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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/25/2026	.	
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The Appropriations Committee on Agriculture, Environment, and General Government (Truenow) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (2) of section 17.11, Florida Statutes, is amended to read:

17.11 To report disbursements made.—

(2) The Chief Financial Officer shall also cause to have reported from the Financial Management ~~Florida Accounting Information Resource~~ Subsystem no less than quarterly the



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11 disbursements which agencies made to small businesses, as  
12 defined in the Florida Small and Minority Business Assistance  
13 Act; to certified minority business enterprises in the  
14 aggregate; and to certified minority business enterprises broken  
15 down into categories of minority persons, as well as gender and  
16 nationality subgroups. This information shall be made available  
17 to the agencies, the Office of Supplier Diversity, the Governor,  
18 the President of the Senate, and the Speaker of the House of  
19 Representatives. Each agency shall be responsible for the  
20 accuracy of information entered into the Financial Management  
21 ~~Florida Accounting Information Resource~~ Subsystem for use in  
22 this reporting.

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

25 17.13 To replace ~~duplicate~~ warrants lost or destroyed.—

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



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

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

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

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

59 110.113 Pay periods for state officers and employees;  
60 salary payments by direct deposit.—

61 (1) The normal pay period for salaries of state officers  
62 and employees shall be 1 month. The Department of Financial  
63 Services shall issue either monthly or biweekly salary payments  
64 by state warrants or by direct deposit pursuant to s. 17.076 ~~or~~  
65 ~~make semimonthly salary payments by direct deposit pursuant to~~  
66 ~~s. 17.076~~, as requested by the head of each state agency and  
67 approved by the Executive Office of the Governor and the  
68 Department of Financial Services.



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69 Section 4. Subsection (16) of section 215.422, Florida  
70 Statutes, is amended to read:

71 215.422 Payments, warrants, and invoices; processing time  
72 limits; dispute resolution; agency or judicial branch  
73 compliance.—

74 (16) ~~Nothing contained in~~ This section may not shall be  
75 construed to be an appropriation. Any interest which becomes due  
76 and owing pursuant to this section must be paid shall only be  
77 payable from the appropriation charged for such goods or  
78 services. However, if sufficient funds are not available within  
79 the appropriation charged for such goods or services, the agency  
80 must pay the interest from a similar or appropriate  
81 appropriation category.

82 Section 5. Paragraphs (a) through (e) of subsection (1),  
83 subsections (2) and (3), paragraph (a) of subsection (8), and  
84 subsection (10) of section 215.5586, Florida Statutes, are  
85 amended to read:

86 215.5586 My Safe Florida Home Program.—There is established  
87 within the Department of Financial Services the My Safe Florida  
88 Home Program. The department shall provide fiscal  
89 accountability, contract management, and strategic leadership  
90 for the program, consistent with this section. This section does  
91 not create an entitlement for property owners or obligate the  
92 state in any way to fund the inspection or retrofitting of  
93 residential property in this state. Implementation of this  
94 program is subject to annual legislative appropriations. It is  
95 the intent of the Legislature that, subject to the availability  
96 of funds, the My Safe Florida Home Program provide licensed  
97 inspectors to perform hurricane mitigation inspections of



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98 eligible homes and grants to fund hurricane mitigation projects  
99 on those homes. The department shall implement the program in  
100 such a manner that the total amount of funding requested by  
101 accepted applications, whether for inspections, grants, or other  
102 services or assistance, does not exceed the total amount of  
103 available funds. If, after applications are processed and  
104 approved, funds remain available, the department may accept  
105 applications up to the available amount. The program shall  
106 develop and implement a comprehensive and coordinated approach  
107 for hurricane damage mitigation pursuant to the requirements  
108 provided in this section.

109 (1) HURRICANE MITIGATION INSPECTIONS.—

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

111 a. "Attached" means a dwelling unit that shares a wall with  
112 another dwelling unit.

113 b. "Detached" means a dwelling that does not share a wall  
114 with another dwelling unit or building and has greater than zero  
115 clearance between it and any other building. This term includes  
116 a garage that is located under a contiguous roof with a  
117 residence.

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

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

123 a. ~~1.~~ The A home for which the inspection is sought is ~~must~~  
124 ~~be~~ a single-family~~7~~ unit on an individual parcel of land that  
125 is:

126 (I) A detached residential property; or



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

129           ~~b.2.~~ The A home for which the inspection is sought is must  
130 be site-built and owner-occupied. and

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

133           (b)1. An application for a hurricane mitigation inspection  
134 must contain a signed or electronically verified statement made  
135 under penalty of perjury that the applicant has submitted only  
136 one inspection application on the home or that the application  
137 is allowed under subparagraph 2., and the application must have  
138 documents attached which demonstrate that the applicant meets  
139 the requirements of paragraph (a).

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

142           a. The original hurricane mitigation inspection application  
143 has been denied or withdrawn because of material errors or  
144 omissions in the application;

145           b. The original hurricane mitigation inspection application  
146 was denied or withdrawn because the applicant ~~home~~ did not meet  
147 the eligibility criteria for an inspection at the time of the  
148 previous application, and the applicant ~~homeowner~~ reasonably  
149 believes that he or she is the home now ~~is~~ eligible for an  
150 inspection; ~~or~~

151           c. The program's eligibility requirements for an inspection  
152 have changed since the original application date, and the  
153 applicant reasonably believes that her or she the home is  
154 eligible under the new requirements; or.

155           d. More than 24 months have passed since the applicant



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156 received a hurricane mitigation inspection under this section,  
157 and the applicant has not received a grant payment through the  
158 program for that inspection.

159 (c) An applicant meeting the requirements of paragraph (a)  
160 may receive an inspection of the a home through ~~under~~ the  
161 program without being eligible for a grant under subsection (2)  
162 or applying for such grant.

163 (d) Licensed inspectors are to provide initial home  
164 inspections of eligible homes to determine ~~what mitigation~~  
165 ~~measures are needed,~~ what insurance premium discounts may be  
166 available, and what improvements to existing residential  
167 properties are needed to reduce the property's vulnerability to  
168 hurricane damage. ~~An inspector may inspect a townhouse as~~  
169 ~~defined in s. 481.203 to determine if opening protection~~  
170 ~~mitigation as listed in subparagraph (2)(c)1. would provide~~  
171 ~~improvements to mitigate hurricane damage.~~

172 (e) The department shall contract with wind certification  
173 entities to provide hurricane mitigation inspections. The  
174 initial inspections provided to applicants homeowners, at a  
175 minimum, must include:

176 1. A home inspection and report that summarizes the  
177 inspection results and identifies recommended improvements an  
178 applicant a homeowner may make take to mitigate hurricane  
179 damage.

180 2. A range of cost estimates regarding the recommended  
181 mitigation improvements.

182 3. Information regarding estimated premium discounts,  
183 correlated to the current mitigation features and the  
184 recommended mitigation improvements identified by the



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185 inspection.

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

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

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

194 2. The home must be a dwelling with an insured value of  
195 \$700,000 or less. ~~Homeowners who are low-income persons, as~~  
196 ~~defined in s. 420.0004(11), are exempt from this requirement.~~

197 3. The home must undergo an initial ~~acceptable~~ hurricane  
198 mitigation inspection through the program as provided in  
199 subsection (1) within the 24 months immediately preceding the  
200 date of application.

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

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

207 6. The applicant ~~homeowner~~ must agree to provide to the  
208 department information received from the applicant's ~~homeowner's~~  
209 insurer identifying the discounts realized by the applicant  
210 ~~homeowner~~ because of the mitigation improvements funded through  
211 the program.

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



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214 ~~b. The hurricane mitigation inspection must have occurred~~  
215 ~~within the previous 24 months from the date of application.~~

216 ~~e. Notwithstanding subparagraph 2., homeowners who are low-~~  
217 ~~income persons, as defined in s. 420.0004(11), are not exempt~~  
218 ~~from the requirement that the home must be a dwelling with an~~  
219 ~~insured value of \$700,000 or less.~~

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

221 (b)1. An application for a grant must contain a signed or  
222 electronically verified statement made under penalty of perjury  
223 that the applicant has submitted only one grant application or  
224 that the application is allowed under subparagraph 2., and the  
225 application must have documents attached demonstrating that the  
226 applicant meets the requirements of paragraph (a).

227 2. An applicant may submit a subsequent grant application  
228 if:

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

231 b. The original grant application was denied or withdrawn  
232 because the applicant ~~home~~ did not meet the eligibility criteria  
233 for a grant at the time of the previous application, and the  
234 applicant ~~homeowner~~ reasonably believes that he or she is ~~the~~  
235 ~~home~~ now is eligible for a grant; or

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

240 3. A grant application must include a statement from the  
241 applicant ~~homeowner~~ which contains the name and state license  
242 number of the contractor that the applicant ~~homeowner~~



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243 acknowledges as the intended contractor for the mitigation work.  
244 The program must ~~electronically~~ verify that the contractor's  
245 state license number is valid ~~accurate and up to date before~~  
246 ~~grant approval~~.

247 (c) All grants must be matched on the basis of \$1 provided  
248 by the applicant for \$2 provided by the state up to a maximum  
249 state contribution of \$10,000 toward the actual cost of the  
250 mitigation project, except as provided in paragraph (h).

251 (d) All hurricane mitigation performed under the program  
252 must be based upon the securing of all required local permits  
253 and inspections and must be performed by properly licensed  
254 contractors.

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

258 1. Opening protection improvements, including:

259 a. Exterior doors. ~~τ~~

260 b. Garage doors. ~~τ~~

261 c. Windows. ~~τ~~ ~~and~~

262 d. Skylights.

263 2. Roof improvements, including:

264 a. Reinforcing roof-to-wall connections.

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

266 c. ~~4.~~ Installing secondary water resistance for roof and  
267 replacing the roof covering.

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



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272 (g) The department may require that improvements be made to  
273 all openings, including exterior doors, garage doors, windows,  
274 and skylights, as a condition of reimbursing an applicant ~~a~~  
275 ~~homeowner~~ approved for a grant. The department may adopt, by  
276 rule, the maximum grant allowances for any improvement allowable  
277 under paragraph (e) ~~or paragraph (f)~~.

278 (h) Low-income applicants ~~homeowners~~, as defined in s.  
279 420.0004(11), who otherwise meet the applicable requirements of  
280 this subsection are eligible for a grant of up to \$10,000 and  
281 are not required to provide a matching amount to receive the  
282 grant.

283 (i)1. The department shall develop a process that ensures  
284 the most efficient means to collect and verify inspection  
285 applications and grant applications to determine eligibility.  
286 The department may direct hurricane mitigation inspectors to  
287 collect and verify grant application information or use the  
288 Internet or other electronic means to collect information and  
289 determine eligibility.

290 2. The department shall prioritize the review and approval  
291 of such inspection applications and grant applications in the  
292 following order:

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

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

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

299 d. Fourth, applications from all other moderate-income  
300 persons, as defined in s. 420.0004; ~~and~~



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301 ~~e. Last, all other applications.~~

302 3. The department shall start accepting inspection  
303 applications and grant applications no earlier than the  
304 effective date of a legislative appropriation funding  
305 inspections and grants, as follows:

306 a. Initially, from applicants prioritized under sub-  
307 subparagraph 2.a.;

308 b. From applicants prioritized under sub-subparagraph 2.b.,  
309 beginning 15 days after the program initially starts accepting  
310 applications;

311 c. From applicants prioritized under sub-subparagraph 2.c.,  
312 beginning 30 days after the program initially starts accepting  
313 applications; and

314 d. From applicants described in sub-subparagraph 2.d.,  
315 beginning 45 days after the program initially starts accepting  
316 applications; ~~and~~

317 ~~e. From all other applicants, beginning 60 days after the~~  
318 ~~program initially starts accepting applications.~~

319 4. The program may accept a certification directly from a  
320 low-income applicant homeowner or moderate-income applicant  
321 ~~homeowner~~ who meets the requirements of s. 420.0004(11) or (12),  
322 respectively, if the applicant homeowner provides such  
323 certification in a signed or electronically verified statement  
324 made under penalty of perjury.

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

329 (j) An applicant ~~A homeowner~~ who receives a grant shall



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330 finalize construction and request a final inspection, ~~or request~~  
331 ~~an extension for an additional 6 months,~~ within 18 months ~~1 year~~  
332 after grant application approval. If an applicant ~~a homeowner~~  
333 fails to comply with this paragraph, his or her application is  
334 deemed abandoned and the grant money reverts to the department.

335 (3) REQUESTS FOR INFORMATION.—The department may request  
336 that an applicant provide additional information. An application  
337 is deemed abandoned ~~withdrawn~~ by the applicant if the department  
338 does not receive a response to its request for additional  
339 information within 60 days after the notification of any  
340 apparent error or omission.

341 (8) CONTRACT MANAGEMENT.—

342 (a) The department may contract with third parties for  
343 grants management, inspection services, contractor services for  
344 low-income applicants ~~homeowners~~, information technology,  
345 educational outreach, and auditing services. Such contracts are  
346 considered direct costs of the program and are not subject to  
347 administrative cost limits. The department shall contract with  
348 providers that have a demonstrated record of successful business  
349 operations in areas directly related to the services to be  
350 provided and shall ensure the highest accountability for use of  
351 state funds, consistent with this section.

352 (10) REPORTS.—The department shall make an annual report on  
353 the activities of the program that shall account for the use of  
354 state funds and indicate the number of inspections requested,  
355 the number of inspections performed, the number of grant  
356 applications received, the number and value of grants approved,  
357 and the estimated average annual amount of insurance premium  
358 discounts and total estimated annual amount of insurance premium



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359 discounts applicants ~~homeowners~~ received from insurers as a  
360 result of mitigation funded through the program. The report must  
361 be delivered to the President of the Senate and the Speaker of  
362 the House of Representatives by February 1 of each year.

363 Section 6. Subsection (3) of section 215.89, Florida  
364 Statutes, is amended to read:

365 215.89 Charts of account.—

366 ~~(3) REPORTING STRUCTURE.—~~

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

371 ~~(b) By January 15, 2014, the Chief Financial Officer, after~~  
372 ~~consultation with affected state agencies, local governments,~~  
373 ~~educational entities, entities of higher education, and the~~  
374 ~~Auditor General, shall submit to the Governor, the President of~~  
375 ~~the Senate, and the Speaker of the House of Representatives a~~  
376 ~~report recommending a uniform charts of account which requires~~  
377 ~~specific enterprise-wide information related to revenues and~~  
378 ~~expenditures of state agencies, local governments, educational~~  
379 ~~entities, and entities of higher education. The report must~~  
380 ~~include the estimated cost of adopting and implementing a~~  
381 ~~uniform enterprise-wide charts of account.~~

382 Section 7. Subsections (1) and (5) of section 215.93,  
383 Florida Statutes, are amended to read:

384 215.93 Florida Financial Management Information System.—

385 (1) To provide the information necessary to carry out the  
386 intent of the Legislature, there shall be a Florida Financial  
387 Management Information System. The Florida Financial Management



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388 Information System shall be fully implemented and shall be  
389 upgraded as necessary to ensure the efficient operation of an  
390 integrated financial management information system and to  
391 provide necessary information for the effective operation of  
392 state government. Upon the recommendation of the coordinating  
393 council and approval of the board, the Florida Financial  
394 Management Information System may require data from any state  
395 agency information system or information subsystem or may  
396 request data from any judicial branch information system or  
397 information subsystem that the coordinating council and board  
398 have determined to have statewide financial management  
399 significance. Each functional owner information subsystem within  
400 the Florida Financial Management Information System shall be  
401 developed in such a fashion as to allow for timely, positive,  
402 preplanned, and prescribed data transfers between the Florida  
403 Financial Management Information System functional owner  
404 information subsystems and from other information systems. The  
405 principal unit of the system shall be the functional owner  
406 information subsystem, and the system shall include, but shall  
407 not be limited to, the following:

- 408 (a) Planning and Budgeting Subsystem.
- 409 ~~(b) Florida Accounting Information Resource Subsystem.~~
- 410 (b)~~(e)~~ Financial Management Subsystem.
- 411 (c)~~(d)~~ Purchasing Subsystem.
- 412 (d)~~(e)~~ Personnel Information System.

413 (5) Functional owners are legally responsible for the  
414 security and integrity of all data records existing within or  
415 transferred from their information subsystems. Each agency and  
416 the judicial branch shall be responsible for the accuracy of the



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417 information entered into the Florida Financial Management  
418 Information System. A request for a copy of a document or an  
419 accounting record, whether made by public records request or  
420 subpoena, must be made to the state entity for which the  
421 document or accounting record is recorded. The request may not  
422 be made to the functional owner of the subsystem unless the  
423 document or accounting record was recorded for such entity.

424 Section 8. Subsections (2) and (3) of section 215.94,  
425 Florida Statutes, are amended to read:

426 215.94 Designation, duties, and responsibilities of  
427 functional owners.—

428 (2) The Department of Financial Services shall be the  
429 functional owner of the Financial Management ~~Florida Accounting~~  
430 ~~Information Resource~~ Subsystem established pursuant to ss.  
431 17.03, 215.86, 216.141, and 216.151 and further developed in  
432 accordance with the provisions of ss. 215.90-215.96. The  
433 subsystem shall include, but shall not be limited to, the  
434 following functions:

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

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

439 ~~(3) The Chief Financial Officer shall be the functional~~  
440 ~~owner of the Financial Management Subsystem. The Chief Financial~~  
441 ~~Officer shall design, implement, and operate the subsystem in~~  
442 ~~accordance with the provisions of ss. 215.90-215.96. The~~  
443 ~~subsystem shall include, but shall not be limited to, functions~~  
444 ~~for:~~

445 (c) ~~(a)~~ Recording and reconciling credits and debits to



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446 treasury fund accounts.

447 ~~(d)(b)~~ Monitoring cash levels and activities in state bank  
448 accounts.

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

450 ~~(f)(d)~~ Administering the provisions of the Federal Cash  
451 Management Improvement Act of 1990.

452 Section 9. Subsections (2) and (3) of section 215.96,  
453 Florida Statutes, are amended to read:

454 215.96 Coordinating council and design and coordination  
455 staff.—

456 (2) The coordinating council shall consist of the Chief  
457 Financial Officer; the Commissioner of Agriculture; the Attorney  
458 General; the Secretary of Management Services; the state chief  
459 information officer; the executive director of the Department of  
460 Revenue; and the Director of Planning and Budgeting, Executive  
461 Office of the Governor, or their designees. The Chief Financial  
462 Officer, or his or her designee, shall be chair of the council,  
463 and the design and coordination staff shall provide  
464 administrative and clerical support to the council and the  
465 board. ~~The design and coordination staff shall maintain the~~  
466 Minutes of each meeting shall be ~~and make such minutes~~ available  
467 to any interested person. The Auditor General, the State Courts  
468 Administrator, ~~a an executive officer of the Florida Association~~  
469 ~~of~~ state agency administrative services director selected by the  
470 council Directors, and ~~a an executive officer of the Florida~~  
471 ~~Association of~~ state budget officer selected by the council  
472 ~~Officers~~, or their designees, shall serve without voting rights  
473 as ex officio members of the council. The chair may call  
474 meetings of the council as often as necessary to transact



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475 business; however, the council shall meet at least once a year.  
476 Action of the council shall be by motion, duly made, seconded  
477 and passed by a majority of the council voting in the  
478 affirmative for approval of items that are to be recommended for  
479 approval to the Financial Management Information Board.

480 (3) The coordinating council, assisted by the design and  
481 coordination staff, shall have the following duties, powers, and  
482 responsibilities pertaining to the Florida Financial Management  
483 Information System:

484 (a) To review and coordinate annual workplans to ensure  
485 that the Florida Financial Management Information System remains  
486 aligned across participating entities. The coordination council  
487 shall ensure that each participating entity submits an annual  
488 workplan by October 1 of each year. The coordinating council  
489 shall review and discuss the workplans, identify potential  
490 impacts or conflicts, facilitate resolutions when practicable,  
491 and expedite unresolved issues as appropriate.

492 (b) To conduct such studies and to establish committees,  
493 workgroups, and teams to develop recommendations for rules,  
494 policies, procedures, principles, and standards to the board as  
495 necessary to assist the board in its efforts to design,  
496 implement, and perpetuate a financial management information  
497 system, including, but not limited to, the establishment of  
498 common data codes, and the development of integrated financial  
499 management policies that address the information and management  
500 needs of the functional owner subsystems. The coordinating  
501 council shall make available a copy of the approved plan in  
502 writing or through electronic means to each of the coordinating  
503 council members, the fiscal committees of the Legislature, and



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504 any interested person.

505 ~~(c)(b)~~ To recommend to the board solutions, policy  
506 alternatives, and legislative budget request issues that will  
507 provide ~~ensure~~ a framework for the timely, positive, preplanned,  
508 and prescribed data transfer between information subsystems ~~and~~  
509 ~~to recommend to the board solutions, policy alternatives, and~~  
510 ~~legislative budget request issues that ensure the availability~~  
511 ~~of data and information that support state planning, policy~~  
512 ~~development, management, evaluation, and performance monitoring.~~

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

515 ~~(d)~~ ~~To review the annual work plans of the functional owner~~  
516 ~~information subsystems by October 1 of each year. The review~~  
517 ~~shall be conducted to assess the status of the Florida Financial~~  
518 ~~Management Information System and the functional owner~~  
519 ~~subsystems in regard to the provisions of s. 215.91. The~~  
520 ~~coordinating council, as part of the review process, may make~~  
521 ~~recommendations for modifications to the functional owner~~  
522 ~~information subsystems annual work plans.~~

523 Section 10. Paragraph (a) of subsection (4) of section  
524 215.985, Florida Statutes, is amended to read:

525 215.985 Transparency in government spending.—

526 (4) The Executive Office of the Governor, in consultation  
527 with the appropriations committees of the Senate and the House  
528 of Representatives, shall establish and maintain a website that  
529 provides information relating to the approved operating budget  
530 for each branch of state government and state agency.

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

532 1. Disbursement data for each appropriation by the account



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533 value ~~object code~~ associated with each expenditure established  
534 within the Financial Management ~~Florida Accounting Information~~  
535 ~~Resource~~ Subsystem. Expenditure data must include the name of  
536 the payee, the date of the expenditure, the amount of the  
537 expenditure, and the voucher ~~statewide document~~ number. Such  
538 data must be searchable by the name of the payee, the paying  
539 agency, and fiscal year, and must be downloadable in a format  
540 that allows offline analysis.

541       2. For each appropriation, any adjustments, including  
542 vetoes, approved supplemental appropriations included in  
543 legislation other than the General Appropriations Act, budget  
544 amendments, other actions approved pursuant to chapter 216, and  
545 other adjustments authorized by law.

546       3. Status of spending authority for each appropriation in  
547 the approved operating budget, including released, unreleased,  
548 reserved, and disbursed balances.

549       4. Position and rate information for positions provided in  
550 the General Appropriations Act or approved through an amendment  
551 to the approved operating budget and position information for  
552 positions established in the legislative branch.

553       5. Allotments for planned expenditures of state  
554 appropriations established by state agencies in the Financial  
555 Management ~~Florida Accounting Information Resource~~ Subsystem,  
556 and the current balances of such allotments.

557       6. Trust fund balance reports, including cash available,  
558 investments, and receipts.

559       7. General revenue fund balance reports, including revenue  
560 received and amounts disbursed.

561       8. Fixed capital outlay project data, including original



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562 appropriation and disbursements throughout the life of the  
563 project.

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

565 10. Links to state audits or reports related to the  
566 expenditure and dispersal of state funds.

567 11. Links to program or activity descriptions for which  
568 funds may be expended.

569 Section 11. Subsections (1) and (2) and paragraph (f) of  
570 subsection (3) of section 216.102, Florida Statutes, are amended  
571 to read:

572 216.102 Filing of financial information; handling by Chief  
573 Financial Officer; penalty for noncompliance.—

574 (1) By September 30 of each year, each agency supported by  
575 any form of taxation, licenses, fees, imposts, or exactions, the  
576 judicial branch, and, for financial reporting purposes, each  
577 component unit of the state as determined by the Chief Financial  
578 Officer shall prepare, using generally accepted accounting  
579 principles, and file with the Chief Financial Officer the  
580 financial and other information necessary for the preparation of  
581 annual financial statements for the State of Florida as of June  
582 30. In addition, each such agency and the judicial branch shall  
583 prepare financial statements showing the financial position and  
584 results of agency or branch operations as of June 30 for  
585 internal management purposes.

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



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591           1. The deposit has been recorded in the Financial  
592 Management Florida Accounting Information Resource Subsystem  
593 using proper, consistent codes that designate deposits as  
594 federal funds.

595           2. The deposit and appropriate recording required by this  
596 paragraph have been verified by the office of the Chief  
597 Financial Officer.

598           (b) The Chief Financial Officer shall publish a statewide  
599 policy detailing the requirements for recording receipt and  
600 disbursement of federal funds into the Financial Management  
601 Florida Accounting Information Resource Subsystem and provide  
602 technical assistance to the agencies and the judicial branch to  
603 implement the policy.

604           (2) Financial information must be contained within the  
605 Financial Management Florida Accounting Information Resource  
606 Subsystem. Other information must be submitted in the form and  
607 format prescribed by the Chief Financial Officer.

608           (a) Each component unit shall file financial information  
609 and other information necessary for the preparation of annual  
610 financial statements with the agency or branch designated by the  
611 Chief Financial Officer by the date specified by the Chief  
612 Financial Officer.

613           (b) The state agency or branch designated by the Chief  
614 Financial Officer to receive financial information and other  
615 information from component units shall include the financial  
616 information in the Financial Management Florida Accounting  
617 Information Resource Subsystem and shall include the component  
618 units' other information in its submission to the Chief  
619 Financial Officer.



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620 (3) The Chief Financial Officer shall:  
621 (f) Consult with and elicit comments from the Executive  
622 Office of the Governor on changes to the Financial Management  
623 ~~Florida Accounting Information Resource~~ Subsystem which clearly  
624 affect the accounting of federal funds, so as to ensure  
625 consistency of information entered into the Federal Aid Tracking  
626 System by state executive and judicial branch entities. While  
627 efforts shall be made to ensure the compatibility of the  
628 Financial Management ~~Florida Accounting Information Resource~~  
629 Subsystem and the Federal Aid Tracking System, any successive  
630 systems serving identical or similar functions shall preserve  
631 such compatibility.

632  
633 The Chief Financial Officer may furnish and publish in  
634 electronic form the financial statements and the annual  
635 comprehensive financial report required under paragraphs (a),  
636 (b), and (c).

637 Section 12. Subsection (3) of section 216.141, Florida  
638 Statutes, is amended to read:

639 216.141 Budget system procedures; planning and programming  
640 by state agencies.—

641 (3) The Chief Financial Officer, as chief fiscal officer,  
642 shall use the Financial Management ~~Florida Accounting~~  
643 ~~Information Resource~~ Subsystem developed pursuant to s.  
644 215.94(2) for account purposes in the performance of and  
645 accounting for all of his or her constitutional and statutory  
646 duties and responsibilities. However, state agencies and the  
647 judicial branch continue to be responsible for maintaining  
648 accounting records necessary for effective management of their



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649 programs and functions.

