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LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
03/03/2026	.	
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The Committee on Rules (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  
disbursements which agencies made to small businesses, as



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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 ~~duplicate~~, conditioned to indemnify  
40 the state and any innocent holders thereof from any damages that



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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.

69 Section 4. Paragraph (c) is added to subsection (2) of



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70 section 112.3135, Florida Statutes, to read:

71 112.3135 Restriction on employment of relatives.—

72 (2)

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

81 Section 5. Present subsections (4) through (10) of section  
82 215.5586, Florida Statutes, are redesignated as subsections (5)  
83 through (11), respectively, a new subsection (4) is added to  
84 that section, and paragraphs (a) through (e) of subsection (1),  
85 subsections (2) and (3), paragraph (a) of present subsection  
86 (8), and present subsection (10) of that section are amended, to  
87 read:

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



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

111 (1) HURRICANE MITIGATION INSPECTIONS.—

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

113 a. "Attached" means a dwelling unit that shares a wall with  
114 another dwelling unit.

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

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

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

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



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128            (I) A detached residential property; or  
129            (II) An attached residential property not exceeding three  
130 stories. A townhouse as defined in s. 481.203;

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

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

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

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

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

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

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



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157 d. More than 24 months have passed since the applicant  
158 received a hurricane mitigation inspection under this section,  
159 and the applicant has not received a grant payment through the  
160 program for that inspection.

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

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

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

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

182 2. A range of cost estimates regarding the recommended  
183 mitigation improvements.

184 3. Information regarding estimated premium discounts,  
185 correlated to the current mitigation features and the



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186 recommended mitigation improvements identified by the  
187 inspection.

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

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

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

196 2. The home must be a dwelling with an insured value of  
197 \$700,000 or less. ~~Homeowners who are low-income persons, as~~  
198 ~~defined in s. 420.0004(11), are exempt from this requirement.~~

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

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

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

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

214 7.a. The applicant ~~homeowner~~ must be a low-income person or



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215 moderate-income person as defined in s. 420.0004.

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

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

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

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

229 2. An applicant may submit a subsequent grant application  
230 if:

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

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

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

242 3. A grant application must include a statement from the  
243 applicant ~~homeowner~~ which contains the name and state license



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

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

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

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

260 1. Opening protection improvements, including:

261 a. Exterior doors. ~~7~~

262 b. Garage doors. ~~7~~

263 c. Windows. ~~7~~ ~~and~~

264 d. Skylights.

265 2. Roof improvements, including:

266 a. Reinforcing roof-to-wall connections.

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

268 c. ~~4.~~ Installing secondary water resistance for roof and  
269 replacing the roof covering.

270 (f) Improvements must be identified by the final hurricane  
271 mitigation inspection to receive grant funds ~~When recommended by~~  
272 ~~a hurricane mitigation inspection, grants for townhouses, as~~



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273 ~~defined in s. 481.203, may only be used for opening protection.~~

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

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

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

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

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

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

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

301 d. Fourth, applications from all other moderate-income



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302 persons, as defined in s. 420.0004; ~~and~~  
303 ~~e. Last, all other applications.~~  
304 3. The department shall start accepting inspection  
305 applications and grant applications no earlier than the  
306 effective date of a legislative appropriation funding  
307 inspections and grants, as follows:  
308 a. Initially, from applicants prioritized under sub-  
309 subparagraph 2.a.;  
310 b. From applicants prioritized under sub-subparagraph 2.b.,  
311 beginning 15 days after the program initially starts accepting  
312 applications;  
313 c. From applicants prioritized under sub-subparagraph 2.c.,  
314 beginning 30 days after the program initially starts accepting  
315 applications; and  
316 d. From applicants described in sub-subparagraph 2.d.,  
317 beginning 45 days after the program initially starts accepting  
318 applications; ~~and~~  
319 ~~e. From all other applicants, beginning 60 days after the~~  
320 ~~program initially starts accepting applications.~~  
321 4. The program may accept a certification directly from a  
322 low-income applicant homeowner or moderate-income applicant  
323 ~~homeowner~~ who meets the requirements of s. 420.0004(11) or (12),  
324 respectively, if the applicant homeowner provides such  
325 certification in a signed or electronically verified statement  
326 made under penalty of perjury.  
327 5. The program may accept a certification directly from an  
328 applicant attesting to his or her age if the applicant provides  
329 such certification in a signed or electronically verified  
330 statement made under penalty of perjury.



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

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

343           (4) ABANDONED APPLICATIONS.—The department shall notify an  
344 applicant at least 5 business days before an application is  
345 deemed abandoned. If the applicant responds to such notification  
346 within 5 business days after receiving the notice and  
347 demonstrates good cause for why the application should not be  
348 deemed abandoned, the applicant may submit a subsequent grant  
349 application or the department may determine the application is  
350 not abandoned.

351           ~~(9)~~ (8) CONTRACT MANAGEMENT.—

352           (a) The department may contract with third parties for  
353 grants management, inspection services, contractor services for  
354 low-income applicants ~~homeowners~~, information technology,  
355 educational outreach, and auditing services. Such contracts are  
356 considered direct costs of the program and are not subject to  
357 administrative cost limits. The department shall contract with  
358 providers that have a demonstrated record of successful business  
359 operations in areas directly related to the services to be



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360 provided and shall ensure the highest accountability for use of  
361 state funds, consistent with this section.

362 ~~(11)(10)~~ REPORTS.—The department shall make an annual  
363 report on the activities of the program that shall account for  
364 the use of state funds and indicate the number of inspections  
365 requested, the number of inspections performed, the number of  
366 grant applications received, the number and value of grants  
367 approved, and the estimated average annual amount of insurance  
368 premium discounts and total estimated annual amount of insurance  
369 premium discounts applicants ~~homeowners~~ received from insurers  
370 as a result of mitigation funded through the program. The report  
371 must be delivered to the President of the Senate and the Speaker  
372 of the House of Representatives by February 1 of each year.

373 Section 6. Subsections (1) and (2) and paragraphs (a) and  
374 (j) of subsection (5) of section 215.55871, Florida Statutes,  
375 are amended to read:

376 215.55871 My Safe Florida Condominium Pilot Program.—There  
377 is established within the Department of Financial Services the  
378 My Safe Florida Condominium Pilot Program to be implemented  
379 pursuant to appropriations. The department shall provide fiscal  
380 accountability, contract management, and strategic leadership  
381 for the pilot program, consistent with this section. This  
382 section does not create an entitlement for associations or unit  
383 owners or obligate the state in any way to fund the inspection  
384 or retrofitting of condominiums in the state. Implementation of  
385 this pilot program is subject to annual legislative  
386 appropriations. It is the intent of the Legislature that the My  
387 Safe Florida Condominium Pilot Program provide licensed  
388 inspectors to perform inspections for and grants to eligible



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389 associations as funding allows.

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

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

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

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

400 (d)~~(c)~~ "Board of administration" has the same meaning as in  
401 s. 718.103.

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

405 (f)~~(e)~~ "Condominium property" means the lands, leaseholds,  
406 and personal property that are subjected to condominium  
407 ownership, whether or not contiguous, and all improvements  
408 thereon and all easements and rights appurtenant thereto  
409 intended for use in connection with the condominium ~~and are~~  
410 ~~located in the service area.~~

411 (g)~~(f)~~ "Department" means the Department of Financial  
412 Services.

413 (h)~~(g)~~ "Property" means association property and  
414 condominium property, as applicable, ~~located in the service~~  
415 ~~area.~~

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



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418 ~~376.031.~~

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

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

421 (2) PARTICIPATION.—

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

423 1. Condominium associations in which at least 80 percent of

424 the occupied units within the condominium are owned or occupied

425 by a person or family whose annual income is at or below 80

426 percent of the area median income, adjusted for household size,

427 applicable to the county in which the condominium is located.

428 Eligibility must be determined using the area median income

429 published at the time an application is submitted. For purposes

430 of determining whether a condominium association meets the 80

431 percent unit-occupied threshold:

432 a. Only occupied residential units may be counted.

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

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

435 in such residential units provide income documentation to the

436 department and the department has verified that such persons or

437 families meet the income requirements of this subparagraph.

438 2. Structures or buildings on the condominium property

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

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

441 contains at least two single-family dwellings.

442 (b) The department shall adopt rules establishing

443 acceptable methods for verifying household income, including,

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

445 income statements, or other documentation deemed sufficient by

446 the department. The department may require periodic



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447 recertification of income eligibility to ensure compliance with  
448 this section.

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

452 (d)~~(b)~~ In order to apply for an inspection under subsection  
453 (4) or a grant under subsection (5) for association property or  
454 condominium property, an association must receive approval by a  
455 majority vote of the board of administration or a majority vote  
456 of the total voting interests of the association to participate  
457 in the pilot program. An association may not apply for an  
458 inspection under subsection (4) or a grant under subsection (5)  
459 for association property or condominium property unless the  
460 association has complied with the inspection requirements in ss.  
461 553.899 and 718.112(2)(g) and (h). An association may not apply  
462 for a grant under subparagraph (5)(e)1. for association property  
463 or condominium property unless the windows of the association  
464 property or condominium property are established as common  
465 elements in the declaration.

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

469 1. Approval by a majority vote of the board of  
470 administration or a majority vote of the total voting interests  
471 of the association to participate in a mitigation inspection.

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

475 (f)~~(d)~~ A unit owner may participate in the pilot program



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476 through a mitigation grant awarded to the association but may  
477 not participate individually in the pilot program.

478 (g)~~(e)~~ The votes required under this subsection may take  
479 place at the annual budget meeting of the association or at a  
480 unit owner meeting called for the purpose of taking such vote.  
481 Before a vote of the unit owners may be taken, the association  
482 must provide to the unit owners a clear disclosure of the pilot  
483 program on a form created by the department. The president and  
484 the treasurer of the board of administration must sign the  
485 disclosure form indicating that a copy of the form was provided  
486 to each unit owner of the association. The signed disclosure  
487 form and the minutes from the meeting at which the unit owners  
488 voted to participate in the pilot program must be maintained as  
489 part of the official records of the association. Within 14 days  
490 after an affirmative vote to participate in the pilot program,  
491 the association must provide written notice in the same manner  
492 as required under s. 718.112(2)(d) to all unit owners of the  
493 decision to participate in the pilot program.

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

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

499 1. Contain a signed or electronically verified statement  
500 made under penalty of perjury by the president of the board of  
501 administration that the association has submitted only a single  
502 application for each property that the association operates or  
503 maintains.

504 2. Include a notarized statement from the president of the



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505 board of administration containing the name and license number  
506 of each contractor the association intends to use for the  
507 mitigation project.

508 3. Include a notarized statement from the president of the  
509 board of administration which commits to the department that the  
510 association will complete the mitigation improvements. If the  
511 grant will be used to improve units, the application must also  
512 include an acknowledged statement from each unit owner who is  
513 required to provide approval for a grant under paragraph (2) (e)  
514 ~~(2) (e)~~.

515 4. Include documentation deemed sufficient by the  
516 department under paragraph (2) (b) for verifying household  
517 income.

518 (j) Grant funds may only be awarded for a mitigation  
519 improvement that addresses the common elements of the  
520 condominium property that will result in a mitigation credit,  
521 discount, or other rate differential for the building or  
522 structure to which the improvement is made. As a condition of  
523 receiving awarding a grant, the association department must  
524 complete 100 percent of the opening protection improvements to  
525 the common elements which were recommended in the final  
526 hurricane mitigation inspection report require mitigation  
527 improvements to be made to all openings, including exterior  
528 doors, garage doors, windows, and skylights that are a part of  
529 the common elements, if doing so is necessary for the building  
530 or structure to qualify for a mitigation credit, discount, or  
531 other rate differential.

532 Section 7. Subsection (3) of section 215.89, Florida  
533 Statutes, is amended to read:



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534 215.89 Charts of account.—

535 ~~(3) REPORTING STRUCTURE.—~~

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

540 ~~(b) By January 15, 2014, the Chief Financial Officer, after~~  
541 ~~consultation with affected state agencies, local governments,~~  
542 ~~educational entities, entities of higher education, and the~~  
543 ~~Auditor General, shall submit to the Governor, the President of~~  
544 ~~the Senate, and the Speaker of the House of Representatives a~~  
545 ~~report recommending a uniform charts of account which requires~~  
546 ~~specific enterprise wide information related to revenues and~~  
547 ~~expenditures of state agencies, local governments, educational~~  
548 ~~entities, and entities of higher education. The report must~~  
549 ~~include the estimated cost of adopting and implementing a~~  
550 ~~uniform enterprise-wide charts of account.~~

551 Section 8. Subsections (1) and (5) of section 215.93,  
552 Florida Statutes, are amended to read:

553 215.93 Florida Financial Management Information System.—

554 (1) To provide the information necessary to carry out the  
555 intent of the Legislature, there shall be a Florida Financial  
556 Management Information System. The Florida Financial Management  
557 Information System shall be fully implemented and shall be  
558 upgraded as necessary to ensure the efficient operation of an  
559 integrated financial management information system and to  
560 provide necessary information for the effective operation of  
561 state government. Upon the recommendation of the coordinating  
562 council and approval of the board, the Florida Financial



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563 Management Information System may require data from any state  
564 agency information system or information subsystem or may  
565 request data from any judicial branch information system or  
566 information subsystem that the coordinating council and board  
567 have determined to have statewide financial management  
568 significance. Each functional owner information subsystem within  
569 the Florida Financial Management Information System shall be  
570 developed in such a fashion as to allow for timely, positive,  
571 preplanned, and prescribed data transfers between the Florida  
572 Financial Management Information System functional owner  
573 information subsystems and from other information systems. The  
574 principal unit of the system shall be the functional owner  
575 information subsystem, and the system shall include, but shall  
576 not be limited to, the following:

577 (a) Planning and Budgeting Subsystem.

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

579 (b)(e) Financial Management Subsystem.

580 (c)(d) Purchasing Subsystem.

581 (d)(e) Personnel Information System.

582 (5) Functional owners are legally responsible for the  
583 security and integrity of all data records existing within or  
584 transferred from their information subsystems. Each agency and  
585 the judicial branch shall be responsible for the accuracy of the  
586 information entered into the Florida Financial Management  
587 Information System. A request for a copy of a document or an  
588 accounting record, whether made by public records request or  
589 subpoena, must be made to the state entity for which the  
590 document or accounting record is recorded. The request may not  
591 be made to the functional owner of the subsystem unless the



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592 document or accounting record was recorded for such entity.

593 Section 9. Subsections (2) and (3) of section 215.94,  
594 Florida Statutes, are amended to read:

595 215.94 Designation, duties, and responsibilities of  
596 functional owners.—

597 (2) The Department of Financial Services shall be the  
598 functional owner of the Financial Management ~~Florida Accounting~~  
599 ~~Information Resource~~ Subsystem established pursuant to ss.  
600 17.03, 215.86, 216.141, and 216.151 and further developed in  
601 accordance with the provisions of ss. 215.90-215.96. The  
602 subsystem shall include, but shall not be limited to, the  
603 following functions:

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

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

608 ~~(3) The Chief Financial Officer shall be the functional~~  
609 ~~owner of the Financial Management Subsystem. The Chief Financial~~  
610 ~~Officer shall design, implement, and operate the subsystem in~~  
611 ~~accordance with the provisions of ss. 215.90-215.96. The~~  
612 ~~subsystem shall include, but shall not be limited to, functions~~  
613 ~~for:~~

614 (c) ~~(a)~~ Recording and reconciling credits and debits to  
615 treasury fund accounts.

616 (d) ~~(b)~~ Monitoring cash levels and activities in state bank  
617 accounts.

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

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



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621 Section 10. Subsections (2) and (3) of section 215.96,  
622 Florida Statutes, are amended to read:

623 215.96 Coordinating council and design and coordination  
624 staff.—

625 (2) The coordinating council shall consist of the Chief  
626 Financial Officer; the Commissioner of Agriculture; the Attorney  
627 General; the Secretary of Management Services; the state chief  
628 information officer; the executive director of the Department of  
629 Revenue; and the Director of Planning and Budgeting, Executive  
630 Office of the Governor, or their designees. The Chief Financial  
631 Officer, or his or her designee, shall be chair of the council,  
632 and the design and coordination staff shall provide  
633 administrative and clerical support to the council and the  
634 board. ~~The design and coordination staff shall maintain the~~  
635 Minutes of each meeting shall be and make such minutes available  
636 to any interested person. The Auditor General, the State Courts  
637 Administrator, ~~a an executive officer of the Florida Association~~  
638 ~~of state agency administrative services~~ director selected by the  
639 council ~~Directors~~, and ~~a an executive officer of the Florida~~  
640 ~~Association of state budget~~ officer selected by the council  
641 ~~Officers~~, or their designees, shall serve without voting rights  
642 as ex officio members of the council. The chair may call  
643 meetings of the council as often as necessary to transact  
644 business; however, the council shall meet at least once a year.  
645 Action of the council shall be by motion, duly made, seconded  
646 and passed by a majority of the council voting in the  
647 affirmative for approval of items that are to be recommended for  
648 approval to the Financial Management Information Board.

649 (3) The coordinating council, assisted by the design and



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650 coordination staff, shall have the following duties, powers, and  
651 responsibilities pertaining to the Florida Financial Management  
652 Information System:

653       (a) To review and coordinate annual workplans to ensure  
654 that the Florida Financial Management Information System remains  
655 aligned across participating entities. The coordination council  
656 shall ensure that each participating entity submits an annual  
657 workplan by October 1 of each year. The coordinating council  
658 shall review and discuss the workplans, identify potential  
659 impacts or conflicts, facilitate resolutions when practicable,  
660 and expedite unresolved issues as appropriate.

661       (b) To conduct such studies and to establish committees,  
662 workgroups, and teams to develop recommendations for rules,  
663 policies, procedures, principles, and standards to the board as  
664 necessary to assist the board in its efforts to design,  
665 implement, and perpetuate a financial management information  
666 system, including, but not limited to, the establishment of  
667 common data codes, and the development of integrated financial  
668 management policies that address the information and management  
669 needs of the functional owner subsystems. The coordinating  
670 council shall make available a copy of the approved plan in  
671 writing or through electronic means to each of the coordinating  
672 council members, the fiscal committees of the Legislature, and  
673 any interested person.

674       (c) ~~(b)~~ To recommend to the board solutions, policy  
675 alternatives, and legislative budget request issues that will  
676 provide ensure a framework for the timely, positive, preplanned,  
677 and prescribed data transfer between information subsystems ~~and~~  
678 ~~to recommend to the board solutions, policy alternatives, and~~



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679 ~~legislative budget request issues that ensure the availability~~  
680 ~~of data and information that support state planning, policy~~  
681 ~~development, management, evaluation, and performance monitoring.~~

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

684 ~~(d) To review the annual work plans of the functional owner~~  
685 ~~information subsystems by October 1 of each year. The review~~  
686 ~~shall be conducted to assess the status of the Florida Financial~~  
687 ~~Management Information System and the functional owner~~  
688 ~~subsystems in regard to the provisions of s. 215.91. The~~  
689 ~~coordinating council, as part of the review process, may make~~  
690 ~~recommendations for modifications to the functional owner~~  
691 ~~information subsystems annual work plans.~~

692 Section 11. Paragraph (a) of subsection (4) of section  
693 215.985, Florida Statutes, is amended to read:

694 215.985 Transparency in government spending.—

695 (4) The Executive Office of the Governor, in consultation  
696 with the appropriations committees of the Senate and the House  
697 of Representatives, shall establish and maintain a website that  
698 provides information relating to the approved operating budget  
699 for each branch of state government and state agency.

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

701 1. Disbursement data for each appropriation by the account  
702 value ~~object code~~ associated with each expenditure established  
703 within the Financial Management ~~Florida Accounting Information~~  
704 ~~Resource~~ Subsystem. Expenditure data must include the name of  
705 the payee, the date of the expenditure, the amount of the  
706 expenditure, and the voucher ~~statewide document~~ number. Such  
707 data must be searchable by the name of the payee, the paying



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708 agency, and fiscal year, and must be downloadable in a format  
709 that allows offline analysis.

710 2. For each appropriation, any adjustments, including  
711 vetoes, approved supplemental appropriations included in  
712 legislation other than the General Appropriations Act, budget  
713 amendments, other actions approved pursuant to chapter 216, and  
714 other adjustments authorized by law.

715 3. Status of spending authority for each appropriation in  
716 the approved operating budget, including released, unreleased,  
717 reserved, and disbursed balances.

718 4. Position and rate information for positions provided in  
719 the General Appropriations Act or approved through an amendment  
720 to the approved operating budget and position information for  
721 positions established in the legislative branch.

722 5. Allotments for planned expenditures of state  
723 appropriations established by state agencies in the Financial  
724 Management Florida Accounting Information Resource Subsystem,  
725 and the current balances of such allotments.

726 6. Trust fund balance reports, including cash available,  
727 investments, and receipts.

728 7. General revenue fund balance reports, including revenue  
729 received and amounts disbursed.

730 8. Fixed capital outlay project data, including original  
731 appropriation and disbursements throughout the life of the  
732 project.

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

734 10. Links to state audits or reports related to the  
735 expenditure and dispersal of state funds.

736 11. Links to program or activity descriptions for which



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737 funds may be expended.

738 Section 12. Subsections (1) and (2) and paragraph (f) of  
739 subsection (3) of section 216.102, Florida Statutes, are amended  
740 to read:

741 216.102 Filing of financial information; handling by Chief  
742 Financial Officer; penalty for noncompliance.—

743 (1) By September 30 of each year, each agency supported by  
744 any form of taxation, licenses, fees, imposts, or exactions, the  
745 judicial branch, and, for financial reporting purposes, each  
746 component unit of the state as determined by the Chief Financial  
747 Officer shall prepare, using generally accepted accounting  
748 principles, and file with the Chief Financial Officer the  
749 financial and other information necessary for the preparation of  
750 annual financial statements for the State of Florida as of June  
751 30. In addition, each such agency and the judicial branch shall  
752 prepare financial statements showing the financial position and  
753 results of agency or branch operations as of June 30 for  
754 internal management purposes.

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

760 1. The deposit has been recorded in the Financial  
761 Management Florida Accounting Information Resource Subsystem  
762 using proper, consistent codes that designate deposits as  
763 federal funds.

764 2. The deposit and appropriate recording required by this  
765 paragraph have been verified by the office of the Chief



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766 Financial Officer.

767 (b) The Chief Financial Officer shall publish a statewide  
768 policy detailing the requirements for recording receipt and  
769 disbursement of federal funds into the Financial Management  
770 ~~Florida Accounting Information Resource~~ Subsystem and provide  
771 technical assistance to the agencies and the judicial branch to  
772 implement the policy.

773 (2) Financial information must be contained within the  
774 Financial Management ~~Florida Accounting Information Resource~~  
775 Subsystem. Other information must be submitted in the form and  
776 format prescribed by the Chief Financial Officer.

777 (a) Each component unit shall file financial information  
778 and other information necessary for the preparation of annual  
779 financial statements with the agency or branch designated by the  
780 Chief Financial Officer by the date specified by the Chief  
781 Financial Officer.

782 (b) The state agency or branch designated by the Chief  
783 Financial Officer to receive financial information and other  
784 information from component units shall include the financial  
785 information in the Financial Management ~~Florida Accounting~~  
786 ~~Information Resource~~ Subsystem and shall include the component  
787 units' other information in its submission to the Chief  
788 Financial Officer.

789 (3) The Chief Financial Officer shall:

790 (f) Consult with and elicit comments from the Executive  
791 Office of the Governor on changes to the Financial Management  
792 ~~Florida Accounting Information Resource~~ Subsystem which clearly  
793 affect the accounting of federal funds, so as to ensure  
794 consistency of information entered into the Federal Aid Tracking



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795 System by state executive and judicial branch entities. While  
796 efforts shall be made to ensure the compatibility of the  
797 Financial Management ~~Florida Accounting Information Resource~~  
798 Subsystem and the Federal Aid Tracking System, any successive  
799 systems serving identical or similar functions shall preserve  
800 such compatibility.

801  
802 The Chief Financial Officer may furnish and publish in  
803 electronic form the financial statements and the annual  
804 comprehensive financial report required under paragraphs (a),  
805 (b), and (c).

806 Section 13. Subsection (3) of section 216.141, Florida  
807 Statutes, is amended to read:

808 216.141 Budget system procedures; planning and programming  
809 by state agencies.—

810 (3) The Chief Financial Officer, as chief fiscal officer,  
811 shall use the Financial Management ~~Florida Accounting~~  
812 ~~Information Resource~~ Subsystem developed pursuant to s.  
813 215.94(2) for account purposes in the performance of and  
814 accounting for all of his or her constitutional and statutory  
815 duties and responsibilities. However, state agencies and the  
816 judicial branch continue to be responsible for maintaining  
817 accounting records necessary for effective management of their  
818 programs and functions.

819 Section 14. Paragraphs (a) and (b) of subsection (7) and  
820 paragraph (j) of subsection (12) of section 440.13, Florida  
821 Statutes, are amended to read:

822 440.13 Medical services and supplies; penalty for  
823 violations; limitations.—



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824 (7) UTILIZATION AND REIMBURSEMENT DISPUTES.—

825 (a) Any health care provider who elects to contest the  
826 disallowance or adjustment of payment by a carrier under  
827 subsection (6) must, within 60 ~~45~~ days after receipt of notice  
828 of disallowance or adjustment of payment, petition the  
829 department to resolve the dispute. The petitioner must serve, by  
830 United States Postal Service certified mail or by a common  
831 carrier with verifiable tracking methods, a copy of the petition  
832 on the carrier and on all affected parties listed on the notice  
833 of disallowance or adjustment ~~by certified mail~~. The petition  
834 must be accompanied by all documents and records that support  
835 the allegations contained in the petition. Failure of a  
836 petitioner to submit such documentation to the department  
837 results in dismissal of the petition.

838 (b) The carrier must submit to the department within 45 ~~30~~  
839 days after receipt of the petition all documentation  
840 substantiating the carrier's disallowance or adjustment. Failure  
841 of the carrier to timely submit such documentation to the  
842 department within 45 ~~30~~ days constitutes a waiver of all  
843 objections to the petition.

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

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

848 1. Take testimony, receive records, and collect data to  
849 evaluate the adequacy of the workers' compensation fee schedule,  
850 nationally recognized fee schedules and alternative methods of  
851 reimbursement to health care providers and health care  
852 facilities for inpatient and outpatient treatment and care.



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853           2. Survey health care providers and health care facilities  
854 to determine the availability and accessibility of workers'  
855 compensation health care delivery systems for injured workers.

856           3. Survey carriers to determine the estimated impact on  
857 carrier costs and workers' compensation premium rates by  
858 implementing changes to the carrier reimbursement schedule or  
859 implementing alternative reimbursement methods.

860           4. Submit recommendations on or before January 15, 2031  
861 ~~2017~~, and every 5 years ~~biennially~~ thereafter, to the President  
862 of the Senate and the Speaker of the House of Representatives on  
863 methods to improve the workers' compensation health care  
864 delivery system.

865  
866 The department, as requested, shall provide data to the panel,  
867 including, but not limited to, utilization trends in the  
868 workers' compensation health care delivery system. The  
869 department shall provide the panel with an annual report  
870 regarding the resolution of medical reimbursement disputes and  
871 any actions pursuant to subsection (8). The department shall  
872 provide administrative support and service to the panel to the  
873 extent requested by the panel. The department may adopt rules  
874 pursuant to ss. 120.536(1) and 120.54 to implement this  
875 subsection. For prescription medication purchased under the  
876 requirements of this subsection, a dispensing practitioner shall  
877 not possess such medication unless payment has been made by the  
878 practitioner, the practitioner's professional practice, or the  
879 practitioner's practice management company or employer to the  
880 supplying manufacturer, wholesaler, distributor, or drug  
881 repackager within 60 days of the dispensing practitioner taking



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882 possession of that medication.

