

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 277 (2025)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT _____ (Y/N)

WITHDRAWN _____ (Y/N)

OTHER

Committee/Subcommittee hearing bill: State Affairs Committee
Representative Albert offered the following:

Amendment (with title amendment)

Remove lines 40-147 and insert:

Section 1. Subsection (7) of section 435.02, Florida

Statutes, is amended to read:

435.02 Definitions.—For the purposes of this chapter, the
term:

(7) "Specified agency" means the Department of Health, the
Department of Children and Families, the Agency for Health Care
Administration, the Department of Elderly Affairs, the
Department of Juvenile Justice, the Agency for Persons with
Disabilities, the Department of Education, the Department of
Veterans' Affairs, each district unit under s. 1001.30, special
district units under s. 1011.24, the Florida School for the Deaf

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and the Blind under s. 1002.36, the Florida Virtual School under s. 1002.37, virtual instruction programs under s. 1002.45, charter schools under s. 1002.33, hope operators under s. 1002.333, private schools participating in an educational scholarship program established pursuant to chapter 1002, alternative schools under s. 1008.341, regional workforce boards providing services as defined in s. 445.002(3), and local licensing agencies approved pursuant to s. 402.307, when these agencies are conducting state and national criminal history background screening on persons who work with children or persons who are elderly or disabled.

Section 2. Section 501.9741, Florida Statutes, is created to read:

501.9741 Assisting in veterans' benefits matters.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Compensation" means payment of any money, thing of value, or economic benefit conferred on or received by a person in return for services rendered or to be rendered.

(b) "Provider" means an entity or individual assisting veterans with veterans' benefits matters.

(c) "Veteran" has the same meaning as in s. 1.01(14) and includes eligible peacetime service as defined in s. 296.02.

(d) "Veterans' benefits matter" means the preparation, presentation, or prosecution of a veteran's claim, or a claim by the veteran's spouse, dependent child, or any other individual

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eligible for any benefit, program, service, commodity, function, status, or entitlement under the laws and regulations administered by the Department of Veterans' Affairs or the United States Department of Veterans Affairs.

(2) LIMITS ON COMPENSATION; TERMS OF ENGAGEMENT; WRITTEN DISCLOSURE.—

(a) A person may not receive compensation for referring an individual to a provider who will advise, assist, or consult with the individual regarding any veterans' benefits matter.

(b) A provider may receive compensation for services rendered in connection with a claim filed within the 1-year presumptive period after active-duty release as determined by the United States Department of Veterans Affairs only if the veteran acknowledges, by signing a waiver, that he or she is within the presumptive period and is choosing to deny the free services available to him or her.

(c) A provider seeking compensation for advising, assisting, or consulting with an individual regarding any veterans' benefits matter must, before rendering services, enter into a written agreement, signed by both parties, which:

1. Memorializes the specific terms under which the compensation will be determined; and

2. Provides that compensation for such services is contingent upon securing an increase in benefits awarded as a direct result of such services. Any such compensation may not

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exceed the lesser of four times the amount of the monthly increase in benefits awarded based on the claim or \$12,500, and must be paid out according to the specific terms agreed to by both parties in accordance with subparagraph 1.

(d)1. A provider who advises, assists, or consults on veterans' benefits matters for compensation shall provide the following disclosure, both orally and in writing, before entering into a business relationship with an individual:

This business is not sponsored by or affiliated with the Florida Department of Veterans' Affairs, the United States Department of Veterans Affairs, or any other federally chartered veterans' service organization. Other organizations, including, but not limited to, the Florida Department of Veterans' Affairs, a local veterans' service organization, and other federally chartered veterans' service organizations, may be able to provide you with this service free of charge. Products or services offered by this business are not necessarily endorsed by any of these organizations. You may qualify for other veterans' benefits beyond the benefits for which you are receiving services here.

2. The written disclosure must appear in a clearly legible font in at least 12-point type immediately above the signature

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92 line and must be signed by the individual to signify that he or
93 she understands the oral and written disclosure provisions. The
94 provider shall retain a copy of the written disclosure while
95 providing veterans' benefits services to the individual for
96 compensation and for at least 6 years after the date on which
97 the services provided under the agreement terminate.