650 Section 13. Paragraph (a) of subsection (7) and paragraph  
651 (j) of subsection (12) of section 440.13, Florida Statutes, are  
652 amended to read:

653 440.13 Medical services and supplies; penalty for  
654 violations; limitations.—

655 (7) UTILIZATION AND REIMBURSEMENT DISPUTES.—

656 (a) Any health care provider who elects to contest the  
657 disallowance or adjustment of payment by a carrier under  
658 subsection (6) must, within 60 ~~45~~ days after receipt of notice  
659 of disallowance or adjustment of payment, petition the  
660 department to resolve the dispute. The petitioner must serve, by  
661 the United States Postal Service certified mail or by common  
662 carrier with verifiable tracking methods, a copy of the petition  
663 on the carrier and on all affected parties listed on the notice  
664 of disallowance or adjustment ~~by certified mail~~. The petition  
665 must be accompanied by all documents and records that support  
666 the allegations contained in the petition. Failure of a  
667 petitioner to submit such documentation to the department  
668 results in dismissal of the petition.

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

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

673 1. Take testimony, receive records, and collect data to  
674 evaluate the adequacy of the workers' compensation fee schedule,  
675 nationally recognized fee schedules and alternative methods of  
676 reimbursement to health care providers and health care  
677 facilities for inpatient and outpatient treatment and care.



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678           2. Survey health care providers and health care facilities  
679 to determine the availability and accessibility of workers'  
680 compensation health care delivery systems for injured workers.

681           3. Survey carriers to determine the estimated impact on  
682 carrier costs and workers' compensation premium rates by  
683 implementing changes to the carrier reimbursement schedule or  
684 implementing alternative reimbursement methods.

685           4. Submit recommendations on or before January 15, 2031  
686 2017, and every 5 years ~~biennially~~ thereafter, to the President  
687 of the Senate and the Speaker of the House of Representatives on  
688 methods to improve the workers' compensation health care  
689 delivery system.

690  
691 The department, as requested, shall provide data to the panel,  
692 including, but not limited to, utilization trends in the  
693 workers' compensation health care delivery system. The  
694 department shall provide the panel with an annual report  
695 regarding the resolution of medical reimbursement disputes and  
696 any actions pursuant to subsection (8). The department shall  
697 provide administrative support and service to the panel to the  
698 extent requested by the panel. The department may adopt rules  
699 pursuant to ss. 120.536(1) and 120.54 to implement this  
700 subsection. For prescription medication purchased under the  
701 requirements of this subsection, a dispensing practitioner shall  
702 not possess such medication unless payment has been made by the  
703 practitioner, the practitioner's professional practice, or the  
704 practitioner's practice management company or employer to the  
705 supplying manufacturer, wholesaler, distributor, or drug  
706 repackager within 60 days of the dispensing practitioner taking



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707 possession of that medication.

708 Section 14. Section 497.1411, Florida Statutes, is created  
709 to read:

710 497.1411 Disqualification of applicants and licenses;  
711 penalties against licensees; rulemaking.-

712 (1) For purposes of this section, the term "applicant"  
713 means an individual applying for licensure or relicensure under  
714 this chapter, or an officer, director, majority owner, partner,  
715 manager, or other person who manages or controls an entity  
716 applying for licensure or relicensure under this chapter.

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

721 (a) A felony of the first degree.

722 (b) A felony involving conduct prohibited under chapter  
723 497, chapter 787, chapter 794, chapter 796, chapter 800, chapter  
724 825, chapter 827, or chapter 847.

725 (c) A felony involving moral turpitude.

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

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

732 Notwithstanding subsection (4), an applicant who has completed  
733 at least one-half of the disqualifying period may apply for a  
734 probationary license for the remainder of the disqualifying  
735 period if, during that time, the applicant has not been found



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736 guilty of, or has not entered a plea of guilty or nolo  
737 contendere to, any offense.

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

740 (4) The board shall adopt rules to administer this section.  
741 Such rules must provide additional disqualifying periods for  
742 applicants who have committed multiple criminal offenses and may  
743 provide additional factors for disqualification reasonably  
744 related to the applicant's criminal history. The rules must also  
745 establish mitigating and aggravating factors. However,  
746 mitigation may not reduce any disqualifying period to less than  
747 5 years and may not be applied to reduce the 5-year  
748 disqualifying period provided in paragraph (3) (b).

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

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

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



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765 State Constitution, or a pardon or the restoration of civil  
766 rights under the laws of another jurisdiction with respect to a  
767 conviction in that jurisdiction, is not barred or disqualified  
768 from licensure under this chapter; however, such a pardon or  
769 restoration of civil rights does not require the board to award  
770 such license.

771 (8) (a) The board may grant an exemption from  
772 disqualification to any person disqualified from licensure under  
773 subsection (3) if:

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

778 2. At least 2 years have elapsed since the applicant  
779 completed or has been lawfully released from confinement,  
780 supervision, or any nonmonetary condition imposed by the court  
781 for a disqualifying offense.

782 (b) For the board to grant an exemption under this  
783 subsection, the applicant must clearly and convincingly  
784 demonstrate that he or she would not pose a risk to persons or  
785 property if licensed under this chapter, evidence of which must  
786 include, but need not be limited to, facts and circumstances  
787 surrounding the disqualifying offense, the time that has elapsed  
788 since the offense, the nature of the offense and harm caused to  
789 the victim, the applicant's history before and after the  
790 offense, and any other evidence or circumstances indicating that  
791 the applicant will not present a danger if licensed or  
792 certified.

793 (c) The board has discretion whether to grant or deny an



794 exemption under this subsection. The board's decision is subject  
795 to chapter 120.

796 (9) The disqualification periods provided in this section  
797 do not apply to the renewal of a license or to a new application  
798 for licensure if the applicant has an active license as of July  
799 1, 2026, and the applicable criminal history was considered by  
800 the board on the prior approval of any active license held by  
801 the applicant. This section does not affect any criminal history  
802 disclosure requirements of this chapter.

803 Section 15. Subsection (9) and paragraph (c) of subsection  
804 (10) of section 497.142, Florida Statutes, are amended to read:  
805 497.142 Licensing; fingerprinting and criminal background  
806 checks.—

807 (9) If any applicant under this chapter has been, ~~within~~  
808 ~~the 10 years preceding the application under this chapter,~~  
809 convicted or found guilty of, or entered a plea of nolo  
810 contendere to, regardless of adjudication, any crime in any  
811 jurisdiction, the application may ~~shall~~ not be deemed complete  
812 until such time as the applicant provides such certified true  
813 copies of the court records evidencing the conviction, finding,  
814 or plea, as required in this section or as the licensing  
815 authority may by rule require.

816 (10)

817 (c) Crimes to be disclosed are:

818 1. Any felony ~~or misdemeanor,~~ no matter when committed,  
819 ~~that was directly or indirectly related to or involving any~~  
820 ~~aspect of the practice or business of funeral directing,~~  
821 ~~embalming, direct disposition, cremation, funeral or cemetery~~  
822 ~~preneed sales, funeral establishment operations, cemetery~~



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823 ~~operations, or cemetery monument or marker sales or~~  
824 ~~installation.~~

825       2. Any misdemeanor, no matter when committed, that was  
826 directly or indirectly related to the practice or activities  
827 regulated under this chapter ~~Any other felony not already~~  
828 ~~disclosed under subparagraph 1. that was committed within the 20~~  
829 ~~years immediately preceding the application under this chapter.~~

830       3. Any other misdemeanor not already disclosed under  
831 subparagraph 2. which ~~subparagraph 1. that~~ was committed within  
832 the 5 years immediately preceding the application under this  
833 chapter.

834       Section 16. Subsection (3) of section 626.0428, Florida  
835 Statutes, is amended to read:

836       626.0428 Agency personnel powers, duties, and limitations.—

837       (3) An employee or an authorized representative located at  
838 a designated branch of an agent or agency may not initiate  
839 contact with any person for the purpose of soliciting insurance  
840 unless licensed and appointed as an agent or customer  
841 representative. As to title insurance, an employee of an agent  
842 or agency may not initiate contact with any individual proposed  
843 insured for the purpose of soliciting title insurance unless  
844 licensed as a title insurance agent or exempt from such  
845 licensure pursuant to s. 626.8417(4) ~~and (5).~~

846       Section 17. Section 626.171, Florida Statutes, is amended  
847 to read:

848       626.171 Application for license as an agent, customer  
849 representative, adjuster, or service representative, ~~or~~  
850 ~~reinsurance intermediary.~~—

851       (1) The department may not issue a license as agent,



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852 customer representative, adjuster, or service representative, ~~or~~  
853 ~~reinsurance intermediary~~ to any person except upon written  
854 application filed with the department, meeting the  
855 qualifications for the license applied for as determined by the  
856 department, and payment in advance of all applicable fees. The  
857 application must be made under the oath of the applicant and be  
858 signed by the applicant. An applicant may permit a third party  
859 to complete, submit, and sign an application on the applicant's  
860 behalf, but is responsible for ensuring that the information on  
861 the application is true and correct and is accountable for any  
862 misstatements or misrepresentations. The department shall accept  
863 the uniform application for resident and nonresident agent and  
864 adjuster licensing. The department may adopt revised versions of  
865 the uniform application by rule.

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

868 (a) The applicant's ~~His or her~~ full name, age, social  
869 security number, residence address, business address, mailing  
870 address, contact telephone numbers, including a business  
871 telephone number, and e-mail address.

872 (b) A statement indicating the method the applicant used or  
873 is using to meet any required prelicensing education, knowledge,  
874 experience, or instructional requirements for the type of  
875 license applied for.

876 (c) Whether the applicant ~~he or she~~ has been refused or has  
877 voluntarily surrendered or has had suspended or revoked a  
878 license to solicit insurance by the department or by the  
879 supervising officials of any state.

880 (d) Whether any insurer or any managing general agent



881 claims the applicant is indebted under any agency contract or  
882 otherwise and, if so, the name of the claimant, the nature of  
883 the claim, and the applicant's defense thereto, if any.

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

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

887 (g) The applicant's native language.

888 (h) The highest level of education achieved by the  
889 applicant.

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

892 (j) Such other or additional information as the department  
893 may deem proper to enable it to determine the character,  
894 experience, ability, and other qualifications of the applicant  
895 to hold himself or herself out to the public as an insurance  
896 representative.

897

898 However, the application must contain a statement that an  
899 applicant is not required to disclose his or her race or  
900 ethnicity, gender, or native language, that he or she will not  
901 be penalized for not doing so, and that the department will use  
902 this information exclusively for research and statistical  
903 purposes and to improve the quality and fairness of the  
904 examinations. The department may ~~shall~~ make provisions for  
905 applicants to voluntarily submit their cellular telephone  
906 numbers as part of the application process solely ~~on a voluntary~~  
907 ~~basis only~~ for the purpose of two-factor authentication of  
908 secure login credentials ~~only~~.

909 (3) Each application must be accompanied by payment of any



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910 applicable fee.

911 (4) An applicant for a license issued by the department  
912 under this chapter must submit a set of the individual  
913 applicant's fingerprints, or, if the applicant is not an  
914 individual, a set of the fingerprints of the sole proprietor,  
915 majority owner, partners, officers, and directors, to the  
916 department and must pay the fingerprint processing fee set forth  
917 in s. 624.501. Fingerprints must be processed in accordance with  
918 s. 624.34 and used to investigate the applicant's qualifications  
919 pursuant to s. 626.201. The fingerprints must be taken by a law  
920 enforcement agency or other department-approved entity. The  
921 department may not approve an application for licensure as an  
922 agent, customer ~~service~~ representative, adjuster, or service  
923 representative, ~~or reinsurance intermediary~~ if fingerprints have  
924 not been submitted.

925 (5) The application for license filing fee prescribed in s.  
926 624.501 is not subject to refund.

927 (6) Members of the United States Armed Forces and their  
928 spouses, and veterans of the United States Armed Forces who have  
929 separated from service ~~within 24 months~~ before application for  
930 licensure, are exempt from the application filing fee prescribed  
931 in s. 624.501. Qualified individuals must provide a copy of a  
932 military identification card, military dependent identification  
933 card, military service record, military personnel file, veteran  
934 record, discharge paper or separation document that indicates  
935 such members are currently in good standing or such veterans  
936 were honorably discharged.

937 (7) Pursuant to the federal Personal Responsibility and  
938 Work Opportunity Reconciliation Act of 1996, each party is



939 required to provide his or her social security number in  
940 accordance with this section. Disclosure of social security  
941 numbers obtained through this requirement must be limited to the  
942 purpose of administration of the Title IV-D program for child  
943 support enforcement.

944 Section 18. Paragraph (c) of subsection (2) of section  
945 626.292, Florida Statutes, is amended to read:

946 626.292 Transfer of license from another state.—

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

949 (c) The individual must submit a completed application for  
950 this state which is received by the department within 90 days  
951 after the date the individual became a resident of this state,  
952 along with payment of the applicable fees set forth in s.  
953 624.501 and submission of the following documents:

954 1. A certification issued by the appropriate official of  
955 the applicant's home state identifying the type of license and  
956 lines of authority under the license and stating that, ~~at the~~  
957 ~~time the license from the home state was canceled,~~ the applicant  
958 was in good standing in that state or that the state's Producer  
959 Database records, maintained by the National Association of  
960 Insurance Commissioners, its affiliates, or subsidiaries,  
961 indicate that the agent or all-lines adjuster is or was licensed  
962 in good standing for the line of authority requested. An  
963 applicant may hold a resident license in another state for 30  
964 days after the Florida resident license has been issued to  
965 facilitate the transfer of licensure between states.

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



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968 Section 19. Subsection (1) of section 626.611, Florida  
969 Statutes, is amended to read:

970 626.611 Grounds for compulsory refusal, suspension, or  
971 revocation of agent's, title agency's, adjuster's, customer  
972 representative's, service representative's, or managing general  
973 agent's license or appointment.-

974 (1) The department shall require license reexamination,  
975 deny an application for, suspend, revoke, or refuse to renew or  
976 continue the license or appointment of any applicant, agent,  
977 title agency, adjuster, customer representative, service  
978 representative, or managing general agent, and it shall suspend  
979 or revoke the eligibility to hold a license or appointment of  
980 any such person, if it finds that as to the applicant, licensee,  
981 or appointee any one or more of the following applicable grounds  
982 exist:

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

985 (b) Material misstatement, misrepresentation, or fraud in  
986 obtaining the license or appointment or in attempting to obtain  
987 the license or appointment.

988 (c) Failure to pass to the satisfaction of the department  
989 any examination required under this code, including cheating on  
990 an examination required for licensure or violating test center  
991 or examination procedures delivered orally, in writing, or  
992 electronically at the test site by authorized representatives of  
993 the examination program administrator.

994 (d) If the license or appointment is willfully used, or to  
995 be used, to circumvent any of the requirements or prohibitions  
996 of this code.



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997           (e) Willful misrepresentation of any insurance policy or  
998 annuity contract or willful deception with regard to any such  
999 policy or contract, done either in person or by any form of  
1000 dissemination of information or advertising.

1001           (f) If, as an adjuster, or agent licensed and appointed to  
1002 adjust claims under this code, he or she has materially  
1003 misrepresented to an insured or other interested party the terms  
1004 and coverage of an insurance contract with intent and for the  
1005 purpose of effecting settlement of claim for loss or damage or  
1006 benefit under such contract on less favorable terms than those  
1007 provided in and contemplated by the contract.

1008           (g) Demonstrated lack of fitness or trustworthiness to  
1009 engage in the business of insurance.

1010           (h) Demonstrated lack of reasonably adequate knowledge and  
1011 technical competence to engage in the transactions authorized by  
1012 the license or appointment.

1013           (i) Fraudulent or dishonest practices in the conduct of  
1014 business under the license or appointment.

1015           (j) Misappropriation, conversion, or unlawful withholding  
1016 of moneys belonging to insurers or insureds or beneficiaries or  
1017 to others and received in conduct of business under the license  
1018 or appointment.

1019           (k) Unlawfully rebating, attempting to unlawfully rebate,  
1020 or unlawfully dividing or offering to divide his or her  
1021 commission with another.

1022           (l) Having obtained or attempted to obtain, or having used  
1023 or using, a license or appointment as agent or customer  
1024 representative for the purpose of soliciting or handling  
1025 "controlled business" as defined in s. 626.730 with respect to



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1026 general lines agents, s. 626.784 with respect to life agents,  
1027 and s. 626.830 with respect to health agents.

1028 (m) Willful failure to comply with, or willful violation  
1029 of, any proper order or rule of the department or willful  
1030 violation of any provision of this code.

1031 (n) Having been found guilty of or having pleaded guilty or  
1032 nolo contendere to a misdemeanor directly related to the  
1033 financial services business, any felony, or any crime punishable  
1034 by imprisonment of 1 year or more under the law of the United  
1035 States of America or of any state thereof or under the law of  
1036 any other country, without regard to whether a judgment of  
1037 conviction has been entered by the court having jurisdiction of  
1038 such cases.

1039 (o) Fraudulent or dishonest practice in submitting or  
1040 aiding or abetting any person in the submission of an  
1041 application for workers' compensation coverage under chapter 440  
1042 containing false or misleading information as to employee  
1043 payroll or classification for the purpose of avoiding or  
1044 reducing the amount of premium due for such coverage.

1045 (p) Sale of an unregistered security that was required to  
1046 be registered, pursuant to chapter 517.

1047 (q) In transactions related to viatical settlement  
1048 contracts as defined in s. 626.9911:

1049 1. Commission of a fraudulent or dishonest act.

1050 2. No longer meeting the requirements for initial  
1051 licensure.

1052 3. Having received a fee, commission, or other valuable  
1053 consideration for his or her services with respect to viatical  
1054 settlements that involved unlicensed viatical settlement



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1055 providers or persons who offered or attempted to negotiate on  
1056 behalf of another person a viatical settlement contract as  
1057 defined in s. 626.9911 and who were not licensed life agents.

1058 4. Dealing in bad faith with viators.

1059 Section 20. Section 626.621, Florida Statutes, is amended  
1060 to read:

1061 626.621 Grounds for discretionary refusal, suspension, or  
1062 revocation of agent's, adjuster's, customer representative's,  
1063 service representative's, or managing general agent's license or  
1064 appointment.—The department may, in its discretion, require a  
1065 license reexamination, deny an application for, suspend, revoke,  
1066 or refuse to renew or continue the license or appointment of any  
1067 applicant, agent, adjuster, customer representative, service  
1068 representative, or managing general agent, and it may suspend or  
1069 revoke the eligibility to hold a license or appointment of any  
1070 such person, if it finds that as to the applicant, licensee, or  
1071 appointee any one or more of the following applicable grounds  
1072 exist under circumstances for which such denial, suspension,  
1073 revocation, or refusal is not mandatory under s. 626.611:

1074 (1) Any cause for which issuance of the license or  
1075 appointment could have been refused had it then existed and been  
1076 known to the department.

1077 (2) Violation of any provision of this code or of any other  
1078 law applicable to the business of insurance in the course of  
1079 dealing under the license or appointment.

1080 (3) Violation of any lawful order or rule of the  
1081 department, commission, or office.

1082 (4) Failure or refusal, upon demand, to pay over to any  
1083 insurer he or she represents or has represented any money coming



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1084 into his or her hands belonging to the insurer.  
1085 (5) Violation of the provision against twisting, as defined  
1086 in s. 626.9541(1)(1).  
1087 (6) In the conduct of business under the license or  
1088 appointment, engaging in unfair methods of competition or in  
1089 unfair or deceptive acts or practices, as prohibited under part  
1090 IX of this chapter, or having otherwise shown himself or herself  
1091 to be a source of injury or loss to the public.  
1092 (7) Willful overinsurance of any property or health  
1093 insurance risk.  
1094 (8) If a life agent, violation of the code of ethics.  
1095 (9) Cheating on an examination required for licensure or  
1096 violating test center or examination procedures published  
1097 orally, in writing, or electronically at the test site by  
1098 authorized representatives of the examination program  
1099 administrator. Communication of test center and examination  
1100 procedures must be clearly established and documented.  
1101 (10) Failure to inform the department in writing within 30  
1102 days after pleading guilty or nolo contendere to, or being  
1103 convicted or found guilty of, any felony or a crime punishable  
1104 by imprisonment of 1 year or more under the law of the United  
1105 States or of any state thereof, or under the law of any other  
1106 country without regard to whether a judgment of conviction has  
1107 been entered by the court having jurisdiction of the case.  
1108 (11) Knowingly aiding, assisting, procuring, advising, or  
1109 abetting any person in the violation of or to violate a  
1110 provision of the insurance code or any order or rule of the  
1111 department, commission, or office.  
1112 (12) Has been the subject of or has had a license, permit,



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1113 appointment, registration, or other authority to conduct  
1114 business subject to any decision, finding, injunction,  
1115 suspension, prohibition, revocation, denial, judgment, final  
1116 agency action, or administrative order by any court of competent  
1117 jurisdiction, administrative law proceeding, state agency,  
1118 federal agency, national securities, commodities, or option  
1119 exchange, or national securities, commodities, or option  
1120 association involving a violation of any federal or state  
1121 securities or commodities law or any rule or regulation adopted  
1122 thereunder, or a violation of any rule or regulation of any  
1123 national securities, commodities, or options exchange or  
1124 national securities, commodities, or options association.

1125 (13) Failure to comply with any civil, criminal, or  
1126 administrative action taken by the child support enforcement  
1127 program under Title IV-D of the Social Security Act, 42 U.S.C.  
1128 ss. 651 et seq., to determine paternity or to establish, modify,  
1129 enforce, or collect support.

1130 (14) Directly or indirectly accepting any compensation,  
1131 inducement, or reward from an inspector for the referral of the  
1132 owner of the inspected property to the inspector or inspection  
1133 company. This prohibition applies to an inspection intended for  
1134 submission to an insurer in order to obtain property insurance  
1135 coverage or establish the applicable property insurance premium.

1136 (15) Denial, suspension, or revocation of, or any other  
1137 adverse administrative action against, a license to practice or  
1138 conduct any regulated profession, business, or vocation by this  
1139 state, any other state, any nation, any possession or district  
1140 of the United States, any court, or any lawful agency thereof.

1141 (16) Taking an action that allows the personal financial or



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1142 medical information of a consumer or customer to be made  
1143 available or accessible to the general public, regardless of the  
1144 format in which the record is stored.

1145 (17) Initiating in-person or telephone solicitation after 9  
1146 p.m. or before 8 a.m. local time of the prospective customer  
1147 unless requested by the prospective customer.

1148 (18) Cancellation of the applicant's, licensee's, or  
1149 appointee's resident license in a state other than Florida.

1150 Section 21. Subsection (1) of section 626.731, Florida  
1151 Statutes, is amended to read:

1152 626.731 Qualifications for general lines agent's license.—

1153 (1) The department may ~~shall~~ not grant or issue a license  
1154 as general lines agent to any individual found by it to be  
1155 untrustworthy or incompetent or who does not meet ~~each~~ all of  
1156 the following qualifications:

1157 (a) The applicant is a natural person at least 18 years of  
1158 age.

1159 (b) The applicant is a United States citizen or legal alien  
1160 who possesses work authorization from the United States Bureau  
1161 of Citizenship and Immigration Services and is a bona fide  
1162 resident of this state. ~~An individual who is a bona fide  
1163 resident of this state shall be deemed to meet the residence  
1164 requirement of this paragraph, notwithstanding the existence at  
1165 the time of application for license of a license in his or her  
1166 name on the records of another state as a resident licensee of  
1167 such other state, if the applicant furnishes a letter of  
1168 clearance satisfactory to the department that the resident  
1169 licenses have been canceled or changed to a nonresident basis  
1170 and that he or she is in good standing.~~



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1171 (c) The applicant's place of business will be located in  
1172 this state and he or she will be actively engaged in the  
1173 business of insurance and will maintain a place of business, the  
1174 location of which is identifiable by and accessible to the  
1175 public.

1176 (d) The license is not being sought for the purpose of  
1177 writing or handling controlled business, in violation of s.  
1178 626.730.

1179 (e) The applicant is qualified as to knowledge, experience,  
1180 or instruction in the business of insurance and meets the  
1181 requirements provided in s. 626.732.

1182 (f) The applicant has passed any required examination for  
1183 license required under s. 626.221.

1184 Section 22. Subsection (2) of section 626.785, Florida  
1185 Statutes, is amended to read:

1186 626.785 Qualifications for license.—

1187 ~~(2) An individual who is a bona fide resident of this state~~  
1188 ~~shall be deemed to meet the residence requirement of paragraph~~  
1189 ~~(1)(b), notwithstanding the existence at the time of application~~  
1190 ~~for license of a license in his or her name on the records of~~  
1191 ~~another state as a resident licensee of such other state, if the~~  
1192 ~~applicant furnishes a letter of clearance satisfactory to the~~  
1193 ~~department that the resident licenses have been canceled or~~  
1194 ~~changed to a nonresident basis and that he or she is in good~~  
1195 ~~standing.~~

1196 Section 23. Section 626.831, Florida Statutes, is amended  
1197 to read:

1198 626.831 Qualifications for license.—

1199 ~~(1)~~ The department may ~~shall~~ not grant or issue a license



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1200 as health agent as to any individual found by it to be  
1201 untrustworthy or incompetent, or who does not meet all of the  
1202 following qualifications:

1203 (1)(a) Is ~~Must be~~ a natural person of at least 18 years of  
1204 age.

1205 (2)(b) Is ~~Must be~~ a United States citizen or legal alien  
1206 who possesses work authorization from the United States Bureau  
1207 of Citizenship and Immigration Services and is a bona fide  
1208 resident of this state.

1209 (3)(e) Is ~~Must~~ not be an employee of the United States  
1210 Department of Veterans Affairs or state service office, as  
1211 referred to in s. 626.833.

1212 (4)(d) Has taken ~~Must take~~ and passed ~~pass~~ any examination  
1213 for license required under s. 626.221.

1214 (5)(e) Is ~~Must be~~ qualified as to knowledge, experience, or  
1215 instruction in the business of insurance and meets ~~meet~~ the  
1216 requirements relative thereto provided in s. 626.8311.

1217 ~~(2) An individual who is a bona fide resident of this state~~  
1218 ~~shall be deemed to meet the residence requirement of paragraph~~  
1219 ~~(1)(b), notwithstanding the existence at the time of application~~  
1220 ~~for license of a license in his or her name on the records of~~  
1221 ~~another state as a resident licensee of such other state, if the~~  
1222 ~~applicant furnishes a letter of clearance satisfactory to the~~  
1223 ~~department that the resident licenses have been canceled or~~  
1224 ~~changed to a nonresident basis and that he or she is in good~~  
1225 ~~standing.~~

1226 Section 24. Subsections (4) and (5) of section 626.8417,  
1227 Florida Statutes, are amended to read:

1228 626.8417 Title insurance agent licensure; exemptions.-



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1229           (4) Title insurers, acting through designated corporate  
1230 officers, or attorneys duly admitted to practice law in this  
1231 state and in good standing with The Florida Bar are exempt from  
1232 the provisions of this chapter relating to title insurance  
1233 licensing and appointment requirements.

