost for each year of the contract,  
1239 including renewal years, as submitted by the vendor. The plan  
1240 must award the contract to the most responsible and responsive  
1241 vendor. Any formal bid solicitation conducted by the board must  
1242 be made available, upon request, to the department via  
1243 electronic delivery.

1244 Section 25. Section 631.921, Florida Statutes, is amended  
1245 to read:

1246 631.921 Department powers; board contracts and purchases.-

1247 (1) The corporation shall be subject to examination by the

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1248 department. By March 1 of each year, the board of directors  
1249 shall cause a financial report to be filed with the department  
1250 for the immediately preceding calendar year in a form approved  
1251 by the department.

1252 (2) (a) After July 1, 2024, all contracts entered into, and  
1253 all purchases made by, the board pursuant to this section which  
1254 are valued at or more than \$100,000 must first be approved by  
1255 the department. The department has 10 days to approve or deny  
1256 the contract or purchase upon electronic receipt of the approval  
1257 request. The contract or purchase is automatically approved if  
1258 the department is nonresponsive.

1259 (b) All contracts and purchases valued at or more than  
1260 \$100,000 require competition through a formal bid solicitation  
1261 conducted by the board. The board must undergo a formal bid  
1262 solicitation process. The formal bid solicitation process must  
1263 include all of the following:

1264 1. The time and date for the receipt of bids, the  
1265 proposals, and whether the board contemplates renewal of the  
1266 contract, including the price for each year for which the  
1267 contract may be renewed.

1268 2. All the contractual terms and conditions applicable to  
1269 the procurement.

1270 (c) Evaluation of bids by the board must include  
1271 consideration of the total cost for each year of the contract,  
1272 including renewal years, as submitted by the vendor. The  
1273 association must award the contract to the most responsible and  
1274 responsive vendor. Any formal bid solicitation conducted by the  
1275 association must be made available, upon request, to the  
1276 department via electronic delivery.

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1277 Section 26. Paragraph (b) of subsection (3) of section  
1278 633.124, Florida Statutes, is amended to read:

1279 633.124 Penalty for violation of law, rule, or order to  
1280 cease and desist or for failure to comply with corrective  
1281 order.—

1282 (3)

1283 (b) A person who initiates a pyrotechnic display within any  
1284 structure commits a felony of the third degree, punishable as  
1285 provided in s. 775.082, s. 775.083, or s. 775.084, unless:

1286 1. The structure has a fire protection system installed in  
1287 compliance with s. 633.334.

1288 2. The owner of the structure has authorized in writing the  
1289 pyrotechnic display.

1290 3. If the local jurisdiction requires a permit for the use  
1291 of a pyrotechnic display in an occupied structure, such permit  
1292 has been obtained and all conditions of the permit complied with  
1293 or, if the local jurisdiction does not require a permit for the  
1294 use of a pyrotechnic display in an occupied structure, the  
1295 person initiating the display has complied with National Fire  
1296 Protection Association, Inc., Standard 1126, 2021 ~~2001~~ Edition,  
1297 Standard for the Use of Pyrotechnics before a Proximate  
1298 Audience.

1299 Section 27. Subsection (2) of section 633.202, Florida  
1300 Statutes, is amended to read:

1301 633.202 Florida Fire Prevention Code.—

1302 (2) The State Fire Marshal shall adopt the current edition  
1303 of the National Fire Protection Association's Standard 1, Fire  
1304 Prevention Code but may not adopt a building, mechanical,  
1305 accessibility, or plumbing code. The State Fire Marshal shall

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1306 adopt the current edition of the Life Safety Code, NFPA 101,  
1307 current editions, by reference. The State Fire Marshal may  
1308 modify the selected codes and standards as needed to accommodate  
1309 the specific needs of the state. Standards or criteria in the  
1310 selected codes shall be similarly incorporated by reference. The  
1311 State Fire Marshal shall incorporate within sections of the  
1312 Florida Fire Prevention Code provisions that address uniform  
1313 firesafety standards as established in s. 633.206. The State  
1314 Fire Marshal shall incorporate within sections of the Florida  
1315 Fire Prevention Code provisions addressing regional and local  
1316 concerns and variations.

1317 Section 28. Paragraph (b) of subsection (1) of section  
1318 633.206, Florida Statutes, is amended to read:

1319 633.206 Uniform firesafety standards.—The Legislature  
1320 hereby determines that to protect the public health, safety, and  
1321 welfare it is necessary to provide for firesafety standards  
1322 governing the construction and utilization of certain buildings  
1323 and structures. The Legislature further determines that certain  
1324 buildings or structures, due to their specialized use or to the  
1325 special characteristics of the person utilizing or occupying  
1326 these buildings or structures, should be subject to firesafety  
1327 standards reflecting these special needs as may be appropriate.

1328 (1) The department shall establish uniform firesafety  
1329 standards that apply to:

1330 (b) All new, existing, and proposed hospitals, nursing  
1331 homes, assisted living facilities, adult family-care homes,  
1332 correctional facilities, public schools, transient public  
1333 lodging establishments, public food service establishments,  
1334 mobile food dispensing vehicles, elevators, migrant labor camps,

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1335 mobile home parks, lodging parks, recreational vehicle parks,  
1336 recreational camps, residential and nonresidential child care  
1337 facilities, facilities for the developmentally disabled, motion  
1338 picture and television special effects productions, tunnels,  
1339 energy storage systems, and self-service gasoline stations, of  
1340 which standards the State Fire Marshal is the final  
1341 administrative interpreting authority.

1342

1343 In the event there is a dispute between the owners of the  
1344 buildings specified in paragraph (b) and a local authority  
1345 requiring a more stringent uniform firesafety standard for  
1346 sprinkler systems, the State Fire Marshal shall be the final  
1347 administrative interpreting authority and the State Fire  
1348 Marshal's interpretation regarding the uniform firesafety  
1349 standards shall be considered final agency action.

1350 Section 29. Paragraph (b) of subsection (8) of section  
1351 634.041, Florida Statutes, is amended to read:

1352 634.041 Qualifications for license.—To qualify for and hold  
1353 a license to issue service agreements in this state, a service  
1354 agreement company must be in compliance with this part, with  
1355 applicable rules of the commission, with related sections of the  
1356 Florida Insurance Code, and with its charter powers and must  
1357 comply with the following:

1358 (8)

1359 (b) A service agreement company does not have to establish  
1360 and maintain an unearned premium reserve if it secures and  
1361 maintains contractual liability insurance in accordance with the  
1362 following:

1363 1. Coverage of 100 percent of the claim exposure is

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1364 obtained from an insurer or insurers approved by the office,  
1365 which hold ~~holds~~ a certificate of authority under s. 624.401 to  
1366 do business within this state, or secured through a risk  
1367 retention groups ~~group~~, which are ~~is~~ authorized to do business  
1368 within this state under s. 627.943 or s. 627.944. Such insurers  
1369 ~~insurer~~ or risk retention groups ~~group~~ must maintain a surplus  
1370 as regards policyholders of at least \$15 million.

1371 2. If the service agreement company does not meet its  
1372 contractual obligations, the contractual liability insurance  
1373 policy binds its issuer to pay or cause to be paid to the  
1374 service agreement holder all legitimate claims and cancellation  
1375 refunds for all service agreements issued by the service  
1376 agreement company while the policy was in effect. This  
1377 requirement also applies to those service agreements for which  
1378 no premium has been remitted to the insurer.

1379 3. If the issuer of the contractual liability policy is  
1380 fulfilling the service agreements covered by the contractual  
1381 liability policy and the service agreement holder cancels the  
1382 service agreement, the issuer must make a full refund of  
1383 unearned premium to the consumer, subject to the cancellation  
1384 fee provisions of s. 634.121(3). The sales representative and  
1385 agent must refund to the contractual liability policy issuer  
1386 their unearned pro rata commission.

1387 4. The policy may not be canceled, terminated, or  
1388 nonrenewed by the insurer or the service agreement company  
1389 unless a 90-day written notice thereof has been given to the  
1390 office by the insurer before the date of the cancellation,  
1391 termination, or nonrenewal.

1392 5. The service agreement company must provide the office



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1393 with the claims statistics.

1394         6. A policy issued in compliance with this paragraph may  
1395 either pay 100 percent of claims as they are incurred, or pay  
1396 100 percent of claims due in the event of the failure of the  
1397 service agreement company to pay such claims when due.

1398  
1399 All funds or premiums remitted to an insurer by a motor vehicle  
1400 service agreement company under this part shall remain in the  
1401 care, custody, and control of the insurer and shall be counted  
1402 as an asset of the insurer; provided, however, this requirement  
1403 does not apply when the insurer and the motor vehicle service  
1404 agreement company are affiliated companies and members of an  
1405 insurance holding company system. If the motor vehicle service  
1406 agreement company chooses to comply with this paragraph but also  
1407 maintains a reserve to pay claims, such reserve shall only be  
1408 considered an asset of the covered motor vehicle service  
1409 agreement company and may not be simultaneously counted as an  
1410 asset of any other entity.

1411         Section 30. Subsection (5) of section 634.081, Florida  
1412 Statutes, is amended to read:

1413         634.081 Suspension or revocation of license; grounds.-

1414         (5) The office shall suspend or revoke the license of a  
1415 company if it finds that the ratio of gross written premiums  
1416 written to net assets exceeds 10 to 1 unless the company has in  
1417 excess of \$750,000 in net assets and is utilizing contractual  
1418 liability insurance which cedes 100 percent of the service  
1419 agreement company's claims liabilities to the contractual  
1420 liability insurers ~~insurer~~ or is utilizing contractual liability  
1421 insurance which reimburses the service agreement company for 100

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1422 percent of its paid claims. However, if a service agreement  
1423 company has been licensed by the office in excess of 10 years,  
1424 is in compliance with all applicable provisions of this part,  
1425 and has net assets at all times in excess of \$3 million that  
1426 comply with the provisions of part II of chapter 625, such  
1427 company may not exceed a ratio of gross written premiums written  
1428 to net assets of 15 to 1.

1429 Section 31. Present subsection (5) of section 634.3077,  
1430 Florida Statutes, is redesignated as subsection (6), a new  
1431 subsection (5) is added to that section, and subsection (3) of  
1432 that section is amended, to read:

1433 634.3077 Financial requirements.—

1434 (3) An association may ~~shall~~ not be required to set up an  
1435 unearned premium reserve if it has purchased contractual  
1436 liability insurance which demonstrates to the satisfaction of  
1437 the office that 100 percent of its claim exposure is covered by  
1438 such insurance. Such contractual liability insurance shall be  
1439 obtained from an insurer or insurers that hold ~~holds~~ a  
1440 certificate of authority to do business within the state or from  
1441 an insurer or insurers approved by the office as financially  
1442 capable of meeting the obligations incurred pursuant to the  
1443 policy. For purposes of this subsection, the contractual  
1444 liability policy shall contain the following provisions:

1445 (a) In the event that the home warranty association is  
1446 unable to fulfill its obligation under its contracts issued in  
1447 this state for any reason, including insolvency, bankruptcy, or  
1448 dissolution, the contractual liability insurer will pay losses  
1449 and unearned premiums under such plans directly to persons  
1450 making claims under such contracts.

