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17 nationality subgroups. This information shall be made available  
18 to the agencies, the Office of Supplier Diversity, the Governor,  
19 the President of the Senate, and the Speaker of the House of  
20 Representatives. Each agency shall be responsible for the  
21 accuracy of information entered into the Financial Management  
22 ~~Florida Accounting Information Resource~~ Subsystem for use in  
23 this reporting.

24 **Section 2. Section 17.13, Florida Statutes, is amended to**  
25 **read:**

26 17.13 To replace ~~duplicate~~ warrants lost or destroyed.—

27 (1) The Chief Financial Officer is required to replace  
28 ~~duplicate~~ any Chief Financial Officer's warrants that may have  
29 been lost or destroyed, or may hereafter be lost or destroyed,  
30 upon the owner thereof or the owner's agent or attorney  
31 presenting the Chief Financial Officer the statement, under  
32 oath, reciting the number, date, and amount of any warrant or  
33 the best and most definite description in his or her knowledge  
34 and the circumstances of its loss; if the Chief Financial  
35 Officer deems it necessary, the owner or the owner's agent or  
36 attorney shall file in the office of the Chief Financial Officer  
37 a surety bond, or a bond with securities, to be approved by one  
38 of the judges of the circuit court or one of the justices of the  
39 Supreme Court, in a penalty of not less than twice the amount of  
40 any warrants so replaced ~~duplicate~~, conditioned to indemnify

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41 the state and any innocent holders thereof from any damages that  
42 may accrue from such replacement ~~duplication~~.

43 (2) The Chief Financial Officer is required to replace  
44 ~~duplicate~~ any Chief Financial Officer's warrant that may have  
45 been lost or destroyed, or may hereafter be lost or destroyed,  
46 when sent to any payee via any state agency when such warrant is  
47 lost or destroyed prior to being received by the payee and  
48 provided the director of the state agency to whom the warrant  
49 was sent presents to the Chief Financial Officer a statement,  
50 under oath, reciting the number, date, and amount of the warrant  
51 lost or destroyed, the circumstances surrounding the loss or  
52 destruction of such warrant, and any additional information that  
53 the Chief Financial Officer shall request in regard to such  
54 warrant.

55 (3) Any replacement ~~duplicate~~ Chief Financial Officer's  
56 warrant issued in pursuance of the above provisions shall be of  
57 the same validity as the original was before its loss.

58 **Section 3. Subsection (1) of section 110.113, Florida**  
59 **Statutes, is amended to read:**

60 110.113 Pay periods for state officers and employees;  
61 salary payments by direct deposit.—

62 (1) The normal pay period for salaries of state officers  
63 and employees shall be 1 month. The Department of Financial  
64 Services shall issue either monthly or biweekly salary payments  
65 by state warrants or by direct deposit pursuant to s. 17.076 ~~or~~

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66 ~~make semimonthly salary payments by direct deposit pursuant to~~  
67 ~~s. 17.076, as requested by the head of each state agency and~~  
68 ~~approved by the Executive Office of the Governor and the~~  
69 ~~Department of Financial Services.~~

70 **Section 4. Paragraph (c) is added to subsection (2) of**  
71 **section 112.3135, Florida Statutes, to read:**

72 112.3135 Restriction on employment of relatives.—

73 (2)

74 (c) To aid the recruitment of firefighters within this  
75 state, notwithstanding paragraph (a), a public official may  
76 appoint, employ, promote, or advance, or advocate for the  
77 appointment, employment, promotion, or advancement of a relative  
78 as a firefighter as defined in s. 633.102 if such appointment,  
79 employment, promotion, or advancement is part of a competitive  
80 process provided for in a collective bargaining agreement.

81 **Section 5. Subsection (16) of section 215.422, Florida**  
82 **Statutes, is amended to read:**

83 215.422 Payments, warrants, and invoices; processing time  
84 limits; dispute resolution; agency or judicial branch  
85 compliance.—

86 (16) Nothing contained in this section shall be construed  
87 to be an appropriation. Any interest which becomes due and owing  
88 pursuant to this section must be paid ~~shall only be payable~~ from  
89 the appropriation charged for such goods or services. However,  
90 if insufficient funds are available within the appropriation

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91 charged for such goods or services, the agency must pay the  
92 interest from a similar or appropriate appropriation category.

93 **Section 6. Subsections (4) through (10) of section**  
94 **215.5586, Florida Statutes, are renumbered as subsections (5)**  
95 **through (11), respectively, paragraphs (a) through (e) of**  
96 **subsection (1), subsections (2) and (3), paragraph (a) of**  
97 **present subsection (8), and present subsection (10) are amended,**  
98 **and a new subsection (4) is added to that section, to read:**

99 215.5586 My Safe Florida Home Program.—There is  
100 established within the Department of Financial Services the My  
101 Safe Florida Home Program. The department shall provide fiscal  
102 accountability, contract management, and strategic leadership  
103 for the program, consistent with this section. This section does  
104 not create an entitlement for property owners or obligate the  
105 state in any way to fund the inspection or retrofitting of  
106 residential property in this state. Implementation of this  
107 program is subject to annual legislative appropriations. It is  
108 the intent of the Legislature that, subject to the availability  
109 of funds, the My Safe Florida Home Program provide licensed  
110 inspectors to perform hurricane mitigation inspections of  
111 eligible homes and grants to fund hurricane mitigation projects  
112 on those homes. The department shall implement the program in  
113 such a manner that the total amount of funding requested by  
114 accepted applications, whether for inspections, grants, or other  
115 services or assistance, does not exceed the total amount of

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116 available funds. If, after applications are processed and  
117 approved, funds remain available, the department may accept  
118 applications up to the available amount. The program shall  
119 develop and implement a comprehensive and coordinated approach  
120 for hurricane damage mitigation pursuant to the requirements  
121 provided in this section.

122 (1) HURRICANE MITIGATION INSPECTIONS.—

123 (a) 1. For the purposes of this paragraph, the term:

124 a. "Attached" means a dwelling unit that shares a wall  
125 with another dwelling unit.

126 b. "Detached" means a dwelling that does not share a wall  
127 with another dwelling unit or building and has greater than zero  
128 clearance between it and any other building. This term includes  
129 a garage that is located under a contiguous roof with a  
130 residence.

131 c. "Single-family" means a residence designed for and  
132 containing only one dwelling unit.

133 2. An applicant is ~~To be~~ eligible for a hurricane  
134 mitigation inspection under the program if all of the following  
135 conditions are met:

136 a. ~~1.~~ ~~The A~~ home for which the inspection is sought is ~~must~~  
137 ~~be~~ a single-family~~r~~ unit on an individual parcel of land that  
138 is:

139 (I) A detached residential property; or

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140 (II) An attached residential property not exceeding three  
141 stories. A townhouse as defined in s. 481.203;

142 b.2. The A home for which the inspection is sought is must  
143 be site-built and owner-occupied.; and

144 c.3. The applicant is homeowner must have been granted a  
145 homestead exemption on the home under chapter 196.

146 (b)1. An application for a hurricane mitigation inspection  
147 must contain a signed or electronically verified statement made  
148 under penalty of perjury that the applicant has submitted only  
149 one inspection application on the home or that the application  
150 is allowed under subparagraph 2., and the application must have  
151 documents attached which demonstrate that the applicant meets  
152 the requirements of paragraph (a).

153 2. An applicant may submit a subsequent hurricane  
154 mitigation inspection application for the same home only if:

155 a. The original hurricane mitigation inspection  
156 application has been denied or withdrawn because of material  
157 errors or omissions in the application;

158 b. The original hurricane mitigation inspection  
159 application was denied or withdrawn because the applicant home  
160 did not meet the eligibility criteria for an inspection at the  
161 time of the previous application, and the applicant homeowner  
162 reasonably believes that he or she is the home now is eligible  
163 for an inspection; or

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164 c. The program's eligibility requirements for an  
165 inspection have changed since the original application date, and  
166 the applicant reasonably believes that her or she ~~the home~~ is  
167 eligible under the new requirements; or.

168 d. More than 24 months have passed since the applicant  
169 received a hurricane mitigation inspection under this section,  
170 and the applicant has not received a grant payment through the  
171 program for that inspection.

172 (c) An applicant meeting the requirements of paragraph (a)  
173 may receive an inspection of the a home through ~~under~~ the  
174 program without being eligible for a grant under subsection (2)  
175 or applying for such grant.

176 (d) Licensed inspectors are to provide initial ~~home~~  
177 inspections of eligible homes to determine ~~what mitigation~~  
178 ~~measures are needed,~~ what insurance premium discounts may be  
179 available, and what improvements to existing residential  
180 properties are needed to reduce the property's vulnerability to  
181 hurricane damage. ~~An inspector may inspect a townhouse as~~  
182 ~~defined in s. 481.203 to determine if opening protection~~  
183 ~~mitigation as listed in subparagraph (2) (c)1. would provide~~  
184 ~~improvements to mitigate hurricane damage.~~

185 (e) The department shall contract with wind certification  
186 entities to provide hurricane mitigation inspections. The  
187 initial inspections provided to applicants ~~homeowners~~, at a  
188 minimum, must include:

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189 1. A home inspection and report that summarizes the  
190 inspection results and identifies recommended improvements an  
191 applicant ~~a homeowner~~ may make ~~take~~ to mitigate hurricane  
192 damage.

193 2. A range of cost estimates regarding the recommended  
194 mitigation improvements.

195 3. Information regarding estimated premium discounts,  
196 correlated to the current mitigation features and the  
197 recommended mitigation improvements identified by the  
198 inspection.

199 (2) HURRICANE MITIGATION GRANTS.—Financial grants shall be  
200 used by applicants ~~homeowners~~ to make improvements recommended  
201 by an initial inspection which increase a home's resistance to  
202 hurricane damage.

203 (a) An applicant ~~A homeowner~~ is eligible for a hurricane  
204 mitigation grant if all of the following criteria are met:

205 1. The applicant ~~home~~ must be eligible for an inspection  
206 under subsection (1).

207 2. The home must be a dwelling with an insured value of  
208 \$700,000 or less. Applicants ~~Homeowners~~ who are low-income  
209 persons, as defined in s. 420.0004(11), are exempt from this  
210 requirement.

211 3. The home must undergo an initial ~~acceptable~~ hurricane  
212 mitigation inspection through the program as provided in  
213 subsection (1).

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214 4. The ~~building permit application for initial~~  
215 ~~construction of the~~ home must have been built ~~made~~ before  
216 January 1, 2008, as reflected on the county property appraiser's  
217 website.

218 5. The applicant ~~homeowner~~ must agree to make his or her  
219 home available for a final inspection once a mitigation project  
220 is completed.

221 6. The applicant ~~homeowner~~ must agree to provide to the  
222 department information received from the applicant's ~~homeowner's~~  
223 insurer identifying the discounts realized by the applicant  
224 ~~homeowner~~ because of the mitigation improvements funded through  
225 the program.

226 7.a. The applicant ~~homeowner~~ must be a low-income person  
227 or moderate-income person as defined in s. 420.0004.

228 b. The hurricane mitigation inspection must have occurred  
229 within the previous 24 months from the date of application.

230 c. Notwithstanding subparagraph 2., applicants ~~homeowners~~  
231 who are low-income persons, as defined in s. 420.0004(11), are  
232 not exempt from the requirement that the home must be a dwelling  
233 with an insured value of \$700,000 or less.

234 ~~d. This subparagraph expires July 1, 2026.~~

235 (b)1. An application for a grant must contain a signed or  
236 electronically verified statement made under penalty of perjury  
237 that the applicant has submitted only one grant application or  
238 that the application is allowed under subparagraph 2., and the

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239 application must have documents attached demonstrating that the  
240 applicant meets the requirements of paragraph (a).

241 2. An applicant may submit a subsequent grant application  
242 if:

243 a. The original grant application was denied or withdrawn  
244 because the application contained errors or omissions;

245 b. The original grant application was denied or withdrawn  
246 because the applicant ~~home~~ did not meet the eligibility criteria  
247 for a grant at the time of the previous application, and the  
248 applicant ~~homeowner~~ reasonably believes that he or she is ~~the~~  
249 ~~home~~ now is eligible for a grant; or

250 c. The program's eligibility requirements for a grant have  
251 changed since the original application date, and the applicant  
252 reasonably believes that he or she is ~~an~~ eligible ~~homeowner~~  
253 under the new requirements.

254 3. A grant application must include a statement from the  
255 applicant ~~homeowner~~ which contains the name and state license  
256 number of the contractor that the applicant ~~homeowner~~  
257 acknowledges as the intended contractor for the mitigation work.  
258 The program must ~~electronically~~ verify that the contractor's  
259 state license number is valid ~~accurate and up to date before~~  
260 ~~grant approval~~.

261 (c) All grants must be matched on the basis of \$1 provided  
262 by the applicant for \$2 provided by the state up to a maximum

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263 state contribution of \$10,000 toward the actual cost of the  
264 mitigation project, except as provided in paragraph (h).

265 (d) All hurricane mitigation performed under the program  
266 must be based upon the securing of all required local permits  
267 and inspections and must be performed by properly licensed  
268 contractors.

269 (e) When recommended by an initial a hurricane mitigation  
270 inspection, grants for eligible applicants ~~homes~~ may be used for  
271 all of the following improvements:

272 1. Opening protection improvements, including:

273 a. Exterior doors.~~7~~

274 b. Garage doors.~~7~~

275 c. Windows.~~7~~ ~~and~~

276 d. Skylights.

277 2. Roof improvements, including:

278 a. Reinforcing roof-to-wall connections.

279 b.~~3.~~ Improving the strength of roof-deck attachments.

280 c.~~4.~~ Installing secondary water resistance for roof and  
281 replacing the roof covering.

282 (f) Improvements must be identified by the final hurricane  
283 mitigation inspection to receive grant funds ~~When recommended by~~  
284 ~~a hurricane mitigation inspection, grants for townhouses, as~~  
285 ~~defined in s. 481.203, may only be used for opening protection.~~

286 (g) The department may require that improvements be made  
287 to all openings, including exterior doors, garage doors,

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288 windows, and skylights, as a condition of reimbursing an  
289 applicant ~~a homeowner~~ approved for a grant. The department may  
290 adopt, by rule, the maximum grant allowances for any improvement  
291 allowable under paragraph (e) ~~or paragraph (f)~~.

292 (h) Low-income applicants ~~homeowners~~, as defined in s.  
293 420.0004(11), who otherwise meet the applicable requirements of  
294 this subsection are eligible for a grant of up to \$10,000 and  
295 are not required to provide a matching amount to receive the  
296 grant.

297 (i)1. The department shall develop a process that ensures  
298 the most efficient means to collect and verify inspection  
299 applications and grant applications to determine eligibility.  
300 The department may direct hurricane mitigation inspectors to  
301 collect and verify grant application information or use the  
302 Internet or other electronic means to collect information and  
303 determine eligibility.

304 2. The department shall prioritize the review and approval  
305 of such inspection applications and grant applications in the  
306 following order:

307 a. First, applications from low-income persons, as defined  
308 in s. 420.0004, who are at least 60 years old;

309 b. Second, applications from all other low-income persons,  
310 as defined in s. 420.0004;

311 c. Third, applications from moderate-income persons, as  
312 defined in s. 420.0004, who are at least 60 years old;

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313 d. Fourth, applications from all other moderate-income  
314 persons, as defined in s. 420.0004; and

315 e. Last, all other applications.

316 3. The department shall start accepting inspection  
317 applications and grant applications no earlier than the  
318 effective date of a legislative appropriation funding  
319 inspections and grants, as follows:

320 a. Initially, from applicants prioritized under sub-  
321 subparagraph 2.a.;

322 b. From applicants prioritized under sub-subparagraph  
323 2.b., beginning 15 days after the program initially starts  
324 accepting applications;

325 c. From applicants prioritized under sub-subparagraph  
326 2.c., beginning 30 days after the program initially starts  
327 accepting applications;

328 d. From applicants described in sub-subparagraph 2.d.,  
329 beginning 45 days after the program initially starts accepting  
330 applications; and

331 e. From all other applicants, beginning 60 days after the  
332 program initially starts accepting applications.

333 4. The program may accept a certification directly from a  
334 low-income applicant ~~homeowner~~ or moderate-income applicant  
335 ~~homeowner~~ who meets the requirements of s. 420.0004(11) or (12),  
336 respectively, if the applicant ~~homeowner~~ provides such

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337 certification in a signed or electronically verified statement  
338 made under penalty of perjury.

339 5. The program may accept a certification directly from an  
340 applicant attesting to his or her age if the applicant provides  
341 such certification in a signed or electronically verified  
342 statement made under penalty of perjury.

343 (j) An applicant ~~A homeowner~~ who receives a grant shall  
344 finalize construction and request a final inspection, ~~or request~~  
345 ~~an extension for an additional 6 months,~~ within 18 months ~~1 year~~  
346 after grant application approval. If an applicant ~~a homeowner~~  
347 fails to comply with this paragraph, his or her application is  
348 deemed abandoned and the grant money reverts to the department.

349 (3) REQUESTS FOR INFORMATION.—The department may request  
350 that an applicant provide additional information. An application  
351 is deemed abandoned ~~withdrawn~~ by the applicant if the department  
352 does not receive a response to its request for additional  
353 information within 60 days after the notification of any  
354 apparent error or omission.

355 (4) ABANDONED APPLICATIONS.—The department must notify an  
356 applicant at least 5 business days before an application is  
357 deemed abandoned. If the applicant responds to such notification  
358 within 5 business days after receiving the notice and  
359 demonstrates good cause for why the application should not be  
360 deemed abandoned, the applicant may submit a subsequent grant

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361 application or the department may determine the application is  
362 not abandoned.

363 (9)~~(8)~~ CONTRACT MANAGEMENT.—

364 (a) The department may contract with third parties for  
365 grants management, inspection services, contractor services for  
366 low-income applicants ~~homeowners~~, information technology,  
367 educational outreach, and auditing services. Such contracts are  
368 considered direct costs of the program and are not subject to  
369 administrative cost limits. The department shall contract with  
370 providers that have a demonstrated record of successful business  
371 operations in areas directly related to the services to be  
372 provided and shall ensure the highest accountability for use of  
373 state funds, consistent with this section.

374 (11)~~(10)~~ REPORTS.—The department shall make an annual  
375 report on the activities of the program that shall account for  
376 the use of state funds and indicate the number of inspections  
377 requested, the number of inspections performed, the number of  
378 grant applications received, the number and value of grants  
379 approved, and the estimated average annual amount of insurance  
380 premium discounts and total estimated annual amount of insurance  
381 premium discounts applicants ~~homeowners~~ received from insurers  
382 as a result of mitigation funded through the program. The report  
383 must be delivered to the President of the Senate and the Speaker  
384 of the House of Representatives by February 1 of each year.

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386           **Section 7. Subsections (1) and (2) and paragraphs (a) and**  
387           **(j) of subsection (5) of section 215.55871, Florida Statutes,**  
388           **are amended to read:**

389           215.55871 My Safe Florida Condominium Pilot Program.—There  
390           is established within the Department of Financial Services the  
391           My Safe Florida Condominium Pilot Program to be implemented  
392           pursuant to appropriations. The department shall provide fiscal  
393           accountability, contract management, and strategic leadership  
394           for the pilot program, consistent with this section. This  
395           section does not create an entitlement for associations or unit  
396           owners or obligate the state in any way to fund the inspection  
397           or retrofitting of condominiums in the state. Implementation of  
398           this pilot program is subject to annual legislative  
399           appropriations. It is the intent of the Legislature that the My  
400           Safe Florida Condominium Pilot Program provide licensed  
401           inspectors to perform inspections for and grants to eligible  
402           associations as funding allows.

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

404           (a) "Area median income" means the median household  
405           income, as published annually by the United States Department of  
406           Housing and Urban Development, for the county in which the  
407           condominium property is located.

408           (b) ~~(a)~~ "Association" has the same meaning as in s.  
409           718.103.

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410        ~~(c)-(b)~~ "Association property" means property, real and  
411 personal, which is owned or leased by, or is dedicated by a  
412 recorded plat to, an association for the use and benefit of its  
413 members ~~and is located in the service area.~~

414        ~~(d)-(e)~~ "Board of administration" has the same meaning as  
415 in s. 718.103.

416        ~~(e)-(d)~~ "Condominium" has the same meaning as in s.  
417 718.103. For purposes of this section, the term does not include  
418 detached units on individual parcels of land.

419        ~~(f)-(e)~~ "Condominium property" means the lands, leaseholds,  
420 and personal property that are subjected to condominium  
421 ownership, whether or not contiguous, and all improvements  
422 thereon and all easements and rights appurtenant thereto  
423 intended for use in connection with the condominium ~~and are~~  
424 ~~located in the service area.~~

425        ~~(g)-(f)~~ "Department" means the Department of Financial  
426 Services.

427        ~~(h)-(g)~~ "Property" means association property and  
428 condominium property, as applicable, ~~located in the service~~  
429 ~~area.~~

430        ~~(h)~~ ~~"Service area" means the area of the state which is 15~~  
431 ~~miles inward of a coastline, as that term is defined in s.~~  
432 ~~376.031.~~

433        (i) "Unit" has the same meaning as in s. 718.103.

434        (j) "Unit owner" has the same meaning as in s. 718.103.

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435 (2) PARTICIPATION.—

436 (a) Participation in the pilot program is limited to:

437 1. Condominium associations in which at least 80 percent

438 of the occupied units within the condominium are owned or

439 occupied by a person or family whose annual income is at or

440 below 80 percent of the area median income, adjusted for

441 household size, applicable to the county in which the

442 condominium is located. Eligibility must be determined using the

443 area median income published at the time an application is

444 submitted. For purposes of determining if a condominium

445 association meets the 80 percent unit-occupied threshold:

446 a. Only occupied residential units may be counted.

447 b. Both owner-occupied and tenant-occupied residential

448 units may be counted as long as the persons or families living

449 in such residential units provide income documentation to the

450 department and the department has verified that such person or

451 family meets the income requirements of this subparagraph.

452 2. Structures or buildings on the condominium property

453 which are three or more stories in height, provided that each

454 structure or building that is the subject of a mitigation grant

455 contains at least two single-family dwellings.

456 (b) The department shall adopt rules establishing

457 acceptable methods for verifying household income, including,

458 but not limited to, owner self-certification, tax returns,

459 income statements, or other documentation deemed sufficient by

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460 the department. The department may require periodic  
461 recertification of income eligibility to ensure compliance with  
462 this section.

463 (c) A condominium with mixed-income occupancies is  
464 eligible to participate in the pilot program under this section  
465 if the income threshold in subparagraph (a)1. is met.

466 (d) ~~(b)~~ In order to apply for an inspection under  
467 subsection (4) or a grant under subsection (5) for association  
468 property or condominium property, an association must receive  
469 approval by a majority vote of the board of administration or a  
470 majority vote of the total voting interests of the association  
471 to participate in the pilot program. An association may not  
472 apply for an inspection under subsection (4) or a grant under  
473 subsection (5) for association property or condominium property  
474 unless the association has complied with the inspection  
475 requirements in ss. 553.899 and 718.112(2) (g) and (h). An  
476 association may not apply for a grant under subparagraph  
477 (5) (e)1. for association property or condominium property unless  
478 the windows of the association property or condominium property  
479 are established as common elements in the declaration.

480 (e) ~~(e)~~ In order to apply for a grant under subsection (5)  
481 which improves one or more units within a condominium, an  
482 association must receive both of the following:

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483 1. Approval by a majority vote of the board of  
484 administration or a majority vote of the total voting interests  
485 of the association to participate in a mitigation inspection.

486 2. Approval by at least 75 percent of all unit owners who  
487 reside within the structure or building that is the subject of  
488 the mitigation grant.

489 (f)~~(d)~~ A unit owner may participate in the pilot program  
490 through a mitigation grant awarded to the association but may  
491 not participate individually in the pilot program.

492 (g)~~(e)~~ The votes required under this subsection may take  
493 place at the annual budget meeting of the association or at a  
494 unit owner meeting called for the purpose of taking such vote.  
495 Before a vote of the unit owners may be taken, the association  
496 must provide to the unit owners a clear disclosure of the pilot  
497 program on a form created by the department. The president and  
498 the treasurer of the board of administration must sign the  
499 disclosure form indicating that a copy of the form was provided  
500 to each unit owner of the association. The signed disclosure  
501 form and the minutes from the meeting at which the unit owners  
502 voted to participate in the pilot program must be maintained as  
503 part of the official records of the association. Within 14 days  
504 after an affirmative vote to participate in the pilot program,  
505 the association must provide written notice in the same manner  
506 as required under s. 718.112(2)(d) to all unit owners of the  
507 decision to participate in the pilot program.

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508 (5) MITIGATION GRANTS.—Financial grants may be used by  
509 associations to make improvements recommended in a hurricane  
510 mitigation inspection report which increase the condominium's  
511 resistance to hurricane damage.

512 (a) An application for a mitigation grant must:

513 1. Contain a signed or electronically verified statement  
514 made under penalty of perjury by the president of the board of  
515 administration that the association has submitted only a single  
516 application for each property that the association operates or  
517 maintains.

518 2. Include a notarized statement from the president of the  
519 board of administration containing the name and license number  
520 of each contractor the association intends to use for the  
521 mitigation project.

522 3. Include a notarized statement from the president of the  
523 board of administration which commits to the department that the  
524 association will complete the mitigation improvements. If the  
525 grant will be used to improve units, the application must also  
526 include an acknowledged statement from each unit owner who is  
527 required to provide approval for a grant under paragraph (2) (d)  
528 ~~(2) (e)~~.

529 4. Include documentation deemed sufficient by the  
530 department under paragraph (2) (b) for verifying household  
531 income.

532 (j) Grant funds may only be awarded for a mitigation

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533 improvement that addresses the common elements of the  
534 condominium property that will result in a mitigation credit,  
535 discount, or other rate differential for the building or  
536 structure to which the improvement is made. As a condition of  
537 receiving ~~awarding~~ a grant, the association ~~department~~ must  
538 complete 100 percent of the opening protection improvements to  
539 the common elements which were recommended in the final  
540 hurricane mitigation inspection report ~~require mitigation~~  
541 ~~improvements to be made to all openings,~~ including exterior  
542 doors, garage doors, windows, and skylights that are a part of  
543 the common elements, ~~if doing so is necessary for the building~~  
544 ~~or structure to qualify for a mitigation credit, discount, or~~  
545 ~~other rate differential.~~

546 **Section 8. Subsection (3) of section 215.89, Florida**  
547 **Statutes, is amended to read:**

548 215.89 Charters of account.—

549 ~~(3) REPORTING STRUCTURE.—~~

550 ~~(a) The Chief Financial Officer shall accept comments from~~  
551 ~~state agencies, local governments, educational entities,~~  
552 ~~entities of higher education, and other interested parties~~  
553 ~~regarding the proposed charts of account until November 1, 2013.~~

554 ~~(b) By January 15, 2014, the Chief Financial Officer,~~  
555 ~~after consultation with affected state agencies, local~~  
556 ~~governments, educational entities, entities of higher education,~~  
557 ~~and the Auditor General, shall submit to the Governor, the~~

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558 ~~President of the Senate, and the Speaker of the House of~~  
559 ~~Representatives a report recommending a uniform charts of~~  
560 ~~account which requires specific enterprise-wide information~~  
561 ~~related to revenues and expenditures of state agencies, local~~  
562 ~~governments, educational entities, and entities of higher~~  
563 ~~education. The report must include the estimated cost of~~  
564 ~~adopting and implementing a uniform enterprise-wide charts of~~  
565 ~~account.~~

566 **Section 9. Subsections (1) and (5) of section 215.93,**  
567 **Florida Statutes, are amended to read:**

568 215.93 Florida Financial Management Information System.—

569 (1) To provide the information necessary to carry out the  
570 intent of the Legislature, there shall be a Florida Financial  
571 Management Information System. The Florida Financial Management  
572 Information System shall be fully implemented and shall be  
573 upgraded as necessary to ensure the efficient operation of an  
574 integrated financial management information system and to  
575 provide necessary information for the effective operation of  
576 state government. Upon the recommendation of the coordinating  
577 council and approval of the board, the Florida Financial  
578 Management Information System may require data from any state  
579 agency information system or information subsystem or may  
580 request data from any judicial branch information system or  
581 information subsystem that the coordinating council and board  
582 have determined to have statewide financial management

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583 significance. Each functional owner information subsystem within  
584 the Florida Financial Management Information System shall be  
585 developed in such a fashion as to allow for timely, positive,  
586 preplanned, and prescribed data transfers between the Florida  
587 Financial Management Information System functional owner  
588 information subsystems and from other information systems. The  
589 principal unit of the system shall be the functional owner  
590 information subsystem, and the system shall include, but shall  
591 not be limited to, the following:

592 (a) Planning and Budgeting Subsystem.

593 ~~(b) Florida Accounting Information Resource Subsystem.~~

594 (b)~~(e)~~ Financial Management Subsystem.

595 (c)~~(d)~~ Purchasing Subsystem.

596 (d)~~(e)~~ Personnel Information System.

597 (5) Functional owners are legally responsible for the  
598 security and integrity of all data records existing within or  
599 transferred from their information subsystems. Each agency and  
600 the judicial branch shall be responsible for the accuracy of the  
601 information entered into the Florida Financial Management  
602 Information System. A request for a copy of a document or an  
603 accounting record, whether by public records request or  
604 subpoena, must be made to the state entity for which the  
605 document or accounting record is recorded. The request may not  
606 be made to the functional owner of the subsystem unless the  
607 document or accounting record was recorded for such entity.

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608           **Section 10. Subsections (4) through (7) of section 215.94,**  
609 **Florida Statutes, are renumbered as subsections (3) through (6),**  
610 **respectively, and subsection (2) and present subsection (3) of**  
611 **that section are amended to read:**

612           215.94 Designation, duties, and responsibilities of  
613 functional owners.—

614           (2) The Department of Financial Services shall be the  
615 functional owner of the Financial Management ~~Florida Accounting~~  
616 ~~Information Resource~~ Subsystem established pursuant to ss.  
617 17.03, 215.86, 216.141, and 216.151 and further developed in  
618 accordance with the provisions of ss. 215.90-215.96. The  
619 subsystem shall include, but shall not be limited to, the  
620 following functions:

621           (a) Accounting and reporting so as to provide timely data  
622 for producing financial statements for the state in accordance  
623 with generally accepted accounting principles.

624           (b) Auditing and settling claims against the state.

625           ~~(3) The Chief Financial Officer shall be the functional~~  
626 ~~owner of the Financial Management Subsystem. The Chief Financial~~  
627 ~~Officer shall design, implement, and operate the subsystem in~~  
628 ~~accordance with the provisions of ss. 215.90-215.96. The~~  
629 ~~subsystem shall include, but shall not be limited to, functions~~  
630 ~~for:~~

631           (c)-(a) Recording and reconciling credits and debits to  
632 treasury fund accounts.

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633        ~~(d)-(b)~~ Monitoring cash levels and activities in state bank  
634 accounts.

635        ~~(e)-(e)~~ Monitoring short-term investments of idle cash.

636        ~~(f)-(d)~~ Administering the provisions of the Federal Cash  
637 Management Improvement Act of 1990.