1234           ~~(5) An insurer may designate a corporate officer of the~~  
1235 ~~insurer to occasionally issue and countersign binders,~~  
1236 ~~commitments, and policies of title insurance. The designated~~  
1237 ~~officer is exempt from the provisions of this chapter relating~~  
1238 ~~to title insurance licensing and appointment requirements while~~  
1239 ~~the officer is acting within the scope of the designation.~~

1240           Section 25. Subsection (24) is added to section 626.854,  
1241 Florida Statutes, to read:

1242           626.854 "Public adjuster" defined; prohibitions.—The  
1243 Legislature finds that it is necessary for the protection of the  
1244 public to regulate public insurance adjusters and to prevent the  
1245 unauthorized practice of law.

1246           (24) A public adjuster, public adjuster apprentice, or  
1247 public adjusting firm must respond with specific information to  
1248 a written or electronic request for claims status from a  
1249 claimant or insured or their designated representative within 14  
1250 days after the date of the request and shall document in the  
1251 file the response or information provided.

1252           Section 26. Section 627.797, Florida Statutes, is repealed.

1253           Section 27. Subsection (4) of section 648.34, Florida  
1254 Statutes, is amended to read:

1255           648.34 Bail bond agents; qualifications.—

1256           (4) The applicant shall furnish, with his or her  
1257 application, a complete set of his or her fingerprints in



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1258 accordance with s. 626.171(4) ~~and a recent credential-sized,~~  
1259 ~~fullface photograph of the applicant.~~ The department may shall  
1260 not authorize an applicant to take the required examination  
1261 until the department has received a report from the Department  
1262 of Law Enforcement and the Federal Bureau of Investigation  
1263 relative to the existence or nonexistence of a criminal history  
1264 report based on the applicant's fingerprints.

1265 Section 28. Subsection (2) of section 648.382, Florida  
1266 Statutes, is amended to read:

1267 648.382 Appointment of bail bond agents and bail bond  
1268 agencies; effective date of appointment.—

1269 (2) Before any appointment, an appropriate officer or  
1270 official of the appointing insurer must obtain all of the  
1271 following information ~~submit~~:

1272 (a) A certified statement or affidavit to the department  
1273 stating what investigation has been made concerning the proposed  
1274 appointee and the proposed appointee's background and the  
1275 appointing person's opinion to the best of his or her knowledge  
1276 and belief as to the moral character and reputation of the  
1277 proposed appointee. In lieu of such certified statement or  
1278 affidavit, by authorizing the effectuation of an appointment for  
1279 a licensee, the appointing entity certifies to the department  
1280 that such investigation has been made and that the results of  
1281 the investigation and the appointing person's opinion is that  
1282 the proposed appointee is a person of good moral character and  
1283 reputation and is fit to engage in the bail bond business. +

1284 (b) An affidavit under oath on a form prescribed by the  
1285 department, signed by the proposed appointee, stating that  
1286 premiums are not owed to any insurer and that the appointee will



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1287 discharge all outstanding forfeitures and judgments on bonds  
1288 previously written. If the appointee does not satisfy or  
1289 discharge such forfeitures or judgments, the former insurer  
1290 shall file a notice, with supporting documents, with the  
1291 appointing insurer, the former agent or agency, and the  
1292 department, stating under oath that the licensee has failed to  
1293 timely satisfy forfeitures and judgments on bonds written and  
1294 that the insurer has satisfied the forfeiture or judgment from  
1295 its own funds. Upon receipt of such notification and supporting  
1296 documents, the appointing insurer shall immediately cancel the  
1297 licensee's appointment. The licensee may be reappointed only  
1298 upon certification by the former insurer that all forfeitures  
1299 and judgments on bonds written by the licensee have been  
1300 discharged. The appointing insurer or former agent or agency  
1301 may, within 10 days, file a petition with the department seeking  
1302 relief from this paragraph. Filing of the petition stays the  
1303 duty of the appointing insurer to cancel the appointment until  
1304 the department grants or denies the petition.†

1305 (c) Any other information that the department reasonably  
1306 requires concerning the proposed appointee.†~~and~~

1307 (d) Effective January 1, 2025, a certification that the  
1308 appointing entity obtained from each appointee the following  
1309 sworn statement:

1310  
1311 Pursuant to section 648.382(2)(b), Florida Statutes, I  
1312 do solemnly swear that I owe no premium to any insurer  
1313 or agency and that I will discharge all outstanding  
1314 forfeitures and judgments on bonds that have been  
1315 previously written. I acknowledge that failure to do



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1316 this will result in my active appointments being  
1317 canceled.

1318  
1319 An appointed bail bond agency must have the attestation under  
1320 this paragraph signed by its owner.

1321 Section 29. Section 717.001, Florida Statutes, is amended  
1322 to read:

1323 717.001 Short title.—This chapter may be cited as the  
1324 “Florida Disposition of Abandoned Personal Unclaimed Property  
1325 Act.”

1326 Section 30. Present subsections (1) through (4), (5)  
1327 through (8), (10) through (13), (15) through (20), (21), (22)  
1328 through (28), and (31), (32), and (33) of section 717.101,  
1329 Florida Statutes, are redesignated as subsections (4) through  
1330 (7), (9) through (12), (13) through (16), (17) through (22),  
1331 (24), (26) through (32), and (33), (34), and (35), respectively,  
1332 new subsections (1), (2), (3), (8), (23), and (25) are added to  
1333 that section, and present subsections (1), (2), (5), (6), (8),  
1334 (9), (12), (14), (16), (18), (19), (20), (22), (25), (29), and  
1335 (30) of that section are amended, to read:

1336 717.101 Definitions.—As used in this chapter, unless the  
1337 context otherwise requires:

1338 (1) “Abandoned property” means property held by a holder  
1339 for which all of the following are true:

1340 (a) The apparent owner has shown no activity or indication  
1341 of interest for the duration of the applicable dormancy period  
1342 established under this chapter.

1343 (b) The holder has complied with the due diligence  
1344 requirements set forth in this chapter, including the issuance



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1345 of notice to the apparent owner, and has received no response or  
1346 contact sufficient to demonstrate continued interest in the  
1347 property.

1348 (2) "Abandoned Property Purchase Agreement" means the form  
1349 adopted by the department pursuant to s. 717.135 which must be  
1350 used, without modification or amendment, by a claimant  
1351 representative to purchase abandoned property from an owner.

1352 (3) "Abandoned Property Recovery Agreement" means the form  
1353 adopted by the department pursuant to s. 717.135 which must be  
1354 used, without modification or amendment, by a claimant  
1355 representative to obtain consent and authority to recover  
1356 abandoned property on behalf of a person.

1357 (4) ~~(1)~~ "Aggregate" means the amounts reported for owners of  
1358 abandoned ~~unclaimed~~ property of less than \$10 or where there is  
1359 no name for the individual or entity listed on the holder's  
1360 records, regardless of the amount to be reported.

1361 (5) ~~(2)~~ "Apparent owner" means the person whose name appears  
1362 on the records of the holder as the owner of the abandoned  
1363 property, but whose status as the true owner entitled to receive  
1364 the property may be subject to change due to the passage of time  
1365 or changes in circumstances ~~person entitled to property held,~~  
1366 issued, or owing by the holder.

1367 (8) "Authorized representative" means a person or entity  
1368 legally empowered to act on behalf of the apparent owner or his  
1369 or estate, including, but not limited to, an agent, a fiduciary,  
1370 a personal representative, a trustee, a legal heir, a guardian,  
1371 or any other individual or entity authorized by law or  
1372 agreement.

1373 (9) ~~(5)~~ "Banking or financial organization" means any and



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1374 all banks, trust companies, private bankers, savings banks,  
1375 industrial banks, safe-deposit companies, savings and loan  
1376 associations, credit unions, savings associations, banking  
1377 organizations, international bank agencies, cooperative banks,  
1378 building and loan associations, and investment companies in this  
1379 state, organized under or subject to the laws of this state or  
1380 of the United States, including entities organized under 12  
1381 U.S.C. s. 611, but does not include federal reserve banks. The  
1382 term also includes any corporation, business association, or  
1383 other organization that:

1384 (a) Is a wholly or partially owned subsidiary of any  
1385 banking, banking corporation, or bank holding company that  
1386 performs any or all of the functions of a banking organization;  
1387 or

1388 (b) Performs functions pursuant to the terms of a contract  
1389 with any banking organization.

1390 (10)-(6) "Business association" means any for-profit or  
1391 nonprofit corporation other than a public corporation; joint  
1392 stock company; investment company; unincorporated association or  
1393 association of two or more individuals for business purposes,  
1394 whether or not for profit; partnership; joint venture; limited  
1395 liability company; sole proprietorship; business trust; trust  
1396 company; land bank; safe-deposit company; safekeeping  
1397 depository; banking or financial organization; insurance  
1398 company; federally chartered entity; utility company; transfer  
1399 agent; or other business entity, whether or not for profit.

1400 (12)-(8) "Claimant ~~Claimant's~~ representative" means an  
1401 attorney who is a member in good standing with ~~of~~ The Florida  
1402 Bar, a certified public accountant licensed in this state, or a



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1403 private investigator ~~who is duly licensed to do business in this~~  
1404 ~~the state, who is~~ registered with the department, and authorized  
1405 to file claims on behalf of persons with the department by the  
1406 ~~claimant to claim unclaimed property on the claimant's behalf.~~

1407 The term does not include a person acting in a representative or  
1408 fiduciary capacity, such as a personal representative, guardian,  
1409 trustee, or attorney, whose representation is not contingent  
1410 upon the discovery or location of abandoned unclaimed property,  
1411 and it expressly excludes locators, who engage in locating  
1412 owners of abandoned property for a fee but are not registered  
1413 with the department; ~~provided, however, that any agreement~~  
1414 ~~entered into for the purpose of evading s. 717.135 is invalid~~  
1415 ~~and unenforceable.~~

1416 ~~(9) "Credit balance" means an account balance in the~~  
1417 ~~customer's favor.~~

1418 ~~(15)-(12)~~ (15) "Due diligence" means the use of reasonable and  
1419 prudent methods under particular circumstances to locate  
1420 apparent owners of presumed abandoned property ~~inactive accounts~~  
1421 using the taxpayer identification number or social security  
1422 number, if known, which may include, but are not limited to,  
1423 using a nationwide database, cross-indexing with other records  
1424 of the holder, mailing to the last known address unless the last  
1425 known address is known to be inaccurate, providing written  
1426 notice as described in this chapter by electronic mail if an  
1427 apparent owner has elected such delivery, or engaging a licensed  
1428 agency or company capable of conducting such search and  
1429 providing updated addresses.

1430 ~~(14) "Financial organization" means a savings association,~~  
1431 ~~savings and loan association, savings bank, industrial bank,~~



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1432 ~~bank, banking organization, trust company, international bank~~  
1433 ~~agency, cooperative bank, building and loan association, or~~  
1434 ~~credit union.~~

1435 ~~(18)-(16)~~ "Holder" means a person who is in possession of  
1436 property belonging to another or who owes a debt or an  
1437 obligation to another person, including, but not limited to,  
1438 financial institutions, insurance companies, corporations,  
1439 partnerships, fiduciaries, and government agencies:

1440 ~~(a) A person who is in possession or control or has custody~~  
1441 ~~of property or the rights to property belonging to another; is~~  
1442 ~~indebted to another on an obligation; or is obligated to hold~~  
1443 ~~for the account of, or to deliver or pay to, the owner, property~~  
1444 ~~subject to this chapter; or~~

1445 ~~(b) A trustee in case of a trust.~~

1446 ~~(20)-(18)~~ "Intangible property" includes, by way of  
1447 illustration and not limitation:

1448 (a) Moneys, checks, virtual currency, drafts, deposits,  
1449 interest, dividends, and income.

1450 (b) Credit balances, customer overpayments, security  
1451 deposits and other instruments as defined by chapter 679,  
1452 refunds, unpaid wages, unused airline tickets, and unidentified  
1453 remittances.

1454 (c) Stocks, and other intangible ownership interests in  
1455 business associations except for:

1456 1. A non-freely transferable security; or

1457 2. A security that is subject to a lien, legal hold, or  
1458 restriction evidenced on the records of the holder or imposed by  
1459 operation of law, if the lien, legal hold, or restriction  
1460 restricts the holder's or owner's ability to receive, transfer,



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1461 sell, or otherwise negotiate the security.

1462 (d) Moneys deposited to redeem stocks, bonds, bearer bonds,  
1463 original issue discount bonds, coupons, and other securities, or  
1464 to make distributions.

1465 (e) Amounts due and payable under the terms of insurance  
1466 policies.

1467 (f) Amounts distributable from a trust or custodial fund  
1468 established under a plan to provide any health, welfare,  
1469 pension, vacation, severance, retirement, death, stock purchase,  
1470 profit sharing, employee savings, supplemental unemployment  
1471 insurance, or similar benefit.

1472 (21) ~~(19)~~ "Last known address" means a description of the  
1473 location of the apparent owner sufficient for the purpose of the  
1474 delivery of mail. For the purposes of identifying, reporting,  
1475 and remitting property to the department ~~which is presumed to be~~  
1476 ~~unclaimed~~, the term "last known address" includes any partial  
1477 description of the location of the apparent owner sufficient to  
1478 establish the apparent owner was a resident of this state at the  
1479 time of last contact with the apparent owner or at the time the  
1480 property became due and payable.

1481 (22) ~~(20)~~ "Lawful charges" means charges against the  
1482 property or the account in which the property is held ~~dormant~~  
1483 ~~accounts~~ that are authorized by statute for the purpose of  
1484 offsetting the costs of maintaining the property or the account  
1485 in which the property is held ~~dormant account~~.

1486 (23) "Locator" means a private individual or business that  
1487 locates owners of abandoned property in exchange for a fee,  
1488 typically a percentage of the recovered property. Locators are  
1489 not employees or agents of the state and are not registered with



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1490 the department.

1491 (25) "Non-freely transferable security" means a security  
1492 that cannot be delivered to the administrator by the Depository  
1493 Trust Clearing Corporation or similar custodian of securities  
1494 providing post-trade clearing and settlement services to  
1495 financial markets or cannot be delivered because there is no  
1496 agent to effect transfer. The term includes a worthless  
1497 security.

1498 (26)-(22) "Owner" means ~~the~~ a person, ~~or the person's legal~~  
1499 representative, entitled to receive or having a legal or  
1500 equitable interest in the abandoned property. An owner  
1501 establishes his or her entitlement by filing a valid claim with  
1502 the department pursuant ~~or claim against property subject to~~  
1503 this chapter; ~~a depositor in the case of a deposit; a~~  
1504 beneficiary in the case of a trust or a deposit in trust; or a  
1505 payee in the case of a negotiable instrument or other intangible  
1506 property.

1507 (29)-(25) "Record" means information that is captured or  
1508 maintained in any format, including written, printed,  
1509 electronic, audio, visual, or other forms, and that can be made  
1510 perceptible or understandable to a person, either directly or  
1511 through technological means, including assistive technologies  
1512 ~~inscribed on a tangible medium or that is stored in an~~  
1513 ~~electronic or other medium and is retrievable in perceivable~~  
1514 form.

1515 (29) ~~"Unclaimed Property Purchase Agreement" means the form~~  
1516 ~~adopted by the department pursuant to s. 717.135 which must be~~  
1517 ~~used, without modification or amendment, by a claimant's~~  
1518 ~~representative to purchase unclaimed property from an owner.~~



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1519           ~~(30) "Unclaimed Property Recovery Agreement" means the form~~  
1520 ~~adopted by the department pursuant to s. 717.135 which must be~~  
1521 ~~used, without modification or amendment, by a claimant's~~  
1522 ~~representative to obtain an owner's consent and authority to~~  
1523 ~~recover unclaimed property on the owner's behalf.~~

1524           Section 31. Section 717.102, Florida Statutes, is amended  
1525 to read:

1526           717.102 Property presumed abandoned ~~unclaimed~~; general  
1527 rule.—

1528           (1) Except as otherwise provided by this chapter, all  
1529 intangible property, including any income or increment thereon  
1530 less any lawful charges, that is held, issued, or owing in the  
1531 ordinary course of the holder's business and for which the  
1532 apparent owner or authorized representative fails to demonstrate  
1533 continued interest for more than the applicable dormancy period  
1534 prescribed by this chapter shall be presumed abandoned ~~claim~~  
1535 ~~such property for more than 5 years after the property becomes~~  
1536 ~~payable or distributable is presumed unclaimed, except as~~  
1537 ~~otherwise provided by this chapter. Unless otherwise specified~~  
1538 ~~by law, the dormancy period shall be 5 years from the date the~~  
1539 ~~property becomes payable or distributable. For the purposes of~~  
1540 ~~this chapter, property shall be considered payable or~~  
1541 ~~distributable once the holder's obligation to pay or deliver the~~  
1542 ~~property arises, regardless of whether the apparent owner or~~  
1543 ~~authorized representative has failed to demand or to present~~  
1544 ~~documents required to receive payment.~~

1545           (2) ~~Property is payable or distributable for the purpose of~~  
1546 ~~this chapter notwithstanding the owner's failure to make demand~~  
1547 ~~or to present any instrument or document required to receive~~



1548 ~~payment.~~

1549 ~~(3)~~ A presumption that property is abandoned may be  
1550 ~~unclaimed~~ is rebutted by the affirmative demonstration of  
1551 continued interest by the apparent owner or authorized  
1552 representative ~~an apparent owner's expression of interest in the~~  
1553 ~~property.~~ Such demonstration ~~An owner's expression of continued~~  
1554 interest in property includes, but is not limited to, any of the  
1555 following:

1556 (a) A record communicated by the apparent owner or  
1557 authorized representative to the holder or its agent ~~of the~~  
1558 ~~holder~~ concerning the property or the account in which the  
1559 property is held. ~~†~~

1560 (b) An oral communication by the apparent owner or  
1561 authorized representative to the holder or its agent ~~of the~~  
1562 ~~holder~~ concerning the property or the account in which the  
1563 property is held, if the holder or its agent contemporaneously  
1564 records ~~makes~~ and preserves evidence ~~a record~~ of the ~~fact of the~~  
1565 ~~apparent owner's~~ communication. ~~†~~

1566 (c) Presentment of a check or other instrument for ~~of~~  
1567 payment of a dividends ~~dividend~~, interest payment, or other  
1568 distributions related to the property. ~~distribution, with~~  
1569 ~~respect to an account, underlying security, or interest in a~~  
1570 ~~business association;~~

1571 (d) Any account activity initiated ~~directed~~ by an apparent  
1572 owner or authorized representative ~~in the account in which the~~  
1573 ~~property is held~~, including accessing the account or directing  
1574 changes to information concerning the account, or to the amount  
1575 or type of property held, excluding routine automatic  
1576 transactions previously authorized, ~~a direction by the apparent~~



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1577 ~~owner~~ to increase, decrease, or otherwise change the amount or  
1578 type of property held in the account.~~.~~

1579 (e) Any ~~A~~ deposit into or withdrawal from the property or  
1580 the an account in which the property is held at a financial  
1581 organization, excluding ~~an~~ automatic deposits, withdrawals, or  
1582 reinvestments ~~deposit or withdrawal~~ previously authorized by the  
1583 apparent owner or authorized representative. ~~an automatic~~  
1584 ~~reinvestment of dividends or interest, which does not constitute~~  
1585 ~~an expression of interest; or~~

1586 (f) Any other action by the apparent owner or authorized  
1587 representative which reasonably demonstrates to the holder that  
1588 the apparent owner or authorized representative is aware of and  
1589 maintains an interest in ~~knows that~~ the property ~~exists.~~

1590 ~~(3)-(4)~~ If a holder learns or receives confirmation of an  
1591 apparent owner's death, the property shall be presumed abandoned  
1592 ~~unclaimed~~ 2 years after the date of death, unless an authorized  
1593 representative makes an affirmative demonstration ~~a fiduciary~~  
1594 ~~appointed to represent the estate of the apparent owner has made~~  
1595 ~~an expression~~ of interest in the property before the expiration  
1596 of the 2-year period. This subsection may not be construed to  
1597 extend the otherwise applicable dormancy period prescribed by  
1598 this chapter.

1599 Section 32. Section 717.103, Florida Statutes, is amended  
1600 to read:

1601 717.103 General rules for taking custody of intangible  
1602 abandoned unclaimed property.—Unless otherwise provided in this  
1603 chapter or by other statute of this state, intangible property  
1604 is subject to the custody of the department as abandoned  
1605 ~~unclaimed~~ property when ~~if~~ the conditions leading to a



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1606 presumption that the property is abandoned ~~unclaimed~~ as  
1607 described in ss. 717.102 and 717.105-717.116 are satisfied and  
1608 the holder has fulfilled all required due diligence obligations  
1609 without receiving any response or claim from the apparent owner,  
1610 and one or more of the following criteria apply:

1611 (1) The last known address, as shown on the records of the  
1612 holder, of the apparent owner is in this state.~~†~~

1613 (2) The records of the holder do not identify the name of  
1614 the apparent owner, but do reflect the identity of the person  
1615 entitled to the property, and it is established that the last  
1616 known address of the apparent owner ~~person entitled to the~~  
1617 ~~property~~ is in this state.~~†~~

1618 (3) The records of the holder do not reflect the last known  
1619 address of the apparent owner, but ~~and~~ it is established that  
1620 either of the following conditions apply:

1621 (a) The last known address of the apparent owner ~~person~~  
1622 ~~entitled to the property~~ is in this state.~~†~~ ~~or~~

1623 (b) The holder is domiciled in this state, ~~a domiciliary~~ or  
1624 is a government entity or ~~governmental~~ subdivision ~~or agency~~ of  
1625 this state, and has not previously paid the property to the  
1626 state of the last known address of the apparent owner. ~~or other~~  
1627 ~~person entitled to the property;~~

1628 (4) The last known address, as shown on the records of the  
1629 holder, of the apparent owner ~~or other person entitled to the~~  
1630 ~~property~~ is in a jurisdiction state that does not have  
1631 applicable ~~provide by law for the escheat,~~ abandoned, or  
1632 unclaimed property laws ~~custodial taking of the property, or its~~  
1633 ~~escheat or unclaimed property law is not applicable to the~~  
1634 ~~property,~~ and the holder is domiciled in this state a



1635 ~~domiciliary~~ or is a government entity ~~or governmental~~  
1636 ~~subdivision~~ or agency of this state.~~;~~

1637 (5) The last known address, as shown on the records of the  
1638 holder, of the apparent owner is in a foreign nation and the  
1639 holder is domiciled in this state ~~a domiciliary~~ or is a  
1640 government entity ~~or governmental subdivision or agency~~ of this  
1641 state.~~;~~~~or~~

1642 (6) The transaction out of which the property arose  
1643 occurred in this state,~~;~~ and both of the following are true:~~;~~

1644 (a)~~1.~~ The last known address of the apparent owner ~~or other~~  
1645 ~~person entitled to the property~~ is unknown.~~;~~~~or~~

1646 ~~2.~~ ~~The last known address of the apparent owner or other~~  
1647 ~~person entitled to the property is in a state that does not~~  
1648 ~~provide by law for the escheat or custodial taking of the~~  
1649 ~~property, or its escheat or unclaimed property law is not~~  
1650 ~~applicable to the property;~~ and

1651 (b) The holder is domiciled in a jurisdiction ~~a domiciliary~~  
1652 ~~of a state that does not~~ have applicable ~~provide by law for the~~  
1653 ~~escheat, abandoned, or custodial taking of the property, or its~~  
1654 ~~escheat or unclaimed property laws~~ law is not applicable to the  
1655 property.

1656 Section 33. Section 717.1035, Florida Statutes, is  
1657 repealed.

1658 Section 34. Section 717.104, Florida Statutes, is amended  
1659 to read:

1660 717.104 Traveler's checks and money orders.—

1661 (1) Subject to subsection (4), any sum payable on a  
1662 traveler's check that has been outstanding for more than 15  
1663 years after its issuance is presumed abandoned ~~unclaimed~~ unless



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1664 the apparent owner or authorized representative, within 15  
1665 years, has demonstrated a continued interest in the property in  
1666 accordance with s. 717.102 ~~communicated in writing with the~~  
1667 ~~issuer concerning it or otherwise indicated an interest as~~  
1668 ~~evidenced by a memorandum or other record on file with the~~  
1669 ~~issuer.~~

1670 (2) Subject to subsection (4), any sum payable on a money  
1671 order or similar written instrument, other than a third party  
1672 bank check, that has been outstanding for more than 7 years  
1673 after its issuance is presumed abandoned unclaimed unless the  
1674 apparent owner or authorized representative, within 7 years, has  
1675 demonstrated a continued interest in the property in accordance  
1676 with s. 717.102 ~~communicated in writing with the issuer~~  
1677 ~~concerning it or otherwise indicated an interest as evidenced by~~  
1678 ~~a memorandum or other record on file with the issuer.~~

1679 (3) A ~~No~~ holder may not deduct from the amount of any  
1680 traveler's check or money order any charges imposed by reason of  
1681 the failure to present those instruments for payment unless  
1682 there is a valid and enforceable written contract between the  
1683 holder issuer and the apparent owner of the property pursuant to  
1684 which the holder issuer may impose those charges and the holder  
1685 ~~issuer~~ regularly imposes those charges and does not regularly  
1686 reverse or otherwise cancel those charges with respect to the  
1687 property.

1688 (4) No sum payable on a traveler's check, money order, or  
1689 similar written instrument, other than a third party bank check,  
1690 described in subsections (1) and (2) may be subjected to the  
1691 custody of this state as abandoned unclaimed property unless any  
1692 of the following conditions are met:



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1693 (a) The records of the holder issuer show that the  
1694 traveler's check, money order, or similar written instrument was  
1695 purchased in this state.~~†~~

1696 (b) The holder issuer has its principal place of business  
1697 in this state and its ~~the~~ records ~~of the issuer~~ do not show the  
1698 state in which the traveler's check, money order, or similar  
1699 written instrument was purchased.~~† or~~

1700 (c) The holder issuer has its principal place of business  
1701 in this state; the holder's records ~~of the issuer~~ show the state  
1702 in which the traveler's check, money order, or similar written  
1703 instrument was purchased; and the ~~laws of the~~ state of purchase  
1704 does not provide applicable ~~do not provide for the~~ escheat,  
1705 abandoned, or unclaimed property laws ~~or custodial taking of the~~  
1706 ~~property, or its escheat or unclaimed property law is not~~  
1707 ~~applicable to the property.~~

1708 (5) Notwithstanding any other provision of this chapter,  
1709 subsection (4) applies to sums payable on traveler's checks,  
1710 money orders, and similar written instruments presumed abandoned  
1711 ~~unclaimed~~ on or after February 1, 1965, except to the extent  
1712 that those sums have been paid over to a state prior to January  
1713 1, 1974.

1714 Section 35. Section 717.1045, Florida Statutes, is amended  
1715 to read:

1716 717.1045 Gift certificates and similar credit items.—  
1717 Notwithstanding s. 717.117, an unredeemed gift certificate or  
1718 credit memo as defined in s. 501.95 is not required to be  
1719 reported as abandoned ~~unclaimed~~ property.

1720 (1) The consideration paid for an unredeemed gift  
1721 certificate or credit memo is the property of the issuer of the



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1722 unredeemed gift certificate or credit memo.

1723 (2) An unredeemed gift certificate or credit memo is  
1724 subject only to any rights of a purchaser or owner thereof and  
1725 is not subject to a claim made by any state acting on behalf of  
1726 a purchaser or owner.