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1451 (b) The insurer issuing the policy shall assume full  
1452 responsibility for the administration of claims in the event of  
1453 the inability of the association to do so.

1454 (c) The policy may not be canceled or not renewed by ~~either~~  
1455 the insurer or the association unless 60 days' written notice  
1456 thereof has been given to the office by the insurer before the  
1457 date of such cancellation or nonrenewal.

1458 (d) The contractual liability insurance policy shall insure  
1459 all home warranty contracts that were issued while the policy  
1460 was in effect whether or not the premium has been remitted to  
1461 the insurer.

1462 (5) An association licensed under this part is not required  
1463 to establish an unearned premium reserve or maintain contractual  
1464 liability insurance and may allow its premiums to exceed the  
1465 ratio to net assets limitation of this section if the  
1466 association complies with the following:

1467 (a) The association or, if the association is a direct or  
1468 indirect wholly owned subsidiary of a parent corporation, its  
1469 parent corporation has, and maintains at all times, a minimum  
1470 net worth of at least \$100 million and provides the office with  
1471 the following:

1472 1. A copy of the association's annual audited financial  
1473 statements or the audited consolidated financial statements of  
1474 the association's parent corporation, prepared by an independent  
1475 certified public accountant in accordance with generally  
1476 accepted accounting principles, which clearly demonstrate the  
1477 net worth of the association or its parent corporation to be  
1478 \$100 million, and a quarterly written certification to the  
1479 office that the association or its parent corporation continues

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1480 to maintain the net worth required under this paragraph.

1481 2. The association's or its parent corporation's Form 10-K,  
1482 Form 10-Q, or Form 20-F as filed with the United States  
1483 Securities and Exchange Commission or such other documents  
1484 required to be filed with a recognized stock exchange, which  
1485 shall be provided on a quarterly and annual basis within 10 days  
1486 after the last date each such report must be filed with the  
1487 Securities and Exchange Commission, the National Association of  
1488 Security Dealers Automated Quotation system, or other recognized  
1489 stock exchange.

1490  
1491 Failure to timely file the documents required under this  
1492 paragraph may, at the discretion of the office, subject the  
1493 association to suspension or revocation of its license under  
1494 this part.

1495 (b) If the net worth of a parent corporation is used to  
1496 satisfy the net worth provisions of paragraph (a), the following  
1497 provisions must be met:

1498 1. The parent corporation must guarantee all service  
1499 warranty obligations of the association, wherever written, on a  
1500 form approved in advance by the office. A cancellation,  
1501 termination, or modification of the guarantee does not become  
1502 effective unless the parent corporation provides the office  
1503 written notice at least 90 days before the effective date of the  
1504 cancellation, termination, or modification and the office  
1505 approves the request in writing. Before the effective date of  
1506 the cancellation, termination, or modification of the guarantee,  
1507 the association must demonstrate to the satisfaction of the  
1508 office compliance with all applicable provisions of this part,

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1509 including whether the association will meet the requirements of  
1510 this section by the purchase of contractual liability insurance,  
1511 establishing required reserves, or other method allowed under  
1512 this section. If the association or parent corporation does not  
1513 demonstrate to the satisfaction of the office compliance with  
1514 all applicable provisions of this part, the association or  
1515 parent association shall immediately cease writing new and  
1516 renewal business upon the effective date of the cancellation,  
1517 termination, or modification.

1518 2. The association must maintain at all times net assets of  
1519 at least \$750,000.

1520 Section 32. Section 634.317, Florida Statutes, is amended  
1521 to read:

1522 634.317 License and appointment required.—No person may  
1523 solicit, negotiate, or effectuate home warranty contracts for  
1524 remuneration in this state unless such person is licensed and  
1525 appointed as a sales representative. A licensed and appointed  
1526 sales representative shall be directly responsible and  
1527 accountable for all acts of the licensee's employees. An agent  
1528 or employee of a municipal or county government is exempt from  
1529 these licensing and appointment requirements.

1530 Section 33. Present subsection (9) of section 648.25,  
1531 Florida Statutes, is redesignated as subsection (10), and a new  
1532 subsection (9) and subsection (11) are added to that section, to  
1533 read:

1534 648.25 Definitions.—As used in this chapter, the term:

1535 (9) "Referring bail bond agent" is the limited surety agent  
1536 who is appointed with the surety company issuing the transfer  
1537 bond that is to be posted in a county where the referring

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1538 limited surety agent is not registered. The referring bail bond  
1539 agent is the appointed agent held liable for the transfer bond,  
1540 along with the issuing surety company.

1541 (11) "Transfer bond" means the appearance bond and power of  
1542 attorney form posted by a limited surety agent who is registered  
1543 in the county where the defendant is being held in custody, and  
1544 who is appointed to represent the same surety company issuing  
1545 the appearance bond as the referring bail bond agent.

1546 Section 34. Subsection (3) of section 648.26, Florida  
1547 Statutes, is amended to read:

1548 648.26 Department of Financial Services; administration.—

1549 (3) The papers, documents, reports, or any other  
1550 investigatory records of the department are confidential and  
1551 exempt from s. 119.07(1) until such investigation is completed  
1552 or ceases to be active, unless the department or office files a  
1553 formal administrative complaint, emergency order, or consent  
1554 order against the individual or entity. For the purpose of this  
1555 section, an investigation is considered active while the  
1556 investigation is being conducted by the department with a  
1557 reasonable, good faith belief that it may lead to the filing of  
1558 administrative, civil, or criminal proceedings. An investigation  
1559 does not cease to be active if the department is proceeding with  
1560 reasonable dispatch and there is good faith belief that action  
1561 may be initiated by the department or other administrative or  
1562 law enforcement agency. This subsection does not prevent the  
1563 department or office from disclosing the content of a complaint  
1564 or such information as it deems necessary to conduct the  
1565 investigation, to update the complainant as to the status and  
1566 outcome of the complaint, to review the details of the

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1567 investigation with the subject or the subject's representative,  
1568 or to share such information with any law enforcement agency or  
1569 other regulatory body.

1570 Section 35. Paragraph (a) of subsection (1) of section  
1571 648.30, Florida Statutes, is amended to read:

1572 648.30 Licensure and appointment required; prohibited acts;  
1573 penalties.—

1574 (1) (a) A person or entity may not act in the capacity of a  
1575 bail bond agent or bail bond agency or perform any of the  
1576 functions, duties, or powers prescribed for bail bond agents or  
1577 bail bond agencies under this chapter unless that person or  
1578 entity is qualified, licensed, and appointed as provided in this  
1579 chapter ~~and employed by a bail bond agency.~~

1580 Section 36. Subsection (1) of section 648.355, Florida  
1581 Statutes, is amended to read:

1582 648.355 Limited surety agents and professional bail bond  
1583 agents; qualifications.—

1584 (1) The applicant shall furnish, with the application for  
1585 license, a complete set of the applicant's fingerprints in  
1586 accordance with s. 626.171(4) ~~and a recent credential-sized,~~  
1587 ~~fullface photograph of the applicant.~~ The department may not  
1588 issue a license under this section until the department has  
1589 received a report from the Department of Law Enforcement and the  
1590 Federal Bureau of Investigation relative to the existence or  
1591 nonexistence of a criminal history report based on the  
1592 applicant's fingerprints.

1593 Section 37. Subsection (3) of section 648.43, Florida  
1594 Statutes, is amended to read:

1595 648.43 Power of attorney; approval by office; filing of

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1596 copies; notification of transfer bond.—

1597 (3) Every bail bond agent who executes or countersigns a  
1598 transfer bond shall indicate in writing on the bond the name,  
1599 ~~and~~ address, and license number of the referring bail bond  
1600 agent.

1601 Section 38. Section 717.101, Florida Statutes, is amended  
1602 to read:

1603 717.101 Definitions.—As used in this chapter, unless the  
1604 context otherwise requires:

1605 (1) "Aggregate" means the amounts reported for owners of  
1606 unclaimed property of less than \$50 or where there is no name  
1607 for the individual or entity listed on the holder's records,  
1608 regardless of the amount to be reported.

1609 (2) "Apparent owner" means the person whose name appears on  
1610 the records of the holder as the person entitled to property  
1611 held, issued, or owing by the holder.

1612 (3) "Audit" means an action or proceeding to examine and  
1613 verify a person's records, books, accounts, and other documents  
1614 to ascertain and determine compliance with this chapter.

1615 (4) "Audit agent" means a person with whom the department  
1616 enters into a contract with to conduct an audit or examination.  
1617 The term includes an independent contractor of the person and  
1618 each individual participating in the audit on behalf of the  
1619 person or contractor.

1620 (5) ~~(3)~~ "Banking organization" means any and all banks,  
1621 trust companies, private bankers, savings banks, industrial  
1622 banks, safe-deposit companies, savings and loan associations,  
1623 credit unions, and investment companies in this state, organized  
1624 under or subject to the laws of this state or of the United



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1625 States, including entities organized under 12 U.S.C. s. 611, but  
 1626 does not include Federal Reserve Banks. The term also includes  
 1627 any corporation, business association, or other organization  
 1628 that:

1629 (a) Is a wholly or partially owned subsidiary of any  
 1630 banking, banking corporation, or bank holding company that  
 1631 performs any or all of the functions of a banking organization;  
 1632 or

1633 (b) Performs functions pursuant to the terms of a contract  
 1634 with any banking organization ~~state or national bank,~~  
 1635 ~~international banking entity or similar entity, trust company,~~  
 1636 ~~savings bank, industrial savings bank, land bank, safe deposit~~  
 1637 ~~company, private bank, or any organization otherwise defined by~~  
 1638 ~~law as a bank or banking organization.~~

1639 (6)-(4) "Business association" means any for-profit or  
 1640 nonprofit corporation other than a public corporation; joint  
 1641 stock company; investment company; unincorporated association or  
 1642 association of two or more individuals for business purposes,  
 1643 whether or not for profit; partnership; joint venture; limited  
 1644 liability company; sole proprietorship; business trust; trust  
 1645 company; land bank; safe-deposit company; safekeeping  
 1646 depository; financial organization; insurance company; federally  
 1647 chartered entity; utility company; or other business entity,  
 1648 whether or not for profit ~~corporation (other than a public~~  
 1649 ~~corporation), joint stock company, investment company, business~~  
 1650 ~~trust, partnership, limited liability company, or association of~~  
 1651 ~~two or more individuals for business purposes, whether for~~  
 1652 ~~profit or not for profit.~~

1653 (7)-(5) "Claimant" means the person on whose behalf a claim

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1654 is filed.