883 Section 15. Section 497.1411, Florida Statutes, is created  
884 to read:

885 497.1411 Disqualification of applicants and licenses;  
886 penalties against licensees; rulemaking.-

887 (1) For purposes of this section, the term "applicant"  
888 means an individual applying for licensure or relicensure under  
889 this chapter, or an officer, director, majority owner, partner,  
890 manager, or other person who manages or controls an entity  
891 applying for licensure or relicensure under this chapter.

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

896 (a) A felony of the first degree.

897 (b) A felony involving conduct prohibited under chapter  
898 497, chapter 787, chapter 794, chapter 796, chapter 800, chapter  
899 825, chapter 827, or chapter 847.

900 (c) A felony involving moral turpitude.

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

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

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



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911 guilty of, or has not entered a plea of guilty or nolo  
912 contendere to, any offense.

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

915 (4) The board shall adopt rules to administer this section.  
916 Such rules must provide additional disqualifying periods for  
917 applicants who have committed multiple criminal offenses and may  
918 provide additional factors for disqualification reasonably  
919 related to the applicant's criminal history. The rules must also  
920 establish mitigating and aggravating factors. However,  
921 mitigation may not reduce any disqualifying period to less than  
922 5 years and may not be applied to reduce the 5-year  
923 disqualifying period provided in paragraph (3) (b).

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

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

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



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940 State Constitution, or a pardon or the restoration of civil  
941 rights under the laws of another jurisdiction with respect to a  
942 conviction in that jurisdiction, is not barred or disqualified  
943 from licensure under this chapter; however, such a pardon or  
944 restoration of civil rights does not require the board to award  
945 such license.

946 (8) (a) The board may grant an exemption from  
947 disqualification to any person disqualified from licensure under  
948 subsection (3) if:

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

953 2. At least 2 years have elapsed since the applicant  
954 completed or has been lawfully released from confinement,  
955 supervision, or any nonmonetary condition imposed by the court  
956 for a disqualifying offense.

957 (b) For the board to grant an exemption under this  
958 subsection, the applicant must clearly and convincingly  
959 demonstrate that he or she would not pose a risk to persons or  
960 property if licensed under this chapter, evidence of which must  
961 include, but need not be limited to, facts and circumstances  
962 surrounding the disqualifying offense, the time that has elapsed  
963 since the offense, the nature of the offense and harm caused to  
964 the victim, the applicant's history before and after the  
965 offense, and any other evidence or circumstances indicating that  
966 the applicant will not present a danger if licensed or  
967 certified.

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



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969 exemption under this subsection. The board's decision is subject  
970 to chapter 120.

971 (9) The disqualification periods provided in this section  
972 do not apply to the renewal of a license or to a new application  
973 for licensure if the applicant has an active license as of July  
974 1, 2026, and the applicable criminal history was considered by  
975 the board on the prior approval of any active license held by  
976 the applicant. This section does not affect any criminal history  
977 disclosure requirements of this chapter.

978 Section 16. Subsection (9) and paragraph (c) of subsection  
979 (10) of section 497.142, Florida Statutes, are amended to read:  
980 497.142 Licensing; fingerprinting and criminal background  
981 checks.—

982 (9) If any applicant under this chapter has been, ~~within~~  
983 ~~the 10 years preceding the application under this chapter,~~  
984 convicted or found guilty of, or entered a plea of nolo  
985 contendere to, regardless of adjudication, any crime in any  
986 jurisdiction, the application may ~~shall~~ not be deemed complete  
987 until such time as the applicant provides such certified true  
988 copies of the court records evidencing the conviction, finding,  
989 or plea, as required in this section or as the licensing  
990 authority may by rule require.

991 (10)

992 (c) Crimes to be disclosed are:

993 1. Any felony ~~or misdemeanor,~~ no matter when committed,  
994 ~~that was directly or indirectly related to or involving any~~  
995 ~~aspect of the practice or business of funeral directing,~~  
996 ~~embalming, direct disposition, cremation, funeral or cemetery~~  
997 ~~preneed sales, funeral establishment operations, cemetery~~



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998 ~~operations, or cemetery monument or marker sales or~~  
999 ~~installation.~~

1000       2. Any misdemeanor, no matter when committed, that was  
1001 directly related to the practice or activities regulated ~~Any~~  
1002 ~~other felony not already disclosed under subparagraph 1. that~~  
1003 ~~was committed within the 20 years immediately preceding the~~  
1004 ~~application~~ under this chapter.

1005       3. Any other misdemeanor not already disclosed under  
1006 subparagraph 2. which ~~subparagraph 1. that~~ was committed within  
1007 the 5 years immediately preceding the application under this  
1008 chapter.

1009       Section 17. Subsection (11) is added to section 553.80,  
1010 Florida Statutes, to read:

1011       553.80 Enforcement.—

1012       (11) For purposes of the design, construction, erection,  
1013 alteration, fire protection, fire suppression, modification,  
1014 repair, and demolition of a single-family or two-family  
1015 dwelling, such dwelling does not have a change of occupancy as  
1016 defined in the Florida Building Code solely due to its being  
1017 used as or converted into a dwelling used:

1018       (a) By a tax-exempt charitable organization under s.  
1019 501(c)(3) of the Internal Revenue Code whose stated corporate  
1020 purpose relates to the support of people who are living with a  
1021 mental health disorder, provided the dwelling has no fewer than  
1022 two and no more than four bedrooms, is occupied by a group of or  
1023 family of no more than six ambulatory adults living with a  
1024 mental disorder, and has no more than two adults assigned to any  
1025 bedroom; or

1026       (b) For residential migrant housing as defined in s.



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1027 381.008(8) which has a permit from the Department of Health  
1028 pursuant to s. 381.0081.

1029 Section 18. Subsection (3) of section 626.0428, Florida  
1030 Statutes, is amended to read:

1031 626.0428 Agency personnel powers, duties, and limitations.-

1032 (3) An employee or an authorized representative located at  
1033 a designated branch of an agent or agency may not initiate  
1034 contact with any person for the purpose of soliciting insurance  
1035 unless licensed and appointed as an agent or customer  
1036 representative. As to title insurance, an employee of an agent  
1037 or agency may not initiate contact with any individual proposed  
1038 insured for the purpose of soliciting title insurance unless  
1039 licensed as a title insurance agent or exempt from such  
1040 licensure pursuant to s. 626.8417(4) ~~and (5)~~.

1041 Section 19. Section 626.171, Florida Statutes, is amended  
1042 to read:

1043 626.171 Application for license as an agent, customer  
1044 representative, adjuster, or service representative, ~~or~~  
1045 ~~reinsurance intermediary~~.-

1046 (1) The department may not issue a license as agent,  
1047 customer representative, adjuster, or service representative, ~~or~~  
1048 ~~reinsurance intermediary~~ to any person except upon written  
1049 application filed with the department, meeting the  
1050 qualifications for the license applied for as determined by the  
1051 department, and payment in advance of all applicable fees. The  
1052 application must be made under the oath of the applicant and be  
1053 signed by the applicant. An applicant may permit a third party  
1054 to complete, submit, and sign an application on the applicant's  
1055 behalf, but is responsible for ensuring that the information on



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1056 the application is true and correct and is accountable for any  
1057 misstatements or misrepresentations. The department shall accept  
1058 the uniform application for resident and nonresident agent and  
1059 adjuster licensing. The department may adopt revised versions of  
1060 the uniform application by rule.

1061 (2) In the application, the applicant must include all of  
1062 the following shall set forth:

1063 (a) The applicant's ~~His or her~~ full name, age, social  
1064 security number, residence address, business address, mailing  
1065 address, contact telephone numbers, including a business  
1066 telephone number, and e-mail address.

1067 (b) A statement indicating the method the applicant used or  
1068 is using to meet any required prelicensing education, knowledge,  
1069 experience, or instructional requirements for the type of  
1070 license applied for.

1071 (c) Whether the applicant ~~he or she~~ has been refused or has  
1072 voluntarily surrendered or has had suspended or revoked a  
1073 license to solicit insurance by the department or by the  
1074 supervising officials of any state.

1075 (d) Whether any insurer or any managing general agent  
1076 claims the applicant is indebted under any agency contract or  
1077 otherwise and, if so, the name of the claimant, the nature of  
1078 the claim, and the applicant's defense thereto, if any.

1079 (e) Proof that the applicant meets the requirements for the  
1080 type of license for which he or she is applying.

1081 (f) The applicant's gender (male or female).

1082 (g) The applicant's native language.

1083 (h) The highest level of education achieved by the  
1084 applicant.



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1085 (i) The applicant's race or ethnicity (African American,  
1086 white, American Indian, Asian, Hispanic, or other).

1087 (j) Such other or additional information as the department  
1088 may deem proper to enable it to determine the character,  
1089 experience, ability, and other qualifications of the applicant  
1090 to hold himself or herself out to the public as an insurance  
1091 representative.

1092  
1093 However, the application must contain a statement that an  
1094 applicant is not required to disclose his or her race or  
1095 ethnicity, gender, or native language, that he or she will not  
1096 be penalized for not doing so, and that the department will use  
1097 this information exclusively for research and statistical  
1098 purposes and to improve the quality and fairness of the  
1099 examinations. The department may ~~shall~~ make provisions for  
1100 applicants to voluntarily submit their cellular telephone  
1101 numbers as part of the application process solely ~~on a voluntary~~  
1102 ~~basis only~~ for the purpose of two-factor authentication of  
1103 secure login credentials ~~only~~.

1104 (3) Each application must be accompanied by payment of any  
1105 applicable fee.

1106 (4) An applicant for a license issued by the department  
1107 under this chapter must submit a set of the individual  
1108 applicant's fingerprints, or, if the applicant is not an  
1109 individual, a set of the fingerprints of the sole proprietor,  
1110 majority owner, partners, officers, and directors, to the  
1111 department and must pay the fingerprint processing fee set forth  
1112 in s. 624.501. Fingerprints must be processed in accordance with  
1113 s. 624.34 and used to investigate the applicant's qualifications



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1114 pursuant to s. 626.201. The fingerprints must be taken by a law  
1115 enforcement agency or other department-approved entity. The  
1116 department may not approve an application for licensure as an  
1117 agent, customer ~~service~~ representative, adjuster, or service  
1118 representative, ~~or reinsurance intermediary~~ if fingerprints have  
1119 not been submitted.

1120 (5) The application for license filing fee prescribed in s.  
1121 624.501 is not subject to refund.

1122 (6) Members of the United States Armed Forces and their  
1123 spouses, and veterans of the United States Armed Forces who have  
1124 separated from service ~~within 24 months~~ before application for  
1125 licensure, are exempt from the application filing fee prescribed  
1126 in s. 624.501. Qualified individuals must provide a copy of a  
1127 military identification card, military dependent identification  
1128 card, military service record, military personnel file, veteran  
1129 record, discharge paper or separation document that indicates  
1130 such members are currently in good standing or such veterans  
1131 were honorably discharged.

1132 (7) Pursuant to the federal Personal Responsibility and  
1133 Work Opportunity Reconciliation Act of 1996, each party is  
1134 required to provide his or her social security number in  
1135 accordance with this section. Disclosure of social security  
1136 numbers obtained through this requirement must be limited to the  
1137 purpose of administration of the Title IV-D program for child  
1138 support enforcement.

1139 Section 20. Paragraph (c) of subsection (2) of section  
1140 626.292, Florida Statutes, is amended to read:

1141 626.292 Transfer of license from another state.—

1142 (2) To qualify for a license transfer, an individual



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1143 applicant must meet the following requirements:

1144 (c) The individual must submit a completed application for  
1145 this state which is received by the department within 90 days  
1146 after the date the individual became a resident of this state,  
1147 along with payment of the applicable fees set forth in s.  
1148 624.501 and submission of the following documents:

1149 1. A certification issued by the appropriate official of  
1150 the applicant's home state identifying the type of license and  
1151 lines of authority under the license and stating that, ~~at the~~  
1152 ~~time the license from the home state was canceled,~~ the applicant  
1153 was in good standing in that state or that the state's Producer  
1154 Database records, maintained by the National Association of  
1155 Insurance Commissioners, its affiliates, or subsidiaries,  
1156 indicate that the agent or all-lines adjuster is or was licensed  
1157 in good standing for the line of authority requested. An  
1158 applicant may hold a resident license in another state for 30  
1159 days after the Florida resident license has been issued to  
1160 facilitate the transfer of licensure between states.

1161 2. A set of the applicant's fingerprints in accordance with  
1162 s. 626.171(4).

1163 Section 21. Subsection (1) of section 626.611, Florida  
1164 Statutes, is amended to read:

1165 626.611 Grounds for compulsory refusal, suspension, or  
1166 revocation of agent's, title agency's, adjuster's, customer  
1167 representative's, service representative's, or managing general  
1168 agent's license or appointment.—

1169 (1) The department shall require license reexamination,  
1170 deny an application for, suspend, revoke, or refuse to renew or  
1171 continue the license or appointment of any applicant, agent,



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1172 title agency, adjuster, customer representative, service  
1173 representative, or managing general agent, and it shall suspend  
1174 or revoke the eligibility to hold a license or appointment of  
1175 any such person, if it finds that as to the applicant, licensee,  
1176 or appointee any one or more of the following applicable grounds  
1177 exist:

1178 (a) Lack of one or more of the qualifications for the  
1179 license or appointment as specified in this code.

1180 (b) Material misstatement, misrepresentation, or fraud in  
1181 obtaining the license or appointment or in attempting to obtain  
1182 the license or appointment.

1183 (c) Failure to pass to the satisfaction of the department  
1184 any examination required under this code, including cheating on  
1185 an examination required for licensure or violating test center  
1186 or examination procedures delivered orally, in writing, or  
1187 electronically at the test site by authorized representatives of  
1188 the examination program administrator.

1189 (d) If the license or appointment is willfully used, or to  
1190 be used, to circumvent any of the requirements or prohibitions  
1191 of this code.

1192 (e) Willful misrepresentation of any insurance policy or  
1193 annuity contract or willful deception with regard to any such  
1194 policy or contract, done either in person or by any form of  
1195 dissemination of information or advertising.

1196 (f) If, as an adjuster, or agent licensed and appointed to  
1197 adjust claims under this code, he or she has materially  
1198 misrepresented to an insured or other interested party the terms  
1199 and coverage of an insurance contract with intent and for the  
1200 purpose of effecting settlement of claim for loss or damage or



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1201 benefit under such contract on less favorable terms than those  
1202 provided in and contemplated by the contract.

1203 (g) Demonstrated lack of fitness or trustworthiness to  
1204 engage in the business of insurance.

1205 (h) Demonstrated lack of reasonably adequate knowledge and  
1206 technical competence to engage in the transactions authorized by  
1207 the license or appointment.

1208 (i) Fraudulent or dishonest practices in the conduct of  
1209 business under the license or appointment.

1210 (j) Misappropriation, conversion, or unlawful withholding  
1211 of moneys belonging to insurers or insureds or beneficiaries or  
1212 to others and received in conduct of business under the license  
1213 or appointment.

1214 (k) Unlawfully rebating, attempting to unlawfully rebate,  
1215 or unlawfully dividing or offering to divide his or her  
1216 commission with another.

1217 (l) Having obtained or attempted to obtain, or having used  
1218 or using, a license or appointment as agent or customer  
1219 representative for the purpose of soliciting or handling  
1220 "controlled business" as defined in s. 626.730 with respect to  
1221 general lines agents, s. 626.784 with respect to life agents,  
1222 and s. 626.830 with respect to health agents.

1223 (m) Willful failure to comply with, or willful violation  
1224 of, any proper order or rule of the department or willful  
1225 violation of any provision of this code.

1226 (n) Having been found guilty of or having pleaded guilty or  
1227 nolo contendere to a misdemeanor directly related to the  
1228 financial services business, any felony, or any crime punishable  
1229 by imprisonment of 1 year or more under the law of the United



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1230 States of America or of any state thereof or under the law of  
1231 any other country, without regard to whether a judgment of  
1232 conviction has been entered by the court having jurisdiction of  
1233 such cases.

1234 (o) Fraudulent or dishonest practice in submitting or  
1235 aiding or abetting any person in the submission of an  
1236 application for workers' compensation coverage under chapter 440  
1237 containing false or misleading information as to employee  
1238 payroll or classification for the purpose of avoiding or  
1239 reducing the amount of premium due for such coverage.

1240 (p) Sale of an unregistered security that was required to  
1241 be registered, pursuant to chapter 517.

1242 (q) In transactions related to viatical settlement  
1243 contracts as defined in s. 626.9911:

1244 1. Commission of a fraudulent or dishonest act.

1245 2. No longer meeting the requirements for initial  
1246 licensure.

1247 3. Having received a fee, commission, or other valuable  
1248 consideration for his or her services with respect to viatical  
1249 settlements that involved unlicensed viatical settlement  
1250 providers or persons who offered or attempted to negotiate on  
1251 behalf of another person a viatical settlement contract as  
1252 defined in s. 626.9911 and who were not licensed life agents.

1253 4. Dealing in bad faith with viators.

1254 Section 22. Section 626.621, Florida Statutes, is amended  
1255 to read:

1256 626.621 Grounds for discretionary refusal, suspension, or  
1257 revocation of agent's, adjuster's, customer representative's,  
1258 service representative's, or managing general agent's license or



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1259 appointment.—The department may, in its discretion, require a  
1260 license reexamination, deny an application for, suspend, revoke,  
1261 or refuse to renew or continue the license or appointment of any  
1262 applicant, agent, adjuster, customer representative, service  
1263 representative, or managing general agent, and it may suspend or  
1264 revoke the eligibility to hold a license or appointment of any  
1265 such person, if it finds that as to the applicant, licensee, or  
1266 appointee any one or more of the following applicable grounds  
1267 exist under circumstances for which such denial, suspension,  
1268 revocation, or refusal is not mandatory under s. 626.611:

1269 (1) Any cause for which issuance of the license or  
1270 appointment could have been refused had it then existed and been  
1271 known to the department.

1272 (2) Violation of any provision of this code or of any other  
1273 law applicable to the business of insurance in the course of  
1274 dealing under the license or appointment.

1275 (3) Violation of any lawful order or rule of the  
1276 department, commission, or office.

1277 (4) Failure or refusal, upon demand, to pay over to any  
1278 insurer he or she represents or has represented any money coming  
1279 into his or her hands belonging to the insurer.

1280 (5) Violation of the provision against twisting, as defined  
1281 in s. 626.9541(1)(1).

1282 (6) In the conduct of business under the license or  
1283 appointment, engaging in unfair methods of competition or in  
1284 unfair or deceptive acts or practices, as prohibited under part  
1285 IX of this chapter, or having otherwise shown himself or herself  
1286 to be a source of injury or loss to the public.

1287 (7) Willful overinsurance of any property or health



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1288 insurance risk.

1289 (8) If a life agent, violation of the code of ethics.

1290 (9) Cheating on an examination required for licensure or  
1291 violating test center or examination procedures published  
1292 orally, in writing, or electronically at the test site by  
1293 authorized representatives of the examination program  
1294 administrator. Communication of test center and examination  
1295 procedures must be clearly established and documented.

1296 (10) Failure to inform the department in writing within 30  
1297 days after pleading guilty or nolo contendere to, or being  
1298 convicted or found guilty of, any felony or a crime punishable  
1299 by imprisonment of 1 year or more under the law of the United  
1300 States or of any state thereof, or under the law of any other  
1301 country without regard to whether a judgment of conviction has  
1302 been entered by the court having jurisdiction of the case.

1303 (11) Knowingly aiding, assisting, procuring, advising, or  
1304 abetting any person in the violation of or to violate a  
1305 provision of the insurance code or any order or rule of the  
1306 department, commission, or office.

1307 (12) Has been the subject of or has had a license, permit,  
1308 appointment, registration, or other authority to conduct  
1309 business subject to any decision, finding, injunction,  
1310 suspension, prohibition, revocation, denial, judgment, final  
1311 agency action, or administrative order by any court of competent  
1312 jurisdiction, administrative law proceeding, state agency,  
1313 federal agency, national securities, commodities, or option  
1314 exchange, or national securities, commodities, or option  
1315 association involving a violation of any federal or state  
1316 securities or commodities law or any rule or regulation adopted



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1317 thereunder, or a violation of any rule or regulation of any  
1318 national securities, commodities, or options exchange or  
1319 national securities, commodities, or options association.

1320 (13) Failure to comply with any civil, criminal, or  
1321 administrative action taken by the child support enforcement  
1322 program under Title IV-D of the Social Security Act, 42 U.S.C.  
1323 ss. 651 et seq., to determine paternity or to establish, modify,  
1324 enforce, or collect support.

1325 (14) Directly or indirectly accepting any compensation,  
1326 inducement, or reward from an inspector for the referral of the  
1327 owner of the inspected property to the inspector or inspection  
1328 company. This prohibition applies to an inspection intended for  
1329 submission to an insurer in order to obtain property insurance  
1330 coverage or establish the applicable property insurance premium.

1331 (15) Denial, suspension, or revocation of, or any other  
1332 adverse administrative action against, a license to practice or  
1333 conduct any regulated profession, business, or vocation by this  
1334 state, any other state, any nation, any possession or district  
1335 of the United States, any court, or any lawful agency thereof.

1336 (16) Taking an action that allows the personal financial or  
1337 medical information of a consumer or customer to be made  
1338 available or accessible to the general public, regardless of the  
1339 format in which the record is stored.

1340 (17) Initiating in-person or telephone solicitation after 9  
1341 p.m. or before 8 a.m. local time of the prospective customer  
1342 unless requested by the prospective customer.

1343 (18) Cancellation of the applicant's, licensee's, or  
1344 appointee's resident license in a state other than Florida.

1345 Section 23. Subsection (1) of section 626.731, Florida



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1346 Statutes, is amended to read:

1347         626.731 Qualifications for general lines agent's license.—

1348         (1) The department may ~~shall~~ not grant or issue a license  
1349 as general lines agent to any individual found by it to be  
1350 untrustworthy or incompetent or who does not meet ~~each~~ all of  
1351 the following qualifications:

1352             (a) The applicant is a natural person at least 18 years of  
1353 age.

1354             (b) The applicant is a United States citizen or legal alien  
1355 who possesses work authorization from the United States Bureau  
1356 of Citizenship and Immigration Services and is a bona fide  
1357 resident of this state. ~~An individual who is a bona fide  
1358 resident of this state shall be deemed to meet the residence  
1359 requirement of this paragraph, notwithstanding the existence at  
1360 the time of application for license of a license in his or her  
1361 name on the records of another state as a resident licensee of  
1362 such other state, if the applicant furnishes a letter of  
1363 clearance satisfactory to the department that the resident  
1364 licenses have been canceled or changed to a nonresident basis  
1365 and that he or she is in good standing.~~

1366             (c) The applicant's place of business will be located in  
1367 this state and he or she will be actively engaged in the  
1368 business of insurance and will maintain a place of business, the  
1369 location of which is identifiable by and accessible to the  
1370 public.

1371             (d) The license is not being sought for the purpose of  
1372 writing or handling controlled business, in violation of s.  
1373 626.730.

1374             (e) The applicant is qualified as to knowledge, experience,



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1375 or instruction in the business of insurance and meets the  
1376 requirements provided in s. 626.732.

1377 (f) The applicant has passed any required examination for  
1378 license required under s. 626.221.

1379 Section 24. Subsection (2) of section 626.785, Florida  
1380 Statutes, is amended to read:

1381 626.785 Qualifications for license.—

1382 ~~(2) An individual who is a bona fide resident of this state~~  
1383 ~~shall be deemed to meet the residence requirement of paragraph~~  
1384 ~~(1)(b), notwithstanding the existence at the time of application~~  
1385 ~~for license of a license in his or her name on the records of~~  
1386 ~~another state as a resident licensee of such other state, if the~~  
1387 ~~applicant furnishes a letter of clearance satisfactory to the~~  
1388 ~~department that the resident licenses have been canceled or~~  
1389 ~~changed to a nonresident basis and that he or she is in good~~  
1390 ~~standing.~~

1391 Section 25. Section 626.831, Florida Statutes, is amended  
1392 to read:

1393 626.831 Qualifications for license.—

1394 ~~(1)~~ The department may ~~shall~~ not grant or issue a license  
1395 as health agent as to any individual found by it to be  
1396 untrustworthy or incompetent, or who does not meet all of the  
1397 following qualifications:

1398 (1)(a) ~~Is Must be~~ a natural person of at least 18 years of  
1399 age.

1400 (2)(b) ~~Is Must be~~ a United States citizen or legal alien  
1401 who possesses work authorization from the United States Bureau  
1402 of Citizenship and Immigration Services and is a bona fide  
1403 resident of this state.



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1404           ~~(3)(e)~~ Is ~~Must~~ not be an employee of the United States  
1405 Department of Veterans Affairs or state service office, as  
1406 referred to in s. 626.833.

1407           ~~(4)(d)~~ Has taken ~~Must take~~ and passed ~~pass~~ any examination  
1408 for license required under s. 626.221.

1409           ~~(5)(e)~~ Is ~~Must be~~ qualified as to knowledge, experience, or  
1410 instruction in the business of insurance and meets ~~meet~~ the  
1411 requirements relative thereto provided in s. 626.8311.

1412           ~~(2) An individual who is a bona fide resident of this state~~  
1413 ~~shall be deemed to meet the residence requirement of paragraph~~  
1414 ~~(1)(b), notwithstanding the existence at the time of application~~  
1415 ~~for license of a license in his or her name on the records of~~  
1416 ~~another state as a resident licensee of such other state, if the~~  
1417 ~~applicant furnishes a letter of clearance satisfactory to the~~  
1418 ~~department that the resident licenses have been canceled or~~  
1419 ~~changed to a nonresident basis and that he or she is in good~~  
1420 ~~standing.~~

1421           Section 26. Subsections (4) and (5) of section 626.8417,  
1422 Florida Statutes, are amended to read:

1423           626.8417 Title insurance agent licensure; exemptions.—

1424           (4) Title insurers, acting through designated corporate  
1425 officers, or attorneys duly admitted to practice law in this  
1426 state and in good standing with The Florida Bar are exempt from  
1427 the provisions of this chapter relating to title insurance  
1428 licensing and appointment requirements.

1429           ~~(5) An insurer may designate a corporate officer of the~~  
1430 ~~insurer to occasionally issue and countersign binders,~~  
1431 ~~commitments, and policies of title insurance. The designated~~  
1432 ~~officer is exempt from the provisions of this chapter relating~~



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1433 ~~to title insurance licensing and appointment requirements while~~  
1434 ~~the officer is acting within the scope of the designation.~~

1435 Section 27. Subsection (24) is added to section 626.854,  
1436 Florida Statutes, to read:

1437 626.854 "Public adjuster" defined; prohibitions.—The  
1438 Legislature finds that it is necessary for the protection of the  
1439 public to regulate public insurance adjusters and to prevent the  
1440 unauthorized practice of law.

1441 (24) A public adjuster, public adjuster apprentice, or  
1442 public adjusting firm must respond with specific information to  
1443 a written or electronic request for claims status from a  
1444 claimant or insured or their designated representative within 14  
1445 days after the date of the request and shall document in the  
1446 file the response or information provided.

1447 Section 28. Section 627.797, Florida Statutes, is repealed.

1448 Section 29. Subsection (11) of section 633.208, Florida  
1449 Statutes, is amended to read:

1450 633.208 Minimum firesafety standards.—

1451 (11) Notwithstanding subsection (8), a single-family or  
1452 two-family dwelling may not be reclassified for purposes of  
1453 enforcing the Florida Fire Prevention Code solely due to such  
1454 dwelling being used as or converted into:

1455 (a) ~~That is~~ A certified recovery residence, as defined in  
1456 s. 397.311, or ~~that is~~ a recovery residence, as defined in s.  
1457 397.311, that has a charter from an entity recognized or  
1458 sanctioned by Congress;

1459 (b) A residence owned by a tax-exempt charitable  
1460 organization under s. 501(c)(3) of the Internal Revenue Code  
1461 whose stated corporate purpose relates to the support of people



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1462 who are living with a mental health disorder and which has no  
1463 fewer than two and no more than four bedrooms, is occupied by a  
1464 group or family of no more than six ambulatory adults living  
1465 with a mental health disorder, and has no more than two adults  
1466 assigned to any bedroom; or

1467 (c) Residential migrant housing as defined in s. 381.008(8)  
1468 which has a permit from the Department of Health pursuant to s.  
1469 381.0081 may not be reclassified for purposes of enforcing the  
1470 Florida Fire Prevention Code solely due to such use.