1727 (3) It is the intent of the Legislature that this section  
1728 apply to the custodial holding of unredeemed gift certificates  
1729 and credit memos.

1730 (4) However, a gift certificate or credit memo described in  
1731 s. 501.95(2) (b) shall be reported as abandoned ~~unclaimed~~  
1732 property. The consideration paid for such a gift certificate or  
1733 credit memo is the property of the owner of the gift certificate  
1734 or credit memo.

1735 Section 36. Section 717.105, Florida Statutes, is amended  
1736 to read:

1737 717.105 Checks, drafts, and similar instruments issued or  
1738 certified by banking and financial organizations.—

1739 (1) Any sum payable on a check, draft, or similar  
1740 instrument, except those subject to ss. 717.104 and 717.115, on  
1741 which a banking or financial organization is directly liable,  
1742 including, but not limited to, a cashier's check or a certified  
1743 check, which has been outstanding for more than 5 years after it  
1744 was payable or after its issuance if payable on demand, is  
1745 presumed abandoned ~~unclaimed~~ unless the apparent owner or  
1746 authorized representative, within 5 years, has communicated in  
1747 writing with the banking or financial organization concerning it  
1748 or otherwise demonstrated a continued interest in the property  
1749 in accordance with s. 717.102 indicated an interest as evidenced  
1750 by a memorandum or other record on file with the banking or



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1751 ~~financial organization.~~

1752 (2) ~~A~~ No holder may not deduct from the amount of any  
1753 instrument subject to this section any charges imposed by reason  
1754 of the failure to present the instrument for encashment unless  
1755 there is a valid and enforceable written contract between the  
1756 holder and the apparent owner of the instrument pursuant to  
1757 which the holder may impose those charges and does not regularly  
1758 reverse or otherwise cancel those charges with respect to the  
1759 instrument.

1760 Section 37. Subsection (1), paragraphs (a) and (b) of  
1761 subsection (3), and subsections (4) and (5) of section 717.106,  
1762 Florida Statutes, are amended to read:

1763 717.106 Bank deposits and funds in financial  
1764 organizations.—

1765 (1) Any demand, savings, or matured time deposit with a  
1766 banking or financial organization, including deposits that are  
1767 automatically renewable, and any funds paid toward the purchase  
1768 of shares, a mutual investment certificate, or any other  
1769 interest in a banking or financial organization is presumed  
1770 abandoned unclaimed unless the apparent owner or authorized  
1771 representative has, within 5 years, engaged in any of the  
1772 following activities:

1773 (a) Increased or decreased the amount of the deposit or  
1774 presented the passbook or other similar evidence of the deposit  
1775 for the crediting of interest.~~†~~

1776 (b) Communicated in writing or by documented telephone  
1777 contact with the banking or financial organization concerning  
1778 the property.~~†~~

1779 (c) Otherwise demonstrated a continued ~~indicated an~~



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1780 interest in the property as evidenced by a memorandum or other  
1781 record on file with the banking or financial organization.~~;~~

1782 (d) Owned other property to which paragraph (a), paragraph  
1783 (b), or paragraph (c) is applicable and if the banking or  
1784 financial organization communicates in writing with the owner  
1785 with regard to the property that would otherwise be presumed  
1786 abandoned ~~unclaimed~~ under this subsection at the address to  
1787 which communications regarding the other property regularly are  
1788 sent.~~;~~ ~~or~~

1789 (e) Had another relationship with the banking or financial  
1790 organization concerning which the apparent owner has:

1791 1. Communicated in writing with the banking or financial  
1792 organization; or

1793 2. Otherwise demonstrated a continued ~~indicated an~~ interest  
1794 as evidenced by a memorandum or other record on file with the  
1795 banking or financial organization and if the banking or  
1796 financial organization communicates in writing with the apparent  
1797 owner or authorized representative with regard to the property  
1798 that would otherwise be presumed abandoned ~~unclaimed~~ under this  
1799 subsection at the address to which communications regarding the  
1800 other relationship regularly are sent.

1801 (3) A ~~No~~ holder may not impose with respect to property  
1802 described in subsection (1) any charges due to dormancy or  
1803 inactivity or cease payment of interest unless:

1804 (a) There is an enforceable written contract between the  
1805 holder and the apparent owner of the property pursuant to which  
1806 the holder may impose those charges or cease payment of  
1807 interest.

1808 (b) For property in excess of \$2, the holder, no more than



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1809 3 months prior to the initial imposition of those charges or  
1810 cessation of interest, has given written notice to the apparent  
1811 owner of the amount of those charges at the last known address  
1812 of the apparent owner stating that those charges shall be  
1813 imposed or that interest shall cease, but the notice provided in  
1814 this section need not be given with respect to charges imposed  
1815 or interest ceased before July 1, 1987.

1816 (4) Any property described in subsection (1) that is  
1817 automatically renewable is matured for purposes of subsection  
1818 (1) upon the expiration of its initial time period except that,  
1819 in the case of any renewal to which the apparent owner consents  
1820 at or about the time of renewal by communicating in writing with  
1821 the banking or financial organization or otherwise indicating  
1822 consent as evidenced by a memorandum or other record on file  
1823 prepared by an employee of the organization, the property is  
1824 matured upon the expiration of the last time period for which  
1825 consent was given. If, at the time provided for delivery in s.  
1826 717.119, a penalty or forfeiture in the payment of interest  
1827 would result from the delivery of the property, the time for  
1828 delivery is extended until the time when no penalty or  
1829 forfeiture would result.

1830 (5) If the documents establishing a deposit described in  
1831 subsection (1) state the address of a beneficiary of the  
1832 deposit, and the account has a value of at least \$50, notice  
1833 shall be given to the beneficiary as provided for notice to the  
1834 apparent owner under s. 717.117 ~~s. 717.117(6)~~. This subsection  
1835 shall apply to accounts opened on or after October 1, 1990.

1836 Section 38. Subsection (1) of section 717.107, Florida  
1837 Statutes, is amended to read:



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1838           717.107 Funds owing under life insurance policies, annuity  
1839 contracts, and retained asset accounts; fines, penalties, and  
1840 interest; United States Social Security Administration Death  
1841 Master File.—

1842           (1) Funds held or owing under any life or endowment  
1843 insurance policy or annuity contract which has matured or  
1844 terminated are presumed abandoned ~~unclaimed~~ if unclaimed for  
1845 more than 5 years after the date of death of the insured, the  
1846 annuitant, or the retained asset account holder, but property  
1847 described in paragraph (3)(d) is presumed abandoned ~~unclaimed~~ if  
1848 such property is not claimed for more than 2 years. The amount  
1849 presumed abandoned ~~unclaimed~~ shall include any amount due and  
1850 payable under s. 627.4615.

1851           Section 39. Section 717.1071, Florida Statutes, is amended  
1852 to read:

1853           717.1071 Lost owners of abandoned ~~unclaimed~~  
1854 demutualization, rehabilitation, or related reorganization  
1855 proceeds.—

1856           (1) Property distributable in the course of a  
1857 demutualization, rehabilitation, or related reorganization of an  
1858 insurance company is deemed abandoned 2 years after the date the  
1859 property is first distributable if, at the time of the first  
1860 distribution, the last known address of the apparent owner on  
1861 the books and records of the holder is known to be incorrect or  
1862 the distribution or statements are returned by the post office  
1863 as undeliverable; and the apparent owner or authorized  
1864 representative ~~owner~~ has not communicated in writing with the  
1865 holder or its agent regarding the interest or otherwise  
1866 communicated with the holder regarding the interest as evidenced



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1867 by a memorandum or other record on file with the holder or its  
1868 agent.

1869 (2) Property distributable in the course of  
1870 demutualization, rehabilitation, or related reorganization of a  
1871 mutual insurance company that is not subject to subsection (1)  
1872 shall be reportable as otherwise provided by this chapter.

1873 (3) Property subject to this section shall be reported and  
1874 delivered no later than May 1 as of the preceding December 31;  
1875 however, the initial report under this section shall be filed no  
1876 later than November 1, 2003, as of December 31, 2002.

1877 Section 40. Section 717.108, Florida Statutes, is amended  
1878 to read:

1879 717.108 Deposits held by utilities.—Any deposit, including  
1880 any interest thereon, made by a subscriber with a utility to  
1881 secure payment or any sum paid in advance for utility services  
1882 to be furnished, less any lawful charges, that remains unclaimed  
1883 by the apparent owner for more than 1 year after termination of  
1884 the services for which the deposit or advance payment was made  
1885 is presumed abandoned ~~unclaimed~~.

1886 Section 41. Section 717.109, Florida Statutes, is amended  
1887 to read:

1888 717.109 Refunds held by business associations.—Except as  
1889 otherwise provided by law, any sum that a business association  
1890 has been ordered to refund by a court or administrative agency  
1891 which has been unclaimed by the apparent owner for more than 1  
1892 year after it became payable in accordance with the final  
1893 determination or order providing for the refund, regardless of  
1894 whether the final determination or order requires any person  
1895 entitled to a refund to make a claim for it, is presumed



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1896 ~~abandoned unclaimed.~~

1897 Section 42. Section 717.1101, Florida Statutes, is amended  
1898 to read:

1899 717.1101 ~~Abandoned Unclaimed~~ equity and debt of business  
1900 associations.-

1901 (1) (a) Stock, ~~or~~ other equity interests, or debt of  
1902 ~~interest in~~ a business association is presumed abandoned  
1903 ~~unclaimed~~ on the date of the earliest of any of the following:

1904 1. Three years after the date a communication, other than  
1905 communications required by s. 717.117, sent by the holder by  
1906 first-class United States mail to the apparent owner is returned  
1907 to the holder undelivered by the United States Postal Service.  
1908 If such returned communication is resent within 1 month to the  
1909 apparent owner, the 3-year dormancy period does not begin until  
1910 the day the resent item is returned as undelivered.

1911 2. Five ~~Three~~ years after the most recent of any account  
1912 ~~owner-generated~~ activity or communication initiated by the  
1913 apparent owner or authorized representative which demonstrates  
1914 continued interest in the ~~related to the~~ account, as recorded  
1915 and maintained by ~~in~~ the holder. Routine automatic reinvestments  
1916 or other routine transactions previously authorized by the  
1917 apparent owner or authorized representative do not prevent,  
1918 interrupt, or reset the dormancy period and do not constitute an  
1919 affirmative demonstration of continued interest. ~~holder's~~  
1920 ~~database and records systems sufficient enough to demonstrate~~  
1921 ~~the owner's continued awareness or interest in the property;~~

1922 ~~3.2.~~ Two ~~Three~~ years after the date of the death of the  
1923 apparent owner, as evidenced by:

1924 a. Notice to the holder of the apparent owner's death by an



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1925 authorized representative administrator, beneficiary, relative,  
1926 or trustee, or by a personal representative or other legal  
1927 representative of the owner's estate;

1928 b. Receipt by the holder of a copy of the death certificate  
1929 of the apparent owner;

1930 c. Confirmation by the holder of the apparent owner's death  
1931 through ~~though~~ other means; or

1932 d. Other evidence from which the holder may reasonably  
1933 conclude that the apparent owner is deceased. ~~;~~ ~~or~~

1934 ~~3. One year after the date on which the holder receives~~  
1935 ~~notice under subparagraph 2. if the notice is received 2 years~~  
1936 ~~or less after the owner's death and the holder lacked knowledge~~  
1937 ~~of the owner's death during that period of 2 years or less.~~

1938 (b) If the holder does not send communication to the  
1939 apparent owner of a security by first-class United States mail  
1940 on an annual basis, the holder shall attempt to confirm the  
1941 apparent owner's interest in the equity interest by sending the  
1942 apparent owner an e-mail communication not later than 3 years  
1943 after the apparent owner's or authorized representative's last  
1944 demonstration of continued interest in the equity interest.

1945 However, the holder shall promptly attempt to contact the  
1946 apparent owner by first-class United States mail if:

1947 1. The holder does not have information needed to send the  
1948 apparent owner an e-mail communication or the holder believes  
1949 that the apparent owner's e-mail address in the holder's records  
1950 is not valid;

1951 2. The holder received notification that the e-mail  
1952 communication was not received; or

1953 3. The apparent owner does not respond to the e-mail



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1954 communication within 30 days after the communication was sent.

1955 (c) If first-class United States mail sent under paragraph  
1956 (b) is returned to the holder undelivered by the United States  
1957 Postal Service, the equity interest is presumed abandoned in  
1958 accordance with paragraph (1) (a).

1959 (d) Unmatured or unredeemed debt, other than a bearer bond  
1960 or an original issue discount bond, is presumed abandoned 5  
1961 unclaimed 3 years after the date of the most recent interest  
1962 payment unclaimed by the owner.

1963 (e) ~~(e)~~ Matured or redeemed debt is presumed abandoned 5  
1964 unclaimed 3 years after the date of maturity or redemption.

1965 (f) ~~(d)~~ At the time property is presumed abandoned unclaimed  
1966 under paragraph (a) or paragraph (b), any other property right  
1967 accrued or accruing to the owner as a result of the property  
1968 interest and not previously presumed abandoned unclaimed is also  
1969 presumed abandoned unclaimed.

1970 (2) The running of the applicable dormancy period under  
1971 this section such 3-year period ceases if the apparent owner or  
1972 authorized representative demonstrates continued interest under  
1973 s. 717.102, including by any of the following actions person:

1974 (a) ~~1.~~ Communicating Communicates in writing or by other  
1975 means with the association or its agent regarding the interest,  
1976 ~~or~~ a dividend, distribution, or other sum payable as a result of  
1977 the interest, as recorded by the association or its agent; ~~or~~

1978 ~~2. Otherwise communicates with the association regarding~~  
1979 ~~the interest or a dividend, distribution, or other sum payable~~  
1980 ~~as a result of the interest, as evidenced by a memorandum or~~  
1981 ~~other record on file with the association or its agent.~~

1982 (b) Presenting Presents an instrument issued to pay



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1983 interest, ~~or~~ a dividend, or other ~~cash~~ distribution. If any  
1984 future dividend, distribution, or other sum payable ~~to the owner~~  
1985 as a result of the interest is subsequently unclaimed ~~not~~  
1986 ~~claimed by the owner~~, a new period in which the property is  
1987 presumed abandoned ~~unclaimed~~ commences and relates back only to  
1988 the time a subsequent dividend, distribution, or other sum  
1989 became due and payable.

1990 (3) At the same time any interest is presumed abandoned  
1991 ~~unclaimed~~ under this section, any dividend, distribution, or  
1992 other sum then held for or owing to the owner as a result of the  
1993 interest, is presumed abandoned ~~unclaimed~~.

1994 (4) Any dividend, profit, distribution, interest  
1995 redemption, payment on principal, or other sum held or owing by  
1996 a business association for or to a shareholder,  
1997 certificateholder, member, bondholder, or other security holder,  
1998 who has not claimed such amount or corresponded in writing with  
1999 the business association concerning such amount, within 5 ~~3~~  
2000 years after the date prescribed for payment or delivery, is  
2001 presumed abandoned ~~unclaimed~~.

2002 Section 43. Section 717.111, Florida Statutes, is amended  
2003 to read:

2004 717.111 Property of business associations held in course of  
2005 dissolution.—All intangible property distributable in the course  
2006 of a voluntary or involuntary dissolution of a business  
2007 association which is not claimed by the apparent owner for more  
2008 than 6 months after the date specified for final distribution is  
2009 presumed abandoned ~~unclaimed~~.

2010 Section 44. Subsections (1) and (5) of section 717.112,  
2011 Florida Statutes, are amended to read:



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2012 717.112 Property held by agents and fiduciaries.-

2013 (1) All intangible property and any income or increment  
2014 thereon held in a fiduciary capacity for the benefit of another  
2015 person, including property held by an attorney in fact or an  
2016 agent, except as provided in ss. 717.1125 and 733.816, is  
2017 presumed abandoned ~~unclaimed~~ unless the apparent owner has  
2018 within 5 years after it has become payable or distributable  
2019 increased or decreased the principal, accepted payment of  
2020 principal or income, communicated in writing concerning the  
2021 property, or otherwise indicated an interest as evidenced by a  
2022 memorandum or other record on file with the fiduciary.

2023 (5) All intangible property, and any income or increment  
2024 thereon, issued by a government or governmental subdivision or  
2025 agency, public corporation, or public authority and held in an  
2026 agency capacity for the governmental subdivision, agency, public  
2027 corporation, or public authority for the benefit of the owner of  
2028 record, is presumed abandoned ~~unclaimed~~ unless the apparent  
2029 owner has, within 1 year after such property has become payable  
2030 or distributable, increased or decreased the principal, accepted  
2031 payment of the principal or income, communicated concerning the  
2032 property, or otherwise indicated an interest in the property as  
2033 evidenced by a memorandum or other record on file with the  
2034 fiduciary.

2035 Section 45. Section 717.1125, Florida Statutes, is amended  
2036 to read:

2037 717.1125 Property held by fiduciaries under trust  
2038 instruments.-All intangible property and any income or increment  
2039 thereon held in a fiduciary capacity for the benefit of another  
2040 person under a trust instrument is presumed abandoned ~~unclaimed~~



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2041 unless the apparent owner has, within 2 years after it has  
2042 become payable or distributable, increased or decreased the  
2043 principal, accepted payment of principal or income, communicated  
2044 concerning the property, or otherwise indicated an interest as  
2045 evidenced by a memorandum or other record on file with the  
2046 fiduciary. This section does not relieve a fiduciary of his or  
2047 her duties under the Florida Trust Code.

2048 Section 46. Section 717.113, Florida Statutes, is amended  
2049 to read:

2050 717.113 Property held by courts and public agencies.—All  
2051 intangible property held for the apparent owner by any court,  
2052 government or governmental subdivision or agency, public  
2053 corporation, or public authority that has not been claimed by  
2054 the apparent owner for more than 1 year after it became payable  
2055 or distributable is presumed abandoned unclaimed. Except as  
2056 provided in s. 45.032(3)(c), money held in the court registry  
2057 and for which no court order has been issued to determine an  
2058 owner does not become payable or distributable and is not  
2059 subject to reporting under this chapter. Notwithstanding the  
2060 provisions of this section, funds deposited in the Minerals  
2061 Trust Fund pursuant to s. 377.247 are presumed abandoned  
2062 unclaimed only if the funds have not been claimed by the  
2063 apparent owner for more than 5 years after the date of first  
2064 production from the well.

2065 Section 47. Section 717.115, Florida Statutes, is amended  
2066 to read:

2067 717.115 Wages.—Unpaid wages, including wages represented by  
2068 unrepresented payroll checks, owing in the ordinary course of the  
2069 holder's business that have not been claimed by the apparent



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2070 owner for more than 1 year after becoming payable are presumed  
2071 abandoned unclaimed.

2072 Section 48. Section 717.116, Florida Statutes, is amended  
2073 to read:

2074 717.116 Contents of safe-deposit box or other safekeeping  
2075 repository.—All tangible and intangible property held by a  
2076 banking or financial organization in a safe-deposit box or any  
2077 other safekeeping repository in this state in the ordinary  
2078 course of the holder's business, and proceeds resulting from the  
2079 sale of the property permitted by law, that has not been claimed  
2080 by the apparent owner or authorized representative for more than  
2081 3 years after the lease or rental period on the box or other  
2082 repository has expired are presumed abandoned unclaimed.

2083 Section 49. Section 717.117, Florida Statutes, is amended  
2084 to read:

2085 717.117 Holder due diligence and report of abandoned  
2086 unclaimed property.—

2087 (1) Property is presumed abandoned upon expiration of the  
2088 applicable dormancy period under this chapter. However, such  
2089 property is not deemed abandoned for purposes of reporting or  
2090 remittance to the department until the holder has conducted  
2091 reasonable due diligence as required by this section, resulting  
2092 in no indication of interest from the apparent owner or  
2093 authorized representative.

2094 (2) Holders of property presumed abandoned that has a value  
2095 of \$50 or more shall use due diligence to locate and notify the  
2096 apparent owner that the holder is in possession of property  
2097 subject to this chapter. At least 90 days, but not more than 180  
2098 days, before filing the report required by this section, a



2099 holder in possession of presumed abandoned property shall send  
2100 written notice by first-class United States mail to the apparent  
2101 owner's last known address as shown in the holder's records or  
2102 from other available sources, or by e-mail if the apparent owner  
2103 has elected for e-mail delivery, informing the apparent owner  
2104 that the holder is in possession of property subject to this  
2105 chapter, provided that the holder's records contain a mailing or  
2106 e-mail address for the apparent owner which is not known by the  
2107 holder to be inaccurate. The holder may provide notice by mail,  
2108 by e-mail, or by both methods. If the holder's records indicate  
2109 that the mailing address is inaccurate, notice may be provided  
2110 by e-mail if the apparent owner has elected e-mail delivery.

2111 (3) If the value of the property is greater than \$1,000,  
2112 the holder shall send a second written notice by certified  
2113 United States mail, return receipt requested, to the apparent  
2114 owner's last known address at least 60 days before filing the  
2115 report required by this section, if the holder's records contain  
2116 a mailing address for the apparent owner which is not known by  
2117 the holder to be inaccurate. Reasonable costs paid to the United  
2118 States Postal Service for certified mail, return receipt  
2119 requested, may be deducted from the property as a service  
2120 charge. A signed return receipt received in response to the  
2121 certified mail notice constitutes an affirmative demonstration  
2122 of continued interest as described in s. 717.102.

2123 (4) The written notice required under this section must  
2124 include:

2125 (a) A heading that reads substantially as follows: "Notice:  
2126 The State of Florida requires us to notify you that your  
2127 property may be transferred to the custody of the Florida



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2128 Department of Financial Services if you do not contact us before  
2129 ...(insert date that is at least 30 days after the date of  
2130 notice)...."

2131 (b) A description of the type, nature, and, unless the  
2132 property does not have a fixed value, value of the property that  
2133 is the subject of the notice.

2134 (c) A statement that the property will be turned over to  
2135 the custody of the department as abandoned property if no  
2136 response is received.

2137 (d) A statement that noncash property will be sold or  
2138 liquidated by the department.

2139 (e) A statement that, after the property is remitted to the  
2140 department, a claim must be filed with the department to recover  
2141 the property.

2142 (f) A statement that the property is currently in the  
2143 custody of the holder and that the apparent owner may prevent  
2144 transfer of the property by contacting the holder before the  
2145 deadline stated in the notice.

2146 (5) Every holder of abandoned ~~person holding funds or other~~  
2147 property, tangible or intangible, ~~presumed unclaimed and~~ subject  
2148 to custody as ~~unclaimed property~~ under this chapter shall submit  
2149 a report to the department via electronic medium as the  
2150 department may prescribe by rule. The report must include:

2151 (a) Except for traveler's checks and money orders, the  
2152 name, social security number or taxpayer identification number,  
2153 date of birth, if known, and last known address, if any, of each  
2154 apparent ~~person appearing from the records of the holder to be~~  
2155 the owner of any property which is abandoned ~~presumed unclaimed~~  
2156 and which has a value of \$10 or more.



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2157 (b) For abandoned ~~unclaimed~~ funds that have a value of \$10  
2158 or more held or owing under any life or endowment insurance  
2159 policy or annuity contract, the identifying information provided  
2160 in paragraph (a) for both the insured or annuitant and the  
2161 beneficiary according to records of the insurance company  
2162 holding or owing the funds.

2163 (c) For all tangible property held in a safe-deposit box or  
2164 other safekeeping repository, a description of the property and  
2165 the place where the property is held and may be inspected by the  
2166 department, and any amounts owing to the holder. Contents of a  
2167 safe-deposit box or other safekeeping repository which consist  
2168 of documents or writings ~~of a private nature and~~ which have  
2169 little or no commercial value ~~may apparent value shall~~ not be  
2170 reported as abandoned property ~~presumed unclaimed~~.

2171 (d) The nature or type of property, any accounting or  
2172 identifying number associated with the property, a description  
2173 of the property, and the amount appearing from the records to be  
2174 due. Items of value of less than \$10 each may be reported in the  
2175 aggregate.

2176 (e) The date the property became payable, demandable, or  
2177 returnable, and the date of the last transaction with the  
2178 apparent owner with respect to the property.

2179 (f) Any other information the department may prescribe by  
2180 rule as necessary for the administration of this chapter.

2181 ~~(6)-(2)~~ If the total value of all abandoned ~~presumed~~  
2182 ~~unclaimed~~ property, whether tangible or intangible, held by a  
2183 person is less than \$10, a zero balance report may be filed for  
2184 that reporting period.

2185 ~~(7)-(3)~~ Credit balances, customer overpayments, security



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2186 deposits, and refunds having a value of less than \$10 may not be  
2187 reported as abandoned property ~~shall not be presumed unclaimed.~~

2188 (8) A security identified by the holder as non-freely  
2189 transferable or worthless may not to be included in a report  
2190 filed under this section. If the holder determines that a  
2191 security is no longer non-freely transferable or worthless, the  
2192 holder shall report and deliver the security on the next regular  
2193 report date prescribed for delivery of securities by the holder  
2194 under this chapter.

2195 (9)-(4) If the holder of abandoned property ~~presumed~~  
2196 ~~unclaimed~~ and subject to custody under this chapter ~~as unclaimed~~  
2197 ~~property~~ is a successor holder or if the holder has changed the  
2198 holder's name while in possession of the property, the holder  
2199 shall file with the holder's report all known names and  
2200 addresses of each prior holder of the property. Compliance with  
2201 this subsection means the holder exercises reasonable and  
2202 prudent efforts to determine the names of all prior holders.

2203 (10) The report must be signed by or on behalf of the  
2204 holder and verified as to its completeness and accuracy, and the  
2205 holder must state that it has complied with the due diligence  
2206 requirements of this section.

2207 (11)-(5) The report must be filed before May 1 of each year.  
2208 The report applies to the preceding calendar year. Upon written  
2209 request by any person required to file a report, and upon a  
2210 showing of good cause, the department may extend the reporting  
2211 date. The department may impose and collect a penalty of \$10 per  
2212 day up to a maximum of \$500 for the failure to timely report, if  
2213 an extension was not provided or if the holder of the property  
2214 failed to include in a report information required by this



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2215 chapter which was in the holder's possession at the time of  
2216 reporting. The penalty shall be remitted to the department  
2217 within 30 days after the date of the notification to the holder  
2218 that the penalty is due and owing. As necessary for proper  
2219 administration of this chapter, the department may waive any  
2220 penalty due with appropriate justification. The department must  
2221 provide information contained in a report filed with the  
2222 department to any person requesting a copy of the report or  
2223 information contained in a report, to the extent the information  
2224 requested is not confidential, within 45 days after the  
2225 department determines that the report is accurate and acceptable  
2226 and that the reported property is the same as the remitted  
2227 property.