1655 (8) "Claimant's representative" means an attorney who is a  
1656 member in good standing of The Florida Bar, a certified public  
1657 accountant licensed in this state, or private investigator who  
1658 is duly licensed to do business in the state, registered with  
1659 the department, and authorized by the claimant to claim  
1660 unclaimed property on the claimant's behalf. The term does not  
1661 include a person acting in a representative capacity, such as a  
1662 personal representative, guardian, trustee, or attorney, whose  
1663 representation is not contingent upon the discovery or location  
1664 of unclaimed property; provided, however, that any agreement  
1665 entered into for the purpose of evading s. 717.135 is invalid  
1666 and unenforceable.

1667 (9)~~(6)~~ "Credit balance" means an account balance in the  
1668 customer's favor.

1669 (10)~~(7)~~ "Department" means the Department of Financial  
1670 Services.

1671 (11)~~(8)~~ "Domicile" means the state of incorporation for a  
1672 corporation; the state of filing for a business association,  
1673 other than a corporation, whose formation or organization  
1674 requires a filing with a state; the state of organization for a  
1675 business association, other than a corporation, whose formation  
1676 or organization does not require a filing with a state; or the  
1677 state of home office for a federally chartered entity ~~incorporated~~  
1678 ~~under the laws of a state, or, for an unincorporated business~~  
1679 ~~association, the state where the business association is~~  
1680 ~~organized.~~

1681 (12)~~(9)~~ "Due diligence" means the use of reasonable and  
1682 prudent methods under particular circumstances to locate

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1683 apparent owners of inactive accounts using the taxpayer  
1684 identification number or social security number, if known, which  
1685 may include, but are not limited to, using a nationwide  
1686 database, cross-indexing with other records of the holder,  
1687 mailing to the last known address unless the last known address  
1688 is known to be inaccurate, providing written notice as described  
1689 in this chapter by electronic mail if an apparent owner has  
1690 elected such delivery, or engaging a licensed agency or company  
1691 capable of conducting such search and providing updated  
1692 addresses.

1693 (13) "Electronic" means relating to technology having  
1694 electrical, digital, magnetic, wireless, optical,  
1695 electromagnetic, or similar capabilities.

1696 (14)~~(10)~~ "Financial organization" means a ~~state or federal~~  
1697 savings association, savings and loan association, savings bank,  
1698 industrial bank, bank, banking organization, trust company,  
1699 international bank agency, cooperative bank, building and loan  
1700 association, or credit union.

1701 (15)~~(11)~~ "Health care provider" means any state-licensed  
1702 entity that provides and receives payment for health care  
1703 services. These entities include, but are not limited to,  
1704 hospitals, outpatient centers, physician practices, and skilled  
1705 nursing facilities.

1706 (16)~~(12)~~ "Holder" means:

1707 (a) A person, wherever organized or domiciled, who is in  
1708 possession or control or has custody of property or the rights  
1709 to property belonging to another; is indebted to another on an  
1710 obligation; or is obligated to hold for the account of, or to  
1711 deliver or pay to, the owner, property subject to this chapter;

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1712 or:1713 ~~(a) In possession of property belonging to another;~~1714 ~~(b) A trustee in case of a trust; or~~1715 ~~(c) Indebted to another on an obligation.~~

1716 (17)~~(13)~~ "Insurance company" means an association,  
1717 corporation, or fraternal or mutual benefit organization,  
1718 whether for profit or not for profit, which is engaged in  
1719 providing insurance coverage.

1720 (18)~~(14)~~ "Intangible property" includes, by way of  
1721 illustration and not limitation:

1722 (a) Moneys, checks, virtual currency, drafts, deposits,  
1723 interest, dividends, and income.

1724 (b) Credit balances, customer overpayments, security  
1725 deposits and other instruments as defined by chapter 679,  
1726 refunds, unpaid wages, unused airline tickets, and unidentified  
1727 remittances.

1728 (c) Stocks, and other intangible ownership interests in  
1729 business associations.

1730 (d) Moneys deposited to redeem stocks, bonds, bearer bonds,  
1731 original issue discount bonds, coupons, and other securities, or  
1732 to make distributions.

1733 (e) Amounts due and payable under the terms of insurance  
1734 policies.

1735 (f) Amounts distributable from a trust or custodial fund  
1736 established under a plan to provide any health, welfare,  
1737 pension, vacation, severance, retirement, death, stock purchase,  
1738 profit sharing, employee savings, supplemental unemployment  
1739 insurance, or similar benefit.

1740 (19)~~(15)~~ "Last known address" means a description of the

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1741 location of the apparent owner sufficient for the purpose of the  
1742 delivery of mail. For the purposes of identifying, reporting,  
1743 and remitting property to the department which is presumed to be  
1744 unclaimed, "last known address" includes any partial description  
1745 of the location of the apparent owner sufficient to establish  
1746 the apparent owner was a resident of this state at the time of  
1747 last contact with the apparent owner or at the time the property  
1748 became due and payable.

1749 (20)~~(16)~~ "Lawful charges" means charges against dormant  
1750 accounts that are authorized by statute for the purpose of  
1751 offsetting the costs of maintaining the dormant account.

1752 (21)~~(17)~~ "Managed care payor" means a health care plan that  
1753 has a defined system of selecting and limiting health care  
1754 providers as evidenced by a managed care contract with the  
1755 health care providers. These plans include, but are not limited  
1756 to, managed care health insurance companies and health  
1757 maintenance organizations.

1758 (22)~~(18)~~ "Owner" means a person, or the person's legal  
1759 representative, entitled to receive or having a legal or  
1760 equitable interest in or claim against property subject to this  
1761 chapter; a depositor in the case of a deposit; a beneficiary in  
1762 the case of a trust or a deposit in trust; or a payee in the  
1763 case of a negotiable instrument or other intangible property ~~a~~  
1764 ~~depositor in the case of a deposit, a beneficiary in the case of~~  
1765 ~~a trust or a deposit in trust, or a payee in the case of other~~  
1766 ~~intangible property, or a person having a legal or equitable~~  
1767 ~~interest in property subject to this chapter or his or her legal~~  
1768 ~~representative.~~

1769 (23) "Person" means an individual; estate; business

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1770 association; corporation; firm; association; joint adventure;  
1771 partnership; government or governmental subdivision, agency, or  
1772 instrumentality; or any other legal or commercial entity.

1773 (24)~~(19)~~ "Public corporation" means a corporation created  
1774 by the state, founded and owned in the public interest,  
1775 supported by public funds, and governed by those deriving their  
1776 power from the state.

1777 (25) "Record" means information that is inscribed on a  
1778 tangible medium or that is stored in an electronic or other  
1779 medium and is retrievable in perceivable form.

1780 (26)~~(20)~~ "Reportable period" means the calendar year ending  
1781 December 31 of each year.

1782 (27)~~(21)~~ "State," when applied to a part of the United  
1783 States, includes any state, district, commonwealth, territory,  
1784 insular possession, and any other area subject to the  
1785 legislative authority of the United States.

1786 (28)~~(22)~~ "Trust instrument" means a trust instrument as  
1787 defined in s. 736.0103.

1788 ~~(23) "Ultimate equitable owner" means a natural person who,~~  
1789 ~~directly or indirectly, owns or controls an ownership interest~~  
1790 ~~in a corporation, a foreign corporation, an alien business~~  
1791 ~~organization, or any other form of business organization,~~  
1792 ~~regardless of whether such natural person owns or controls such~~  
1793 ~~ownership interest through one or more natural persons or one or~~  
1794 ~~more proxies, powers of attorney, nominees, corporations,~~  
1795 ~~associations, partnerships, trusts, joint stock companies, or~~  
1796 ~~other entities or devices, or any combination thereof.~~

1797 (29) "Unclaimed Property Purchase Agreement" means the form  
1798 adopted by the department pursuant to s. 717.135 which must be

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1799 used, without modification or amendment, by a claimant's  
1800 representative to purchase unclaimed property from an owner.

1801 (30) "Unclaimed Property Recovery Agreement" means the form  
1802 adopted by the department pursuant to s. 717.135 which must be  
1803 used, without modification or amendment, by a claimant's  
1804 representative to obtain an owner's consent and authority to  
1805 recover unclaimed property on the owner's behalf.

1806 (31)~~(24)~~ "United States" means any state, district,  
1807 commonwealth, territory, insular possession, and any other area  
1808 subject to the legislative authority of the United States of  
1809 America.

1810 (32)~~(25)~~ "Utility" means a person who owns or operates, for  
1811 public use, any plant, equipment, property, franchise, or  
1812 license for the transmission of communications or the  
1813 production, storage, transmission, sale, delivery, or furnishing  
1814 of electricity, water, steam, or gas.

1815 (33) (a) "Virtual currency" means digital units of exchange  
1816 that:

1817 1. Have a centralized repository or administrator;  
1818 2. Are decentralized and have no centralized repository or  
1819 administrator; or  
1820 3. May be created or obtained by computing or manufacturing  
1821 effort.

1822 (b) The term does not include any of the following:

1823 1. Digital units that:  
1824 a. Are used solely within online gaming platforms;  
1825 b. Have no market or application outside of the online  
1826 gaming platforms in sub-subparagraph a.;  
1827 c. Cannot be converted into, or redeemed for, fiat currency

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1828 or virtual currency; and

1829 d. Can or cannot be redeemed for real-world goods,

1830 services, discounts, or purchases.

1831 2. Digital units that can be redeemed for:

1832 a. Real-world goods, services, discounts, or purchases as

1833 part of a customer affinity or rewards program with the issuer

1834 or other designated merchants; or

1835 b. Digital units in another customer affinity or rewards

1836 program, but cannot be converted into, or redeemed for, fiat

1837 currency or virtual currency.

1838 3. Digital units used as part of prepaid cards.