638            **Section 11. Subsections (2) and (3) of section 215.96,**  
639 **Florida Statutes, are amended to read:**

640            215.96 Coordinating council and design and coordination  
641 staff.—

642            (2) The coordinating council shall consist of the Chief  
643 Financial Officer; the Commissioner of Agriculture; the Attorney  
644 General; the Secretary of Management Services; the state chief  
645 information officer; the executive director of the Department of  
646 Revenue; and the Director of Planning and Budgeting, Executive  
647 Office of the Governor, or their designees. The Chief Financial  
648 Officer, or his or her designee, shall be chair of the council,  
649 and the design and coordination staff shall provide  
650 administrative and clerical support to the council and the  
651 board. ~~The design and coordination staff shall maintain the~~  
652 Minutes of each meeting shall be ~~and make such minutes~~ available  
653 to any interested person. The Auditor General, the State Courts  
654 Administrator, ~~a an executive officer of the Florida Association~~  
655 ~~of~~ state agency administrative services director selected by the  
656 council Directors, and ~~a an executive officer of the Florida~~  
657 ~~Association of~~ state budget officer selected by the council

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658 ~~Officers~~, or their designees, shall serve without voting rights  
659 as ex officio members of the council. The chair may call  
660 meetings of the council as often as necessary to transact  
661 business; however, the council shall meet at least once a year.  
662 Action of the council shall be by motion, duly made, seconded  
663 and passed by a majority of the council voting in the  
664 affirmative for approval of items that are to be recommended for  
665 approval to the Financial Management Information Board.

666 (3) The coordinating council, assisted by the design and  
667 coordination staff, shall have the following duties, powers, and  
668 responsibilities pertaining to the Florida Financial Management  
669 Information System:

670 (a) To review and coordinate annual workplans to ensure  
671 that the Florida Financial Management Information System remains  
672 aligned across participating entities. The coordination council  
673 shall ensure that each participating entity submits an annual  
674 workplan by October 1 of each year. The coordinating council  
675 shall review and discuss the workplans, identify potential  
676 impacts or conflicts, facilitate resolutions when practicable,  
677 and expedite unresolved issues as appropriate.

678 (b) To conduct such studies and to establish committees,  
679 workgroups, and teams to develop recommendations for rules,  
680 policies, procedures, principles, and standards to the board as  
681 necessary to assist the board in its efforts to design,  
682 implement, and perpetuate a financial management information

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683 system, including, but not limited to, the establishment of  
684 common data codes, and the development of integrated financial  
685 management policies that address the information and management  
686 needs of the functional owner subsystems. The coordinating  
687 council shall make available a copy of the approved plan in  
688 writing or through electronic means to each of the coordinating  
689 council members, the fiscal committees of the Legislature, and  
690 any interested person.

691 ~~(c)(b)~~ To recommend to the board solutions, policy  
692 alternatives, and legislative budget request issues that will  
693 provide ~~ensure~~ a framework for the timely, positive, preplanned,  
694 and prescribed data transfer between information subsystems ~~and~~  
695 ~~to recommend to the board solutions, policy alternatives, and~~  
696 ~~legislative budget request issues that ensure the availability~~  
697 ~~of data and information that support state planning, policy~~  
698 ~~development, management, evaluation, and performance monitoring.~~

699 ~~(c)~~ ~~To report to the board all actions taken by the~~  
700 ~~coordinating council for final action.~~

701 ~~(d)~~ ~~To review the annual work plans of the functional~~  
702 ~~owner information subsystems by October 1 of each year. The~~  
703 ~~review shall be conducted to assess the status of the Florida~~  
704 ~~Financial Management Information System and the functional owner~~  
705 ~~subsystems in regard to the provisions of s. 215.91. The~~  
706 ~~coordinating council, as part of the review process, may make~~

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707 ~~recommendations for modifications to the functional owner~~  
708 ~~information subsystems annual work plans.~~

709 **Section 12. Paragraph (a) of subsection (4) of section**  
710 **215.985, Florida Statutes, is amended to read:**

711 215.985 Transparency in government spending.—

712 (4) The Executive Office of the Governor, in consultation  
713 with the appropriations committees of the Senate and the House  
714 of Representatives, shall establish and maintain a website that  
715 provides information relating to the approved operating budget  
716 for each branch of state government and state agency.

717 (a) At a minimum, the information must include:

718 1. Disbursement data for each appropriation by the account  
719 value ~~object code~~ associated with each expenditure established  
720 within the Financial Management Florida Accounting Information  
721 Resource Subsystem. Expenditure data must include the name of  
722 the payee, the date of the expenditure, the amount of the  
723 expenditure, and the voucher ~~statewide document~~ number. Such  
724 data must be searchable by the name of the payee, the paying  
725 agency, and fiscal year, and must be downloadable in a format  
726 that allows offline analysis.

727 2. For each appropriation, any adjustments, including  
728 vetoes, approved supplemental appropriations included in  
729 legislation other than the General Appropriations Act, budget  
730 amendments, other actions approved pursuant to chapter 216, and  
731 other adjustments authorized by law.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1221 (2026)

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732           3. Status of spending authority for each appropriation in  
733 the approved operating budget, including released, unreleased,  
734 reserved, and disbursed balances.

735           4. Position and rate information for positions provided in  
736 the General Appropriations Act or approved through an amendment  
737 to the approved operating budget and position information for  
738 positions established in the legislative branch.

739           5. Allotments for planned expenditures of state  
740 appropriations established by state agencies in the Financial  
741 Management ~~Florida Accounting Information Resource~~ Subsystem,  
742 and the current balances of such allotments.

743           6. Trust fund balance reports, including cash available,  
744 investments, and receipts.

745           7. General revenue fund balance reports, including revenue  
746 received and amounts disbursed.

747           8. Fixed capital outlay project data, including original  
748 appropriation and disbursements throughout the life of the  
749 project.

750           9. A 10-year history of appropriations indicated by  
751 agency.

752           10. Links to state audits or reports related to the  
753 expenditure and dispersal of state funds.

754           11. Links to program or activity descriptions for which  
755 funds may be expended.

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756           **Section 13. Subsections (1) and (2) and paragraph (f) of**  
757 **subsection (3) of section 216.102, Florida Statutes, are amended**  
758 **to read:**

759           216.102 Filing of financial information; handling by Chief  
760 Financial Officer; penalty for noncompliance.—

761           (1) By September 30 of each year, each agency supported by  
762 any form of taxation, licenses, fees, imposts, or exactions, the  
763 judicial branch, and, for financial reporting purposes, each  
764 component unit of the state as determined by the Chief Financial  
765 Officer shall prepare, using generally accepted accounting  
766 principles, and file with the Chief Financial Officer the  
767 financial and other information necessary for the preparation of  
768 annual financial statements for the State of Florida as of June  
769 30. In addition, each such agency and the judicial branch shall  
770 prepare financial statements showing the financial position and  
771 results of agency or branch operations as of June 30 for  
772 internal management purposes.

773           (a) Each state agency and the judicial branch shall record  
774 the receipt and disbursement of funds from federal sources in a  
775 form and format prescribed by the Chief Financial Officer. The  
776 access to federal funds by the administering agencies or the  
777 judicial branch may not be authorized until:

778           1. The deposit has been recorded in the Financial  
779 Management ~~Florida Accounting Information Resource~~ Subsystem

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780 using proper, consistent codes that designate deposits as  
781 federal funds.

782 2. The deposit and appropriate recording required by this  
783 paragraph have been verified by the office of the Chief  
784 Financial Officer.

785 (b) The Chief Financial Officer shall publish a statewide  
786 policy detailing the requirements for recording receipt and  
787 disbursement of federal funds into the Financial Management  
788 ~~Florida Accounting Information Resource~~ Subsystem and provide  
789 technical assistance to the agencies and the judicial branch to  
790 implement the policy.

791 (2) Financial information must be contained within the  
792 Financial Management ~~Florida Accounting Information Resource~~  
793 Subsystem. Other information must be submitted in the form and  
794 format prescribed by the Chief Financial Officer.

795 (a) Each component unit shall file financial information  
796 and other information necessary for the preparation of annual  
797 financial statements with the agency or branch designated by the  
798 Chief Financial Officer by the date specified by the Chief  
799 Financial Officer.

800 (b) The state agency or branch designated by the Chief  
801 Financial Officer to receive financial information and other  
802 information from component units shall include the financial  
803 information in the Financial Management ~~Florida Accounting~~  
804 ~~Information Resource~~ Subsystem and shall include the component

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805 units' other information in its submission to the Chief  
806 Financial Officer.

807 (3) The Chief Financial Officer shall:

808 (f) Consult with and elicit comments from the Executive  
809 Office of the Governor on changes to the Financial Management  
810 ~~Florida Accounting Information Resource~~ Subsystem which clearly  
811 affect the accounting of federal funds, so as to ensure  
812 consistency of information entered into the Federal Aid Tracking  
813 System by state executive and judicial branch entities. While  
814 efforts shall be made to ensure the compatibility of the  
815 Financial Management ~~Florida Accounting Information Resource~~  
816 Subsystem and the Federal Aid Tracking System, any successive  
817 systems serving identical or similar functions shall preserve  
818 such compatibility.

819

820 The Chief Financial Officer may furnish and publish in  
821 electronic form the financial statements and the annual  
822 comprehensive financial report required under paragraphs (a),  
823 (b), and (c).

824 **Section 14. Subsection (3) of section 216.141, Florida**  
825 **Statutes, is amended to read:**

826 216.141 Budget system procedures; planning and programming  
827 by state agencies.—

828 (3) The Chief Financial Officer, as chief fiscal officer,  
829 shall use the Financial Management ~~Florida Accounting~~

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830 ~~Information Resource~~ Subsystem developed pursuant to s.  
831 215.94(2) for account purposes in the performance of and  
832 accounting for all of his or her constitutional and statutory  
833 duties and responsibilities. However, state agencies and the  
834 judicial branch continue to be responsible for maintaining  
835 accounting records necessary for effective management of their  
836 programs and functions.

837 **Section 15. Paragraph (a) of subsection (7) and paragraph**  
838 **(j) of subsection (12) of section 440.13, Florida Statutes, are**  
839 **amended to read:**

840 440.13 Medical services and supplies; penalty for  
841 violations; limitations.—

842 (7) UTILIZATION AND REIMBURSEMENT DISPUTES.—

843 (a) Any health care provider who elects to contest the  
844 disallowance or adjustment of payment by a carrier under  
845 subsection (6) must, within 60 ~~45~~ days after receipt of notice  
846 of disallowance or adjustment of payment, petition the  
847 department to resolve the dispute. The petitioner must serve, by  
848 the United States Postal Service certified mail or by common  
849 carrier with verifiable tracking methods, a copy of the petition  
850 on the carrier and on all affected parties listed on the notice  
851 of disallowance or adjustment ~~by certified mail~~. The petition  
852 must be accompanied by all documents and records that support  
853 the allegations contained in the petition. Failure of a

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854 petitioner to submit such documentation to the department  
855 results in dismissal of the petition.

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

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

860 1. Take testimony, receive records, and collect data to  
861 evaluate the adequacy of the workers' compensation fee schedule,  
862 nationally recognized fee schedules and alternative methods of  
863 reimbursement to health care providers and health care  
864 facilities for inpatient and outpatient treatment and care.

865 2. Survey health care providers and health care facilities  
866 to determine the availability and accessibility of workers'  
867 compensation health care delivery systems for injured workers.

868 3. Survey carriers to determine the estimated impact on  
869 carrier costs and workers' compensation premium rates by  
870 implementing changes to the carrier reimbursement schedule or  
871 implementing alternative reimbursement methods.

872 4. Submit recommendations on or before January 15, 2031  
873 ~~2017~~, and every 5 years ~~biennially~~ thereafter, to the President  
874 of the Senate and the Speaker of the House of Representatives on  
875 methods to improve the workers' compensation health care  
876 delivery system.

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878 The department, as requested, shall provide data to the panel,  
879 including, but not limited to, utilization trends in the  
880 workers' compensation health care delivery system. The  
881 department shall provide the panel with an annual report  
882 regarding the resolution of medical reimbursement disputes and  
883 any actions pursuant to subsection (8). The department shall  
884 provide administrative support and service to the panel to the  
885 extent requested by the panel. The department may adopt rules  
886 pursuant to ss. 120.536(1) and 120.54 to implement this  
887 subsection. For prescription medication purchased under the  
888 requirements of this subsection, a dispensing practitioner shall  
889 not possess such medication unless payment has been made by the  
890 practitioner, the practitioner's professional practice, or the  
891 practitioner's practice management company or employer to the  
892 supplying manufacturer, wholesaler, distributor, or drug  
893 repackager within 60 days of the dispensing practitioner taking  
894 possession of that medication.

895 **Section 16. Section 497.1411, Florida Statutes, is created**  
896 **to read:**

897 497.1411 Disqualification of applicants and licenses;  
898 penalties against licensees; rulemaking.-

899 (1) For purposes of this section, the term "applicant"  
900 means an individual applying for licensure or relicensure under  
901 this chapter, or an officer, director, majority owner, partner,

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902 manager, or other person who manages or controls an entity  
903 applying for licensure or relicensure under this chapter.

904 (2) An applicant who has been found guilty of or has  
905 pleaded guilty or nolo contendere to any of the following  
906 offenses, regardless of adjudication, is permanently barred from  
907 licensure under this chapter:

908 (a) A felony of the first degree.

909 (b) A felony involving conduct prohibited under chapter  
910 497, chapter 787, chapter 794, chapter 796, chapter 800, chapter  
911 825, chapter 827, or chapter 847.

912 (c) A felony involving moral turpitude.

913 (3) An applicant who has been found guilty of, or has  
914 entered a plea of guilty or nolo contendere to an offense not  
915 subject to the permanent bar under subsection (2), regardless of  
916 adjudication, is subject to the following disqualifying periods:

917 (a) A 10-year disqualifying period for any felony to which  
918 the permanent bar in subsection (2) does not apply.

919 Notwithstanding subsection (4), an applicant who has completed  
920 at least one-half of the disqualifying period may apply for a  
921 probationary license for the remainder of the disqualifying  
922 period if, during that time, the applicant has not been found  
923 guilty of, or has not entered a plea of guilty or nolo  
924 contendere to, any offense.

925 (b) A 5-year disqualifying period for all misdemeanors  
926 directly related to chapter 497.

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927 (4) The board shall adopt rules to administer this  
928 section. Such rules must provide additional disqualifying  
929 periods for applicants who have committed multiple criminal  
930 offenses and may provide additional factors for disqualification  
931 reasonably related to the applicant's criminal history. The  
932 rules must also establish mitigating and aggravating factors.  
933 However, mitigation may not reduce any disqualifying period to  
934 less than 5 years and may not be applied to reduce the 5-year  
935 disqualifying period provided in paragraph (3) (b) .

936 (5) For purposes of this section, a disqualifying period  
937 begins upon the applicant's final release from supervision or  
938 upon completion of the applicant's criminal sentence. The board  
939 may not approve issuance of a license to an applicant until the  
940 applicant provides proof that all related fines, court costs,  
941 fees, and court-ordered restitution have been paid.

942 (6) After the disqualifying period has expired, the burden  
943 is on the applicant to demonstrate to the board that he or she  
944 has been rehabilitated, does not pose a risk to the public, is  
945 fit and trustworthy to engage in business regulated by this  
946 chapter, and is otherwise qualified for licensure.

947 (7) Notwithstanding subsections (2) and (3), an applicant  
948 who has been found guilty of, or has pleaded guilty or nolo  
949 contendere to, a crime in subsection (2) or subsection (3), and  
950 who has subsequently been granted a pardon or the restoration of  
951 civil rights pursuant to chapter 940 and s. 8, Art. IV of the

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952 State Constitution, or a pardon or the restoration of civil  
953 rights under the laws of another jurisdiction with respect to a  
954 conviction in that jurisdiction, is not barred or disqualified  
955 from licensure under this chapter; however, such a pardon or  
956 restoration of civil rights does not require the board to award  
957 such license.

958 (8) (a) The board may grant an exemption from  
959 disqualification to any person disqualified from licensure under  
960 subsection (3) if:

961 1. The applicant has paid in full any fee, fine, fund,  
962 lien, civil judgment, restitution, or cost of prosecution  
963 imposed by the court as part of the judgment and sentence for  
964 any disqualifying offense; and

965 2. At least 2 years have elapsed since the applicant  
966 completed or has been lawfully released from confinement,  
967 supervision, or any nonmonetary condition imposed by the court  
968 for a disqualifying offense.

969 (b) For the board to grant an exemption under this  
970 subsection, the applicant must clearly and convincingly  
971 demonstrate that he or she would not pose a risk to persons or  
972 property if licensed under this chapter, evidence of which must  
973 include, but need not be limited to, facts and circumstances  
974 surrounding the disqualifying offense, the time that has elapsed  
975 since the offense, the nature of the offense and harm caused to  
976 the victim, the applicant's history before and after the

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977 offense, and any other evidence or circumstances indicating that  
978 the applicant will not present a danger if licensed or  
979 certified.

980 (c) The board has discretion whether to grant or deny an  
981 exemption under this subsection. The board's decision is subject  
982 to chapter 120.

983 (9) The disqualification periods provided in this section  
984 do not apply to the renewal of a license or to a new application  
985 for licensure if the applicant has an active license as of July  
986 1, 2026, and the applicable criminal history was considered by  
987 the board on the prior approval of any active license held by  
988 the applicant. This section does not affect any criminal history  
989 disclosure requirements of this chapter.

990 **Section 17. Subsection (9) and paragraph (c) of subsection**  
991 **(10) of section 497.142, Florida Statutes, are amended to read:**

992 497.142 Licensing; fingerprinting and criminal background  
993 checks.—

994 (9) If any applicant under this chapter has been, ~~within~~  
995 ~~the 10 years preceding the application under this chapter,~~  
996 convicted or found guilty of, or entered a plea of nolo  
997 contendere to, regardless of adjudication, any crime in any  
998 jurisdiction, the application may ~~shall~~ not be deemed complete  
999 until such time as the applicant provides such certified true  
1000 copies of the court records evidencing the conviction, finding,

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1001 or plea, as required in this section or as the licensing  
1002 authority may by rule require.

1003 (10)

1004 (c) Crimes to be disclosed are:

1005 1. Any felony ~~or misdemeanor~~, no matter when committed,  
1006 ~~that was directly or indirectly related to or involving any~~  
1007 ~~aspect of the practice or business of funeral directing,~~  
1008 ~~embalming, direct disposition, cremation, funeral or cemetery~~  
1009 ~~preneed sales, funeral establishment operations, cemetery~~  
1010 ~~operations, or cemetery monument or marker sales or~~  
1011 ~~installation.~~

1012 2. Any misdemeanor, no matter when committed, that was  
1013 directly related to the practice or activities regulated under  
1014 this chapter ~~Any other felony not already disclosed under~~  
1015 ~~subparagraph 1. that was committed within the 20 years~~  
1016 ~~immediately preceding the application under this chapter.~~

1017 3. Any other misdemeanor not already disclosed under  
1018 subparagraph 2. which ~~subparagraph 1. that~~ was committed within  
1019 the 5 years immediately preceding the application under this  
1020 chapter.

1021 **Section 18. Subsection (11) is added to section 553.80,**  
1022 **Florida Statutes, to read:**

1023 553.80 Enforcement.-

1024 (11) For purposes of the design, construction, erection,  
1025 alteration, fire protection, fire suppression, modification,

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1026 repair, and demolition of a single-family or two-family  
1027 dwelling, such dwelling does not have a change of occupancy as  
1028 defined in the Florida Building Code, solely due to the  
1029 dwelling's use as or conversion into a dwelling used:

1030 (a) By a tax-exempt charitable organization under s.  
1031 501(c)(3) of the Internal Revenue Code whose stated corporate  
1032 purpose relates to the support of people who are living with a  
1033 mental health disorder and has no fewer than two and no more  
1034 than four bedrooms, is occupied by a group of or family of no  
1035 more than six ambulatory adults living with a mental disorder,  
1036 and has no more than two adults assigned to any bedroom; or

1037 (b) For residential migrant housing, as defined in s.  
1038 381.008, that has a permit from the Department of Health  
1039 pursuant to s. 381.0081.

1040 **Section 19. Subsection (10) of section 560.309, Florida**  
1041 **Statutes, is amended to read:**

1042 560.309 Conduct of business.—

1043 (10) If a check is returned to a licensee from a payor  
1044 financial institution due to lack of funds, a closed account, or  
1045 a stop-payment order, the licensee may seek collection pursuant  
1046 to s. 68.065. In seeking collection, the licensee must comply  
1047 with the prohibitions against harassment or abuse, false or  
1048 misleading representations, and unfair practices in the Consumer  
1049 Collection Practices Act under part VI of chapter 559, including  
1050 s. 559.77. The licensee must also comply with the Fair Debt

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1051 Collections Practices Act, 15 U.S.C. ss. 1692d, 1692e, and 1692f  
1052 if the licensee uses a third-party debt collector or any name  
1053 other than its own to collect such debts. A violation of this  
1054 subsection is a deceptive and unfair trade practice and  
1055 constitutes a violation of the Deceptive and Unfair Trade  
1056 Practices Act under part II of chapter 501. ~~In addition, a~~  
1057 ~~licensee must comply with the applicable provisions of the~~  
1058 ~~Consumer Collection Practices Act under part VI of chapter 559,~~  
1059 ~~including s. 559.77.~~

1060 **Section 20. Subsection (3) of section 560.405, Florida**  
1061 **Statutes, is amended to read:**

1062 560.405 Deposit; redemption.—

1063 (3) Notwithstanding subsection (1), in lieu of  
1064 presentment, a deferred presentment provider may allow the check  
1065 to be redeemed at any time upon payment of the outstanding  
1066 transaction balance and earned fees. Redemption in cash or  
1067 through a debit card transaction shall be treated the same.  
1068 However, payment may not be made in the form of a personal check  
1069 or through a credit card transaction. Upon redemption, the  
1070 deferred presentment provider must return the drawer's check and  
1071 provide a signed, dated receipt showing that the drawer's check  
1072 has been redeemed.

1073 **Section 21. Subsection (2) of section 560.406, Florida**  
1074 **Statutes, is amended to read:**

1075 560.406 Worthless checks.—

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1076 (2) If a check is returned to a deferred presentment  
1077 provider from a payor financial institution due to insufficient  
1078 funds, a closed account, or a stop-payment order, the deferred  
1079 presentment provider may pursue all legally available civil  
1080 remedies to collect the check, including, but not limited to,  
1081 the imposition of all charges imposed on the deferred  
1082 presentment provider by the financial institution. In its  
1083 collection practices, a deferred presentment provider must  
1084 comply with the prohibitions against harassment or abuse, false  
1085 or misleading representations, and unfair practices that are  
1086 contained in the Consumer Collection Practices Act under part VI  
1087 of chapter 559, including s. 559.77. A deferred presentment  
1088 provider must also comply with the Fair Debt Collections  
1089 Practices Act, 15 U.S.C. ss. 1692d, 1692e, and 1692f if the  
1090 deferred present provider uses a third-party debt collector or  
1091 any name other than its own to collect such debts. A violation  
1092 of this act is a deceptive and unfair trade practice and  
1093 constitutes a violation of the Deceptive and Unfair Trade  
1094 Practices Act under part II of chapter 501. ~~In addition, a~~  
1095 ~~deferred presentment provider must comply with the applicable~~  
1096 ~~provisions of the Consumer Collection Practices Act under part~~  
1097 ~~VI of chapter 559, including s. 559.77.~~

1098 **Section 22. Section 626.171, Florida Statutes, is amended**  
1099 **to read:**

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1100           626.171 Application for license as an agent, customer  
1101 representative, adjuster, or service representative,~~or~~  
1102 ~~reinsurance intermediary.~~

1103           (1) The department may not issue a license as agent,  
1104 customer representative, adjuster, or service representative,~~or~~  
1105 ~~reinsurance intermediary~~ to any person except upon written  
1106 application filed with the department, meeting the  
1107 qualifications for the license applied for as determined by the  
1108 department, and payment in advance of all applicable fees. The  
1109 application must be made under the oath of the applicant and be  
1110 signed by the applicant. An applicant may permit a third party  
1111 to complete, submit, and sign an application on the applicant's  
1112 behalf, but is responsible for ensuring that the information on  
1113 the application is true and correct and is accountable for any  
1114 misstatements or misrepresentations. The department shall accept  
1115 the uniform application for resident and nonresident agent and  
1116 adjuster licensing. The department may adopt revised versions of  
1117 the uniform application by rule.

1118           (2) In the application, the applicant must include all of  
1119 the following shall set forth:

1120           (a) The applicant's ~~His or her~~ full name, age, social  
1121 security number, residence address, business address, mailing  
1122 address, contact telephone numbers, including a business  
1123 telephone number, and e-mail address.

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1124 (b) A statement indicating the method the applicant used  
1125 or is using to meet any required prelicensing education,  
1126 knowledge, experience, or instructional requirements for the  
1127 type of license applied for.

1128 (c) Whether the applicant ~~he or she~~ has been refused or  
1129 has voluntarily surrendered or has had suspended or revoked a  
1130 license to solicit insurance by the department or by the  
1131 supervising officials of any state.

1132 (d) Whether any insurer or any managing general agent  
1133 claims the applicant is indebted under any agency contract or  
1134 otherwise and, if so, the name of the claimant, the nature of  
1135 the claim, and the applicant's defense thereto, if any.

1136 (e) Proof that the applicant meets the requirements for  
1137 the type of license for which he or she is applying.

1138 (f) The applicant's gender (male or female).

1139 (g) The applicant's native language.

1140 (h) The highest level of education achieved by the  
1141 applicant.

1142 (i) The applicant's race or ethnicity (African American,  
1143 white, American Indian, Asian, Hispanic, or other).

1144 (j) Such other or additional information as the department  
1145 may deem proper to enable it to determine the character,  
1146 experience, ability, and other qualifications of the applicant  
1147 to hold himself or herself out to the public as an insurance  
1148 representative.

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1149  
1150 However, the application must contain a statement that an  
1151 applicant is not required to disclose his or her race or  
1152 ethnicity, gender, or native language, that he or she will not  
1153 be penalized for not doing so, and that the department will use  
1154 this information exclusively for research and statistical  
1155 purposes and to improve the quality and fairness of the  
1156 examinations. The department may ~~shall~~ make provisions for  
1157 applicants to voluntarily submit their cellular telephone  
1158 numbers as part of the application process solely ~~on a voluntary~~  
1159 ~~basis only~~ for the purpose of two-factor authentication of  
1160 secure login credentials ~~only~~.

1161 (3) Each application must be accompanied by payment of any  
1162 applicable fee.

1163 (4) An applicant for a license issued by the department  
1164 under this chapter must submit a set of the individual  
1165 applicant's fingerprints, or, if the applicant is not an  
1166 individual, a set of the fingerprints of the sole proprietor,  
1167 majority owner, partners, officers, and directors, to the  
1168 department and must pay the fingerprint processing fee set forth  
1169 in s. 624.501. Fingerprints must be processed in accordance with  
1170 s. 624.34 and used to investigate the applicant's qualifications  
1171 pursuant to s. 626.201. The fingerprints must be taken by a law  
1172 enforcement agency or other department-approved entity. The  
1173 department may not approve an application for licensure as an

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1174 agent, customer ~~service~~ representative, adjuster, or service  
1175 representative, ~~or reinsurance intermediary~~ if fingerprints have  
1176 not been submitted.

1177 (5) The application for license filing fee prescribed in  
1178 s. 624.501 is not subject to refund.

1179 (6) Members of the United States Armed Forces and their  
1180 spouses, and veterans of the United States Armed Forces who have  
1181 separated from service ~~within 24 months~~ before application for  
1182 licensure, are exempt from the application filing fee prescribed  
1183 in s. 624.501. Qualified individuals must provide a copy of a  
1184 military identification card, military dependent identification  
1185 card, military service record, military personnel file, veteran  
1186 record, discharge paper or separation document that indicates  
1187 such members are currently in good standing or such veterans  
1188 were honorably discharged.

1189 (7) Pursuant to the federal Personal Responsibility and  
1190 Work Opportunity Reconciliation Act of 1996, each party is  
1191 required to provide his or her social security number in  
1192 accordance with this section. Disclosure of social security  
1193 numbers obtained through this requirement must be limited to the  
1194 purpose of administration of the Title IV-D program for child  
1195 support enforcement.

1196 **Section 23. Subsection (3) of section 626.0428, Florida**  
1197 **Statutes, is amended to read:**

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1198 626.0428 Agency personnel powers, duties, and  
1199 limitations.—

1200 (3) An employee or an authorized representative located at  
1201 a designated branch of an agent or agency may not initiate  
1202 contact with any person for the purpose of soliciting insurance  
1203 unless licensed and appointed as an agent or customer  
1204 representative. As to title insurance, an employee of an agent  
1205 or agency may not initiate contact with any individual proposed  
1206 insured for the purpose of soliciting title insurance unless  
1207 licensed as a title insurance agent or exempt from such  
1208 licensure pursuant to s. 626.8417(4) ~~and (5)~~.

1209 **Section 24. Paragraph (c) of subsection (2) of section**  
1210 **626.292, Florida Statutes, is amended to read:**

1211 626.292 Transfer of license from another state.—

1212 (2) To qualify for a license transfer, an individual  
1213 applicant must meet the following requirements:

1214 (c) The individual must submit a completed application for  
1215 this state which is received by the department within 90 days  
1216 after the date the individual became a resident of this state,  
1217 along with payment of the applicable fees set forth in s.  
1218 624.501 and submission of the following documents:

1219 1. A certification issued by the appropriate official of  
1220 the applicant's home state identifying the type of license and  
1221 lines of authority under the license and stating that, ~~at the~~  
1222 ~~time the license from the home state was canceled,~~ the applicant

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1223 was in good standing in that state or that the state's Producer  
1224 Database records, maintained by the National Association of  
1225 Insurance Commissioners, its affiliates, or subsidiaries,  
1226 indicate that the agent or all-lines adjuster is or was licensed  
1227 in good standing for the line of authority requested. An  
1228 applicant may hold a resident license in another state for 30  
1229 days after the Florida resident license has been issued to  
1230 facilitate the transfer of licensure between states.

1231 2. A set of the applicant's fingerprints in accordance  
1232 with s. 626.171(4).

1233 **Section 25. Subsection (1) of section 626.611, Florida**  
1234 **Statutes, is amended to read:**

1235 626.611 Grounds for compulsory refusal, suspension, or  
1236 revocation of agent's, title agency's, adjuster's, customer  
1237 representative's, service representative's, or managing general  
1238 agent's license or appointment.-

1239 (1) The department shall require license reexamination,  
1240 deny an application for, suspend, revoke, or refuse to renew or  
1241 continue the license or appointment of any applicant, agent,  
1242 title agency, adjuster, customer representative, service  
1243 representative, or managing general agent, and it shall suspend  
1244 or revoke the eligibility to hold a license or appointment of  
1245 any such person, if it finds that as to the applicant, licensee,  
1246 or appointee any one or more of the following applicable grounds  
1247 exist:

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1248 (a) Lack of one or more of the qualifications for the  
1249 license or appointment as specified in this code.

1250 (b) Material misstatement, misrepresentation, or fraud in  
1251 obtaining the license or appointment or in attempting to obtain  
1252 the license or appointment.

1253 (c) Failure to pass to the satisfaction of the department  
1254 any examination required under this code, including cheating on  
1255 an examination required for licensure or violating test center  
1256 or examination procedures published orally, in writing, or  
1257 electronically at the test site by authorized representatives of  
1258 the examination program administrator.

1259 (d) If the license or appointment is willfully used, or to  
1260 be used, to circumvent any of the requirements or prohibitions  
1261 of this code.