2228 ~~(6) Holders of inactive accounts having a value of \$50 or~~  
2229 ~~more shall use due diligence to locate and notify apparent~~  
2230 ~~owners that the entity is holding unclaimed property available~~  
2231 ~~for them to recover. Not more than 120 days and not less than 60~~  
2232 ~~days prior to filing the report required by this section, the~~  
2233 ~~holder in possession of property presumed unclaimed and subject~~  
2234 ~~to custody as unclaimed property under this chapter shall send~~  
2235 ~~written notice by first-class United States mail to the apparent~~  
2236 ~~owner at the apparent owner's last known address from the~~  
2237 ~~holder's records or from other available sources, or via~~  
2238 ~~electronic mail if the apparent owner has elected this method of~~  
2239 ~~delivery, informing the apparent owner that the holder is in~~  
2240 ~~possession of property subject to this chapter, if the holder~~  
2241 ~~has in its records a mailing or electronic address for the~~  
2242 ~~apparent owner which the holder's records do not disclose to be~~  
2243 ~~inaccurate. These two means of contact are not mutually~~



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2244 ~~exclusive; if the mailing address is determined to be~~  
2245 ~~inaccurate, electronic mail may be used if so elected by the~~  
2246 ~~apparent owner.~~

2247 ~~(7) The written notice to the apparent owner required under~~  
2248 ~~this section must:~~

2249 ~~(a) Contain a heading that reads substantially as follows:~~  
2250 ~~"Notice. The State of Florida requires us to notify you that~~  
2251 ~~your property may be transferred to the custody of the Florida~~  
2252 ~~Department of Financial Services if you do not contact us before~~  
2253 ~~...(insert date that is at least 30 days after the date of~~  
2254 ~~notice)...."~~

2255 ~~(b) Identify the type, nature, and, except for property~~  
2256 ~~that does not have a fixed value, value of the property that is~~  
2257 ~~the subject of the notice.~~

2258 ~~(c) State that the property will be turned over to the~~  
2259 ~~custody of the department as unclaimed property if no response~~  
2260 ~~to this letter is received.~~

2261 ~~(d) State that any property that is not legal tender of the~~  
2262 ~~United States may be sold or liquidated by the department.~~

2263 ~~(e) State that after the property is turned over to the~~  
2264 ~~department, an apparent owner seeking return of the property may~~  
2265 ~~file a claim with the department.~~

2266 ~~(f) State that the property is currently with a holder and~~  
2267 ~~provide instructions that the apparent owner must follow to~~  
2268 ~~prevent the holder from reporting and paying for the property or~~  
2269 ~~from delivering the property to the department.~~

2270 ~~(12)(8) Any holder of intangible property may file with the~~  
2271 ~~department a petition for determination that the property is~~  
2272 ~~abandoned and unclaimed requesting the department to accept~~



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2273 custody of the property. The petition shall state any special  
2274 circumstances that exist, contain the information required by  
2275 subsection (9) ~~subsection (4)~~, and show that a diligent search  
2276 has been made to locate the apparent owner. If the department  
2277 finds that the proof of diligent search is satisfactory, it  
2278 shall give notice as provided in s. 717.118 and accept custody  
2279 of the property.

2280 ~~(13)(9)~~ Upon written request by any entity or person  
2281 required to file a report, stating such entity's or person's  
2282 justification for such action, the department may place that  
2283 entity or person in an inactive status as an abandoned ~~unclaimed~~  
2284 property "holder."

2285 ~~(14)(10)~~(a) This section does not apply to the abandoned  
2286 ~~unclaimed~~ patronage refunds as provided for by contract or  
2287 through bylaw provisions of entities organized under chapter 425  
2288 or that are exempt from ad valorem taxation pursuant to s.  
2289 196.2002.

2290 (b) This section does not apply to intangible property  
2291 held, issued, or owing by a business association subject to the  
2292 jurisdiction of the United States Surface Transportation Board  
2293 or its successor federal agency if the apparent owner of such  
2294 intangible property is a business association. The holder of  
2295 such property does not have any obligation to report, to pay, or  
2296 to deliver such property to the department.

2297 (c) This section does not apply to credit balances,  
2298 overpayments, refunds, or outstanding checks owed by a health  
2299 care provider to a managed care payor with whom the health care  
2300 provider has a managed care contract, provided that the credit  
2301 balances, overpayments, refunds, or outstanding checks become



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2302 due and owing pursuant to the managed care contract.

2303 ~~(15)-(11)~~(a) As used in this subsection, the term "property  
2304 identifier" means the descriptor used by the holder to identify  
2305 the abandoned unclaimed property.

2306 (b) Social security numbers and property identifiers  
2307 contained in reports required under this section, held by the  
2308 department, are confidential and exempt from s. 119.07(1) and s.  
2309 24(a), Art. I of the State Constitution.

2310 (c) This exemption applies to social security numbers and  
2311 property identifiers held by the department before, on, or after  
2312 the effective date of this exemption.

2313 Section 50. Section 717.118, Florida Statutes, is amended  
2314 to read:

2315 717.118 Notification of apparent owners of abandoned  
2316 unclaimed property.—

2317 (1) It is specifically recognized that the state has an  
2318 obligation to make an effort to notify apparent owners in a  
2319 cost-effective manner that their abandoned property has been  
2320 reported and remitted to the department of unclaimed property in  
2321 a cost-effective manner. In order to provide all the citizens of  
2322 this state an effective and efficient program for the recovery  
2323 of abandoned personal unclaimed property, the department shall  
2324 use cost-effective means to make at least one active attempt to  
2325 notify apparent owners of abandoned unclaimed property accounts  
2326 valued at \$50 or more, abandoned tangible property, and  
2327 abandoned shares of stock for which more than \$250 with a  
2328 reported address or taxpayer identification number is available.  
2329 Such active attempt to notify apparent owners shall include any  
2330 attempt by the department to directly contact the apparent



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2331 owner. Other means of notification, such as publication of the  
2332 names of apparent owners in the newspaper, on television, on the  
2333 Internet, or through other promotional efforts and items in  
2334 which the department does not directly attempt to contact the  
2335 apparent owner are expressly declared to be passive attempts.  
2336 ~~Nothing in~~ This subsection does not preclude ~~precludes~~ other  
2337 agencies or entities of state government from notifying owners  
2338 of the existence of abandoned ~~unclaimed~~ property or attempting  
2339 to notify apparent owners of abandoned ~~unclaimed~~ property.

2340 (2) Notification provided directly to individual apparent  
2341 owners shall contain ~~consist of~~ a description of the abandoned  
2342 property and information regarding recovery of the ~~unclaimed~~  
2343 property from the department. The form and content of the  
2344 department's notice shall be tailored to the type of property  
2345 reported and shall include any information necessary to  
2346 reasonably inform the apparent owner of the consequences of  
2347 failure to claim the property, including potential sale or  
2348 disposition under s. 717.122.

2349 (3) The department shall maintain a publicly accessible,  
2350 electronically searchable website that includes the names of  
2351 apparent owners of abandoned property reported to the department  
2352 and instructions for filing a claim. The website must list  
2353 property valued at \$10 or more and provide instructions for  
2354 filing a claim. Abandoned property valued at less than \$10  
2355 remains recoverable from the department in accordance with this  
2356 chapter.

2357 (4) This section is not applicable to abandoned sums  
2358 payable on traveler's checks, money orders, and other written  
2359 instruments ~~presumed unclaimed~~ under s. 717.104, or any other



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2360 abandoned property reported without the necessary identifying  
2361 information to establish ownership.

2362 Section 51. Section 717.119, Florida Statutes, is amended  
2363 to read:

2364 717.119 Payment or delivery of abandoned unclaimed  
2365 property.—

2366 (1) Every person who is required to file a report under s.  
2367 717.117 shall simultaneously pay or deliver to the department  
2368 all abandoned unclaimed property required to be reported. Such  
2369 payment or delivery shall accompany the report as required in  
2370 this chapter for the preceding calendar year.

2371 (2) Payment of abandoned unclaimed funds may be made to the  
2372 department by electronic funds transfer.

2373 (3) If the apparent owner establishes the right to receive  
2374 the abandoned unclaimed property to the satisfaction of the  
2375 holder before the property has been delivered to the department  
2376 or it appears that for some other reason ~~the presumption~~ that  
2377 the property was erroneously classified as abandoned ~~is~~  
2378 ~~unclaimed is erroneous~~, the holder need not pay or deliver the  
2379 property to the department. In lieu of delivery, the holder  
2380 shall file a verified written explanation of the proof of claim  
2381 or of the error in classification of ~~the presumption that~~ the  
2382 property as abandoned ~~was unclaimed~~.

2383 (4) All virtual currency reported under this chapter on the  
2384 annual report filing required in s. 717.117 shall be remitted to  
2385 the department with the report. The holder shall liquidate the  
2386 virtual currency and remit the proceeds to the department. The  
2387 liquidation must occur within 30 days before the filing of the  
2388 report. Upon delivery of the virtual currency proceeds to the



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2389 department, the holder is relieved of all liability of every  
2390 kind in accordance with the provisions of s. 717.1201 to every  
2391 person for any losses or damages resulting to the person by the  
2392 delivery to the department of the virtual currency proceeds.

2393 (5) All stock or other intangible ownership interest  
2394 reported under this chapter on the annual report filing required  
2395 in s. 717.117 shall be remitted to the department with the  
2396 report. Upon delivery of the stock or other intangible ownership  
2397 interest to the department, the holder and any transfer agent,  
2398 registrar, or other person acting for or on behalf of a holder  
2399 is relieved of all liability of every kind in accordance with  
2400 the provisions of s. 717.1201 to every person for any losses or  
2401 damages resulting to the person by the delivery to the  
2402 department of the stock or other intangible ownership interest.

2403 (6) All intangible and tangible property held in a safe-  
2404 deposit box or any other safekeeping repository reported under  
2405 s. 717.117 shall not be delivered to the department until 120  
2406 days after the report due date. The delivery of the property,  
2407 through the United States mail or any other carrier, shall be  
2408 insured by the holder at an amount equal to the estimated value  
2409 of the property. Each package shall be clearly marked on the  
2410 outside "Deliver Unopened." A holder's safe-deposit box contents  
2411 shall be delivered to the department in a single shipment. In  
2412 lieu of a single shipment, holders may provide the department  
2413 with a single detailed shipping schedule that includes package  
2414 tracking information for all packages being sent pursuant to  
2415 this section.

2416 (a) Holders may remit the value of cash and coins found in  
2417 abandoned ~~unclaimed~~ safe-deposit boxes to the department by



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2418 cashier's check or by electronic funds transfer, unless the cash  
2419 or coins have a value above face value. The department shall  
2420 identify by rule those cash and coin items having a numismatic  
2421 value. Cash and coin items identified as having a numismatic  
2422 value shall be remitted to the department in their original  
2423 form.

2424 (b) Any firearm or ammunition found in an abandoned  
2425 ~~unclaimed~~ safe-deposit box or any other safekeeping repository  
2426 shall be delivered by the holder to a law enforcement agency for  
2427 property handling or disposal pursuant to s. 705.103(2) (b). If  
2428 the firearm is sold by the law enforcement agency, ~~with~~ the  
2429 balance of the proceeds shall be deposited into the State School  
2430 Fund ~~if the firearm is sold. However,~~ The department is  
2431 authorized to make a reasonable attempt to ascertain the  
2432 historical value to collectors of any firearm that has been  
2433 delivered to the department. Any firearm appearing to have  
2434 historical value to collectors may be sold by the department  
2435 pursuant to s. 717.122 to a person having a federal firearms  
2436 license. Any firearm which is not sold pursuant to s. 717.122  
2437 shall be delivered by the department to a law enforcement agency  
2438 in this state for proper handling or disposal. In accordance  
2439 with ~~pursuant to~~ s. 705.103(2) (b), if the firearm is sold by the  
2440 law enforcement agency, ~~with~~ the balance of the proceeds shall  
2441 be deposited into the State School Fund ~~if the firearm is sold~~.  
2442 The department shall not be administratively, civilly, or  
2443 criminally liable for any firearm delivered by the department to  
2444 a law enforcement agency in this state for disposal.

2445 (c) If such property is not paid or delivered to the  
2446 department on or before the applicable payment or delivery date,



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2447 the holder shall pay to the department a penalty for each safe-  
2448 deposit box shipment received late. The penalty shall be \$100  
2449 for a safe-deposit box shipment container that is late 30 days  
2450 or less. Thereafter, the penalty shall be \$500 for a safe-  
2451 deposit box shipment container that is late for each additional  
2452 successive 30-day period. The penalty assessed against a holder  
2453 for a late safe-deposit box shipment container shall not exceed  
2454 \$4,000 annually. The penalty shall be remitted to the department  
2455 within 30 days after the date of the notification to the holder  
2456 that the penalty is due and owing.

2457 (d) The department may waive any penalty due with  
2458 appropriate justification, as provided by rule.

2459 (e) If a will or trust instrument is included among the  
2460 contents of an abandoned a safe-deposit box or other safekeeping  
2461 repository delivered to the department, the department must  
2462 provide a copy of the will, trust, and any codicils or  
2463 amendments to such will or trust instrument, upon request, to  
2464 anyone who provides the department with a certified copy of the  
2465 death certificate ~~evidence of the death~~ of the testator or  
2466 settlor.

2467 (7) Any holder may request an extension in writing of up to  
2468 60 days for the delivery of property if extenuating  
2469 circumstances exist for the late delivery of the property. Any  
2470 such extension the department may grant shall be in writing.

2471 (8) A holder may not assign or otherwise transfer its  
2472 obligation to report, pay, or deliver property or to comply with  
2473 the provisions of this chapter, other than to a parent,  
2474 subsidiary, or affiliate of the holder.

2475 (a) Unless otherwise agreed to by the parties to a



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2476 transaction, the holder's successor by merger or consolidation,  
2477 or any person or entity that acquires all or substantially all  
2478 of the holder's capital stock or assets, is responsible for  
2479 fulfilling the holder's obligation to report, pay, or deliver  
2480 property or to comply with the duties of this chapter regarding  
2481 the transfer of property owed to the holder's successor and  
2482 being held for an owner resulting from the merger,  
2483 consolidation, or acquisition.

2484 (b) This subsection does not prohibit a holder from  
2485 contracting with a third party for the reporting of abandoned  
2486 ~~unclaimed~~ property, but the holder remains responsible to the  
2487 department for the complete, accurate, and timely reporting of  
2488 the property.

2489 Section 52. Subsections (1), (2), and (4) of section  
2490 717.1201, Florida Statutes, are amended to read:

2491 717.1201 Custody by state; holder liability; reimbursement  
2492 of holder paying claim; reclaiming for owner; payment of safe-  
2493 deposit box or repository charges.—

2494 (1) Upon the good faith payment or delivery of abandoned  
2495 ~~unclaimed~~ property to the department, the state assumes custody  
2496 and responsibility for the safekeeping of the property. Any  
2497 person who pays or delivers abandoned ~~unclaimed~~ property to the  
2498 department in good faith is relieved of all liability to the  
2499 extent of the value of the property paid or delivered for any  
2500 claim then existing or which thereafter may arise or be made  
2501 with ~~in~~ respect to the property.

2502 (a) A holder's substantial compliance with the due  
2503 diligence provisions in s. 717.117 ~~s. 717.117(6)~~ and good faith  
2504 payment or delivery of abandoned ~~unclaimed~~ property to the



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2505 department releases the holder from liability that may arise  
2506 from such payment or delivery, and such delivery and payment may  
2507 be pleaded as a defense in any suit or action brought by reason  
2508 of such delivery or payment. This section does not relieve a  
2509 fiduciary of his or her duties under the Florida Trust Code or  
2510 Florida Probate Code.

2511 (b) If the holder pays or delivers property to the  
2512 department in good faith and thereafter any other person claims  
2513 the property from the holder paying or delivering, or another  
2514 state claims the money or property under that state's laws  
2515 relating to escheat or abandoned or unclaimed property, the  
2516 department, upon written notice of the claim, shall defend the  
2517 holder against the claim and indemnify the holder against any  
2518 liability on the claim, except that a holder may not be  
2519 indemnified against penalties imposed by another state.

2520 (2) For the purposes of this section, a payment or delivery  
2521 of abandoned ~~unclaimed~~ property is made in good faith if:

2522 (a) The payment or delivery was made in conjunction with an  
2523 accurate and acceptable report.

2524 (b) The payment or delivery was made in a reasonable  
2525 attempt to comply with this chapter and other applicable general  
2526 law.

2527 (c) The holder had a reasonable basis for believing, based  
2528 on the facts then known, that the property was abandoned  
2529 ~~unclaimed~~ and subject to this chapter.

2530 (d) There is no showing that the records pursuant to which  
2531 the delivery was made did not meet reasonable commercial  
2532 standards of practice in the industry.

2533 (4) Any holder who has delivered property, including a



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2534 certificate of any interest in a business association, other  
2535 than money to the department pursuant to this chapter may  
2536 reclaim the property if still in the possession of the  
2537 department, without payment of any fee or other charges, upon  
2538 filing proof that the person entitled to the property ~~owner~~ has  
2539 claimed it ~~the property~~ from the holder.

2540 Section 53. Section 717.122, Florida Statutes, is amended  
2541 to read:

2542 717.122 Public sale of abandoned ~~unclaimed~~ property.—

2543 (1) Except as provided in paragraph (2) (a), the department  
2544 after the receipt of abandoned ~~unclaimed~~ property shall sell it  
2545 to the highest bidder at public sale on the Internet or at a  
2546 specified physical location wherever in the judgment of the  
2547 department the most favorable market for the property involved  
2548 exists. The department may decline the highest bid and reoffer  
2549 the property for sale if in the judgment of the department the  
2550 bid is insufficient. The department shall have the discretion to  
2551 withhold from sale any abandoned ~~unclaimed~~ property that the  
2552 department deems to be of benefit to the people of the state. If  
2553 in the judgment of the department the probable cost of sale  
2554 exceeds the value of the property, it need not be offered for  
2555 sale and may be disposed of as the department determines  
2556 appropriate. Any sale at a specified physical location held  
2557 under this section must be preceded by a single publication of  
2558 notice, at least 3 weeks in advance of sale, in a newspaper of  
2559 general circulation in the county in which the property is to be  
2560 sold. The department shall proportionately deduct auction fees,  
2561 preparation costs, and expenses from the amount posted to an ~~the~~  
2562 ~~owner's~~ account ~~for an abandoned~~ ~~when~~ safe-deposit box when the



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2563 contents are sold. No action or proceeding may be maintained  
2564 against the department for or on account of any decision to  
2565 decline the highest bid or withhold any abandoned ~~unclaimed~~  
2566 property from sale.

2567 (2) (a) Securities listed on an established stock exchange  
2568 must be sold at prices prevailing at the time of sale on the  
2569 exchange. Other securities may be sold over the counter at  
2570 prices prevailing at the time of sale or by any other method the  
2571 department deems advisable. The department may authorize the  
2572 agent or broker acting on behalf of the department to deduct  
2573 fees from the proceeds of these sales at a rate agreed upon in  
2574 advance by the agent or broker and the department. The  
2575 department shall reimburse owners' accounts for these brokerage  
2576 fees from the State School Fund unless the securities are sold  
2577 at the owner's request.

2578 (b) Unless the department deems it to be in the public  
2579 interest to do otherwise, all abandoned securities ~~presumed~~  
2580 ~~unclaimed and~~ delivered to the department may be sold upon  
2581 receipt. Any person making a claim pursuant to this chapter is  
2582 entitled to receive either the securities delivered to the  
2583 department by the holder, if they still remain in the hands of  
2584 the department, or the proceeds received from sale, but no  
2585 person has any claim under this chapter against the state, the  
2586 holder, any transfer agent, any registrar, or any other person  
2587 acting for or on behalf of a holder for any appreciation in the  
2588 value of the property occurring after delivery by the holder to  
2589 the state.

2590 (c) Certificates for abandoned ~~unclaimed~~ stock or other  
2591 equity interest of business associations that cannot be canceled



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2592 and registered in the department's name or that cannot be  
2593 readily liquidated and converted into the currency of the United  
2594 States may be sold for the value of the certificate, if any, in  
2595 accordance with subsection (1) or may be destroyed in accordance  
2596 with s. 717.128.

2597 (3) The purchaser of property at any sale conducted by the  
2598 department pursuant to this chapter is entitled to ownership of  
2599 the property purchased free from all claims of the owner or  
2600 previous holder thereof and of all persons claiming through or  
2601 under them. The department shall execute all documents necessary  
2602 to complete the transfer of ownership.

2603 (4) The sale of abandoned ~~unclaimed~~ tangible personal  
2604 property is not subject to tax under chapter 212 when such  
2605 property is sold by or on behalf of the department pursuant to  
2606 this section.

2607 Section 54. Section 717.123, Florida Statutes, is amended  
2608 to read:

2609 717.123 Deposit of funds.—

2610 (1) All funds received under this chapter, including the  
2611 proceeds from the sale of abandoned ~~unclaimed~~ property under s.  
2612 717.122, shall immediately ~~forthwith~~ be deposited by the  
2613 department in the Abandoned ~~Unclaimed~~ Property Trust Fund. The  
2614 department shall retain, from funds received under this chapter,  
2615 an amount not exceeding \$15 million from which the department  
2616 shall make prompt payment of claims allowed by the department  
2617 and shall pay the costs incurred by the department in  
2618 administering and enforcing this chapter. All remaining funds  
2619 received by the department under this chapter shall be deposited  
2620 by the department into the State School Fund.



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2621           (2) The department shall record the name and last known  
2622 address of each person appearing from the holder's reports to be  
2623 entitled to the abandoned ~~unclaimed~~ property in the total  
2624 amounts of \$5 or greater; the name and the last known address of  
2625 each insured person or annuitant; and with respect to each  
2626 policy or contract listed in the report of an insurance  
2627 corporation, its number, the name of the corporation, and the  
2628 amount due.

2629           Section 55. Section 717.1235, Florida Statutes, is amended  
2630 to read:

2631           717.1235 Dormant campaign accounts; ~~report of unclaimed~~  
2632 ~~property.~~ Abandoned Unclaimed funds reported in the name of a  
2633 campaign for public office, for any campaign that must dispose  
2634 of surplus funds in its campaign account pursuant to s. 106.141,  
2635 after being reported to the department, shall be deposited with  
2636 the Chief Financial Officer to the credit of the State School  
2637 Fund.

2638           Section 56. Section 717.124, Florida Statutes, is amended  
2639 to read:

2640           717.124 Abandoned Unclaimed property claims.—

2641           (1) Any person, excluding another state, claiming an  
2642 interest in any property paid or delivered to the department  
2643 under this chapter may file with the department a claim on a  
2644 form prescribed by the department and verified by the claimant  
2645 or the claimant ~~claimant's~~ representative. ~~The claimant's~~  
2646 ~~representative must be an attorney licensed to practice law in~~  
2647 ~~this state, a licensed Florida-certified public accountant, or a~~  
2648 ~~private investigator licensed under chapter 493.~~ The claimant  
2649 ~~claimant's~~ representative must be registered with the department



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2650 under this chapter. The claimant, or the claimant ~~claimant's~~  
2651 representative, shall provide the department with a legible copy  
2652 of a valid driver license of the claimant at the time the  
2653 original claim form is filed. If the claimant has not been  
2654 issued a valid driver license at the time the original claim  
2655 form is filed, the department shall be provided with a legible  
2656 copy of a photographic identification of the claimant issued by  
2657 the United States, a state or territory of the United States, a  
2658 foreign nation, or a political subdivision or agency thereof or  
2659 other evidence deemed acceptable by the department by rule. In  
2660 lieu of photographic identification, a notarized sworn statement  
2661 by the claimant may be provided which affirms the claimant's  
2662 identity and states the claimant's full name and address. The  
2663 claimant must produce to the notary photographic identification  
2664 of the claimant issued by the United States, a state or  
2665 territory of the United States, a foreign nation, or a political  
2666 subdivision or agency thereof or other evidence deemed  
2667 acceptable by the department by rule. The notary shall indicate  
2668 the notary's full address on the notarized sworn statement. Any  
2669 claim filed without the required identification or the sworn  
2670 statement with the original claim form and the original  
2671 Abandoned ~~Unclaimed~~ Property Recovery Agreement or Abandoned  
2672 ~~Unclaimed~~ Property Purchase Agreement, if applicable, is void.

2673 (a) Within 90 days after receipt of a claim, the department  
2674 may return any claim that provides for the receipt of fees and  
2675 costs greater than that permitted under this chapter or that  
2676 contains any apparent errors or omissions. The department may  
2677 also request that the claimant or the claimant ~~claimant's~~  
2678 representative provide additional information. The department



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2679 shall retain a copy or electronic image of the claim.

2680 (b) A claim is considered to have been withdrawn by a  
2681 claimant or the claimant ~~claimant's~~ representative if the  
2682 department does not receive a response to its request for  
2683 additional information within 60 days after the notification of  
2684 any apparent errors or omissions.

2685 (c) Within 90 days after receipt of the claim, or the  
2686 response of the claimant or the claimant ~~claimant's~~  
2687 representative to the department's request for additional  
2688 information, whichever is later, the department shall determine  
2689 each claim. Such determination shall contain a notice of rights  
2690 provided by ss. 120.569 and 120.57. The 90-day period shall be  
2691 extended by 60 days if the department has good cause to need  
2692 additional time or if the abandoned ~~unclaimed~~ property:

2693 1. Is owned by a person who has been a debtor in  
2694 bankruptcy;

2695 2. Was reported with an address outside of the United  
2696 States;

2697 3. Is being claimed by a person outside of the United  
2698 States; or

2699 4. Contains documents filed in support of the claim that  
2700 are not in the English language and have not been accompanied by  
2701 an English language translation.

2702 (2) A claim for a cashier's check or a stock certificate  
2703 without the original instrument may require an indemnity bond  
2704 equal to the value of the claim to be provided prior to issue of  
2705 the stock or payment of the claim by the department.

2706 (3) The department may require an affidavit swearing to the  
2707 authenticity of the claim, lack of documentation, and an



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2708 agreement to allow the department to provide the name and  
2709 address of the claimant to subsequent claimants coming forward  
2710 with substantiated proof to claim the account. This shall apply  
2711 to claims equal to or less than \$250. The exclusive remedy of a  
2712 subsequent claimant to the property shall be against the person  
2713 who received the property from the department.

2714 (4) (a) Except as otherwise provided in this chapter, if a  
2715 claim is determined in favor of the claimant, the department  
2716 shall deliver or pay over to the claimant the property or the  
2717 amount the department actually received or the proceeds if it  
2718 has been sold by the department, together with any additional  
2719 amount required by s. 717.121.

2720 (b) If a claimant ~~an owner~~ authorizes a claimant  
2721 representative ~~an attorney licensed to practice law in this~~  
2722 ~~state, a Florida-certified public accountant, or a private~~  
2723 ~~investigator licensed under chapter 493, and registered with the~~  
2724 department under this chapter, to claim the abandoned unclaimed  
2725 property on the claimant's ~~owner's~~ behalf, the department is  
2726 authorized to make distribution of the property or money in  
2727 accordance with the Abandoned Unclaimed Property Recovery  
2728 Agreement or Abandoned Unclaimed Property Purchase Agreement  
2729 under s. 717.135. The original Abandoned Unclaimed Property  
2730 Recovery Agreement or Abandoned Unclaimed Property Purchase  
2731 Agreement must be executed by the claimant or seller and must be  
2732 filed with the department.

2733 (c)1. Payments of approved claims for unclaimed cash  
2734 accounts must be made to the owner after deducting any fees and  
2735 costs authorized by the claimant under an Abandoned Unclaimed  
2736 Property Recovery Agreement. The contents of a safe-deposit box



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2737 or shares of securities must be delivered directly to the  
2738 claimant.