1471 Section 30. Subsection (4) of section 648.34, Florida  
1472 Statutes, is amended to read:

1473 648.34 Bail bond agents; qualifications.—

1474 (4) The applicant shall furnish, with his or her  
1475 application, a complete set of his or her fingerprints in  
1476 accordance with s. 626.171(4) ~~and a recent credential-sized,~~  
1477 ~~fullface photograph of the applicant.~~ The department may ~~shall~~  
1478 not authorize an applicant to take the required examination  
1479 until the department has received a report from the Department  
1480 of Law Enforcement and the Federal Bureau of Investigation  
1481 relative to the existence or nonexistence of a criminal history  
1482 report based on the applicant's fingerprints.

1483 Section 31. Subsection (2) of section 648.382, Florida  
1484 Statutes, is amended to read:

1485 648.382 Appointment of bail bond agents and bail bond  
1486 agencies; effective date of appointment.—

1487 (2) Before any appointment, an appropriate officer or  
1488 official of the appointing insurer must obtain all of the  
1489 following information ~~submit~~:

1490 (a) A certified statement or affidavit to the department



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1491 stating what investigation has been made concerning the proposed  
1492 appointee and the proposed appointee's background and the  
1493 appointing person's opinion to the best of his or her knowledge  
1494 and belief as to the moral character and reputation of the  
1495 proposed appointee. In lieu of such certified statement or  
1496 affidavit, by authorizing the effectuation of an appointment for  
1497 a licensee, the appointing entity certifies to the department  
1498 that such investigation has been made and that the results of  
1499 the investigation and the appointing person's opinion is that  
1500 the proposed appointee is a person of good moral character and  
1501 reputation and is fit to engage in the bail bond business.†

1502 (b) An affidavit under oath on a form prescribed by the  
1503 department, signed by the proposed appointee, stating that  
1504 premiums are not owed to any insurer and that the appointee will  
1505 discharge all outstanding forfeitures and judgments on bonds  
1506 previously written. If the appointee does not satisfy or  
1507 discharge such forfeitures or judgments, the former insurer  
1508 shall file a notice, with supporting documents, with the  
1509 appointing insurer, the former agent or agency, and the  
1510 department, stating under oath that the licensee has failed to  
1511 timely satisfy forfeitures and judgments on bonds written and  
1512 that the insurer has satisfied the forfeiture or judgment from  
1513 its own funds. Upon receipt of such notification and supporting  
1514 documents, the appointing insurer shall immediately cancel the  
1515 licensee's appointment. The licensee may be reappointed only  
1516 upon certification by the former insurer that all forfeitures  
1517 and judgments on bonds written by the licensee have been  
1518 discharged. The appointing insurer or former agent or agency  
1519 may, within 10 days, file a petition with the department seeking



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1520 relief from this paragraph. Filing of the petition stays the  
1521 duty of the appointing insurer to cancel the appointment until  
1522 the department grants or denies the petition.~~+~~

1523 (c) Any other information that the department reasonably  
1524 requires concerning the proposed appointee.~~+~~~~and~~

1525 (d) Effective January 1, 2025, a certification that the  
1526 appointing entity obtained from each appointee the following  
1527 sworn statement:

1528  
1529 Pursuant to section 648.382(2)(b), Florida Statutes, I  
1530 do solemnly swear that I owe no premium to any insurer  
1531 or agency and that I will discharge all outstanding  
1532 forfeitures and judgments on bonds that have been  
1533 previously written. I acknowledge that failure to do  
1534 this will result in my active appointments being  
1535 canceled.

1536  
1537 An appointed bail bond agency must have the attestation under  
1538 this paragraph signed by its owner.

1539 Section 32. Section 717.001, Florida Statutes, is amended  
1540 to read:

1541 717.001 Short title.—This chapter may be cited as the  
1542 "Florida Disposition of Abandoned Personal Unclaimed ~~Unclaimed~~ Property  
1543 Act."

1544 Section 33. Present subsections (1) through (4), (5)  
1545 through (8), (10) through (13), (15) through (20), (21), (22)  
1546 through (28), (31), (32), and (33) of section 717.101, Florida  
1547 Statutes, are redesignated as subsections (4) through (7), (9)  
1548 through (12), (13) through (16), (17) through (22), (24), (26)



1549 through (32), and (33), (34), and (35), respectively, new  
1550 subsections (1), (2), (3), (8), (23), and (25) are added to that  
1551 section, and present subsections (1), (2), (5), (6), (8), (9),  
1552 (12), (14), (16), (18), (19), (20), (22), (25), (29), and (30)  
1553 of that section are amended, to read:

1554 717.101 Definitions.—As used in this chapter, unless the  
1555 context otherwise requires:

1556 (1) “Abandoned property” means property held by a holder  
1557 for which all of the following are true:

1558 (a) The apparent owner has shown no activity or indication  
1559 of interest for the duration of the applicable dormancy period  
1560 established under this chapter.

1561 (b) The holder has complied with the due diligence  
1562 requirements set forth in this chapter, including the issuance  
1563 of notice to the apparent owner, and has received no response or  
1564 contact sufficient to demonstrate continued interest in the  
1565 property.

1566  
1567 For purposes of this chapter, property is presumed abandoned  
1568 upon expiration of the applicable dormancy period established  
1569 under this chapter. Once the dormancy period has expired, the  
1570 holder must comply with the due diligence requirements set forth  
1571 in s. 717.117. If the holder does not receive response or  
1572 contact sufficient to demonstrate continued interest in the  
1573 property after completion of its due diligence efforts, the  
1574 property is deemed abandoned and subject to reporting and  
1575 remittance to the department for custodial holding on behalf of  
1576 the owner.

1577 (2) “Abandoned Property Purchase Agreement” means the form



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1578 adopted by the department pursuant to s. 717.135 which must be  
1579 used, without modification or amendment, by a claimant  
1580 representative to purchase abandoned property from an owner.

1581 (3) "Abandoned Property Recovery Agreement" means the form  
1582 adopted by the department pursuant to s. 717.135 which must be  
1583 used, without modification or amendment, by a claimant  
1584 representative to obtain consent and authority to recover  
1585 abandoned property on behalf of a person.

1586 (4)-(1) "Aggregate" means the amounts reported for owners of  
1587 abandoned unclaimed property of less than \$10 or where there is  
1588 no name for the individual or entity listed on the holder's  
1589 records, regardless of the amount to be reported.

1590 (5)-(2) "Apparent owner" means the person whose name appears  
1591 on the records of the holder as the owner of the abandoned  
1592 property, but whose status as the true owner entitled to receive  
1593 the property may be subject to change due to the passage of time  
1594 or changes in circumstances person entitled to property held,  
1595 issued, or owing by the holder.

1596 (8) "Authorized representative" means a person or entity  
1597 legally empowered to act on behalf of the apparent owner or his  
1598 or her estate, including, but not limited to, an agent, a  
1599 fiduciary, a personal representative, a trustee, a legal heir, a  
1600 guardian, or any other individual or entity authorized by law or  
1601 agreement.

1602 (9)-(5) "Banking or financial organization" means any and  
1603 all banks, trust companies, private bankers, savings banks,  
1604 industrial banks, safe-deposit companies, savings and loan  
1605 associations, credit unions, savings associations, banking  
1606 organizations, international bank agencies, cooperative banks,



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1607 building and loan associations, and investment companies in this  
1608 state, organized under or subject to the laws of this state or  
1609 of the United States, including entities organized under 12  
1610 U.S.C. s. 611, but does not include federal reserve banks. The  
1611 term also includes any corporation, business association, or  
1612 other organization that:

1613 (a) Is a wholly or partially owned subsidiary of any  
1614 banking, banking corporation, or bank holding company that  
1615 performs any or all of the functions of a banking organization;  
1616 or

1617 (b) Performs functions pursuant to the terms of a contract  
1618 with any banking organization.

1619 ~~(10)-(6)~~ "Business association" means any for-profit or  
1620 nonprofit corporation other than a public corporation; joint  
1621 stock company; investment company; unincorporated association or  
1622 association of two or more individuals for business purposes,  
1623 whether or not for profit; partnership; joint venture; limited  
1624 liability company; sole proprietorship; business trust; trust  
1625 company; land bank; safe-deposit company; safekeeping  
1626 depository; banking or financial organization; insurance  
1627 company; federally chartered entity; utility company; transfer  
1628 agent; or other business entity, whether or not for profit.

1629 ~~(12)-(8)~~ "Claimant ~~Claimant's~~ representative" means an  
1630 attorney who is a member in good standing with ~~of~~ The Florida  
1631 Bar, a certified public accountant licensed in this state, or a  
1632 private investigator ~~who is duly licensed to do business in this~~  
1633 ~~the state,~~ who is registered with the department, and authorized  
1634 to file claims on behalf of persons with the department ~~by the~~  
1635 ~~claimant to claim unclaimed property on the claimant's behalf.~~



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1636 The term does not include a person acting in a representative or  
1637 fiduciary capacity, such as a personal representative, guardian,  
1638 trustee, or attorney, whose representation is not contingent  
1639 upon the discovery or location of abandoned unclaimed property,  
1640 and it expressly excludes locators who engage in locating owners  
1641 of abandoned property for a fee but are not registered with the  
1642 department; provided, however, that any agreement entered into  
1643 for the purpose of evading s. 717.135 is invalid and  
1644 unenforceable.

1645 ~~(9) "Credit balance" means an account balance in the~~  
1646 ~~customer's favor.~~

1647 ~~(15)~~ (12) "Due diligence" means the use of reasonable and  
1648 prudent methods under particular circumstances to locate  
1649 apparent owners of presumed abandoned property ~~inactive accounts~~  
1650 using the taxpayer identification number or social security  
1651 number, if known, which may include, but are not limited to,  
1652 using a nationwide database, cross-indexing with other records  
1653 of the holder, mailing to the last known address unless the last  
1654 known address is known to be inaccurate, providing written  
1655 notice as described in this chapter by electronic mail if an  
1656 apparent owner has elected such delivery, or engaging a licensed  
1657 agency or company capable of conducting such search and  
1658 providing updated addresses.

1659 ~~(14) "Financial organization" means a savings association,~~  
1660 ~~savings and loan association, savings bank, industrial bank,~~  
1661 ~~bank, banking organization, trust company, international bank~~  
1662 ~~agency, cooperative bank, building and loan association, or~~  
1663 ~~credit union.~~

1664 ~~(18)~~ (16) "Holder" means a person who is in possession of



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1665 property belonging to another or who owes a debt or an  
1666 obligation to another person, including, but not limited to,  
1667 financial institutions, insurance companies, corporations,  
1668 partnerships, fiduciaries, and government agencies;

1669 ~~(a) A person who is in possession or control or has custody~~  
1670 ~~of property or the rights to property belonging to another; is~~  
1671 ~~indebted to another on an obligation; or is obligated to hold~~  
1672 ~~for the account of, or to deliver or pay to, the owner, property~~  
1673 ~~subject to this chapter; or~~

1674 ~~(b) A trustee in case of a trust.~~

1675 ~~(20)-(18)~~ "Intangible property" includes, by way of  
1676 illustration and not limitation:

1677 (a) Moneys, checks, virtual currency, drafts, deposits,  
1678 interest, dividends, and income.

1679 (b) Credit balances, customer overpayments, security  
1680 deposits and other instruments as defined by chapter 679,  
1681 refunds, unpaid wages, unused airline tickets, and unidentified  
1682 remittances.

1683 (c) Stocks, and other intangible ownership interests in  
1684 business associations except for:

1685 1. A non-freely transferable security; or

1686 2. A security that is subject to a lien, legal hold, or  
1687 restriction evidenced on the records of the holder or imposed by  
1688 operation of law, if the lien, legal hold, or restriction  
1689 restricts the holder's or owner's ability to receive, transfer,  
1690 sell, or otherwise negotiate the security.

1691 (d) Moneys deposited to redeem stocks, bonds, bearer bonds,  
1692 original issue discount bonds, coupons, and other securities, or  
1693 to make distributions.



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1694 (e) Amounts due and payable under the terms of insurance  
1695 policies.

1696 (f) Amounts distributable from a trust or custodial fund  
1697 established under a plan to provide any health, welfare,  
1698 pension, vacation, severance, retirement, death, stock purchase,  
1699 profit sharing, employee savings, supplemental unemployment  
1700 insurance, or similar benefit.

1701 ~~(21)(19)~~ "Last known address" means a description of the  
1702 location of the apparent owner sufficient for the purpose of the  
1703 delivery of mail. For the purposes of identifying, reporting,  
1704 and remitting property to the department ~~which is presumed to be~~  
1705 ~~unclaimed~~, the term "last known address" includes any partial  
1706 description of the location of the apparent owner sufficient to  
1707 establish the apparent owner was a resident of this state at the  
1708 time of last contact with the apparent owner or at the time the  
1709 property became due and payable.

1710 ~~(22)(20)~~ "Lawful charges" means charges against the  
1711 property or the account in which the property is held which  
1712 ~~dormant accounts that~~ are authorized by statute for the purpose  
1713 of offsetting the costs of maintaining the property or the  
1714 account in which the property is held ~~dormant account~~.

1715 (23) "Locator" means a private individual or business that  
1716 locates owners of abandoned property in exchange for a fee,  
1717 typically a percentage of the recovered property. Locators are  
1718 not employees or agents of the state and are not registered with  
1719 the department.

1720 (25) "Non-freely transferable security" means a security  
1721 that cannot be delivered to the administrator by the Depository  
1722 Trust and Clearing Corporation or similar custodian of



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1723 securities providing post-trade clearing and settlement services  
1724 to financial markets or cannot be delivered because there is no  
1725 agent to effect transfer. The term includes a worthless  
1726 security.

1727 ~~(26)-(22) "Owner" means the a person, or the person's legal~~  
1728 ~~representative, entitled to receive or having a legal or~~  
1729 ~~equitable interest in the abandoned property. An owner~~  
1730 ~~establishes his or her entitlement by filing a valid claim with~~  
1731 ~~the department pursuant or claim against property subject to~~  
1732 ~~this chapter; a depositor in the case of a deposit; a~~  
1733 ~~beneficiary in the case of a trust or a deposit in trust; or a~~  
1734 ~~payee in the case of a negotiable instrument or other intangible~~  
1735 ~~property.~~

1736 ~~(29)-(25) "Record" means information that is captured or~~  
1737 ~~maintained in any format, including written, printed,~~  
1738 ~~electronic, audio, visual, or other forms, and that can be made~~  
1739 ~~perceptible or understandable to a person, either directly or~~  
1740 ~~through technological means, including assistive technologies~~  
1741 ~~inscribed on a tangible medium or that is stored in an~~  
1742 ~~electronic or other medium and is retrievable in perceivable~~  
1743 ~~form.~~

1744 ~~(29) "Unclaimed Property Purchase Agreement" means the form~~  
1745 ~~adopted by the department pursuant to s. 717.135 which must be~~  
1746 ~~used, without modification or amendment, by a claimant's~~  
1747 ~~representative to purchase unclaimed property from an owner.~~

1748 ~~(30) "Unclaimed Property Recovery Agreement" means the form~~  
1749 ~~adopted by the department pursuant to s. 717.135 which must be~~  
1750 ~~used, without modification or amendment, by a claimant's~~  
1751 ~~representative to obtain an owner's consent and authority to~~



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1752 ~~recover unclaimed property on the owner's behalf.~~

1753       Section 34. Section 717.102, Florida Statutes, is amended  
1754 to read:

1755       717.102 Property presumed abandoned ~~unclaimed~~; general  
1756 rule.-

1757       (1) Except as otherwise provided by this chapter, all  
1758 intangible property, including any income or increment thereon  
1759 less any lawful charges, that is held, issued, or owing in the  
1760 ordinary course of the holder's business and for which the  
1761 apparent owner or authorized representative fails to demonstrate  
1762 continued interest for more than the applicable dormancy period  
1763 prescribed by this chapter shall be presumed abandoned ~~claim~~  
1764 ~~such property for more than 5 years after the property becomes~~  
1765 ~~payable or distributable is presumed unclaimed, except as~~  
1766 ~~otherwise provided by this chapter. Unless otherwise specified~~  
1767 ~~by law, the dormancy period shall be 5 years from the date the~~  
1768 ~~property becomes payable or distributable. For the purposes of~~  
1769 ~~this chapter, property shall be considered payable or~~  
1770 ~~distributable once the holder's obligation to pay or deliver the~~  
1771 ~~property arises, regardless of whether the apparent owner or~~  
1772 ~~authorized representative has failed to demand or to present~~  
1773 ~~documents required to receive payment.~~

1774       (2) ~~Property is payable or distributable for the purpose of~~  
1775 ~~this chapter notwithstanding the owner's failure to make demand~~  
1776 ~~or to present any instrument or document required to receive~~  
1777 ~~payment.~~

1778       ~~(3)~~ A presumption that property is abandoned may be  
1779 ~~unclaimed~~ is rebutted by the affirmative demonstration of  
1780 continued interest by the apparent owner or authorized



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1781 ~~representative an apparent owner's expression of interest in the~~  
1782 ~~property. Such demonstration An owner's expression of continued~~  
1783 ~~interest in property includes, but is not limited to, any of the~~  
1784 ~~following:~~

1785 (a) A record communicated by the apparent owner or  
1786 authorized representative to the holder or its agent ~~of the~~  
1787 ~~holder~~ concerning the property or the account in which the  
1788 property is held.~~†~~

1789 (b) An oral communication by the apparent owner or  
1790 authorized representative to the holder or its agent ~~of the~~  
1791 ~~holder~~ concerning the property or the account in which the  
1792 property is held, if the holder or its agent contemporaneously  
1793 records ~~makes~~ and preserves evidence ~~a record~~ of the ~~fact~~ of the  
1794 ~~apparent owner's~~ communication.~~†~~

1795 (c) Presentment of a check or other instrument for ~~of~~  
1796 payment of ~~a~~ dividends ~~dividend~~, interest ~~payment~~, or other  
1797 distributions related to the property. ~~distribution~~, with  
1798 ~~respect to an account, underlying security, or interest in a~~  
1799 ~~business association;~~

1800 (d) Any account activity initiated ~~directed~~ by an apparent  
1801 owner or authorized representative ~~in the account in which the~~  
1802 ~~property is held~~, including accessing the account or directing  
1803 changes to information concerning the account, ~~or to the amount~~  
1804 or type of property held, excluding routine automatic  
1805 transactions previously authorized, ~~a direction by the apparent~~  
1806 ~~owner~~ to increase, decrease, or otherwise change the amount or  
1807 type of property held in the account.~~†~~

1808 (e) Any ~~A~~ deposit into or withdrawal from the property or  
1809 the an account in which the property is held ~~at a financial~~



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1810 ~~organization, excluding an automatic deposits, withdrawals, or~~  
1811 ~~reinvestments deposit or withdrawal~~ previously authorized by the  
1812 apparent owner or authorized representative. ~~an automatic~~  
1813 ~~reinvestment of dividends or interest, which does not constitute~~  
1814 ~~an expression of interest; or~~

1815 (f) Any other action by the apparent owner or authorized  
1816 representative which reasonably demonstrates to the holder that  
1817 the apparent owner or authorized representative is aware of and  
1818 maintains an interest in ~~knows that~~ the property exists.

1819 ~~(3)(4)~~ If a holder learns or receives confirmation of an  
1820 apparent owner's death, the property shall be presumed abandoned  
1821 ~~unclaimed~~ 2 years after the date of death, unless an authorized  
1822 representative makes an affirmative demonstration a fiduciary  
1823 ~~appointed to represent the estate of the apparent owner has made~~  
1824 ~~an expression~~ of interest in the property before the expiration  
1825 of the 2-year period. This subsection may not be construed to  
1826 extend the otherwise applicable dormancy period prescribed by  
1827 this chapter.

1828 Section 35. Section 717.103, Florida Statutes, is amended  
1829 to read:

1830 717.103 General rules for taking custody of intangible  
1831 abandoned unclaimed property.—Unless otherwise provided in this  
1832 chapter or by other statute of this state, intangible property  
1833 is subject to the custody of the department as abandoned  
1834 ~~unclaimed~~ property when if the conditions leading to a  
1835 presumption that the property is abandoned unclaimed as  
1836 described in ss. 717.102 and 717.105-717.116 are satisfied and  
1837 the holder has fulfilled all required due diligence obligations  
1838 without receiving any response or claim from the apparent owner,



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1839 and one or more of the following criteria apply:

1840 (1) The last known address, as shown on the records of the  
1841 holder, of the apparent owner is in this state.~~;~~

1842 (2) The records of the holder do not identify the name of  
1843 the apparent owner, but do reflect the identity of the person  
1844 ~~entitled to the property, and it is established that the last~~  
1845 ~~known address of the apparent owner person entitled to the~~  
1846 ~~property is in this state.~~;

1847 (3) The records of the holder do not reflect the last known  
1848 address of the apparent owner, but ~~and~~ it is established that  
1849 either of the following conditions apply:

1850 (a) The last known address of the apparent owner ~~person~~  
1851 ~~entitled to the property~~ is in this state.~~;~~ ~~or~~

1852 (b) The holder is domiciled in this state, a domiciliary or  
1853 is a government entity or ~~governmental~~ subdivision ~~or agency~~ of  
1854 this state, and has not previously paid the property to the  
1855 state of the last known address of the apparent owner. ~~or other~~  
1856 ~~person entitled to the property;~~

1857 (4) The last known address, as shown on the records of the  
1858 holder, of the apparent owner ~~or other person entitled to the~~  
1859 ~~property~~ is in a jurisdiction state that does not have  
1860 applicable provide by law for the escheat, abandoned, or  
1861 unclaimed property laws ~~custodial taking of the property, or its~~  
1862 ~~escheat or unclaimed property law is not applicable to the~~  
1863 ~~property, and the holder is domiciled in this state a~~  
1864 ~~domiciliary~~ or is a government entity or governmental  
1865 subdivision or agency of this state.~~;~~

1866 (5) The last known address, as shown on the records of the  
1867 holder, of the apparent owner is in a foreign nation and the



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1868 holder is domiciled in this state ~~a domiciliary~~ or is a  
1869 government entity or governmental subdivision ~~or agency~~ of this  
1870 state. ~~;~~ ~~or~~

1871 (6) The transaction out of which the property arose  
1872 occurred in this state, ~~and~~ both of the following are true:

1873 (a) ~~1.~~ The last known address of the apparent owner ~~or other~~  
1874 ~~person entitled to the property~~ is unknown. ~~;~~ ~~or~~

1875 ~~2.~~ ~~The last known address of the apparent owner or other~~  
1876 ~~person entitled to the property is in a state that does not~~  
1877 ~~provide by law for the escheat or custodial taking of the~~  
1878 ~~property, or its escheat or unclaimed property law is not~~  
1879 ~~applicable to the property; and~~

1880 (b) The holder is domiciled in a jurisdiction ~~a domiciliary~~  
1881 ~~of a state that does not have applicable~~ ~~provide by law for the~~  
1882 ~~escheat, abandoned, or custodial taking of the property, or its~~  
1883 ~~escheat or unclaimed property laws~~ ~~law is not applicable to the~~  
1884 ~~property.~~

1885 Section 36. Section 717.1035, Florida Statutes, is  
1886 repealed.

1887 Section 37. Section 717.104, Florida Statutes, is amended  
1888 to read:

1889 717.104 Traveler's checks and money orders.—

1890 (1) Subject to subsection (4), any sum payable on a  
1891 traveler's check that has been outstanding for more than 15  
1892 years after its issuance is presumed abandoned ~~unclaimed~~ unless  
1893 the apparent owner or authorized representative, within 15  
1894 years, has demonstrated a continued interest in the property in  
1895 accordance with s. 717.102 ~~communicated in writing with the~~  
1896 ~~issuer concerning it or otherwise indicated an interest as~~



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1897 ~~evidenced by a memorandum or other record on file with the~~  
1898 ~~issuer.~~

1899 (2) Subject to subsection (4), any sum payable on a money  
1900 order or similar written instrument, other than a third party  
1901 bank check, that has been outstanding for more than 7 years  
1902 after its issuance is presumed abandoned ~~unclaimed~~ unless the  
1903 apparent owner or authorized representative, within 7 years, has  
1904 demonstrated a continued interest in the property in accordance  
1905 with s. 717.102 ~~communicated in writing with the issuer~~  
1906 ~~concerning it or otherwise indicated an interest as evidenced by~~  
1907 ~~a memorandum or other record on file with the issuer.~~

1908 (3) A ~~No~~ holder may not deduct from the amount of any  
1909 traveler's check or money order any charges imposed by reason of  
1910 the failure to present those instruments for payment unless  
1911 there is a valid and enforceable written contract between the  
1912 holder ~~issuer~~ and the apparent owner of the property pursuant to  
1913 which the holder ~~issuer~~ may impose those charges and the holder  
1914 ~~issuer~~ regularly imposes those charges and does not regularly  
1915 reverse or otherwise cancel those charges with respect to the  
1916 property.

1917 (4) No sum payable on a traveler's check, money order, or  
1918 similar written instrument, other than a third party bank check,  
1919 described in subsections (1) and (2) may be subjected to the  
1920 custody of this state as abandoned ~~unclaimed~~ property unless any  
1921 of the following conditions are met:

1922 (a) The records of the holder ~~issuer~~ show that the  
1923 traveler's check, money order, or similar written instrument was  
1924 purchased in this state.†

1925 (b) The holder ~~issuer~~ has its principal place of business



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1926 in this state and its ~~the~~ records ~~of the issuer~~ do not show the  
1927 state in which the traveler's check, money order, or similar  
1928 written instrument was purchased. ~~;~~ ~~or~~

1929 (c) The holder ~~issuer~~ has its principal place of business  
1930 in this state; the holder's records ~~of the issuer~~ show the state  
1931 in which the traveler's check, money order, or similar written  
1932 instrument was purchased; and the ~~laws of the state of purchase~~  
1933 does not provide applicable ~~do not provide for the escheat,~~  
1934 abandoned, or unclaimed property laws ~~or custodial taking of the~~  
1935 property, ~~or its escheat or unclaimed property law is not~~  
1936 applicable to the property.

1937 (5) Notwithstanding any other provision of this chapter,  
1938 subsection (4) applies to sums payable on traveler's checks,  
1939 money orders, and similar written instruments presumed abandoned  
1940 unclaimed on or after February 1, 1965, except to the extent  
1941 that those sums have been paid over to a state prior to January  
1942 1, 1974.

1943 Section 38. Section 717.1045, Florida Statutes, is amended  
1944 to read:

1945 717.1045 Gift certificates and similar credit items.—  
1946 Notwithstanding s. 717.117, an unredeemed gift certificate or  
1947 credit memo as defined in s. 501.95 is not required to be  
1948 reported as abandoned ~~unclaimed~~ property.

1949 (1) The consideration paid for an unredeemed gift  
1950 certificate or credit memo is the property of the issuer of the  
1951 unredeemed gift certificate or credit memo.

1952 (2) An unredeemed gift certificate or credit memo is  
1953 subject only to any rights of a purchaser or owner thereof and  
1954 is not subject to a claim made by any state acting on behalf of



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1955 a purchaser or owner.

1956 (3) It is the intent of the Legislature that this section  
1957 apply to the custodial holding of unredeemed gift certificates  
1958 and credit memos.