1262 (e) Willful misrepresentation of any insurance policy or  
1263 annuity contract or willful deception with regard to any such  
1264 policy or contract, done either in person or by any form of  
1265 dissemination of information or advertising.

1266 (f) If, as an adjuster, or agent licensed and appointed to  
1267 adjust claims under this code, he or she has materially  
1268 misrepresented to an insured or other interested party the terms  
1269 and coverage of an insurance contract with intent and for the  
1270 purpose of effecting settlement of claim for loss or damage or  
1271 benefit under such contract on less favorable terms than those  
1272 provided in and contemplated by the contract.

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1273 (g) Demonstrated lack of fitness or trustworthiness to  
1274 engage in the business of insurance.

1275 (h) Demonstrated lack of reasonably adequate knowledge and  
1276 technical competence to engage in the transactions authorized by  
1277 the license or appointment.

1278 (i) Fraudulent or dishonest practices in the conduct of  
1279 business under the license or appointment.

1280 (j) Misappropriation, conversion, or unlawful withholding  
1281 of moneys belonging to insurers or insureds or beneficiaries or  
1282 to others and received in conduct of business under the license  
1283 or appointment.

1284 (k) Unlawfully rebating, attempting to unlawfully rebate,  
1285 or unlawfully dividing or offering to divide his or her  
1286 commission with another.

1287 (l) Having obtained or attempted to obtain, or having used  
1288 or using, a license or appointment as agent or customer  
1289 representative for the purpose of soliciting or handling  
1290 "controlled business" as defined in s. 626.730 with respect to  
1291 general lines agents, s. 626.784 with respect to life agents,  
1292 and s. 626.830 with respect to health agents.

1293 (m) Willful failure to comply with, or willful violation  
1294 of, any proper order or rule of the department or willful  
1295 violation of any provision of this code.

1296 (n) Having been found guilty of or having pleaded guilty  
1297 or nolo contendere to a misdemeanor directly related to the

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1298 financial services business, any felony, or any crime punishable  
1299 by imprisonment of 1 year or more under the law of the United  
1300 States of America or of any state thereof or under the law of  
1301 any other country, without regard to whether a judgment of  
1302 conviction has been entered by the court having jurisdiction of  
1303 such cases.

1304 (o) Fraudulent or dishonest practice in submitting or  
1305 aiding or abetting any person in the submission of an  
1306 application for workers' compensation coverage under chapter 440  
1307 containing false or misleading information as to employee  
1308 payroll or classification for the purpose of avoiding or  
1309 reducing the amount of premium due for such coverage.

1310 (p) Sale of an unregistered security that was required to  
1311 be registered, pursuant to chapter 517.

1312 (q) In transactions related to viatical settlement  
1313 contracts as defined in s. 626.9911:

1314 1. Commission of a fraudulent or dishonest act.

1315 2. No longer meeting the requirements for initial  
1316 licensure.

1317 3. Having received a fee, commission, or other valuable  
1318 consideration for his or her services with respect to viatical  
1319 settlements that involved unlicensed viatical settlement  
1320 providers or persons who offered or attempted to negotiate on  
1321 behalf of another person a viatical settlement contract as  
1322 defined in s. 626.9911 and who were not licensed life agents.

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1323 4. Dealing in bad faith with viators.

1324 **Section 26. Section 626.621, Florida Statutes, is amended**  
1325 **to read:**

1326 626.621 Grounds for discretionary refusal, suspension, or  
1327 revocation of agent's, adjuster's, customer representative's,  
1328 service representative's, or managing general agent's license or  
1329 appointment.—The department may, in its discretion, require a  
1330 license reexamination, deny an application for, suspend, revoke,  
1331 or refuse to renew or continue the license or appointment of any  
1332 applicant, agent, adjuster, customer representative, service  
1333 representative, or managing general agent, and it may suspend or  
1334 revoke the eligibility to hold a license or appointment of any  
1335 such person, if it finds that as to the applicant, licensee, or  
1336 appointee any one or more of the following applicable grounds  
1337 exist under circumstances for which such denial, suspension,  
1338 revocation, or refusal is not mandatory under s. 626.611:

1339 (1) Any cause for which issuance of the license or  
1340 appointment could have been refused had it then existed and been  
1341 known to the department.

1342 (2) Violation of any provision of this code or of any  
1343 other law applicable to the business of insurance in the course  
1344 of dealing under the license or appointment.

1345 (3) Violation of any lawful order or rule of the  
1346 department, commission, or office.

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1347 (4) Failure or refusal, upon demand, to pay over to any  
1348 insurer he or she represents or has represented any money coming  
1349 into his or her hands belonging to the insurer.

1350 (5) Violation of the provision against twisting, as  
1351 defined in s. 626.9541(1)(1).

1352 (6) In the conduct of business under the license or  
1353 appointment, engaging in unfair methods of competition or in  
1354 unfair or deceptive acts or practices, as prohibited under part  
1355 IX of this chapter, or having otherwise shown himself or herself  
1356 to be a source of injury or loss to the public.

1357 (7) Willful overinsurance of any property or health  
1358 insurance risk.

1359 (8) If a life agent, violation of the code of ethics.

1360 (9) Cheating on an examination required for licensure or  
1361 violating test center or examination procedures published  
1362 orally, in writing, or electronically at the test site by  
1363 authorized representatives of the examination program  
1364 administrator. Communication of test center and examination  
1365 procedures must be clearly established and documented.

1366 (10) Failure to inform the department in writing within 30  
1367 days after pleading guilty or nolo contendere to, or being  
1368 convicted or found guilty of, any felony or a crime punishable  
1369 by imprisonment of 1 year or more under the law of the United  
1370 States or of any state thereof, or under the law of any other

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1371 country without regard to whether a judgment of conviction has  
1372 been entered by the court having jurisdiction of the case.

1373 (11) Knowingly aiding, assisting, procuring, advising, or  
1374 abetting any person in the violation of or to violate a  
1375 provision of the insurance code or any order or rule of the  
1376 department, commission, or office.

1377 (12) Has been the subject of or has had a license, permit,  
1378 appointment, registration, or other authority to conduct  
1379 business subject to any decision, finding, injunction,  
1380 suspension, prohibition, revocation, denial, judgment, final  
1381 agency action, or administrative order by any court of competent  
1382 jurisdiction, administrative law proceeding, state agency,  
1383 federal agency, national securities, commodities, or option  
1384 exchange, or national securities, commodities, or option  
1385 association involving a violation of any federal or state  
1386 securities or commodities law or any rule or regulation adopted  
1387 thereunder, or a violation of any rule or regulation of any  
1388 national securities, commodities, or options exchange or  
1389 national securities, commodities, or options association.

1390 (13) Failure to comply with any civil, criminal, or  
1391 administrative action taken by the child support enforcement  
1392 program under Title IV-D of the Social Security Act, 42 U.S.C.  
1393 ss. 651 et seq., to determine paternity or to establish, modify,  
1394 enforce, or collect support.

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1395 (14) Directly or indirectly accepting any compensation,  
1396 inducement, or reward from an inspector for the referral of the  
1397 owner of the inspected property to the inspector or inspection  
1398 company. This prohibition applies to an inspection intended for  
1399 submission to an insurer in order to obtain property insurance  
1400 coverage or establish the applicable property insurance premium.

1401 (15) Denial, suspension, or revocation of, or any other  
1402 adverse administrative action against, a license to practice or  
1403 conduct any regulated profession, business, or vocation by this  
1404 state, any other state, any nation, any possession or district  
1405 of the United States, any court, or any lawful agency thereof.

1406 (16) Taking an action that allows the personal financial  
1407 or medical information of a consumer or customer to be made  
1408 available or accessible to the general public, regardless of the  
1409 format in which the record is stored.

1410 (17) Initiating in-person or telephone solicitation after  
1411 9 p.m. or before 8 a.m. local time of the prospective customer  
1412 unless requested by the prospective customer.

1413 (18) Cancellation of the applicant's, licensee's, or  
1414 appointee's resident license in a state other than Florida.

1415 **Section 27. Subsection (1) of section 626.731, Florida**  
1416 **Statutes, is amended to read:**

1417 626.731 Qualifications for general lines agent's license.-

1418 (1) The department may ~~shall~~ not grant or issue a license  
1419 as general lines agent to any individual found by it to be

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1420 untrustworthy or incompetent or who does not meet each all of  
1421 the following qualifications:

1422 (a) The applicant is a natural person at least 18 years of  
1423 age.

1424 (b) The applicant is a United States citizen or legal  
1425 alien who possesses work authorization from the United States  
1426 Bureau of Citizenship and Immigration Services and is a bona  
1427 fide resident of this state. ~~An individual who is a bona fide  
1428 resident of this state shall be deemed to meet the residence  
1429 requirement of this paragraph, notwithstanding the existence at  
1430 the time of application for license of a license in his or her  
1431 name on the records of another state as a resident licensee of  
1432 such other state, if the applicant furnishes a letter of  
1433 clearance satisfactory to the department that the resident  
1434 licenses have been canceled or changed to a nonresident basis  
1435 and that he or she is in good standing.~~

1436 (c) The applicant's place of business will be located in  
1437 this state and he or she will be actively engaged in the  
1438 business of insurance and will maintain a place of business, the  
1439 location of which is identifiable by and accessible to the  
1440 public.

1441 (d) The license is not being sought for the purpose of  
1442 writing or handling controlled business, in violation of s.  
1443 626.730.

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1444 (e) The applicant is qualified as to knowledge,  
1445 experience, or instruction in the business of insurance and  
1446 meets the requirements provided in s. 626.732.

1447 (f) The applicant has passed any required examination for  
1448 license required under s. 626.221.

1449 **Section 28. Subsection (2) of section 626.785, Florida**  
1450 **Statutes, is amended to read:**

1451 626.785 Qualifications for license.—

1452 ~~(2) An individual who is a bona fide resident of this~~  
1453 ~~state shall be deemed to meet the residence requirement of~~  
1454 ~~paragraph (1)(b), notwithstanding the existence at the time of~~  
1455 ~~application for license of a license in his or her name on the~~  
1456 ~~records of another state as a resident licensee of such other~~  
1457 ~~state, if the applicant furnishes a letter of clearance~~  
1458 ~~satisfactory to the department that the resident licenses have~~  
1459 ~~been canceled or changed to a nonresident basis and that he or~~  
1460 ~~she is in good standing.~~

1461 **Section 29. Section 626.831, Florida Statutes, is amended**  
1462 **to read:**

1463 626.831 Qualifications for license.—

1464 ~~(1)~~ The department may ~~shall~~ not grant or issue a license  
1465 as health agent as to any individual found by it to be  
1466 untrustworthy or incompetent, or who does not meet all of the  
1467 following qualifications:

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1468            (1)(a) ~~Is Must be~~ a natural person of at least 18 years of  
1469 age.

1470            (2)(b) ~~Is Must be~~ a United States citizen or legal alien  
1471 who possesses work authorization from the United States Bureau  
1472 of Citizenship and Immigration Services and is a bona fide  
1473 resident of this state.

1474            (3)(c) ~~Is Must~~ not be an employee of the United States  
1475 Department of Veterans Affairs or state service office, as  
1476 referred to in s. 626.833.

1477            (4)(d) ~~Has taken Must take~~ and passed ~~pass~~ any examination  
1478 for license required under s. 626.221.

1479            (5)(e) ~~Is Must be~~ qualified as to knowledge, experience,  
1480 or instruction in the business of insurance and meets ~~meet~~ the  
1481 requirements relative thereto provided in s. 626.8311.

1482            ~~(2) An individual who is a bona fide resident of this  
1483 state shall be deemed to meet the residence requirement of  
1484 paragraph (1)(b), notwithstanding the existence at the time of  
1485 application for license of a license in his or her name on the  
1486 records of another state as a resident licensee of such other  
1487 state, if the applicant furnishes a letter of clearance  
1488 satisfactory to the department that the resident licenses have  
1489 been canceled or changed to a nonresident basis and that he or  
1490 she is in good standing.~~

1491            **Section 30. Subsection (5) of section 626.8417, Florida**  
1492 **Statutes, is amended to read:**

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1493 626.8417 Title insurance agent licensure; exemptions.-

1494 ~~(5) An insurer may designate a corporate officer of the~~  
1495 ~~insurer to occasionally issue and countersign binders,~~  
1496 ~~commitments, and policies of title insurance. The designated~~  
1497 ~~officer is exempt from the provisions of this chapter relating~~  
1498 ~~to title insurance licensing and appointment requirements while~~  
1499 ~~the officer is acting within the scope of the designation.~~

1500 **Section 31. Subsection (24) is added to section 626.854,**  
1501 **Florida Statutes, to read:**

1502 626.854 "Public adjuster" defined; prohibitions.—The  
1503 Legislature finds that it is necessary for the protection of the  
1504 public to regulate public insurance adjusters and to prevent the  
1505 unauthorized practice of law.

1506 (24) A public adjuster, public adjuster apprentice, or  
1507 public adjusting firm must respond with specific information to  
1508 a written or electronic request for claims status from a  
1509 claimant or insured or their designated representative within 14  
1510 days after the date of the request and shall document in the  
1511 file the response or information provided.

1512 **Section 32. Subsection (4) of section 648.34, Florida**  
1513 **Statutes, is amended to read:**

1514 648.34 Bail bond agents; qualifications.—

1515 (4) The applicant shall furnish, with his or her  
1516 application, a complete set of his or her fingerprints in  
1517 accordance with s. 626.171(4) ~~and a recent credential-sized,~~

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1518 ~~fullface photograph of the applicant.~~ The department ~~may shall~~  
1519 not authorize an applicant to take the required examination  
1520 until the department has received a report from the Department  
1521 of Law Enforcement and the Federal Bureau of Investigation  
1522 relative to the existence or nonexistence of a criminal history  
1523 report based on the applicant's fingerprints.

1524 **Section 33. Subsection (2) of section 648.382, Florida**  
1525 **Statutes, is amended to read:**

1526 648.382 Appointment of bail bond agents and bail bond  
1527 agencies; effective date of appointment.—

1528 (2) Before any appointment, an appropriate officer or  
1529 official of the appointing insurer must obtain all of the  
1530 following information ~~submit~~:

1531 (a) A certified statement or affidavit to the department  
1532 stating what investigation has been made concerning the proposed  
1533 appointee and the proposed appointee's background and the  
1534 appointing person's opinion to the best of his or her knowledge  
1535 and belief as to the moral character and reputation of the  
1536 proposed appointee. In lieu of such certified statement or  
1537 affidavit, by authorizing the effectuation of an appointment for  
1538 a licensee, the appointing entity certifies to the department  
1539 that such investigation has been made and that the results of  
1540 the investigation and the appointing person's opinion is that  
1541 the proposed appointee is a person of good moral character and  
1542 reputation and is fit to engage in the bail bond business. ~~†~~

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1543 (b) An affidavit under oath on a form prescribed by the  
1544 department, signed by the proposed appointee, stating that  
1545 premiums are not owed to any insurer and that the appointee will  
1546 discharge all outstanding forfeitures and judgments on bonds  
1547 previously written. If the appointee does not satisfy or  
1548 discharge such forfeitures or judgments, the former insurer  
1549 shall file a notice, with supporting documents, with the  
1550 appointing insurer, the former agent or agency, and the  
1551 department, stating under oath that the licensee has failed to  
1552 timely satisfy forfeitures and judgments on bonds written and  
1553 that the insurer has satisfied the forfeiture or judgment from  
1554 its own funds. Upon receipt of such notification and supporting  
1555 documents, the appointing insurer shall immediately cancel the  
1556 licensee's appointment. The licensee may be reappointed only  
1557 upon certification by the former insurer that all forfeitures  
1558 and judgments on bonds written by the licensee have been  
1559 discharged. The appointing insurer or former agent or agency  
1560 may, within 10 days, file a petition with the department seeking  
1561 relief from this paragraph. Filing of the petition stays the  
1562 duty of the appointing insurer to cancel the appointment until  
1563 the department grants or denies the petition.†

1564 (c) Any other information that the department reasonably  
1565 requires concerning the proposed appointee.†~~and~~

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1566 (d) Effective January 1, 2025, a certification that the  
1567 appointing entity obtained from each appointee the following  
1568 sworn statement:

1569  
1570 Pursuant to section 648.382(2)(b), Florida Statutes, I  
1571 do solemnly swear that I owe no premium to any insurer  
1572 or agency and that I will discharge all outstanding  
1573 forfeitures and judgments on bonds that have been  
1574 previously written. I acknowledge that failure to do  
1575 this will result in my active appointments being  
1576 canceled.

1577  
1578 An appointed bail bond agency must have the attestation under  
1579 this paragraph signed by its owner.

1580 **Section 34.** Section 627.797, Florida Statutes, is  
1581 repealed.

1582 **Section 35. Subsection (11) of section 633.208, Florida**  
1583 **Statutes, is amended to read:**

1584 633.208 Minimum firesafety standards.—

1585 (11) Notwithstanding subsection (8), a single-family or  
1586 two-family dwelling may not be reclassified for purposes of  
1587 enforcing the Florida Fire Prevention Code solely due to such  
1588 dwelling's use as or conversion into:

1589 (a) ~~that is~~ A certified recovery residence, as defined in  
1590 s. 397.311, or ~~that is~~ a recovery residence, as defined in s.

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1591 397.311, that has a charter from an entity recognized or  
1592 sanctioned by Congress; or

1593 (b) A residence owned by a tax-exempt charitable  
1594 organization under s. 501(c)(3) of the Internal Revenue Code  
1595 whose stated corporate purpose relates to the support of people  
1596 who are living with a mental health disorder, which has no fewer  
1597 than two and no more than four bedrooms, is occupied by a group  
1598 or family of no more than six ambulatory adults living with a  
1599 mental health disorder, and has no more than two adults assigned  
1600 to any bedroom; or

1601 (c) residential migrant housing, as defined in s. 381.008,  
1602 that has a permit from the Department of Health pursuant to s.  
1603 381.0081 may not be reclassified for purposes of enforcing the  
1604 Florida Fire Prevention Code solely due to such use.

1605 **Section 36. Section 717.001, Florida Statutes, is amended**  
1606 **to read:**

1607 717.001 Short title.—This chapter may be cited as the  
1608 "Florida Disposition of Abandoned Personal Unclaimed Property  
1609 Act."

1610 **Section 37. Present subsections (1) through (4), (5)**  
1611 **through (8), (10) through (13), (15) through (20), (21), (22)**  
1612 **through (28), and (31), (32), and (33) of section 717.101,**  
1613 **Florida Statutes, are redesignated as subsections (4) through**  
1614 **(7), (9) through (12), (13) through (16), (17) through (22),**  
1615 **(24), (26) through (32), and (33), (34), and (35), respectively,**

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1616 **new subsections (1), (2), (3), (8), (23), and (25) are added to**  
1617 **that section, and present subsections (1), (2), (5), (6), (8),**  
1618 **(9), (12), (14), (16), (18), (19), (20), (22), (25), (29), and**  
1619 **(30) of that section are amended, to read:**

1620 717.101 Definitions.—As used in this chapter, unless the  
1621 context otherwise requires:

1622 (1) "Abandoned property" means property held by a holder  
1623 for which all of the following are true:

1624 (a) The apparent owner has shown no activity or indication  
1625 of interest for the duration of the applicable dormancy period  
1626 established under this chapter.

1627 (b) The holder has complied with the due diligence  
1628 requirements set forth in this chapter, including the issuance  
1629 of notice to the apparent owner, and has received no response or  
1630 contact sufficient to demonstrate continued interest in the  
1631 property.

1632 (c) For purposes of this chapter, property is presumed  
1633 abandoned upon expiration of the applicable dormancy period  
1634 established under this chapter. Once the dormancy period has  
1635 expired, the holder must comply with the due diligence  
1636 requirements set forth in 717.117. If the holder receives no  
1637 response or contact sufficient to demonstrate continued interest  
1638 in the property after completion of its due diligence efforts,  
1639 the property is deemed abandoned and subject to reporting and

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1640 remittance to the department for custodial holding on behalf of  
1641 the owner.

1642 (2) "Abandoned Property Purchase Agreement" means the form  
1643 adopted by the department pursuant to s. 717.135 which must be  
1644 used, without modification or amendment, by a claimant  
1645 representative to purchase abandoned property from an owner.

1646 (3) "Abandoned Property Recovery Agreement" means the form  
1647 adopted by the department pursuant to s. 717.135 which must be  
1648 used, without modification or amendment, by a claimant  
1649 representative to obtain consent and authority to recover  
1650 abandoned property on behalf of a person.

1651 (4)~~(1)~~ "Aggregate" means the amounts reported for owners  
1652 of abandoned ~~unclaimed~~ property of less than \$10 or where there  
1653 is no name for the individual or entity listed on the holder's  
1654 records, regardless of the amount to be reported.

1655 (5)~~(2)~~ "Apparent owner" means the person whose name  
1656 appears on the records of the holder as the owner of the  
1657 abandoned property, but whose status as the true owner entitled  
1658 to receive the property may be subject to change due to the  
1659 passage of time or changes in circumstances ~~person entitled to~~  
1660 ~~property held, issued, or owing by the holder.~~

1661 (6) "Asset Purchaser" means a business association that has  
1662 purchased property from a large business association as defined  
1663 in s. 717.1356(6).

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1664           (8) "Authorized representative" means a person or entity  
1665 legally empowered to act on behalf of the apparent owner or his  
1666 or estate, including, but not limited to, an agent, a fiduciary,  
1667 a personal representative, a trustee, a legal heir, a guardian,  
1668 or any other individual or entity authorized by law or  
1669 agreement.

1670           ~~(9)-(5)~~ "Banking or financial organization" means any and  
1671 all banks, trust companies, private bankers, savings banks,  
1672 industrial banks, safe-deposit companies, savings and loan  
1673 associations, credit unions, savings associations, banking  
1674 organizations, international bank agencies, cooperative banks,  
1675 building and loan associations, and investment companies in this  
1676 state, organized under or subject to the laws of this state or  
1677 of the United States, including entities organized under 12  
1678 U.S.C. s. 611, but does not include federal reserve banks. The  
1679 term also includes any corporation, business association, or  
1680 other organization that:

1681           (a) Is a wholly or partially owned subsidiary of any  
1682 banking, banking corporation, or bank holding company that  
1683 performs any or all of the functions of a banking organization;  
1684 or

1685           (b) Performs functions pursuant to the terms of a contract  
1686 with any banking organization.

1687           ~~(10)-(6)~~ "Business association" means any for-profit or  
1688 nonprofit corporation other than a public corporation; joint

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1689 stock company; investment company; unincorporated association or  
1690 association of two or more individuals for business purposes,  
1691 whether or not for profit; partnership; joint venture; limited  
1692 liability company; sole proprietorship; business trust; trust  
1693 company; land bank; safe-deposit company; safekeeping  
1694 depository; banking or financial organization; insurance  
1695 company; federally chartered entity; utility company; transfer  
1696 agent; or other business entity, whether or not for profit.

1697 ~~(12)(8)~~ "Claimant ~~Claimant's~~ representative" means an  
1698 attorney who is a member in good standing with ~~of~~ The Florida  
1699 Bar, a certified public accountant licensed in this state, or a  
1700 private investigator ~~who is duly licensed to do business in this~~  
1701 ~~the state, who is~~ registered with the department, and authorized  
1702 to file claims on behalf of persons with the department by the  
1703 ~~claimant to claim unclaimed property on the claimant's behalf.~~  
1704 The term does not include a person acting in a representative or  
1705 fiduciary capacity, such as a personal representative, guardian,  
1706 trustee, or attorney, whose representation is not contingent  
1707 upon the discovery or location of abandoned unclaimed property,  
1708 and it expressly excludes locators, who engage in locating  
1709 owners of abandoned property for a fee but are not registered  
1710 with the department; provided, however, that any agreement  
1711 ~~entered into for the purpose of evading s. 717.135 is invalid~~  
1712 ~~and unenforceable.~~

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1713 ~~(9) "Credit balance" means an account balance in the~~  
1714 ~~customer's favor.~~

1715 (15)~~(12)~~ "Due diligence" means the use of reasonable and  
1716 prudent methods under particular circumstances to locate  
1717 apparent owners of presumed abandoned property ~~inactive accounts~~  
1718 using the taxpayer identification number or social security  
1719 number, if known, which may include, but are not limited to,  
1720 using a nationwide database, cross-indexing with other records  
1721 of the holder, mailing to the last known address unless the last  
1722 known address is known to be inaccurate, providing written  
1723 notice as described in this chapter by electronic mail if an  
1724 apparent owner has elected such delivery, or engaging a licensed  
1725 agency or company capable of conducting such search and  
1726 providing updated addresses.

1727 ~~(14) "Financial organization" means a savings association,~~  
1728 ~~savings and loan association, savings bank, industrial bank,~~  
1729 ~~bank, banking organization, trust company, international bank~~  
1730 ~~agency, cooperative bank, building and loan association, or~~  
1731 ~~credit union.~~

1732 (18)~~(16)~~ "Holder" means a person who is in possession of  
1733 property belonging to another or who owes a debt or an  
1734 obligation to another person, including, but not limited to,  
1735 financial institutions, insurance companies, corporations,  
1736 partnerships, fiduciaries, and government agencies.

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1737 ~~(a) A person who is in possession or control or has~~  
1738 ~~custody of property or the rights to property belonging to~~  
1739 ~~another; is indebted to another on an obligation; or is~~  
1740 ~~obligated to hold for the account of, or to deliver or pay to,~~  
1741 ~~the owner, property subject to this chapter; or~~

1742 ~~(b) A trustee in case of a trust.~~

1743 ~~(20)(18)~~ "Intangible property" includes, by way of  
1744 illustration and not limitation:

1745 (a) Moneys, checks, virtual currency, drafts, deposits,  
1746 interest, dividends, and income.

1747 (b) Credit balances, customer overpayments, security  
1748 deposits and other instruments as defined by chapter 679,  
1749 refunds, unpaid wages, unused airline tickets, and unidentified  
1750 remittances.

1751 (c) Stocks, and other intangible ownership interests in  
1752 business associations except for:

1753 1. A non-freely transferable security; or

1754 2. A security that is subject to a lien, legal hold, or  
1755 restriction evidenced on the records of the holder or imposed by  
1756 operation of law, if the lien, legal hold, or restriction  
1757 restricts the holder's or owner's ability to receive, transfer,  
1758 sell, or otherwise negotiate the security.

1759 (d) Moneys deposited to redeem stocks, bonds, bearer  
1760 bonds, original issue discount bonds, coupons, and other  
1761 securities, or to make distributions.

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1762 (e) Amounts due and payable under the terms of insurance  
1763 policies.

1764 (f) Amounts distributable from a trust or custodial fund  
1765 established under a plan to provide any health, welfare,  
1766 pension, vacation, severance, retirement, death, stock purchase,  
1767 profit sharing, employee savings, supplemental unemployment  
1768 insurance, or similar benefit.

1769 (21)~~(19)~~ "Last known address" means a description of the  
1770 location of the apparent owner sufficient for the purpose of the  
1771 delivery of mail. For the purposes of identifying, reporting,  
1772 and remitting property to the department ~~which is presumed to be~~  
1773 ~~unclaimed, the term "last known address"~~ includes any partial  
1774 description of the location of the apparent owner sufficient to  
1775 establish the apparent owner was a resident of this state at the  
1776 time of last contact with the apparent owner or at the time the  
1777 property became due and payable.

1778 (22)~~(20)~~ "Lawful charges" means charges against the  
1779 property or the account in which the property is held ~~dormant~~  
1780 ~~accounts~~ that are authorized by statute for the purpose of  
1781 offsetting the costs of maintaining the property or the account  
1782 in which the property is held ~~dormant account~~.

1783 (23) "Locator" means a private individual or business that  
1784 locates owners of abandoned property in exchange for a fee,  
1785 typically a percentage of the recovered property. Locators are

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1786 not employees or agents of the state and are not registered with  
1787 the department.

1788 (25) "Non-freely transferable security" means a security  
1789 that cannot be delivered to the administrator by the Depository  
1790 Trust Clearing Corporation or similar custodian of securities  
1791 providing post-trade clearing and settlement services to  
1792 financial markets or cannot be delivered because there is no  
1793 agent to effect transfer. The term includes a worthless  
1794 security.

1795 (26)-(22) "Owner" means the a person, ~~or the person's legal~~  
1796 ~~representative,~~ entitled to receive or having a legal or  
1797 equitable interest in the abandoned property. An owner  
1798 establishes his or her entitlement by filing a valid claim with  
1799 the department pursuant ~~or claim against property subject to~~  
1800 this chapter; ~~a depositor in the case of a deposit; a~~  
1801 ~~beneficiary in the case of a trust or a deposit in trust; or a~~  
1802 ~~payee in the case of a negotiable instrument or other intangible~~  
1803 ~~property.~~

1804 (29)-(25) "Record" means information that is captured or  
1805 maintained in any format, including written, printed,  
1806 electronic, audio, visual, or other forms, and that can be made  
1807 perceptible or understandable to a person, either directly or  
1808 through technological means, including assistive technologies  
1809 ~~inscribed on a tangible medium or that is stored in an~~

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1810 ~~electronic or other medium and is retrievable in perceivable~~  
1811 ~~form.~~

1812 ~~(29) "Unclaimed Property Purchase Agreement" means the~~  
1813 ~~form adopted by the department pursuant to s. 717.135 which must~~  
1814 ~~be used, without modification or amendment, by a claimant's~~  
1815 ~~representative to purchase unclaimed property from an owner.~~

1816 ~~(30) "Unclaimed Property Recovery Agreement" means the~~  
1817 ~~form adopted by the department pursuant to s. 717.135 which must~~  
1818 ~~be used, without modification or amendment, by a claimant's~~  
1819 ~~representative to obtain an owner's consent and authority to~~  
1820 ~~recover unclaimed property on the owner's behalf.~~

1821 **Section 38. Section 717.102, Florida Statutes, is amended**  
1822 **to read:**

1823 717.102 Property presumed abandoned ~~unclaimed~~; general  
1824 rule.—

1825 (1) Except as otherwise provided by this chapter, all  
1826 intangible property, including any income or increment thereon  
1827 less any lawful charges, that is held, issued, or owing in the  
1828 ordinary course of the holder's business and for which the  
1829 apparent owner or authorized representative fails to demonstrate  
1830 continued interest for more than the applicable dormancy period  
1831 prescribed by this chapter shall be presumed abandoned ~~claim~~  
1832 ~~such property for more than 5 years after the property becomes~~  
1833 ~~payable or distributable is presumed unclaimed, except as~~  
1834 ~~otherwise provided by this chapter. Unless otherwise specified~~

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1835 by law, the dormancy period shall be 5 years from the date the  
1836 property becomes payable or distributable. For the purposes of  
1837 this chapter, property shall be considered payable or  
1838 distributable once the holder's obligation to pay or deliver the  
1839 property arises, regardless of whether the apparent owner or  
1840 authorized representative has failed to demand or to present  
1841 documents required to receive payment.