2739         2. Payments of fees and costs authorized under an Abandoned  
2740 ~~Unclaimed~~ Property Recovery Agreement for approved claims must  
2741 be made or issued to the law firm of the designated attorney  
2742 licensed to practice law in this state, the public accountancy  
2743 firm of the licensed Florida-certified public accountant, or the  
2744 designated employing private investigative agency licensed by  
2745 this state. Such payments shall be made by electronic funds  
2746 transfer and may be made on such periodic schedule as the  
2747 department may define by rule, provided the payment intervals do  
2748 not exceed 31 days. Payment made to an attorney licensed in this  
2749 state, a Florida-certified public accountant, or a private  
2750 investigator licensed under chapter 493, operating individually  
2751 or as a sole practitioner, must be to the attorney, certified  
2752 public accountant, or private investigator.

2753         (5) The department shall not be administratively, civilly,  
2754 or criminally liable for any property or funds distributed  
2755 pursuant to this section, provided such distribution is made in  
2756 good faith.

2757         (6) This section does not supersede the licensing  
2758 requirements of chapter 493.

2759         (7) The department may allow an apparent owner to  
2760 electronically submit a claim for abandoned ~~unclaimed~~ property  
2761 to the department. If a claim is submitted electronically for  
2762 \$2,000 or less, the department may use a method of identity  
2763 verification other than a copy of a valid driver license, other  
2764 government-issued photographic identification, or a sworn  
2765 notarized statement. The department may adopt rules to implement



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2766 this subsection.

2767 (8) Notwithstanding any other provision of this chapter,  
2768 the department may develop and implement an identification  
2769 verification and disbursement process by which an account valued  
2770 at \$2,000 or less, after being received by the department and  
2771 added to the abandoned ~~unclaimed~~ property database, may be  
2772 disbursed to an apparent owner after the department has verified  
2773 that the apparent owner is living and that the apparent owner's  
2774 current address is correct. The department shall include with  
2775 the payment a notification and explanation of the dollar amount,  
2776 the source, and the property type of each account included in  
2777 the disbursement. The department shall adopt rules to implement  
2778 this subsection.

2779 (9) (a) Notwithstanding any other provision of this chapter,  
2780 the department may develop and implement a verification and  
2781 disbursement process by which an account, after being received  
2782 by the department and added to the abandoned ~~unclaimed~~ property  
2783 database, for which the apparent owner entity is:

2784 1. A state agency in this state or a subdivision or  
2785 successor agency thereof;

2786 2. A county government in this state or a subdivision  
2787 thereof;

2788 3. A public school district in this state or a subdivision  
2789 thereof;

2790 4. A municipality in this state or a subdivision thereof;  
2791 or

2792 5. A special taxing district or authority in this state,  
2793

2794 may be disbursed to the apparent owner entity or successor



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2795 entity. The department shall include with the payment a  
2796 notification and explanation of the dollar amount, the source,  
2797 and the property type of each account included in the  
2798 disbursement.

2799 (b) The department may adopt rules to implement this  
2800 subsection.

2801 (10) Notwithstanding any other provision of this chapter,  
2802 the department may develop a process by which a claimant  
2803 ~~claimant's~~ representative ~~or a buyer of unclaimed property~~ may  
2804 electronically submit to the department an electronic image of a  
2805 completed claim and claims-related documents under this chapter,  
2806 including an Abandoned Unclaimed Property Recovery Agreement or  
2807 Abandoned Unclaimed Property Purchase Agreement that has been  
2808 signed and dated by a claimant or seller under s. 717.135, after  
2809 the claimant ~~claimant's~~ representative ~~or the buyer of unclaimed~~  
2810 ~~property~~ receives the original documents provided by the  
2811 claimant or the seller for any claim. Each claim filed by a  
2812 claimant ~~claimant's~~ representative ~~or a buyer of unclaimed~~  
2813 ~~property~~ must include a statement by the claimant ~~claimant's~~  
2814 representative ~~or the buyer of unclaimed property~~ attesting that  
2815 all documents are true copies of the original documents and that  
2816 all original documents are physically in the possession of the  
2817 claimant ~~claimant's~~ representative ~~or the buyer of unclaimed~~  
2818 ~~property~~. All original documents must be kept in the original  
2819 form, by claim number, under the secure control of the claimant  
2820 ~~claimant's~~ representative ~~or the buyer of unclaimed property~~ and  
2821 must be available for inspection by the department in accordance  
2822 with s. 717.1315. The department may adopt rules to implement  
2823 this subsection.



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2824 (11) This section applies to all abandoned ~~unclaimed~~  
2825 property reported and remitted to the Chief Financial Officer,  
2826 including, but not limited to, property reported pursuant to ss.  
2827 45.032, 732.107, 733.816, and 744.534.

2828 Section 57. Section 717.12403, Florida Statutes, is amended  
2829 to read:

2830 717.12403 Abandoned ~~Unclaimed~~ demand, savings, or checking  
2831 account in a financial institution held in the name of more than  
2832 one person.—

2833 (1) (a) If an abandoned ~~unclaimed~~ demand, savings, or  
2834 checking account in a financial institution is reported as an  
2835 “and” account in the name of two or more persons who are not  
2836 beneficiaries, it is presumed that each person must claim the  
2837 account in order for the claim to be approved by the department.  
2838 This presumption may be rebutted by showing that entitlement to  
2839 the account has been transferred to another person or by clear  
2840 and convincing evidence demonstrating that the account should  
2841 have been reported by the financial institution as an “or”  
2842 account.

2843 (b) If an abandoned ~~unclaimed~~ demand, savings, or checking  
2844 account in a financial institution is reported as an “and”  
2845 account and one of the persons on the account is deceased, it is  
2846 presumed that the account is a survivorship account. This  
2847 presumption may be rebutted by showing that entitlement to the  
2848 account has been transferred to another person or by clear and  
2849 convincing evidence demonstrating that the account is not a  
2850 survivorship account.

2851 (2) If an abandoned ~~unclaimed~~ demand, savings, or checking  
2852 account in a financial institution is reported as an “or”



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2853 account in the name of two or more persons who are not  
2854 beneficiaries, it is presumed that either person listed on the  
2855 account may claim the entire amount held in the account. This  
2856 presumption may be rebutted by showing that entitlement to the  
2857 account has been transferred to another person or by clear and  
2858 convincing evidence demonstrating that the account should have  
2859 been reported by the financial institution as an "and" account.

2860 (3) If an abandoned ~~unclaimed~~ demand, savings, or checking  
2861 account in a financial institution is reported in the name of  
2862 two or more persons who are not beneficiaries without  
2863 identifying whether the account is an "and" account or an "or"  
2864 account, it is presumed that the account is an "or" account.  
2865 This presumption may be rebutted by showing that entitlement to  
2866 the account has been transferred to another person or by clear  
2867 and convincing evidence demonstrating that the account should  
2868 have been reported by the financial institution as an "and"  
2869 account.

2870 (4) The department shall be deemed to have made a  
2871 distribution in good faith if the department remits funds  
2872 consistent with this section.

2873 Section 58. Subsection (2) of section 717.12404, Florida  
2874 Statutes, is amended to read:

2875 717.12404 Claims on behalf of a business entity or trust.—

2876 (2) Claims on behalf of an active or a dissolved  
2877 corporation, a business entity ~~other than an active corporation~~,  
2878 or a trust must include a legible copy of a valid driver license  
2879 of the person acting on behalf of the ~~dissolved~~ corporation,  
2880 business entity ~~other than an active corporation~~, or trust. If  
2881 the person has not been issued a valid driver license, the



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2882 department shall be provided with a legible copy of a  
2883 photographic identification of the person issued by the United  
2884 States, a foreign nation, or a political subdivision or agency  
2885 thereof. In lieu of photographic identification, a notarized  
2886 sworn statement by the person may be provided which affirms the  
2887 person's identity and states the person's full name and address.  
2888 The person must produce his or her photographic identification  
2889 issued by the United States, a state or territory of the United  
2890 States, a foreign nation, or a political subdivision or agency  
2891 thereof or other evidence deemed acceptable by the department by  
2892 rule. The notary shall indicate the notary's full address on the  
2893 notarized sworn statement. Any claim filed without the required  
2894 identification or the sworn statement with the original claim  
2895 form and the original Abandoned Unclaimed Property Recovery  
2896 Agreement or Abandoned Unclaimed Property Purchase Agreement, if  
2897 applicable, is void.

2898 Section 59. Section 717.12405, Florida Statutes, is amended  
2899 to read:

2900 717.12405 Claims by estates.—An estate or any person  
2901 representing an estate or acting on behalf of an estate may  
2902 claim abandoned unclaimed property only after the heir or  
2903 legatee of the decedent entitled to the property has been  
2904 located. Any estate, or any person representing an estate or  
2905 acting on behalf of an estate, that receives abandoned unclaimed  
2906 property before the heir or legatee of the decedent entitled to  
2907 the property has been located, is personally liable for the  
2908 abandoned unclaimed property and must immediately return the  
2909 full amount of the abandoned unclaimed property or the value  
2910 thereof to the department in accordance with s. 717.1341.



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2911 Section 60. Section 717.12406, Florida Statutes, is amended  
2912 to read:

2913 717.12406 Joint ownership of abandoned ~~unclaimed~~ securities  
2914 or dividends.—For the purpose of determining joint ownership of  
2915 abandoned ~~unclaimed~~ securities or dividends, the term:

2916 (1) "TEN COM" means tenants in common.

2917 (2) "TEN ENT" means tenants by the entirety.

2918 (3) "JT TEN" or "JT" means joint tenants with the right of  
2919 survivorship and not as tenants in common.

2920 (4) "And" means tenants in common with each person entitled  
2921 to an equal pro rata share.

2922 (5) "Or" means that each person listed on the account is  
2923 entitled to all of the funds.

2924 Section 61. Section 717.1241, Florida Statutes, is amended  
2925 to read:

2926 717.1241 Conflicting claims.—

2927 (1) For purposes of this section, the term "conflicting  
2928 claim" means two or more claims received by the department for  
2929 the same abandoned property account or accounts in which two or  
2930 more claimants appear to be equally entitled to the property.  
2931 The term also includes circumstances in which the same claimant  
2932 has more than one claim pending for the same property, including  
2933 when the claimant is represented by more than one claimant  
2934 representative or submits both a personal claim and a claim  
2935 through a representative.

2936 (2) When conflicting claims have been received by the  
2937 department for the same abandoned ~~unclaimed~~ property account or  
2938 accounts, the property shall be remitted in accordance with the  
2939 claim filed by the person as follows, notwithstanding the



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2940 withdrawal of a claim:

2941 (a) To the person submitting the first claim received by  
2942 the ~~Division of Unclaimed Property of the~~ department that is  
2943 complete or made complete.

2944 (b) If a claimant's claim and a claimant ~~claimant's~~  
2945 representative's claim for the recovery of property are received  
2946 by the ~~Division of Unclaimed Property of the~~ department on the  
2947 same day and both claims are complete, to the claimant.

2948 (c) If a buyer's claim or a purchasing claimant  
2949 representative's claim and a claimant's claim or a claimant  
2950 ~~claimant's~~ representative's claim for the recovery of property  
2951 are received by the ~~Division of Unclaimed Property of the~~  
2952 department on the same day and the claims are complete, to the  
2953 buyer.

2954 (d) As between two or more claimant representatives'  
2955 ~~claimant's representative's~~ claims received by the ~~Division of~~  
2956 ~~Unclaimed Property of the~~ department that are complete or made  
2957 complete on the same day, to the claimant ~~claimant's~~  
2958 representative who has agreed to receive the lowest fee. If the  
2959 two or more claimant ~~claimant's~~ representatives whose claims  
2960 received by the ~~Division of Unclaimed Property of the~~ department  
2961 were complete or made complete on the same day are charging the  
2962 same ~~lowest~~ fee, the fee shall be divided equally between the  
2963 claimant ~~claimant's~~ representatives.

2964 (e) If more than one buyer's claim received by the ~~Division~~  
2965 ~~of Unclaimed Property of the~~ department is complete or made  
2966 complete on the same day, the department shall remit the  
2967 abandoned unclaimed property to the buyer who paid the highest  
2968 amount to the seller. If the buyers paid the same amount to the



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2969 seller, the department shall remit the abandoned ~~unclaimed~~  
2970 property to the buyers divided in equal amounts.

2971 (3)~~(2)~~ The purpose of this section is solely to provide  
2972 guidance to the department regarding to whom it should remit the  
2973 abandoned ~~unclaimed~~ property and is not intended to extinguish  
2974 or affect any private cause of action that any person may have  
2975 against another person for breach of contract or other statutory  
2976 or common-law remedy. A buyer's sole remedy, if any, shall be  
2977 against the claimant ~~claimant's~~ representative or the seller, or  
2978 both. A claimant ~~claimant's~~ representative's sole remedy, if  
2979 any, shall be against the buyer or the seller, or both. A  
2980 claimant's or seller's sole remedy, if any, shall be against the  
2981 buyer or the claimant ~~claimant's~~ representative, or both.  
2982 Nothing in this section forecloses the right of a person to  
2983 challenge the department's determination of completeness in a  
2984 proceeding under ss. 120.569 and 120.57.

2985 (4)~~(3)~~ A claim is complete when entitlement to the  
2986 abandoned ~~unclaimed~~ property has been established.

2987 Section 62. Subsection (1) of section 717.1242, Florida  
2988 Statutes, is amended to read:

2989 717.1242 Restatement of jurisdiction of the circuit court  
2990 sitting in probate and the department.—

2991 (1) It is and has been the intent of the Legislature that,  
2992 pursuant to s. 26.012(2)(b), circuit courts have jurisdiction of  
2993 proceedings relating to the settlement of the estates of  
2994 decedents and other jurisdiction usually pertaining to courts of  
2995 probate. It is and has been the intent of the Legislature that,  
2996 pursuant to this chapter, the department determines the merits  
2997 of claims and entitlement to abandoned ~~unclaimed~~ property paid



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2998 or delivered to the department under this chapter. Consistent  
2999 with this legislative intent, any beneficiary, devisee, heir,  
3000 personal representative, or other interested person, as those  
3001 terms are defined in the Florida Probate Code and the Florida  
3002 Trust Code, of an estate seeking to obtain property paid or  
3003 delivered to the department under this chapter must file a claim  
3004 with the department as provided in s. 717.124.

3005 Section 63. Subsections (1) and (4) of section 717.1243,  
3006 Florida Statutes, are amended to read:

3007 717.1243 Small estate accounts.—

3008 (1) A claim for abandoned ~~unclaimed~~ property made by a  
3009 beneficiary, as defined in s. 731.201, of a deceased owner need  
3010 not be accompanied by an order of a probate court if the  
3011 claimant files with the department an affidavit, signed by all  
3012 beneficiaries, stating that all the beneficiaries have amicably  
3013 agreed among themselves upon a division of the estate and that  
3014 all funeral expenses, expenses of the last illness, and any  
3015 other lawful claims have been paid, and any additional  
3016 information reasonably necessary to make a determination of  
3017 entitlement. If the owner died testate, the claim shall be  
3018 accompanied by a copy of the will.

3019 (4) This section applies only if all of the abandoned  
3020 ~~unclaimed~~ property held by the department on behalf of the owner  
3021 has an aggregate value of \$20,000 or less and no probate  
3022 proceeding is pending.

3023 Section 64. Section 717.1244, Florida Statutes, is amended  
3024 to read:

3025 717.1244 Determinations of abandoned ~~unclaimed~~ property  
3026 claims.—In rendering a determination regarding the merits of an



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3027 abandoned ~~unclaimed~~ property claim, the department shall rely on  
3028 the applicable statutory, regulatory, common, and case law.  
3029 Agency statements applying the statutory, regulatory, common,  
3030 and case law to abandoned ~~unclaimed~~ property claims are not  
3031 agency statements subject to s. 120.56(4).

3032 Section 65. Section 717.1245, Florida Statutes, is amended  
3033 to read:

3034 717.1245 Garnishment of abandoned ~~unclaimed~~ property.—If  
3035 any person files a petition for writ of garnishment seeking to  
3036 obtain property paid or delivered to the department under this  
3037 chapter, the petitioner shall be ordered to pay the department  
3038 reasonable costs and attorney ~~attorney's~~ fees in any proceeding  
3039 brought by the department to oppose, appeal, or collaterally  
3040 attack the petition or writ if the department is the prevailing  
3041 party in any such proceeding.

3042 Section 66. Subsection (1) of section 717.125, Florida  
3043 Statutes, is amended to read:

3044 717.125 Claim of another state to recover property;  
3045 procedure.—

3046 (1) At any time after property has been paid or delivered  
3047 to the department under this chapter, another state may recover  
3048 the property if:

3049 (a) The property was subjected to custody by this state  
3050 because the records of the holder did not reflect the last known  
3051 address of the apparent owner when the property was presumed  
3052 abandoned ~~unclaimed~~ under this chapter, and the other state  
3053 establishes that the last known address of the apparent owner or  
3054 other person entitled to the property was in that state and  
3055 under the laws of that state the property escheated to or was



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3056 subject to a claim of abandonment or being unclaimed by that  
3057 state;

3058 (b) The last known address of the apparent owner or other  
3059 person entitled to the property, as reflected by the records of  
3060 the holder, is in the other state and under the laws of that  
3061 state the property has escheated to or become subject to a claim  
3062 of abandonment by that state;

3063 (c) The records of the holder were erroneous in that they  
3064 did not accurately reflect the actual owner of the property and  
3065 the last known address of the actual owner is in the other state  
3066 and under laws of that state the property escheated to or was  
3067 subject to a claim of abandonment by that state;

3068 (d) The property was subject to custody by this state under  
3069 s. 717.103(6) and under the laws of the state of domicile of the  
3070 holder the property has escheated to or become subject to a  
3071 claim of abandonment by that state; or

3072 (e) The property is the sum payable on a traveler's check,  
3073 money order, or other similar instrument that was subjected to  
3074 custody by this state under s. 717.104, and the instrument was  
3075 purchased in the other state, and under the laws of that state  
3076 the property escheated to or became subject to a claim of  
3077 abandonment by that state.

3078 Section 67. Subsection (1) of section 717.126, Florida  
3079 Statutes, is amended to read:

3080 717.126 Administrative hearing; burden of proof; proof of  
3081 entitlement; venue.—

3082 (1) Any person aggrieved by a decision of the department  
3083 may petition for a hearing as provided in ss. 120.569 and  
3084 120.57. In any proceeding for determination of a claim to



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3085 property paid or delivered to the department under this chapter,  
3086 the burden shall be upon the claimant to establish entitlement  
3087 to the property by a preponderance of evidence. Having the same  
3088 name as that reported to the department is not sufficient, in  
3089 the absence of other evidence, to prove entitlement to abandoned  
3090 ~~unclaimed~~ property.

3091 Section 68. Section 717.1261, Florida Statutes, is amended  
3092 to read:

3093 717.1261 Death certificates.—Any person who claims  
3094 entitlement to abandoned ~~unclaimed~~ property by means of the  
3095 death of one or more persons shall file a copy of the death  
3096 certificate of the decedent or decedents that has been certified  
3097 as being authentic by the issuing governmental agency.

3098 Section 69. Section 717.1262, Florida Statutes, is amended  
3099 to read:

3100 717.1262 Court documents.—Any person who claims entitlement  
3101 to abandoned ~~unclaimed~~ property by reason of a court document  
3102 shall file a certified copy of the court document with the  
3103 department. A certified copy of each pleading filed with the  
3104 court to obtain a court document establishing entitlement, filed  
3105 within 180 days before the date the claim form was signed by the  
3106 claimant or claimant ~~claimant's~~ representative, must also be  
3107 filed with the department.

3108 Section 70. Section 717.129, Florida Statutes, is amended  
3109 to read:

3110 717.129 Periods of limitation.—

3111 (1) The expiration before or after July 1, 1987, of any  
3112 period of time specified by contract, statute, or court order,  
3113 during which a claim for money or property may be made or during



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3114 which an action or proceeding may be commenced or enforced to  
3115 obtain payment of a claim for money or to recover property, does  
3116 not prevent the money or property from being presumed abandoned  
3117 ~~unclaimed~~ or affect any duty to file a report or to pay or  
3118 deliver abandoned ~~unclaimed~~ property to the department as  
3119 required by this chapter.

3120 (2) The department may not commence an action or proceeding  
3121 to enforce this chapter with respect to the reporting, payment,  
3122 or delivery of property or any other duty of a holder under this  
3123 chapter more than 10 years after the duty arose. The period of  
3124 limitation established under this subsection is tolled by the  
3125 earlier of the department's or audit agent's delivery of a  
3126 notice that a holder is subject to an audit or examination under  
3127 s. 717.1301 or the holder's written election to enter into an  
3128 abandoned ~~unclaimed~~ property voluntary disclosure agreement.

3129 Section 71. Subsections (3) and (4) of section 717.1301,  
3130 Florida Statutes, are amended to read:

3131 717.1301 Investigations; examinations; subpoenas.—

3132 (3) The department may authorize a compliance review of a  
3133 report for a specified reporting year. The review must be  
3134 limited to the contents of the report filed, as required by s.  
3135 717.117 and subsection (2), and all supporting documents related  
3136 to the reports. If the review results in a finding of a  
3137 deficiency in abandoned ~~unclaimed~~ property due and payable to  
3138 the department, the department shall notify the holder in  
3139 writing of the amount of deficiency within 1 year after the  
3140 authorization of the compliance review. If the holder fails to  
3141 pay the deficiency within 90 days, the department may seek to  
3142 enforce the assessment under subsection (1). The department is



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3143 not required to conduct a review under this section before  
3144 initiating an audit.

3145 (4) Notwithstanding any other provision of law, in a  
3146 contract providing for the location or collection of abandoned  
3147 ~~unclaimed~~ property, the department may authorize the contractor  
3148 to deduct its fees and expenses for services provided under the  
3149 contract from the abandoned ~~unclaimed~~ property that the  
3150 contractor has recovered or collected under the contract. The  
3151 department shall annually report to the Chief Financial Officer  
3152 the total amount collected or recovered by each contractor  
3153 during the previous fiscal year and the total fees and expenses  
3154 deducted by each contractor.

3155 Section 72. Section 717.1315, Florida Statutes, is amended  
3156 to read:

3157 717.1315 Retention of records by claimant ~~claimant's~~  
3158 representatives and buyers of abandoned ~~unclaimed~~ property.—

3159 (1) Every claimant ~~claimant's~~ representative and buyer of  
3160 abandoned ~~unclaimed~~ property shall keep and use in his or her  
3161 business such books, accounts, and records of the business  
3162 conducted under this chapter to enable the department to  
3163 determine whether such person is complying with this chapter and  
3164 the rules adopted by the department under this chapter. Every  
3165 claimant ~~claimant's~~ representative and buyer of abandoned  
3166 ~~unclaimed~~ property shall preserve such books, accounts, and  
3167 records, including every Abandoned ~~Unclaimed~~ Property Recovery  
3168 Agreement or Abandoned ~~Unclaimed~~ Property Purchase Agreement  
3169 between the owner and such claimant ~~claimant's~~ representative or  
3170 buyer, for at least 3 years after the date of the initial  
3171 agreement.



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3172           (2) A claimant ~~claimant's~~ representative or buyer of  
3173 abandoned unclaimed property, operating at two or more places of  
3174 business in this state, may maintain the books, accounts, and  
3175 records of all such offices at any one of such offices, or at  
3176 any other office maintained by such claimant ~~claimant's~~  
3177 representative or buyer of abandoned unclaimed property, upon  
3178 the filing of a written notice with the department designating  
3179 in the written notice the office at which such records are  
3180 maintained.

3181           (3) A claimant ~~claimant's~~ representative or buyer of  
3182 abandoned unclaimed property shall make all books, accounts, and  
3183 records available at a convenient location in this state upon  
3184 request of the department.

3185           Section 73. Subsections (2) and (3) of section 717.132,  
3186 Florida Statutes, are amended to read:

3187           717.132 Enforcement; cease and desist orders; fines.—

3188           (2) In addition to any other powers conferred upon it to  
3189 enforce and administer the provisions of this chapter, the  
3190 department may issue and serve upon a person an order to cease  
3191 and desist and to take corrective action whenever the department  
3192 finds that such person is violating, has violated, or is about  
3193 to violate any provision of this chapter, any rule or order  
3194 promulgated under this chapter, or any written agreement entered  
3195 into with the department. For purposes of this subsection, the  
3196 term "corrective action" includes refunding excessive charges,  
3197 requiring a person to return abandoned unclaimed property,  
3198 requiring a holder to remit abandoned unclaimed property, and  
3199 requiring a holder to correct a report that contains errors or  
3200 omissions. Any such order shall contain a notice of rights



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3201 provided by ss. 120.569 and 120.57.

3202 (3) In addition to any other powers conferred upon it to  
3203 enforce and administer the provisions of this chapter, the  
3204 department or a court of competent jurisdiction may impose fines  
3205 against any person found to have violated any provision of this  
3206 chapter, any rule or order promulgated under this chapter, or  
3207 any written agreement entered into with the department in an  
3208 amount not to exceed \$2,000 for each violation. All fines  
3209 collected under this subsection shall be deposited as received  
3210 in the Abandoned Unclaimed Property Trust Fund.

3211 Section 74. Paragraphs (c), (d), and (j) of subsection (1),  
3212 subsections (2) and (3), paragraph (b) of subsection (4), and  
3213 subsection (5) of section 717.1322, Florida Statutes, are  
3214 amended to read:

3215 717.1322 Administrative and civil enforcement.—

3216 (1) The following acts are violations of this chapter and  
3217 constitute grounds for an administrative enforcement action by  
3218 the department in accordance with the requirements of chapter  
3219 120 and for civil enforcement by the department in a court of  
3220 competent jurisdiction:

3221 (c) ~~Fraudulent~~ Misrepresentation, circumvention, or  
3222 concealment of any matter required to be stated or furnished to  
3223 the department or to an owner or apparent owner under this  
3224 chapter, ~~regardless of reliance by or damage to the owner or~~  
3225 ~~apparent owner.~~

3226 (d) ~~Willful~~ Imposition of illegal or excessive charges in  
3227 any abandoned unclaimed property transaction.

3228 (j) Requesting or receiving compensation for notifying a  
3229 person of his or her abandoned unclaimed property or assisting



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3230 another person in filing a claim for abandoned unclaimed  
3231 ~~property, unless the person is an attorney licensed to practice~~  
3232 ~~law in this state, a Florida certified public accountant, or a~~  
3233 ~~private investigator licensed under chapter 493,~~ or entering  
3234 into, or making a solicitation to enter into, an agreement to  
3235 file a claim for abandoned unclaimed property owned by another,  
3236 unless such person is a registered claimant representative  
3237 ~~registered with the department under this chapter and an~~  
3238 ~~attorney licensed to practice law in this state in the regular~~  
3239 ~~practice of her or his profession, a Florida certified public~~  
3240 ~~accountant who is acting within the scope of the practice of~~  
3241 ~~public accounting as defined in chapter 473, or a private~~  
3242 ~~investigator licensed under chapter 493.~~ This paragraph does not  
3243 apply to a person who has been granted a durable power of  
3244 attorney to convey and receive all of the real and personal  
3245 property of the owner, is the court-appointed guardian of the  
3246 owner, has been employed as an attorney or qualified  
3247 representative to contest the department's denial of a claim, or  
3248 has been employed as an attorney to probate the estate of the  
3249 owner or an heir or legatee of the owner.