1839 Section 39. Subsections (3) and (4) are added to section

1840 717.102, Florida Statutes, to read:

1841 717.102 Property presumed unclaimed; general rule.—

1842 (3) A presumption that property is unclaimed is rebutted by

1843 an apparent owner's expression of interest in the property. An

1844 owner's expression of interest in property includes:

1845 (a) A record communicated by the apparent owner to the

1846 holder or agent of the holder concerning the property or the

1847 account in which the property is held;

1848 (b) An oral communication by the apparent owner to the

1849 holder or agent of the holder concerning the property or the

1850 account in which the property is held, if the holder or its

1851 agent contemporaneously makes and preserves a record of the fact

1852 of the apparent owner's communication;

1853 (c) Presentment of a check or other instrument of payment

1854 of a dividend, interest payment, or other distribution, with

1855 respect to an account, underlying security, or interest in a

1856 business association;



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1857 (d) Activity directed by an apparent owner in the account  
1858 in which the property is held, including accessing the account  
1859 or information concerning the account, or a direction by the  
1860 apparent owner to increase, decrease, or otherwise change the  
1861 amount or type of property held in the account;

1862 (e) A deposit into or withdrawal from an account at a  
1863 financial organization, excluding an automatic deposit or  
1864 withdrawal previously authorized by the apparent owner or an  
1865 automatic reinvestment of dividends or interest, which does not  
1866 constitute an expression of interest; or

1867 (f) Any other action by the apparent owner which reasonably  
1868 demonstrates to the holder that the apparent owner knows that  
1869 the property exists.

1870 (4) A deceased owner is incapable of expressing an interest  
1871 in property.

1872 Section 40. Subsection (5) of section 717.106, Florida  
1873 Statutes, is amended to read:

1874 717.106 Bank deposits and funds in financial  
1875 organizations.—

1876 (5) If the documents establishing a deposit described in  
1877 subsection (1) state the address of a beneficiary of the  
1878 deposit, and the account has a value of at least \$50, notice  
1879 shall be given to the beneficiary as provided for notice to the  
1880 apparent owner under s. 717.117(6) ~~s. 717.117(4)~~. This  
1881 subsection shall apply to accounts opened on or after October 1,  
1882 1990.

1883 Section 41. Section 717.1065, Florida Statutes, is created  
1884 to read:

1885 717.1065 Virtual currency.—

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1886       (1) Any virtual currency held or owing by a banking  
1887 organization, corporation, custodian, exchange, or other entity  
1888 engaged in virtual currency business activity is presumed  
1889 unclaimed unless the owner, within 5 years, has communicated in  
1890 writing with the banking organization, corporation, custodian,  
1891 exchange, or other entity engaged in virtual currency business  
1892 activity concerning the virtual currency or otherwise indicated  
1893 an interest as evidenced by a memorandum or other record on file  
1894 with the banking organization, corporation, custodian, exchange,  
1895 or other entity engaged in virtual currency business activity.

1896       (2) A holder may not deduct from the amount of any virtual  
1897 currency subject to this section any charges imposed by reason  
1898 of the virtual currency unless there is a valid and enforceable  
1899 written contract between the holder and the owner of the virtual  
1900 currency pursuant to which the holder may impose those charges  
1901 and the holder does not regularly reverse or otherwise cancel  
1902 those charges with respect to the virtual currency.

1903       Section 42. Paragraph (a) of subsection (1) of section  
1904 717.1101, Florida Statutes, is amended to read:

1905       717.1101 Unclaimed equity and debt of business  
1906 associations.—

1907       (1) (a) Stock or other equity interest in a business  
1908 association is presumed unclaimed on the date of ~~3 years after~~  
1909 the earliest of the following:

1910       1. Three years after ~~The date of~~ the most recent of any  
1911 owner-generated activity or communication related to the  
1912 account, as recorded and maintained in the holder's database and  
1913 records systems sufficient enough to demonstrate the owner's  
1914 continued awareness or interest in the property ~~dividend, stock~~

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1915 ~~split, or other distribution unclaimed by the apparent owner;~~

1916       2. Three years after the date of the death of the owner, as  
1917 evidenced by: The date of a statement of account or other  
1918 notification or communication that was returned as  
1919 undeliverable; or

1920       a. Notice to the holder of the owner's death by an  
1921 administrator, beneficiary, relative, or trustee, or by a  
1922 personal representative or other legal representative of the  
1923 owner's estate;

1924       b. Receipt by the holder of a copy of the death certificate  
1925 of the owner;

1926       c. Confirmation by the holder of the owner's death through  
1927 other means; or

1928       d. Other evidence from which the holder may reasonably  
1929 conclude that the owner is deceased; or

1930       3. One year after the date on which the holder receives  
1931 notice under subparagraph 2. if the notice is received 2 years  
1932 or less after the owner's death and the holder lacked knowledge  
1933 of the owner's death during that period of 2 years or less ~~The~~  
1934 ~~date the holder discontinued mailings, notifications, or~~  
1935 ~~communications to the apparent owner.~~

1936       Section 43. Subsection (1) of section 717.112, Florida  
1937 Statutes, is amended to read:

1938       717.112 Property held by agents and fiduciaries.—

1939       (1) ~~Except as provided in ss. 717.1125 and 733.816,~~ All  
1940 intangible property and any income or increment thereon held in  
1941 a fiduciary capacity for the benefit of another person,  
1942 including property held by an attorney in fact or an agent,  
1943 except as provided in ss. 717.1125 and 733.816, is presumed

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1944 unclaimed unless the owner has within 5 years after it has  
1945 become payable or distributable increased or decreased the  
1946 principal, accepted payment of principal or income, communicated  
1947 in writing concerning the property, or otherwise indicated an  
1948 interest as evidenced by a memorandum or other record on file  
1949 with the fiduciary.

1950 Section 44. Effective January 1, 2025, section 717.117,  
1951 Florida Statutes, is amended to read:

1952 717.117 Report of unclaimed property.-

1953 (1) Every person holding funds or other property, tangible  
1954 or intangible, presumed unclaimed and subject to custody as  
1955 unclaimed property under this chapter shall report to the  
1956 department ~~on such forms as the department may prescribe by~~  
1957 ~~rule. In lieu of forms, a report identifying 25 or more~~  
1958 ~~different apparent owners must be submitted by the holder via~~  
1959 electronic medium as the department may prescribe by rule. The  
1960 report must include:

1961 (a) ~~Except for traveler's checks and money orders,~~ The  
1962 name, social security number or taxpayer identification number,  
1963 ~~and date of birth, if known,~~ and last known address, ~~if any,~~ of  
1964 each person appearing from the records of the holder to be the  
1965 owner of any property which is presumed unclaimed and which has  
1966 a value of \$10 ~~\$50~~ or more.

1967 (b) For unclaimed funds that ~~which~~ have a value of \$10 ~~\$50~~  
1968 or more held or owing under any life or endowment insurance  
1969 policy or annuity contract, the identifying information required  
1970 to be provided under paragraph (a) for both full name, taxpayer  
1971 identification number or social security number, date of birth,  
1972 ~~if known, and last known address~~ of the insured or annuitant and

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1973 ~~of~~ the beneficiary according to records of the insurance company  
1974 holding or owing the funds.

1975 (c) For all tangible property held in a safe-deposit box or  
1976 other safekeeping repository, a description of the property and  
1977 the place where the property is held and may be inspected by the  
1978 department, and any amounts owing to the holder. Contents of a  
1979 safe-deposit box or other safekeeping repository which consist  
1980 of documents or writings of a private nature and which have  
1981 little or no apparent value shall not be presumed unclaimed.

1982 (d) The nature or type of property, any accounting or ~~and~~  
1983 identifying number associated with the property, a ~~if any, or~~  
1984 description of the property, and the amount appearing from the  
1985 records to be due. Items of value less than \$10 ~~under \$50~~ each  
1986 may be reported in the aggregate.

1987 (e) The date the property became payable, demandable, or  
1988 returnable, and the date of the last transaction with the  
1989 apparent owner with respect to the property.

1990 (f) Any other information the department may prescribe by  
1991 rule as necessary for the administration of this chapter.

1992 (2) If the total value of all presumed unclaimed property,  
1993 whether tangible or intangible, held by a person is less than  
1994 \$10, a zero balance report may be filed for that reporting  
1995 period

1996 ~~(f) Any person or business association or public~~  
1997 ~~corporation holding funds presumed unclaimed and having a total~~  
1998 ~~value of \$10 or less may file a zero balance report for that~~  
1999 ~~reporting period. The balance brought forward to the new~~  
2000 ~~reporting period is zero.~~

2001 ~~(g) Such other information as the department may prescribe~~

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2002 ~~by rule as necessary for the administration of this chapter.~~

2003 (3)~~(h)~~ Credit balances, customer overpayments, security  
2004 deposits, and refunds having a value of less than \$10 may ~~shall~~  
2005 not be presumed unclaimed.

2006 (4)~~(2)~~ If the holder of property presumed unclaimed and  
2007 subject to custody as unclaimed property is a successor holder  
2008 or if the holder has changed the holder's name while in  
2009 possession of the property, the holder must ~~shall~~ file with the  
2010 holder's report all known names and addresses of each prior  
2011 holder of the property. Compliance with this subsection means  
2012 the holder exercises reasonable and prudent efforts to determine  
2013 the names of all prior holders.

2014 (5)~~(3)~~ The report must be filed before May 1 of each year.  
2015 The report applies ~~shall apply~~ to the preceding calendar year.  
2016 Upon written request by any person required to file a report,  
2017 and upon a showing of good cause, the department may extend the  
2018 reporting date. The department may impose and collect a penalty  
2019 of \$10 per day up to a maximum of \$500 for the failure to timely  
2020 report, if an extension was not provided or if the holder of the  
2021 property failed ~~the failure~~ to include in a report information  
2022 required by this chapter which was in the holder's possession at  
2023 the time of reporting. The penalty must ~~shall~~ be remitted to the  
2024 department within 30 days after the date of the notification to  
2025 the holder that the penalty is due and owing. As necessary for  
2026 proper administration of this chapter, the department may waive  
2027 any penalty due with appropriate justification. ~~On written~~  
2028 ~~request by any person required to file a report and upon a~~  
2029 ~~showing of good cause, the department may postpone the reporting~~  
2030 ~~date.~~ The department must provide information contained in a

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2031 report filed with the department to any person requesting a copy  
2032 of the report or information contained in a report, to the  
2033 extent the information requested is not confidential, within 45  
2034 days after the department determines that the report ~~has been~~  
2035 ~~processed and added to the unclaimed property database~~  
2036 ~~subsequent to a determination that the report is accurate and~~  
2037 acceptable and that the reported property is the same as the  
2038 remitted property.

2039 (6)~~(4)~~ Holders of inactive accounts having a value of \$50  
2040 or more shall use due diligence to locate and notify apparent  
2041 owners that the entity is holding unclaimed property available  
2042 for them to recover. Not more than 120 days and not less than 60  
2043 days prior to filing the report required by this section, the  
2044 holder in possession of property presumed unclaimed and subject  
2045 to custody as unclaimed property under this chapter shall send  
2046 written notice by first-class United States mail to the apparent  
2047 owner at the apparent owner's last known address from the  
2048 holder's records or from other available sources, or via  
2049 electronic mail if the apparent owner has elected this method of  
2050 delivery, informing the apparent owner that the holder is in  
2051 possession of property subject to this chapter, if the holder  
2052 has in its records a mailing or electronic ~~an~~ address for the  
2053 apparent owner which the holder's records do not disclose to be  
2054 inaccurate. These two means of contact are not mutually  
2055 exclusive; if the mailing address is determined to be  
2056 inaccurate, electronic mail may be used if so elected by the  
2057 apparent owner.