1959 (4) However, a gift certificate or credit memo described in  
1960 s. 501.95(2)(b) shall be reported as abandoned ~~unclaimed~~  
1961 property. The consideration paid for such a gift certificate or  
1962 credit memo is the property of the owner of the gift certificate  
1963 or credit memo.

1964 Section 39. Section 717.105, Florida Statutes, is amended  
1965 to read:

1966 717.105 Checks, drafts, and similar instruments issued or  
1967 certified by banking and financial organizations.—

1968 (1) Any sum payable on a check, draft, or similar  
1969 instrument, except those subject to ss. 717.104 and 717.115, on  
1970 which a banking or financial organization is directly liable,  
1971 including, but not limited to, a cashier's check or a certified  
1972 check, which has been outstanding for more than 5 years after it  
1973 was payable or after its issuance if payable on demand, is  
1974 presumed abandoned ~~unclaimed~~ unless the apparent owner or  
1975 authorized representative, within 5 years, has communicated in  
1976 writing with the banking or financial organization concerning it  
1977 or otherwise demonstrated a continued interest in the property  
1978 in accordance with s. 717.102 ~~indicated an interest as evidenced~~  
1979 ~~by a memorandum or other record on file with the banking or~~  
1980 ~~financial organization.~~

1981 (2) A ~~No~~ holder may not deduct from the amount of any  
1982 instrument subject to this section any charges imposed by reason  
1983 of the failure to present the instrument for encashment unless



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1984 there is a valid and enforceable written contract between the  
1985 holder and the apparent owner of the instrument pursuant to  
1986 which the holder may impose those charges and does not regularly  
1987 reverse or otherwise cancel those charges with respect to the  
1988 instrument.

1989 Section 40. Subsection (1), paragraphs (a) and (b) of  
1990 subsection (3), and subsections (4) and (5) of section 717.106,  
1991 Florida Statutes, are amended to read:

1992 717.106 Bank deposits and funds in financial  
1993 organizations.—

1994 (1) Any demand, savings, or matured time deposit with a  
1995 banking or financial organization, including deposits that are  
1996 automatically renewable, and any funds paid toward the purchase  
1997 of shares, a mutual investment certificate, or any other  
1998 interest in a banking or financial organization is presumed  
1999 abandoned ~~unclaimed~~ unless the apparent owner or authorized  
2000 representative has, within 5 years, engaged in any of the  
2001 following activities:

2002 (a) Increased or decreased the amount of the deposit or  
2003 presented the passbook or other similar evidence of the deposit  
2004 for the crediting of interest.†

2005 (b) Communicated in writing or by documented telephone  
2006 contact with the banking or financial organization concerning  
2007 the property.†

2008 (c) Otherwise demonstrated a continued ~~indicated an~~  
2009 interest in the property as evidenced by a memorandum or other  
2010 record on file with the banking or financial organization.†

2011 (d) Owned other property to which paragraph (a), paragraph  
2012 (b), or paragraph (c) is applicable and if the banking or



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2013 financial organization communicates in writing with the owner  
2014 with regard to the property that would otherwise be presumed  
2015 abandoned ~~unclaimed~~ under this subsection at the address to  
2016 which communications regarding the other property regularly are  
2017 sent. ~~;~~ ~~or~~

2018 (e) Had another relationship with the banking or financial  
2019 organization concerning which the apparent owner has:

2020 1. Communicated in writing with the banking or financial  
2021 organization; or

2022 2. Otherwise demonstrated a continued ~~indicated an~~ interest  
2023 as evidenced by a memorandum or other record on file with the  
2024 banking or financial organization and if the banking or  
2025 financial organization communicates in writing with the apparent  
2026 owner or authorized representative with regard to the property  
2027 that would otherwise be presumed abandoned ~~unclaimed~~ under this  
2028 subsection at the address to which communications regarding the  
2029 other relationship regularly are sent.

2030 (3) A ~~No~~ holder may not impose with respect to property  
2031 described in subsection (1) any charges due to dormancy or  
2032 inactivity or cease payment of interest unless:

2033 (a) There is an enforceable written contract between the  
2034 holder and the apparent owner of the property pursuant to which  
2035 the holder may impose those charges or cease payment of  
2036 interest.

2037 (b) For property in excess of \$2, the holder, no more than  
2038 3 months prior to the initial imposition of those charges or  
2039 cessation of interest, has given written notice to the apparent  
2040 owner of the amount of those charges at the last known address  
2041 of the apparent owner stating that those charges shall be



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2042 imposed or that interest shall cease, but the notice provided in  
2043 this section need not be given with respect to charges imposed  
2044 or interest ceased before July 1, 1987.

2045 (4) Any property described in subsection (1) that is  
2046 automatically renewable is matured for purposes of subsection  
2047 (1) upon the expiration of its initial time period except that,  
2048 in the case of any renewal to which the apparent owner consents  
2049 at or about the time of renewal by communicating in writing with  
2050 the banking or financial organization or otherwise indicating  
2051 consent as evidenced by a memorandum or other record on file  
2052 prepared by an employee of the organization, the property is  
2053 matured upon the expiration of the last time period for which  
2054 consent was given. If, at the time provided for delivery in s.  
2055 717.119, a penalty or forfeiture in the payment of interest  
2056 would result from the delivery of the property, the time for  
2057 delivery is extended until the time when no penalty or  
2058 forfeiture would result.

2059 (5) If the documents establishing a deposit described in  
2060 subsection (1) state the address of a beneficiary of the  
2061 deposit, and the account has a value of at least \$50, notice  
2062 shall be given to the beneficiary as provided for notice to the  
2063 apparent owner under s. 717.117 ~~s. 717.117(6)~~. This subsection  
2064 shall apply to accounts opened on or after October 1, 1990.

2065 Section 41. Subsection (1) of section 717.1065, Florida  
2066 Statutes, is amended to read:

2067 717.1065 Virtual currency.—

2068 (1) Any virtual currency held or owing by a banking  
2069 organization, corporation, custodian, exchange, or other entity  
2070 engaged in virtual currency business activity is presumed



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2071 unclaimed unless the owner, within 7 ~~5~~ years, has communicated  
2072 in writing with the banking organization, corporation,  
2073 custodian, exchange, or other entity engaged in virtual currency  
2074 business activity concerning the virtual currency or otherwise  
2075 indicated an interest as evidenced by a memorandum or other  
2076 record on file with the banking organization, corporation,  
2077 custodian, exchange, or other entity engaged in virtual currency  
2078 business activity.

2079 Section 42. Subsection (1) of section 717.107, Florida  
2080 Statutes, is amended to read:

2081 717.107 Funds owing under life insurance policies, annuity  
2082 contracts, and retained asset accounts; fines, penalties, and  
2083 interest; United States Social Security Administration Death  
2084 Master File.—

2085 (1) Funds held or owing under any life or endowment  
2086 insurance policy or annuity contract which has matured or  
2087 terminated are presumed abandoned ~~unclaimed~~ if unclaimed for  
2088 more than 5 years after the date of death of the insured, the  
2089 annuitant, or the retained asset account holder, but property  
2090 described in paragraph (3)(d) is presumed abandoned ~~unclaimed~~ if  
2091 such property is not claimed for more than 2 years. The amount  
2092 presumed abandoned ~~unclaimed~~ shall include any amount due and  
2093 payable under s. 627.4615.

2094 Section 43. Section 717.1071, Florida Statutes, is amended  
2095 to read:

2096 717.1071 Lost owners of abandoned ~~unclaimed~~  
2097 demutualization, rehabilitation, or related reorganization  
2098 proceeds.—

2099 (1) Property distributable in the course of a



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2100 demutualization, rehabilitation, or related reorganization of an  
2101 insurance company is deemed abandoned 2 years after the date the  
2102 property is first distributable if, at the time of the first  
2103 distribution, the last known address of the apparent owner on  
2104 the books and records of the holder is known to be incorrect or  
2105 the distribution or statements are returned by the post office  
2106 as undeliverable; and the apparent owner or authorized  
2107 representative ~~owner~~ has not communicated in writing with the  
2108 holder or its agent regarding the interest or otherwise  
2109 communicated with the holder regarding the interest as evidenced  
2110 by a memorandum or other record on file with the holder or its  
2111 agent.

2112 (2) Property distributable in the course of  
2113 demutualization, rehabilitation, or related reorganization of a  
2114 mutual insurance company that is not subject to subsection (1)  
2115 shall be reportable as otherwise provided by this chapter.

2116 (3) Property subject to this section shall be reported and  
2117 delivered no later than May 1 as of the preceding December 31;  
2118 however, the initial report under this section shall be filed no  
2119 later than November 1, 2003, as of December 31, 2002.

2120 Section 44. Section 717.108, Florida Statutes, is amended  
2121 to read:

2122 717.108 Deposits held by utilities.—Any deposit, including  
2123 any interest thereon, made by a subscriber with a utility to  
2124 secure payment or any sum paid in advance for utility services  
2125 to be furnished, less any lawful charges, that remains unclaimed  
2126 by the apparent owner for more than 1 year after termination of  
2127 the services for which the deposit or advance payment was made  
2128 is presumed abandoned ~~unclaimed~~.



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2129 Section 45. Section 717.109, Florida Statutes, is amended  
2130 to read:

2131 717.109 Refunds held by business associations.—Except as  
2132 otherwise provided by law, any sum that a business association  
2133 has been ordered to refund by a court or administrative agency  
2134 which has been unclaimed by the apparent owner for more than 1  
2135 year after it became payable in accordance with the final  
2136 determination or order providing for the refund, regardless of  
2137 whether the final determination or order requires any person  
2138 entitled to a refund to make a claim for it, is presumed  
2139 abandoned unclaimed.

2140 Section 46. Section 717.1101, Florida Statutes, is amended  
2141 to read:

2142 717.1101 Abandoned Unclaimed equity and debt of business  
2143 associations.—

2144 (1) (a) Stock, or other equity interests, or debt of  
2145 interest in a business association is presumed abandoned  
2146 unclaimed on the date of the earliest of any of the following:

2147 1. Three years after the date a communication, other than  
2148 communications required by s. 717.117, sent by the holder by  
2149 first-class United States mail to the apparent owner is returned  
2150 to the holder undelivered by the United States Postal Service.  
2151 If such returned communication is resent within 1 month to the  
2152 apparent owner, the 3-year dormancy period does not begin until  
2153 the day the resent item is returned as undelivered.

2154 2. Five ~~Three~~ years after the most recent of any account  
2155 owner-generated activity or communication initiated by the  
2156 apparent owner or authorized representative which demonstrates  
2157 continued interest in the ~~related to the~~ account, as recorded



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2158 and maintained by ~~in~~ the holder. Routine automatic reinvestments  
2159 or other routine transactions previously authorized by the  
2160 apparent owner or authorized representative do not prevent,  
2161 interrupt, or reset the dormancy period and do not constitute an  
2162 affirmative demonstration of continued interest. ~~holder's~~

2163 ~~database and records systems sufficient enough to demonstrate~~  
2164 ~~the owner's continued awareness or interest in the property;~~

2165 ~~3.2. Two~~ Three years after the date of the death of the  
2166 apparent owner, as evidenced by:

2167 a. Notice to the holder of the apparent owner's death by an  
2168 authorized representative ~~administrator, beneficiary, relative,~~  
2169 ~~or trustee, or by a personal representative or other legal~~  
2170 ~~representative of the owner's estate;~~

2171 b. Receipt by the holder of a copy of the death certificate  
2172 of the apparent owner;

2173 c. Confirmation by the holder of the apparent owner's death  
2174 through ~~though~~ other means; or

2175 d. Other evidence from which the holder may reasonably  
2176 conclude that the apparent owner is deceased. ~~;~~ ~~or~~

2177 ~~3. One year after the date on which the holder receives~~  
2178 ~~notice under subparagraph 2. if the notice is received 2 years~~  
2179 ~~or less after the owner's death and the holder lacked knowledge~~  
2180 ~~of the owner's death during that period of 2 years or less.~~

2181 (b) If the holder does not send communication to the  
2182 apparent owner of a security by first-class United States mail  
2183 on an annual basis, the holder shall attempt to confirm the  
2184 apparent owner's interest in the equity interest by sending the  
2185 apparent owner an e-mail communication not later than 3 years  
2186 after the apparent owner's or authorized representative's last



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2187 demonstration of continued interest in the equity interest.

2188 However, the holder shall promptly attempt to contact the

2189 apparent owner by first-class United States mail if:

2190 1. The holder does not have information needed to send the  
2191 apparent owner an e-mail communication or the holder believes  
2192 that the apparent owner's e-mail address in the holder's records  
2193 is not valid;

2194 2. The holder received notification that the e-mail  
2195 communication was not received; or

2196 3. The apparent owner does not respond to the e-mail  
2197 communication within 30 days after the communication was sent.

2198 (c) If first-class United States mail sent under paragraph  
2199 (b) is returned to the holder undelivered by the United States  
2200 Postal Service, the equity interest is presumed abandoned in  
2201 accordance with paragraph (1) (a).

2202 (d) Unmatured or unredeemed debt, other than a bearer bond  
2203 or an original issue discount bond, is presumed abandoned 5  
2204 ~~unclaimed 3~~ years after the date of the most recent interest  
2205 payment unclaimed by the owner.

2206 (e) ~~(e)~~ Matured or redeemed debt is presumed abandoned 5  
2207 ~~unclaimed 3~~ years after the date of maturity or redemption.

2208 (f) ~~(d)~~ At the time property is presumed abandoned ~~unclaimed~~  
2209 under paragraph (a) or paragraph (b), any other property right  
2210 accrued or accruing to the owner as a result of the property  
2211 interest and not previously presumed abandoned ~~unclaimed~~ is also  
2212 presumed abandoned ~~unclaimed~~.

2213 (2) The running of the applicable dormancy period under  
2214 this section ~~such 3-year period~~ ceases if the apparent owner or  
2215 authorized representative demonstrates continued interest under



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2216 s. 717.102, including by any of the following actions ~~person:~~  
2217       (a) ~~1. Communicating~~ Communicates in writing or by other  
2218 means with the association or its agent regarding the interest,  
2219 ~~or a dividend, distribution, or other sum payable as a result of~~  
2220 the interest, as recorded by the association or its agent; ~~or~~  
2221       ~~2. Otherwise communicates with the association regarding~~  
2222 ~~the interest or a dividend, distribution, or other sum payable~~  
2223 ~~as a result of the interest, as evidenced by a memorandum or~~  
2224 ~~other record on file with the association or its agent.~~  
2225       (b) Presenting ~~Presents~~ an instrument issued to pay  
2226 interest, ~~or a dividend,~~ or other ~~cash~~ distribution. If any  
2227 future dividend, distribution, or other sum payable ~~to the owner~~  
2228 as a result of the interest is subsequently unclaimed ~~not~~  
2229 ~~claimed by the owner,~~ a new period in which the property is  
2230 presumed abandoned ~~unclaimed~~ commences and relates back only to  
2231 the time a subsequent dividend, distribution, or other sum  
2232 became due and payable.  
2233       (3) At the same time any interest is presumed abandoned  
2234 ~~unclaimed~~ under this section, any dividend, distribution, or  
2235 other sum then held for or owing to the owner as a result of the  
2236 interest, is presumed abandoned ~~unclaimed~~.  
2237       (4) Any dividend, profit, distribution, interest  
2238 redemption, payment on principal, or other sum held or owing by  
2239 a business association for or to a shareholder,  
2240 certificateholder, member, bondholder, or other security holder,  
2241 who has not claimed such amount or corresponded in writing with  
2242 the business association concerning such amount, within 5 ~~3~~  
2243 years after the date prescribed for payment or delivery, is  
2244 presumed abandoned ~~unclaimed~~.



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2245           Section 47. Section 717.111, Florida Statutes, is amended  
2246 to read:

2247           717.111 Property of business associations held in course of  
2248 dissolution.—All intangible property distributable in the course  
2249 of a voluntary or involuntary dissolution of a business  
2250 association which is not claimed by the apparent owner for more  
2251 than 6 months after the date specified for final distribution is  
2252 presumed abandoned ~~unclaimed~~.

2253           Section 48. Subsections (1) and (5) of section 717.112,  
2254 Florida Statutes, are amended to read:

2255           717.112 Property held by agents and fiduciaries.—

2256           (1) All intangible property and any income or increment  
2257 thereon held in a fiduciary capacity for the benefit of another  
2258 person, including property held by an attorney in fact or an  
2259 agent, except as provided in ss. 717.1125 and 733.816, is  
2260 presumed abandoned ~~unclaimed~~ unless the apparent owner has  
2261 within 5 years after it has become payable or distributable  
2262 increased or decreased the principal, accepted payment of  
2263 principal or income, communicated in writing concerning the  
2264 property, or otherwise indicated an interest as evidenced by a  
2265 memorandum or other record on file with the fiduciary.

2266           (5) All intangible property, and any income or increment  
2267 thereon, issued by a government or governmental subdivision or  
2268 agency, public corporation, or public authority and held in an  
2269 agency capacity for the governmental subdivision, agency, public  
2270 corporation, or public authority for the benefit of the owner of  
2271 record, ~~is~~ presumed abandoned ~~unclaimed~~ unless the apparent  
2272 owner has, within 1 year after such property has become payable  
2273 or distributable, increased or decreased the principal, accepted



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2274 payment of the principal or income, communicated concerning the  
2275 property, or otherwise indicated an interest in the property as  
2276 evidenced by a memorandum or other record on file with the  
2277 fiduciary.

2278 Section 49. Section 717.1125, Florida Statutes, is amended  
2279 to read:

2280 717.1125 Property held by fiduciaries under trust  
2281 instruments.—All intangible property and any income or increment  
2282 thereon held in a fiduciary capacity for the benefit of another  
2283 person under a trust instrument is presumed abandoned ~~unclaimed~~  
2284 unless the apparent owner has, within 2 years after it has  
2285 become payable or distributable, increased or decreased the  
2286 principal, accepted payment of principal or income, communicated  
2287 concerning the property, or otherwise indicated an interest as  
2288 evidenced by a memorandum or other record on file with the  
2289 fiduciary. This section does not relieve a fiduciary of his or  
2290 her duties under the Florida Trust Code.

2291 Section 50. Section 717.113, Florida Statutes, is amended  
2292 to read:

2293 717.113 Property held by courts and public agencies.—All  
2294 intangible property held for the apparent owner by any court,  
2295 government or governmental subdivision or agency, public  
2296 corporation, or public authority that has not been claimed by  
2297 the apparent owner for more than 1 year after it became payable  
2298 or distributable is presumed abandoned ~~unclaimed~~. Except as  
2299 provided in s. 45.032(3)(c), money held in the court registry  
2300 and for which no court order has been issued to determine an  
2301 owner does not become payable or distributable and is not  
2302 subject to reporting under this chapter. Notwithstanding the



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2303 provisions of this section, funds deposited in the Minerals  
2304 Trust Fund pursuant to s. 377.247 are presumed abandoned  
2305 ~~unclaimed~~ only if the funds have not been claimed by the  
2306 apparent owner for more than 5 years after the date of first  
2307 production from the well.

2308 Section 51. Section 717.115, Florida Statutes, is amended  
2309 to read:

2310 717.115 Wages.—Unpaid wages, including wages represented by  
2311 unrepresented payroll checks, owing in the ordinary course of the  
2312 holder's business that have not been claimed by the apparent  
2313 owner for more than 1 year after becoming payable are presumed  
2314 abandoned ~~unclaimed~~.

2315 Section 52. Section 717.116, Florida Statutes, is amended  
2316 to read:

2317 717.116 Contents of safe-deposit box or other safekeeping  
2318 repository.—All tangible and intangible property held by a  
2319 banking or financial organization in a safe-deposit box or any  
2320 other safekeeping repository in this state in the ordinary  
2321 course of the holder's business, and proceeds resulting from the  
2322 sale of the property permitted by law, that has not been claimed  
2323 by the apparent owner or authorized representative for more than  
2324 3 years after the lease or rental period on the box or other  
2325 repository has expired are presumed abandoned ~~unclaimed~~.

2326 Section 53. Section 717.117, Florida Statutes, is amended  
2327 to read:

2328 717.117 Holder due diligence and report of abandoned  
2329 ~~unclaimed~~ property.—

2330 (1) Property is presumed abandoned upon expiration of the  
2331 applicable dormancy period under this chapter. However, such



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2332 property is not deemed abandoned for purposes of reporting or  
2333 remittance to the department until the holder has conducted  
2334 reasonable due diligence as required by this section, resulting  
2335 in no indication of interest from the apparent owner or  
2336 authorized representative.

2337 (2) Holders of property presumed abandoned that has a value  
2338 of \$50 or more shall use due diligence to locate and notify the  
2339 apparent owner that the holder is in possession of property  
2340 subject to this chapter. At least 90 days, but not more than 180  
2341 days, before filing the report required by this section, a  
2342 holder in possession of presumed abandoned property shall send  
2343 written notice by first-class United States mail to the apparent  
2344 owner's last known address as shown in the holder's records or  
2345 from other available sources, or by e-mail if the apparent owner  
2346 has elected for e-mail delivery, informing the apparent owner  
2347 that the holder is in possession of property subject to this  
2348 chapter, provided that the holder's records contain a mailing or  
2349 e-mail address for the apparent owner which is not known by the  
2350 holder to be inaccurate. The holder may provide notice by mail,  
2351 by e-mail, or by both methods. If the holder's records indicate  
2352 that the mailing address is inaccurate, notice may be provided  
2353 by e-mail if the apparent owner has elected e-mail delivery.

2354 (3) If the value of the property is greater than \$1,000,  
2355 the holder shall send a second written notice by certified  
2356 United States mail, return receipt requested, to the apparent  
2357 owner's last known address at least 60 days before filing the  
2358 report required by this section, if the holder's records contain  
2359 a mailing address for the apparent owner which is not known by  
2360 the holder to be inaccurate. Reasonable costs paid to the United



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2361 States Postal Service for certified mail, return receipt  
2362 requested, may be deducted from the property as a service  
2363 charge. A signed return receipt received in response to the  
2364 certified mail notice constitutes an affirmative demonstration  
2365 of continued interest as described in s. 717.102.

2366 (4) The written notice required under this section must  
2367 include:

2368 (a) A heading that reads substantially as follows: "Notice:  
2369 The State of Florida requires us to notify you that your  
2370 property may be transferred to the custody of the Florida  
2371 Department of Financial Services if you do not contact us before  
2372 ...(insert date that is at least 30 days after the date of  
2373 notice)...."

2374 (b) A description of the type, nature, and, unless the  
2375 property does not have a fixed value, value of the property that  
2376 is the subject of the notice.

2377 (c) A statement that the property will be turned over to  
2378 the custody of the department as abandoned property if no  
2379 response is received.

2380 (d) A statement that noncash property will be sold or  
2381 liquidated by the department.

2382 (e) A statement that, after the property is remitted to the  
2383 department, a claim must be filed with the department to recover  
2384 the property.

2385 (f) A statement that the property is currently in the  
2386 custody of the holder and that the apparent owner may prevent  
2387 transfer of the property by contacting the holder before the  
2388 deadline stated in the notice.

2389 (g) If the property is virtual currency, a statement that



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2390 the virtual currency will be liquidated by the holder before it  
2391 is remitted to the department and that only the proceeds of the  
2392 liquidation will be transferred.

2393 (5) Every holder of abandoned ~~person holding funds or other~~  
2394 ~~property, tangible or intangible, presumed unclaimed and~~ subject  
2395 ~~to custody as unclaimed property~~ under this chapter shall submit  
2396 a report to the department via electronic medium as the  
2397 department may prescribe by rule. The report must include:

2398 (a) Except for traveler's checks and money orders, the  
2399 name, social security number or taxpayer identification number,  
2400 date of birth, if known, and last known address, if any, of each  
2401 apparent person appearing from the records of the holder to be  
2402 ~~the~~ owner of any property which is abandoned ~~presumed unclaimed~~  
2403 and which has a value of \$10 or more.

2404 (b) For abandoned ~~unclaimed~~ funds that have a value of \$10  
2405 or more held or owing under any life or endowment insurance  
2406 policy or annuity contract, the identifying information provided  
2407 in paragraph (a) for both the insured or annuitant and the  
2408 beneficiary according to records of the insurance company  
2409 holding or owing the funds.

2410 (c) For all tangible property held in a safe-deposit box or  
2411 other safekeeping repository, a description of the property and  
2412 the place where the property is held and may be inspected by the  
2413 department, and any amounts owing to the holder. Contents of a  
2414 safe-deposit box or other safekeeping repository which consist  
2415 of documents or writings ~~of a private nature and~~ which have  
2416 little or no commercial value ~~may apparent value~~ shall not be  
2417 reported as abandoned property ~~presumed unclaimed.~~

2418 (d) The nature or type of property, any accounting or



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2419 identifying number associated with the property, a description  
2420 of the property, and the amount appearing from the records to be  
2421 due. Items of value of less than \$10 each may be reported in the  
2422 aggregate.

2423 (e) The date the property became payable, demandable, or  
2424 returnable, and the date of the last transaction with the  
2425 apparent owner with respect to the property.

2426 (f) Any other information the department may prescribe by  
2427 rule as necessary for the administration of this chapter.

2428 ~~(6)(2)~~ If the total value of all abandoned ~~presumed~~  
2429 ~~unclaimed~~ property, whether tangible or intangible, held by a  
2430 person is less than \$10, a zero balance report may be filed for  
2431 that reporting period.

2432 ~~(7)(3)~~ Credit balances, customer overpayments, security  
2433 deposits, and refunds having a value of less than \$10 may not be  
2434 reported as abandoned property ~~shall not be presumed unclaimed.~~

2435 (8) A security identified by the holder as non-freely  
2436 transferable or worthless may not to be included in a report  
2437 filed under this section. If the holder determines that a  
2438 security is no longer non-freely transferable or worthless, the  
2439 holder shall report and deliver the security on the next regular  
2440 report date prescribed for delivery of securities by the holder  
2441 under this chapter.

2442 ~~(9)(4)~~ If the holder of abandoned property ~~presumed~~  
2443 ~~unclaimed~~ and subject to custody under this chapter ~~as unclaimed~~  
2444 ~~property~~ is a successor holder or if the holder has changed the  
2445 holder's name while in possession of the property, the holder  
2446 shall file with the holder's report all known names and  
2447 addresses of each prior holder of the property. Compliance with



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2448 this subsection means the holder exercises reasonable and  
2449 prudent efforts to determine the names of all prior holders.

2450 (10) The report must be signed by or on behalf of the  
2451 holder and verified as to its completeness and accuracy, and the  
2452 holder must state that it has complied with the due diligence  
2453 requirements of this section.

2454 (11)-(5) The report must be filed before May 1 of each year.  
2455 The report applies to the preceding calendar year. Upon written  
2456 request by any person required to file a report, and upon a  
2457 showing of good cause, the department may extend the reporting  
2458 date. The department may impose and collect a penalty of \$10 per  
2459 day up to a maximum of \$500 for the failure to timely report, if  
2460 an extension was not provided or if the holder of the property  
2461 failed to include in a report information required by this  
2462 chapter which was in the holder's possession at the time of  
2463 reporting. The penalty shall be remitted to the department  
2464 within 30 days after the date of the notification to the holder  
2465 that the penalty is due and owing. As necessary for proper  
2466 administration of this chapter, the department may waive any  
2467 penalty due with appropriate justification. The department must  
2468 provide information contained in a report filed with the  
2469 department to any person requesting a copy of the report or  
2470 information contained in a report, to the extent the information  
2471 requested is not confidential, within 45 days after the  
2472 department determines that the report is accurate and acceptable  
2473 and that the reported property is the same as the remitted  
2474 property.