1842 ~~(2) Property is payable or distributable for the purpose~~  
1843 ~~of this chapter notwithstanding the owner's failure to make~~  
1844 ~~demand or to present any instrument or document required to~~  
1845 ~~receive payment.~~

1846 ~~(3)~~ A presumption that property is abandoned may be  
1847 unclaimed is rebutted by the affirmative demonstration of  
1848 continued interest by the apparent owner or authorized  
1849 representative ~~an apparent owner's expression of interest in the~~  
1850 ~~property.~~ Such demonstration ~~An owner's expression of~~ continued  
1851 interest in property includes, but is not limited to, any of the  
1852 following:

1853 (a) A record communicated by the apparent owner or  
1854 authorized representative to the holder or its agent ~~of the~~  
1855 ~~holder~~ concerning the property or the account in which the  
1856 property is held.†

1857 (b) An oral communication by the apparent owner or  
1858 authorized representative to the holder or its agent ~~of the~~  
1859 ~~holder~~ concerning the property or the account in which the

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1860 property is held, if the holder or its agent contemporaneously  
1861 records ~~makes~~ and preserves evidence ~~a record~~ of the ~~fact of the~~  
1862 ~~apparent owner's~~ communication.†

1863 (c) Presentment of a check or other instrument for ~~of~~  
1864 payment of ~~a~~ dividends ~~dividend~~, interest ~~payment~~, or other  
1865 distributions related to the property. ~~distribution, with~~  
1866 ~~respect to an account, underlying security, or interest in a~~  
1867 ~~business association;~~

1868 (d) Any account activity initiated ~~directed~~ by an apparent  
1869 owner or authorized representative ~~in the account in which the~~  
1870 ~~property is held~~, including accessing the account or directing  
1871 changes to information concerning the account,† or to the amount  
1872 or type of property held, excluding routine automatic  
1873 transactions previously authorized, ~~a direction by the apparent~~  
1874 ~~owner~~ to increase, decrease, or otherwise change the amount or  
1875 type of property held in the account.†

1876 (e) Any ~~A~~ deposit into or withdrawal from the property or  
1877 the an account in which the property is held at a financial  
1878 ~~organization,~~ excluding ~~an~~ automatic deposits, withdrawals, or  
1879 reinvestments ~~deposit or withdrawal~~ previously authorized by the  
1880 apparent owner or authorized representative. ~~an automatic~~  
1881 ~~reinvestment of dividends or interest, which does not constitute~~  
1882 ~~an expression of interest; or~~

1883 (f) Any other action by the apparent owner or authorized  
1884 representative which reasonably demonstrates to the holder that

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1885 the apparent owner or authorized representative is aware of and  
1886 maintains an interest in ~~knows that~~ the property ~~exists~~.

1887 ~~(3)-(4)~~ If a holder learns or receives confirmation of an  
1888 apparent owner's death, the property shall be presumed abandoned  
1889 ~~unclaimed~~ 2 years after the date of death, unless an authorized  
1890 representative makes an affirmative demonstration ~~a fiduciary~~  
1891 ~~appointed to represent the estate of the apparent owner has made~~  
1892 ~~an expression~~ of interest in the property before the expiration  
1893 of the 2-year period. This subsection may not be construed to  
1894 extend the otherwise applicable dormancy period prescribed by  
1895 this chapter.

1896 **Section 39. Section 717.103, Florida Statutes, is amended**  
1897 **to read:**

1898 717.103 General rules for taking custody of intangible  
1899 abandoned unclaimed property.—Unless otherwise provided in this  
1900 chapter or by other statute of this state, intangible property  
1901 is subject to the custody of the department as abandoned  
1902 ~~unclaimed~~ property when if the conditions leading to a  
1903 presumption that the property is abandoned unclaimed as  
1904 described in ss. 717.102 and 717.105-717.116 are satisfied and  
1905 the holder has fulfilled all required due diligence obligations  
1906 without receiving any response or claim from the apparent owner,  
1907 and one or more of the following criteria apply:

1908 (1) The last known address, as shown on the records of the  
1909 holder, of the apparent owner is in this state.†

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1910 (2) The records of the holder do not identify the name of  
1911 the apparent owner, but do reflect ~~the identity of the person~~  
1912 ~~entitled to the property, and it is established~~ that the last  
1913 known address of the apparent owner ~~person entitled to the~~  
1914 ~~property~~ is in this state.†

1915 (3) The records of the holder do not reflect the last  
1916 known address of the apparent owner, but ~~and~~ it is established  
1917 that either of the following conditions apply:

1918 (a) The last known address of the apparent owner ~~person~~  
1919 ~~entitled to the property~~ is in this state.† ~~or~~

1920 (b) The holder is domiciled in this state, ~~a domiciliary~~  
1921 ~~or is~~ a government entity or ~~governmental~~ subdivision or ~~agency~~  
1922 of this state, and has not previously paid the property to the  
1923 state of the last known address of the apparent owner. ~~or other~~  
1924 ~~person entitled to the property;~~

1925 (4) The last known address, as shown on the records of the  
1926 holder, of the apparent owner ~~or other person entitled to the~~  
1927 ~~property~~ is in a jurisdiction state that does not have  
1928 applicable ~~provide by law for the~~ escheat, abandoned, or  
1929 unclaimed property laws ~~eustodial taking of the property, or its~~  
1930 ~~escheat or unclaimed property law is not applicable to the~~  
1931 ~~property,~~ and the holder is domiciled in this state a  
1932 ~~domiciliary~~ or is a government entity or ~~governmental~~  
1933 subdivision or agency of this state.†

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1934 (5) The last known address, as shown on the records of the  
1935 holder, of the apparent owner is in a foreign nation and the  
1936 holder is domiciled in this state ~~a domiciliary~~ or is a  
1937 government entity or ~~governmental~~ subdivision or agency of this  
1938 state. ~~;~~ ~~or~~

1939 (6) The transaction out of which the property arose  
1940 occurred in this state, ~~and~~ both of the following are true:

1941 (a) ~~1.~~ The last known address of the apparent owner ~~or~~  
1942 ~~other person entitled to the property~~ is unknown. ~~;~~ ~~or~~

1943 ~~2.~~ ~~The last known address of the apparent owner or other~~  
1944 ~~person entitled to the property is in a state that does not~~  
1945 ~~provide by law for the escheat or custodial taking of the~~  
1946 ~~property, or its escheat or unclaimed property law is not~~  
1947 ~~applicable to the property; and~~

1948 (b) The holder is domiciled in a jurisdiction ~~a~~  
1949 ~~domiciliary of a state that does not~~ have applicable ~~provide by~~  
1950 ~~law for the escheat, abandoned, or custodial taking of the~~  
1951 ~~property, or its escheat or unclaimed property laws~~ law is not  
1952 ~~applicable to the property.~~

1953 **Section 40.** Section 717.1035, Florida Statutes, is  
1954 repealed.

1955 **Section 41. Section 717.104, Florida Statutes, is amended**  
1956 **to read:**

1957 717.104 Traveler's checks and money orders.—

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1958 (1) Subject to subsection (4), any sum payable on a  
1959 traveler's check that has been outstanding for more than 15  
1960 years after its issuance is presumed abandoned ~~unclaimed~~ unless  
1961 the apparent owner or authorized representative, within 15  
1962 years, has demonstrated a continued interest in the property in  
1963 accordance with s. 717.102 ~~communicated in writing with the~~  
1964 ~~issuer concerning it or otherwise indicated an interest as~~  
1965 ~~evidenced by a memorandum or other record on file with the~~  
1966 ~~issuer.~~

1967 (2) Subject to subsection (4), any sum payable on a money  
1968 order or similar written instrument, other than a third party  
1969 bank check, that has been outstanding for more than 7 years  
1970 after its issuance is presumed abandoned ~~unclaimed~~ unless the  
1971 apparent owner or authorized representative, within 7 years, has  
1972 demonstrated a continued interest in the property in accordance  
1973 with s. 717.102 ~~communicated in writing with the issuer~~  
1974 ~~concerning it or otherwise indicated an interest as evidenced by~~  
1975 ~~a memorandum or other record on file with the issuer.~~

1976 (3) A ~~No~~ holder may not deduct from the amount of any  
1977 traveler's check or money order any charges imposed by reason of  
1978 the failure to present those instruments for payment unless  
1979 there is a valid and enforceable written contract between the  
1980 holder ~~issuer~~ and the apparent owner of the property pursuant to  
1981 which the holder ~~issuer~~ may impose those charges and the holder  
1982 ~~issuer~~ regularly imposes those charges and does not regularly

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1983 reverse or otherwise cancel those charges with respect to the  
1984 property.

1985 (4) No sum payable on a traveler's check, money order, or  
1986 similar written instrument, other than a third party bank check,  
1987 described in subsections (1) and (2) may be subjected to the  
1988 custody of this state as abandoned ~~unclaimed~~ property unless any  
1989 of the following conditions are met:

1990 (a) The records of the holder ~~issuer~~ show that the  
1991 traveler's check, money order, or similar written instrument was  
1992 purchased in this state. ~~†~~

1993 (b) The holder ~~issuer~~ has its principal place of business  
1994 in this state and its ~~the~~ records ~~of the issuer~~ do not show the  
1995 state in which the traveler's check, money order, or similar  
1996 written instrument was purchased. ~~†; or~~

1997 (c) The holder ~~issuer~~ has its principal place of business  
1998 in this state; the holder's records ~~of the issuer~~ show the state  
1999 in which the traveler's check, money order, or similar written  
2000 instrument was purchased; and the ~~laws of the state of purchase~~  
2001 does not provide applicable ~~do not provide for the escheat,~~  
2002 abandoned, or unclaimed property laws ~~or custodial taking of the~~  
2003 ~~property, or its escheat or unclaimed property law is not~~  
2004 ~~applicable to the property.~~

2005 (5) Notwithstanding any other provision of this chapter,  
2006 subsection (4) applies to sums payable on traveler's checks,  
2007 money orders, and similar written instruments presumed abandoned

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2008 ~~unclaimed~~ on or after February 1, 1965, except to the extent  
2009 that those sums have been paid over to a state prior to January  
2010 1, 1974.

2011 **Section 42. Section 717.1045, Florida Statutes, is amended**  
2012 **to read:**

2013 717.1045 Gift certificates and similar credit items.—  
2014 Notwithstanding s. 717.117, an unredeemed gift certificate or  
2015 credit memo as defined in s. 501.95 is not required to be  
2016 reported as abandoned ~~unclaimed~~ property.

2017 (1) The consideration paid for an unredeemed gift  
2018 certificate or credit memo is the property of the issuer of the  
2019 unredeemed gift certificate or credit memo.

2020 (2) An unredeemed gift certificate or credit memo is  
2021 subject only to any rights of a purchaser or owner thereof and  
2022 is not subject to a claim made by any state acting on behalf of  
2023 a purchaser or owner.

2024 (3) It is the intent of the Legislature that this section  
2025 apply to the custodial holding of unredeemed gift certificates  
2026 and credit memos.

2027 (4) However, a gift certificate or credit memo described  
2028 in s. 501.95(2)(b) shall be reported as abandoned ~~unclaimed~~  
2029 property. The consideration paid for such a gift certificate or  
2030 credit memo is the property of the owner of the gift certificate  
2031 or credit memo.

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2032           **Section 43. Section 717.105, Florida Statutes, is amended**  
2033 **to read:**

2034           717.105 Checks, drafts, and similar instruments issued or  
2035 certified by banking and financial organizations.—

2036           (1) Any sum payable on a check, draft, or similar  
2037 instrument, except those subject to ss. 717.104 and 717.115, on  
2038 which a banking or financial organization is directly liable,  
2039 including, but not limited to, a cashier's check or a certified  
2040 check, which has been outstanding for more than 5 years after it  
2041 was payable or after its issuance if payable on demand, is  
2042 presumed abandoned ~~unclaimed~~ unless the apparent owner or  
2043 authorized representative, within 5 years, has communicated in  
2044 writing with the banking or financial organization concerning it  
2045 or otherwise demonstrated a continued interest in the property  
2046 in accordance with s. 717.102 ~~indicated an interest as evidenced~~  
2047 ~~by a memorandum or other record on file with the banking or~~  
2048 ~~financial organization.~~

2049           (2) A ~~No~~ holder may not deduct from the amount of any  
2050 instrument subject to this section any charges imposed by reason  
2051 of the failure to present the instrument for encashment unless  
2052 there is a valid and enforceable written contract between the  
2053 holder and the apparent owner of the instrument pursuant to  
2054 which the holder may impose those charges and does not regularly  
2055 reverse or otherwise cancel those charges with respect to the  
2056 instrument.

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2057           **Section 44. Subsection (1), paragraphs (a) and (b) of**  
2058 **subsection (3), and subsections (4) and (5) of section 717.106,**  
2059 **Florida Statutes, are amended to read:**

2060           717.106 Bank deposits and funds in financial  
2061 organizations.—

2062           (1) Any demand, savings, or matured time deposit with a  
2063 banking or financial organization, including deposits that are  
2064 automatically renewable, and any funds paid toward the purchase  
2065 of shares, a mutual investment certificate, or any other  
2066 interest in a banking or financial organization is presumed  
2067 abandoned ~~unclaimed~~ unless the apparent owner or authorized  
2068 representative has, within 5 years, engaged in any of the  
2069 following activities:

2070           (a) Increased or decreased the amount of the deposit or  
2071 presented the passbook or other similar evidence of the deposit  
2072 for the crediting of interest.†

2073           (b) Communicated in writing or by documented telephone  
2074 contact with the banking or financial organization concerning  
2075 the property.†

2076           (c) Otherwise demonstrated a continued ~~indicated an~~  
2077 interest in the property as evidenced by a memorandum or other  
2078 record on file with the banking or financial organization.†

2079           (d) Owned other property to which paragraph (a), paragraph  
2080 (b), or paragraph (c) is applicable and if the banking or  
2081 financial organization communicates in writing with the owner

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2082 with regard to the property that would otherwise be presumed  
2083 abandoned ~~unclaimed~~ under this subsection at the address to  
2084 which communications regarding the other property regularly are  
2085 sent. ~~;~~ ~~or~~

2086 (e) Had another relationship with the banking or financial  
2087 organization concerning which the apparent owner has:

2088 1. Communicated in writing with the banking or financial  
2089 organization; or

2090 2. Otherwise demonstrated a continued ~~indicated an~~  
2091 interest as evidenced by a memorandum or other record on file  
2092 with the banking or financial organization and if the banking or  
2093 financial organization communicates in writing with the apparent  
2094 owner or authorized representative with regard to the property  
2095 that would otherwise be presumed abandoned ~~unclaimed~~ under this  
2096 subsection at the address to which communications regarding the  
2097 other relationship regularly are sent.

2098 (3) A ~~No~~ holder may not impose with respect to property  
2099 described in subsection (1) any charges due to dormancy or  
2100 inactivity or cease payment of interest unless:

2101 (a) There is an enforceable written contract between the  
2102 holder and the apparent owner of the property pursuant to which  
2103 the holder may impose those charges or cease payment of  
2104 interest.

2105 (b) For property in excess of \$2, the holder, no more than  
2106 3 months prior to the initial imposition of those charges or

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2107 cessation of interest, has given written notice to the apparent  
2108 owner of the amount of those charges at the last known address  
2109 of the apparent owner stating that those charges shall be  
2110 imposed or that interest shall cease, but the notice provided in  
2111 this section need not be given with respect to charges imposed  
2112 or interest ceased before July 1, 1987.

2113 (4) Any property described in subsection (1) that is  
2114 automatically renewable is matured for purposes of subsection  
2115 (1) upon the expiration of its initial time period except that,  
2116 in the case of any renewal to which the apparent owner consents  
2117 at or about the time of renewal by communicating in writing with  
2118 the banking or financial organization or otherwise indicating  
2119 consent as evidenced by a memorandum or other record on file  
2120 prepared by an employee of the organization, the property is  
2121 matured upon the expiration of the last time period for which  
2122 consent was given. If, at the time provided for delivery in s.  
2123 717.119, a penalty or forfeiture in the payment of interest  
2124 would result from the delivery of the property, the time for  
2125 delivery is extended until the time when no penalty or  
2126 forfeiture would result.

2127 (5) If the documents establishing a deposit described in  
2128 subsection (1) state the address of a beneficiary of the  
2129 deposit, and the account has a value of at least \$50, notice  
2130 shall be given to the beneficiary as provided for notice to the

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2131 apparent owner under s. 717.117 ~~s. 717.117(6)~~. This subsection  
2132 shall apply to accounts opened on or after October 1, 1990.

2133 **Section 45. Subsection (1) of section 717.107, Florida**  
2134 **Statutes, is amended to read:**

2135 717.107 Funds owing under life insurance policies, annuity  
2136 contracts, and retained asset accounts; fines, penalties, and  
2137 interest; United States Social Security Administration Death  
2138 Master File.—

2139 (1) Funds held or owing under any life or endowment  
2140 insurance policy or annuity contract which has matured or  
2141 terminated are presumed abandoned ~~unclaimed~~ if unclaimed for  
2142 more than 5 years after the date of death of the insured, the  
2143 annuitant, or the retained asset account holder, but property  
2144 described in paragraph (3)(d) is presumed abandoned ~~unclaimed~~ if  
2145 such property is not claimed for more than 2 years. The amount  
2146 presumed abandoned ~~unclaimed~~ shall include any amount due and  
2147 payable under s. 627.4615.

2148 **Section 46. Section 717.1071, Florida Statutes, is amended**  
2149 **to read:**

2150 717.1071 Lost owners of abandoned ~~unclaimed~~  
2151 demutualization, rehabilitation, or related reorganization  
2152 proceeds.—

2153 (1) Property distributable in the course of a  
2154 demutualization, rehabilitation, or related reorganization of an  
2155 insurance company is deemed abandoned 2 years after the date the

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2156 property is first distributable if, at the time of the first  
2157 distribution, the last known address of the apparent owner on  
2158 the books and records of the holder is known to be incorrect or  
2159 the distribution or statements are returned by the post office  
2160 as undeliverable; and the apparent owner or authorized  
2161 representative ~~owner~~ has not communicated in writing with the  
2162 holder or its agent regarding the interest or otherwise  
2163 communicated with the holder regarding the interest as evidenced  
2164 by a memorandum or other record on file with the holder or its  
2165 agent.

2166 (2) Property distributable in the course of  
2167 demutualization, rehabilitation, or related reorganization of a  
2168 mutual insurance company that is not subject to subsection (1)  
2169 shall be reportable as otherwise provided by this chapter.

2170 (3) Property subject to this section shall be reported and  
2171 delivered no later than May 1 as of the preceding December 31;  
2172 however, the initial report under this section shall be filed no  
2173 later than November 1, 2003, as of December 31, 2002.

2174 **Section 47. Section 717.108, Florida Statutes, is amended**  
2175 **to read:**

2176 717.108 Deposits held by utilities.—Any deposit, including  
2177 any interest thereon, made by a subscriber with a utility to  
2178 secure payment or any sum paid in advance for utility services  
2179 to be furnished, less any lawful charges, that remains unclaimed  
2180 by the apparent owner for more than 1 year after termination of

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2181 the services for which the deposit or advance payment was made  
2182 is presumed abandoned ~~unclaimed~~.

2183 **Section 48. Section 717.109, Florida Statutes, is amended**  
2184 **to read:**

2185 717.109 Refunds held by business associations.—Except as  
2186 otherwise provided by law, any sum that a business association  
2187 has been ordered to refund by a court or administrative agency  
2188 which has been unclaimed by the apparent owner for more than 1  
2189 year after it became payable in accordance with the final  
2190 determination or order providing for the refund, regardless of  
2191 whether the final determination or order requires any person  
2192 entitled to a refund to make a claim for it, is presumed  
2193 abandoned ~~unclaimed~~.

2194 **Section 49. Section 717.1101, Florida Statutes, is amended**  
2195 **to read:**

2196 717.1101 Abandoned ~~Unclaimed~~ equity and debt of business  
2197 associations.—

2198 (1) (a) Stock, ~~or~~ other equity interests, or debt of  
2199 ~~interest in~~ a business association is presumed abandoned  
2200 ~~unclaimed~~ on the date of the earliest of any of the following:

2201 1. Three years after the date a communication, other than  
2202 communications required by s. 717.117, sent by the holder by  
2203 first-class United States mail to the apparent owner is returned  
2204 to the holder undelivered by the United States Postal Service.  
2205 If such returned communication is resent within 1 month to the

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2206 apparent owner, the 3-year dormancy period does not begin until  
2207 the day the resent item is returned as undelivered.

2208 2. Five ~~Three~~ years after the most recent of any account  
2209 ~~owner-generated~~ activity or communication initiated by the  
2210 apparent owner or authorized representative which demonstrates  
2211 continued interest in the ~~related to the~~ account, as recorded  
2212 and maintained by ~~in~~ the holder. Routine automatic reinvestments  
2213 or other routine transactions previously authorized by the  
2214 apparent owner or authorized representative do not prevent,  
2215 interrupt, or reset the dormancy period and do not constitute an  
2216 affirmative demonstration of continued interest. ~~holder's~~  
2217 ~~database and records systems sufficient enough to demonstrate~~  
2218 ~~the owner's continued awareness or interest in the property;~~

2219 3.2. Two ~~Three~~ years after the date of the death of the  
2220 apparent owner, as evidenced by:

2221 a. Notice to the holder of the apparent owner's death by  
2222 an authorized representative ~~administrator, beneficiary,~~  
2223 ~~relative, or trustee, or by a personal representative or other~~  
2224 ~~legal representative of the owner's estate;~~

2225 b. Receipt by the holder of a copy of the death  
2226 certificate of the apparent owner;

2227 c. Confirmation by the holder of the apparent owner's  
2228 death through ~~through~~ other means; or

2229 d. Other evidence from which the holder may reasonably  
2230 conclude that the apparent owner is deceased. ~~;~~ ~~or~~

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2231 ~~3. One year after the date on which the holder receives~~  
2232 ~~notice under subparagraph 2. if the notice is received 2 years~~  
2233 ~~or less after the owner's death and the holder lacked knowledge~~  
2234 ~~of the owner's death during that period of 2 years or less.~~

2235 (b) If the holder does not send communication to the  
2236 apparent owner of a security by first-class United States mail  
2237 on an annual basis, the holder shall attempt to confirm the  
2238 apparent owner's interest in the equity interest by sending the  
2239 apparent owner an e-mail communication not later than 3 years  
2240 after the apparent owner's or authorized representative's last  
2241 demonstration of continued interest in the equity interest.

2242 However, the holder shall promptly attempt to contact the  
2243 apparent owner by first-class United States mail if:

2244 1. The holder does not have information needed to send the  
2245 apparent owner an e-mail communication or the holder believes  
2246 that the apparent owner's e-mail address in the holder's records  
2247 is not valid;

2248 2. The holder received notification that the e-mail  
2249 communication was not received; or

2250 3. The apparent owner does not respond to the e-mail  
2251 communication within 30 days after the communication was sent.

2252 (c) If first-class United States mail sent under paragraph  
2253 (b) is returned to the holder undelivered by the United States  
2254 Postal Service, the equity interest is presumed abandoned in  
2255 accordance with paragraph (1) (a).

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2256 (d) Unmatured or unredeemed debt, other than a bearer bond  
2257 or an original issue discount bond, is presumed abandoned 5  
2258 ~~unclaimed 3~~ years after the date of the most recent interest  
2259 payment unclaimed by the owner.

2260 (e)~~(e)~~ Matured or redeemed debt is presumed abandoned 5  
2261 ~~unclaimed 3~~ years after the date of maturity or redemption.

2262 (f)~~(d)~~ At the time property is presumed abandoned  
2263 ~~unclaimed~~ under paragraph (a) or paragraph (b), any other  
2264 property right accrued or accruing to the owner as a result of  
2265 the property interest and not previously presumed abandoned  
2266 ~~unclaimed~~ is also presumed abandoned unclaimed.

2267 (g) If the property is virtual currency, a statement that  
2268 the virtual currency will be liquated by the holder before it is  
2269 remitted to the department and that only the proceeds of  
2270 liquidation will be transferred.

2271 (2) The running of the applicable dormancy period under  
2272 this section such 3-year period ceases if the apparent owner or  
2273 authorized representative demonstrates continued interest under  
2274 s. 717.102, including by any of the following actions person:

2275 (a)1. Communicating Communicates in writing or by other  
2276 means with the association or its agent regarding the interest,  
2277 ~~or a~~ dividend, distribution, or other sum payable as a result of  
2278 the interest, as recorded by the association or its agent; ~~or~~

2279 ~~2. Otherwise communicates with the association regarding~~  
2280 ~~the interest or a dividend, distribution, or other sum payable~~

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2281 ~~as a result of the interest, as evidenced by a memorandum or~~  
2282 ~~other record on file with the association or its agent.~~

2283 (b) Presenting Presents an instrument issued to pay  
2284 interest, ~~or~~ a dividend, or other ~~cash~~ distribution. If any  
2285 future dividend, distribution, or other sum payable ~~to the owner~~  
2286 as a result of the interest is subsequently unclaimed ~~not~~  
2287 ~~claimed by the owner~~, a new period in which the property is  
2288 presumed abandoned unclaimed commences and relates back only to  
2289 the time a subsequent dividend, distribution, or other sum  
2290 became due and payable.

2291 (3) At the same time any interest is presumed abandoned  
2292 ~~unclaimed~~ under this section, any dividend, distribution, or  
2293 other sum then held for or owing to the owner as a result of the  
2294 interest, is presumed abandoned unclaimed.

2295 (4) Any dividend, profit, distribution, interest  
2296 redemption, payment on principal, or other sum held or owing by  
2297 a business association for or to a shareholder,  
2298 certificateholder, member, bondholder, or other security holder,  
2299 who has not claimed such amount or corresponded in writing with  
2300 the business association concerning such amount, within 5 ~~3~~  
2301 years after the date prescribed for payment or delivery, is  
2302 presumed abandoned unclaimed.

2303 (5) Notwithstanding any other provision of this section,  
2304 equity interests in business association and securities accounts

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2305 are not presumed abandoned solely due to inactivity if the  
2306 holder knows the location of the apparent owner.

2307 (a) For purposes of this subsection, a holder shall perform  
2308 data matching of owner records maintained in its database  
2309 against commercially available third-party data comparison  
2310 sources to identify updated owner address information and  
2311 indicators of deceased status. Utilizing any updated  
2312 information, together with existing information of record, the  
2313 holder is deemed to know the location of the apparent owner if:

2314 1. The holder communicates with the apparent owner at least  
2315 annually by first-class United State mail or electronic means,  
2316 including but not limited to, electronic mail, text message,  
2317 mobile application, or similar mechanism;

2318 2. Such communication is successfully delivered, meaning  
2319 not returned as undeliverable, and;

2320 3. One or more additional account-level indicators  
2321 demonstrating an owner indication of interest occurs at least  
2322 once every 10 years, including:

2323 a. Owner-initiated activity, such as authenticated access  
2324 to website, mobile engagement via mobile messaging, or other  
2325 authenticated third party account servicing software;

2326 b. Updated contact information received authorized  
2327 financial adviser;

2328 c. Responses to account notifications or alerts;

2329 d. Negotiation of distributions, including dividends; or

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2330 e. Any other action by the apparent owner or authorized  
2331 representative which reasonably demonstrates to the holder that  
2332 the apparent owner or authorized representative is aware of and  
2333 maintains an interest in the property.

2334 (b) Automatic deposits, reinvestments, or other recurring  
2335 transactions initiated by the holder shall not independently  
2336 constitute an indication of apparent owner interest for purposes  
2337 of this section.

2338 (c) If the conditions in paragraph (a) are not satisfied, the  
2339 owner's location is deemed unknown, and the equity interest or  
2340 securities account may be presumed abandoned:

2341 1. 10 years after the owner's most recent indication of  
2342 interest in the property; or

2343 2. 10 years after the date a communication is returned as  
2344 undeliverable, unless the owner responds to a due diligence  
2345 notice before the reporting deadline.

2346 (d) Property described in paragraph (c) may be presumed  
2347 abandoned only after reasonable efforts to locate the owner have  
2348 been unsuccessful and the holder has complied with the due  
2349 diligence requirement of this chapter.

2350 (e) This subsection applies to equity interests and  
2351 securities accounts held directly by the owner or indirectly  
2352 through a brokerage account or similar account.

2353 **Section 50. Section 717.111, Florida Statutes, is amended**  
2354 **to read:**

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2355           717.111 Property of business associations held in course  
2356 of dissolution.—All intangible property distributable in the  
2357 course of a voluntary or involuntary dissolution of a business  
2358 association which is not claimed by the apparent owner for more  
2359 than 6 months after the date specified for final distribution is  
2360 presumed abandoned ~~unclaimed~~.

2361           **Section 51. Subsections (1) and (5) of section 717.112,**  
2362 **Florida Statutes, are amended to read:**

2363           717.112 Property held by agents and fiduciaries.—

2364           (1) All intangible property and any income or increment  
2365 thereon held in a fiduciary capacity for the benefit of another  
2366 person, including property held by an attorney in fact or an  
2367 agent, except as provided in ss. 717.1125 and 733.816, is  
2368 presumed abandoned ~~unclaimed~~ unless the apparent owner has  
2369 within 5 years after it has become payable or distributable  
2370 increased or decreased the principal, accepted payment of  
2371 principal or income, communicated in writing concerning the  
2372 property, or otherwise indicated an interest as evidenced by a  
2373 memorandum or other record on file with the fiduciary.

2374           (5) All intangible property, and any income or increment  
2375 thereon, issued by a government or governmental subdivision or  
2376 agency, public corporation, or public authority and held in an  
2377 agency capacity for the governmental subdivision, agency, public  
2378 corporation, or public authority for the benefit of the owner of  
2379 record, is presumed abandoned ~~unclaimed~~ unless the apparent

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2380 owner has, within 1 year after such property has become payable  
2381 or distributable, increased or decreased the principal, accepted  
2382 payment of the principal or income, communicated concerning the  
2383 property, or otherwise indicated an interest in the property as  
2384 evidenced by a memorandum or other record on file with the  
2385 fiduciary.

2386 **Section 52. Section 717.1125, Florida Statutes, is amended**  
2387 **to read:**

2388 717.1125 Property held by fiduciaries under trust  
2389 instruments.—All intangible property and any income or increment  
2390 thereon held in a fiduciary capacity for the benefit of another  
2391 person under a trust instrument is presumed abandoned ~~unclaimed~~  
2392 unless the apparent owner has, within 2 years after it has  
2393 become payable or distributable, increased or decreased the  
2394 principal, accepted payment of principal or income, communicated  
2395 concerning the property, or otherwise indicated an interest as  
2396 evidenced by a memorandum or other record on file with the  
2397 fiduciary. This section does not relieve a fiduciary of his or  
2398 her duties under the Florida Trust Code.

2399 **Section 53. Section 717.113, Florida Statutes, is amended**  
2400 **to read:**

2401 717.113 Property held by courts and public agencies.—All  
2402 intangible property held for the apparent owner by any court,  
2403 government or governmental subdivision or agency, public  
2404 corporation, or public authority that has not been claimed by

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2405 the apparent owner for more than 1 year after it became payable  
2406 or distributable is presumed abandoned ~~unclaimed~~. Except as  
2407 provided in s. 45.032(3)(c), money held in the court registry  
2408 and for which no court order has been issued to determine an  
2409 owner does not become payable or distributable and is not  
2410 subject to reporting under this chapter. Notwithstanding the  
2411 provisions of this section, funds deposited in the Minerals  
2412 Trust Fund pursuant to s. 377.247 are presumed abandoned  
2413 ~~unclaimed~~ only if the funds have not been claimed by the  
2414 apparent owner for more than 5 years after the date of first  
2415 production from the well.