2058 (7) The written notice to the apparent owner required under  
2059 this section must:

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2060       (a) Contain a heading that reads substantially as follows:  
2061 "Notice. The State of Florida requires us to notify you that  
2062 your property may be transferred to the custody of the Florida  
2063 Department of Financial Services if you do not contact us before  
2064 (insert date that is 30 days after the date of notice)."

2065       (b) Identify the type, nature, and, except for property  
2066 that does not have a fixed value, value of the property that is  
2067 the subject of the notice.

2068       (c) State that the property will be turned over to the  
2069 custody of the department if no response is received within 30  
2070 days after the date of the notice.

2071       (d) State that any property that is not legal tender of the  
2072 United States may be sold or liquidated by the department.

2073       (e) State that after the property is turned over to the  
2074 department, an apparent owner seeking return of the property may  
2075 file a claim with the department.

2076       (f) State that the property is currently with a holder and  
2077 provide instructions that the apparent owner must follow to  
2078 prevent the holder from reporting and paying for the property or  
2079 from delivering the property to the department.

2080       (8)~~(5)~~ Any holder of intangible property may file with the  
2081 department a petition for determination that the property is  
2082 unclaimed requesting the department to accept custody of the  
2083 property. The petition shall state any special circumstances  
2084 that exist, contain the information required by subsection (4)  
2085 ~~(2)~~, and show that a diligent search has been made to locate the  
2086 owner. If the department finds that the proof of diligent search  
2087 is satisfactory, it shall give notice as provided in s. 717.118  
2088 and accept custody of the property.



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2089        (9)~~(6)~~ Upon written request by any entity or person  
2090 required to file a report, stating such entity's or person's  
2091 justification for such action, the department may place that  
2092 entity or person in an inactive status as an unclaimed property  
2093 "holder."

2094        (10)~~(7)~~ (a) This section does not apply to the unclaimed  
2095 patronage refunds as provided for by contract or through bylaw  
2096 provisions of entities organized under chapter 425 or that are  
2097 exempt from ad valorem taxation pursuant to s. 196.2002.

2098        (b) This section does not apply to intangible property  
2099 held, issued, or owing by a business association subject to the  
2100 jurisdiction of the United States Surface Transportation Board  
2101 or its successor federal agency if the apparent owner of such  
2102 intangible property is a business association. The holder of  
2103 such property does not have any obligation to report, to pay, or  
2104 to deliver such property to the department.

2105        (c) This section does not apply to credit balances,  
2106 overpayments, refunds, or outstanding checks owed by a health  
2107 care provider to a managed care payor with whom the health care  
2108 provider has a managed care contract, provided that the credit  
2109 balances, overpayments, refunds, or outstanding checks become  
2110 due and owing pursuant to the managed care contract.

2111        (11)~~(8)~~ (a) As used in this subsection, the term "property  
2112 identifier" means the descriptor used by the holder to identify  
2113 the unclaimed property.

2114        (b) Social security numbers and property identifiers  
2115 contained in reports required under this section, held by the  
2116 department, are confidential and exempt from s. 119.07(1) and s.  
2117 24(a), Art. I of the State Constitution.

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2118 (c) This exemption applies to social security numbers and  
2119 property identifiers held by the department before, on, or after  
2120 the effective date of this exemption.

2121 Section 45. Present subsections (4), (5), and (6) of  
2122 section 717.119, Florida Statutes, are redesignated as  
2123 subsections (5), (6), and (7), respectively, and a new  
2124 subsection (4) and subsection (8) are added to that section, to  
2125 read:

2126 717.119 Payment or delivery of unclaimed property.—

2127 (4) All virtual currency reported under this chapter on the  
2128 annual report filing required in s. 717.117 shall be remitted to  
2129 the department with the report. The holder shall liquidate the  
2130 virtual currency and remit the proceeds to the department. The  
2131 liquidation must occur within 30 days before the filing of the  
2132 report. Upon delivery of the virtual currency proceeds to the  
2133 department, the holder is relieved of all liability of every  
2134 kind in accordance with the provisions of s. 717.1201 to every  
2135 person for any losses or damages resulting to the person by the  
2136 delivery to the department of the virtual currency proceeds.

2137 (8) A holder may not assign or otherwise transfer its  
2138 obligation to report, pay, or deliver property or to comply with  
2139 the provisions of this chapter, other than to a parent,  
2140 subsidiary, or affiliate of the holder.

2141 (a) Unless otherwise agreed to by the parties to a  
2142 transaction, the holder's successor by merger or consolidation,  
2143 or any person or entity that acquires all or substantially all  
2144 of the holder's capital stock or assets, is responsible for  
2145 fulfilling the holder's obligation to report, pay, or deliver  
2146 property or to comply with the duties of this chapter regarding

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2147 the transfer of property owed to the holder's successor and  
2148 being held for an owner resulting from the merger,  
2149 consolidation, or acquisition.

2150 (b) This subsection does not prohibit a holder from  
2151 contracting with a third party for the reporting of unclaimed  
2152 property, but the holder remains responsible to the department  
2153 for the complete, accurate, and timely reporting of the  
2154 property.

2155 Section 46. Section 717.1201, Florida Statutes, is amended  
2156 to read:

2157 717.1201 Custody by state; holder ~~relieved from~~ liability;  
2158 reimbursement of holder paying claim; reclaiming for owner;  
2159 ~~defense of holder;~~ payment of safe-deposit box or repository  
2160 charges.-

2161 (1) Upon the good faith payment or delivery of property to  
2162 the department, the state assumes custody and responsibility for  
2163 the safekeeping of property. Any person who pays or delivers  
2164 property to the department in good faith is relieved of all  
2165 liability to the extent of the value of the property paid or  
2166 delivered for any claim then existing or which thereafter may  
2167 arise or be made in respect to the property.

2168 (a) A holder's substantial compliance with s. 717.117(4)  
2169 and good faith payment or delivery of property to the department  
2170 terminates any legal relationship between the holder and the  
2171 owner with respect to the property reported and releases and  
2172 discharges the holder from any and all liability to the owner,  
2173 the owner's heirs, personal representatives, successors, or  
2174 assigns by reason of such payment or delivery, regardless of  
2175 whether such property is in fact and in law unclaimed property,

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2176 and such delivery and payment may be plead as a bar to recovery  
2177 and are a conclusive defense in any suit or action brought by  
2178 the owner, the owner's heirs, personal representatives,  
2179 successors, and assigns or any claimant against the holder by  
2180 reason of such delivery or payment.

2181 (b) If the holder pays or delivers property to the  
2182 department in good faith and thereafter any other person claims  
2183 the property from the holder paying or delivering, or another  
2184 state claims the money or property under that state's laws  
2185 relating to escheat or abandoned or unclaimed property, the  
2186 department, upon written notice of the claim, shall defend the  
2187 holder against the claim and indemnify the holder against any  
2188 liability on the claim, except that a holder may not be  
2189 indemnified against penalties imposed by another state.

2190 (2) For the purposes of this section, a payment or delivery  
2191 of property is made in good faith if:

2192 (a) The payment or delivery was made in conjunction with an  
2193 accurate and acceptable report.

2194 (b) The payment or delivery was made in a reasonable  
2195 attempt to comply with this chapter.

2196 (c) The holder had a reasonable basis for believing, based  
2197 on the facts then known, that the property was unclaimed and  
2198 subject to this chapter.

2199 (d) There is no showing that the records pursuant to which  
2200 the delivery was made did not meet reasonable commercial  
2201 standards of practice in the industry.

2202 (3)~~(2)~~ Any holder who has paid money to the department  
2203 pursuant to this chapter may make payment to any person  
2204 appearing to be entitled to payment and, upon filing proof that

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2205 the payee is entitled thereto, the department shall forthwith  
2206 repay the holder without deduction of any fee or other charges.  
2207 If repayment is sought for a payment made on a negotiable  
2208 instrument, including a traveler's check or money order, the  
2209 holder must be repaid under this subsection upon filing proof  
2210 that the instrument was duly presented and that the payee is  
2211 entitled to payment. The holder shall be repaid for payment made  
2212 under this subsection even if the payment was made to a person  
2213 whose claim was barred under s. 717.129(1).

2214 (4)~~(3)~~ Any holder who has delivered property, including a  
2215 certificate of any interest in a business association, other  
2216 than money to the department pursuant to this chapter may  
2217 reclaim the property if still in the possession of the  
2218 department, without payment of any fee or other charges, upon  
2219 filing proof that the owner has claimed the property from the  
2220 holder.

2221 (5)~~(4)~~ The department may accept an affidavit of the holder  
2222 stating the facts that entitle the holder to recover money and  
2223 property under this section as sufficient proof.

2224 ~~(5) If the holder pays or delivers property to the~~  
2225 ~~department in good faith and thereafter any other person claims~~  
2226 ~~the property from the holder paying or delivering, or another~~  
2227 ~~state claims the money or property under that state's laws~~  
2228 ~~relating to escheat or abandoned or unclaimed property, the~~  
2229 ~~department, upon written notice of the claim, shall defend the~~  
2230 ~~holder against the claim and indemnify the holder against any~~  
2231 ~~liability on the claim.~~

2232 ~~(6) For the purposes of this section, "good faith" means~~  
2233 ~~that:~~

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2234 ~~(a) Payment or delivery was made in a reasonable attempt to~~  
2235 ~~comply with this chapter.~~

2236 ~~(b) The person delivering the property was not a fiduciary~~  
2237 ~~then in breach of trust in respect to the property and had a~~  
2238 ~~reasonable basis for believing, based on the facts then known to~~  
2239 ~~that person, that the property was unclaimed for the purposes of~~  
2240 ~~this chapter.~~

2241 ~~(c) There is no showing that the records pursuant to which~~  
2242 ~~the delivery was made did not meet reasonable commercial~~  
2243 ~~standards of practice in the industry.~~

2244 ~~(6)~~ (7) Property removed from a safe-deposit box or other  
2245 safekeeping repository is received by the department subject to  
2246 the holder's right under this subsection to be reimbursed for  
2247 the actual cost of the opening and to any valid lien or contract  
2248 providing for the holder to be reimbursed for unpaid rent or  
2249 storage charges. The department shall make the reimbursement to  
2250 the holder out of the proceeds remaining after the deduction of  
2251 the department's selling cost.