2475 ~~(6) Holders of inactive accounts having a value of \$50 or~~  
2476 ~~more shall use due diligence to locate and notify apparent~~



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2477 ~~owners that the entity is holding unclaimed property available~~  
2478 ~~for them to recover. Not more than 120 days and not less than 60~~  
2479 ~~days prior to filing the report required by this section, the~~  
2480 ~~holder in possession of property presumed unclaimed and subject~~  
2481 ~~to custody as unclaimed property under this chapter shall send~~  
2482 ~~written notice by first-class United States mail to the apparent~~  
2483 ~~owner at the apparent owner's last known address from the~~  
2484 ~~holder's records or from other available sources, or via~~  
2485 ~~electronic mail if the apparent owner has elected this method of~~  
2486 ~~delivery, informing the apparent owner that the holder is in~~  
2487 ~~possession of property subject to this chapter, if the holder~~  
2488 ~~has in its records a mailing or electronic address for the~~  
2489 ~~apparent owner which the holder's records do not disclose to be~~  
2490 ~~inaccurate. These two means of contact are not mutually~~  
2491 ~~exclusive; if the mailing address is determined to be~~  
2492 ~~inaccurate, electronic mail may be used if so elected by the~~  
2493 ~~apparent owner.~~

2494 ~~(7) The written notice to the apparent owner required under~~  
2495 ~~this section must:~~

2496 ~~(a) Contain a heading that reads substantially as follows:~~  
2497 ~~"Notice. The State of Florida requires us to notify you that~~  
2498 ~~your property may be transferred to the custody of the Florida~~  
2499 ~~Department of Financial Services if you do not contact us before~~  
2500 ~~...(insert date that is at least 30 days after the date of~~  
2501 ~~notice)...."~~

2502 ~~(b) Identify the type, nature, and, except for property~~  
2503 ~~that does not have a fixed value, value of the property that is~~  
2504 ~~the subject of the notice.~~

2505 ~~(c) State that the property will be turned over to the~~



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2506 ~~eustody of the department as unclaimed property if no response~~  
2507 ~~to this letter is received.~~

2508 ~~(d) State that any property that is not legal tender of the~~  
2509 ~~United States may be sold or liquidated by the department.~~

2510 ~~(e) State that after the property is turned over to the~~  
2511 ~~department, an apparent owner seeking return of the property may~~  
2512 ~~file a claim with the department.~~

2513 ~~(f) State that the property is currently with a holder and~~  
2514 ~~provide instructions that the apparent owner must follow to~~  
2515 ~~prevent the holder from reporting and paying for the property or~~  
2516 ~~from delivering the property to the department.~~

2517 ~~(12)(8)~~ Any holder of intangible property may file with the  
2518 department a petition for determination that the property is  
2519 abandoned and unclaimed requesting the department to accept  
2520 custody of the property. The petition shall state any special  
2521 circumstances that exist, contain the information required by  
2522 subsection (9) ~~subsection (4)~~, and show that a diligent search  
2523 has been made to locate the apparent owner. If the department  
2524 finds that the proof of diligent search is satisfactory, it  
2525 shall give notice as provided in s. 717.118 and accept custody  
2526 of the property.

2527 ~~(13)(9)~~ Upon written request by any entity or person  
2528 required to file a report, stating such entity's or person's  
2529 justification for such action, the department may place that  
2530 entity or person in an inactive status as an abandoned unclaimed  
2531 property "holder."

2532 ~~(14)(10)~~(a) This section does not apply to the abandoned  
2533 unclaimed patronage refunds as provided for by contract or  
2534 through bylaw provisions of entities organized under chapter 425



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2535 or that are exempt from ad valorem taxation pursuant to s.  
2536 196.2002.

2537 (b) This section does not apply to intangible property  
2538 held, issued, or owing by a business association subject to the  
2539 jurisdiction of the United States Surface Transportation Board  
2540 or its successor federal agency if the apparent owner of such  
2541 intangible property is a business association. The holder of  
2542 such property does not have any obligation to report, to pay, or  
2543 to deliver such property to the department.

2544 (c) This section does not apply to credit balances,  
2545 overpayments, refunds, or outstanding checks owed by a health  
2546 care provider to a managed care payor with whom the health care  
2547 provider has a managed care contract, provided that the credit  
2548 balances, overpayments, refunds, or outstanding checks become  
2549 due and owing pursuant to the managed care contract.

2550 ~~(15)-(11)~~(a) As used in this subsection, the term "property  
2551 identifier" means the descriptor used by the holder to identify  
2552 the abandoned unclaimed property.

2553 (b) Social security numbers and property identifiers  
2554 contained in reports required under this section, held by the  
2555 department, are confidential and exempt from s. 119.07(1) and s.  
2556 24(a), Art. I of the State Constitution.

2557 (c) This exemption applies to social security numbers and  
2558 property identifiers held by the department before, on, or after  
2559 the effective date of this exemption.

2560 (16) Notwithstanding any other provision of this section,  
2561 equity interests in business associations and securities  
2562 accounts are not presumed abandoned solely due to inactivity if  
2563 the holder knows the location of the apparent owner.



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2564        (a) For purposes of this subsection, a holder shall perform  
2565 annual data matching of owner records maintained in its database  
2566 against commercially available third-party data comparison  
2567 sources to identify updated owner address information and  
2568 indicators of deceased status. Using any updated information,  
2569 together with existing information of record, the holder is  
2570 deemed to know the location of the apparent owner under this  
2571 subsection if:

2572        1. The holder communicates with the apparent owner at least  
2573 annually by first-class United States mail or electronic means,  
2574 including, but not limited to, electronic mail, text message,  
2575 mobile application, or similar mechanism;

2576        2. Such communication is successfully delivered, meaning  
2577 not returned as undeliverable;

2578        3. One or more additional account-level indicators  
2579 demonstrate an owner indication of interest occurring at least  
2580 once every 10 years, including:

2581        a. Owner-initiated activity, such as authenticated access  
2582 to website, mobile engagement via mobile messaging, or other  
2583 authenticated third-party account servicing software;

2584        b. Updated contact information received through an  
2585 authorized financial adviser;

2586        c. Responses to account notifications or alerts;

2587        d. Negotiation of distributions, including dividends; and

2588        e. Any other action by the apparent owner or authorized  
2589 representative which reasonably demonstrates to the holder that  
2590 the apparent owner or authorized representative is aware of and  
2591 maintains an interest in the property.

2592        (b) Automatic deposits, reinvestments, or other recurring



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2593 transactions initiated by the holder may not independently  
2594 constitute an indication of apparent owner interest for purposes  
2595 of this subsection.

2596 (c) If the conditions in paragraph (a) are not satisfied  
2597 and the owner's location is deemed unknown, the equity interest  
2598 or securities account may be presumed abandoned:

2599 1. Ten years after the owner's most recent indication of  
2600 interest in the property; or

2601 2. Five years after the date a communication is returned as  
2602 undeliverable, unless the owner responds to a due-diligence  
2603 notice before the reporting deadline.

2604 (d) The equity interest or securities account may be  
2605 presumed abandoned only after reasonable efforts to locate the  
2606 owner have been unsuccessful and the holder has complied with  
2607 the due-diligence requirements of this chapter.

2608 (e) This subsection applies to equity interests and  
2609 securities accounts held directly by the owner or indirectly  
2610 through a brokerage account or similar account.

2611 Section 54. Section 717.118, Florida Statutes, is amended  
2612 to read:

2613 717.118 Notification of apparent owners of abandoned  
2614 unclaimed property.—

2615 (1) It is specifically recognized that the state has an  
2616 obligation to make an effort to notify apparent owners in a  
2617 cost-effective manner that their abandoned property has been  
2618 reported and remitted to the department ~~of unclaimed property in~~  
2619 a cost-effective manner. In order to provide all the citizens of  
2620 this state an effective and efficient program for the recovery  
2621 of abandoned personal ~~unclaimed~~ property, the department shall



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2622 use cost-effective means to make at least one active attempt to  
2623 notify apparent owners of abandoned ~~unclaimed~~ property ~~accounts~~  
2624 valued at \$50 or more, abandoned tangible property, and  
2625 abandoned shares of stock for which ~~more than \$250~~ with a  
2626 reported address or taxpayer identification number is available.  
2627 Such active attempt to notify apparent owners shall include any  
2628 attempt by the department to directly contact the apparent  
2629 owner. Other means of notification, such as publication of the  
2630 names of apparent owners in the newspaper, on television, on the  
2631 Internet, or through other promotional efforts and items in  
2632 which the department does not directly attempt to contact the  
2633 apparent owner are expressly declared to be passive attempts.  
2634 ~~Nothing in~~ This subsection does not preclude ~~precludes~~ other  
2635 agencies or entities of state government from notifying owners  
2636 of the existence of abandoned ~~unclaimed~~ property or attempting  
2637 to notify apparent owners of abandoned ~~unclaimed~~ property.

2638 (2) Notification provided directly to individual apparent  
2639 owners shall contain ~~consist of~~ a description of the abandoned  
2640 property and information regarding recovery of the ~~unclaimed~~  
2641 property from the department. The form and content of the  
2642 department's notice shall be tailored to the type of property  
2643 reported and shall include any information necessary to  
2644 reasonably inform the apparent owner of the consequences of  
2645 failure to claim the property, including potential sale or  
2646 disposition under s. 717.122.

2647 (3) The department shall maintain a publicly accessible,  
2648 electronically searchable website that includes the names of  
2649 apparent owners of abandoned property reported to the department  
2650 and instructions for filing a claim. The website must list



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2651 property valued at \$10 or more and provide instructions for  
2652 filing a claim. Abandoned property valued at less than \$10  
2653 remains recoverable from the department in accordance with this  
2654 chapter.

2655 (4) This section is not applicable to abandoned sums  
2656 payable on traveler's checks, money orders, and other written  
2657 instruments ~~presumed unclaimed~~ under s. 717.104, or any other  
2658 abandoned property reported without the necessary identifying  
2659 information to establish ownership.

2660 Section 55. Section 717.119, Florida Statutes, is amended  
2661 to read:

2662 717.119 Payment or delivery of abandoned ~~unclaimed~~  
2663 property.—

2664 (1) Every person who is required to file a report under s.  
2665 717.117 shall simultaneously pay or deliver to the department  
2666 all abandoned ~~unclaimed~~ property required to be reported. Such  
2667 payment or delivery shall accompany the report as required in  
2668 this chapter for the preceding calendar year.

2669 (2) Payment of abandoned ~~unclaimed~~ funds may be made to the  
2670 department by electronic funds transfer.

2671 (3) If the apparent owner establishes the right to receive  
2672 the abandoned ~~unclaimed~~ property to the satisfaction of the  
2673 holder before the property has been delivered to the department  
2674 or it appears that for some other reason ~~the presumption~~ that  
2675 the property was erroneously classified as abandoned ~~is~~  
2676 ~~unclaimed is erroneous~~, the holder need not pay or deliver the  
2677 property to the department. In lieu of delivery, the holder  
2678 shall file a verified written explanation of the proof of claim  
2679 or of the error in classification of ~~the presumption that the~~



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2680 property as abandoned ~~was unclaimed~~.

2681 (4) All virtual currency reported under this chapter on the  
2682 annual report filing required in s. 717.117 shall be remitted to  
2683 the department with the report. The holder shall liquidate the  
2684 virtual currency and remit the proceeds to the department. The  
2685 liquidation must occur within 30 days before the filing of the  
2686 report. Upon delivery of the virtual currency proceeds to the  
2687 department, the holder is relieved of all liability of every  
2688 kind in accordance with the provisions of s. 717.1201 to every  
2689 person for any losses or damages resulting to the person by the  
2690 delivery to the department of the virtual currency proceeds.

2691 (5) All stock or other intangible ownership interest  
2692 reported under this chapter on the annual report filing required  
2693 in s. 717.117 shall be remitted to the department with the  
2694 report. Upon delivery of the stock or other intangible ownership  
2695 interest to the department, the holder and any transfer agent,  
2696 registrar, or other person acting for or on behalf of a holder  
2697 is relieved of all liability of every kind in accordance with  
2698 the provisions of s. 717.1201 to every person for any losses or  
2699 damages resulting to the person by the delivery to the  
2700 department of the stock or other intangible ownership interest.

2701 (6) All intangible and tangible property held in a safe-  
2702 deposit box or any other safekeeping repository reported under  
2703 s. 717.117 shall not be delivered to the department until 120  
2704 days after the report due date. The delivery of the property,  
2705 through the United States mail or any other carrier, shall be  
2706 insured by the holder at an amount equal to the estimated value  
2707 of the property. Each package shall be clearly marked on the  
2708 outside "Deliver Unopened." A holder's safe-deposit box contents



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2709 shall be delivered to the department in a single shipment. In  
2710 lieu of a single shipment, holders may provide the department  
2711 with a single detailed shipping schedule that includes package  
2712 tracking information for all packages being sent pursuant to  
2713 this section.

2714 (a) Holders may remit the value of cash and coins found in  
2715 abandoned unclaimed safe-deposit boxes to the department by  
2716 cashier's check or by electronic funds transfer, unless the cash  
2717 or coins have a value above face value. The department shall  
2718 identify by rule those cash and coin items having a numismatic  
2719 value. Cash and coin items identified as having a numismatic  
2720 value shall be remitted to the department in their original  
2721 form.

2722 (b) Any firearm or ammunition found in an abandoned  
2723 unclaimed safe-deposit box or any other safekeeping repository  
2724 shall be delivered by the holder to a law enforcement agency for  
2725 property handling or disposal pursuant to s. 705.103(2)(b). If  
2726 the firearm is sold by the law enforcement agency, with the  
2727 balance of the proceeds shall be deposited into the State School  
2728 Fund if the firearm is sold. However, The department is  
2729 authorized to make a reasonable attempt to ascertain the  
2730 historical value to collectors of any firearm that has been  
2731 delivered to the department. Any firearm appearing to have  
2732 historical value to collectors may be sold by the department  
2733 pursuant to s. 717.122 to a person having a federal firearms  
2734 license. Any firearm which is not sold pursuant to s. 717.122  
2735 shall be delivered by the department to a law enforcement agency  
2736 in this state for proper handling or disposal. In accordance  
2737 with pursuant to s. 705.103(2)(b), if the firearm is sold by the



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2738 law enforcement agency, with the balance of the proceeds shall  
2739 be deposited into the State School Fund ~~if the firearm is sold.~~  
2740 The department shall not be administratively, civilly, or  
2741 criminally liable for any firearm delivered by the department to  
2742 a law enforcement agency in this state for disposal.

2743 (c) If such property is not paid or delivered to the  
2744 department on or before the applicable payment or delivery date,  
2745 the holder shall pay to the department a penalty for each safe-  
2746 deposit box shipment received late. The penalty shall be \$100  
2747 for a safe-deposit box shipment container that is late 30 days  
2748 or less. Thereafter, the penalty shall be \$500 for a safe-  
2749 deposit box shipment container that is late for each additional  
2750 successive 30-day period. The penalty assessed against a holder  
2751 for a late safe-deposit box shipment container shall not exceed  
2752 \$4,000 annually. The penalty shall be remitted to the department  
2753 within 30 days after the date of the notification to the holder  
2754 that the penalty is due and owing.

2755 (d) The department may waive any penalty due with  
2756 appropriate justification, as provided by rule.

2757 (e) If a will or trust instrument is included among the  
2758 contents of an abandoned ~~a~~ safe-deposit box or other safekeeping  
2759 repository delivered to the department, the department must  
2760 provide a copy of the will, trust, and any codicils or  
2761 amendments to such will or trust instrument, upon request, to  
2762 anyone who provides the department with a certified copy of the  
2763 death certificate or another government-certified record  
2764 evidencing ~~evidence of~~ the death of the testator or settlor.

2765 (7) Any holder may request an extension in writing of up to  
2766 60 days for the delivery of property if extenuating



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2767 circumstances exist for the late delivery of the property. Any  
2768 such extension the department may grant shall be in writing.

2769 (8) A holder may not assign or otherwise transfer its  
2770 obligation to report, pay, or deliver property or to comply with  
2771 the provisions of this chapter, other than to a parent,  
2772 subsidiary, or affiliate of the holder.

2773 (a) Unless otherwise agreed to by the parties to a  
2774 transaction, the holder's successor by merger or consolidation,  
2775 or any person or entity that acquires all or substantially all  
2776 of the holder's capital stock or assets, is responsible for  
2777 fulfilling the holder's obligation to report, pay, or deliver  
2778 property or to comply with the duties of this chapter regarding  
2779 the transfer of property owed to the holder's successor and  
2780 being held for an owner resulting from the merger,  
2781 consolidation, or acquisition.

2782 (b) This subsection does not prohibit a holder from  
2783 contracting with a third party for the reporting of abandoned  
2784 ~~unclaimed~~ property, but the holder remains responsible to the  
2785 department for the complete, accurate, and timely reporting of  
2786 the property.

2787 Section 56. Subsections (1), (2), and (4) of section  
2788 717.1201, Florida Statutes, are amended to read:

2789 717.1201 Custody by state; holder liability; reimbursement  
2790 of holder paying claim; reclaiming for owner; payment of safe-  
2791 deposit box or repository charges.—

2792 (1) Upon the good faith payment or delivery of abandoned  
2793 ~~unclaimed~~ property to the department, the state assumes custody  
2794 and responsibility for the safekeeping of the property. Any  
2795 person who pays or delivers abandoned ~~unclaimed~~ property to the



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2796 department in good faith is relieved of all liability to the  
2797 extent of the value of the property paid or delivered for any  
2798 claim then existing or which thereafter may arise or be made  
2799 with ~~in~~ respect to the property.

2800 (a) A holder's substantial compliance with the due  
2801 diligence provisions in s. 717.117 ~~s. 717.117(6)~~ and good faith  
2802 payment or delivery of abandoned ~~unclaimed~~ property to the  
2803 department releases the holder from liability that may arise  
2804 from such payment or delivery, and such delivery and payment may  
2805 be pleaded as a defense in any suit or action brought by reason  
2806 of such delivery or payment. This section does not relieve a  
2807 fiduciary of his or her duties under the Florida Trust Code or  
2808 Florida Probate Code.

2809 (b) If the holder pays or delivers property to the  
2810 department in good faith and thereafter any other person claims  
2811 the property from the holder paying or delivering, or another  
2812 state claims the money or property under that state's laws  
2813 relating to escheat or abandoned or unclaimed property, the  
2814 department, upon written notice of the claim, shall defend the  
2815 holder against the claim and indemnify the holder against any  
2816 liability on the claim, except that a holder may not be  
2817 indemnified against penalties imposed by another state.

2818 (2) For the purposes of this section, a payment or delivery  
2819 of abandoned ~~unclaimed~~ property is made in good faith if:

2820 (a) The payment or delivery was made in conjunction with an  
2821 accurate and acceptable report.

2822 (b) The payment or delivery was made in a reasonable  
2823 attempt to comply with this chapter and other applicable general  
2824 law.



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2825 (c) The holder had a reasonable basis for believing, based  
2826 on the facts then known, that the property was abandoned  
2827 ~~unclaimed~~ and subject to this chapter.

2828 (d) There is no showing that the records pursuant to which  
2829 the delivery was made did not meet reasonable commercial  
2830 standards of practice in the industry.

2831 (4) Any holder who has delivered property, including a  
2832 certificate of any interest in a business association, other  
2833 than money to the department pursuant to this chapter may  
2834 reclaim the property if still in the possession of the  
2835 department, without payment of any fee or other charges, upon  
2836 filing proof that the person entitled to the property ~~owner~~ has  
2837 claimed it ~~the property~~ from the holder.

2838 Section 57. Section 717.122, Florida Statutes, is amended  
2839 to read:

2840 717.122 Public sale of abandoned ~~unclaimed~~ property.—

2841 (1) Except as provided in paragraph (2) (a), the department  
2842 after the receipt of abandoned ~~unclaimed~~ property shall sell it  
2843 to the highest bidder at public sale on the Internet or at a  
2844 specified physical location wherever in the judgment of the  
2845 department the most favorable market for the property involved  
2846 exists. The department may decline the highest bid and reoffer  
2847 the property for sale if in the judgment of the department the  
2848 bid is insufficient. The department shall have the discretion to  
2849 withhold from sale any abandoned ~~unclaimed~~ property that the  
2850 department deems to be of benefit to the people of the state. If  
2851 in the judgment of the department the probable cost of sale  
2852 exceeds the value of the property, it need not be offered for  
2853 sale and may be disposed of as the department determines



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2854 appropriate. Any sale at a specified physical location held  
2855 under this section must be preceded by a single publication of  
2856 notice, at least 3 weeks in advance of sale, in a newspaper of  
2857 general circulation in the county in which the property is to be  
2858 sold. The department shall proportionately deduct auction fees,  
2859 preparation costs, and expenses from the amount posted to an ~~the~~  
2860 ~~owner's~~ account for an abandoned ~~when~~ safe-deposit box when the  
2861 contents are sold. No action or proceeding may be maintained  
2862 against the department for or on account of any decision to  
2863 decline the highest bid or withhold any abandoned ~~unclaimed~~  
2864 property from sale.

2865 (2) (a) Securities listed on an established stock exchange  
2866 must be sold at prices prevailing at the time of sale on the  
2867 exchange. Other securities may be sold over the counter at  
2868 prices prevailing at the time of sale or by any other method the  
2869 department deems advisable. The department may authorize the  
2870 agent or broker acting on behalf of the department to deduct  
2871 fees from the proceeds of these sales at a rate agreed upon in  
2872 advance by the agent or broker and the department. The  
2873 department shall reimburse owners' accounts for these brokerage  
2874 fees from the State School Fund unless the securities are sold  
2875 at the owner's request.

2876 (b) Unless the department deems it to be in the public  
2877 interest to do otherwise, all abandoned securities ~~presumed~~  
2878 ~~unclaimed~~ and delivered to the department may be sold upon  
2879 receipt. Any person making a claim pursuant to this chapter is  
2880 entitled to receive either the securities delivered to the  
2881 department by the holder, if they still remain in the hands of  
2882 the department, or the proceeds received from sale, but no



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2883 person has any claim under this chapter against the state, the  
2884 holder, any transfer agent, any registrar, or any other person  
2885 acting for or on behalf of a holder for any appreciation in the  
2886 value of the property occurring after delivery by the holder to  
2887 the state.

2888 (c) Certificates for abandoned ~~unclaimed~~ stock or other  
2889 equity interest of business associations that cannot be canceled  
2890 and registered in the department's name or that cannot be  
2891 readily liquidated and converted into the currency of the United  
2892 States may be sold for the value of the certificate, if any, in  
2893 accordance with subsection (1) or may be destroyed in accordance  
2894 with s. 717.128.

2895 (3) The purchaser of property at any sale conducted by the  
2896 department pursuant to this chapter is entitled to ownership of  
2897 the property purchased free from all claims of the owner or  
2898 previous holder thereof and of all persons claiming through or  
2899 under them. The department shall execute all documents necessary  
2900 to complete the transfer of ownership.

2901 (4) The sale of abandoned ~~unclaimed~~ tangible personal  
2902 property is not subject to tax under chapter 212 when such  
2903 property is sold by or on behalf of the department pursuant to  
2904 this section.

2905 Section 58. Section 717.123, Florida Statutes, is amended  
2906 to read:

2907 717.123 Deposit of funds.—

2908 (1) All funds received under this chapter, including the  
2909 proceeds from the sale of abandoned ~~unclaimed~~ property under s.  
2910 717.122, shall immediately ~~forthwith~~ be deposited by the  
2911 department in the Unclaimed Property Trust Fund. The department



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2912 shall retain, from funds received under this chapter, an amount  
2913 not exceeding \$15 million from which the department shall make  
2914 prompt payment of claims allowed by the department and shall pay  
2915 the costs incurred by the department in administering and  
2916 enforcing this chapter. All remaining funds received by the  
2917 department under this chapter shall be deposited by the  
2918 department into the State School Fund.

2919 (2) The department shall record the name and last known  
2920 address of each person appearing from the holder's reports to be  
2921 entitled to the abandoned unclaimed property in the total  
2922 amounts of \$5 or greater; the name and the last known address of  
2923 each insured person or annuitant; and with respect to each  
2924 policy or contract listed in the report of an insurance  
2925 corporation, its number, the name of the corporation, and the  
2926 amount due.

2927 Section 59. Section 717.1235, Florida Statutes, is amended  
2928 to read:

2929 717.1235 Dormant campaign accounts; ~~report of unclaimed~~  
2930 ~~property.~~ Abandoned Unclaimed funds reported in the name of a  
2931 campaign for public office, for any campaign that must dispose  
2932 of surplus funds in its campaign account pursuant to s. 106.141,  
2933 after being reported to the department, shall be deposited with  
2934 the Chief Financial Officer to the credit of the State School  
2935 Fund.

2936 Section 60. Section 717.124, Florida Statutes, is amended  
2937 to read:

2938 717.124 Abandoned Unclaimed property claims.—

2939 (1) Any person, excluding another state, claiming an  
2940 interest in any property paid or delivered to the department



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2941 under this chapter may file with the department a claim on a  
2942 form prescribed by the department and verified by the claimant  
2943 or the claimant ~~claimant's~~ representative. ~~The claimant's~~  
2944 ~~representative must be an attorney licensed to practice law in~~  
2945 ~~this state, a licensed Florida-certified public accountant, or a~~  
2946 ~~private investigator licensed under chapter 493.~~ The claimant  
2947 ~~claimant's~~ representative must be registered with the department  
2948 under this chapter. The claimant, or the claimant ~~claimant's~~  
2949 representative, shall provide the department with a legible copy  
2950 of a valid driver license of the claimant at the time the  
2951 original claim form is filed. If the claimant has not been  
2952 issued a valid driver license at the time the original claim  
2953 form is filed, the department shall be provided with a legible  
2954 copy of a photographic identification of the claimant issued by  
2955 the United States, a state or territory of the United States, a  
2956 foreign nation, or a political subdivision or agency thereof or  
2957 other evidence deemed acceptable by the department by rule. In  
2958 lieu of photographic identification, a notarized sworn statement  
2959 by the claimant may be provided which affirms the claimant's  
2960 identity and states the claimant's full name and address. The  
2961 claimant must produce to the notary photographic identification  
2962 of the claimant issued by the United States, a state or  
2963 territory of the United States, a foreign nation, or a political  
2964 subdivision or agency thereof or other evidence deemed  
2965 acceptable by the department by rule. The notary shall indicate  
2966 the notary's full address on the notarized sworn statement. Any  
2967 claim filed without the required identification or the sworn  
2968 statement with the original claim form and the original  
2969 Abandoned Unclaimed Property Recovery Agreement or Abandoned



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2970 ~~Unclaimed~~ Property Purchase Agreement, if applicable, is void.

2971 (a) Within 90 days after receipt of a claim, the department  
2972 may return any claim that provides for the receipt of fees and  
2973 costs greater than that permitted under this chapter or that  
2974 contains any apparent errors or omissions. The department may  
2975 also request that the claimant or the claimant ~~claimant's~~  
2976 representative provide additional information. The department  
2977 shall retain a copy or electronic image of the claim.

2978 (b) A claim is ~~considered to have been~~ withdrawn by a  
2979 ~~claimant or the claimant's~~ representative if any of the  
2980 following applies: the department does not receive a response to  
2981 its request for additional information within 60 days after the  
2982 notification of any apparent errors or omissions.

2983 1. The department receives a written acknowledgment from  
2984 the claimant confirming withdrawal of the claim.

2985 2. The department receives a written notice to withdraw the  
2986 claim from a claimant representative which is accompanied by  
2987 written authorization from the claimant expressly approving  
2988 withdrawal of the claim.

2989 a. The authorization must state the reason for the  
2990 withdrawal, contain an acknowledgment that the claimant  
2991 understands that withdrawal will affect the processing of that  
2992 claim and may affect the processing of other pending claims, and  
2993 must be signed by the claimant.

2994 b. The claimant's authorization must be submitted  
2995 concurrently with, or as part of, the withdrawal notice.

2996 3. The claimant or the claimant's representative fails to  
2997 respond to the department's written request for additional  
2998 information within 60 days after the department provides notice



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2999 of any apparent errors or omissions.