2416 **Section 54. Section 717.115, Florida Statutes, is amended**  
2417 **to read:**

2418 717.115 Wages.—Unpaid wages, including wages represented  
2419 by unrepresented payroll checks, owing in the ordinary course of  
2420 the holder's business that have not been claimed by the apparent  
2421 owner for more than 1 year after becoming payable are presumed  
2422 abandoned ~~unclaimed~~.

2423 **Section 55. Section 717.116, Florida Statutes, is amended**  
2424 **to read:**

2425 717.116 Contents of safe-deposit box or other safekeeping  
2426 repository.—All tangible and intangible property held by a  
2427 banking or financial organization in a safe-deposit box or any  
2428 other safekeeping repository in this state in the ordinary  
2429 course of the holder's business, and proceeds resulting from the

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2430 sale of the property permitted by law, that has not been claimed  
2431 by the apparent owner or authorized representative for more than  
2432 3 years after the lease or rental period on the box or other  
2433 repository has expired are presumed abandoned ~~unclaimed~~.

2434 **Section 56. Section 717.117, Florida Statutes, is amended**  
2435 **to read:**

2436 717.117 Holder due diligence and report of abandoned  
2437 ~~unclaimed~~ property.—

2438 (1) Property is presumed abandoned upon expiration of the  
2439 applicable dormancy period under this chapter. However, such  
2440 property is not deemed abandoned for purposes of reporting or  
2441 remittance to the department until the holder has conducted  
2442 reasonable due diligence as required by this section, resulting  
2443 in no indication of interest from the apparent owner or  
2444 authorized representative.

2445 (2) Holders of property presumed abandoned that has a  
2446 value of \$50 or more shall use due diligence to locate and  
2447 notify the apparent owner that the holder is in possession of  
2448 property subject to this chapter. At least 90 days, but not more  
2449 than 180 days, before filing the report required by this  
2450 section, a holder in possession of presumed abandoned property  
2451 shall send written notice by first-class United States mail to  
2452 the apparent owner's last known address as shown in the holder's  
2453 records or from other available sources, or by e-mail if the  
2454 apparent owner has elected for e-mail delivery, informing the

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2455 apparent owner that the holder is in possession of property  
2456 subject to this chapter, provided that the holder's records  
2457 contain a mailing or e-mail address for the apparent owner which  
2458 is not known by the holder to be inaccurate. The holder may  
2459 provide notice by mail, by e-mail, or by both methods. If the  
2460 holder's records indicate that the mailing address is  
2461 inaccurate, notice may be provided by e-mail if the apparent  
2462 owner has elected e-mail delivery.

2463 (3) If the value of the property is greater than \$1,000,  
2464 the holder shall send a second written notice by certified  
2465 United States mail, return receipt requested, to the apparent  
2466 owner's last known address at least 60 days before filing the  
2467 report required by this section, if the holder's records contain  
2468 a mailing address for the apparent owner which is not known by  
2469 the holder to be inaccurate. Reasonable costs paid to the United  
2470 States Postal Service for certified mail, return receipt  
2471 requested, may be deducted from the property as a service  
2472 charge. A signed return receipt received in response to the  
2473 certified mail notice constitutes an affirmative demonstration  
2474 of continued interest as described in s. 717.102.

2475 (4) The written notice required under this section must  
2476 include:

2477 (a) A heading that reads substantially as follows:  
2478 "Notice: The State of Florida requires us to notify you that  
2479 your property may be transferred to the custody of the Florida

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2480 Department of Financial Services if you do not contact us before  
2481 ...(insert date that is at least 30 days after the date of  
2482 notice)...."

2483 (b) A description of the type, nature, and, unless the  
2484 property does not have a fixed value, value of the property that  
2485 is the subject of the notice.

2486 (c) A statement that the property will be turned over to  
2487 the custody of the department as abandoned property if no  
2488 response is received.

2489 (d) A statement that noncash property will be sold or  
2490 liquidated by the department.

2491 (e) A statement that, after the property is remitted to  
2492 the department, a claim must be filed with the department to  
2493 recover the property.

2494 (f) A statement that the property is currently in the  
2495 custody of the holder and that the apparent owner may prevent  
2496 transfer of the property by contacting the holder before the  
2497 deadline stated in the notice.

2498 (5) Every holder of abandoned ~~person holding funds or~~  
2499 ~~other~~ property, tangible or intangible, ~~presumed unclaimed and~~  
2500 subject to custody ~~as unclaimed property~~ under this chapter  
2501 shall submit a report to the department via electronic medium as  
2502 the department may prescribe by rule. The report must include:

2503 (a) Except for traveler's checks and money orders, the  
2504 name, social security number or taxpayer identification number,

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2505 date of birth, if known, and last known address, if any, of each  
2506 ~~apparent person appearing from the records of the holder to be~~  
2507 ~~the owner of any property which is abandoned ~~presumed unclaimed~~~~  
2508 and which has a value of \$10 or more.

2509 (b) For abandoned unclaimed funds that have a value of \$10  
2510 or more held or owing under any life or endowment insurance  
2511 policy or annuity contract, the identifying information provided  
2512 in paragraph (a) for both the insured or annuitant and the  
2513 beneficiary according to records of the insurance company  
2514 holding or owing the funds.

2515 (c) For all tangible property held in a safe-deposit box  
2516 or other safekeeping repository, a description of the property  
2517 and the place where the property is held and may be inspected by  
2518 the department, and any amounts owing to the holder. Contents of  
2519 a safe-deposit box or other safekeeping repository which consist  
2520 of documents or writings ~~of a private nature and~~ which have  
2521 little or no commercial value ~~may apparent value shall~~ not be  
2522 reported as abandoned property ~~presumed unclaimed~~.

2523 (d) The nature or type of property, any accounting or  
2524 identifying number associated with the property, a description  
2525 of the property, and the amount appearing from the records to be  
2526 due. Items of value of less than \$10 each may be reported in the  
2527 aggregate.

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2528 (e) The date the property became payable, demandable, or  
2529 returnable, and the date of the last transaction with the  
2530 apparent owner with respect to the property.

2531 (f) Any other information the department may prescribe by  
2532 rule as necessary for the administration of this chapter.

2533 ~~(6)(2)~~ If the total value of all abandoned ~~presumed~~  
2534 ~~unclaimed~~ property, whether tangible or intangible, held by a  
2535 person is less than \$10, a zero balance report may be filed for  
2536 that reporting period.

2537 ~~(7)(3)~~ Credit balances, customer overpayments, security  
2538 deposits, and refunds having a value of less than \$10 may not be  
2539 reported as abandoned property ~~shall not be presumed unclaimed.~~

2540 (8) A security identified by the holder as non-freely  
2541 transferable or worthless may not to be included in a report  
2542 filed under this section. If the holder determines that a  
2543 security is no longer non-freely transferable or worthless, the  
2544 holder shall report and deliver the security on the next regular  
2545 report date prescribed for delivery of securities by the holder  
2546 under this chapter.

2547 ~~(9)(4)~~ If the holder of abandoned property ~~presumed~~  
2548 ~~unclaimed~~ and subject to custody under this chapter ~~as unclaimed~~  
2549 ~~property~~ is a successor holder or if the holder has changed the  
2550 holder's name while in possession of the property, the holder  
2551 shall file with the holder's report all known names and  
2552 addresses of each prior holder of the property. Compliance with

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2553 | this subsection means the holder exercises reasonable and  
2554 | prudent efforts to determine the names of all prior holders.

2555 |       (10) The report must be signed by or on behalf of the  
2556 | holder and verified as to its completeness and accuracy, and the  
2557 | holder must state that it has complied with the due diligence  
2558 | requirements of this section.

2559 |       ~~(11)-(5)~~ The report must be filed before May 1 of each  
2560 | year. The report applies to the preceding calendar year. Upon  
2561 | written request by any person required to file a report, and  
2562 | upon a showing of good cause, the department may extend the  
2563 | reporting date. The department may impose and collect a penalty  
2564 | of \$10 per day up to a maximum of \$500 for the failure to timely  
2565 | report, if an extension was not provided or if the holder of the  
2566 | property failed to include in a report information required by  
2567 | this chapter which was in the holder's possession at the time of  
2568 | reporting. The penalty shall be remitted to the department  
2569 | within 30 days after the date of the notification to the holder  
2570 | that the penalty is due and owing. As necessary for proper  
2571 | administration of this chapter, the department may waive any  
2572 | penalty due with appropriate justification. The department must  
2573 | provide information contained in a report filed with the  
2574 | department to any person requesting a copy of the report or  
2575 | information contained in a report, to the extent the information  
2576 | requested is not confidential, within 45 days after the  
2577 | department determines that the report is accurate and acceptable

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2578 and that the reported property is the same as the remitted  
2579 property.

2580 ~~(6) Holders of inactive accounts having a value of \$50 or~~  
2581 ~~more shall use due diligence to locate and notify apparent~~  
2582 ~~owners that the entity is holding unclaimed property available~~  
2583 ~~for them to recover. Not more than 120 days and not less than 60~~  
2584 ~~days prior to filing the report required by this section, the~~  
2585 ~~holder in possession of property presumed unclaimed and subject~~  
2586 ~~to custody as unclaimed property under this chapter shall send~~  
2587 ~~written notice by first-class United States mail to the apparent~~  
2588 ~~owner at the apparent owner's last known address from the~~  
2589 ~~holder's records or from other available sources, or via~~  
2590 ~~electronic mail if the apparent owner has elected this method of~~  
2591 ~~delivery, informing the apparent owner that the holder is in~~  
2592 ~~possession of property subject to this chapter, if the holder~~  
2593 ~~has in its records a mailing or electronic address for the~~  
2594 ~~apparent owner which the holder's records do not disclose to be~~  
2595 ~~inaccurate. These two means of contact are not mutually~~  
2596 ~~exclusive; if the mailing address is determined to be~~  
2597 ~~inaccurate, electronic mail may be used if so elected by the~~  
2598 ~~apparent owner.~~

2599 ~~(7) The written notice to the apparent owner required~~  
2600 ~~under this section must:~~

2601 ~~(a) Contain a heading that reads substantially as follows:~~  
2602 ~~"Notice. The State of Florida requires us to notify you that~~

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2603 ~~your property may be transferred to the custody of the Florida~~  
2604 ~~Department of Financial Services if you do not contact us before~~  
2605 ~~...(insert date that is at least 30 days after the date of~~  
2606 ~~notice)...."~~

2607 ~~(b) Identify the type, nature, and, except for property~~  
2608 ~~that does not have a fixed value, value of the property that is~~  
2609 ~~the subject of the notice.~~

2610 ~~(c) State that the property will be turned over to the~~  
2611 ~~custody of the department as unclaimed property if no response~~  
2612 ~~to this letter is received.~~

2613 ~~(d) State that any property that is not legal tender of~~  
2614 ~~the United States may be sold or liquidated by the department.~~

2615 ~~(e) State that after the property is turned over to the~~  
2616 ~~department, an apparent owner seeking return of the property may~~  
2617 ~~file a claim with the department.~~

2618 ~~(f) State that the property is currently with a holder and~~  
2619 ~~provide instructions that the apparent owner must follow to~~  
2620 ~~prevent the holder from reporting and paying for the property or~~  
2621 ~~from delivering the property to the department.~~

2622 ~~(12)(8)~~ Any holder of intangible property may file with  
2623 the department a petition for determination that the property is  
2624 abandoned and unclaimed requesting the department to accept  
2625 custody of the property. The petition shall state any special  
2626 circumstances that exist, contain the information required by  
2627 subsection (9) ~~subsection (4)~~, and show that a diligent search

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2628 has been made to locate the apparent owner. If the department  
2629 finds that the proof of diligent search is satisfactory, it  
2630 shall give notice as provided in s. 717.118 and accept custody  
2631 of the property.

2632 ~~(13)-(9)~~ Upon written request by any entity or person  
2633 required to file a report, stating such entity's or person's  
2634 justification for such action, the department may place that  
2635 entity or person in an inactive status as an abandoned ~~unclaimed~~  
2636 property "holder."

2637 ~~(14)-(10)~~ (a) This section does not apply to the abandoned  
2638 ~~unclaimed~~ patronage refunds as provided for by contract or  
2639 through bylaw provisions of entities organized under chapter 425  
2640 or that are exempt from ad valorem taxation pursuant to s.  
2641 196.2002.

2642 (b) This section does not apply to intangible property  
2643 held, issued, or owing by a business association subject to the  
2644 jurisdiction of the United States Surface Transportation Board  
2645 or its successor federal agency if the apparent owner of such  
2646 intangible property is a business association. The holder of  
2647 such property does not have any obligation to report, to pay, or  
2648 to deliver such property to the department.

2649 (c) This section does not apply to credit balances,  
2650 overpayments, refunds, or outstanding checks owed by a health  
2651 care provider to a managed care payor with whom the health care  
2652 provider has a managed care contract, provided that the credit

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2653 balances, overpayments, refunds, or outstanding checks become  
2654 due and owing pursuant to the managed care contract.

2655 ~~(15)-(11)~~(a) As used in this subsection, the term "property  
2656 identifier" means the descriptor used by the holder to identify  
2657 the abandoned unclaimed property.

2658 (b) Social security numbers and property identifiers  
2659 contained in reports required under this section, held by the  
2660 department, are confidential and exempt from s. 119.07(1) and s.  
2661 24(a), Art. I of the State Constitution.

2662 (c) This exemption applies to social security numbers and  
2663 property identifiers held by the department before, on, or after  
2664 the effective date of this exemption.

2665 **Section 57. Section 717.118, Florida Statutes, is amended**  
2666 **to read:**

2667 717.118 Notification of apparent owners of abandoned  
2668 ~~unclaimed~~ property.—

2669 (1) It is specifically recognized that the state has an  
2670 obligation to make an effort to notify apparent owners in a  
2671 cost-effective manner that their abandoned property has been  
2672 reported and remitted to the department ~~of unclaimed property in~~  
2673 ~~a cost-effective manner~~. In order to provide all the citizens of  
2674 this state an effective and efficient program for the recovery  
2675 of abandoned personal ~~unclaimed~~ property, the department shall  
2676 use cost-effective means to make at least one active attempt to  
2677 notify apparent owners of abandoned ~~unclaimed~~ property ~~accounts~~

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2678 | valued at \$50 or more, abandoned tangible property, and  
2679 | abandoned shares of stock for which more than \$250 with a  
2680 | reported address or taxpayer identification number is available.  
2681 | Such active attempt to notify apparent owners shall include any  
2682 | attempt by the department to directly contact the apparent  
2683 | owner. Other means of notification, such as publication of the  
2684 | names of apparent owners in the newspaper, on television, on the  
2685 | Internet, or through other promotional efforts and items in  
2686 | which the department does not directly attempt to contact the  
2687 | apparent owner are expressly declared to be passive attempts.  
2688 | ~~Nothing in~~ This subsection does not preclude ~~precludes~~ other  
2689 | agencies or entities of state government from notifying owners  
2690 | of the existence of abandoned unclaimed property or attempting  
2691 | to notify apparent owners of abandoned unclaimed property.

2692 | (2) Notification provided directly to individual apparent  
2693 | owners shall contain ~~consist of~~ a description of the abandoned  
2694 | property and information regarding recovery of the unclaimed  
2695 | property from the department. The form and content of the  
2696 | department's notice shall be tailored to the type of property  
2697 | reported and shall include any information necessary to  
2698 | reasonably inform the apparent owner of the consequences of  
2699 | failure to claim the property, including potential sale or  
2700 | disposition under s. 717.122.

2701 | (3) The department shall maintain a publicly accessible,  
2702 | electronically searchable website that includes the names of

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2703 apparent owners of abandoned property reported to the department  
2704 and instructions for filing a claim. The website must list  
2705 property valued at \$10 or more and provide instructions for  
2706 filing a claim. Abandoned property valued at less than \$10  
2707 remains recoverable from the department in accordance with this  
2708 chapter.

2709 (4) This section is not applicable to abandoned sums  
2710 payable on traveler's checks, money orders, and other written  
2711 instruments ~~presumed unclaimed~~ under s. 717.104, or any other  
2712 abandoned property reported without the necessary identifying  
2713 information to establish ownership.

2714 **Section 58. Section 717.119, Florida Statutes, is amended**  
2715 **to read:**

2716 717.119 Payment or delivery of abandoned ~~unclaimed~~  
2717 property.—

2718 (1) Every person who is required to file a report under s.  
2719 717.117 shall simultaneously pay or deliver to the department  
2720 all abandoned ~~unclaimed~~ property required to be reported. Such  
2721 payment or delivery shall accompany the report as required in  
2722 this chapter for the preceding calendar year.

2723 (2) Payment of abandoned ~~unclaimed~~ funds may be made to  
2724 the department by electronic funds transfer.

2725 (3) If the apparent owner establishes the right to receive  
2726 the abandoned ~~unclaimed~~ property to the satisfaction of the  
2727 holder before the property has been delivered to the department

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2728 or it appears that for some other reason ~~the presumption~~ that  
2729 the property was erroneously classified as abandoned ~~is~~  
2730 ~~unclaimed is erroneous~~, the holder need not pay or deliver the  
2731 property to the department. In lieu of delivery, the holder  
2732 shall file a verified written explanation of the proof of claim  
2733 or of the error in classification of ~~the presumption that~~ the  
2734 property as abandoned ~~was unclaimed~~.

2735 (4) All virtual currency reported under this chapter on  
2736 the annual report filing required in s. 717.117 shall be  
2737 remitted to the department with the report. The holder shall  
2738 liquidate the virtual currency and remit the proceeds to the  
2739 department. The liquidation must occur within 30 days before the  
2740 filing of the report. Upon delivery of the virtual currency  
2741 proceeds to the department, the holder is relieved of all  
2742 liability of every kind in accordance with the provisions of s.  
2743 717.1201 to every person for any losses or damages resulting to  
2744 the person by the delivery to the department of the virtual  
2745 currency proceeds.

2746 (5) All stock or other intangible ownership interest  
2747 reported under this chapter on the annual report filing required  
2748 in s. 717.117 shall be remitted to the department with the  
2749 report. Upon delivery of the stock or other intangible ownership  
2750 interest to the department, the holder and any transfer agent,  
2751 registrar, or other person acting for or on behalf of a holder  
2752 is relieved of all liability of every kind in accordance with

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2753 the provisions of s. 717.1201 to every person for any losses or  
2754 damages resulting to the person by the delivery to the  
2755 department of the stock or other intangible ownership interest.

2756 (6) All intangible and tangible property held in a safe-  
2757 deposit box or any other safekeeping repository reported under  
2758 s. 717.117 shall not be delivered to the department until 120  
2759 days after the report due date. The delivery of the property,  
2760 through the United States mail or any other carrier, shall be  
2761 insured by the holder at an amount equal to the estimated value  
2762 of the property. Each package shall be clearly marked on the  
2763 outside "Deliver Unopened." A holder's safe-deposit box contents  
2764 shall be delivered to the department in a single shipment. In  
2765 lieu of a single shipment, holders may provide the department  
2766 with a single detailed shipping schedule that includes package  
2767 tracking information for all packages being sent pursuant to  
2768 this section.

2769 (a) Holders may remit the value of cash and coins found in  
2770 abandoned ~~unclaimed~~ safe-deposit boxes to the department by  
2771 cashier's check or by electronic funds transfer, unless the cash  
2772 or coins have a value above face value. The department shall  
2773 identify by rule those cash and coin items having a numismatic  
2774 value. Cash and coin items identified as having a numismatic  
2775 value shall be remitted to the department in their original  
2776 form.

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2777 (b) Any firearm or ammunition found in an abandoned  
2778 ~~unclaimed~~ safe-deposit box or any other safekeeping repository  
2779 shall be delivered by the holder to a law enforcement agency for  
2780 property handling or disposal pursuant to s. 705.103(2) (b). If  
2781 the firearm is sold by the law enforcement agency, ~~with~~ the  
2782 balance of the proceeds shall be deposited into the State School  
2783 Fund ~~if the firearm is sold. However,~~ The department is  
2784 authorized to make a reasonable attempt to ascertain the  
2785 historical value to collectors of any firearm that has been  
2786 delivered to the department. Any firearm appearing to have  
2787 historical value to collectors may be sold by the department  
2788 pursuant to s. 717.122 to a person having a federal firearms  
2789 license. Any firearm which is not sold pursuant to s. 717.122  
2790 shall be delivered by the department to a law enforcement agency  
2791 in this state for proper handling or disposal. In accordance  
2792 ~~with pursuant to~~ s. 705.103(2) (b), if the firearm is sold by the  
2793 law enforcement agency, ~~with~~ the balance of the proceeds shall  
2794 be deposited into the State School Fund ~~if the firearm is sold.~~  
2795 The department shall not be administratively, civilly, or  
2796 criminally liable for any firearm delivered by the department to  
2797 a law enforcement agency in this state for disposal.

2798 (c) If such property is not paid or delivered to the  
2799 department on or before the applicable payment or delivery date,  
2800 the holder shall pay to the department a penalty for each safe-  
2801 deposit box shipment received late. The penalty shall be \$100

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2802 for a safe-deposit box shipment container that is late 30 days  
2803 or less. Thereafter, the penalty shall be \$500 for a safe-  
2804 deposit box shipment container that is late for each additional  
2805 successive 30-day period. The penalty assessed against a holder  
2806 for a late safe-deposit box shipment container shall not exceed  
2807 \$4,000 annually. The penalty shall be remitted to the department  
2808 within 30 days after the date of the notification to the holder  
2809 that the penalty is due and owing.

2810 (d) The department may waive any penalty due with  
2811 appropriate justification, as provided by rule.

2812 (e) If a will or trust instrument is included among the  
2813 contents of an abandoned a safe-deposit box or other safekeeping  
2814 repository delivered to the department, the department must  
2815 provide a copy of the will, trust, and any codicils or  
2816 amendments to such will or trust instrument, upon request, to  
2817 anyone who provides the department with a certified copy of the  
2818 death certificate or another government-certified record  
2819 evidencing the death ~~evidence of the death~~ of the testator or  
2820 settlor.

2821 (7) Any holder may request an extension in writing of up  
2822 to 60 days for the delivery of property if extenuating  
2823 circumstances exist for the late delivery of the property. Any  
2824 such extension the department may grant shall be in writing.

2825 (8) A holder may not assign or otherwise transfer its  
2826 obligation to report, pay, or deliver property or to comply with

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2827 the provisions of this chapter, other than to a parent,  
2828 subsidiary, or affiliate of the holder.

2829 (a) Unless otherwise agreed to by the parties to a  
2830 transaction, the holder's successor by merger or consolidation,  
2831 or any person or entity that acquires all or substantially all  
2832 of the holder's capital stock or assets, is responsible for  
2833 fulfilling the holder's obligation to report, pay, or deliver  
2834 property or to comply with the duties of this chapter regarding  
2835 the transfer of property owed to the holder's successor and  
2836 being held for an owner resulting from the merger,  
2837 consolidation, or acquisition.

2838 (b) This subsection does not prohibit a holder from  
2839 contracting with a third party for the reporting of abandoned  
2840 ~~unclaimed~~ property, but the holder remains responsible to the  
2841 department for the complete, accurate, and timely reporting of  
2842 the property.

2843 **Section 59. Subsections (1), (2), and (4) of section**  
2844 **717.1201, Florida Statutes, are amended to read:**

2845 717.1201 Custody by state; holder liability; reimbursement  
2846 of holder paying claim; reclaiming for owner; payment of safe-  
2847 deposit box or repository charges.—

2848 (1) Upon the good faith payment or delivery of abandoned  
2849 ~~unclaimed~~ property to the department, the state assumes custody  
2850 and responsibility for the safekeeping of the property. Any  
2851 person who pays or delivers abandoned ~~unclaimed~~ property to the

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2852 department in good faith is relieved of all liability to the  
2853 extent of the value of the property paid or delivered for any  
2854 claim then existing or which thereafter may arise or be made  
2855 with ~~in~~ respect to the property.

2856 (a) A holder's substantial compliance with the due  
2857 diligence provisions in s. 717.117 ~~s. 717.117(6)~~ and good faith  
2858 payment or delivery of abandoned ~~unclaimed~~ property to the  
2859 department releases the holder from liability that may arise  
2860 from such payment or delivery, and such delivery and payment may  
2861 be pleaded as a defense in any suit or action brought by reason  
2862 of such delivery or payment. This section does not relieve a  
2863 fiduciary of his or her duties under the Florida Trust Code or  
2864 Florida Probate Code.

2865 (b) If the holder pays or delivers property to the  
2866 department in good faith and thereafter any other person claims  
2867 the property from the holder paying or delivering, or another  
2868 state claims the money or property under that state's laws  
2869 relating to escheat or abandoned or unclaimed property, the  
2870 department, upon written notice of the claim, shall defend the  
2871 holder against the claim and indemnify the holder against any  
2872 liability on the claim, except that a holder may not be  
2873 indemnified against penalties imposed by another state.

2874 (2) For the purposes of this section, a payment or  
2875 delivery of abandoned ~~unclaimed~~ property is made in good faith  
2876 if:

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2877 (a) The payment or delivery was made in conjunction with  
2878 an accurate and acceptable report.

2879 (b) The payment or delivery was made in a reasonable  
2880 attempt to comply with this chapter and other applicable general  
2881 law.

2882 (c) The holder had a reasonable basis for believing, based  
2883 on the facts then known, that the property was abandoned  
2884 ~~unclaimed~~ and subject to this chapter.

2885 (d) There is no showing that the records pursuant to which  
2886 the delivery was made did not meet reasonable commercial  
2887 standards of practice in the industry.

2888 (4) Any holder who has delivered property, including a  
2889 certificate of any interest in a business association, other  
2890 than money to the department pursuant to this chapter may  
2891 reclaim the property if still in the possession of the  
2892 department, without payment of any fee or other charges, upon  
2893 filing proof that the person entitled to the property ~~owner~~ has  
2894 claimed it ~~the property~~ from the holder.

2895 **Section 60. Section 717.122, Florida Statutes, is amended**  
2896 **to read:**

2897 717.122 Public sale of abandoned ~~unclaimed~~ property.—

2898 (1) Except as provided in paragraph (2) (a), the department  
2899 after the receipt of abandoned ~~unclaimed~~ property shall sell it  
2900 to the highest bidder at public sale on the Internet or at a  
2901 specified physical location wherever in the judgment of the

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2902 department the most favorable market for the property involved  
2903 exists. The department may decline the highest bid and reoffer  
2904 the property for sale if in the judgment of the department the  
2905 bid is insufficient. The department shall have the discretion to  
2906 withhold from sale any abandoned ~~unclaimed~~ property that the  
2907 department deems to be of benefit to the people of the state. If  
2908 in the judgment of the department the probable cost of sale  
2909 exceeds the value of the property, it need not be offered for  
2910 sale and may be disposed of as the department determines  
2911 appropriate. Any sale at a specified physical location held  
2912 under this section must be preceded by a single publication of  
2913 notice, at least 3 weeks in advance of sale, in a newspaper of  
2914 general circulation in the county in which the property is to be  
2915 sold. The department shall proportionately deduct auction fees,  
2916 preparation costs, and expenses from the amount posted to an ~~the~~  
2917 ~~owner's~~ account for an abandoned ~~when~~ safe-deposit box when the  
2918 contents are sold. No action or proceeding may be maintained  
2919 against the department for or on account of any decision to  
2920 decline the highest bid or withhold any abandoned ~~unclaimed~~  
2921 property from sale.

2922 (2) (a) Securities listed on an established stock exchange  
2923 must be sold at prices prevailing at the time of sale on the  
2924 exchange. Other securities may be sold over the counter at  
2925 prices prevailing at the time of sale or by any other method the  
2926 department deems advisable. The department may authorize the

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2927 agent or broker acting on behalf of the department to deduct  
2928 fees from the proceeds of these sales at a rate agreed upon in  
2929 advance by the agent or broker and the department. The  
2930 department shall reimburse owners' accounts for these brokerage  
2931 fees from the State School Fund unless the securities are sold  
2932 at the owner's request.

2933 (b) Unless the department deems it to be in the public  
2934 interest to do otherwise, all abandoned securities ~~presumed~~  
2935 ~~unclaimed~~ and delivered to the department may be sold upon  
2936 receipt. Any person making a claim pursuant to this chapter is  
2937 entitled to receive either the securities delivered to the  
2938 department by the holder, if they still remain in the hands of  
2939 the department, or the proceeds received from sale, but no  
2940 person has any claim under this chapter against the state, the  
2941 holder, any transfer agent, any registrar, or any other person  
2942 acting for or on behalf of a holder for any appreciation in the  
2943 value of the property occurring after delivery by the holder to  
2944 the state.

2945 (c) Certificates for abandoned ~~unclaimed~~ stock or other  
2946 equity interest of business associations that cannot be canceled  
2947 and registered in the department's name or that cannot be  
2948 readily liquidated and converted into the currency of the United  
2949 States may be sold for the value of the certificate, if any, in  
2950 accordance with subsection (1) or may be destroyed in accordance  
2951 with s. 717.128.

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2952 (3) The purchaser of property at any sale conducted by the  
2953 department pursuant to this chapter is entitled to ownership of  
2954 the property purchased free from all claims of the owner or  
2955 previous holder thereof and of all persons claiming through or  
2956 under them. The department shall execute all documents necessary  
2957 to complete the transfer of ownership.

2958 (4) The sale of abandoned ~~unclaimed~~ tangible personal  
2959 property is not subject to tax under chapter 212 when such  
2960 property is sold by or on behalf of the department pursuant to  
2961 this section.

2962 **Section 61. Section 717.123, Florida Statutes, is amended**  
2963 **to read:**

2964 717.123 Deposit of funds.—

2965 (1) All funds received under this chapter, including the  
2966 proceeds from the sale of abandoned ~~unclaimed~~ property under s.  
2967 717.122, shall immediately ~~forthwith~~ be deposited by the  
2968 department in the Abandoned ~~Unclaimed~~ Property Trust Fund. The  
2969 department shall retain, from funds received under this chapter,  
2970 an amount not exceeding \$15 million from which the department  
2971 shall make prompt payment of claims allowed by the department  
2972 and shall pay the costs incurred by the department in  
2973 administering and enforcing this chapter. All remaining funds  
2974 received by the department under this chapter shall be deposited  
2975 by the department into the State School Fund.

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2976 (2) The department shall record the name and last known  
2977 address of each person appearing from the holder's reports to be  
2978 entitled to the abandoned ~~unclaimed~~ property in the total  
2979 amounts of \$5 or greater; the name and the last known address of  
2980 each insured person or annuitant; and with respect to each  
2981 policy or contract listed in the report of an insurance  
2982 corporation, its number, the name of the corporation, and the  
2983 amount due.

2984 **Section 62. Section 717.1235, Florida Statutes, is amended**  
2985 **to read:**

2986 717.1235 Dormant campaign accounts; ~~report of unclaimed~~  
2987 ~~property.~~ Abandoned Unclaimed funds reported in the name of a  
2988 campaign for public office, for any campaign that must dispose  
2989 of surplus funds in its campaign account pursuant to s. 106.141,  
2990 after being reported to the department, shall be deposited with  
2991 the Chief Financial Officer to the credit of the State School  
2992 Fund.