2252 (7) If it appears to the satisfaction of the department  
2253 that, because of some mistake of fact, error in calculation, or  
2254 erroneous interpretation of a statute, a person has paid or  
2255 delivered to the department pursuant to any provision of this  
2256 chapter any money or other property not required by this chapter  
2257 to be so paid or delivered, the department may, within 5 years  
2258 after such erroneous payment or delivery, refund or redeliver  
2259 such money or other property to the person, provided that such  
2260 money or property has not been paid or delivered to a claimant  
2261 or otherwise disposed of in accordance with this chapter.

2262 Section 47. Subsection (1) of section 717.123, Florida

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2263 Statutes, is amended to read:

2264 717.123 Deposit of funds.—

2265 (1) All funds received under this chapter, including the  
2266 proceeds from the sale of unclaimed property under s. 717.122,  
2267 shall forthwith be deposited by the department in the Unclaimed  
2268 Property Trust Fund. The department shall retain, from funds  
2269 received under this chapter, an amount not exceeding \$65 ~~\$15~~  
2270 million from which the department shall make prompt payment of  
2271 claims allowed by the department and shall pay the costs  
2272 incurred by the department in administering and enforcing this  
2273 chapter. All remaining funds received by the department under  
2274 this chapter shall be deposited by the department into the State  
2275 School Fund.

2276 Section 48. Present subsection (2) of section 717.1242,  
2277 Florida Statutes, is redesignated as subsection (3), a new  
2278 subsection (2) is added to that section, and subsection (1) of  
2279 that section is amended, to read:

2280 717.1242 Restatement of jurisdiction of the circuit court  
2281 sitting in probate and the department.—

2282 (1) It is and has been the intent of the Legislature that,  
2283 pursuant to s. 26.012(2)(b), circuit courts have jurisdiction of  
2284 proceedings relating to the settlement of the estates of  
2285 decedents and other jurisdiction usually pertaining to courts of  
2286 probate. It is and has been the intent of the Legislature that,  
2287 pursuant to this chapter ~~s. 717.124~~, the department determines  
2288 the merits of claims and entitlements to ~~for~~ property paid or  
2289 delivered to the department under this chapter. Consistent with  
2290 this legislative intent, any ~~estate or~~ beneficiary, devisee,  
2291 heir, personal representative, or other interested person, as

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2292 those terms are defined in s. 731.201, of an estate seeking to  
2293 obtain property paid or delivered to the department under this  
2294 chapter must file a claim with the department as provided in s.  
2295 717.124.

2296 (2) If a beneficiary, devisee, heir, personal  
2297 representative, or other interested person, as those terms are  
2298 defined in s. 731.201, of an estate seeks administration of the  
2299 estate, of which unclaimed property makes up 50 percent or more  
2300 of the assets, the department is considered an interested party  
2301 and must be provided with notice of any such proceeding as  
2302 provided in the Florida Probate Code and the Florida Probate  
2303 Rules.

2304 Section 49. Subsection (4) of section 717.1243, Florida  
2305 Statutes, is amended to read:

2306 717.1243 Small estate accounts.—

2307 (4) This section ~~only~~ applies only if all of the unclaimed  
2308 property held by the department on behalf of the owner has an  
2309 aggregate value of \$20,000 ~~\$10,000~~ or less and no probate  
2310 proceeding is pending.

2311 Section 50. Section 717.1245, Florida Statutes, is amended  
2312 to read:

2313 717.1245 Garnishment of unclaimed property.—

2314 (1) In addition to the fees, costs, and compensation  
2315 specified in ss. 77.17 and 77.28, if any person files a petition  
2316 for writ of garnishment seeking to obtain property paid or  
2317 delivered to the department under this chapter, the plaintiff  
2318 must ~~petitioner shall~~ be ordered to pay the department  
2319 reasonable costs and attorney ~~attorney's~~ fees if in any  
2320 proceeding brought by the department opposes ~~to oppose~~, appeals



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2321 ~~appeal~~, or collaterally attacks ~~attack~~ the petition or writ and  
2322 if the department is the prevailing party in any such  
2323 proceeding.

2324 (2) If a final judgment on the writ is issued in the  
2325 plaintiff's favor, the plaintiff must still file a claim with  
2326 the department as provided in s. 717.124.

2327 Section 51. Subsection (2) of section 717.129, Florida  
2328 Statutes, is amended to read:

2329 717.129 Periods of limitation.—

2330 (2) The department may not commence an ~~no~~ action or  
2331 proceeding to enforce this chapter with respect to the  
2332 reporting, payment, or delivery of property or any other duty of  
2333 a holder under this chapter ~~may be commenced by the department~~  
2334 ~~with respect to any duty of a holder under this chapter~~ more  
2335 than 10 years after the duty arose. The period of limitation  
2336 established under this subsection is tolled by the earlier of  
2337 the department's or audit agent's delivery of a notice that a  
2338 holder is subject to an audit or examination under s. 717.1301  
2339 or the holder's written election to enter into an unclaimed  
2340 property voluntary disclosure agreement.

2341 Section 52. Section 717.1301, Florida Statutes, is amended  
2342 to read:

2343 717.1301 Investigations; examinations; subpoenas.—

2344 (1) To carry out the chapter's purpose of protecting the  
2345 interest of missing owners through the safeguarding of their  
2346 property and to administer and enforce this chapter, the  
2347 department may:

2348 (a) Investigate, examine, inspect, request, or otherwise  
2349 gather information or evidence on claim documents from a

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2350 claimant or a claimant's representative during its review of a  
2351 claim.

2352 (b) Audit the records of a person or the records in the  
2353 possession of an agent, representative, subsidiary, or affiliate  
2354 of the person subject to this chapter to determine whether the  
2355 person complied with this chapter. Such records may include  
2356 information to verify the completeness or accuracy of the  
2357 records provided, even if such records may not identify property  
2358 reportable to the department.

2359 (c) Take testimony of a person, including the person's  
2360 employee, agent, representative, subsidiary, or affiliate, to  
2361 determine whether the person complied with this chapter.

2362 (d) Issue an administrative subpoena to require that the  
2363 records specified in paragraph (b) be made available for  
2364 examination or audit and that the testimony specified in  
2365 paragraph (c) be provided.

2366 (e) Bring an action in a court of competent jurisdiction  
2367 seeking enforcement of an administrative subpoena issued under  
2368 this section, which the court shall consider under procedures  
2369 that will lead to an expeditious resolution of the action.

2370 (f) Bring an administrative action or an action in a court  
2371 of competent jurisdiction to enforce this chapter.

2372 (2) If a person is subject to reporting property under this  
2373 chapter, the department may require the person to file a  
2374 verified report in a form prescribed by the department. The  
2375 verified report must:

2376 (a) State whether the person is holding property reportable  
2377 under this chapter;

2378 (b) Describe the property not previously reported, the

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2379 property about which the department has inquired, or the  
2380 property that is in dispute as to whether it is reportable under  
2381 this chapter; and

2382 (c) State the amount or value of the property.

2383 (3) The department may authorize a compliance review of a  
2384 report for a specified reporting year. The review must be  
2385 limited to the contents of the report filed, as required by s.  
2386 717.117 and subsection (2), and all supporting documents related  
2387 to the reports. If the review results in a finding of a  
2388 deficiency in unclaimed property due and payable to the  
2389 department, the department shall notify the holder in writing of  
2390 the amount of deficiency within 1 year after the authorization  
2391 of the compliance review. If the holder fails to pay the  
2392 deficiency within 90 days, the department may seek to enforce  
2393 the assessment under subsection (1). The department is not  
2394 required to conduct a review under this section before  
2395 initiating an audit.

2396 (4) Notwithstanding any other provision of law, in a  
2397 contract providing for the location or collection of unclaimed  
2398 property, the department may authorize the contractor to deduct  
2399 its fees and expenses for services provided under the contract  
2400 from the unclaimed property that the contractor has recovered or  
2401 collected under the contract. The department shall annually  
2402 report to the Chief Financial Officer the total amount collected  
2403 or recovered by each contractor during the previous fiscal year  
2404 and the total fees and expenses deducted by each contractor.

2405 ~~(1) The department may make investigations and examinations~~  
2406 ~~within or outside this state of claims, reports, and other~~  
2407 ~~records as it deems necessary to administer and enforce the~~

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2408 ~~provisions of this chapter. In such investigations and~~  
2409 ~~examinations the department may administer oaths, examine~~  
2410 ~~witnesses, issue subpoenas, and otherwise gather evidence. The~~  
2411 ~~department may request any person who has not filed a report~~  
2412 ~~under s. 717.117 to file a verified report stating whether or~~  
2413 ~~not the person is holding any unclaimed property reportable or~~  
2414 ~~deliverable under this chapter.~~

2415 ~~(2) Subpoenas for witnesses whose evidence is deemed~~  
2416 ~~material to any investigation or examination under this section~~  
2417 ~~may be issued by the department under seal of the department, or~~  
2418 ~~by any court of competent jurisdiction, commanding such~~  
2419 ~~witnesses to appear before the department at a time and place~~  
2420 ~~named and to bring such books, records, and documents as may be~~  
2421 ~~specified or to submit such books, records, and documents to~~  
2422 ~~inspection. Such subpoenas may be served by an authorized~~  
2423 ~~representative of the department.~~

2424 ~~(3) If any person shall refuse to testify, produce books,~~  
2425 ~~records, and documents, or otherwise refuse to obey a subpoena~~  
2426 ~~issued under this section, the department may present its~~  
2427 ~~petition to a court of competent jurisdiction in or for the~~  
2428 ~~county in which such person resides or has its principal place~~  
2429 ~~of business, whereupon the court shall issue its rule nisi~~  
2430 ~~requiring such person to obey forthwith the subpoena issued by~~  
2431 ~~the department or show cause for failing to obey said subpoena.~~  
2432 ~~Unless said person shows sufficient cause for failing to obey~~  
2433 ~~the subpoena, the court shall forthwith direct such person to~~  
2434 ~~obey the same subject to such punishment as the court may direct~~  
2435 ~~including, but not limited to, the restraint, by injunction or~~  
2436 ~~by appointment of a receiver, of any transfer, pledge,~~

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2437 ~~assignment, or other disposition of such person's assets or any~~  
2438 ~~concealment, alteration, destruction, or other disposition of~~  
2439 ~~subpoenaed books, records, or documents as the court deems~~  
2440 ~~appropriate, until such person has fully complied with such~~  
2441 ~~subpoena and the department has completed its investigation or~~  
2442 ~~examination. The department is entitled to the summary procedure~~  
2443 ~~provided in s. 51.011, and the court shall advance the cause on~~  
2444 ~~its calendar. Costs incurred by the department to obtain an~~  
2445 ~~order granting, in whole or in part, its petition shall be taxed~~  
2446 ~~against the subpoenaed person, and failure to comply with such~~  
2447 ~~order shall be a contempt of court.~~

2448 ~~(4) Witnesses shall be entitled to the same fees and~~  
2449 ~~mileage as they may be entitled by law for attending as~~  
2450 ~~witnesses in the circuit court, except where such examination or~~  
2451 ~~investigation is held at the place of business or residence of~~  
2452 ~~the witness.~~

2453 (5) The material compiled by the department in an  
2454 investigation or examination under this chapter is confidential  
2455 until the investigation or examination is complete. If any such  
2456 material contains a holder's financial or proprietary  
2457 information, it may not be disclosed or made public by the  
2458 department after the investigation or audit is completed, except  
2459 as required by a court of competent jurisdiction in the course  
2460 of a judicial proceeding in which the state is a party, or  
2461 pursuant to an agreement with another state allowing joint  
2462 audits. Such material may be considered a trade secret and  
2463 exempt from s. 119.07(1) as provided for in s. 119.0715. The  
2464 records, data, and information gathered ~~material compiled~~ by the  
2465 department in an investigation or audit ~~examination~~ under this

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2466 chapter remain ~~remains~~ confidential after the department's  
2467 investigation or examination is complete if the department has  
2468 submitted the material or any part of it to any law enforcement  
2469 agency or other administrative agency for further investigation  
2470 or for the filing of a criminal or civil prosecution and such  
2471 investigation has not been completed or become inactive.