3000 (c) Within 90 days after receipt of the claim, or the  
3001 response of the claimant or the claimant ~~claimant's~~  
3002 representative to the department's request for additional  
3003 information, whichever is later, the department shall determine  
3004 each claim. Such determination shall contain a notice of rights  
3005 provided by ss. 120.569 and 120.57. The 90-day period shall be  
3006 extended by 60 days if the department has good cause to need  
3007 additional time or if the abandoned ~~unclaimed~~ property:

3008 1. Is owned by a person who has been a debtor in  
3009 bankruptcy;

3010 2. Was reported with an address outside of the United  
3011 States;

3012 3. Is being claimed by a person outside of the United  
3013 States; or

3014 4. Contains documents filed in support of the claim that  
3015 are not in the English language and have not been accompanied by  
3016 an English language translation.

3017 (2) A claim for a cashier's check or a stock certificate  
3018 without the original instrument may require an indemnity bond  
3019 equal to the value of the claim to be provided prior to issue of  
3020 the stock or payment of the claim by the department.

3021 (3) The department may require an affidavit swearing to the  
3022 authenticity of the claim, lack of documentation, and an  
3023 agreement to allow the department to provide the name and  
3024 address of the claimant to subsequent claimants coming forward  
3025 with substantiated proof to claim the account. This shall apply  
3026 to claims equal to or less than \$250. The exclusive remedy of a  
3027 subsequent claimant to the property shall be against the person



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3028 who received the property from the department.

3029 (4) (a) Except as otherwise provided in this chapter, if a  
3030 claim is determined in favor of the claimant, the department  
3031 shall deliver or pay over to the claimant the property or the  
3032 amount the department actually received or the proceeds if it  
3033 has been sold by the department, together with any additional  
3034 amount required by s. 717.121.

3035 (b) If a claimant ~~an owner~~ authorizes a claimant  
3036 representative ~~an attorney licensed to practice law in this~~  
3037 ~~state, a Florida-certified public accountant, or a private~~  
3038 ~~investigator licensed under chapter 493, and registered with the~~  
3039 department under this chapter, to claim the abandoned ~~unclaimed~~  
3040 property on the claimant's ~~owner's~~ behalf, the department is  
3041 authorized to make distribution of the property or money in  
3042 accordance with the Abandoned ~~Unclaimed~~ Property Recovery  
3043 Agreement or Abandoned ~~Unclaimed~~ Property Purchase Agreement  
3044 under s. 717.135. The original Abandoned ~~Unclaimed~~ Property  
3045 Recovery Agreement or Abandoned ~~Unclaimed~~ Property Purchase  
3046 Agreement must be executed by the claimant or seller and must be  
3047 filed with the department.

3048 (c)1. Payments of approved claims for unclaimed cash  
3049 accounts must be made to the owner after deducting any fees and  
3050 costs authorized by the claimant under an Abandoned ~~Unclaimed~~  
3051 Property Recovery Agreement. The contents of a safe-deposit box  
3052 or shares of securities must be delivered directly to the  
3053 claimant.

3054 2. Payments of fees and costs authorized under an Abandoned  
3055 ~~Unclaimed~~ Property Recovery Agreement for approved claims must  
3056 be made or issued to the law firm of the designated attorney



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3057 licensed to practice law in this state, the public accountancy  
3058 firm of the licensed Florida-certified public accountant, or the  
3059 designated employing private investigative agency licensed by  
3060 this state. Such payments shall be made by electronic funds  
3061 transfer and may be made on such periodic schedule as the  
3062 department may define by rule, provided the payment intervals do  
3063 not exceed 31 days. Payment made to an attorney licensed in this  
3064 state, a Florida-certified public accountant, or a private  
3065 investigator licensed under chapter 493, operating individually  
3066 or as a sole practitioner, must be to the attorney, certified  
3067 public accountant, or private investigator.

3068 (5) The department is ~~shall~~ not be administratively,  
3069 civilly, or criminally liable for any property or funds  
3070 distributed pursuant to this section, provided such distribution  
3071 is made in good faith.

3072 (6) This section does not supersede the licensing  
3073 requirements of chapter 493.

3074 (7) The department may allow an apparent owner to  
3075 electronically submit a claim for abandoned ~~unclaimed~~ property  
3076 to the department. If a claim is submitted electronically for  
3077 \$2,000 or less, the department may use a method of identity  
3078 verification other than a copy of a valid driver license, other  
3079 government-issued photographic identification, or a sworn  
3080 notarized statement. The department may adopt rules to implement  
3081 this subsection.

3082 (8) Notwithstanding any other provision of this chapter,  
3083 the department may develop and implement an identification  
3084 verification and disbursement process by which an account valued  
3085 at \$2,000 or less, after being received by the department and



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3086 added to the abandoned ~~unclaimed~~ property database, may be  
3087 disbursed to an apparent owner after the department has verified  
3088 that the apparent owner is living and that the apparent owner's  
3089 current address is correct. The department shall include with  
3090 the payment a notification and explanation of the dollar amount,  
3091 the source, and the property type of each account included in  
3092 the disbursement. The department shall adopt rules to implement  
3093 this subsection.

3094 (9) (a) Notwithstanding any other provision of this chapter,  
3095 the department may develop and implement a verification and  
3096 disbursement process by which an account, after being received  
3097 by the department and added to the abandoned ~~unclaimed~~ property  
3098 database, for which the apparent owner entity is:

- 3099 1. A state agency in this state or a subdivision or  
3100 successor agency thereof;
- 3101 2. A county government in this state or a subdivision  
3102 thereof;
- 3103 3. A public school district in this state or a subdivision  
3104 thereof;
- 3105 4. A municipality in this state or a subdivision thereof;
- 3106 or
- 3107 5. A special taxing district or authority in this state,  
3108

3109 may be disbursed to the apparent owner entity or successor  
3110 entity. The department shall include with the payment a  
3111 notification and explanation of the dollar amount, the source,  
3112 and the property type of each account included in the  
3113 disbursement.

3114 (b) The department may adopt rules to implement this



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3115 subsection.

3116 (10) Notwithstanding any other provision of this chapter,  
3117 the department may develop a process by which a claimant  
3118 ~~claimant's~~ representative ~~or a buyer of unclaimed property~~ may  
3119 electronically submit to the department an electronic image of a  
3120 completed claim and claims-related documents under this chapter,  
3121 including an Abandoned Unclaimed Property Recovery Agreement or  
3122 Abandoned Unclaimed Property Purchase Agreement that has been  
3123 signed and dated by a claimant or seller under s. 717.135, after  
3124 the claimant ~~claimant's~~ representative ~~or the buyer of unclaimed~~  
3125 ~~property~~ receives the original documents provided by the  
3126 claimant or the seller for any claim. Each claim filed by a  
3127 claimant ~~claimant's~~ representative ~~or a buyer of unclaimed~~  
3128 ~~property~~ must include a statement by the claimant ~~claimant's~~  
3129 representative ~~or the buyer of unclaimed property~~ attesting that  
3130 all documents are true copies of the original documents and that  
3131 all original documents are physically in the possession of the  
3132 claimant ~~claimant's~~ representative ~~or the buyer of unclaimed~~  
3133 ~~property~~. All original documents must be kept in the original  
3134 form, by claim number, under the secure control of the claimant  
3135 ~~claimant's~~ representative ~~or the buyer of unclaimed property~~ and  
3136 must be available for inspection by the department in accordance  
3137 with s. 717.1315. The department may adopt rules to implement  
3138 this subsection.

3139 (11) This section applies to all abandoned unclaimed  
3140 property reported and remitted to the Chief Financial Officer,  
3141 including, but not limited to, property reported pursuant to ss.  
3142 45.032, 732.107, 733.816, and 744.534.

3143 Section 61. Section 717.12403, Florida Statutes, is amended



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3144 to read:

3145 717.12403 Abandoned ~~Unclaimed~~ demand, savings, or checking  
3146 account in a financial institution held in the name of more than  
3147 one person.—

3148 (1) (a) If an abandoned ~~unclaimed~~ demand, savings, or  
3149 checking account in a financial institution is reported as an  
3150 “and” account in the name of two or more persons who are not  
3151 beneficiaries, it is presumed that each person must claim the  
3152 account in order for the claim to be approved by the department.  
3153 This presumption may be rebutted by showing that entitlement to  
3154 the account has been transferred to another person or by clear  
3155 and convincing evidence demonstrating that the account should  
3156 have been reported by the financial institution as an “or”  
3157 account.

3158 (b) If an abandoned ~~unclaimed~~ demand, savings, or checking  
3159 account in a financial institution is reported as an “and”  
3160 account and one of the persons on the account is deceased, it is  
3161 presumed that the account is a survivorship account. This  
3162 presumption may be rebutted by showing that entitlement to the  
3163 account has been transferred to another person or by clear and  
3164 convincing evidence demonstrating that the account is not a  
3165 survivorship account.

3166 (2) If an abandoned ~~unclaimed~~ demand, savings, or checking  
3167 account in a financial institution is reported as an “or”  
3168 account in the name of two or more persons who are not  
3169 beneficiaries, it is presumed that either person listed on the  
3170 account may claim the entire amount held in the account. This  
3171 presumption may be rebutted by showing that entitlement to the  
3172 account has been transferred to another person or by clear and



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3173 convincing evidence demonstrating that the account should have  
3174 been reported by the financial institution as an "and" account.

3175 (3) If an abandoned ~~unclaimed~~ demand, savings, or checking  
3176 account in a financial institution is reported in the name of  
3177 two or more persons who are not beneficiaries without  
3178 identifying whether the account is an "and" account or an "or"  
3179 account, it is presumed that the account is an "or" account.  
3180 This presumption may be rebutted by showing that entitlement to  
3181 the account has been transferred to another person or by clear  
3182 and convincing evidence demonstrating that the account should  
3183 have been reported by the financial institution as an "and"  
3184 account.

3185 (4) The department shall be deemed to have made a  
3186 distribution in good faith if the department remits funds  
3187 consistent with this section.

3188 Section 62. Subsection (2) of section 717.12404, Florida  
3189 Statutes, is amended to read:

3190 717.12404 Claims on behalf of a business entity or trust.—

3191 (2) Claims on behalf of an active or a dissolved  
3192 corporation, a business entity ~~other than an active corporation~~,  
3193 or a trust must include a legible copy of a valid driver license  
3194 of the person acting on behalf of the ~~dissolved~~ corporation,  
3195 business entity ~~other than an active corporation~~, or trust. If  
3196 the person has not been issued a valid driver license, the  
3197 department shall be provided with a legible copy of a  
3198 photographic identification of the person issued by the United  
3199 States, a foreign nation, or a political subdivision or agency  
3200 thereof. In lieu of photographic identification, a notarized  
3201 sworn statement by the person may be provided which affirms the



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3202 person's identity and states the person's full name and address.  
3203 The person must produce his or her photographic identification  
3204 issued by the United States, a state or territory of the United  
3205 States, a foreign nation, or a political subdivision or agency  
3206 thereof or other evidence deemed acceptable by the department by  
3207 rule. The notary shall indicate the notary's full address on the  
3208 notarized sworn statement. Any claim filed without the required  
3209 identification or the sworn statement with the original claim  
3210 form and the original Abandoned Unclaimed Property Recovery  
3211 Agreement or Abandoned Unclaimed Property Purchase Agreement, if  
3212 applicable, is void.

3213 Section 63. Section 717.12405, Florida Statutes, is amended  
3214 to read:

3215 717.12405 Claims by estates.—An estate or any person  
3216 representing an estate or acting on behalf of an estate may  
3217 claim abandoned unclaimed property only after the heir or  
3218 legatee of the decedent entitled to the property has been  
3219 located. Any estate, or any person representing an estate or  
3220 acting on behalf of an estate, that receives abandoned unclaimed  
3221 property before the heir or legatee of the decedent entitled to  
3222 the property has been located, is personally liable for the  
3223 abandoned unclaimed property and must immediately return the  
3224 full amount of the abandoned unclaimed property or the value  
3225 thereof to the department in accordance with s. 717.1341.

3226 Section 64. Section 717.12406, Florida Statutes, is amended  
3227 to read:

3228 717.12406 Joint ownership of abandoned unclaimed securities  
3229 or dividends.—For the purpose of determining joint ownership of  
3230 abandoned unclaimed securities or dividends, the term:



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- 3231 (1) "TEN COM" means tenants in common.
- 3232 (2) "TEN ENT" means tenants by the entireties.
- 3233 (3) "JT TEN" or "JT" means joint tenants with the right of  
3234 survivorship and not as tenants in common.
- 3235 (4) "And" means tenants in common with each person entitled  
3236 to an equal pro rata share.
- 3237 (5) "Or" means that each person listed on the account is  
3238 entitled to all of the funds.
- 3239 Section 65. Section 717.1241, Florida Statutes, is amended  
3240 to read:
- 3241 717.1241 Conflicting claims.—
- 3242 (1) For purposes of this section, the term "conflicting  
3243 claim" means two or more claims received by the department for  
3244 the same abandoned property account or accounts in which two or  
3245 more claimants appear to be equally entitled to the property.  
3246 The term also includes circumstances in which the same claimant  
3247 has more than one claim pending for the same property, including  
3248 when the claimant is represented by more than one claimant  
3249 representative or submits both a personal claim and a claim  
3250 through a representative.
- 3251 (2) When conflicting claims have been received by the  
3252 department for the same abandoned ~~unclaimed~~ property account or  
3253 accounts, the property shall be remitted in accordance with the  
3254 claim filed by the person as follows, notwithstanding the  
3255 withdrawal of a claim:
- 3256 (a) To the person submitting the first claim received by  
3257 the ~~Division of Unclaimed Property of the~~ department that is  
3258 complete or made complete.
- 3259 (b) If a claimant's claim and a claimant ~~claimant's~~



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3260 representative's claim for the recovery of property are received  
3261 by the ~~Division of Unclaimed Property of the~~ department on the  
3262 same day and both claims are complete, to the claimant.

3263 (c) If a buyer's claim or a purchasing claimant  
3264 representative's claim and a claimant's claim or a claimant  
3265 ~~claimant's~~ representative's claim for the recovery of property  
3266 are received by the ~~Division of Unclaimed Property of the~~  
3267 department on the same day and the claims are complete, to the  
3268 buyer.

3269 (d) As between two or more claimant representatives'  
3270 ~~claimant's representative's~~ claims received by the ~~Division of~~  
3271 ~~Unclaimed Property of the~~ department that are complete or made  
3272 complete on the same day, to the claimant ~~claimant's~~  
3273 representative who has agreed to receive the lowest fee. If the  
3274 two or more claimant ~~claimant's~~ representatives whose claims  
3275 received by the ~~Division of Unclaimed Property of the~~ department  
3276 were complete or made complete on the same day are charging the  
3277 same ~~lowest~~ fee, the fee shall be divided equally between the  
3278 claimant ~~claimant's~~ representatives.

3279 (e) If more than one buyer's claim received by the ~~Division~~  
3280 ~~of Unclaimed Property of the~~ department is complete or made  
3281 complete on the same day, the department shall remit the  
3282 abandoned unclaimed property to the buyer who paid the highest  
3283 amount to the seller. If the buyers paid the same amount to the  
3284 seller, the department shall remit the abandoned unclaimed  
3285 property to the buyers divided in equal amounts.

3286 (3) ~~(2)~~ The purpose of this section is solely to provide  
3287 guidance to the department regarding to whom it should remit the  
3288 abandoned unclaimed property and is not intended to extinguish



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3289 or affect any private cause of action that any person may have  
3290 against another person for breach of contract or other statutory  
3291 or common-law remedy. A buyer's sole remedy, if any, shall be  
3292 against the claimant ~~claimant's~~ representative or the seller, or  
3293 both. A claimant ~~claimant's~~ representative's sole remedy, if  
3294 any, shall be against the buyer or the seller, or both. A  
3295 claimant's or seller's sole remedy, if any, shall be against the  
3296 buyer or the claimant ~~claimant's~~ representative, or both.  
3297 Nothing in this section forecloses the right of a person to  
3298 challenge the department's determination of completeness in a  
3299 proceeding under ss. 120.569 and 120.57.

3300 (4) ~~(3)~~ A claim is complete when entitlement to the  
3301 abandoned ~~unclaimed~~ property has been established.

3302 Section 66. Subsection (1) of section 717.1242, Florida  
3303 Statutes, is amended to read:

3304 717.1242 Restatement of jurisdiction of the circuit court  
3305 sitting in probate and the department.—

3306 (1) It is and has been the intent of the Legislature that,  
3307 pursuant to s. 26.012(2)(b), circuit courts have jurisdiction of  
3308 proceedings relating to the settlement of the estates of  
3309 decedents and other jurisdiction usually pertaining to courts of  
3310 probate. It is and has been the intent of the Legislature that,  
3311 pursuant to this chapter, the department determines the merits  
3312 of claims and entitlement to abandoned ~~unclaimed~~ property paid  
3313 or delivered to the department under this chapter. Consistent  
3314 with this legislative intent, any beneficiary, devisee, heir,  
3315 personal representative, or other interested person, as those  
3316 terms are defined in the Florida Probate Code and the Florida  
3317 Trust Code, of an estate seeking to obtain property paid or



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3318 delivered to the department under this chapter must file a claim  
3319 with the department as provided in s. 717.124.

3320 Section 67. Subsections (1) and (4) of section 717.1243,  
3321 Florida Statutes, are amended to read:

3322 717.1243 Small estate accounts.—

3323 (1) A claim for abandoned ~~unclaimed~~ property made by a  
3324 beneficiary, as defined in s. 731.201, of a deceased owner need  
3325 not be accompanied by an order of a probate court if the  
3326 claimant files with the department an affidavit, signed by all  
3327 beneficiaries, stating that all the beneficiaries have amicably  
3328 agreed among themselves upon a division of the estate and that  
3329 all funeral expenses, expenses of the last illness, and any  
3330 other lawful claims have been paid, and any additional  
3331 information reasonably necessary to make a determination of  
3332 entitlement. If the owner died testate, the claim shall be  
3333 accompanied by a copy of the will.

3334 (4) This section applies only if all of the abandoned  
3335 ~~unclaimed~~ property held by the department on behalf of the owner  
3336 has an aggregate value of \$20,000 or less and no probate  
3337 proceeding is pending.

3338 Section 68. Section 717.1244, Florida Statutes, is amended  
3339 to read:

3340 717.1244 Determinations of abandoned ~~unclaimed~~ property  
3341 claims.—In rendering a determination regarding the merits of an  
3342 abandoned ~~unclaimed~~ property claim, the department shall rely on  
3343 the applicable statutory, regulatory, common, and case law.  
3344 Agency statements applying the statutory, regulatory, common,  
3345 and case law to abandoned ~~unclaimed~~ property claims are not  
3346 agency statements subject to s. 120.56(4).



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3347 Section 69. Section 717.1245, Florida Statutes, is amended  
3348 to read:

3349 717.1245 Garnishment of abandoned ~~unclaimed~~ property.—If  
3350 any person files a petition for writ of garnishment seeking to  
3351 obtain property paid or delivered to the department under this  
3352 chapter, the petitioner shall be ordered to pay the department  
3353 reasonable costs and attorney ~~attorney's~~ fees in any proceeding  
3354 brought by the department to oppose, appeal, or collaterally  
3355 attack the petition or writ if the department is the prevailing  
3356 party in any such proceeding.

3357 Section 70. Subsection (1) of section 717.125, Florida  
3358 Statutes, is amended to read:

3359 717.125 Claim of another state to recover property;  
3360 procedure.—

3361 (1) At any time after property has been paid or delivered  
3362 to the department under this chapter, another state may recover  
3363 the property if:

3364 (a) The property was subjected to custody by this state  
3365 because the records of the holder did not reflect the last known  
3366 address of the apparent owner when the property was presumed  
3367 abandoned ~~unclaimed~~ under this chapter, and the other state  
3368 establishes that the last known address of the apparent owner or  
3369 other person entitled to the property was in that state and  
3370 under the laws of that state the property escheated to or was  
3371 subject to a claim of abandonment or being unclaimed by that  
3372 state;

3373 (b) The last known address of the apparent owner or other  
3374 person entitled to the property, as reflected by the records of  
3375 the holder, is in the other state and under the laws of that



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3376 state the property has escheated to or become subject to a claim  
3377 of abandonment by that state;

3378 (c) The records of the holder were erroneous in that they  
3379 did not accurately reflect the actual owner of the property and  
3380 the last known address of the actual owner is in the other state  
3381 and under laws of that state the property escheated to or was  
3382 subject to a claim of abandonment by that state;

3383 (d) The property was subject to custody by this state under  
3384 s. 717.103(6) and under the laws of the state of domicile of the  
3385 holder the property has escheated to or become subject to a  
3386 claim of abandonment by that state; or

3387 (e) The property is the sum payable on a traveler's check,  
3388 money order, or other similar instrument that was subjected to  
3389 custody by this state under s. 717.104, and the instrument was  
3390 purchased in the other state, and under the laws of that state  
3391 the property escheated to or became subject to a claim of  
3392 abandonment by that state.

3393 Section 71. Subsection (1) of section 717.126, Florida  
3394 Statutes, is amended to read:

3395 717.126 Administrative hearing; burden of proof; proof of  
3396 entitlement; venue.—

3397 (1) Any person aggrieved by a decision of the department  
3398 may petition for a hearing as provided in ss. 120.569 and  
3399 120.57. In any proceeding for determination of a claim to  
3400 property paid or delivered to the department under this chapter,  
3401 the burden shall be upon the claimant to establish entitlement  
3402 to the property by a preponderance of evidence. Having the same  
3403 name as that reported to the department is not sufficient, in  
3404 the absence of other evidence, to prove entitlement to abandoned



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3405 ~~unclaimed~~ property.

3406           Section 72. Section 717.1261, Florida Statutes, is amended  
3407 to read:

3408           717.1261 Death certificates.—Any person who claims  
3409 entitlement to abandoned ~~unclaimed~~ property by means of the  
3410 death of one or more persons shall file a copy of the death  
3411 certificate of the decedent or decedents that has been certified  
3412 as being authentic by the issuing governmental agency.

3413           Section 73. Section 717.1262, Florida Statutes, is amended  
3414 to read:

3415           717.1262 Court documents.—Any person who claims entitlement  
3416 to abandoned ~~unclaimed~~ property by reason of a court document  
3417 shall file a certified copy of the court document with the  
3418 department. A certified copy of each pleading filed with the  
3419 court to obtain a court document establishing entitlement, filed  
3420 within 180 days before the date the claim form was signed by the  
3421 claimant or claimant ~~claimant's~~ representative, must also be  
3422 filed with the department.

3423           Section 74. Section 717.129, Florida Statutes, is amended  
3424 to read:

3425           717.129 Periods of limitation.—

3426           (1) The expiration before or after July 1, 1987, of any  
3427 period of time specified by contract, statute, or court order,  
3428 during which a claim for money or property may be made or during  
3429 which an action or proceeding may be commenced or enforced to  
3430 obtain payment of a claim for money or to recover property, does  
3431 not prevent the money or property from being presumed abandoned  
3432 ~~unclaimed~~ or affect any duty to file a report or to pay or  
3433 deliver abandoned ~~unclaimed~~ property to the department as



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3434 required by this chapter.

3435 (2) The department may not commence an action or proceeding  
3436 to enforce this chapter with respect to the reporting, payment,  
3437 or delivery of property or any other duty of a holder under this  
3438 chapter more than 10 years after the duty arose. The period of  
3439 limitation established under this subsection is tolled by the  
3440 earlier of the department's or audit agent's delivery of a  
3441 notice that a holder is subject to an audit or examination under  
3442 s. 717.1301 or the holder's written election to enter into an  
3443 abandoned unclaimed property voluntary disclosure agreement.

3444 Section 75. Subsections (3) and (4) of section 717.1301,  
3445 Florida Statutes, are amended to read:

3446 717.1301 Investigations; examinations; subpoenas.—

3447 (3) The department may authorize a compliance review of a  
3448 report for a specified reporting year. The review must be  
3449 limited to the contents of the report filed, as required by s.  
3450 717.117 and subsection (2), and all supporting documents related  
3451 to the reports. If the review results in a finding of a  
3452 deficiency in abandoned unclaimed property due and payable to  
3453 the department, the department shall notify the holder in  
3454 writing of the amount of deficiency within 1 year after the  
3455 authorization of the compliance review. If the holder fails to  
3456 pay the deficiency within 90 days, the department may seek to  
3457 enforce the assessment under subsection (1). The department is  
3458 not required to conduct a review under this section before  
3459 initiating an audit.

3460 (4) Notwithstanding any other provision of law, in a  
3461 contract providing for the location or collection of abandoned  
3462 unclaimed property, the department may authorize the contractor



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3463 to deduct its fees and expenses for services provided under the  
3464 contract from the abandoned ~~unclaimed~~ property that the  
3465 contractor has recovered or collected under the contract. The  
3466 department shall annually report to the Chief Financial Officer  
3467 the total amount collected or recovered by each contractor  
3468 during the previous fiscal year and the total fees and expenses  
3469 deducted by each contractor.

3470 Section 76. Section 717.1315, Florida Statutes, is amended  
3471 to read:

3472 717.1315 Retention of records by claimant ~~claimant's~~  
3473 representatives and buyers of abandoned ~~unclaimed~~ property.-

3474 (1) Every claimant ~~claimant's~~ representative and buyer of  
3475 abandoned ~~unclaimed~~ property shall keep and use in his or her  
3476 business such books, accounts, and records of the business  
3477 conducted under this chapter to enable the department to  
3478 determine whether such person is complying with this chapter and  
3479 the rules adopted by the department under this chapter. Every  
3480 claimant ~~claimant's~~ representative and buyer of abandoned  
3481 ~~unclaimed~~ property shall preserve such books, accounts, and  
3482 records, including every Abandoned ~~Unclaimed~~ Property Recovery  
3483 Agreement or Abandoned ~~Unclaimed~~ Property Purchase Agreement  
3484 between the owner and such claimant ~~claimant's~~ representative or  
3485 buyer, for at least 3 years after the date of the initial  
3486 agreement.

3487 (2) A claimant ~~claimant's~~ representative or buyer of  
3488 abandoned ~~unclaimed~~ property, operating at two or more places of  
3489 business in this state, may maintain the books, accounts, and  
3490 records of all such offices at any one of such offices, or at  
3491 any other office maintained by such claimant ~~claimant's~~



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3492 representative or buyer of abandoned ~~unclaimed~~ property, upon  
3493 the filing of a written notice with the department designating  
3494 in the written notice the office at which such records are  
3495 maintained.

3496 (3) A claimant ~~claimant's~~ representative or buyer of  
3497 abandoned ~~unclaimed~~ property shall make all books, accounts, and  
3498 records available at a convenient location in this state upon  
3499 request of the department.

3500 Section 77. Subsection (2) of section 717.132, Florida  
3501 Statutes, is amended to read:

3502 717.132 Enforcement; cease and desist orders; fines.—

3503 (2) In addition to any other powers conferred upon it to  
3504 enforce and administer the provisions of this chapter, the  
3505 department may issue and serve upon a person an order to cease  
3506 and desist and to take corrective action whenever the department  
3507 finds that such person is violating, has violated, or is about  
3508 to violate any provision of this chapter, any rule or order  
3509 promulgated under this chapter, or any written agreement entered  
3510 into with the department. For purposes of this subsection, the  
3511 term "corrective action" includes refunding excessive charges,  
3512 requiring a person to return abandoned ~~unclaimed~~ property,  
3513 requiring a holder to remit abandoned ~~unclaimed~~ property, and  
3514 requiring a holder to correct a report that contains errors or  
3515 omissions. Any such order shall contain a notice of rights  
3516 provided by ss. 120.569 and 120.57.