2993 **Section 63. Section 717.124, Florida Statutes, is amended**  
2994 **to read:**

2995 717.124 Abandoned Unclaimed property claims.—

2996 (1) Any person, excluding another state, claiming an  
2997 interest in any property paid or delivered to the department  
2998 under this chapter may file with the department a claim on a  
2999 form prescribed by the department and verified by the claimant  
3000 or the claimant ~~claimant's~~ representative. ~~The claimant's~~

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3001 ~~representative must be an attorney licensed to practice law in~~  
3002 ~~this state, a licensed Florida certified public accountant, or a~~  
3003 ~~private investigator licensed under chapter 493.~~ The claimant  
3004 ~~claimant's~~ representative must be registered with the department  
3005 under this chapter. The claimant, or the claimant ~~claimant's~~  
3006 representative, shall provide the department with a legible copy  
3007 of a valid driver license of the claimant at the time the  
3008 original claim form is filed. If the claimant has not been  
3009 issued a valid driver license at the time the original claim  
3010 form is filed, the department shall be provided with a legible  
3011 copy of a photographic identification of the claimant issued by  
3012 the United States, a state or territory of the United States, a  
3013 foreign nation, or a political subdivision or agency thereof or  
3014 other evidence deemed acceptable by the department by rule. In  
3015 lieu of photographic identification, a notarized sworn statement  
3016 by the claimant may be provided which affirms the claimant's  
3017 identity and states the claimant's full name and address. The  
3018 claimant must produce to the notary photographic identification  
3019 of the claimant issued by the United States, a state or  
3020 territory of the United States, a foreign nation, or a political  
3021 subdivision or agency thereof or other evidence deemed  
3022 acceptable by the department by rule. The notary shall indicate  
3023 the notary's full address on the notarized sworn statement. Any  
3024 claim filed without the required identification or the sworn  
3025 statement with the original claim form and the original

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3026 ~~Abandoned Unclaimed~~ Property Recovery Agreement or ~~Abandoned~~  
3027 ~~Unclaimed~~ Property Purchase Agreement, if applicable, is void.

3028 (a) Within 90 days after receipt of a claim, the  
3029 department may return any claim that provides for the receipt of  
3030 fees and costs greater than that permitted under this chapter or  
3031 that contains any apparent errors or omissions. The department  
3032 may also request that the claimant or the claimant ~~claimant's~~  
3033 representative provide additional information. The department  
3034 shall retain a copy or electronic image of the claim.

3035 (b) A claim is withdrawn if: ~~considered to have been~~  
3036 ~~withdrawn by a claimant or the claimant's representative if the~~  
3037 ~~department does not receive a response to its request for~~  
3038 ~~additional information within 60 days after the notification of~~  
3039 ~~any apparent errors or omissions.~~

3040 1. The Department receives a written acknowledgement from  
3041 the claimant confirming withdrawal of the claim;

3042 2. The Department receives a written notice to withdraw the  
3043 claim from a claimant representative that is accompanied by  
3044 written authorization from the claimant expressly approving  
3045 withdrawal of the claim. The authorization must state the reason  
3046 for the withdrawal, contain an acknowledgement that the claimant  
3047 understands that withdrawal will affect the processing of that  
3048 claim and may affect the processing of other pending claims, and  
3049 must be signed by the claimant. The claimant's authorization

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3050 must be submitted concurrently with, or as part of, the  
3051 withdrawal notice; or

3052 3. The claimant or the claimant's representative fails to  
3053 respond to the Department's written request for additional  
3054 information within 60 days of the Department providing notice of  
3055 any apparent errors or omissions.

3056 (c) Within 90 days after receipt of the claim, or the  
3057 response of the claimant or the claimant ~~claimant's~~  
3058 representative to the department's request for additional  
3059 information, whichever is later, the department shall determine  
3060 each claim. Such determination shall contain a notice of rights  
3061 provided by ss. 120.569 and 120.57. The 90-day period shall be  
3062 extended by 60 days if the department has good cause to need  
3063 additional time or if the abandoned ~~unclaimed~~ property:

3064 1. Is owned by a person who has been a debtor in  
3065 bankruptcy;

3066 2. Was reported with an address outside of the United  
3067 States;

3068 3. Is being claimed by a person outside of the United  
3069 States; or

3070 4. Contains documents filed in support of the claim that  
3071 are not in the English language and have not been accompanied by  
3072 an English language translation.

3073 (2) A claim for a cashier's check or a stock certificate  
3074 without the original instrument may require an indemnity bond

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3075 equal to the value of the claim to be provided prior to issue of  
3076 the stock or payment of the claim by the department.

3077 (3) The department may require an affidavit swearing to  
3078 the authenticity of the claim, lack of documentation, and an  
3079 agreement to allow the department to provide the name and  
3080 address of the claimant to subsequent claimants coming forward  
3081 with substantiated proof to claim the account. This shall apply  
3082 to claims equal to or less than \$250. The exclusive remedy of a  
3083 subsequent claimant to the property shall be against the person  
3084 who received the property from the department.

3085 (4) (a) Except as otherwise provided in this chapter, if a  
3086 claim is determined in favor of the claimant, the department  
3087 shall deliver or pay over to the claimant the property or the  
3088 amount the department actually received or the proceeds if it  
3089 has been sold by the department, together with any additional  
3090 amount required by s. 717.121.

3091 (b) If a claimant ~~an owner~~ authorizes a claimant  
3092 representative ~~an attorney licensed to practice law in this~~  
3093 ~~state, a Florida-certified public accountant, or a private~~  
3094 ~~investigator licensed under chapter 493, and registered with the~~  
3095 department under this chapter, to claim the abandoned ~~unclaimed~~  
3096 property on the claimant's ~~owner's~~ behalf, the department is  
3097 authorized to make distribution of the property or money in  
3098 accordance with the Abandoned Unclaimed Property Recovery  
3099 Agreement or Abandoned Unclaimed Property Purchase Agreement

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3100 under s. 717.135. The original Abandoned ~~Unclaimed~~ Property  
3101 Recovery Agreement or Abandoned ~~Unclaimed~~ Property Purchase  
3102 Agreement must be executed by the claimant or seller and must be  
3103 filed with the department.

3104 (c)1. Payments of approved claims for unclaimed cash  
3105 accounts must be made to the owner after deducting any fees and  
3106 costs authorized by the claimant under an Abandoned ~~Unclaimed~~  
3107 Property Recovery Agreement. The contents of a safe-deposit box  
3108 or shares of securities must be delivered directly to the  
3109 claimant.

3110 2. Payments of fees and costs authorized under an  
3111 Abandoned ~~Unclaimed~~ Property Recovery Agreement for approved  
3112 claims must be made or issued to the law firm of the designated  
3113 attorney licensed to practice law in this state, the public  
3114 accountancy firm of the licensed Florida-certified public  
3115 accountant, or the designated employing private investigative  
3116 agency licensed by this state. Such payments shall be made by  
3117 electronic funds transfer and may be made on such periodic  
3118 schedule as the department may define by rule, provided the  
3119 payment intervals do not exceed 31 days. Payment made to an  
3120 attorney licensed in this state, a Florida-certified public  
3121 accountant, or a private investigator licensed under chapter  
3122 493, operating individually or as a sole practitioner, must be  
3123 to the attorney, certified public accountant, or private  
3124 investigator.

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3125 (5) The department shall not be administratively, civilly,  
3126 or criminally liable for any property or funds distributed  
3127 pursuant to this section, provided such distribution is made in  
3128 good faith.

3129 (6) This section does not supersede the licensing  
3130 requirements of chapter 493.

3131 (7) The department may allow an apparent owner to  
3132 electronically submit a claim for abandoned ~~unclaimed~~ property  
3133 to the department. If a claim is submitted electronically for  
3134 \$2,000 or less, the department may use a method of identity  
3135 verification other than a copy of a valid driver license, other  
3136 government-issued photographic identification, or a sworn  
3137 notarized statement. The department may adopt rules to implement  
3138 this subsection.

3139 (8) Notwithstanding any other provision of this chapter,  
3140 the department may develop and implement an identification  
3141 verification and disbursement process by which an account valued  
3142 at \$2,000 or less, after being received by the department and  
3143 added to the abandoned ~~unclaimed~~ property database, may be  
3144 disbursed to an apparent owner after the department has verified  
3145 that the apparent owner is living and that the apparent owner's  
3146 current address is correct. The department shall include with  
3147 the payment a notification and explanation of the dollar amount,  
3148 the source, and the property type of each account included in

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3149 the disbursement. The department shall adopt rules to implement  
3150 this subsection.

3151 (9) (a) Notwithstanding any other provision of this  
3152 chapter, the department may develop and implement a verification  
3153 and disbursement process by which an account, after being  
3154 received by the department and added to the abandoned ~~unclaimed~~  
3155 property database, for which the apparent owner entity is:

3156 1. A state agency in this state or a subdivision or  
3157 successor agency thereof;

3158 2. A county government in this state or a subdivision  
3159 thereof;

3160 3. A public school district in this state or a subdivision  
3161 thereof;

3162 4. A municipality in this state or a subdivision thereof;  
3163 or

3164 5. A special taxing district or authority in this state,

3165

3166 may be disbursed to the apparent owner entity or successor  
3167 entity. The department shall include with the payment a  
3168 notification and explanation of the dollar amount, the source,  
3169 and the property type of each account included in the  
3170 disbursement.

3171 (b) The department may adopt rules to implement this  
3172 subsection.

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3173 (10) Notwithstanding any other provision of this chapter,  
3174 the department may develop a process by which a claimant  
3175 ~~claimant's representative or a buyer of unclaimed property~~ may  
3176 electronically submit to the department an electronic image of a  
3177 completed claim and claims-related documents under this chapter,  
3178 including an Abandoned Unclaimed Property Recovery Agreement or  
3179 Abandoned Unclaimed Property Purchase Agreement that has been  
3180 signed and dated by a claimant or seller under s. 717.135, after  
3181 the claimant ~~claimant's representative or the buyer of unclaimed~~  
3182 ~~property~~ receives the original documents provided by the  
3183 claimant or the seller for any claim. Each claim filed by a  
3184 claimant ~~claimant's representative or a buyer of unclaimed~~  
3185 ~~property~~ must include a statement by the claimant ~~claimant's~~  
3186 ~~representative or the buyer of unclaimed property~~ attesting that  
3187 all documents are true copies of the original documents and that  
3188 all original documents are physically in the possession of the  
3189 claimant ~~claimant's representative or the buyer of unclaimed~~  
3190 ~~property~~. All original documents must be kept in the original  
3191 form, by claim number, under the secure control of the claimant  
3192 ~~claimant's representative or the buyer of unclaimed property~~ and  
3193 must be available for inspection by the department in accordance  
3194 with s. 717.1315. The department may adopt rules to implement  
3195 this subsection.

3196 (11) This section applies to all abandoned unclaimed  
3197 property reported and remitted to the Chief Financial Officer,

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3198 including, but not limited to, property reported pursuant to ss.  
3199 45.032, 732.107, 733.816, and 744.534.

3200 **Section 64. Section 717.12403, Florida Statutes, is**  
3201 **amended to read:**

3202 717.12403 Abandoned ~~Unclaimed~~ demand, savings, or checking  
3203 account in a financial institution held in the name of more than  
3204 one person.—

3205 (1) (a) If an abandoned ~~unclaimed~~ demand, savings, or  
3206 checking account in a financial institution is reported as an  
3207 "and" account in the name of two or more persons who are not  
3208 beneficiaries, it is presumed that each person must claim the  
3209 account in order for the claim to be approved by the department.  
3210 This presumption may be rebutted by showing that entitlement to  
3211 the account has been transferred to another person or by clear  
3212 and convincing evidence demonstrating that the account should  
3213 have been reported by the financial institution as an "or"  
3214 account.

3215 (b) If an abandoned ~~unclaimed~~ demand, savings, or checking  
3216 account in a financial institution is reported as an "and"  
3217 account and one of the persons on the account is deceased, it is  
3218 presumed that the account is a survivorship account. This  
3219 presumption may be rebutted by showing that entitlement to the  
3220 account has been transferred to another person or by clear and  
3221 convincing evidence demonstrating that the account is not a  
3222 survivorship account.

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3223 (2) If an abandoned ~~unclaimed~~ demand, savings, or checking  
3224 account in a financial institution is reported as an "or"  
3225 account in the name of two or more persons who are not  
3226 beneficiaries, it is presumed that either person listed on the  
3227 account may claim the entire amount held in the account. This  
3228 presumption may be rebutted by showing that entitlement to the  
3229 account has been transferred to another person or by clear and  
3230 convincing evidence demonstrating that the account should have  
3231 been reported by the financial institution as an "and" account.

3232 (3) If an abandoned ~~unclaimed~~ demand, savings, or checking  
3233 account in a financial institution is reported in the name of  
3234 two or more persons who are not beneficiaries without  
3235 identifying whether the account is an "and" account or an "or"  
3236 account, it is presumed that the account is an "or" account.  
3237 This presumption may be rebutted by showing that entitlement to  
3238 the account has been transferred to another person or by clear  
3239 and convincing evidence demonstrating that the account should  
3240 have been reported by the financial institution as an "and"  
3241 account.

3242 (4) The department shall be deemed to have made a  
3243 distribution in good faith if the department remits funds  
3244 consistent with this section.

3245 **Section 65. Subsection (2) of section 717.12404, Florida**  
3246 **Statutes, is amended to read:**

3247 717.12404 Claims on behalf of a business entity or trust.-

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3248 (2) Claims on behalf of an active or a dissolved  
3249 corporation, a business entity ~~other than an active corporation,~~  
3250 or a trust must include a legible copy of a valid driver license  
3251 of the person acting on behalf of the ~~dissolved~~ corporation,  
3252 business entity ~~other than an active corporation,~~ or trust. If  
3253 the person has not been issued a valid driver license, the  
3254 department shall be provided with a legible copy of a  
3255 photographic identification of the person issued by the United  
3256 States, a foreign nation, or a political subdivision or agency  
3257 thereof. In lieu of photographic identification, a notarized  
3258 sworn statement by the person may be provided which affirms the  
3259 person's identity and states the person's full name and address.  
3260 The person must produce his or her photographic identification  
3261 issued by the United States, a state or territory of the United  
3262 States, a foreign nation, or a political subdivision or agency  
3263 thereof or other evidence deemed acceptable by the department by  
3264 rule. The notary shall indicate the notary's full address on the  
3265 notarized sworn statement. Any claim filed without the required  
3266 identification or the sworn statement with the original claim  
3267 form and the original Abandoned ~~Unclaimed~~ Property Recovery  
3268 Agreement or Abandoned ~~Unclaimed~~ Property Purchase Agreement, if  
3269 applicable, is void.

3270 **Section 66. Section 717.12405, Florida Statutes, is**  
3271 **amended to read:**

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3272           717.12405 Claims by estates.—An estate or any person  
3273 representing an estate or acting on behalf of an estate may  
3274 claim abandoned ~~unclaimed~~ property only after the heir or  
3275 legatee of the decedent entitled to the property has been  
3276 located. Any estate, or any person representing an estate or  
3277 acting on behalf of an estate, that receives abandoned ~~unclaimed~~  
3278 property before the heir or legatee of the decedent entitled to  
3279 the property has been located, is personally liable for the  
3280 abandoned ~~unclaimed~~ property and must immediately return the  
3281 full amount of the abandoned ~~unclaimed~~ property or the value  
3282 thereof to the department in accordance with s. 717.1341.

3283           **Section 67. Section 717.12406, Florida Statutes, is**  
3284 **amended to read:**

3285           717.12406 Joint ownership of abandoned ~~unclaimed~~  
3286 securities or dividends.—For the purpose of determining joint  
3287 ownership of abandoned ~~unclaimed~~ securities or dividends, the  
3288 term:

3289           (1) "TEN COM" means tenants in common.

3290           (2) "TEN ENT" means tenants by the entireties.

3291           (3) "JT TEN" or "JT" means joint tenants with the right of  
3292 survivorship and not as tenants in common.

3293           (4) "And" means tenants in common with each person  
3294 entitled to an equal pro rata share.

3295           (5) "Or" means that each person listed on the account is  
3296 entitled to all of the funds.

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3297           **Section 68. Section 717.1241, Florida Statutes, is amended**  
3298 **to read:**

3299           717.1241 Conflicting claims.—

3300           (1) For purposes of this section, the term "conflicting  
3301 claim" means two or more claims received by the department for  
3302 the same abandoned property account or accounts in which two or  
3303 more claimants appear to be equally entitled to the property.  
3304 The term also includes circumstances in which the same claimant  
3305 has more than one claim pending for the same property, including  
3306 when the claimant is represented by more than one claimant  
3307 representative or submits both a personal claim and a claim  
3308 through a representative.

3309           (2) When conflicting claims have been received by the  
3310 department for the same abandoned ~~unclaimed~~ property account or  
3311 accounts, the property shall be remitted in accordance with the  
3312 claim filed by the person as follows, notwithstanding the  
3313 withdrawal of a claim:

3314           (a) To the person submitting the first claim received by  
3315 the ~~Division of Unclaimed Property of the~~ department that is  
3316 complete or made complete.

3317           (b) If a claimant's claim and a claimant ~~claimant's~~  
3318 representative's claim for the recovery of property are received  
3319 by the ~~Division of Unclaimed Property of the~~ department on the  
3320 same day and both claims are complete, to the claimant.

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3321 (c) If a buyer's claim or a purchasing claimant  
3322 representative's claim and a claimant's claim or a claimant  
3323 ~~claimant's~~ representative's claim for the recovery of property  
3324 are received by the ~~Division of Unclaimed Property of the~~  
3325 department on the same day and the claims are complete, to the  
3326 buyer.

3327 (d) As between two or more claimant representatives'  
3328 ~~claimant's representative's~~ claims received by the ~~Division of~~  
3329 ~~Unclaimed Property of~~ the department that are complete or made  
3330 complete on the same day, to the claimant ~~claimant's~~  
3331 representative who has agreed to receive the lowest fee. If the  
3332 two or more claimant ~~claimant's~~ representatives whose claims  
3333 received by ~~the Division of Unclaimed Property of~~ the department  
3334 were complete or made complete on the same day are charging the  
3335 same ~~lowest~~ fee, the fee shall be divided equally between the  
3336 claimant ~~claimant's~~ representatives.

3337 (e) If more than one buyer's claim received by the  
3338 ~~Division of Unclaimed Property of the~~ department is complete or  
3339 made complete on the same day, the department shall remit the  
3340 abandoned ~~unclaimed~~ property to the buyer who paid the highest  
3341 amount to the seller. If the buyers paid the same amount to the  
3342 seller, the department shall remit the abandoned ~~unclaimed~~  
3343 property to the buyers divided in equal amounts.

3344 ~~(3)-(2)~~ The purpose of this section is solely to provide  
3345 guidance to the department regarding to whom it should remit the

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3346 abandoned ~~unclaimed~~ property and is not intended to extinguish  
3347 or affect any private cause of action that any person may have  
3348 against another person for breach of contract or other statutory  
3349 or common-law remedy. A buyer's sole remedy, if any, shall be  
3350 against the claimant ~~claimant's~~ representative or the seller, or  
3351 both. A claimant ~~claimant's~~ representative's sole remedy, if  
3352 any, shall be against the buyer or the seller, or both. A  
3353 claimant's or seller's sole remedy, if any, shall be against the  
3354 buyer or the claimant ~~claimant's~~ representative, or both.  
3355 Nothing in this section forecloses the right of a person to  
3356 challenge the department's determination of completeness in a  
3357 proceeding under ss. 120.569 and 120.57.

3358 (4) ~~(3)~~ A claim is complete when entitlement to the  
3359 abandoned ~~unclaimed~~ property has been established.

3360 **Section 69. Subsection (1) of section 717.1242, Florida**  
3361 **Statutes, is amended to read:**

3362 717.1242 Restatement of jurisdiction of the circuit court  
3363 sitting in probate and the department.—

3364 (1) It is and has been the intent of the Legislature that,  
3365 pursuant to s. 26.012(2)(b), circuit courts have jurisdiction of  
3366 proceedings relating to the settlement of the estates of  
3367 decedents and other jurisdiction usually pertaining to courts of  
3368 probate. It is and has been the intent of the Legislature that,  
3369 pursuant to this chapter, the department determines the merits  
3370 of claims and entitlement to abandoned ~~unclaimed~~ property paid

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3371 or delivered to the department under this chapter. Consistent  
3372 with this legislative intent, any beneficiary, devisee, heir,  
3373 personal representative, or other interested person, as those  
3374 terms are defined in the Florida Probate Code and the Florida  
3375 Trust Code, of an estate seeking to obtain property paid or  
3376 delivered to the department under this chapter must file a claim  
3377 with the department as provided in s. 717.124.

3378 **Section 70. Subsections (1) and (4) of section 717.1243,**  
3379 **Florida Statutes, are amended to read:**

3380 717.1243 Small estate accounts.—

3381 (1) A claim for abandoned ~~unclaimed~~ property made by a  
3382 beneficiary, as defined in s. 731.201, of a deceased owner need  
3383 not be accompanied by an order of a probate court if the  
3384 claimant files with the department an affidavit, signed by all  
3385 beneficiaries, stating that all the beneficiaries have amicably  
3386 agreed among themselves upon a division of the estate and that  
3387 all funeral expenses, expenses of the last illness, and any  
3388 other lawful claims have been paid, and any additional  
3389 information reasonably necessary to make a determination of  
3390 entitlement. If the owner died testate, the claim shall be  
3391 accompanied by a copy of the will.

3392 (4) This section applies only if all of the abandoned  
3393 ~~unclaimed~~ property held by the department on behalf of the owner  
3394 has an aggregate value of \$20,000 or less and no probate  
3395 proceeding is pending.

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3396           **Section 71. Section 717.1244, Florida Statutes, is amended**  
3397 **to read:**

3398           717.1244 Determinations of abandoned ~~unclaimed~~ property  
3399 claims.—In rendering a determination regarding the merits of an  
3400 abandoned ~~unclaimed~~ property claim, the department shall rely on  
3401 the applicable statutory, regulatory, common, and case law.  
3402 Agency statements applying the statutory, regulatory, common,  
3403 and case law to abandoned ~~unclaimed~~ property claims are not  
3404 agency statements subject to s. 120.56(4).

3405           **Section 72. Section 717.1245, Florida Statutes, is amended**  
3406 **to read:**

3407           717.1245 Garnishment of abandoned ~~unclaimed~~ property.—If  
3408 any person files a petition for writ of garnishment seeking to  
3409 obtain property paid or delivered to the department under this  
3410 chapter, the petitioner shall be ordered to pay the department  
3411 reasonable costs and attorney ~~attorney's~~ fees in any proceeding  
3412 brought by the department to oppose, appeal, or collaterally  
3413 attack the petition or writ if the department is the prevailing  
3414 party in any such proceeding.

3415           **Section 73. Subsection (1) of section 717.125, Florida**  
3416 **Statutes, is amended to read:**

3417           717.125 Claim of another state to recover property;  
3418 procedure.—

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3419 (1) At any time after property has been paid or delivered  
3420 to the department under this chapter, another state may recover  
3421 the property if:

3422 (a) The property was subjected to custody by this state  
3423 because the records of the holder did not reflect the last known  
3424 address of the apparent owner when the property was presumed  
3425 abandoned ~~unclaimed~~ under this chapter, and the other state  
3426 establishes that the last known address of the apparent owner or  
3427 other person entitled to the property was in that state and  
3428 under the laws of that state the property escheated to or was  
3429 subject to a claim of abandonment or being unclaimed by that  
3430 state;

3431 (b) The last known address of the apparent owner or other  
3432 person entitled to the property, as reflected by the records of  
3433 the holder, is in the other state and under the laws of that  
3434 state the property has escheated to or become subject to a claim  
3435 of abandonment by that state;

3436 (c) The records of the holder were erroneous in that they  
3437 did not accurately reflect the actual owner of the property and  
3438 the last known address of the actual owner is in the other state  
3439 and under laws of that state the property escheated to or was  
3440 subject to a claim of abandonment by that state;

3441 (d) The property was subject to custody by this state  
3442 under s. 717.103(6) and under the laws of the state of domicile

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3443 of the holder the property has escheated to or become subject to  
3444 a claim of abandonment by that state; or

3445 (e) The property is the sum payable on a traveler's check,  
3446 money order, or other similar instrument that was subjected to  
3447 custody by this state under s. 717.104, and the instrument was  
3448 purchased in the other state, and under the laws of that state  
3449 the property escheated to or became subject to a claim of  
3450 abandonment by that state.

3451 **Section 74. Subsection (1) of section 717.126, Florida**  
3452 **Statutes, is amended to read:**

3453 717.126 Administrative hearing; burden of proof; proof of  
3454 entitlement; venue.—

3455 (1) Any person aggrieved by a decision of the department  
3456 may petition for a hearing as provided in ss. 120.569 and  
3457 120.57. In any proceeding for determination of a claim to  
3458 property paid or delivered to the department under this chapter,  
3459 the burden shall be upon the claimant to establish entitlement  
3460 to the property by a preponderance of evidence. Having the same  
3461 name as that reported to the department is not sufficient, in  
3462 the absence of other evidence, to prove entitlement to abandoned  
3463 ~~unclaimed~~ property.

3464 **Section 75. Section 717.1261, Florida Statutes, is amended**  
3465 **to read:**

3466 717.1261 Death certificates.—Any person who claims  
3467 entitlement to abandoned ~~unclaimed~~ property by means of the

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3468 death of one or more persons shall file a copy of the death  
3469 certificate of the decedent or decedents that has been certified  
3470 as being authentic by the issuing governmental agency.

3471 **Section 76. Section 717.1262, Florida Statutes, is amended**  
3472 **to read:**

3473 717.1262 Court documents.—Any person who claims  
3474 entitlement to abandoned ~~unclaimed~~ property by reason of a court  
3475 document shall file a certified copy of the court document with  
3476 the department. A certified copy of each pleading filed with the  
3477 court to obtain a court document establishing entitlement, filed  
3478 within 180 days before the date the claim form was signed by the  
3479 claimant or claimant ~~claimant's~~ representative, must also be  
3480 filed with the department.

3481 **Section 77. Section 717.129, Florida Statutes, is amended**  
3482 **to read:**

3483 717.129 Periods of limitation.—

3484 (1) The expiration before or after July 1, 1987, of any  
3485 period of time specified by contract, statute, or court order,  
3486 during which a claim for money or property may be made or during  
3487 which an action or proceeding may be commenced or enforced to  
3488 obtain payment of a claim for money or to recover property, does  
3489 not prevent the money or property from being presumed abandoned  
3490 ~~unclaimed~~ or affect any duty to file a report or to pay or  
3491 deliver abandoned ~~unclaimed~~ property to the department as  
3492 required by this chapter.

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3493 (2) The department may not commence an action or  
3494 proceeding to enforce this chapter with respect to the  
3495 reporting, payment, or delivery of property or any other duty of  
3496 a holder under this chapter more than 10 years after the duty  
3497 arose. The period of limitation established under this  
3498 subsection is tolled by the earlier of the department's or audit  
3499 agent's delivery of a notice that a holder is subject to an  
3500 audit or examination under s. 717.1301 or the holder's written  
3501 election to enter into an abandoned ~~unclaimed~~ property voluntary  
3502 disclosure agreement.

3503 **Section 78. Subsections (3) and (4) of section 717.1301,**  
3504 **Florida Statutes, are amended to read:**

3505 717.1301 Investigations; examinations; subpoenas.—

3506 (3) The department may authorize a compliance review of a  
3507 report for a specified reporting year. The review must be  
3508 limited to the contents of the report filed, as required by s.  
3509 717.117 and subsection (2), and all supporting documents related  
3510 to the reports. If the review results in a finding of a  
3511 deficiency in abandoned ~~unclaimed~~ property due and payable to  
3512 the department, the department shall notify the holder in  
3513 writing of the amount of deficiency within 1 year after the  
3514 authorization of the compliance review. If the holder fails to  
3515 pay the deficiency within 90 days, the department may seek to  
3516 enforce the assessment under subsection (1). The department is

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3517 not required to conduct a review under this section before  
3518 initiating an audit.

3519 (4) Notwithstanding any other provision of law, in a  
3520 contract providing for the location or collection of abandoned  
3521 ~~unclaimed~~ property, the department may authorize the contractor  
3522 to deduct its fees and expenses for services provided under the  
3523 contract from the abandoned ~~unclaimed~~ property that the  
3524 contractor has recovered or collected under the contract. The  
3525 department shall annually report to the Chief Financial Officer  
3526 the total amount collected or recovered by each contractor  
3527 during the previous fiscal year and the total fees and expenses  
3528 deducted by each contractor.

3529 **Section 79. Section 717.1315, Florida Statutes, is amended**  
3530 **to read:**

3531 717.1315 Retention of records by claimant ~~claimant's~~  
3532 representatives and buyers of abandoned ~~unclaimed~~ property.—

3533 (1) Every claimant ~~claimant's~~ representative and buyer of  
3534 abandoned ~~unclaimed~~ property shall keep and use in his or her  
3535 business such books, accounts, and records of the business  
3536 conducted under this chapter to enable the department to  
3537 determine whether such person is complying with this chapter and  
3538 the rules adopted by the department under this chapter. Every  
3539 claimant ~~claimant's~~ representative and buyer of abandoned  
3540 ~~unclaimed~~ property shall preserve such books, accounts, and  
3541 records, including every Abandoned ~~Unclaimed~~ Property Recovery

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3542 Agreement or Abandoned Unclaimed Property Purchase Agreement  
3543 between the owner and such claimant ~~claimant's~~ representative or  
3544 buyer, for at least 3 years after the date of the initial  
3545 agreement.

3546 (2) A claimant ~~claimant's~~ representative or buyer of  
3547 abandoned unclaimed property, operating at two or more places of  
3548 business in this state, may maintain the books, accounts, and  
3549 records of all such offices at any one of such offices, or at  
3550 any other office maintained by such claimant ~~claimant's~~  
3551 representative or buyer of abandoned unclaimed property, upon  
3552 the filing of a written notice with the department designating  
3553 in the written notice the office at which such records are  
3554 maintained.

3555 (3) A claimant ~~claimant's~~ representative or buyer of  
3556 abandoned unclaimed property shall make all books, accounts, and  
3557 records available at a convenient location in this state upon  
3558 request of the department.

3559 **Section 80. Subsections (2) and (3) of section 717.132,**  
3560 **Florida Statutes, are amended to read:**

3561 717.132 Enforcement; cease and desist orders; fines.—

3562 (2) In addition to any other powers conferred upon it to  
3563 enforce and administer the provisions of this chapter, the  
3564 department may issue and serve upon a person an order to cease  
3565 and desist and to take corrective action whenever the department  
3566 finds that such person is violating, has violated, or is about

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3567 to violate any provision of this chapter, any rule or order  
3568 promulgated under this chapter, or any written agreement entered  
3569 into with the department. For purposes of this subsection, the  
3570 term "corrective action" includes refunding excessive charges,  
3571 requiring a person to return abandoned ~~unclaimed~~ property,  
3572 requiring a holder to remit abandoned ~~unclaimed~~ property, and  
3573 requiring a holder to correct a report that contains errors or  
3574 omissions. Any such order shall contain a notice of rights  
3575 provided by ss. 120.569 and 120.57.

3576 (3) In addition to any other powers conferred upon it to  
3577 enforce and administer the provisions of this chapter, the  
3578 department or a court of competent jurisdiction may impose fines  
3579 against any person found to have violated any provision of this  
3580 chapter, any rule or order promulgated under this chapter, or  
3581 any written agreement entered into with the department in an  
3582 amount not to exceed \$2,000 for each violation. All fines  
3583 collected under this subsection shall be deposited as received  
3584 in the Abandoned ~~Unclaimed~~ Property Trust Fund.