2472 (6) If an investigation or an audit ~~examination~~ of the  
2473 records of any person results in the disclosure of property  
2474 reportable and deliverable under this chapter, the department  
2475 may assess the cost of the investigation or audit ~~the~~  
2476 ~~examination~~ against the holder at the rate of \$100 per 8-hour  
2477 day for each investigator or examiner. Such fee shall be  
2478 calculated on an hourly basis and shall be rounded to the  
2479 nearest hour. The person shall also pay the travel expense and  
2480 per diem subsistence allowance provided for state employees in  
2481 s. 112.061. The person shall not be required to pay a per diem  
2482 fee and expenses of an examination or investigation which shall  
2483 consume more than 30 worker days in any one year unless such  
2484 examination or investigation is due to fraudulent practices of  
2485 the person, in which case such person shall be required to pay  
2486 the entire cost regardless of time consumed. The fee for the  
2487 costs of the investigation or audit shall be remitted to the  
2488 department within 30 days after the date of the notification  
2489 that the fee is due and owing. Any person who fails to pay the  
2490 fee within 30 days after the date of the notification that the  
2491 fee is due and owing shall pay to the department interest at the  
2492 rate of 12 percent per annum on such fee from the date of the  
2493 notification.

2494 Section 53. Subsection (1) of section 717.1311, Florida

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2495 Statutes, is amended to read:

2496 717.1311 Retention of records.—

2497 (1) Every holder required to file a report under s. 717.117  
2498 shall maintain a record of the specific type of property,  
2499 amount, name, and last known address of the owner for 10 ~~5~~ years  
2500 after the property becomes reportable, except to the extent that  
2501 a shorter time is provided in subsection (2) or by rule of the  
2502 department.

2503 Section 54. Paragraph (j) of subsection (1) and subsection  
2504 (3) of section 717.1322, Florida Statutes, are amended to read:

2505 717.1322 Administrative and civil enforcement.—

2506 (1) The following acts are violations of this chapter and  
2507 constitute grounds for an administrative enforcement action by  
2508 the department in accordance with the requirements of chapter  
2509 120 and for civil enforcement by the department in a court of  
2510 competent jurisdiction:

2511 (j) Requesting or receiving compensation for notifying a  
2512 person of his or her unclaimed property or assisting another  
2513 person in filing a claim for unclaimed property, unless the  
2514 person is an attorney licensed to practice law in this state, a  
2515 Florida-certified public accountant, or a private investigator  
2516 licensed under chapter 493, or entering into, or making a  
2517 solicitation to enter into, an agreement to file a claim for  
2518 unclaimed property owned by another, ~~or a contract or agreement~~  
2519 ~~to purchase unclaimed property,~~ unless such person is registered  
2520 with the department under this chapter and an attorney licensed  
2521 to practice law in this state in the regular practice of her or  
2522 his profession, a Florida-certified public accountant who is  
2523 acting within the scope of the practice of public accounting as

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2524 defined in chapter 473, or a private investigator licensed under  
2525 chapter 493. This paragraph does not apply to a person who has  
2526 been granted a durable power of attorney to convey and receive  
2527 all of the real and personal property of the owner, is the  
2528 court-appointed guardian of the owner, has been employed as an  
2529 attorney or qualified representative to contest the department's  
2530 denial of a claim, or has been employed as an attorney to  
2531 probate the estate of the owner or an heir or legatee of the  
2532 owner.

2533 (3) A claimant's representative ~~registrant~~ is subject to  
2534 civil enforcement and the disciplinary actions specified in  
2535 subsection (2) for violations of subsection (1) by an agent or  
2536 employee of the registrant's employer if the claimant's  
2537 representative ~~registrant~~ knew or should have known that such  
2538 agent or employee was violating any provision of this chapter.

2539 Section 55. Subsection (1) of section 717.1333, Florida  
2540 Statutes, is amended to read:

2541 717.1333 Evidence; estimations; audit reports and  
2542 worksheets, investigator ~~examiner's worksheets~~, ~~investigative~~  
2543 ~~reports~~ and worksheets, other related documents.-

2544 (1) In any proceeding involving a holder under ss. 120.569  
2545 and 120.57 in which an audit agent ~~auditor, examiner~~, or  
2546 investigator acting under authority of this chapter is available  
2547 for cross-examination, any official written report, worksheet,  
2548 or other related paper, or copy thereof, compiled, prepared,  
2549 drafted, or otherwise made or received by the audit agent  
2550 ~~auditor, examiner~~, or investigator, after being duly  
2551 authenticated by the audit agent ~~auditor, examiner~~, or  
2552 investigator, may be admitted as competent evidence upon the



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2553 oath of the audit agent ~~auditor, examiner,~~ or investigator that  
2554 the report, worksheet, or related paper was prepared or received  
2555 as a result of an audit, examination, or investigation of the  
2556 books and records of the person audited, examined, or  
2557 investigated, or the agent thereof.

2558 Section 56. Subsections (1) and (2) of section 717.134,  
2559 Florida Statutes, are amended to read:

2560 717.134 Penalties and interest.—

2561 (1) For any person who willfully fails to render any report  
2562 required under this chapter, the department may impose and  
2563 collect a penalty of \$500 per day up to a maximum of \$5,000 and  
2564 25 percent of the value of property not reported until an  
2565 appropriate a report is provided ~~rendered for any person who~~  
2566 ~~willfully fails to render any report required under this~~  
2567 ~~chapter.~~ Upon a holder's showing of good cause, the department  
2568 may waive said penalty or any portion thereof. If the holder  
2569 acted in good faith and without negligence, the department shall  
2570 waive the penalty provided herein.

2571 (2) For any person who willfully refuses to pay or deliver  
2572 unclaimed property to the department as required under this  
2573 chapter, the department may impose and collect a penalty of \$500  
2574 per day up to a maximum of \$5,000 and 25 percent of the value of  
2575 property not paid or delivered until the property is paid or  
2576 ~~delivered for any person who willfully refuses to pay or deliver~~  
2577 ~~abandoned property to the department as required under this~~  
2578 ~~chapter.~~

2579 Section 57. Section 717.135, Florida Statutes, is amended  
2580 to read:

2581 717.135 Recovery agreements and purchase agreements for

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2582 claims filed by a claimant's representative or a purchaser; fees  
2583 and costs, or total net gain.—

2584 (1) In order to protect the interests of owners of  
2585 unclaimed property, the department shall adopt by rule a form  
2586 entitled "Unclaimed Property Recovery Agreement" and a form  
2587 entitled "Unclaimed Property Purchase Agreement."

2588 (2) The Unclaimed Property Recovery Agreement and the  
2589 Unclaimed Property Purchase Agreement must include and disclose  
2590 all of the following:

2591 (a) The total dollar amount of unclaimed property accounts  
2592 claimed or sold.

2593 (b) The total percentage of all authorized fees and costs  
2594 to be paid to the claimant's representative or the percentage of  
2595 the value of the property to be paid as net gain to the  
2596 purchaser ~~purchasing claimant's representative~~.

2597 (c) The total dollar amount to be deducted and received  
2598 from the claimant as fees and costs by the claimant's  
2599 representative or the total net dollar amount to be received by  
2600 the purchaser ~~purchasing claimant's representative~~.

2601 (d) The net dollar amount to be received by the claimant or  
2602 the seller.

2603 (e) For each account claimed, the unclaimed property  
2604 account number.

2605 (f) For the Unclaimed Property Purchase Agreement, a  
2606 statement that the amount of the purchase price will be remitted  
2607 to the seller by the purchaser within 30 days after the  
2608 execution of the agreement by the seller.

2609 (g) The name, address, e-mail address, phone number, and  
2610 license number of the claimant's representative, or the name,

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2611 address, e-mail address, and phone number of the purchaser.

2612 (h)1. The manual signature of the claimant or seller and  
2613 the date signed, affixed on the agreement by the claimant or  
2614 seller.

2615 2. Notwithstanding any other provision of this chapter to  
2616 the contrary, the department may allow an apparent owner, who is  
2617 also the claimant or seller, to sign the agreement  
2618 electronically ~~for claims of \$2,000 or less~~. All electronic  
2619 signatures on the Unclaimed Property Recovery Agreement and the  
2620 Unclaimed Property Purchase Agreement must be affixed on the  
2621 agreement by the claimant or seller using the specific,  
2622 exclusive eSignature product and protocol authorized by the  
2623 department.

2624 (i) The social security number or taxpayer identification  
2625 number of the claimant or seller, if a number has been issued to  
2626 the claimant or seller.

2627 (j) The total fees and costs, or the total discount in the  
2628 case of a purchase agreement, which may not exceed 30 percent of  
2629 the claimed amount. In the case of a recovery agreement, if the  
2630 total fees and costs exceed 30 percent, the fees and costs shall  
2631 be reduced to 30 percent and the net balance shall be remitted  
2632 directly by the department to the claimant. In the case of a  
2633 purchase agreement, if the total net gain of the purchaser  
2634 exceeds 30 percent, the claim will be denied.

2635 (3) For an Unclaimed Property Purchase Agreement form,  
2636 proof that the purchaser has made payment must be filed with the  
2637 department along with the claim. If proof of payment is not  
2638 provided, the claim is void.