98 (e) A provider who advises, assists, or consults on a
99 veterans' benefits matter may not charge an initial or
100 nonrefundable fee. Any charge for interest on any payment plan
101 agreed to by the parties is prohibited.

102 (3) DEATH OF VETERAN CLAIMANT.—If a veteran claimant dies
103 before a claim is processed:

104 (a) Any expected compensation must be waived and a charge,
105 fee, or debt may not be collected; and

106 (b) Any payment plan for services rendered must be
107 terminated immediately.

108 (4) PROHIBITIONS.—

109 (a) A provider may not guarantee, either directly or by
110 implication, a successful outcome or that an individual is
111 certain to receive specific veterans' benefits or a specific
112 level, percentage, or amount of veterans' benefits.

113 (b) A provider who advises, assists, or consults on
114 veterans' benefits matters for compensation:

115 1. May not use an international call center or data center
116 to directly solicit a veteran to enter into a business

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117 relationship with the provider or process a veteran's personal
118 information.

119 2. May not use a veteran's personal log-in, username, or
120 password information to access that veteran's medical,
121 financial, or government benefits information.

122 3. May not employ a medical provider to conduct a
123 secondary medical examination of the veteran.

124 (5) BACKGROUND SCREENING.—A provider must ensure that all
125 individuals who directly assist a veteran in a veterans'
126 benefits matter complete a level 2 background screening that
127 screens for any offenses identified in ss. 408.809(4) or
128 435.04(2)(d), (e), or (oo) or (4) before entering into any
129 agreement with a veteran for veterans' benefits matters. An
130 individual must submit a full set of fingerprints to the
131 Department of Law Enforcement or to a vendor, entity, or agency
132 authorized by s. 943.053(13), which shall forward the
133 fingerprints to the Department of Law Enforcement for state
134 processing. The Department of Veterans' Affairs shall transmit
135 the background screening results to the provider, which results
136 must indicate whether an individual's background screening
137 contains any of the offenses listed in this subsection. Fees for
138 state and federal fingerprint processing must be borne by the
139 provider or individual. The state cost for fingerprint
140 processing is as provided in s. 943.053(3)(e). This subsection

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141 does not imply endorsement, certification, or regulation of
142 providers by the Department of Veterans' Affairs.

143 (6) DOCUMENTATION.—A provider must provide copies of all
144 fully executed documents required by subsection (2) to the
145 veteran being assisted in the veterans' benefits matters and
146 maintain a copy of all fully executed documents for 6 years.

147 (7) COMPLAINT.—If a veteran who receives services from a
148 provider under this section in return for compensation files a
149 complaint with the Consumer Protection Division of the Office of
150 the Attorney General based on alleged absence of good faith as
151 defined in s. 673.1031(1), and if such veteran does not receive
152 a monthly monetary increase as a direct result of such
153 provider's services, the provider may not receive compensation
154 for any services provided to such an individual before the
155 resolution of the complaint.

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157
158 **T I T L E A M E N D M E N T**

159 Remove lines 3-32 and insert:

160 amending s. 435.02, F.S.; revising the definition of
161 the term "specified agency"; creating s. 501.9741,
162 F.S.; defining terms; prohibiting a person from
163 receiving compensation for referring an individual to
164 a provider for advising, assisting, or consulting on
165 any veterans' benefits matters; authorizing a provider

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to receive compensation only for services rendered during a specified period under certain circumstances; requiring that, before such services are rendered, a written agreement, which must include specified information, be signed by both parties; requiring that persons who advise, assist, or consult on veterans' benefits matters for compensation provide a specified oral and written disclosure before entering into a business relationship with a client; providing requirements for such disclosure; providing construction; prohibiting a provider who advises, assists, or consults on veterans' benefits matters from charging certain fees; prohibiting the charging of interest on payment plans; providing requirements in the event of the death of a veteran claimant; prohibiting certain guarantees; requiring a provider to successfully complete a specified background screening before entering into an agreement with a veteran for veterans' benefits matters; requiring a provider to provide copies of certain documents to the veteran and maintain a copy of such documents pursuant to specified provisions; prohibiting a person who provides services from receiving compensation certain circumstances and until certain conditions are met;