3585 **Section 81. Paragraphs (c), (d), and (j) of subsection**  
3586 **(1), subsections (2) and (3), paragraph (b) of subsection (4),**  
3587 **and subsection (5) of section 717.1322, Florida Statutes, are**  
3588 **amended to read:**

3589 717.1322 Administrative and civil enforcement.—

3590 (1) The following acts are violations of this chapter and  
3591 constitute grounds for an administrative enforcement action by

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3592 the department in accordance with the requirements of chapter  
3593 120 and for civil enforcement by the department in a court of  
3594 competent jurisdiction:

3595 (c) ~~Fraudulent~~ Misrepresentation, circumvention, or  
3596 concealment of any matter required to be stated or furnished to  
3597 the department or to an owner or apparent owner under this  
3598 chapter, ~~regardless of reliance by or damage to the owner or~~  
3599 ~~apparent owner.~~

3600 (d) ~~Willful~~ Imposition of illegal or excessive charges in  
3601 any abandoned unclaimed property transaction.

3602 (j) Requesting or receiving compensation for notifying a  
3603 person of his or her abandoned unclaimed property or assisting  
3604 another person in filing a claim for abandoned unclaimed  
3605 property, ~~unless the person is an attorney licensed to practice~~  
3606 ~~law in this state, a Florida-certified public accountant, or a~~  
3607 ~~private investigator licensed under chapter 493,~~ or entering  
3608 into, or making a solicitation to enter into, an agreement to  
3609 file a claim for abandoned unclaimed property owned by another,  
3610 unless such person is a registered claimant representative  
3611 ~~registered with the department under this chapter and an~~  
3612 ~~attorney licensed to practice law in this state in the regular~~  
3613 ~~practice of her or his profession, a Florida-certified public~~  
3614 ~~accountant who is acting within the scope of the practice of~~  
3615 ~~public accounting as defined in chapter 473, or a private~~  
3616 ~~investigator licensed under chapter 493.~~ This paragraph does not

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3617 apply to a person who has been granted a durable power of  
3618 attorney to convey and receive all of the real and personal  
3619 property of the owner, is the court-appointed guardian of the  
3620 owner, has been employed as an attorney or qualified  
3621 representative to contest the department's denial of a claim, or  
3622 has been employed as an attorney to probate the estate of the  
3623 owner or an heir or legatee of the owner.

3624 (2) Upon a finding by the department that any person has  
3625 committed any of the acts set forth in subsection (1), the  
3626 department may enter an order doing any of the following:

3627 (a) Revoking for a minimum of 5 years or suspending for a  
3628 maximum of 5 years a registration previously granted under this  
3629 chapter during which time the registrant may not reapply for a  
3630 registration under this chapter.~~†~~

3631 (b) Placing a claimant representative ~~registrant~~ or an  
3632 applicant for a registration on probation for a period of time  
3633 and subject to such conditions as the department may specify.~~†~~

3634 (c) Placing permanent restrictions or conditions upon  
3635 issuance or maintenance of a registration under this chapter;

3636 (d) Issuing a reprimand.~~†~~

3637 (e) Imposing an administrative fine not to exceed \$2,000  
3638 for each such act.~~†~~~~or~~

3639 (f) Prohibiting any person from being a director, officer,  
3640 agent, employee, or ultimate equitable owner of a 10 percent ~~10-~~

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3641 ~~percent~~ or greater interest in an employer of a claimant  
3642 representative ~~registrant~~.

3643 (3) A claimant ~~claimant's~~ representative is subject to  
3644 civil enforcement and the disciplinary actions specified in  
3645 subsection (2) for violations of subsection (1) by an agent or  
3646 employee of the claimant representative's ~~registrant's~~ employer  
3647 if the claimant ~~claimant's~~ representative knew or should have  
3648 known that such agent or employee was violating any provision of  
3649 this chapter.

3650 (4)

3651 (b) The disciplinary guidelines shall specify a meaningful  
3652 range of designated penalties based upon the severity or  
3653 repetition of specific offenses, or both. It is the legislative  
3654 intent that minor violations be distinguished from more serious  
3655 violations; that such guidelines consider the amount of the  
3656 claim involved, the complexity of locating the owner, the steps  
3657 taken to ensure the accuracy of the claim by the person filing  
3658 the claim, the acts of commission and omission of the claimant  
3659 ~~ultimate owners~~ in establishing themselves as rightful owners of  
3660 the funds, the acts of commission or omission of the agent or  
3661 employee of a claimant representative or its ~~an~~ employer in the  
3662 filing of the claim, the actual knowledge of the agent,  
3663 employee, employer, or owner in the filing of the claim, the  
3664 departure, if any, by the agent or employee from the internal  
3665 controls and procedures established by the claimant

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3666 representative or its employer with regard to the filing of a  
3667 claim, the number of defective claims previously filed by the  
3668 agent, employee, employer, or owner; that such guidelines  
3669 provide reasonable and meaningful notice of likely penalties  
3670 that may be imposed for proscribed conduct; and that such  
3671 penalties be consistently applied by the department.

3672 (5) The department may seek any appropriate civil legal  
3673 remedy available to it by filing a civil action in a court of  
3674 competent jurisdiction against any person who has, directly or  
3675 through a claimant ~~claimant's~~ representative, wrongfully  
3676 submitted a claim as the ~~ultimate~~ owner of property and  
3677 improperly received funds from the department in violation of  
3678 this chapter.

3679 **Section 82. Subsections (1) and (3) of section 717.133,**  
3680 **Florida Statutes, are amended to read:**

3681 717.133 Interstate agreements and cooperation; joint and  
3682 reciprocal actions with other states.—

3683 (1) The department may enter into agreements with other  
3684 states to exchange information needed to enable this or another  
3685 state to audit or otherwise determine abandoned ~~unclaimed~~  
3686 property that it or another state may be entitled to subject to  
3687 a claim of custody. The department may require the reporting of  
3688 information needed to enable compliance with agreements made  
3689 pursuant to this section and prescribe the form.

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3690 (3) At the request of another state, the department may  
3691 bring an action in the name of the other state in any court of  
3692 competent jurisdiction to enforce the abandoned ~~unclaimed~~  
3693 property laws of the other state against a holder in this state  
3694 of property subject to escheat or a claim of abandonment by the  
3695 other state, if the other state has agreed to pay expenses  
3696 incurred in bringing the action.

3697 **Section 83. Subsection (2) of section 717.1333, Florida**  
3698 **Statutes, is amended to read:**

3699 717.1333 Evidence; estimations; audit reports and  
3700 worksheets, investigator reports and worksheets, other related  
3701 documents.—

3702 (2) If the records of the holder that are available for  
3703 the periods subject to this chapter are insufficient to permit  
3704 the preparation of a report of the abandoned ~~unclaimed~~ property  
3705 due and owing by a holder, or if the holder fails to provide  
3706 records after being requested to do so, the amount due to the  
3707 department may be reasonably estimated.

3708 **Section 84. Paragraph (a) of subsection (1) and**  
3709 **subsections (2) and (4) of section 717.1341, Florida Statutes,**  
3710 **are amended to read:**

3711 717.1341 Invalid claims, recovery of property, interest  
3712 and penalties.—

3713 (1) (a) A ~~No~~ person may not ~~shall~~ receive abandoned  
3714 ~~unclaimed~~ property that the person is not entitled to receive.

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3715 Any person who receives, or assists another person to receive,  
3716 abandoned ~~unclaimed~~ property that the person is not entitled to  
3717 receive is strictly, jointly, personally, and severally liable  
3718 for the abandoned ~~unclaimed~~ property and shall immediately  
3719 return the property, or the reasonable value of the property if  
3720 the property has been damaged or disposed of, to the department  
3721 plus interest at the rate set in accordance with s. 55.03(1).  
3722 Assisting another person to receive abandoned ~~unclaimed~~ property  
3723 includes executing a claim form on the person's behalf.

3724 (2) The department may maintain a civil or administrative  
3725 action:

3726 (a) To recover abandoned ~~unclaimed~~ property that was paid  
3727 or remitted to a person who was not entitled to the abandoned  
3728 ~~unclaimed~~ property or to offset amounts owed to the department  
3729 against amounts owed to an owner representative;

3730 (b) Against a person who assists another person in  
3731 receiving, or attempting to receive, abandoned ~~unclaimed~~  
3732 property that the person is not entitled to receive; or

3733 (c) Against a person who attempts to receive abandoned  
3734 ~~unclaimed~~ property that the person is not entitled to receive.

3735 (4) A ~~No~~ person may not ~~shall~~ knowingly file, knowingly  
3736 conspire to file, or knowingly assist in filing, a claim for  
3737 abandoned ~~unclaimed~~ property the person is not entitled to  
3738 receive. Any person who violates this subsection regarding  
3739 abandoned ~~unclaimed~~ property of an aggregate value:

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3740 (a) Greater than \$50,000, commits ~~is guilty of~~ a felony of  
3741 the first degree, punishable as provided in s. 775.082, s.  
3742 775.083, or s. 775.084;

3743 (b) Greater than \$10,000 up to \$50,000, commits ~~is guilty~~  
3744 ~~of~~ a felony of the second degree, punishable as provided in s.  
3745 775.082, s. 775.083, or s. 775.084;

3746 (c) Greater than \$250 up to \$10,000, commits ~~is guilty of~~  
3747 a felony of the third degree, punishable as provided in s.  
3748 775.082, s. 775.083, or s. 775.084;

3749 (d) Greater than \$50 up to \$250, commits ~~is guilty of~~ a  
3750 misdemeanor of the first degree, punishable as provided in s.  
3751 775.082 or s. 775.083; or

3752 (e) Up to \$50, commits ~~is guilty of~~ a misdemeanor of the  
3753 second degree, punishable as provided in s. 775.082 or s.  
3754 775.083.

3755 **Section 85. Section 717.135, Florida Statutes, is amended**  
3756 **to read:**

3757 717.135 Recovery agreements and purchase agreements for  
3758 claims filed by a claimant ~~claimant's~~ representative; fees and  
3759 costs or total net gain.—

3760 (1) In order to protect the interests of owners of  
3761 abandoned ~~unclaimed~~ property, the department shall adopt by rule  
3762 a form entitled "Abandoned ~~Unclaimed~~ Property Recovery  
3763 Agreement" and a form entitled "Abandoned ~~Unclaimed~~ Property  
3764 Purchase Agreement."

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3765 (2) The Abandoned Unclaimed Property Recovery Agreement  
3766 and the Abandoned Unclaimed Property Purchase Agreement must  
3767 include and disclose all of the following:

3768 (a) The total dollar amount of abandoned unclaimed  
3769 property accounts claimed or sold.

3770 (b) The total percentage of all authorized fees and costs  
3771 to be paid to the claimant ~~claimant's~~ representative or the  
3772 percentage of the value of the property to be paid as net gain  
3773 to the purchasing claimant ~~claimant's~~ representative.

3774 (c) The total dollar amount to be deducted and received  
3775 from the claimant as fees and costs by the claimant ~~claimant's~~  
3776 representative or the total net dollar amount to be received by  
3777 the purchasing claimant ~~claimant's~~ representative.

3778 (d) The net dollar amount to be received by the claimant  
3779 or the seller.

3780 (e) For each account claimed, the abandoned unclaimed  
3781 property account number.

3782 (f) For the Abandoned Unclaimed Property Purchase  
3783 Agreement, a statement that the amount of the purchase price  
3784 will be remitted to the seller by the purchaser within 30 days  
3785 after the execution of the agreement by the seller.

3786 (g) The name, address, e-mail address, phone number, and  
3787 license number of the claimant ~~claimant's~~ representative.

Amendment No.

3788 (h)1. The manual signature of the claimant or seller and  
3789 the date signed, affixed on the agreement by the claimant or  
3790 seller.

3791 2. Notwithstanding any other provision of this chapter to  
3792 the contrary, the department may allow ~~an apparent owner, who is~~  
3793 ~~also~~ the claimant or seller, to sign the agreement  
3794 electronically. All electronic signatures on the Abandoned  
3795 ~~Unclaimed~~ Property Recovery Agreement and the Abandoned  
3796 ~~Unclaimed~~ Property Purchase Agreement must be affixed on the  
3797 agreement by the claimant or seller using the specific,  
3798 exclusive eSignature product and protocol authorized by the  
3799 department.

3800 (i) The social security number or taxpayer identification  
3801 number of the claimant or seller, if a number has been issued to  
3802 the claimant or seller.

3803 (j) The total fees and costs, or the total discount in the  
3804 case of a purchase agreement, which may not exceed 30 percent of  
3805 the claimed amount. In the case of a recovery agreement, if the  
3806 total fees and costs exceed 30 percent, the fees and costs shall  
3807 be reduced to 30 percent and the net balance shall be remitted  
3808 directly by the department to the claimant. In the case of a  
3809 purchase agreement, if the total net gain of the claimant  
3810 ~~claimant's~~ representative exceeds 30 percent, the claim will be  
3811 denied.

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3812 (3) For an Abandoned Unclaimed Property Purchase Agreement  
3813 form, proof that the purchaser has made payment must be filed  
3814 with the department along with the claim. If proof of payment is  
3815 not provided, the claim is void.

3816 (4) A claimant ~~claimant's~~ representative must use the  
3817 Abandoned Unclaimed Property Recovery Agreement or the Abandoned  
3818 Unclaimed Property Purchase Agreement as the exclusive means of  
3819 entering into an agreement or a contract with a claimant or  
3820 seller to file a claim with the department.

3821 (5) Fees and costs may be owed or paid to, or received by,  
3822 a claimant ~~claimant's~~ representative only after a filed claim  
3823 has been approved and if the claimant's representative used an  
3824 agreement authorized by this section.

3825 (6) A claimant ~~claimant's~~ representative may not use or  
3826 distribute any other agreement of any type, conveyed by any  
3827 method, with respect to the claimant or seller which relates,  
3828 directly or indirectly, to abandoned unclaimed property accounts  
3829 held by the department or the Chief Financial Officer other than  
3830 the agreements authorized by this section. Any engagement,  
3831 authorization, recovery, or fee agreement that is not authorized  
3832 by this section is void. A claimant ~~claimant's~~ representative is  
3833 subject to administrative and civil enforcement under s.  
3834 717.1322 if he or she uses an agreement that is not authorized  
3835 by this section and if the agreement is used to apply, directly  
3836 or indirectly, to abandoned unclaimed property held by this

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3837 state. This subsection does not prohibit lawful nonagreement,  
3838 noncontractual, or advertising communications between or among  
3839 the parties.

3840 (7) The Abandoned Unclaimed Property Recovery Agreement  
3841 may not contain language that makes the agreement irrevocable or  
3842 that creates an assignment of any portion of abandoned unclaimed  
3843 property held by the department.

3844 (8) When a claim is approved, the department may pay any  
3845 additional account that is owned by the claimant but has not  
3846 been claimed at the time of approval, provided that a subsequent  
3847 claim has not been filed or is not pending for the claimant at  
3848 the time of approval.

3849 (9) This section does not supersede s. 717.1241.

3850 ~~(10) This section does not apply to the sale and purchase~~  
3851 ~~of Florida held unclaimed property accounts through a bankruptcy~~  
3852 ~~estate representative or other person or entity authorized~~  
3853 ~~pursuant to Title XI of the United States Code or an order of a~~  
3854 ~~bankruptcy court to act on behalf or for the benefit of the~~  
3855 ~~debtor, its creditors, and its bankruptcy estate.~~

3856 **Section 86. Section 717.1356, Florida Statutes, is created**  
3857 **to read:**

3858 717.1356 Purchase of abandoned property.-

3859 (1) Agreements for the purchase of abandoned property  
3860 reported to the department shall be valid only if all of the  
3861 following conditions are met:

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3862           (a) The agreement is entitled "Florida Abandoned Property  
3863 Purchase Agreement" and is in writing, in minimum 12-point type.

3864           (b) The agreement includes the social security number or  
3865 taxpayer identification number of the seller, if a number has  
3866 been issued to the seller; a valid e-mail address, mailing  
3867 address, and telephone number for the seller; and is manually  
3868 signed and dated by the seller with the signature notarized.

3869           (c) The agreement discloses with specificity the nature  
3870 and value of the abandoned property, including the name of the  
3871 apparent owner as shown by the records of the department, the  
3872 name of the holder who remitted the property, the date of last  
3873 contact, and the property category. With respect to the value of  
3874 the abandoned property, the agreement must contain the  
3875 following:

3876           1. The total dollar amount of all abandoned property to be  
3877 sold.

3878           2. The total percentage of the value of the abandoned  
3879 property to be paid as net gain to the purchaser.

3880           3. The total net dollar amount to be received by the  
3881 purchaser.

3882           4. The net dollar amount to be received by the seller.

3883           (d) The agreement states the abandoned property account  
3884 number for each abandoned property account sold.

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3885 (e) The purchase price does not discount the total value  
3886 of all abandoned property subject to the sale by more than 30  
3887 percent.

3888 (f) The agreement states that the amount of the purchase  
3889 price will be remitted to the seller by the purchaser within 30  
3890 days after the execution of the agreement by the seller.

3891 (g) The agreement includes the name, address, e-mail  
3892 address, and phone number of the purchaser.

3893 (h) The agreement states that the abandoned property is  
3894 currently in the department's custody and that the seller can  
3895 claim the property directly from the department on its  
3896 electronically searchable website without being charged a fee.  
3897 The agreement must provide the department's website address.

3898 (2) A seller may cancel a purchase agreement without  
3899 penalty or obligation within 15 business days after the date on  
3900 which the agreement was executed. The agreement must contain the  
3901 following language in minimum 12-point type: "You may cancel  
3902 this agreement for any reason without penalty or obligation to  
3903 you within 15 days after the date of this agreement by providing  
3904 notice to . . .(name of purchaser). . ., submitted in writing  
3905 and sent by certified mail, return receipt requested, or other  
3906 form of mailing that provides proof thereof, at the address or  
3907 e-mail address specified in the agreement."

3908 (3) A copy of an executed Florida Abandoned Property  
3909 Purchase Agreement must be filed with the purchaser's claim,

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3910 along with proof that the purchaser has made payment in full,  
3911 and all other required documentation. If proof of payment is not  
3912 provided, the department may not approve the claim.

3913 (4) A purchase agreement under this section that discounts  
3914 the value of abandoned property by more than the amount  
3915 authorized in paragraph (1) (e) is enforceable only by the  
3916 seller.

3917 (5) This section does not apply to asset purchase  
3918 agreements involving the assets of a business association  
3919 arising out of a bankruptcy proceeding under Title 11 of the  
3920 United States Code or corporate dissolution or similar  
3921 proceeding under applicable state law such as receiverships and  
3922 assignments for the benefit of creditors.

3923 (6) This section does not apply to asset purchase  
3924 agreements between an Asset Purchaser and sellers who comprise a  
3925 large business association.

3926 (a) For the purposes of this subsection, a large business  
3927 association is a business association or group of business  
3928 associations that:

3929 1. generate \$100 million or more in annual gross receipts  
3930 or sales;

3931 2. employs 100 or more full time employees in the United  
3932 States; or

3933 3. has equity securities publicly traded on an exchange  
3934 regulated by the federal Securities and Exchange Commission.

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3935        (b) Claims filed by an Asset Purchaser under this  
3936 subsection must include:  
3937        1. a complete and unredacted copy of the asset purchase  
3938 agreement or similar contract between the Asset Purchaser and  
3939 the seller; and  
3940        2. an attestation by the seller either in the asset  
3941 purchase agreement or in a separate written affirmation from the  
3942 owner that the owner (i) meets one or more of the above  
3943 characteristics that qualify it as a large business association  
3944 and (ii) is aware that it is selling unclaimed property that may  
3945 be recovered from the administrator without paying a fee.  
3946        (c) If the seller is a publicly traded entity, the Asset  
3947 Purchaser may provide a copy, or a link to an online copy, of  
3948 the most recent 10K filed with the Securities and Exchange  
3949 Commission in lieu of the affirmation that the owner meets one  
3950 or more of the characteristics that qualify as a large business  
3951 association.  
3952        (d) Nothing in this subsection limits the ability of the  
3953 department to request or receive additional evidence sufficient  
3954 to establish to the satisfaction of the department that the  
3955 claimant is the owner of the property pursuant to this chapter.  
3956        (e) The department may adopt rules to implement this  
3957 subsection.

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3958 (f) The requirements of this section shall apply only to  
3959 claims filed based on asset purchase agreements execute on or  
3960 after the effective date of this act.

3961 **Section 87. Section 717.138, Florida Statutes, is amended**  
3962 **to read:**

3963 717.138 Rulemaking authority.—The department shall  
3964 administer and provide for the enforcement of this chapter. The  
3965 department has authority to adopt rules pursuant to ss.  
3966 120.536(1) and 120.54 to implement the provisions of this  
3967 chapter. The department may adopt rules to allow for electronic  
3968 filing of fees, forms, and reports required by this chapter. The  
3969 authority to adopt rules pursuant to this chapter applies to all  
3970 abandoned unclaimed property reported and remitted to the Chief  
3971 Financial Officer, including, but not limited to, property  
3972 reported and remitted pursuant to ss. 45.032, 732.107, 733.816,  
3973 and 744.534.

3974 **Section 88. Section 717.1382, Florida Statutes, is amended**  
3975 **to read:**

3976 717.1382 United States savings bond; abandoned unclaimed  
3977 property; escheatment; procedure.—

3978 (1) Notwithstanding any other provision of law, a United  
3979 States savings bond in possession of the department or  
3980 registered to a person with a last known address in the state,  
3981 including a bond that is lost, stolen, or destroyed, is presumed  
3982 abandoned ~~and unclaimed~~ 5 years after the bond reaches maturity

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3983 and no longer earns interest and shall be reported and remitted  
3984 to the department by the financial institution or other holder  
3985 in accordance with ss. 717.117(5) and (11) ~~ss. 717.117(1) and~~  
3986 ~~(5)~~ and 717.119, if the department is not in possession of the  
3987 bond.

3988 (2) (a) After a United States savings bond is abandoned ~~and~~  
3989 ~~unclaimed~~ in accordance with subsection (1), the department may  
3990 commence a civil action in a court of competent jurisdiction in  
3991 Leon County for a determination that the bond shall escheat to  
3992 the state. Upon determination of escheatment, all property  
3993 rights to the bond or proceeds from the bond, including all  
3994 rights, powers, and privileges of survivorship of an owner, co-  
3995 owner, or beneficiary, shall vest solely in the state.

3996 (b) Service of process by publication may be made on a  
3997 party in a civil action pursuant to this section. A notice of  
3998 action shall state the name of any known owner of the bond, the  
3999 nature of the action or proceeding in short and simple terms,  
4000 the name of the court in which the action or proceeding is  
4001 instituted, and an abbreviated title of the case.

4002 (c) The notice of action shall require a person claiming  
4003 an interest in the bond to file a written defense with the clerk  
4004 of the court and serve a copy of the defense by the date fixed  
4005 in the notice. The date must not be less than 28 or more than 60  
4006 days after the first publication of the notice.

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4007 (d) The notice of action shall be published once a week  
4008 for 4 consecutive weeks in a newspaper of general circulation  
4009 published in Leon County. Proof of publication shall be placed  
4010 in the court file.

4011 (e)1. If no person files a claim with the court for the  
4012 bond and if the department has substantially complied with the  
4013 provisions of this section, the court shall enter a default  
4014 judgment that the bond, or proceeds from such bond, has  
4015 escheated to the state.

4016 2. If a person files a claim for one or more bonds and,  
4017 after notice and hearing, the court determines that the claimant  
4018 is not entitled to the bonds claimed by such claimant, the court  
4019 shall enter a judgment that such bonds, or proceeds from such  
4020 bonds, have escheated to the state.

4021 3. If a person files a claim for one or more bonds and,  
4022 after notice and hearing, the court determines that the claimant  
4023 is entitled to the bonds claimed by such claimant, the court  
4024 shall enter a judgment in favor of the claimant.

4025 (3) The department may redeem a United States savings bond  
4026 escheated to the state pursuant to this section or, in the event  
4027 that the department is not in possession of the bond, seek to  
4028 obtain the proceeds from such bond. Proceeds received by the  
4029 department shall be deposited in accordance with s. 717.123.

4030 **Section 89. Section 717.139, Florida Statutes, is amended**  
4031 **to read:**

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4032 717.139 Uniformity of application and construction.—

4033 (1) The Legislature finds that laws governing abandoned  
4034 property serve a vital public purpose by protecting the property  
4035 rights of owners, facilitating the return abandoned property to  
4036 its owners, preventing private escheatment, and ensuring that  
4037 abandoned assets are preserved and safeguarded from waste or  
4038 misuse. It is the public policy of the state to protect the  
4039 interests of owners of abandoned unclaimed property. ~~It is~~  
4040 ~~declared to be in the best interests of owners of unclaimed~~  
4041 ~~property that such owners receive the full amount of any~~  
4042 ~~unclaimed property without any fee.~~

4043 (2) This chapter shall be applied and construed as to  
4044 effectuate its general purpose of protecting the interest of  
4045 missing owners of abandoned property, while providing that the  
4046 benefit of all ~~unclaimed and~~ abandoned property shall go to all  
4047 the people of the state, and to make uniform the law with  
4048 respect to the subject of this chapter among states enacting it.  
4049 It is the intent of the Legislature that property reported under  
4050 this chapter remains the property of the owner and that the  
4051 State of Florida acts solely as a custodian, not as the owner,  
4052 of such property. Title to abandoned property may not transfer  
4053 to the state except as expressly provided by law and only after  
4054 all reasonable efforts to identify and return the property to  
4055 its rightful owner have been exhausted.

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4056           **Section 90. Section 717.1400, Florida Statutes, is amended**  
4057 **to read:**

4058           717.1400 Registration.—

4059           (1) In order to file claims as a claimant ~~claimant's~~  
4060 representative, receive a distribution of fees and costs for  
4061 approved claims from the department, and obtain information  
4062 regarding abandoned ~~unclaimed~~ property dollar amounts and  
4063 numbers of reported shares of stock held by the department, an  
4064 individual must meet all of the following requirements:

4065           (a) Be one of the following:

- 4066           1. A Florida-licensed private investigator holding a Class  
4067 "C" individual license under chapter 493;  
4068           2. A Florida-certified public account; or  
4069           3. A Florida-licensed attorney.

4070           (b) Have obtained a certificate of registration from ~~Must~~  
4071 ~~register with~~ the department.

4072           (2) An application for registration as a claimant  
4073 representative must be submitted in writing on a form prescribed  
4074 by the department and must be accompanied by all of the  
4075 following:

4076           (a) A legible color copy of the applicant's current driver  
4077 license showing the full name and current address of such  
4078 person. If a current driver license is not available, another  
4079 form of photo identification must be provided which shows the  
4080 full name and current address of such person.

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- 4081            (b) If the applicant is a private investigator:  
4082            1. ~~on such form as the department prescribes by rule and~~  
4083 ~~must be verified by the applicant. To register with the~~  
4084 ~~department, a private investigator must provide:~~  
4085            ~~(a)~~ A legible copy of the applicant's Class "A" business  
4086 license under chapter 493 or that of the applicant's firm or  
4087 employer which holds a Class "A" business license under chapter  
4088 493; and-  
4089            2. ~~(b)~~ A legible copy of the applicant's Class "C"  
4090 individual license issued under chapter 493.  
4091            (c) If the applicant is a certified public account, the  
4092 applicant's Florida Board of Accountancy number.  
4093            (d) If the applicant is a licensed attorney, the  
4094 applicant's Florida Bar number.  
4095            (e) ~~(e)~~ The business address, and telephone number, tax  
4096 identification number, and state of domicile or incorporation of  
4097 the applicant's ~~private investigative~~ firm or employer.  
4098            (f) ~~(d)~~ The names of agents, ~~or~~ employees, or independent  
4099 contractors, if any, who are designated or authorized to act on  
4100 behalf of the applicant ~~private investigator~~, together with a  
4101 legible color copy of their photo identification issued by an  
4102 agency of the United States, or a state, or a political  
4103 subdivision thereof.  
4104            (g) A statement that the applicant has not, during the 5-  
4105 year period immediately preceding the submission of the

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4106 application, violated any part of the Florida Disposition of  
4107 Abandoned Personal Property Act.

4108 (h) A statement that the applicant has not been convicted  
4109 of, or plead guilty to, a felony or any offense involving moral  
4110 turpitude; dishonesty; deceit; or breach of fiduciary duty,  
4111 including theft, attempted theft, falsification, tampering with  
4112 records, securing writings by deception, fraud, forgery, or  
4113 perjury.

4114 (i)-(e) Sufficient information to enable the department to  
4115 disburse funds by electronic funds transfer.

4116 (j) The applicant's notarized signature immediately  
4117 following an acknowledgment that any false or perjured statement  
4118 subjects the applicant to criminal liability under the laws of  
4119 this state

4120 ~~(f) The tax identification number of the private~~  
4121 ~~investigator's firm or employer which holds a Class "A" business~~  
4122 ~~license under chapter 493.~~

4123 ~~(2) In order to file claims as a claimant's~~  
4124 ~~representative, receive a distribution of fees and costs from~~  
4125 ~~the department, and obtain unclaimed property dollar amounts and~~  
4126 ~~numbers of reported shares of stock held by the department, a~~  
4127 ~~Florida-certified public accountant must register with the~~  
4128 ~~department on such form as the department prescribes by rule and~~  
4129 ~~must be verified by the applicant. To register with the~~  
4130 ~~department, a Florida-certified public accountant must provide:~~

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- 4131 ~~(a) The applicant's Florida Board of Accountancy number.~~
- 4132 ~~(b) A legible copy of the applicant's current driver~~
- 4133 ~~license showing the full name and current address of such~~
- 4134 ~~person. If a current driver license is not available, another~~
- 4135 ~~form of identification showing the full name and current address~~
- 4136 ~~of such person or persons shall be filed with the department.~~
- 4137 ~~(c) The business address and telephone number of the~~
- 4138 ~~applicant's public accounting firm or employer.~~
- 4139 ~~(d) The names of agents or employees, if any, who are~~
- 4140 ~~designated to act on behalf of the Florida-certified public~~
- 4141 ~~accountant, together with a legible copy of their photo~~
- 4142 ~~identification issued by an agency of the United States, or a~~
- 4143 ~~state, or a political subdivision thereof.~~
- 4144 ~~(e) Sufficient information to enable the department to~~
- 4145 ~~disburse funds by electronic funds transfer.~~
- 4146 ~~(f) The tax identification number of the accountant's~~
- 4147 ~~public accounting firm employer.~~
- 4148 (3) ~~In order to file claims as a claimant's~~
- 4149 ~~representative, receive a distribution of fees and costs from~~
- 4150 ~~the department, and obtain unclaimed property dollar amounts and~~
- 4151 ~~numbers of reported shares of stock held by the department, an~~
- 4152 ~~attorney licensed to practice in this state must register with~~
- 4153 ~~the department on such form as the department prescribes by rule~~
- 4154 ~~and must be verified by the applicant. To register with the~~
- 4155 ~~department, such attorney must provide:~~

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- 4156           ~~(a) The applicant's Florida Bar number.~~
- 4157           ~~(b) A legible copy of the applicant's current driver~~  
4158 ~~license showing the full name and current address of such~~  
4159 ~~person. If a current driver license is not available, another~~  
4160 ~~form of identification showing the full name and current address~~  
4161 ~~of such person or persons shall be filed with the department.~~
- 4162           ~~(c) The business address and telephone number of the~~  
4163 ~~applicant's firm or employer.~~
- 4164           ~~(d) The names of agents or employees, if any, who are~~  
4165 ~~designated to act on behalf of the attorney, together with a~~  
4166 ~~legible copy of their photo identification issued by an agency~~  
4167 ~~of the United States, or a state, or a political subdivision~~  
4168 ~~thereof.~~
- 4169           ~~(e) Sufficient information to enable the department to~~  
4170 ~~disburse funds by electronic funds transfer.~~
- 4171           ~~(f) The tax identification number of the attorney's firm~~  
4172 ~~or employer.~~
- 4173           ~~(4)~~ Information and documents already on file with the  
4174 department before the effective date of this provision need not  
4175 be resubmitted in order to complete the registration.
- 4176           ~~(4)(5)~~ If a material change in the status of a  
4177 registration occurs, the claimant representative ~~a registrant~~  
4178 must, within 30 days, provide the department with the updated  
4179 documentation and information in writing. Material changes  
4180 include, but are not limited to, the following, ~~±~~ a designated

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4181 agent or employee ceasing to act on behalf of the designating  
4182 person, a surrender, suspension, or revocation of a license, or  
4183 a license renewal.