3517 Section 78. Paragraphs (c), (d), and (j) of subsection (1),  
3518 subsections (2) and (3), paragraph (b) of subsection (4), and  
3519 subsection (5) of section 717.1322, Florida Statutes, are  
3520 amended to read:



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3521 717.1322 Administrative and civil enforcement.—

3522 (1) The following acts are violations of this chapter and  
3523 constitute grounds for an administrative enforcement action by  
3524 the department in accordance with the requirements of chapter  
3525 120 and for civil enforcement by the department in a court of  
3526 competent jurisdiction:

3527 (c) ~~Fraudulent~~ Misrepresentation, circumvention, or  
3528 concealment of any matter required to be stated or furnished to  
3529 the department or to an owner or apparent owner under this  
3530 ~~chapter, regardless of reliance by or damage to the owner or~~  
3531 ~~apparent owner.~~

3532 (d) ~~Willful~~ Imposition of illegal or excessive charges in  
3533 any abandoned unclaimed property transaction.

3534 (j) Requesting or receiving compensation for notifying a  
3535 person of his or her abandoned unclaimed property or assisting  
3536 another person in filing a claim for abandoned unclaimed  
3537 ~~property, unless the person is an attorney licensed to practice~~  
3538 ~~law in this state, a Florida-certified public accountant, or a~~  
3539 ~~private investigator licensed under chapter 493, or entering~~  
3540 ~~into, or making a solicitation to enter into, an agreement to~~  
3541 ~~file a claim for~~ abandoned unclaimed property owned by another,  
3542 unless such person is a registered claimant representative  
3543 ~~registered with the department under this chapter and an~~  
3544 ~~attorney licensed to practice law in this state in the regular~~  
3545 ~~practice of her or his profession, a Florida-certified public~~  
3546 ~~accountant who is acting within the scope of the practice of~~  
3547 ~~public accounting as defined in chapter 473, or a private~~  
3548 ~~investigator licensed under chapter 493.~~ This paragraph does not  
3549 apply to a person who has been granted a durable power of



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3550 attorney to convey and receive all of the real and personal  
3551 property of the owner, is the court-appointed guardian of the  
3552 owner, has been employed as an attorney or qualified  
3553 representative to contest the department's denial of a claim, or  
3554 has been employed as an attorney to probate the estate of the  
3555 owner or an heir or legatee of the owner.

3556 (2) Upon a finding by the department that any person has  
3557 committed any of the acts set forth in subsection (1), the  
3558 department may enter an order doing any of the following:

3559 (a) Revoking for a minimum of 5 years or suspending for a  
3560 maximum of 5 years a registration previously granted under this  
3561 chapter during which time the registrant may not reapply for a  
3562 registration under this chapter.~~†~~

3563 (b) Placing a claimant representative ~~registrant~~ or an  
3564 applicant for a registration on probation for a period of time  
3565 and subject to such conditions as the department may specify.~~†~~

3566 (c) Placing permanent restrictions or conditions upon  
3567 issuance or maintenance of a registration under this chapter.~~†~~

3568 (d) Issuing a reprimand.~~†~~

3569 (e) Imposing an administrative fine not to exceed \$2,000  
3570 for each such act.~~†~~~~or~~

3571 (f) Prohibiting any person from being a director, officer,  
3572 agent, employee, or ultimate equitable owner of a 10 percent ~~10-~~  
3573 ~~percent~~ or greater interest in an employer of a claimant  
3574 representative ~~registrant~~.

3575 (3) A claimant ~~claimant's~~ representative is subject to  
3576 civil enforcement and the disciplinary actions specified in  
3577 subsection (2) for violations of subsection (1) by an agent or  
3578 employee of the claimant representative's ~~registrant's~~ employer



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3579 if the claimant ~~claimant's~~ representative knew or should have  
3580 known that such agent or employee was violating any provision of  
3581 this chapter.

3582 (4)

3583 (b) The disciplinary guidelines shall specify a meaningful  
3584 range of designated penalties based upon the severity or  
3585 repetition of specific offenses, or both. It is the legislative  
3586 intent that minor violations be distinguished from more serious  
3587 violations; that such guidelines consider the amount of the  
3588 claim involved, the complexity of locating the owner, the steps  
3589 taken to ensure the accuracy of the claim by the person filing  
3590 the claim, the acts of commission and omission of the claimant  
3591 ~~ultimate owners~~ in establishing themselves as rightful owners of  
3592 the funds, the acts of commission or omission of the agent or  
3593 employee of a claimant representative or its ~~an~~ employer in the  
3594 filing of the claim, the actual knowledge of the agent,  
3595 employee, employer, or owner in the filing of the claim, the  
3596 departure, if any, by the agent or employee from the internal  
3597 controls and procedures established by the claimant  
3598 representative or its employer with regard to the filing of a  
3599 claim, the number of defective claims previously filed by the  
3600 agent, employee, employer, or owner; that such guidelines  
3601 provide reasonable and meaningful notice of likely penalties  
3602 that may be imposed for proscribed conduct; and that such  
3603 penalties be consistently applied by the department.

3604 (5) The department may seek any appropriate civil legal  
3605 remedy available to it by filing a civil action in a court of  
3606 competent jurisdiction against any person who has, directly or  
3607 through a claimant ~~claimant's~~ representative, wrongfully



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3608 submitted a claim as the ~~ultimate~~ owner of property and  
3609 improperly received funds from the department in violation of  
3610 this chapter.

3611 Section 79. Subsections (1) and (3) of section 717.133,  
3612 Florida Statutes, are amended to read:

3613 717.133 Interstate agreements and cooperation; joint and  
3614 reciprocal actions with other states.—

3615 (1) The department may enter into agreements with other  
3616 states to exchange information needed to enable this or another  
3617 state to audit or otherwise determine abandoned ~~unclaimed~~  
3618 property that it or another state may be entitled to subject to  
3619 a claim of custody. The department may require the reporting of  
3620 information needed to enable compliance with agreements made  
3621 pursuant to this section and prescribe the form.

3622 (3) At the request of another state, the department may  
3623 bring an action in the name of the other state in any court of  
3624 competent jurisdiction to enforce the abandoned ~~unclaimed~~  
3625 property laws of the other state against a holder in this state  
3626 of property subject to escheat or a claim of abandonment by the  
3627 other state, if the other state has agreed to pay expenses  
3628 incurred in bringing the action.

3629 Section 80. Subsection (2) of section 717.1333, Florida  
3630 Statutes, is amended to read:

3631 717.1333 Evidence; estimations; audit reports and  
3632 worksheets, investigator reports and worksheets, other related  
3633 documents.—

3634 (2) If the records of the holder that are available for the  
3635 periods subject to this chapter are insufficient to permit the  
3636 preparation of a report of the abandoned ~~unclaimed~~ property due



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3637 and owing by a holder, or if the holder fails to provide records  
3638 after being requested to do so, the amount due to the department  
3639 may be reasonably estimated.

3640 Section 81. Paragraph (a) of subsection (1) and subsections  
3641 (2) and (4) of section 717.1341, Florida Statutes, are amended  
3642 to read:

3643 717.1341 Invalid claims, recovery of property, interest and  
3644 penalties.—

3645 (1) (a) A ~~No~~ person may not ~~shall~~ receive abandoned  
3646 ~~unclaimed~~ property that the person is not entitled to receive.  
3647 Any person who receives, or assists another person to receive,  
3648 abandoned ~~unclaimed~~ property that the person is not entitled to  
3649 receive is strictly, jointly, personally, and severally liable  
3650 for the abandoned ~~unclaimed~~ property and shall immediately  
3651 return the property, or the reasonable value of the property if  
3652 the property has been damaged or disposed of, to the department  
3653 plus interest at the rate set in accordance with s. 55.03(1).  
3654 Assisting another person to receive abandoned ~~unclaimed~~ property  
3655 includes executing a claim form on the person's behalf.

3656 (2) The department may maintain a civil or administrative  
3657 action:

3658 (a) To recover abandoned ~~unclaimed~~ property that was paid  
3659 or remitted to a person who was not entitled to the abandoned  
3660 ~~unclaimed~~ property or to offset amounts owed to the department  
3661 against amounts owed to an owner representative;

3662 (b) Against a person who assists another person in  
3663 receiving, or attempting to receive, abandoned ~~unclaimed~~  
3664 property that the person is not entitled to receive; or

3665 (c) Against a person who attempts to receive abandoned



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3666 ~~unclaimed~~ property that the person is not entitled to receive.

3667 (4) A ~~No~~ person may not ~~shall~~ knowingly file, knowingly  
3668 conspire to file, or knowingly assist in filing, a claim for  
3669 abandoned ~~unclaimed~~ property the person is not entitled to  
3670 receive. Any person who violates this subsection regarding  
3671 abandoned ~~unclaimed~~ property of an aggregate value:

3672 (a) Greater than \$50,000, commits ~~is guilty of~~ a felony of  
3673 the first degree, punishable as provided in s. 775.082, s.  
3674 775.083, or s. 775.084;

3675 (b) Greater than \$10,000 up to \$50,000, commits ~~is guilty~~  
3676 ~~of~~ a felony of the second degree, punishable as provided in s.  
3677 775.082, s. 775.083, or s. 775.084;

3678 (c) Greater than \$250 up to \$10,000, commits ~~is guilty of~~ a  
3679 felony of the third degree, punishable as provided in s.  
3680 775.082, s. 775.083, or s. 775.084;

3681 (d) Greater than \$50 up to \$250, commits ~~is guilty of~~ a  
3682 misdemeanor of the first degree, punishable as provided in s.  
3683 775.082 or s. 775.083; or

3684 (e) Up to \$50, commits ~~is guilty of~~ a misdemeanor of the  
3685 second degree, punishable as provided in s. 775.082 or s.  
3686 775.083.

3687 Section 82. Section 717.135, Florida Statutes, is amended  
3688 to read:

3689 717.135 Recovery agreements and purchase agreements for  
3690 claims filed by a claimant ~~claimant's~~ representative; fees and  
3691 costs or total net gain.—

3692 (1) In order to protect the interests of owners of  
3693 abandoned ~~unclaimed~~ property, the department shall adopt by rule  
3694 a form entitled "Abandoned ~~Unclaimed~~ Property Recovery



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3695 Agreement" and a form entitled "Abandoned Unclaimed Property  
3696 Purchase Agreement."

3697 (2) The Abandoned Unclaimed Property Recovery Agreement and  
3698 the Abandoned Unclaimed Property Purchase Agreement must include  
3699 and disclose all of the following:

3700 (a) The total dollar amount of abandoned unclaimed property  
3701 accounts claimed or sold.

3702 (b) The total percentage of all authorized fees and costs  
3703 to be paid to the claimant claimant's representative or the  
3704 percentage of the value of the property to be paid as net gain  
3705 to the purchasing claimant claimant's representative.

3706 (c) The total dollar amount to be deducted and received  
3707 from the claimant as fees and costs by the claimant claimant's  
3708 representative or the total net dollar amount to be received by  
3709 the purchasing claimant claimant's representative.

3710 (d) The net dollar amount to be received by the claimant or  
3711 the seller.

3712 (e) For each account claimed, the abandoned unclaimed  
3713 property account number.

3714 (f) For the Abandoned Unclaimed Property Purchase  
3715 Agreement, a statement that the amount of the purchase price  
3716 will be remitted to the seller by the purchaser within 30 days  
3717 after the execution of the agreement by the seller.

3718 (g) The name, address, e-mail address, phone number, and  
3719 license number of the claimant claimant's representative.

3720 (h)1. The manual signature of the claimant or seller and  
3721 the date signed, affixed on the agreement by the claimant or  
3722 seller.

3723 2. Notwithstanding any other provision of this chapter to



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3724 the contrary, the department may allow ~~an apparent owner, who is~~  
3725 ~~also~~ the claimant or seller, to sign the agreement  
3726 electronically. All electronic signatures on the Abandoned  
3727 ~~Unclaimed~~ Property Recovery Agreement and the Abandoned  
3728 ~~Unclaimed~~ Property Purchase Agreement must be affixed on the  
3729 agreement by the claimant or seller using the specific,  
3730 exclusive eSignature product and protocol authorized by the  
3731 department.

3732 (i) The social security number or taxpayer identification  
3733 number of the claimant or seller, if a number has been issued to  
3734 the claimant or seller.

3735 (j) The total fees and costs, or the total discount in the  
3736 case of a purchase agreement, which may not exceed 30 percent of  
3737 the claimed amount. In the case of a recovery agreement, if the  
3738 total fees and costs exceed 30 percent, the fees and costs shall  
3739 be reduced to 30 percent and the net balance shall be remitted  
3740 directly by the department to the claimant. In the case of a  
3741 purchase agreement, if the total net gain of the claimant  
3742 ~~claimant's~~ representative exceeds 30 percent, the claim will be  
3743 denied.

3744 (3) For an Abandoned ~~Unclaimed~~ Property Purchase Agreement  
3745 form, proof that the purchaser has made payment must be filed  
3746 with the department along with the claim. If proof of payment is  
3747 not provided, the claim is void.

3748 (4) A claimant ~~claimant's~~ representative must use the  
3749 Abandoned ~~Unclaimed~~ Property Recovery Agreement or the Abandoned  
3750 ~~Unclaimed~~ Property Purchase Agreement as the exclusive means of  
3751 entering into an agreement or a contract with a claimant or  
3752 seller to file a claim with the department.



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3753 (5) Fees and costs may be owed or paid to, or received by,  
3754 a claimant ~~claimant's~~ representative only after a filed claim  
3755 has been approved and if the claimant's representative used an  
3756 agreement authorized by this section.

3757 (6) A claimant ~~claimant's~~ representative may not use or  
3758 distribute any other agreement of any type, conveyed by any  
3759 method, with respect to the claimant or seller which relates,  
3760 directly or indirectly, to abandoned ~~unclaimed~~ property accounts  
3761 held by the department or the Chief Financial Officer other than  
3762 the agreements authorized by this section. Any engagement,  
3763 authorization, recovery, or fee agreement that is not authorized  
3764 by this section is void. A claimant ~~claimant's~~ representative is  
3765 subject to administrative and civil enforcement under s.  
3766 717.1322 if he or she uses an agreement that is not authorized  
3767 by this section and if the agreement is used to apply, directly  
3768 or indirectly, to abandoned ~~unclaimed~~ property held by this  
3769 state. This subsection does not prohibit lawful nonagreement,  
3770 noncontractual, or advertising communications between or among  
3771 the parties.

3772 (7) The Abandoned ~~Unclaimed~~ Property Recovery Agreement may  
3773 not contain language that makes the agreement irrevocable or  
3774 that creates an assignment of any portion of abandoned ~~unclaimed~~  
3775 property held by the department.

3776 (8) When a claim is approved, the department may pay any  
3777 additional account that is owned by the claimant but has not  
3778 been claimed at the time of approval, provided that a subsequent  
3779 claim has not been filed or is not pending for the claimant at  
3780 the time of approval.

3781 (9) This section does not supersede s. 717.1241.



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3782 ~~(10) This section does not apply to the sale and purchase~~  
3783 ~~of Florida-held unclaimed property accounts through a bankruptcy~~  
3784 ~~estate representative or other person or entity authorized~~  
3785 ~~pursuant to Title XI of the United States Code or an order of a~~  
3786 ~~bankruptcy court to act on behalf or for the benefit of the~~  
3787 ~~debtor, its creditors, and its bankruptcy estate.~~

3788 Section 83. Section 717.1356, Florida Statutes, is created  
3789 to read:

3790 717.1356 Purchase of abandoned property.—

3791 (1) Agreements for the purchase of abandoned property  
3792 reported to the department shall be valid only if all of the  
3793 following conditions are met:

3794 (a) The agreement is entitled "Florida Abandoned Property  
3795 Purchase Agreement" and is in writing, in minimum 12-point type.

3796 (b) The agreement includes the social security number or  
3797 taxpayer identification number of the seller, if a number has  
3798 been issued to the seller; a valid e-mail address, mailing  
3799 address, and telephone number for the seller; and is manually  
3800 signed and dated by the seller with the signature notarized.

3801 (c) The agreement discloses with specificity the nature and  
3802 value of the abandoned property, including the name of the  
3803 apparent owner as shown by the records of the department, the  
3804 name of the holder who remitted the property, the date of last  
3805 contact, and the property category. With respect to the value of  
3806 the abandoned property, the agreement must contain the  
3807 following:

3808 1. The total dollar amount of all abandoned property to be  
3809 sold.

3810 2. The total percentage of the value of the abandoned



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3811 property to be paid as net gain to the purchaser.  
3812 3. The total net dollar amount to be received by the  
3813 purchaser.  
3814 4. The net dollar amount to be received by the seller.  
3815 (d) The agreement states the abandoned property account  
3816 number for each abandoned property account sold.  
3817 (e) The purchase price does not discount the total value of  
3818 all abandoned property subject to the sale by more than 30  
3819 percent.  
3820 (f) The agreement states that the amount of the purchase  
3821 price will be remitted to the seller by the purchaser within 30  
3822 days after the execution of the agreement by the seller.  
3823 (g) The agreement includes the name, address, e-mail  
3824 address, and phone number of the purchaser.  
3825 (h) The agreement states that the abandoned property is  
3826 currently in the department's custody and that the seller can  
3827 claim the property directly from the department on its  
3828 electronically searchable website without being charged a fee.  
3829 The agreement must provide the department's website address.  
3830 (2) A seller may cancel a purchase agreement without  
3831 penalty or obligation within 15 business days after the date on  
3832 which the agreement was executed. The agreement must contain the  
3833 following language in minimum 12-point type: "You may cancel  
3834 this agreement for any reason without penalty or obligation to  
3835 you within 15 days after the date of this agreement by providing  
3836 notice to . . .(name of purchaser). . ., submitted in writing  
3837 and sent by certified mail, return receipt requested, or other  
3838 form of mailing that provides proof thereof, at the address or  
3839 e-mail address specified in the agreement."



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3840           (3) A copy of an executed Florida Abandoned Property  
3841 Purchase Agreement must be filed with the purchaser's claim,  
3842 along with proof that the purchaser has made payment in full,  
3843 and all other required documentation. If proof of payment is not  
3844 provided, the department may not approve the claim.

3845           (4) A purchase agreement under this section which discounts  
3846 the value of abandoned property by more than the amount  
3847 authorized in paragraph (1) (e) is enforceable only by the  
3848 seller.

3849           (5) (a) For purposes of this subsection, the term:

3850           1. "Asset purchaser" means a business association that has  
3851 purchased property from a large business association.

3852           2. "Large business association" means a business  
3853 association or group of business associations which:

3854           a. Generates \$100 million or more in annual gross receipts  
3855 or sales;

3856           b. Employs 100 or more full-time employees in the United  
3857 States; or

3858           c. Has equity securities publicly traded on an exchange  
3859 regulated by the United States Securities and Exchange  
3860 Commission.

3861           (b) Claims filed by an asset purchaser under this section  
3862 must include:

3863           1. A complete copy of the asset purchase agreement or  
3864 similar contract between the asset purchaser and the seller; and

3865           2. An attestation by the seller, either in the asset  
3866 purchase agreement or in a separate written affirmation from the  
3867 owner, that the owner:

3868           a. Is a large business association as defined in paragraph



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3869 (a); and  
3870 b. Is aware that it is selling unclaimed property that may  
3871 be recovered from the administrator without paying a fee.  
3872 (c) If the seller is a publicly traded entity, the asset  
3873 purchaser may provide a copy, or a link to an online copy, of  
3874 the most recent Form 10K filed with the United States Securities  
3875 and Exchange Commission in lieu of the attestation required by  
3876 subparagraph (b)2.  
3877 (d) This subsection does not apply to asset purchase  
3878 agreements involving the assets of a business association  
3879 arising out of a bankruptcy proceeding under Title 11 of the  
3880 United States Code or corporate dissolution or a similar  
3881 proceeding under applicable state law, such as receiverships and  
3882 assignments for the benefit of creditors.  
3883 (e) This subsection does not apply to asset purchase  
3884 agreements between an asset purchaser and sellers that comprise  
3885 a large business association.  
3886 (f) The requirements of this subsection apply only to  
3887 claims filed based on asset purchase agreements executed on or  
3888 after the effective date of this act.  
3889 (g) This subsection does not limit the ability of the  
3890 department to request or receive additional evidence sufficient  
3891 to establish to the satisfaction of the department that the  
3892 claimant is the owner of the property pursuant to this chapter.  
3893 (h) The department may adopt rules to implement this  
3894 subsection. The department may change by administrative rule the  
3895 annual gross receipts or sales threshold to an amount less than  
3896 \$100 million as specified in sub-subparagraph (a)2.a.  
3897 Section 84. Section 717.138, Florida Statutes, is amended



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3898 to read:

3899           717.138 Rulemaking authority.—The department shall  
3900 administer and provide for the enforcement of this chapter. The  
3901 department has authority to adopt rules pursuant to ss.  
3902 120.536(1) and 120.54 to implement the provisions of this  
3903 chapter. The department may adopt rules to allow for electronic  
3904 filing of fees, forms, and reports required by this chapter. The  
3905 authority to adopt rules pursuant to this chapter applies to all  
3906 abandoned ~~unclaimed~~ property reported and remitted to the Chief  
3907 Financial Officer, including, but not limited to, property  
3908 reported and remitted pursuant to ss. 45.032, 732.107, 733.816,  
3909 and 744.534.

3910           Section 85. Section 717.1382, Florida Statutes, is amended  
3911 to read:

3912           717.1382 United States savings bond; abandoned ~~unclaimed~~  
3913 property; escheatment; procedure.—

3914           (1) Notwithstanding any other provision of law, a United  
3915 States savings bond in possession of the department or  
3916 registered to a person with a last known address in the state,  
3917 including a bond that is lost, stolen, or destroyed, is presumed  
3918 abandoned ~~and unclaimed~~ 5 years after the bond reaches maturity  
3919 and no longer earns interest and shall be reported and remitted  
3920 to the department by the financial institution or other holder  
3921 in accordance with ss. 717.117(5) and (11) ~~ss. 717.117(1) and~~  
3922 ~~(5)~~ and 717.119, if the department is not in possession of the  
3923 bond.

3924           (2) (a) After a United States savings bond is abandoned ~~and~~  
3925 ~~unclaimed~~ in accordance with subsection (1), the department may  
3926 commence a civil action in a court of competent jurisdiction in



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3927 Leon County for a determination that the bond shall escheat to  
3928 the state. Upon determination of escheatment, all property  
3929 rights to the bond or proceeds from the bond, including all  
3930 rights, powers, and privileges of survivorship of an owner, co-  
3931 owner, or beneficiary, shall vest solely in the state.

3932 (b) Service of process by publication may be made on a  
3933 party in a civil action pursuant to this section. A notice of  
3934 action shall state the name of any known owner of the bond, the  
3935 nature of the action or proceeding in short and simple terms,  
3936 the name of the court in which the action or proceeding is  
3937 instituted, and an abbreviated title of the case.

3938 (c) The notice of action shall require a person claiming an  
3939 interest in the bond to file a written defense with the clerk of  
3940 the court and serve a copy of the defense by the date fixed in  
3941 the notice. The date must not be less than 28 or more than 60  
3942 days after the first publication of the notice.

3943 (d) The notice of action shall be published once a week for  
3944 4 consecutive weeks in a newspaper of general circulation  
3945 published in Leon County. Proof of publication shall be placed  
3946 in the court file.

3947 (e)1. If no person files a claim with the court for the  
3948 bond and if the department has substantially complied with the  
3949 provisions of this section, the court shall enter a default  
3950 judgment that the bond, or proceeds from such bond, has  
3951 escheated to the state.

3952 2. If a person files a claim for one or more bonds and,  
3953 after notice and hearing, the court determines that the claimant  
3954 is not entitled to the bonds claimed by such claimant, the court  
3955 shall enter a judgment that such bonds, or proceeds from such



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3956 bonds, have escheated to the state.

3957           3. If a person files a claim for one or more bonds and,  
3958 after notice and hearing, the court determines that the claimant  
3959 is entitled to the bonds claimed by such claimant, the court  
3960 shall enter a judgment in favor of the claimant.

3961           (3) The department may redeem a United States savings bond  
3962 escheated to the state pursuant to this section or, in the event  
3963 that the department is not in possession of the bond, seek to  
3964 obtain the proceeds from such bond. Proceeds received by the  
3965 department shall be deposited in accordance with s. 717.123.

3966           Section 86. Section 717.139, Florida Statutes, is amended  
3967 to read:

3968           717.139 Uniformity of application and construction.—

3969           (1) The Legislature finds that laws governing abandoned  
3970 property serve a vital public purpose by protecting the property  
3971 rights of owners, facilitating the return abandoned property to  
3972 its owners, preventing private escheatment, and ensuring that  
3973 abandoned assets are preserved and safeguarded from waste or  
3974 misuse. It is the public policy of the state to protect the  
3975 interests of owners of abandoned ~~unclaimed~~ property. ~~It is~~  
3976 ~~declared to be in the best interests of owners of unclaimed~~  
3977 ~~property that such owners receive the full amount of any~~  
3978 ~~unclaimed property without any fee.~~

3979           (2) This chapter shall be applied and construed as to  
3980 effectuate its general purpose of protecting the interest of  
3981 missing owners of abandoned property, while providing that the  
3982 benefit of all ~~unclaimed and~~ abandoned property shall go to all  
3983 the people of the state, and to make uniform the law with  
3984 respect to the subject of this chapter among states enacting it.



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3985 It is the intent of the Legislature that property reported under  
3986 this chapter remains the property of the owner and that the  
3987 State of Florida acts solely as a custodian, not as the owner,  
3988 of such property. Title to abandoned property may not transfer  
3989 to the state except as expressly provided by law and only after  
3990 all reasonable efforts to identify and return the property to  
3991 its rightful owner have been exhausted.

3992 Section 87. Section 717.1400, Florida Statutes, is amended  
3993 to read:

3994 717.1400 Registration.—

3995 (1) In order to file claims as a claimant ~~claimant's~~  
3996 representative, receive a distribution of fees and costs for  
3997 approved claims from the department, and obtain information  
3998 regarding abandoned ~~unclaimed~~ property dollar amounts and  
3999 numbers of reported shares of stock held by the department, an  
4000 individual must meet all of the following requirements:

4001 (a) Be one of the following:

4002 1. A Florida-licensed private investigator holding a Class  
4003 "C" individual license under chapter 493;

4004 2. A Florida-certified public accountant; or

4005 3. A Florida-licensed attorney.

4006 (b) Have obtained a certificate of registration from ~~Must~~  
4007 register with the department.

4008 (2) An application for registration as a claimant  
4009 representative must be submitted in writing on a form prescribed  
4010 by the department and must be accompanied by all of the  
4011 following:

4012 (a) A legible color copy of the applicant's current driver  
4013 license showing the full name and current address of such



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4014 person. If a current driver license is not available, another  
4015 form of photo identification must be provided which shows the  
4016 full name and current address of such person.

4017 (b) If the applicant is a private investigator:

4018 1. ~~on such form as the department prescribes by rule and~~  
4019 ~~must be verified by the applicant. To register with the~~  
4020 ~~department, a private investigator must provide:~~

4021 ~~(a) A legible copy of the applicant's Class "A" business~~  
4022 ~~license under chapter 493 or that of the applicant's firm or~~  
4023 ~~employer which holds a Class "A" business license under chapter~~  
4024 ~~493; and-~~

4025 2. ~~(b) A legible copy of the applicant's Class "C"~~  
4026 ~~individual license issued under chapter 493.~~

4027 (c) If the applicant is a certified public accountant, the  
4028 applicant's Florida Board of Accountancy number.

4029 (d) If the applicant is a licensed attorney, the  
4030 applicant's Florida Bar number.

4031 ~~(e) The business address, and telephone number, tax~~  
4032 ~~identification number, and state of domicile or incorporation of~~  
4033 ~~the applicant's private investigative firm or employer.~~

4034 ~~(f) The names of agents, or employees, or independent~~  
4035 ~~contractors, if any, who are designated or authorized to act on~~  
4036 ~~behalf of the applicant private investigator, together with a~~  
4037 ~~legible color copy of their photo identification issued by an~~  
4038 ~~agency of the United States, or a state, or a political~~  
4039 ~~subdivision thereof.~~

4040 (g) A statement that the applicant has not, during the 5-  
4041 year period immediately preceding the submission of the  
4042 application, violated any part of the Florida Disposition of



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4043 Abandoned Personal Property Act.