3250 (2) Upon a finding by the department that any person has  
3251 committed any of the acts set forth in subsection (1), the  
3252 department may enter an order doing any of the following:

3253 (a) Revoking for a minimum of 5 years or suspending for a  
3254 maximum of 5 years a registration previously granted under this  
3255 chapter during which time the registrant may not reapply for a  
3256 registration under this chapter.~~†~~

3257 (b) Placing a claimant representative ~~registrant~~ or an  
3258 applicant for a registration on probation for a period of time



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3259 and subject to such conditions as the department may specify.~~†~~

3260 (c) Placing permanent restrictions or conditions upon  
3261 issuance or maintenance of a registration under this chapter.~~†~~

3262 (d) Issuing a reprimand.~~†~~

3263 (e) Imposing an administrative fine not to exceed \$2,000  
3264 for each such act.~~†~~~~or~~

3265 (f) Prohibiting any person from being a director, officer,  
3266 agent, employee, or ultimate equitable owner of a 10 percent ~~10-~~  
3267 ~~percent~~ or greater interest in an employer of a claimant  
3268 representative registrant.

3269 (3) A claimant ~~claimant's~~ representative is subject to  
3270 civil enforcement and the disciplinary actions specified in  
3271 subsection (2) for violations of subsection (1) by an agent or  
3272 employee of the claimant representative's ~~registrant's~~ employer  
3273 if the claimant ~~claimant's~~ representative knew or should have  
3274 known that such agent or employee was violating any provision of  
3275 this chapter.

3276 (4)

3277 (b) The disciplinary guidelines shall specify a meaningful  
3278 range of designated penalties based upon the severity or  
3279 repetition of specific offenses, or both. It is the legislative  
3280 intent that minor violations be distinguished from more serious  
3281 violations; that such guidelines consider the amount of the  
3282 claim involved, the complexity of locating the owner, the steps  
3283 taken to ensure the accuracy of the claim by the person filing  
3284 the claim, the acts of commission and omission of the claimant  
3285 ~~ultimate owners~~ in establishing themselves as rightful owners of  
3286 the funds, the acts of commission or omission of the agent or  
3287 employee of a claimant representative or its ~~an~~ employer in the



3288 filing of the claim, the actual knowledge of the agent,  
3289 employee, employer, or owner in the filing of the claim, the  
3290 departure, if any, by the agent or employee from the internal  
3291 controls and procedures established by the claimant  
3292 representative or its employer with regard to the filing of a  
3293 claim, the number of defective claims previously filed by the  
3294 agent, employee, employer, or owner; that such guidelines  
3295 provide reasonable and meaningful notice of likely penalties  
3296 that may be imposed for proscribed conduct; and that such  
3297 penalties be consistently applied by the department.

3298 (5) The department may seek any appropriate civil legal  
3299 remedy available to it by filing a civil action in a court of  
3300 competent jurisdiction against any person who has, directly or  
3301 through a claimant ~~claimant's~~ representative, wrongfully  
3302 submitted a claim as the ~~ultimate~~ owner of property and  
3303 improperly received funds from the department in violation of  
3304 this chapter.

3305 Section 75. Subsections (1) and (3) of section 717.133,  
3306 Florida Statutes, are amended to read:

3307 717.133 Interstate agreements and cooperation; joint and  
3308 reciprocal actions with other states.—

3309 (1) The department may enter into agreements with other  
3310 states to exchange information needed to enable this or another  
3311 state to audit or otherwise determine abandoned ~~unclaimed~~  
3312 property that it or another state may be entitled to subject to  
3313 a claim of custody. The department may require the reporting of  
3314 information needed to enable compliance with agreements made  
3315 pursuant to this section and prescribe the form.

3316 (3) At the request of another state, the department may



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3317 bring an action in the name of the other state in any court of  
3318 competent jurisdiction to enforce the abandoned ~~unclaimed~~  
3319 property laws of the other state against a holder in this state  
3320 of property subject to escheat or a claim of abandonment by the  
3321 other state, if the other state has agreed to pay expenses  
3322 incurred in bringing the action.

3323 Section 76. Subsection (2) of section 717.1333, Florida  
3324 Statutes, is amended to read:

3325 717.1333 Evidence; estimations; audit reports and  
3326 worksheets, investigator reports and worksheets, other related  
3327 documents.—

3328 (2) If the records of the holder that are available for the  
3329 periods subject to this chapter are insufficient to permit the  
3330 preparation of a report of the abandoned ~~unclaimed~~ property due  
3331 and owing by a holder, or if the holder fails to provide records  
3332 after being requested to do so, the amount due to the department  
3333 may be reasonably estimated.

3334 Section 77. Paragraph (a) of subsection (1) and subsections  
3335 (2) and (4) of section 717.1341, Florida Statutes, are amended  
3336 to read:

3337 717.1341 Invalid claims, recovery of property, interest and  
3338 penalties.—

3339 (1) (a) A ~~No~~ person may not ~~shall~~ receive abandoned  
3340 ~~unclaimed~~ property that the person is not entitled to receive.  
3341 Any person who receives, or assists another person to receive,  
3342 abandoned ~~unclaimed~~ property that the person is not entitled to  
3343 receive is strictly, jointly, personally, and severally liable  
3344 for the abandoned ~~unclaimed~~ property and shall immediately  
3345 return the property, or the reasonable value of the property if



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3346 the property has been damaged or disposed of, to the department  
3347 plus interest at the rate set in accordance with s. 55.03(1).  
3348 Assisting another person to receive abandoned ~~unclaimed~~ property  
3349 includes executing a claim form on the person's behalf.

3350 (2) The department may maintain a civil or administrative  
3351 action:

3352 (a) To recover abandoned ~~unclaimed~~ property that was paid  
3353 or remitted to a person who was not entitled to the abandoned  
3354 ~~unclaimed~~ property or to offset amounts owed to the department  
3355 against amounts owed to an owner representative;

3356 (b) Against a person who assists another person in  
3357 receiving, or attempting to receive, abandoned ~~unclaimed~~  
3358 property that the person is not entitled to receive; or

3359 (c) Against a person who attempts to receive abandoned  
3360 ~~unclaimed~~ property that the person is not entitled to receive.

3361 (4) A ~~No~~ person may not ~~shall~~ knowingly file, knowingly  
3362 conspire to file, or knowingly assist in filing, a claim for  
3363 abandoned ~~unclaimed~~ property the person is not entitled to  
3364 receive. Any person who violates this subsection regarding  
3365 abandoned ~~unclaimed~~ property of an aggregate value:

3366 (a) Greater than \$50,000, commits ~~is guilty of~~ a felony of  
3367 the first degree, punishable as provided in s. 775.082, s.  
3368 775.083, or s. 775.084;

3369 (b) Greater than \$10,000 up to \$50,000, commits ~~is guilty~~  
3370 ~~of~~ a felony of the second degree, punishable as provided in s.  
3371 775.082, s. 775.083, or s. 775.084;

3372 (c) Greater than \$250 up to \$10,000, commits ~~is guilty of~~ a  
3373 felony of the third degree, punishable as provided in s.  
3374 775.082, s. 775.083, or s. 775.084;



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3375 (d) Greater than \$50 up to \$250, commits ~~is guilty of~~ a  
3376 misdemeanor of the first degree, punishable as provided in s.  
3377 775.082 or s. 775.083; or

3378 (e) Up to \$50, commits ~~is guilty of~~ a misdemeanor of the  
3379 second degree, punishable as provided in s. 775.082 or s.  
3380 775.083.

3381 Section 78. Section 717.135, Florida Statutes, is amended  
3382 to read:

3383 717.135 Recovery agreements and purchase agreements for  
3384 claims filed by a claimant ~~claimant's~~ representative; fees and  
3385 costs or total net gain.—

3386 (1) In order to protect the interests of owners of  
3387 abandoned ~~unclaimed~~ property, the department shall adopt by rule  
3388 a form entitled "Abandoned Unclaimed Property Recovery  
3389 Agreement" and a form entitled "Abandoned Unclaimed Property  
3390 Purchase Agreement."

3391 (2) The Abandoned Unclaimed Property Recovery Agreement and  
3392 the Abandoned Unclaimed Property Purchase Agreement must include  
3393 and disclose all of the following:

3394 (a) The total dollar amount of abandoned ~~unclaimed~~ property  
3395 accounts claimed or sold.

3396 (b) The total percentage of all authorized fees and costs  
3397 to be paid to the claimant ~~claimant's~~ representative or the  
3398 percentage of the value of the property to be paid as net gain  
3399 to the purchasing claimant ~~claimant's~~ representative.

3400 (c) The total dollar amount to be deducted and received  
3401 from the claimant as fees and costs by the claimant ~~claimant's~~  
3402 representative or the total net dollar amount to be received by  
3403 the purchasing claimant ~~claimant's~~ representative.



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3404 (d) The net dollar amount to be received by the claimant or  
3405 the seller.

3406 (e) For each account claimed, the abandoned ~~unclaimed~~  
3407 property account number.

3408 (f) For the Abandoned ~~Unclaimed~~ Property Purchase  
3409 Agreement, a statement that the amount of the purchase price  
3410 will be remitted to the seller by the purchaser within 30 days  
3411 after the execution of the agreement by the seller.

3412 (g) The name, address, e-mail address, phone number, and  
3413 license number of the claimant ~~claimant's~~ representative.

3414 (h)1. The manual signature of the claimant or seller and  
3415 the date signed, affixed on the agreement by the claimant or  
3416 seller.

3417 2. Notwithstanding any other provision of this chapter to  
3418 the contrary, the department may allow ~~an apparent owner, who is~~  
3419 ~~also~~ the claimant or seller, to sign the agreement  
3420 electronically. All electronic signatures on the Abandoned  
3421 ~~Unclaimed~~ Property Recovery Agreement and the Abandoned  
3422 ~~Unclaimed~~ Property Purchase Agreement must be affixed on the  
3423 agreement by the claimant or seller using the specific,  
3424 exclusive eSignature product and protocol authorized by the  
3425 department.

3426 (i) The social security number or taxpayer identification  
3427 number of the claimant or seller, if a number has been issued to  
3428 the claimant or seller.

3429 (j) The total fees and costs, or the total discount in the  
3430 case of a purchase agreement, which may not exceed 30 percent of  
3431 the claimed amount. In the case of a recovery agreement, if the  
3432 total fees and costs exceed 30 percent, the fees and costs shall



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3433 be reduced to 30 percent and the net balance shall be remitted  
3434 directly by the department to the claimant. In the case of a  
3435 purchase agreement, if the total net gain of the claimant  
3436 ~~claimant's~~ representative exceeds 30 percent, the claim will be  
3437 denied.

3438 (3) For an Abandoned ~~Unclaimed~~ Property Purchase Agreement  
3439 form, proof that the purchaser has made payment must be filed  
3440 with the department along with the claim. If proof of payment is  
3441 not provided, the claim is void.

3442 (4) A claimant ~~claimant's~~ representative must use the  
3443 Abandoned ~~Unclaimed~~ Property Recovery Agreement or the Abandoned  
3444 ~~Unclaimed~~ Property Purchase Agreement as the exclusive means of  
3445 entering into an agreement or a contract with a claimant or  
3446 seller to file a claim with the department.

3447 (5) Fees and costs may be owed or paid to, or received by,  
3448 a claimant ~~claimant's~~ representative only after a filed claim  
3449 has been approved and if the claimant's representative used an  
3450 agreement authorized by this section.

3451 (6) A claimant ~~claimant's~~ representative may not use or  
3452 distribute any other agreement of any type, conveyed by any  
3453 method, with respect to the claimant or seller which relates,  
3454 directly or indirectly, to abandoned ~~unclaimed~~ property accounts  
3455 held by the department or the Chief Financial Officer other than  
3456 the agreements authorized by this section. Any engagement,  
3457 authorization, recovery, or fee agreement that is not authorized  
3458 by this section is void. A claimant ~~claimant's~~ representative is  
3459 subject to administrative and civil enforcement under s.

3460 717.1322 if he or she uses an agreement that is not authorized  
3461 by this section and if the agreement is used to apply, directly



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3462 or indirectly, to abandoned ~~unclaimed~~ property held by this  
3463 state. This subsection does not prohibit lawful nonagreement,  
3464 noncontractual, or advertising communications between or among  
3465 the parties.

3466 (7) The Abandoned ~~Unclaimed~~ Property Recovery Agreement may  
3467 not contain language that makes the agreement irrevocable or  
3468 that creates an assignment of any portion of abandoned ~~unclaimed~~  
3469 property held by the department.

3470 (8) When a claim is approved, the department may pay any  
3471 additional account that is owned by the claimant but has not  
3472 been claimed at the time of approval, provided that a subsequent  
3473 claim has not been filed or is not pending for the claimant at  
3474 the time of approval.

3475 (9) This section does not supersede s. 717.1241.

3476 ~~(10) This section does not apply to the sale and purchase~~  
3477 ~~of Florida-held unclaimed property accounts through a bankruptcy~~  
3478 ~~estate representative or other person or entity authorized~~  
3479 ~~pursuant to Title XI of the United States Code or an order of a~~  
3480 ~~bankruptcy court to act on behalf or for the benefit of the~~  
3481 ~~debtor, its creditors, and its bankruptcy estate.~~

3482 Section 79. Section 717.1356, Florida Statutes, is created  
3483 to read:

3484 717.1356 Purchase of abandoned property.-

3485 (1) Agreements for the purchase of abandoned property  
3486 reported to the department shall be valid only if all of the  
3487 following conditions are met:

3488 (a) The agreement is entitled "Florida Abandoned Property  
3489 Purchase Agreement" and is in writing, in minimum 12-point type.

3490 (b) The agreement includes the social security number or



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3491 taxpayer identification number of the seller, if a number has  
3492 been issued to the seller; a valid e-mail address, mailing  
3493 address, and telephone number for the seller; and is manually  
3494 signed and dated by the seller with the signature notarized.

3495 (c) The agreement discloses with specificity the nature and  
3496 value of the abandoned property, including the name of the  
3497 apparent owner as shown by the records of the department, the  
3498 name of the holder who remitted the property, the date of last  
3499 contact, and the property category. With respect to the value of  
3500 the abandoned property, the agreement must contain the  
3501 following:

3502 1. The total dollar amount of all abandoned property to be  
3503 sold.

3504 2. The total percentage of the value of the abandoned  
3505 property to be paid as net gain to the purchaser.

3506 3. The total net dollar amount to be received by the  
3507 purchaser.

3508 4. The net dollar amount to be received by the seller.

3509 (d) The agreement states the abandoned property account  
3510 number for each abandoned property account sold.

3511 (e) The purchase price does not discount the total value of  
3512 all abandoned property subject to the sale by more than 30  
3513 percent.

3514 (f) The agreement states that the amount of the purchase  
3515 price will be remitted to the seller by the purchaser within 30  
3516 days after the execution of the agreement by the seller.

3517 (g) The agreement includes the name, address, e-mail  
3518 address, and phone number of the purchaser.

3519 (h) The agreement states that the abandoned property is



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3520 currently in the department's custody and that the seller can  
3521 claim the property directly from the department on its  
3522 electronically searchable website without being charged a fee.  
3523 The agreement must provide the department's website address.

3524 (2) A seller may cancel a purchase agreement without  
3525 penalty or obligation within 15 business days after the date on  
3526 which the agreement was executed. The agreement must contain the  
3527 following language in minimum 12-point type: "You may cancel  
3528 this agreement for any reason without penalty or obligation to  
3529 you within 15 days after the date of this agreement by providing  
3530 notice to . . .(name of purchaser). . . , submitted in writing  
3531 and sent by certified mail, return receipt requested, or other  
3532 form of mailing that provides proof thereof, at the address or  
3533 e-mail address specified in the agreement."

3534 (3) A copy of an executed Florida Abandoned Property  
3535 Purchase Agreement must be filed with the purchaser's claim,  
3536 along with proof that the purchaser has made payment in full,  
3537 and all other required documentation. If proof of payment is not  
3538 provided, the department may not approve the claim.

3539 (4) A purchase agreement under this section that discounts  
3540 the value of abandoned property by more than the amount  
3541 authorized in paragraph (1)(e) is enforceable only by the  
3542 seller.

3543 Section 80. Section 717.138, Florida Statutes, is amended  
3544 to read:

3545 717.138 Rulemaking authority.—The department shall  
3546 administer and provide for the enforcement of this chapter. The  
3547 department has authority to adopt rules pursuant to ss.  
3548 120.536(1) and 120.54 to implement the provisions of this



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3549 chapter. The department may adopt rules to allow for electronic  
3550 filing of fees, forms, and reports required by this chapter. The  
3551 authority to adopt rules pursuant to this chapter applies to all  
3552 abandoned ~~unclaimed~~ property reported and remitted to the Chief  
3553 Financial Officer, including, but not limited to, property  
3554 reported and remitted pursuant to ss. 45.032, 732.107, 733.816,  
3555 and 744.534.

3556 Section 81. Section 717.1382, Florida Statutes, is amended  
3557 to read:

3558 717.1382 United States savings bond; abandoned ~~unclaimed~~  
3559 property; escheatment; procedure.—

3560 (1) Notwithstanding any other provision of law, a United  
3561 States savings bond in possession of the department or  
3562 registered to a person with a last known address in the state,  
3563 including a bond that is lost, stolen, or destroyed, is presumed  
3564 abandoned ~~and unclaimed~~ 5 years after the bond reaches maturity  
3565 and no longer earns interest and shall be reported and remitted  
3566 to the department by the financial institution or other holder  
3567 in accordance with ss. 717.117(5) and (11) ~~ss. 717.117(1) and~~  
3568 ~~(5)~~ and 717.119, if the department is not in possession of the  
3569 bond.

3570 (2) (a) After a United States savings bond is abandoned ~~and~~  
3571 ~~unclaimed~~ in accordance with subsection (1), the department may  
3572 commence a civil action in a court of competent jurisdiction in  
3573 Leon County for a determination that the bond shall escheat to  
3574 the state. Upon determination of escheatment, all property  
3575 rights to the bond or proceeds from the bond, including all  
3576 rights, powers, and privileges of survivorship of an owner, co-  
3577 owner, or beneficiary, shall vest solely in the state.



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3578 (b) Service of process by publication may be made on a  
3579 party in a civil action pursuant to this section. A notice of  
3580 action shall state the name of any known owner of the bond, the  
3581 nature of the action or proceeding in short and simple terms,  
3582 the name of the court in which the action or proceeding is  
3583 instituted, and an abbreviated title of the case.

3584 (c) The notice of action shall require a person claiming an  
3585 interest in the bond to file a written defense with the clerk of  
3586 the court and serve a copy of the defense by the date fixed in  
3587 the notice. The date must not be less than 28 or more than 60  
3588 days after the first publication of the notice.

3589 (d) The notice of action shall be published once a week for  
3590 4 consecutive weeks in a newspaper of general circulation  
3591 published in Leon County. Proof of publication shall be placed  
3592 in the court file.

3593 (e)1. If no person files a claim with the court for the  
3594 bond and if the department has substantially complied with the  
3595 provisions of this section, the court shall enter a default  
3596 judgment that the bond, or proceeds from such bond, has  
3597 escheated to the state.

3598 2. If a person files a claim for one or more bonds and,  
3599 after notice and hearing, the court determines that the claimant  
3600 is not entitled to the bonds claimed by such claimant, the court  
3601 shall enter a judgment that such bonds, or proceeds from such  
3602 bonds, have escheated to the state.

3603 3. If a person files a claim for one or more bonds and,  
3604 after notice and hearing, the court determines that the claimant  
3605 is entitled to the bonds claimed by such claimant, the court  
3606 shall enter a judgment in favor of the claimant.



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3607 (3) The department may redeem a United States savings bond  
3608 escheated to the state pursuant to this section or, in the event  
3609 that the department is not in possession of the bond, seek to  
3610 obtain the proceeds from such bond. Proceeds received by the  
3611 department shall be deposited in accordance with s. 717.123.

3612 Section 82. Section 717.139, Florida Statutes, is amended  
3613 to read:

3614 717.139 Uniformity of application and construction.—

3615 (1) The Legislature finds that laws governing abandoned  
3616 property serve a vital public purpose by protecting the property  
3617 rights of owners, facilitating the return abandoned property to  
3618 its owners, preventing private escheatment, and ensuring that  
3619 abandoned assets are preserved and safeguarded from waste or  
3620 misuse. It is the public policy of the state to protect the  
3621 interests of owners of abandoned ~~unclaimed~~ property. ~~It is~~  
3622 ~~declared to be in the best interests of owners of unclaimed~~  
3623 ~~property that such owners receive the full amount of any~~  
3624 ~~unclaimed property without any fee.~~

3625 (2) This chapter shall be applied and construed as to  
3626 effectuate its general purpose of protecting the interest of  
3627 missing owners of abandoned property, while providing that the  
3628 benefit of all ~~unclaimed and~~ abandoned property shall go to all  
3629 the people of the state, and to make uniform the law with  
3630 respect to the subject of this chapter among states enacting it.  
3631 It is the intent of the Legislature that property reported under  
3632 this chapter remains the property of the owner and that the  
3633 State of Florida acts solely as a custodian, not as the owner,  
3634 of such property. Title to abandoned property may not transfer  
3635 to the state except as expressly provided by law and only after



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3636 all reasonable efforts to identify and return the property to  
3637 its rightful owner have been exhausted.

3638 Section 83. Section 717.1400, Florida Statutes, is amended  
3639 to read:

3640 717.1400 Registration.—

3641 (1) In order to file claims as a claimant ~~claimant's~~  
3642 representative, receive a distribution of fees and costs for  
3643 approved claims from the department, and obtain information  
3644 regarding abandoned ~~unclaimed~~ property dollar amounts and  
3645 numbers of reported shares of stock held by the department, an  
3646 individual must meet all of the following requirements:

3647 (a) Be one of the following:

3648 1. A Florida-licensed private investigator holding a Class  
3649 "C" individual license under chapter 493;

3650 2. A Florida-certified public account; or

3651 3. A Florida-licensed attorney.

3652 (b) Have obtained a certificate of registration from ~~Must~~  
3653 ~~register with~~ the department.

3654 (2) An application for registration as a claimant  
3655 representative must be submitted in writing on a form prescribed  
3656 by the department and must be accompanied by all of the  
3657 following:

3658 (a) A legible color copy of the applicant's current driver  
3659 license showing the full name and current address of such  
3660 person. If a current driver license is not available, another  
3661 form of photo identification must be provided which shows the  
3662 full name and current address of such person.

3663 (b) If the applicant is a private investigator:

3664 1. ~~on such form as the department prescribes by rule and~~



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3665 ~~must be verified by the applicant. To register with the~~  
3666 ~~department, a private investigator must provide:~~

3667 ~~(a)~~ A legible copy of the applicant's Class "A" business  
3668 license under chapter 493 or that of the applicant's firm or  
3669 employer which holds a Class "A" business license under chapter  
3670 493; and-

3671 2.~~(b)~~ A legible copy of the applicant's Class "C"  
3672 individual license issued under chapter 493.

3673 (c) If the applicant is a certified public account, the  
3674 applicant's Florida Board of Accountancy number.

3675 (d) If the applicant is a licensed attorney, the  
3676 applicant's Florida Bar number.

3677 (e)~~(e)~~ The business address, and telephone number, tax  
3678 identification number, and state of domicile or incorporation of  
3679 the applicant's ~~private investigative~~ firm or employer.

3680 (f)~~(d)~~ The names of agents, ~~or~~ employees, or independent  
3681 contractors, if any, who are designated or authorized to act on  
3682 behalf of the applicant ~~private investigator,~~ together with a  
3683 legible color copy of their photo identification issued by an  
3684 agency of the United States, or a state, or a political  
3685 subdivision thereof.

3686 (g) A statement that the applicant has not, during the 5-  
3687 year period immediately preceding the submission of the  
3688 application, violated any part of the Florida Disposition of  
3689 Abandoned Personal Property Act.

3690 (h) A statement that the applicant has not been convicted  
3691 of, or plead guilty to, a felony or any offense involving moral  
3692 turpitude; dishonesty; deceit; or breach of fiduciary duty,  
3693 including theft, attempted theft, falsification, tampering with



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3694 records, securing writings by deception, fraud, forgery, or  
3695 perjury.

3696 (i)(e) Sufficient information to enable the department to  
3697 disburse funds by electronic funds transfer.

3698 (j) The applicant's notarized signature immediately  
3699 following an acknowledgment that any false or perjured statement  
3700 subjects the applicant to criminal liability under the laws of  
3701 this state

3702 ~~(f) The tax identification number of the private~~  
3703 ~~investigator's firm or employer which holds a Class "A" business~~  
3704 ~~license under chapter 493.~~

3705 ~~(2) In order to file claims as a claimant's representative,~~  
3706 ~~receive a distribution of fees and costs from the department,~~  
3707 ~~and obtain unclaimed property dollar amounts and numbers of~~  
3708 ~~reported shares of stock held by the department, a Florida-~~  
3709 ~~certified public accountant must register with the department on~~  
3710 ~~such form as the department prescribes by rule and must be~~  
3711 ~~verified by the applicant. To register with the department, a~~  
3712 ~~Florida-certified public accountant must provide:~~

3713 ~~(a) The applicant's Florida Board of Accountancy number.~~

3714 ~~(b) A legible copy of the applicant's current driver~~  
3715 ~~license showing the full name and current address of such~~  
3716 ~~person. If a current driver license is not available, another~~  
3717 ~~form of identification showing the full name and current address~~  
3718 ~~of such person or persons shall be filed with the department.~~

3719 ~~(c) The business address and telephone number of the~~  
3720 ~~applicant's public accounting firm or employer.~~

3721 ~~(d) The names of agents or employees, if any, who are~~  
3722 ~~designated to act on behalf of the Florida-certified public~~



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3723 ~~accountant, together with a legible copy of their photo~~  
3724 ~~identification issued by an agency of the United States, or a~~  
3725 ~~state, or a political subdivision thereof.~~

3726 ~~(e) Sufficient information to enable the department to~~  
3727 ~~disburse funds by electronic funds transfer.~~

3728 ~~(f) The tax identification number of the accountant's~~  
3729 ~~public accounting firm employer.~~

3730 ~~(3) In order to file claims as a claimant's representative,~~  
3731 ~~receive a distribution of fees and costs from the department,~~  
3732 ~~and obtain unclaimed property dollar amounts and numbers of~~  
3733 ~~reported shares of stock held by the department, an attorney~~  
3734 ~~licensed to practice in this state must register with the~~  
3735 ~~department on such form as the department prescribes by rule and~~  
3736 ~~must be verified by the applicant. To register with the~~  
3737 ~~department, such attorney must provide:~~

3738 ~~(a) The applicant's Florida Bar number.~~

3739 ~~(b) A legible copy of the applicant's current driver~~  
3740 ~~license showing the full name and current address of such~~  
3741 ~~person. If a current driver license is not available, another~~  
3742 ~~form of identification showing the full name and current address~~  
3743 ~~of such person or persons shall be filed with the department.~~

3744 ~~(c) The business address and telephone number of the~~  
3745 ~~applicant's firm or employer.~~

3746 ~~(d) The names of agents or employees, if any, who are~~  
3747 ~~designated to act on behalf of the attorney, together with a~~  
3748 ~~legible copy of their photo identification issued by an agency~~  
3749 ~~of the United States, or a state, or a political subdivision~~  
3750 ~~thereof.~~

3751 ~~(e) Sufficient information to enable the department to~~



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3752 ~~disburse funds by electronic funds transfer.~~

3753 ~~(f) The tax identification number of the attorney's firm or~~  
3754 ~~employer.~~

3755 ~~(4)~~ Information and documents already on file with the  
3756 department before the effective date of this provision need not  
3757 be resubmitted in order to complete the registration.