4184 (a) If a designated agent or employee ceases to act on  
4185 behalf of the person who has designated the agent or employee to  
4186 act on such person's behalf, the designating person must, within  
4187 30 days, inform the department ~~the Division of Unclaimed~~  
4188 ~~Property~~ in writing of the termination of agency or employment.

4189 (b) If a registrant surrenders the registrant's license or  
4190 the license is suspended or revoked, the registrant must, within  
4191 30 days, inform the division in writing of the surrender,  
4192 suspension, or revocation.

4193 (c) If a private investigator's Class "C" individual  
4194 license under chapter 493 or a private investigator's employer's  
4195 Class "A" business license under chapter 493 is renewed, the  
4196 private investigator must provide a copy of the renewed license  
4197 to the department within 30 days after the receipt of the  
4198 renewed license by the private investigator or the private  
4199 investigator's employer.

4200 ~~(5)-(6)~~ An applicant's claimant representative's A  
4201 ~~registrant's~~ firm or employer may not have a name that might  
4202 lead another person to conclude that the claimant  
4203 representative's ~~registrant's~~ firm or employer is affiliated or  
4204 associated with the United States, or an agency thereof, or a  
4205 state or an agency or political subdivision of a state. The

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4206 department shall deny an application for registration or revoke  
4207 a registration if the applicant's or claimant representative's  
4208 ~~registrant's~~ firm or employer has a name that might lead another  
4209 person to conclude that the firm or employer is affiliated or  
4210 associated with the United States, or an agency thereof, or a  
4211 state or an agency or political subdivision of a state. Names  
4212 that might lead another person to conclude that the firm or  
4213 employer is affiliated or associated with the United States, or  
4214 an agency thereof, or a state or an agency or political  
4215 subdivision of a state, include, but are not limited to, the  
4216 words United States, Florida, state, bureau, division,  
4217 department, or government.

4218 (6)-(7) The licensing and other requirements of this  
4219 section must be maintained as a condition of registration with  
4220 the department.

4221 (7) To maintain active registration under this section, a  
4222 claimant representative must file and obtain payment on at least  
4223 10 claims per calendar year following the date of initial  
4224 registration.

4225 (a) If a claimant representative fails to meet this  
4226 requirement, the department must notify the claimant  
4227 representative in writing and provide 30 days to demonstrate  
4228 compliance or good cause for noncompliance.

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4229 (b) If the claimant representative does not cure the  
4230 deficiency or demonstrate good cause within the time provided,  
4231 the department must revoke the registration.

4232 (c) A claimant representative whose registration is  
4233 revoked under this subsection may not reapply for registration  
4234 under this section for a period of 1 year following the  
4235 effective date of the revocation.

4236 **Section 91. Subsection (1) of section 1001.281, Florida**  
4237 **Statutes, is amended to read:**

4238 1001.281 Operating Trust Fund.—

4239 (1) The Operating Trust Fund, ~~FLAIR number 48-2-510,~~ is  
4240 created within the Department of Education.

4241 **Section 92. Subsection (1) of section 1001.282, Florida**  
4242 **Statutes, is amended to read:**

4243 1001.282 Administrative Trust Fund.—

4244 (1) The Administrative Trust Fund, ~~FLAIR number 48-2-021,~~  
4245 is created within the Department of Education.

4246 **Section 93. Paragraph (a) of subsection (2) of section**  
4247 **197.582, Florida Statutes, is amended to read:**

4248 197.582 Disbursement of proceeds of sale.—

4249 (2) (a) If the property is purchased for an amount in  
4250 excess of the statutory bid of the certificateholder, the  
4251 surplus must be paid over and disbursed by the clerk as set  
4252 forth in subsections (3), (5), and (6). If the opening bid  
4253 included the homestead assessment pursuant to s. 197.502(6)(c),

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4254 that amount must be treated as surplus and distributed in the  
4255 same manner. The clerk shall distribute the surplus to the  
4256 governmental units for the payment of any lien of record held by  
4257 a governmental unit against the property, including any tax  
4258 certificates not incorporated in the tax deed application and  
4259 omitted taxes, if any. If there remains a balance of  
4260 undistributed funds, the balance must be retained by the clerk  
4261 for the benefit of persons described in s. 197.522(1)(a), except  
4262 those persons described in s. 197.502(4)(h), as their interests  
4263 may appear. The clerk shall mail notices to such persons  
4264 notifying them of the funds held for their benefit at the  
4265 addresses provided in s. 197.502(4). Such notice constitutes  
4266 compliance with the requirements of s. 717.117 ~~s. 717.117(6)~~.  
4267 Any service charges and costs of mailing notices shall be paid  
4268 out of the excess balance held by the clerk. Notice must be  
4269 provided in substantially the following form:

4271 NOTICE OF SURPLUS FUNDS

4272 FROM TAX DEED SALE

4274 CLERK OF COURT

4275 .... COUNTY, FLORIDA

4277 Tax Deed #.....

4278 Certificate #.....

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4279 Property Description: .....

4280 Pursuant to chapter 197, Florida Statutes, the above  
4281 property was sold at public sale on ...(date of sale)..., and a  
4282 surplus of \$...(amount)... (subject to change) will be held by  
4283 this office for 120 days beginning on the date of this notice to  
4284 benefit the persons having an interest in this property as  
4285 described in section 197.502(4), Florida Statutes, as their  
4286 interests may appear (except for those persons described in  
4287 section 197.502(4)(h), Florida Statutes).

4288 To the extent possible, these funds will be used to satisfy  
4289 in full each claimant with a senior mortgage or lien in the  
4290 property before distribution of any funds to any junior mortgage  
4291 or lien claimant or to the former property owner. To be  
4292 considered for funds when they are distributed, you must file a  
4293 notarized statement of claim with this office within 120 days of  
4294 this notice. If you are a lienholder, your claim must include  
4295 the particulars of your lien and the amounts currently due. Any  
4296 lienholder claim that is not filed within the 120-day deadline  
4297 is barred.

4298 A copy of this notice must be attached to your statement of  
4299 claim. After the office examines the filed claim statements, it  
4300 will notify you if you are entitled to any payment.

4301 Dated: .....

4302 Clerk of Court

Amendment No.

4303           **Section 94. Paragraph (t) of subsection (1) of section**  
4304 **626.9541, Florida Statutes, is amended to read:**

4305           626.9541 Unfair methods of competition and unfair or  
4306 deceptive acts or practices defined.—

4307           (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE  
4308 ACTS.—The following are defined as unfair methods of competition  
4309 and unfair or deceptive acts or practices:

4310           (t) *Certain life insurance relations with funeral*  
4311 *directors prohibited.*—

4312           1. No life insurer shall permit any funeral director or  
4313 direct disposer to act as its representative, adjuster, claim  
4314 agent, special claim agent, or agent for such insurer in  
4315 soliciting, negotiating, or effecting contracts of life  
4316 insurance on any plan or of any nature issued by such insurer or  
4317 in collecting premiums for holders of any such contracts except  
4318 as prescribed in s. 626.785(2) ~~s. 626.785(3)~~.

4319           2. No life insurer shall:

4320           a. Affix, or permit to be affixed, advertising matter of  
4321 any kind or character of any licensed funeral director or direct  
4322 disposer to such policies of insurance.

4323           b. Circulate, or permit to be circulated, any such  
4324 advertising matter with such insurance policies.

4325           c. Attempt in any manner or form to influence  
4326 policyholders of the insurer to employ the services of any  
4327 particular licensed funeral director or direct disposer.

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4328 3. No such insurer shall maintain, or permit its agent to  
4329 maintain, an office or place of business in the office,  
4330 establishment, or place of business of any funeral director or  
4331 direct disposer in this state.

4332 **Section 95. For the purpose of incorporating the amendment**  
4333 **made by this act to section 717.101, Florida Statutes, in a**  
4334 **reference thereto, paragraph (a) of subsection (6) of section**  
4335 **772.13, Florida Statutes, is reenacted to read:**

4336 772.13 Civil remedy for terrorism or facilitating or  
4337 furthering terrorism.—

4338 (6) (a) In any postjudgment execution proceedings to  
4339 enforce a judgment entered against a terrorist party under this  
4340 section or under 18 U.S.C. s. 2333 or a substantially similar  
4341 law of the United States or of any state or territory of the  
4342 United States, including postjudgment execution proceedings  
4343 against any agency or instrumentality of the terrorist party not  
4344 named in the judgment pursuant to s. 201(a) of the Terrorism  
4345 Risk Insurance Act, 28 U.S.C. s. 1610:

4346 1. There is no right to a jury trial under s. 56.18 or s.  
4347 77.08;

4348 2. A defendant or a person may not use the resources of  
4349 the courts of this state in furtherance of a defense or an  
4350 objection to postjudgment collection proceedings if the  
4351 defendant or person purposely leaves the jurisdiction of this  
4352 state or the United States, declines to enter or reenter this

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4353 state or the United States to submit to its jurisdiction, or  
4354 otherwise evades the jurisdiction of the court in which a  
4355 criminal case is pending against the defendant or person. This  
4356 subparagraph applies to any entity that is owned or controlled  
4357 by a person to whom this paragraph applies;

4358 3. Creditor process issued under chapter 56 or chapter 77  
4359 may be served upon any person or entity over whom the court has  
4360 personal jurisdiction. Writs of garnishment issued under s.  
4361 77.01 and proceedings supplementary under s. 56.29 apply to  
4362 intangible assets wherever located, without territorial  
4363 limitation, including bank accounts as defined in s.  
4364 674.104(1)(a), financial assets as defined in s. 678.1021(1), or  
4365 other intangible property as defined in s. 717.101. The situs of  
4366 any intangible assets held or maintained by or in the  
4367 possession, custody, or control of a person or entity so served  
4368 shall be deemed to be in this state for the purposes of a  
4369 proceeding under chapter 56 or chapter 77. Service of a writ or  
4370 notice to appear under this section shall provide the court with  
4371 in rem jurisdiction over any intangible assets regardless of the  
4372 location of the assets;

4373 4. Notwithstanding s. 678.1121, the interest of a debtor  
4374 in a financial asset or security entitlement may be reached by a  
4375 creditor by legal process upon the securities intermediary with  
4376 whom the debtor's securities account is maintained, or, if that  
4377 is a foreign entity, legal process under chapter 56 or chapter

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Amendment No.

4378 77 may be served upon the United States securities custodian or  
4379 intermediary that has reported holding, maintaining, possessing,  
4380 or controlling the blocked financial assets or security  
4381 entitlements to the Office of Foreign Assets Control of the  
4382 United States Department of the Treasury, and such financial  
4383 assets or security entitlements shall be subject to execution,  
4384 garnishment, and turnover by the United States securities  
4385 custodian or intermediary; and

4386 5. Notwithstanding s. 670.502(4), when an electronic funds  
4387 transfer is not completed within 5 banking days and is canceled  
4388 pursuant to s. 670.211(4) because a United States intermediary  
4389 financial institution has blocked the transaction in compliance  
4390 with a United States sanctions program, and a terrorist party or  
4391 any agency or instrumentality thereof was either the originator  
4392 or the intended beneficiary, then the blocked funds shall be  
4393 deemed owned by the terrorist party or its agency or  
4394 instrumentality and shall be subject to execution and  
4395 garnishment.

4396 **Section 96.** The following rules are ratified for the sole  
4397 and exclusive purpose of satisfying any condition on  
4398 effectiveness imposed under chapter 2025-100, Laws of Florida:  
4399 Rules 69C-2.004, 69C-2.005, 69C-2.016, 69C-2.022, 69C-2.026,  
4400 69C-2.034, 69C-2.035, 69U-100.097, 69V-560.1000, 69V-560.1012,  
4401 69V-560.102, 69V-560.7032, 69V-560.7033, 69V-560.7034, 69V-  
4402 560.7035, and 69V-560.7036, Florida Administrative Code,

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4403 entitled "Definitions," "Designation of a Qualified Public  
4404 Depository," "Financial Information Reports by a Qualified  
4405 Public Depository," "Requirements of Public Depositors,"  
4406 "Administration of Payment of Losses," "Disqualification,  
4407 Suspension, and Administrative Penalty," "Custodians of Gold  
4408 Coin or Silver Coin," "Gold Coin or Silver Coin Deposits,"  
4409 "Disciplinary Guidelines," "Adoption of Forms," "Application or  
4410 Appointment Procedures and Requirements," "Records to Be  
4411 Maintained when Engaged in Transactions Involving Gold and  
4412 Silver Coin," "Gold Coin and Silver Coin Disclosures,"  
4413 "Accredited Refiner or Wholesaler of Gold Coin or Silver Coin,"  
4414 "Chain of Custody Related to Gold or Silver Coin," and "Rapid  
4415 Response Time by Law Enforcement," respectively, as filed for  
4416 adoption with the Department of State pursuant to the  
4417 certification packages dated October 31, 2025, and November 1,  
4418 2025.

4419 **Section 97.** Section 18 of chapter 2025-100, Laws of  
4420 Florida, is repealed.

4421 **Section 98.** The amendments made by this act to s.  
4422 215.55871, Florida Statutes, apply to inspection and grant  
4423 applications submitted to the Department of Financial Services  
4424 by a condominium association on or after July 1, 2026.

4425 **Section 99.** This act shall take effect upon becoming a  
4426 law.

4427

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**T I T L E   A M E N D M E N T**

Remove everything before the enacting clause and insert:

An act relating to the Department of Financial Services; amending s. 17.11, F.S.; revising the subsystem used for a certain report of disbursements made; amending s. 17.13, F.S.; requiring the replacement of lost or destroyed warrants; amending s. 110.113, F.S.; deleting the Department of Financial Services' authority to make semimonthly salary payments; amending s. 112.3135, F.S.; authorizing a public official to take specified actions in relation to the employment of a relative as a firefighter; amending s. 215.422, F.S.; requiring agencies to pay interest from available appropriations under certain circumstances; amending s. 215.5586, F.S.; defining terms; revising eligibility requirements for a hurricane mitigation inspection under the My Safe Florida Home Program; revising the circumstances under which applicants may submit a subsequent hurricane mitigation inspection; deleting the requirement that licensed inspectors must determine mitigation measures during initial inspections of eligible homes; deleting inspectors' authorization to inspect townhouses; revising the criteria for eligibility for a hurricane

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1221 (2026)

Amendment No.

4453 mitigation grant; revising the grant's applicant  
4454 requirements; permanently requiring participants to be  
4455 low-or moderate-income, have an inspection within 24  
4456 months of application, and homes having an insured  
4457 value of \$700,000 or less; revising the improvements  
4458 that grants may be used for; requiring that  
4459 improvements be identified in the final hurricane  
4460 mitigation inspection to receive grant funds; deleting  
4461 a provision related to grants for townhouses;  
4462 authorizing the program to accept a specified  
4463 certification directly from applicants; requiring  
4464 applicants who receive grants to finalize construction  
4465 and request a final inspection within a specified  
4466 timeframe; specifying that an application is deemed  
4467 abandoned, rather than withdrawn, under certain  
4468 circumstances; requiring the department to notify an  
4469 applicant within a specified time period before an  
4470 application is be deemed abandoned; authorizing the  
4471 applicant to submit a subsequent application in  
4472 certain circumstances; authorizing the department to  
4473 determine that an application is not abandoned in  
4474 certain circumstances; amending s. 215.55871, F.S.;  
4475 defining the term "area median income"; removing the  
4476 definition of the term "service area"; revising  
4477 eligibility requirements for the My Safe Florida

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Amendment No.

4478 Condominium Pilot Program; requiring the Department of  
4479 Financial Services to adopt rules to verify household  
4480 income; authorizing condominiums with mixed-income  
4481 occupancies to participate in the pilot program under  
4482 certain 11 circumstances; requiring an application for  
4483 a mitigation grant to include documentation to verify  
4484 household income; limiting the award of grant funds;  
4485 requiring an association to complete a certain  
4486 percentage of opening protection improvements;  
4487 amending s. 215.89, F.S.; deleting obsolete  
4488 provisions; amending s. 215.93, F.S.; revising the  
4489 subsystems of the Florida Financial Management  
4490 Information System; requiring certain requests for  
4491 records to be made to a specified entity; prohibiting  
4492 such requests from being made to the functional owner  
4493 of the subsystem; providing an exception; amending s.  
4494 215.94, F.S.; providing that the department is the  
4495 functional owner of the Financial Management  
4496 Subsystem; revising the functions of such subsystem;  
4497 amending s. 215.96, F.S.; revising the composition of  
4498 the coordinating council; deleting a requirement for  
4499 the design and coordination staff; requiring minutes  
4500 of meetings to be available to interested persons;  
4501 revising the composition of ex officio members of the  
4502 council; revising the duties, powers, and

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Amendment No.

4503 responsibilities of the council; amending ss. 215.985,  
4504 216.102, and 216.141, F.S.; conforming provisions to  
4505 changes made by the act; amending s. 440.13, F.S.;  
4506 revising the timeframe in which health care providers  
4507 must petition the department to resolve utilization  
4508 and reimbursement disputes; revising petition service  
4509 requirements; revising the timeframe in which the  
4510 panel determining the statewide schedule of maximum  
4511 reimbursement allowances must submit certain  
4512 recommendations to the Legislature; creating s.  
4513 497.1411, F.S.; defining the term "applicant";  
4514 specifying that certain applicants are permanently  
4515 barred from licensure; specifying that certain  
4516 applicants are subject to disqualifying periods;  
4517 requiring the Board of Funeral, Cemetery, and Consumer  
4518 Services to adopt rules; specifying requirements,  
4519 authorizations, and prohibitions for such rules;  
4520 specifying when a disqualifying period begins;  
4521 specifying that the applicant has certain burdens to  
4522 demonstrate that he or she is qualified for licensure;  
4523 specifying that certain applicants who have been  
4524 granted a pardon or restoration of civil rights are  
4525 not barred or disqualified from licensure; specifying  
4526 that such pardon or restoration does not require the  
4527 board to award a license; authorizing the board to

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1221 (2026)

Amendment No.

4528 grant an exemption from disqualification under certain  
4529 circumstances; specifying requirements for the  
4530 applicant in order for the board to grant an  
4531 exemption; specifying that the board has discretion to  
4532 grant or deny an exemption; specifying that certain  
4533 decisions are subject to ch. 120, F.S.; providing  
4534 applicability and construction; amending s. 497.142,  
4535 F.S.; prohibiting an application from being deemed  
4536 complete under certain circumstances; revising the  
4537 list of crimes to be disclosed on a license  
4538 application; amending s. 553.80, F.S.; providing that  
4539 the use of certain dwellings as, or the conversion of  
4540 such dwellings into, certain residences is not a  
4541 change in occupancy as defined in the Florida Building  
4542 Code amending s. 560.309, F.S.; providing that the  
4543 federal Fair Debt Collection Practices Act only  
4544 applies under certain circumstances; amending s.  
4545 560.405, F.S.; providing a debit card used for payment  
4546 will be treated the same as cash in certain  
4547 transactions; prohibits the use of a credit card  
4548 transaction in certain transactions; amending s.  
4549 560.406, F.S.; clarifying when a licensee is subject  
4550 to the Fair Debt Collection Practices Act; amending s.  
4551 626.0428, F.S.; making conforming provisions to  
4552 changes made in this act; amending s. 626.171, F.S.;

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1221 (2026)

Amendment No.

4553 deleting reinsurance intermediaries from certain  
4554 application requirements; revising the list of persons  
4555 from whom the department is required to accept uniform  
4556 applications; making clarifying changes regarding the  
4557 voluntary submission of cellular telephone numbers;  
4558 revising the exemption from the application filing fee  
4559 for members of the United States Armed Forces;  
4560 amending s. 626.292, F.S.; revising applicant  
4561 requirements for a license transfer; amending s.  
4562 626.611, F.S.; requiring the department to require  
4563 license reexamination of certain persons, and suspend  
4564 or revoke the eligibility to hold a license or  
4565 appointment of such persons under certain  
4566 circumstances; amending the grounds for suspension or  
4567 revocation; amending 626.621, F.S.; authorizing the  
4568 department to require an reexamination of certain  
4569 persons; amending s. 626.731, F.S.; revising the  
4570 qualifications for a general lines agent's license;  
4571 amending s. 626.785, F.S.; revising the qualifications  
4572 for a life agent's license; amending s. 626.831, F.S.;  
4573 revising the qualifications for a health agent's  
4574 license; amending s. 626.854, F.S.; requiring a public  
4575 adjuster, public adjuster apprentice, or public  
4576 adjusting firm to respond with specific information  
4577 within a specified timeframe and document in the file

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4578 the response or information provided; amending s.  
4579 627.797, F.S.; removing the requirement for insurers  
4580 to file a list of attorney agents to the state  
4581 Legislature by a specified date; amending s. 633.208,  
4582 F.S.; providing that the use of certain dwellings as,  
4583 or the conversion of such dwellings into, certain  
4584 residences does not require the reclassification of  
4585 such dwellings for purposes of enforcing the Florida  
4586 Fire Prevention Code; amending s. 648.34, F.S.;  
4587 revising requirements for bail bond agent applicants;  
4588 amending s. 648.382, F.S.; requiring officers or  
4589 officials of the appointing insurer to obtain, rather  
4590 than submit, certain information; amending s. 717.001,  
4591 F.S.; revising the short title; amending s. 717.101,  
4592 F.S.; revising and adding definitions; amending s.  
4593 717.102, F.S.; providing that certain intangible  
4594 property is presumed abandoned; deleting a provision  
4595 relating to the presumption that certain intangible  
4596 property is presumed unclaimed; specifying the  
4597 dormancy period for property presumed abandoned;  
4598 requiring that property be considered payable or  
4599 distributable under certain circumstances; deleting a  
4600 provision relating to when property is payable or  
4601 distributable; revising a presumption; providing that  
4602 property shall be presumed abandoned under certain

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4603 | circumstances; providing an exception; amending s.  
4604 | 717.103, F.S.; requiring that intangible property be  
4605 | subject to the custody of the department under certain  
4606 | circumstances; amending criteria for when intangible  
4607 | property is subject to the custody of the department;  
4608 | repealing s. 717.1035, F.S., relating to property  
4609 | originated or issued by this state, any political  
4610 | subdivision of this state, or any entity incorporated,  
4611 | organized, created, or otherwise located in the state;  
4612 | amending ss. 717.104, 717.1045, 717.105, 717.106,  
4613 | 717.107, 717.1071, 717.108, and 717.109, F.S.;  
4614 | conforming provisions to changes made by the act;  
4615 | amending s. 717.1101, F.S.; revising the timelines and  
4616 | conditions under which stock, other equity interests,  
4617 | or debt of a business association is considered  
4618 | abandoned; requiring the holder to attempt to confirm  
4619 | the apparent owner's interest in the equity interest  
4620 | by sending an e-mail communication under certain  
4621 | circumstances; requiring the holder to attempt to  
4622 | contract the apparent owner by first-class United  
4623 | States mail under certain circumstances; specifying  
4624 | that equity interest is presumed abandoned under  
4625 | certain circumstances; revising when unmatured,  
4626 | unredeemed, matured, or redeemed debt is presumed  
4627 | abandoned; specifying that the applicable dormancy

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Amendment No.

4628 period ceases under certain circumstances; revising  
4629 the timeframe that a sum held or owing by a business  
4630 association is presumed abandoned; specifying equity  
4631 interests in business associations and securities  
4632 accounts are not presumed abandoned solely due to  
4633 inactivity under certain circumstances;\_ amending ss.  
4634 717.111, 717.112, 717.1125, 717.113, 717.115, and  
4635 717.116, F.S.; conforming provisions to changes made  
4636 by the act; amending s. 717.117, F.S.; specifying that  
4637 property is presumed abandoned upon the expiration of  
4638 the applicable dormancy periods; specifying that  
4639 property is not deemed abandoned for certain purposes  
4640 until the holder meets certain requirements; requiring  
4641 holders of property presumed abandoned that has a  
4642 specified value to use due diligence to locate and  
4643 notify the apparent owner; requiring, before a  
4644 specified timeframe, a holder in possession of  
4645 presumed abandoned property to send a specified  
4646 written notice to the apparent owner; specifying the  
4647 method of delivery of such notice; requiring, before a  
4648 specified timeframe, the holder to send a second  
4649 written notice under certain circumstances;  
4650 authorizing the reasonable cost for the notice to be  
4651 deducted from the property; specifying that a signed  
4652 return receipt constitutes an affirmative

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4653 demonstration of continued interest; specifying  
4654 requirements of the written notice; requiring holders  
4655 of abandoned property to submit a specified report to  
4656 the department; prohibiting certain balances,  
4657 overpayments, deposits, and refunds from being  
4658 reported as abandoned property; prohibiting certain  
4659 securities from being included in the report;  
4660 requiring the holder to report and deliver such  
4661 securities under certain circumstances; requiring the  
4662 report to be signed and verified and contain a  
4663 specified statement; deleting certain provisions  
4664 relating to the due diligence and notices to apparent  
4665 owners; amending s. 717.118, F.S.; revising the  
4666 state's obligation to notify apparent owners that  
4667 their abandoned property has been reported and  
4668 remitted to the department; requiring the department  
4669 to use a cost-effective means to make an attempt to  
4670 notify certain apparent owners; specifying  
4671 requirements for the notice; requiring the department  
4672 to maintain a specified website; revising  
4673 applicability; amending s. 717.119, F.S.; conforming  
4674 provisions to changes made by the act; revising  
4675 requirements for firearm or ammunition found in an  
4676 abandoned safe-deposit box or safekeeping repository;  
4677 revising requirements if a will or trust instrument is

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Amendment No.

4678 included among the contents of an abandoned safe-  
4679 deposit box or safekeeping repository; amending ss.  
4680 717.1201 and 717.122, F.S.; conforming provisions to  
4681 changes made by the act; amending s. 717.123, F.S.;  
4682 conforming provisions to changes made by the act;  
4683 revising the name of a certain trust fund; amending s.  
4684 717.1235, F.S.; conforming provisions to changes made  
4685 by the act; amending s. 717.124, F.S.; conforming  
4686 provisions to changes made by the act; deleting  
4687 provisions related to requirements of claimant's  
4688 representatives; specifying that the department is  
4689 authorized to make a distribution of property or money  
4690 in accordance with a specified agreement under certain  
4691 circumstances; requiring shares of securities to be  
4692 delivered directly to the claimant under certain  
4693 circumstances; deleting a provision authorizing the  
4694 department to develop a process by which a buyer of  
4695 unclaimed property may electronically submit certain  
4696 images and documents; deleting provisions relating to  
4697 a buyer of unclaimed property's filing of a claim;  
4698 amending s. 717.12403, F.S.; conforming provisions to  
4699 changes made by the act; amending s. 717.12404, F.S.;  
4700 requiring claims on behalf of an active corporation to  
4701 include a specified driver license; conforming  
4702 provisions to changes made by the act; amending ss.

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Amendment No.

4703 717.12405 and 717.12406, F.S.; conforming provisions  
4704 to changes made by the act; amending s. 717.1241,  
4705 F.S.; defining the term "conflicting claim";  
4706 conforming provisions to changes made by the act;  
4707 revising requirements for remitting property when  
4708 conflicting claims have been received by the  
4709 department; amending ss. 717.1242, 717.1243, 717.1244,  
4710 717.1245, 717.125, 717.126, 717.1261, 717.1262,  
4711 717.129, 717.1301, 717.1315, and 717.132, F.S.;  
4712 conforming provisions to changes made by the act;  
4713 amending s. 717.1322, F.S.; revising the acts that  
4714 constitute grounds for administrative enforcement  
4715 action by the department; conforming provisions to  
4716 changes made by the act; amending ss. 717.133,  
4717 717.1333, and 717.1341, F.S.; conforming provisions to  
4718 changes made by the act; amending s. 717.135, F.S.;  
4719 conforming provisions to changes made by the act;  
4720 deleting applicability; creating s. 717.1356, F.S.;  
4721 specifying that agreements for the purchase of  
4722 abandoned property reported to the department are  
4723 valid only under certain circumstances; authorizing  
4724 the seller to cancel a purchase agreement without  
4725 penalty or obligation within a specified timeframe;  
4726 specifying that the agreement must contain certain  
4727 language; requiring a copy of an executed Florida

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Amendment No.

4728 Abandoned Property Purchase Agreement be filed with  
4729 the purchaser's claim; prohibiting the department from  
4730 approving the claim under certain circumstances;  
4731 specifying that certain purchase agreements are  
4732 enforceable only by the seller; amending s. 717.138,  
4733 F.S.; conforming provisions to changes made by the  
4734 act; amending s. 717.1382, F.S.; conforming provisions  
4735 to changes made by the act; conforming a cross-  
4736 reference; amending s. 717.139, F.S.; providing  
4737 legislative findings; revising a statement of public  
4738 policy; deleting a legislative declaration; providing  
4739 legislative intent; prohibiting title to abandoned  
4740 property from transferring to the state except under  
4741 certain circumstances; amending s. 717.1400, F.S.;  
4742 requiring an individual to meet certain requirements  
4743 in order to file claims as a claimant representative;  
4744 revising application requirements for registering as a  
4745 claimant representative; requiring claimant  
4746 representatives to file and obtain payment on a  
4747 specified number of claims within a specified  
4748 timeframe to maintain active registration; requiring  
4749 the department to notify the claimant representative  
4750 in writing and provide a certain timeframe to  
4751 demonstrate compliance or good cause for noncompliance  
4752 under certain circumstances; requiring the department

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1221 (2026)

Amendment No.

4753 to revoke a registration under certain circumstances;  
4754 prohibiting a claimant representative from reapplying  
4755 under certain circumstances; amending ss. 1001.281 and  
4756 1001.282, F.S.; conforming provisions to changes made  
4757 by the act; amending ss. 197.582 and 626.9541, F.S.;  
4758 conforming cross-references; reenacting s.  
4759 772.13(6) (a), F.S., relating to postjudgment execution  
4760 proceedings to enforce a judgment entered against a  
4761 terrorist party, to incorporate the amendment made to  
4762 s. 717.101, F.S., in a reference thereto; ratifying  
4763 specified rules relating to legal tender for the sole  
4764 and exclusive purpose of satisfying any condition on  
4765 effectiveness pursuant to chapter 2025-100, Laws of  
4766 Florida; repealing s. 18 of chapter 2025-100, Laws of  
4767 Florida, which repeals specified provisions relating  
4768 to legal tender; providing applicability for  
4769 amendments made in this act to s. 215.55871, F.S.;  
4770 providing an effective date.

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