

Amendment No. 1

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WITHDRAWN \_\_\_\_\_ (Y/N)  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 \_\_\_\_\_

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1 Committee/Subcommittee hearing bill: Insurance & Banking  
2 Subcommittee

3 Representative Barnaby offered the following:

4

5 **Amendment**

6 Remove lines 42-82 and insert:

7 **Section 1. Subsections (6) through (9), (10), (11), (12),**  
8 **(13) through (17), (18), (19), (20) through (25), (26), and (27)**  
9 **of section 517.021, Florida Statutes, are renumbered as**  
10 **subsections (7) through (10), (12), (14), (15), (17) through**  
11 **(21), (25), (26), (28), (28) through (33), (36), and (37),**  
12 **respectively, present subsections (11) and (15) are amended, and**  
13 **new subsections (6), (11), (13), (16), (21), (22), (23), (26),**  
14 **(31) and (33) are added to that section, to read:**

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15           517.021 Definitions.—When used in this chapter, unless the  
16 context otherwise indicates, the following terms have the  
17 following respective meanings:

18           (6) "Branch manager" means a natural person who  
19 administers or supervises the affairs or operations of a branch  
20 office.

21           (11) "Corporation" has the same meaning as "corporation,"  
22 "domestic corporation," "foreign corporation," "nonprofit  
23 corporation," or "foreign nonprofit corporation" in s.  
24 607.01401.

25           (13) "Director" means a person appointed or elected to sit  
26 on a board that manages the affairs of a corporation or other  
27 organization by electing or exercising control over its  
28 officers.

29           (14)~~(11)~~ "Federal covered adviser" means a person that is  
30 registered or required to be registered under s. 203 of the  
31 Investment Advisers Act of 1940, as amended. The term does not  
32 include any person that is excluded from the definition of  
33 investment adviser under subparagraphs (19) (b) 1.-7. ~~(16) (b) 1.-7.~~  
34 and 9.

35           (16) "General partner" means a co-owner or manager of a  
36 partnership who has unlimited liability for the partnership's  
37 debts including a "general partner" as that term is defined in  
38 s. 620.1102.

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39 (19)~~(15)~~ "Intermediary" means a ~~natural~~ person that  
40 ~~residing in this state or a corporation, trust, partnership,~~  
41 ~~limited liability company, association, or other legal entity~~  
42 ~~registered with the Secretary of State to do business in this~~  
43 ~~state, which~~ facilitates through its website the offer or sale  
44 of securities of an issuer with a principal place of business in  
45 this state.

46 (22) "Limited liability company" has the same meaning as  
47 "limited liability company" or "foreign limited liability  
48 company," as those terms are defined in s. 605.0102.

49 (23) "Limited liability company manager" or "limited  
50 liability managing member" means a person who is responsible  
51 alone or in concert with others for performing the management  
52 functions of a limited liability company.

53 (24) "Limited partner" means a co-owner of a partnership  
54 who has limited liability for the partnership's debts including  
55 a "limited partner" as that term is defined in s. 620.1102.

56 (27) "Partnership" means two or more persons carrying on  
57 as co-owners of a business and including a "limited  
58 partnership," "limited liability limited partnership," "foreign  
59 limited partnership," or "foreign limited liability limited  
60 partnership," as those terms are defined in s. 620.1102.

61 (34) "Shareholder" means a person who owns at least one  
62 share of a corporation and whose ownership is reflected in the  
63 records of the corporation.

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(35) "Trust" has the same meaning as in s. 731.201.

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