2639 (4) A claimant's representative or a purchaser must use the

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2640 Unclaimed Property Recovery Agreement or the Unclaimed Property  
2641 Purchase Agreement as the exclusive means of entering into an  
2642 agreement or a contract with a claimant or seller to file a  
2643 claim with the department.

2644 (5) Fees and costs may be owed or paid to, or received by,  
2645 a claimant's representative or a purchaser only after a filed  
2646 claim has been approved and if the claimant's representative  
2647 used an agreement authorized by this section.

2648 (6) A claimant's representative or a purchaser may not use  
2649 or distribute any other agreement of any type, conveyed by any  
2650 method, with respect to the claimant or seller which relates,  
2651 directly or indirectly, to unclaimed property accounts held by  
2652 the department or the Chief Financial Officer other than the  
2653 agreements authorized by this section. Any engagement,  
2654 authorization, recovery, or fee agreement that is not authorized  
2655 by this section is void. A claimant's representative or a  
2656 purchaser is subject to administrative and civil enforcement  
2657 under s. 717.1322 if he or she uses an agreement that is not  
2658 authorized by this section and if the agreement is used to  
2659 apply, directly or indirectly, to unclaimed property held by  
2660 this state. This subsection does not prohibit lawful  
2661 nonagreement, noncontractual, or advertising communications  
2662 between or among the parties.

2663 (7) The Unclaimed Property Recovery Agreement ~~and the~~  
2664 ~~Unclaimed Property Purchase Agreement~~ may not contain language  
2665 that makes the agreement irrevocable or that creates an  
2666 assignment of any portion of unclaimed property held by the  
2667 department.

2668 (8) When a claim is approved, the department may pay any

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2669 additional account that is owned by the claimant but has not  
2670 been claimed at the time of approval, provided that a subsequent  
2671 claim has not been filed or is not pending for the claimant at  
2672 the time of approval.

2673 (9) This section does not supersede s. 717.1241.

2674 (10) This section does not apply to the sale and purchase  
2675 of Florida-held unclaimed property accounts through a bankruptcy  
2676 trustee appointed to represent a debtor's estate in a bankruptcy  
2677 proceeding in accordance with the United States Bankruptcy Code.

2678 Section 58. Subsections (1), (2), and (3) of section  
2679 717.1400, Florida Statutes, are amended to read:

2680 717.1400 Registration.—

2681 (1) In order to file claims as a claimant's representative,  
2682 ~~acquire ownership of or entitlement to unclaimed property,~~  
2683 receive a distribution of fees and costs from the department,  
2684 and obtain unclaimed property dollar amounts and numbers of  
2685 reported shares of stock held by the department, a private  
2686 investigator holding a Class "C" individual license under  
2687 chapter 493 must register with the department on such form as  
2688 the department prescribes by rule and must be verified by the  
2689 applicant. To register with the department, a private  
2690 investigator must provide:

2691 (a) A legible copy of the applicant's Class "A" business  
2692 license under chapter 493 or that of the applicant's firm or  
2693 employer which holds a Class "A" business license under chapter  
2694 493.

2695 (b) A legible copy of the applicant's Class "C" individual  
2696 license issued under chapter 493.

2697 (c) The business address and telephone number of the

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2698 applicant's private investigative firm or employer.

2699 (d) The names of agents or employees, if any, who are  
2700 designated to act on behalf of the private investigator,  
2701 together with a legible copy of their photo identification  
2702 issued by an agency of the United States, or a state, or a  
2703 political subdivision thereof.

2704 (e) Sufficient information to enable the department to  
2705 disburse funds by electronic funds transfer.

2706 (f) The tax identification number of the private  
2707 investigator's firm or employer which holds a Class "A" business  
2708 license under chapter 493.

2709 (2) In order to file claims as a claimant's representative,  
2710 ~~acquire ownership of or entitlement to unclaimed property,~~  
2711 receive a distribution of fees and costs from the department,  
2712 and obtain unclaimed property dollar amounts and numbers of  
2713 reported shares of stock held by the department, a Florida-  
2714 certified public accountant must register with the department on  
2715 such form as the department prescribes by rule and must be  
2716 verified by the applicant. To register with the department, a  
2717 Florida-certified public accountant must provide:

2718 (a) The applicant's Florida Board of Accountancy number.

2719 (b) A legible copy of the applicant's current driver  
2720 license showing the full name and current address of such  
2721 person. If a current driver license is not available, another  
2722 form of identification showing the full name and current address  
2723 of such person or persons shall be filed with the department.

2724 (c) The business address and telephone number of the  
2725 applicant's public accounting firm or employer.

2726 (d) The names of agents or employees, if any, who are

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2727 designated to act on behalf of the Florida-certified public  
2728 accountant, together with a legible copy of their photo  
2729 identification issued by an agency of the United States, or a  
2730 state, or a political subdivision thereof.

2731 (e) Sufficient information to enable the department to  
2732 disburse funds by electronic funds transfer.

2733 (f) The tax identification number of the accountant's  
2734 public accounting firm employer.

2735 (3) In order to file claims as a claimant's representative,  
2736 ~~acquire ownership of or entitlement to unclaimed property,~~  
2737 receive a distribution of fees and costs from the department,  
2738 and obtain unclaimed property dollar amounts and numbers of  
2739 reported shares of stock held by the department, an attorney  
2740 licensed to practice in this state must register with the  
2741 department on such form as the department prescribes by rule and  
2742 must be verified by the applicant. To register with the  
2743 department, such attorney must provide:

2744 (a) The applicant's Florida Bar number.

2745 (b) A legible copy of the applicant's current driver  
2746 license showing the full name and current address of such  
2747 person. If a current driver license is not available, another  
2748 form of identification showing the full name and current address  
2749 of such person or persons shall be filed with the department.

2750 (c) The business address and telephone number of the  
2751 applicant's firm or employer.

2752 (d) The names of agents or employees, if any, who are  
2753 designated to act on behalf of the attorney, together with a  
2754 legible copy of their photo identification issued by an agency  
2755 of the United States, or a state, or a political subdivision

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2756 thereof.

2757 (e) Sufficient information to enable the department to  
2758 disburse funds by electronic funds transfer.

2759 (f) The tax identification number of the attorney's firm or  
2760 employer.

2761 Section 59. Paragraph (a) of subsection (2) of section  
2762 197.582, Florida Statutes, is amended to read:

2763 197.582 Disbursement of proceeds of sale.—

2764 (2) (a) If the property is purchased for an amount in excess  
2765 of the statutory bid of the certificateholder, the surplus must  
2766 be paid over and disbursed by the clerk as set forth in  
2767 subsections (3), (5), and (6). If the opening bid included the  
2768 homestead assessment pursuant to s. 197.502(6)(c), that amount  
2769 must be treated as surplus and distributed in the same manner.  
2770 The clerk shall distribute the surplus to the governmental units  
2771 for the payment of any lien of record held by a governmental  
2772 unit against the property, including any tax certificates not  
2773 incorporated in the tax deed application and omitted taxes, if  
2774 any. If there remains a balance of undistributed funds, the  
2775 balance must be retained by the clerk for the benefit of persons  
2776 described in s. 197.522(1)(a), except those persons described in  
2777 s. 197.502(4)(h), as their interests may appear. The clerk shall  
2778 mail notices to such persons notifying them of the funds held  
2779 for their benefit at the addresses provided in s. 197.502(4).  
2780 Such notice constitutes compliance with the requirements of s.  
2781 717.117(6) ~~s. 717.117(4)~~. Any service charges and costs of  
2782 mailing notices shall be paid out of the excess balance held by  
2783 the clerk. Notice must be provided in substantially the  
2784 following form:



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2785 NOTICE OF SURPLUS FUNDS FROM TAX DEED SALE  
 2786 CLERK OF COURT  
 2787 .... COUNTY, FLORIDA  
 2788 Tax Deed #.....  
 2789 Certificate #.....  
 2790 Property Description: .....

2791 Pursuant to chapter 197, Florida Statutes, the above  
 2792 property was sold at public sale on ...(date of sale)..., and a  
 2793 surplus of \$...(amount)... (subject to change) will be held by  
 2794 this office for 120 days beginning on the date of this notice to  
 2795 benefit the persons having an interest in this property as  
 2796 described in section 197.502(4), Florida Statutes, as their  
 2797 interests may appear (except for those persons described in  
 2798 section 197.502(4)(h), Florida Statutes).

2799 To the extent possible, these funds will be used to satisfy  
 2800 in full each claimant with a senior mortgage or lien in the  
 2801 property before distribution of any funds to any junior mortgage  
 2802 or lien claimant or to the former property owner. To be  
 2803 considered for funds when they are distributed, you must file a  
 2804 notarized statement of claim with this office within 120 days of  
 2805 this notice. If you are a lienholder, your claim must include  
 2806 the particulars of your lien and the amounts currently due. Any  
 2807 lienholder claim that is not filed within the 120-day deadline  
 2808 is barred.

2809 A copy of this notice must be attached to your statement of  
 2810 claim. After the office examines the filed claim statements, it  
 2811 will notify you if you are entitled to any payment.

2812 Dated: .....

2813 Clerk of Court

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2814 Section 60. Subsection (1) of section 717.1382, Florida  
2815 Statutes, is amended to read:

2816 717.1382 United States savings bond; unclaimed property;  
2817 escheatment; procedure.—

2818 (1) Notwithstanding any other provision of law, a United  
2819 States savings bond in possession of the department or  
2820 registered to a person with a last known address in the state,  
2821 including a bond that is lost, stolen, or destroyed, is presumed  
2822 abandoned and unclaimed 5 years after the bond reaches maturity  
2823 and no longer earns interest and shall be reported and remitted  
2824 to the department by the financial institution or other holder  
2825 in accordance with ss. 717.117(1) and (5) ~~(3)~~ and 717.119, if  
2826 the department is not in possession of the bond.

2827 Section 61. The Division of Law Revision is directed to  
2828 prepare a reviser's bill for the 2025 Regular Session of the  
2829 Legislature to change the term "Division of Investigative and  
2830 Forensic Services" wherever the term appears in the Florida  
2831 Statutes to "Division of Criminal Investigations."

2832 Section 62. For the 2024-2025 fiscal year, one full-time  
2833 equivalent position with associated salary rate of 110,000 is  
2834 authorized and the sums of \$183,863 in recurring funds and  
2835 \$5,067 in nonrecurring funds are appropriated from the Insurance  
2836 Regulatory Trust Fund to the Department of Financial Services to  
2837 support the full-time equivalent position.

2838 Section 63. Except as otherwise expressly provided in this  
2839 act, this act shall take effect upon becoming a law.