3758 ~~(4)-(5)~~ If a material change in the status of a registration  
3759 occurs, the claimant representative ~~a registrant~~ must, within 30  
3760 days, provide the department with the updated documentation and  
3761 information in writing. Material changes include, but are not  
3762 limited to, the following, ÷ a designated agent or employee  
3763 ceasing to act on behalf of the designating person, a surrender,  
3764 suspension, or revocation of a license, or a license renewal.

3765 (a) If a designated agent or employee ceases to act on  
3766 behalf of the person who has designated the agent or employee to  
3767 act on such person's behalf, the designating person must, within  
3768 30 days, inform the department ~~the Division of Unclaimed~~  
3769 ~~Property~~ in writing of the termination of agency or employment.

3770 (b) If a registrant surrenders the registrant's license or  
3771 the license is suspended or revoked, the registrant must, within  
3772 30 days, inform the division in writing of the surrender,  
3773 suspension, or revocation.

3774 (c) If a private investigator's Class "C" individual  
3775 license under chapter 493 or a private investigator's employer's  
3776 Class "A" business license under chapter 493 is renewed, the  
3777 private investigator must provide a copy of the renewed license  
3778 to the department within 30 days after the receipt of the  
3779 renewed license by the private investigator or the private  
3780 investigator's employer.



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3781           (5)-(6) An applicant's claimant representative's A  
3782 ~~registrant's~~ firm or employer may not have a name that might  
3783 lead another person to conclude that the claimant  
3784 representative's ~~registrant's~~ firm or employer is affiliated or  
3785 associated with the United States, or an agency thereof, or a  
3786 state or an agency or political subdivision of a state. The  
3787 department shall deny an application for registration or revoke  
3788 a registration if the applicant's or claimant representative's  
3789 ~~registrant's~~ firm or employer has a name that might lead another  
3790 person to conclude that the firm or employer is affiliated or  
3791 associated with the United States, or an agency thereof, or a  
3792 state or an agency or political subdivision of a state. Names  
3793 that might lead another person to conclude that the firm or  
3794 employer is affiliated or associated with the United States, or  
3795 an agency thereof, or a state or an agency or political  
3796 subdivision of a state, include, but are not limited to, the  
3797 words United States, Florida, state, bureau, division,  
3798 department, or government.

3799           (6)-(7) The licensing and other requirements of this section  
3800 must be maintained as a condition of registration with the  
3801 department.

3802           (7) To maintain active registration under this section, a  
3803 claimant representative must file and obtain payment on at least  
3804 10 claims per calendar year following the date of initial  
3805 registration.

3806           (a) If a claimant representative fails to meet this  
3807 requirement, the department must notify the claimant  
3808 representative in writing and provide 30 days to demonstrate  
3809 compliance or good cause for noncompliance.



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3810           (b) If the claimant representative does not cure the  
3811 deficiency or demonstrate good cause within the time provided,  
3812 the department must revoke the registration.

3813           (c) A claimant representative whose registration is revoked  
3814 under this subsection may not reapply for registration under  
3815 this section for a period of 1 year following the effective date  
3816 of the revocation.

3817           Section 84. Subsection (1) of section 1001.281, Florida  
3818 Statutes, is amended to read:

3819           1001.281 Operating Trust Fund.—

3820           (1) The Operating Trust Fund, ~~FLAIR number 48-2-510~~, is  
3821 created within the Department of Education.

3822           Section 85. Subsection (1) of section 1001.282, Florida  
3823 Statutes, is amended to read:

3824           1001.282 Administrative Trust Fund.—

3825           (1) The Administrative Trust Fund, ~~FLAIR number 48-2-021~~,  
3826 is created within the Department of Education.

3827           Section 86. Paragraph (a) of subsection (2) of section  
3828 197.582, Florida Statutes, is amended to read:

3829           197.582 Disbursement of proceeds of sale.—

3830           (2)(a) If the property is purchased for an amount in excess  
3831 of the statutory bid of the certificateholder, the surplus must  
3832 be paid over and disbursed by the clerk as set forth in  
3833 subsections (3), (5), and (6). If the opening bid included the  
3834 homestead assessment pursuant to s. 197.502(6)(c), that amount  
3835 must be treated as surplus and distributed in the same manner.  
3836 The clerk shall distribute the surplus to the governmental units  
3837 for the payment of any lien of record held by a governmental  
3838 unit against the property, including any tax certificates not



3839 incorporated in the tax deed application and omitted taxes, if  
3840 any. If there remains a balance of undistributed funds, the  
3841 balance must be retained by the clerk for the benefit of persons  
3842 described in s. 197.522(1)(a), except those persons described in  
3843 s. 197.502(4)(h), as their interests may appear. The clerk shall  
3844 mail notices to such persons notifying them of the funds held  
3845 for their benefit at the addresses provided in s. 197.502(4).  
3846 Such notice constitutes compliance with the requirements of s.  
3847 717.117 ~~s. 717.117(6)~~. Any service charges and costs of mailing  
3848 notices shall be paid out of the excess balance held by the  
3849 clerk. Notice must be provided in substantially the following  
3850 form:

3851  
3852 NOTICE OF SURPLUS FUNDS  
3853 FROM TAX DEED SALE  
3854

3855 CLERK OF COURT  
3856 .... COUNTY, FLORIDA  
3857

3858 Tax Deed #.....  
3859 Certificate #.....  
3860 Property Description: .....

3861 Pursuant to chapter 197, Florida Statutes, the above  
3862 property was sold at public sale on ...(date of sale)..., and a  
3863 surplus of \$...(amount)... (subject to change) will be held by  
3864 this office for 120 days beginning on the date of this notice to  
3865 benefit the persons having an interest in this property as  
3866 described in section 197.502(4), Florida Statutes, as their  
3867 interests may appear (except for those persons described in



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3868 section 197.502(4) (h), Florida Statutes).

3869 To the extent possible, these funds will be used to satisfy  
3870 in full each claimant with a senior mortgage or lien in the  
3871 property before distribution of any funds to any junior mortgage  
3872 or lien claimant or to the former property owner. To be  
3873 considered for funds when they are distributed, you must file a  
3874 notarized statement of claim with this office within 120 days of  
3875 this notice. If you are a lienholder, your claim must include  
3876 the particulars of your lien and the amounts currently due. Any  
3877 lienholder claim that is not filed within the 120-day deadline  
3878 is barred.

3879 A copy of this notice must be attached to your statement of  
3880 claim. After the office examines the filed claim statements, it  
3881 will notify you if you are entitled to any payment.

3882 Dated: .....

3883 Clerk of Court

3884 Section 87. Paragraph (t) of subsection (1) of section  
3885 626.9541, Florida Statutes, is amended to read:

3886 626.9541 Unfair methods of competition and unfair or  
3887 deceptive acts or practices defined.—

3888 (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE  
3889 ACTS.—The following are defined as unfair methods of competition  
3890 and unfair or deceptive acts or practices:

3891 (t) *Certain life insurance relations with funeral directors*  
3892 *prohibited.*—

3893 1. No life insurer shall permit any funeral director or  
3894 direct disposer to act as its representative, adjuster, claim  
3895 agent, special claim agent, or agent for such insurer in  
3896 soliciting, negotiating, or effecting contracts of life



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3897 insurance on any plan or of any nature issued by such insurer or  
3898 in collecting premiums for holders of any such contracts except  
3899 as prescribed in s. 626.785(2) ~~s. 626.785(3)~~.

3900 2. No life insurer shall:

3901 a. Affix, or permit to be affixed, advertising matter of  
3902 any kind or character of any licensed funeral director or direct  
3903 disposer to such policies of insurance.

3904 b. Circulate, or permit to be circulated, any such  
3905 advertising matter with such insurance policies.

3906 c. Attempt in any manner or form to influence policyholders  
3907 of the insurer to employ the services of any particular licensed  
3908 funeral director or direct disposer.

3909 3. No such insurer shall maintain, or permit its agent to  
3910 maintain, an office or place of business in the office,  
3911 establishment, or place of business of any funeral director or  
3912 direct disposer in this state.

3913 Section 88. For the purpose of incorporating the amendment  
3914 made by this act to section 717.101, Florida Statutes, in a  
3915 reference thereto, paragraph (a) of subsection (6) of section  
3916 772.13, Florida Statutes, is reenacted to read:

3917 772.13 Civil remedy for terrorism or facilitating or  
3918 furthering terrorism.—

3919 (6) (a) In any postjudgment execution proceedings to enforce  
3920 a judgment entered against a terrorist party under this section  
3921 or under 18 U.S.C. s. 2333 or a substantially similar law of the  
3922 United States or of any state or territory of the United States,  
3923 including postjudgment execution proceedings against any agency  
3924 or instrumentality of the terrorist party not named in the  
3925 judgment pursuant to s. 201(a) of the Terrorism Risk Insurance



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3926 Act, 28 U.S.C. s. 1610:

3927 1. There is no right to a jury trial under s. 56.18 or s.  
3928 77.08;

3929 2. A defendant or a person may not use the resources of the  
3930 courts of this state in furtherance of a defense or an objection  
3931 to postjudgment collection proceedings if the defendant or  
3932 person purposely leaves the jurisdiction of this state or the  
3933 United States, declines to enter or reenter this state or the  
3934 United States to submit to its jurisdiction, or otherwise evades  
3935 the jurisdiction of the court in which a criminal case is  
3936 pending against the defendant or person. This subparagraph  
3937 applies to any entity that is owned or controlled by a person to  
3938 whom this paragraph applies;

3939 3. Creditor process issued under chapter 56 or chapter 77  
3940 may be served upon any person or entity over whom the court has  
3941 personal jurisdiction. Writs of garnishment issued under s.  
3942 77.01 and proceedings supplementary under s. 56.29 apply to  
3943 intangible assets wherever located, without territorial  
3944 limitation, including bank accounts as defined in s.  
3945 674.104(1)(a), financial assets as defined in s. 678.1021(1), or  
3946 other intangible property as defined in s. 717.101. The situs of  
3947 any intangible assets held or maintained by or in the  
3948 possession, custody, or control of a person or entity so served  
3949 shall be deemed to be in this state for the purposes of a  
3950 proceeding under chapter 56 or chapter 77. Service of a writ or  
3951 notice to appear under this section shall provide the court with  
3952 in rem jurisdiction over any intangible assets regardless of the  
3953 location of the assets;

3954 4. Notwithstanding s. 678.1121, the interest of a debtor in



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3955 a financial asset or security entitlement may be reached by a  
3956 creditor by legal process upon the securities intermediary with  
3957 whom the debtor's securities account is maintained, or, if that  
3958 is a foreign entity, legal process under chapter 56 or chapter  
3959 77 may be served upon the United States securities custodian or  
3960 intermediary that has reported holding, maintaining, possessing,  
3961 or controlling the blocked financial assets or security  
3962 entitlements to the Office of Foreign Assets Control of the  
3963 United States Department of the Treasury, and such financial  
3964 assets or security entitlements shall be subject to execution,  
3965 garnishment, and turnover by the United States securities  
3966 custodian or intermediary; and

3967 5. Notwithstanding s. 670.502(4), when an electronic funds  
3968 transfer is not completed within 5 banking days and is canceled  
3969 pursuant to s. 670.211(4) because a United States intermediary  
3970 financial institution has blocked the transaction in compliance  
3971 with a United States sanctions program, and a terrorist party or  
3972 any agency or instrumentality thereof was either the originator  
3973 or the intended beneficiary, then the blocked funds shall be  
3974 deemed owned by the terrorist party or its agency or  
3975 instrumentality and shall be subject to execution and  
3976 garnishment.

3977 Section 89. This act shall take effect upon becoming a law.  
3978

3979 ===== T I T L E A M E N D M E N T =====

3980 And the title is amended as follows:

3981 Delete everything before the enacting clause  
3982 and insert:

3983 A bill to be entitled



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3984 An act relating to the Department of Financial  
3985 Services; amending s. 17.11, F.S.; revising the  
3986 subsystem used for a certain report of disbursements  
3987 made; amending s. 17.13, F.S.; requiring the  
3988 replacement, rather than the duplication, of lost or  
3989 destroyed warrants; amending s. 110.113, F.S.;  
3990 deleting the Department of Financial Services'  
3991 authority to make semimonthly salary payments;  
3992 amending s. 112.3135, F.S.; authorizing a public  
3993 official to take specified actions in relation to the  
3994 employment of a relative as a firefighter; amending s.  
3995 215.422, F.S.; requiring agencies to pay interest from  
3996 available appropriations under certain circumstances;  
3997 amending s. 215.5586, F.S.; defining terms; revising  
3998 eligibility requirements for a hurricane mitigation  
3999 inspection under the My Safe Florida Home Program;  
4000 revising the circumstances under which applicants may  
4001 submit a subsequent hurricane mitigation inspection  
4002 application; deleting the requirement that licensed  
4003 inspectors determine mitigation measures during  
4004 initial inspections of eligible homes; deleting  
4005 inspectors' authorization to inspect townhouses;  
4006 revising the criteria for eligibility for a hurricane  
4007 mitigation grant; deleting an expiration date;  
4008 revising the improvements for which grants may be  
4009 used; requiring that improvements be identified in the  
4010 final hurricane mitigation inspection to receive grant  
4011 funds; deleting a provision related to grants for  
4012 townhouses; revising the required prioritization of



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4013 inspection applications and grant applications;  
4014 revising the timeframe within which the department is  
4015 required to start accepting inspection applications  
4016 and grant applications; authorizing the program to  
4017 accept a specified certification directly from  
4018 applicants; requiring applicants who receive grants to  
4019 finalize construction and request a final inspection  
4020 within a specified timeframe; specifying that an  
4021 application is deemed abandoned, rather than  
4022 withdrawn, under certain circumstances; amending s.  
4023 215.89, F.S.; deleting provisions regarding the  
4024 reporting structure for charts of accounts relating to  
4025 the use of public funds by governmental entities;  
4026 amending s. 215.93, F.S.; revising the subsystems of  
4027 the Florida Financial Management Information System;  
4028 requiring that certain requests for records be made to  
4029 a specified entity; prohibiting such requests from  
4030 being made to the functional owner of the subsystem;  
4031 providing an exception; amending s. 215.94, F.S.;  
4032 providing that the department is the functional owner  
4033 of the Financial Management Subsystem rather than the  
4034 Florida Accounting Information Resource Subsystem;  
4035 revising the functions of such subsystem; amending s.  
4036 215.96, F.S.; revising the composition of the  
4037 coordinating council; deleting a requirement for the  
4038 design and coordination staff; requiring that minutes  
4039 of meetings be available to interested persons;  
4040 revising the composition of ex officio members of the  
4041 council; revising the duties, powers, and



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4042 responsibilities of the council; amending ss. 215.985,  
4043 216.102, and 216.141, F.S.; conforming provisions to  
4044 changes made by the act; amending s. 440.13, F.S.;  
4045 revising the timeframe in which health care providers  
4046 must petition the department to resolve utilization  
4047 and reimbursement disputes; revising petition service  
4048 requirements; revising the timeframe in which the  
4049 panel determining the statewide schedule of maximum  
4050 reimbursement allowances must submit certain  
4051 recommendations to the Legislature; creating s.  
4052 497.1411, F.S.; defining the term "applicant";  
4053 specifying that certain applicants are permanently  
4054 barred from licensure; specifying that certain  
4055 applicants are subject to disqualifying periods;  
4056 requiring the Board of Funeral, Cemetery, and Consumer  
4057 Services to adopt rules; specifying requirements,  
4058 authorizations, and prohibitions for such rules;  
4059 specifying when a disqualifying period begins;  
4060 specifying that the applicant has certain burdens to  
4061 demonstrate that he or she is qualified for licensure;  
4062 specifying that certain applicants who have been  
4063 granted a pardon or restoration of civil rights are  
4064 not barred or disqualified from licensure; specifying  
4065 that such pardon or restoration does not require the  
4066 board to award a license; authorizing the board to  
4067 grant an exemption from disqualification under certain  
4068 circumstances; specifying requirements for the  
4069 applicant in order for the board to grant an  
4070 exemption; specifying that the board has discretion to



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4071 grant or deny an exemption; specifying that certain  
4072 decisions are subject to ch. 120, F.S.; providing  
4073 applicability and construction; amending s. 497.142,  
4074 F.S.; prohibiting an application from being deemed  
4075 complete under certain circumstances; revising the  
4076 list of crimes to be disclosed on a license  
4077 application; amending s. 626.0428, F.S.; conforming a  
4078 provision to changes made by the act; amending s.  
4079 626.171, F.S.; deleting reinsurance intermediaries  
4080 from certain application requirements; revising the  
4081 list of persons from whom the department is required  
4082 to accept uniform applications; making clarifying  
4083 changes regarding the voluntary submission of cellular  
4084 telephone numbers; revising the exemption from the  
4085 application filing fee for members of the United  
4086 States Armed Forces; amending s. 626.292, F.S.;  
4087 revising applicant requirements for a license  
4088 transfer; amending s. 626.611, F.S.; requiring the  
4089 department to require license reexamination of certain  
4090 persons, and suspend or revoke the eligibility to hold  
4091 a license or appointment of such persons under certain  
4092 circumstances; amending the grounds for suspension or  
4093 revocation; amending 626.621, F.S.; authorizing the  
4094 department to require a reexamination of certain  
4095 persons; amending s. 626.731, F.S.; revising the  
4096 qualifications for a general lines agent's license;  
4097 amending s. 626.785, F.S.; revising the qualifications  
4098 for a life agent's license; amending s. 626.831, F.S.;  
4099 revising the qualifications for a health agent's



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4100 license; amending s. 626.8417, F.S.; revising the  
4101 persons who are exempt from certain provisions  
4102 relating to title insurance licensing and appointment  
4103 requirements; amending s. 626.854, F.S.; requiring a  
4104 public adjuster, public adjuster apprentice, or public  
4105 adjusting firm to respond with specific information  
4106 within a specified timeframe and document in the file  
4107 the response or information provided; repealing s.  
4108 627.797, F.S., relating to agents exempt from title  
4109 insurance licensing; amending s. 648.34, F.S.;  
4110 revising requirements for bail bond agent applicants;  
4111 amending s. 648.382, F.S.; requiring officers or  
4112 officials of the appointing insurer to obtain, rather  
4113 than submit, certain information; amending s. 717.001,  
4114 F.S.; revising the short title; amending s. 717.101,  
4115 F.S.; revising and adding definitions; amending s.  
4116 717.102, F.S.; providing that certain intangible  
4117 property is presumed abandoned; deleting a provision  
4118 relating to the presumption that certain intangible  
4119 property is presumed unclaimed; specifying the  
4120 dormancy period for property presumed abandoned;  
4121 requiring that property be considered payable or  
4122 distributable under certain circumstances; deleting a  
4123 provision relating to when property is payable or  
4124 distributable; revising a presumption; providing that  
4125 property shall be presumed abandoned under certain  
4126 circumstances; providing an exception; amending s.  
4127 717.103, F.S.; requiring that intangible property be  
4128 subject to the custody of the department under certain



4129 circumstances; amending criteria for when intangible  
4130 property is subject to the custody of the department;  
4131 repealing s. 717.1035, F.S., relating to property  
4132 originated or issued by this state, any political  
4133 subdivision of this state, or any entity incorporated,  
4134 organized, created, or otherwise located in this  
4135 state; amending ss. 717.104, 717.1045, 717.105,  
4136 717.106, 717.107, 717.1071, 717.108, and 717.109,  
4137 F.S.; conforming provisions to changes made by the  
4138 act; amending s. 717.1101, F.S.; revising the  
4139 timelines and conditions under which stock, other  
4140 equity interests, or debt of a business association is  
4141 considered abandoned; requiring the holder to attempt  
4142 to confirm the apparent owner's interest in the equity  
4143 interest by sending an e-mail communication under  
4144 certain circumstances; requiring the holder to attempt  
4145 to contact the apparent owner by first-class United  
4146 States mail under certain circumstances; specifying  
4147 that equity interest is presumed abandoned under  
4148 certain circumstances; revising when unmatured,  
4149 unredeemed, matured, or redeemed debt is presumed  
4150 abandoned; specifying that the applicable dormancy  
4151 period ceases under certain circumstances; revising  
4152 the timeframe that a sum held for or owing by a  
4153 business association is presumed abandoned; amending  
4154 ss. 717.111, 717.112, 717.1125, 717.113, 717.115, and  
4155 717.116, F.S.; conforming provisions to changes made  
4156 by the act; amending s. 717.117, F.S.; specifying that  
4157 property is presumed abandoned upon the expiration of



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4158 the applicable dormancy periods; specifying that  
4159 property is not deemed abandoned for certain purposes  
4160 until the holder meets certain requirements; requiring  
4161 holders of property presumed abandoned that has a  
4162 specified value to use due diligence to locate and  
4163 notify the apparent owner; requiring, before a  
4164 specified timeframe, a holder in possession of  
4165 presumed abandoned property to send a specified  
4166 written notice to the apparent owner; specifying the  
4167 method of delivery of such notice; requiring, before a  
4168 specified timeframe, the holder to send a second  
4169 written notice under certain circumstances;  
4170 authorizing the reasonable cost for the notice to be  
4171 deducted from the property; specifying that a signed  
4172 return receipt constitutes an affirmative  
4173 demonstration of continued interest; specifying  
4174 requirements of the written notice; requiring holders  
4175 of abandoned property to submit a specified report to  
4176 the department; prohibiting certain balances,  
4177 overpayments, deposits, and refunds from being  
4178 reported as abandoned property; prohibiting certain  
4179 securities from being included in the report;  
4180 requiring the holder to report and deliver such  
4181 securities under certain circumstances; requiring the  
4182 report to be signed and verified and contain a  
4183 specified statement; deleting certain provisions  
4184 relating to the due diligence and notices to apparent  
4185 owners; amending s. 717.118, F.S.; revising the  
4186 state's obligation to notify apparent owners that



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4187 their abandoned property has been reported and  
4188 remitted to the department; requiring the department  
4189 to use a cost-effective means to make an attempt to  
4190 notify certain apparent owners; specifying  
4191 requirements for the notice; requiring the department  
4192 to maintain a specified website; revising  
4193 applicability; amending s. 717.119, F.S.; conforming  
4194 provisions to changes made by the act; revising  
4195 requirements for firearms or ammunition found in an  
4196 abandoned safe-deposit box or safekeeping repository;  
4197 revising requirements if a will or trust instrument is  
4198 included among the contents of an abandoned safe-  
4199 deposit box or safekeeping repository; amending ss.  
4200 717.1201 and 717.122, F.S.; conforming provisions to  
4201 changes made by the act; amending s. 717.123, F.S.;  
4202 conforming provisions to changes made by the act;  
4203 revising the name of a certain trust fund; amending s.  
4204 717.1235, F.S.; conforming provisions to changes made  
4205 by the act; amending s. 717.124, F.S.; conforming  
4206 provisions to changes made by the act; deleting  
4207 provisions related to requirements of claimants'  
4208 representatives; specifying that the department is  
4209 authorized to make a distribution of property or money  
4210 in accordance with a specified agreement under certain  
4211 circumstances; requiring that shares of securities be  
4212 delivered directly to the claimant under certain  
4213 circumstances; deleting a provision authorizing the  
4214 department to develop a process by which a buyer of  
4215 unclaimed property may electronically submit certain



4216 images and documents; deleting provisions relating to  
4217 a buyer of unclaimed property's filing of a claim;  
4218 amending s. 717.12403, F.S.; conforming provisions to  
4219 changes made by the act; amending s. 717.12404, F.S.;  
4220 requiring that claims on behalf of an active  
4221 corporation include a specified driver license;  
4222 conforming provisions to changes made by the act;  
4223 amending ss. 717.12405 and 717.12406, F.S.; conforming  
4224 provisions to changes made by the act; amending s.  
4225 717.1241, F.S.; defining the term "conflicting claim";  
4226 conforming provisions to changes made by the act;  
4227 revising requirements for remitting property when  
4228 conflicting claims have been received by the  
4229 department; amending ss. 717.1242, 717.1243, 717.1244,  
4230 717.1245, 717.125, 717.126, 717.1261, 717.1262,  
4231 717.129, 717.1301, 717.1315, and 717.132, F.S.;  
4232 conforming provisions to changes made by the act;  
4233 amending s. 717.1322, F.S.; revising the acts that  
4234 constitute grounds for administrative enforcement  
4235 action by the department; conforming provisions to  
4236 changes made by the act; amending ss. 717.133,  
4237 717.1333, and 717.1341, F.S.; conforming provisions to  
4238 changes made by the act; amending s. 717.135, F.S.;  
4239 conforming provisions to changes made by the act;  
4240 deleting applicability; creating s. 717.1356, F.S.;  
4241 specifying that agreements for the purchase of  
4242 abandoned property reported to the department are  
4243 valid only under certain circumstances; authorizing  
4244 the seller to cancel a purchase agreement without



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4245 penalty or obligation within a specified timeframe;  
4246 specifying that the agreement must contain certain  
4247 language; requiring a copy of an executed Florida  
4248 Abandoned Property Purchase Agreement be filed with  
4249 the purchaser's claim; prohibiting the department from  
4250 approving the claim under certain circumstances;  
4251 specifying that certain purchase agreements are  
4252 enforceable only by the seller; amending s. 717.138,  
4253 F.S.; conforming provisions to changes made by the  
4254 act; amending s. 717.1382, F.S.; conforming provisions  
4255 to changes made by the act; conforming a cross-  
4256 reference; amending s. 717.139, F.S.; providing  
4257 legislative findings; revising a statement of public  
4258 policy; deleting a legislative declaration; providing  
4259 legislative intent; prohibiting title to abandoned  
4260 property from transferring to the state except under  
4261 certain circumstances; amending s. 717.1400, F.S.;  
4262 requiring an individual to meet certain requirements  
4263 in order to file claims as a claimant representative;  
4264 revising application requirements for registering as a  
4265 claimant representative; requiring claimant  
4266 representatives to file and obtain payment on a  
4267 specified number of claims within a specified  
4268 timeframe to maintain active registration; requiring  
4269 the department to notify the claimant representative  
4270 in writing and provide a certain timeframe to  
4271 demonstrate compliance or good cause for noncompliance  
4272 under certain circumstances; requiring the department  
4273 to revoke a registration under certain circumstances;



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4274 prohibiting a claimant representative from reapplying  
4275 under certain circumstances; amending ss. 1001.281 and  
4276 1001.282, F.S.; conforming provisions to changes made  
4277 by the act; amending ss. 197.582 and 626.9541, F.S.;  
4278 conforming cross-references; reenacting s.  
4279 772.13(6)(a), F.S., relating to postjudgment execution  
4280 proceedings to enforce a judgment entered against a  
4281 terrorist party, to incorporate the amendment made to  
4282 s. 717.101, F.S., in a reference thereto; providing an  
4283 effective date.