4044 (h) A statement that the applicant has not been convicted  
4045 of, or plead guilty to, a felony or any offense involving moral  
4046 turpitude; dishonesty; deceit; or breach of fiduciary duty,  
4047 including theft, attempted theft, falsification, tampering with  
4048 records, securing writings by deception, fraud, forgery, or  
4049 perjury.

4050 (i)(e) Sufficient information to enable the department to  
4051 disburse funds by electronic funds transfer.

4052 (j) The applicant's notarized signature immediately  
4053 following an acknowledgment that any false or perjured statement  
4054 subjects the applicant to criminal liability under the laws of  
4055 this state

4056 ~~(f) The tax identification number of the private~~  
4057 ~~investigator's firm or employer which holds a Class "A" business~~  
4058 ~~license under chapter 493.~~

4059 ~~(2) In order to file claims as a claimant's representative,~~  
4060 ~~receive a distribution of fees and costs from the department,~~  
4061 ~~and obtain unclaimed property dollar amounts and numbers of~~  
4062 ~~reported shares of stock held by the department, a Florida-~~  
4063 ~~certified public accountant must register with the department on~~  
4064 ~~such form as the department prescribes by rule and must be~~  
4065 ~~verified by the applicant. To register with the department, a~~  
4066 ~~Florida-certified public accountant must provide:~~

4067 ~~(a) The applicant's Florida Board of Accountancy number.~~

4068 ~~(b) A legible copy of the applicant's current driver~~  
4069 ~~license showing the full name and current address of such~~  
4070 ~~person. If a current driver license is not available, another~~  
4071 ~~form of identification showing the full name and current address~~



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4072 ~~of such person or persons shall be filed with the department.~~

4073 ~~(c) The business address and telephone number of the~~  
4074 ~~applicant's public accounting firm or employer.~~

4075 ~~(d) The names of agents or employees, if any, who are~~  
4076 ~~designated to act on behalf of the Florida-certified public~~  
4077 ~~accountant, together with a legible copy of their photo~~  
4078 ~~identification issued by an agency of the United States, or a~~  
4079 ~~state, or a political subdivision thereof.~~

4080 ~~(e) Sufficient information to enable the department to~~  
4081 ~~disburse funds by electronic funds transfer.~~

4082 ~~(f) The tax identification number of the accountant's~~  
4083 ~~public accounting firm employer.~~

4084 ~~(3) In order to file claims as a claimant's representative,~~  
4085 ~~receive a distribution of fees and costs from the department,~~  
4086 ~~and obtain unclaimed property dollar amounts and numbers of~~  
4087 ~~reported shares of stock held by the department, an attorney~~  
4088 ~~licensed to practice in this state must register with the~~  
4089 ~~department on such form as the department prescribes by rule and~~  
4090 ~~must be verified by the applicant. To register with the~~  
4091 ~~department, such attorney must provide:~~

4092 ~~(a) The applicant's Florida Bar number.~~

4093 ~~(b) A legible copy of the applicant's current driver~~  
4094 ~~license showing the full name and current address of such~~  
4095 ~~person. If a current driver license is not available, another~~  
4096 ~~form of identification showing the full name and current address~~  
4097 ~~of such person or persons shall be filed with the department.~~

4098 ~~(c) The business address and telephone number of the~~  
4099 ~~applicant's firm or employer.~~

4100 ~~(d) The names of agents or employees, if any, who are~~



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4101 ~~designated to act on behalf of the attorney, together with a~~  
4102 ~~legible copy of their photo identification issued by an agency~~  
4103 ~~of the United States, or a state, or a political subdivision~~  
4104 ~~thereof.~~

4105 ~~(e) Sufficient information to enable the department to~~  
4106 ~~disburse funds by electronic funds transfer.~~

4107 ~~(f) The tax identification number of the attorney's firm or~~  
4108 ~~employer.~~

4109 ~~(4)~~ Information and documents already on file with the  
4110 department before the effective date of this provision need not  
4111 be resubmitted in order to complete the registration.

4112 ~~(4)~~~~(5)~~ If a material change in the status of a registration  
4113 occurs, the claimant representative ~~a registrant~~ must, within 30  
4114 days, provide the department with the updated documentation and  
4115 information in writing. Material changes include, but are not  
4116 limited to, the following, ~~+~~ a designated agent or employee  
4117 ceasing to act on behalf of the designating person, a surrender,  
4118 suspension, or revocation of a license, or a license renewal.

4119 (a) If a designated agent or employee ceases to act on  
4120 behalf of the person who has designated the agent or employee to  
4121 act on such person's behalf, the designating person must, within  
4122 30 days, inform the department ~~the Division of Unclaimed~~  
4123 ~~Property~~ in writing of the termination of agency or employment.

4124 (b) If a registrant surrenders the registrant's license or  
4125 the license is suspended or revoked, the registrant must, within  
4126 30 days, inform the division in writing of the surrender,  
4127 suspension, or revocation.

4128 (c) If a private investigator's Class "C" individual  
4129 license under chapter 493 or a private investigator's employer's



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4130 Class "A" business license under chapter 493 is renewed, the  
4131 private investigator must provide a copy of the renewed license  
4132 to the department within 30 days after the receipt of the  
4133 renewed license by the private investigator or the private  
4134 investigator's employer.

4135 (5)(6) An applicant's claimant representative's A  
4136 ~~registrant's~~ firm or employer may not have a name that might  
4137 lead another person to conclude that the claimant  
4138 representative's ~~registrant's~~ firm or employer is affiliated or  
4139 associated with the United States, or an agency thereof, or a  
4140 state or an agency or political subdivision of a state. The  
4141 department shall deny an application for registration or revoke  
4142 a registration if the applicant's or claimant representative's  
4143 ~~registrant's~~ firm or employer has a name that might lead another  
4144 person to conclude that the firm or employer is affiliated or  
4145 associated with the United States, or an agency thereof, or a  
4146 state or an agency or political subdivision of a state. Names  
4147 that might lead another person to conclude that the firm or  
4148 employer is affiliated or associated with the United States, or  
4149 an agency thereof, or a state or an agency or political  
4150 subdivision of a state, include, but are not limited to, the  
4151 words United States, Florida, state, bureau, division,  
4152 department, or government.

4153 (6)(7) The licensing and other requirements of this section  
4154 must be maintained as a condition of registration with the  
4155 department.

4156 (7) To maintain active registration under this section, a  
4157 claimant representative must file and obtain payment on at least  
4158 10 claims per calendar year following the date of initial



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4159 registration.

4160 (a) If a claimant representative fails to meet this  
4161 requirement, the department must notify the claimant  
4162 representative in writing and provide 30 days to demonstrate  
4163 compliance or good cause for noncompliance.

4164 (b) If the claimant representative does not cure the  
4165 deficiency or demonstrate good cause within the time provided,  
4166 the department must revoke the registration.

4167 (c) A claimant representative whose registration is revoked  
4168 under this subsection may not reapply for registration under  
4169 this section for a period of 1 year following the effective date  
4170 of the revocation.

4171 Section 88. Subsection (1) of section 1001.281, Florida  
4172 Statutes, is amended to read:

4173 1001.281 Operating Trust Fund.—

4174 (1) The Operating Trust Fund, ~~FLAIR number 48-2-510,~~ is  
4175 created within the Department of Education.

4176 Section 89. Subsection (1) of section 1001.282, Florida  
4177 Statutes, is amended to read:

4178 1001.282 Administrative Trust Fund.—

4179 (1) The Administrative Trust Fund, ~~FLAIR number 48-2-021,~~  
4180 is created within the Department of Education.

4181 Section 90. Paragraph (a) of subsection (2) of section  
4182 197.582, Florida Statutes, is amended to read:

4183 197.582 Disbursement of proceeds of sale.—

4184 (2)(a) If the property is purchased for an amount in excess  
4185 of the statutory bid of the certificateholder, the surplus must  
4186 be paid over and disbursed by the clerk as set forth in  
4187 subsections (3), (5), and (6). If the opening bid included the



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4188 homestead assessment pursuant to s. 197.502(6)(c), that amount  
4189 must be treated as surplus and distributed in the same manner.  
4190 The clerk shall distribute the surplus to the governmental units  
4191 for the payment of any lien of record held by a governmental  
4192 unit against the property, including any tax certificates not  
4193 incorporated in the tax deed application and omitted taxes, if  
4194 any. If there remains a balance of undistributed funds, the  
4195 balance must be retained by the clerk for the benefit of persons  
4196 described in s. 197.522(1)(a), except those persons described in  
4197 s. 197.502(4)(h), as their interests may appear. The clerk shall  
4198 mail notices to such persons notifying them of the funds held  
4199 for their benefit at the addresses provided in s. 197.502(4).  
4200 Such notice constitutes compliance with the requirements of s.  
4201 717.117 ~~s. 717.117(6)~~. Any service charges and costs of mailing  
4202 notices shall be paid out of the excess balance held by the  
4203 clerk. Notice must be provided in substantially the following  
4204 form:

4205  
4206 NOTICE OF SURPLUS FUNDS  
4207 FROM TAX DEED SALE

4208  
4209 CLERK OF COURT

4210 .... COUNTY, FLORIDA

4211  
4212 Tax Deed #.....

4213 Certificate #.....

4214 Property Description: .....

4215 Pursuant to chapter 197, Florida Statutes, the above  
4216 property was sold at public sale on ...(date of sale)..., and a



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4217 surplus of \$...(amount)... (subject to change) will be held by  
4218 this office for 120 days beginning on the date of this notice to  
4219 benefit the persons having an interest in this property as  
4220 described in section 197.502(4), Florida Statutes, as their  
4221 interests may appear (except for those persons described in  
4222 section 197.502(4) (h), Florida Statutes).

4223 To the extent possible, these funds will be used to satisfy  
4224 in full each claimant with a senior mortgage or lien in the  
4225 property before distribution of any funds to any junior mortgage  
4226 or lien claimant or to the former property owner. To be  
4227 considered for funds when they are distributed, you must file a  
4228 notarized statement of claim with this office within 120 days  
4229 after ~~of~~ this notice. If you are a lienholder, your claim must  
4230 include the particulars of your lien and the amounts currently  
4231 due. Any lienholder claim that is not filed within the 120-day  
4232 deadline is barred.

4233 A copy of this notice must be attached to your statement of  
4234 claim. After the office examines the filed claim statements, it  
4235 will notify you if you are entitled to any payment.

4236 Dated: .....

4237 Clerk of Court

4238 Section 91. Paragraph (t) of subsection (1) of section  
4239 626.9541, Florida Statutes, is amended to read:

4240 626.9541 Unfair methods of competition and unfair or  
4241 deceptive acts or practices defined.—

4242 (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE  
4243 ACTS.—The following are defined as unfair methods of competition  
4244 and unfair or deceptive acts or practices:

4245 (t) *Certain life insurance relations with funeral directors*



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4246 *prohibited.*—

4247           1. No life insurer shall permit any funeral director or  
4248 direct disposer to act as its representative, adjuster, claim  
4249 agent, special claim agent, or agent for such insurer in  
4250 soliciting, negotiating, or effecting contracts of life  
4251 insurance on any plan or of any nature issued by such insurer or  
4252 in collecting premiums for holders of any such contracts except  
4253 as prescribed in s. 626.785(2) ~~s. 626.785(3)~~.

4254           2. No life insurer shall:

4255           a. Affix, or permit to be affixed, advertising matter of  
4256 any kind or character of any licensed funeral director or direct  
4257 disposer to such policies of insurance.

4258           b. Circulate, or permit to be circulated, any such  
4259 advertising matter with such insurance policies.

4260           c. Attempt in any manner or form to influence policyholders  
4261 of the insurer to employ the services of any particular licensed  
4262 funeral director or direct disposer.

4263           3. No such insurer shall maintain, or permit its agent to  
4264 maintain, an office or place of business in the office,  
4265 establishment, or place of business of any funeral director or  
4266 direct disposer in this state.

4267           Section 92. For the purpose of incorporating the amendment  
4268 made by this act to section 717.101, Florida Statutes, in a  
4269 reference thereto, paragraph (a) of subsection (6) of section  
4270 772.13, Florida Statutes, is reenacted to read:

4271           772.13 Civil remedy for terrorism or facilitating or  
4272 furthering terrorism.—

4273           (6) (a) In any postjudgment execution proceedings to enforce  
4274 a judgment entered against a terrorist party under this section



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4275 or under 18 U.S.C. s. 2333 or a substantially similar law of the  
4276 United States or of any state or territory of the United States,  
4277 including postjudgment execution proceedings against any agency  
4278 or instrumentality of the terrorist party not named in the  
4279 judgment pursuant to s. 201(a) of the Terrorism Risk Insurance  
4280 Act, 28 U.S.C. s. 1610:

4281 1. There is no right to a jury trial under s. 56.18 or s.  
4282 77.08;

4283 2. A defendant or a person may not use the resources of the  
4284 courts of this state in furtherance of a defense or an objection  
4285 to postjudgment collection proceedings if the defendant or  
4286 person purposely leaves the jurisdiction of this state or the  
4287 United States, declines to enter or reenter this state or the  
4288 United States to submit to its jurisdiction, or otherwise evades  
4289 the jurisdiction of the court in which a criminal case is  
4290 pending against the defendant or person. This subparagraph  
4291 applies to any entity that is owned or controlled by a person to  
4292 whom this paragraph applies;

4293 3. Creditor process issued under chapter 56 or chapter 77  
4294 may be served upon any person or entity over whom the court has  
4295 personal jurisdiction. Writs of garnishment issued under s.  
4296 77.01 and proceedings supplementary under s. 56.29 apply to  
4297 intangible assets wherever located, without territorial  
4298 limitation, including bank accounts as defined in s.  
4299 674.104(1)(a), financial assets as defined in s. 678.1021(1), or  
4300 other intangible property as defined in s. 717.101. The situs of  
4301 any intangible assets held or maintained by or in the  
4302 possession, custody, or control of a person or entity so served  
4303 shall be deemed to be in this state for the purposes of a



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4304 proceeding under chapter 56 or chapter 77. Service of a writ or  
4305 notice to appear under this section shall provide the court with  
4306 in rem jurisdiction over any intangible assets regardless of the  
4307 location of the assets;

4308         4. Notwithstanding s. 678.1121, the interest of a debtor in  
4309 a financial asset or security entitlement may be reached by a  
4310 creditor by legal process upon the securities intermediary with  
4311 whom the debtor's securities account is maintained, or, if that  
4312 is a foreign entity, legal process under chapter 56 or chapter  
4313 77 may be served upon the United States securities custodian or  
4314 intermediary that has reported holding, maintaining, possessing,  
4315 or controlling the blocked financial assets or security  
4316 entitlements to the Office of Foreign Assets Control of the  
4317 United States Department of the Treasury, and such financial  
4318 assets or security entitlements shall be subject to execution,  
4319 garnishment, and turnover by the United States securities  
4320 custodian or intermediary; and

4321         5. Notwithstanding s. 670.502(4), when an electronic funds  
4322 transfer is not completed within 5 banking days and is canceled  
4323 pursuant to s. 670.211(4) because a United States intermediary  
4324 financial institution has blocked the transaction in compliance  
4325 with a United States sanctions program, and a terrorist party or  
4326 any agency or instrumentality thereof was either the originator  
4327 or the intended beneficiary, then the blocked funds shall be  
4328 deemed owned by the terrorist party or its agency or  
4329 instrumentality and shall be subject to execution and  
4330 garnishment.

4331         Section 93. The Division of Law Revision is directed to  
4332 replace the phrase "the effective date of this act" wherever it



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4333 occurs in this act with the date this act becomes a law.  
4334       Section 94. This act shall take effect upon becoming a law.  
4335  
4336 ===== T I T L E   A M E N D M E N T =====  
4337 And the title is amended as follows:  
4338       Delete everything before the enacting clause  
4339 and insert:  
4340                       A bill to be entitled  
4341       An act relating to the Department of Financial  
4342       Services; amending s. 17.11, F.S.; revising the  
4343       subsystem used for a certain report of disbursements  
4344       made; amending s. 17.13, F.S.; requiring the  
4345       replacement, rather than the duplication, of lost or  
4346       destroyed warrants; amending s. 110.113, F.S.;  
4347       deleting the Department of Financial Services'  
4348       authority to make semimonthly salary payments;  
4349       amending s. 112.3135, F.S.; authorizing a public  
4350       official to take specified actions regarding the  
4351       employment of a relative as a firefighter; amending s.  
4352       215.5586, F.S.; defining terms; revising eligibility  
4353       requirements for a hurricane mitigation inspection  
4354       under the My Safe Florida Home Program; revising the  
4355       circumstances under which applicants may submit a  
4356       subsequent hurricane mitigation inspection  
4357       application; deleting the requirement that licensed  
4358       inspectors determine mitigation measures during  
4359       initial inspections of eligible homes; deleting  
4360       inspectors' authorization to inspect townhouses;  
4361       revising the criteria for eligibility for a hurricane



4362 mitigation grant; deleting an expiration date;  
4363 revising the improvements for which grants may be  
4364 used; requiring that improvements be identified in the  
4365 final hurricane mitigation inspection to receive grant  
4366 funds; deleting a provision related to grants for  
4367 townhouses; authorizing the program to accept a  
4368 specified certification directly from applicants;  
4369 requiring applicants who receive grants to finalize  
4370 construction and request a final inspection within a  
4371 specified timeframe; specifying that an application is  
4372 deemed abandoned, rather than withdrawn, under certain  
4373 circumstances; requiring the department to notify  
4374 applicants within a specified timeframe before an  
4375 application is deemed abandoned; authorizing  
4376 applicants to submit a subsequent application under  
4377 certain circumstances; authorizing the department to  
4378 determine that an application is not abandoned under  
4379 certain circumstances; amending s. 215.55871, F.S.;  
4380 defining the term "area median income"; deleting the  
4381 definition of the term "service area"; revising  
4382 eligibility requirements for the My Safe Florida  
4383 Condominium Pilot Program; requiring the department to  
4384 adopt rules to verify household income; authorizing  
4385 the department to require periodic recertification of  
4386 income eligibility for a specified purpose;  
4387 authorizing condominiums with mixed-income occupancies  
4388 to participate in the pilot program if a certain  
4389 condition is met; requiring an application for a  
4390 mitigation grant to include documentation to verify



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4391 household income; limiting the award of grant funds to  
4392 specified mitigation improvements; requiring an  
4393 association to complete a certain percentage of  
4394 opening protection improvements; providing  
4395 applicability; amending s. 215.89, F.S.; deleting  
4396 provisions regarding the reporting structure for  
4397 charts of accounts relating to the use of public funds  
4398 by governmental entities; amending s. 215.93, F.S.;  
4399 revising the subsystems of the Florida Financial  
4400 Management Information System; requiring that certain  
4401 requests for records be made to a specified entity;  
4402 prohibiting such requests from being made to the  
4403 functional owner of the subsystem; providing an  
4404 exception; amending s. 215.94, F.S.; providing that  
4405 the department is the functional owner of the  
4406 Financial Management Subsystem rather than the Florida  
4407 Accounting Information Resource Subsystem; revising  
4408 the functions of such subsystem; amending s. 215.96,  
4409 F.S.; revising the composition of the coordinating  
4410 council; deleting a requirement for the design and  
4411 coordination staff; requiring that minutes of meetings  
4412 be available to interested persons; revising the  
4413 composition of ex officio members of the council;  
4414 revising the duties, powers, and responsibilities of  
4415 the council to include reviewing and coordinating  
4416 annual workplans for a specified purpose; amending ss.  
4417 215.985, 216.102, and 216.141, F.S.; conforming  
4418 provisions to changes made by the act; amending s.  
4419 440.13, F.S.; revising the timeframe in which health



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4420 care providers must petition the department to resolve  
4421 utilization and reimbursement disputes; revising  
4422 petition service requirements; revising the timeframe  
4423 in which carriers must submit certain documentation to  
4424 the department; revising the timeframe in which the  
4425 panel determining the statewide schedule of maximum  
4426 reimbursement allowances must submit certain  
4427 recommendations to the Legislature; creating s.  
4428 497.1411, F.S.; defining the term "applicant";  
4429 specifying that certain applicants are permanently  
4430 barred from licensure; specifying that certain  
4431 applicants are subject to specified disqualifying  
4432 periods; requiring the Board of Funeral, Cemetery, and  
4433 Consumer Services to adopt rules; specifying  
4434 requirements, authorizations, and prohibitions for  
4435 such rules; specifying when a disqualifying period  
4436 begins; prohibiting the board from issuing approval  
4437 for a license until an applicant provides proof that  
4438 certain fines, costs, fees, and restitution have been  
4439 paid; specifying that the applicant has certain  
4440 burdens to demonstrate that he or she is qualified for  
4441 licensure; specifying that certain applicants who have  
4442 been granted a pardon or restoration of civil rights  
4443 are not barred or disqualified from licensure;  
4444 specifying that such pardon or restoration does not  
4445 require the board to award a license; authorizing the  
4446 board to grant an exemption from disqualification  
4447 under certain circumstances; specifying requirements  
4448 for the applicant in order for the board to grant an



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4449 exemption; specifying that the board has discretion to  
4450 grant or deny an exemption; specifying that certain  
4451 decisions are subject to ch. 120, F.S.; providing  
4452 applicability and construction; amending s. 497.142,  
4453 F.S.; prohibiting an application from being deemed  
4454 complete under certain circumstances; revising the  
4455 list of crimes to be disclosed on a license  
4456 application; amending s. 553.80, F.S.; specifying that  
4457 certain dwellings do not have a change of occupancy  
4458 under certain circumstances; amending s. 626.0428,  
4459 F.S.; conforming a provision to changes made by the  
4460 act; amending s. 626.171, F.S.; deleting reinsurance  
4461 intermediaries from certain application requirements;  
4462 revising the list of persons from whom the department  
4463 is required to accept uniform applications; making  
4464 clarifying changes regarding the voluntary submission  
4465 of cellular telephone numbers; revising the exemption  
4466 from the application filing fee for members of the  
4467 United States Armed Forces; amending s. 626.292, F.S.;  
4468 revising applicant requirements for a license  
4469 transfer; amending s. 626.611, F.S.; requiring the  
4470 department to require license reexamination of certain  
4471 persons and to suspend or revoke the eligibility of  
4472 such persons to hold a license or appointment under  
4473 certain circumstances; amending the grounds for  
4474 suspension or revocation; amending 626.621, F.S.;  
4475 authorizing the department to require a license  
4476 reexamination for certain persons; amending s.  
4477 626.731, F.S.; revising the qualifications for a



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4478 general lines agent's license; amending s. 626.785,  
4479 F.S.; revising the qualifications for a life agent's  
4480 license; amending s. 626.831, F.S.; revising the  
4481 qualifications for a health agent's license; amending  
4482 s. 626.8417, F.S.; revising the persons who are exempt  
4483 from certain provisions relating to title insurance  
4484 licensing and appointment requirements; amending s.  
4485 626.854, F.S.; requiring a public adjuster, public  
4486 adjuster apprentice, or public adjusting firm to  
4487 respond to certain claims status requests with  
4488 specific information within a specified timeframe and  
4489 document in the file the response or information  
4490 provided; repealing s. 627.797, F.S., relating to  
4491 agents exempt from title insurance licensing; amending  
4492 s. 633.208, F.S.; prohibiting certain dwellings from  
4493 being reclassified for certain purposes; amending s.  
4494 648.34, F.S.; revising requirements for bail bond  
4495 agent applicants; amending s. 648.382, F.S.; requiring  
4496 officers or officials of the appointing insurer to  
4497 obtain, rather than submit, certain information;  
4498 amending s. 717.001, F.S.; revising a short title;  
4499 amending s. 717.101, F.S.; revising definitions and  
4500 defining terms; amending s. 717.102, F.S.; providing  
4501 that certain intangible property is presumed  
4502 abandoned; deleting a provision relating to the  
4503 presumption that certain intangible property is  
4504 presumed unclaimed; specifying the dormancy period for  
4505 property presumed abandoned; requiring that property  
4506 be considered payable or distributable under certain



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4507           circumstances; deleting a provision relating to when  
4508           property is payable or distributable; revising a  
4509           presumption; requiring that property be presumed  
4510           abandoned under certain circumstances; providing an  
4511           exception; amending s. 717.103, F.S.; requiring that  
4512           intangible property be subject to the custody of the  
4513           department under certain circumstances; revising  
4514           criteria for when intangible property is subject to  
4515           the custody of the department; repealing s. 717.1035,  
4516           F.S., relating to property originated or issued by  
4517           this state, any political subdivision of this state,  
4518           or any entity incorporated, organized, created, or  
4519           otherwise located in the state; amending ss. 717.104,  
4520           717.1045, 717.105, and 717.106, F.S.; conforming  
4521           provisions to changes made by the act; amending s.  
4522           717.1065, F.S.; revising the timeframe for  
4523           communication with certain entities by the owner of  
4524           virtual currency so that the virtual currency is not  
4525           presumed unclaimed; amending ss. 717.107, 717.1071,  
4526           717.108, and 717.109, F.S.; conforming provisions to  
4527           changes made by the act; amending s. 717.1101, F.S.;  
4528           revising the timelines and conditions under which  
4529           stock, other equity interests, or debt of a business  
4530           association is considered abandoned; requiring the  
4531           holder to attempt to confirm the apparent owner's  
4532           interest in the equity interest by sending an e-mail  
4533           communication within a specified timeframe under  
4534           certain circumstances; requiring the holder to attempt  
4535           to contact the apparent owner by first-class United



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4536 States mail under certain circumstances; specifying  
4537 that equity interest is presumed abandoned under  
4538 certain circumstances; revising the timeframe in which  
4539 unmatured, unredeemed, matured, or redeemed debt is  
4540 presumed abandoned; specifying that the applicable  
4541 dormancy period ceases under certain circumstances;  
4542 revising the timeframe in which a sum held for or  
4543 owing by a business association is presumed abandoned;  
4544 amending ss. 717.111, 717.112, 717.1125, 717.113,  
4545 717.115, and 717.116, F.S.; conforming provisions to  
4546 changes made by the act; amending s. 717.117, F.S.;  
4547 specifying that property is presumed abandoned upon  
4548 the expiration of the applicable dormancy period;  
4549 specifying that property is not deemed abandoned for  
4550 certain purposes until the holder meets certain  
4551 requirements; requiring holders of property presumed  
4552 abandoned which has a specified value to use due  
4553 diligence to locate and notify the apparent owner;  
4554 requiring, before a specified timeframe, a holder in  
4555 possession of presumed abandoned property to send a  
4556 specified written notice to the apparent owner;  
4557 specifying the method of delivery of such notice;  
4558 requiring, before a specified timeframe, the holder to  
4559 send a second written notice under certain  
4560 circumstances; authorizing the reasonable costs for  
4561 the notice to be deducted from the property;  
4562 specifying that a signed return receipt constitutes an  
4563 affirmative demonstration of continued interest;  
4564 specifying requirements of the written notice;



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4565 requiring holders of abandoned property to submit a  
4566 specified report to the department; prohibiting  
4567 certain balances, overpayments, deposits, and refunds  
4568 from being reported as abandoned property; prohibiting  
4569 certain securities from being included in the report;  
4570 requiring the holder to report and deliver such  
4571 securities under certain circumstances; requiring the  
4572 report to be signed and verified and contain a  
4573 specified statement; deleting certain provisions  
4574 relating to the due diligence and notices to apparent  
4575 owners; specifying that certain equity interests are  
4576 not presumed abandoned under certain circumstances;  
4577 requiring a holder to perform annual data matching of  
4578 certain records for a specified purpose; specifying  
4579 that the holder is deemed to know the location of the  
4580 apparent owner under certain circumstances;  
4581 prohibiting certain transactions from constituting  
4582 indication of apparent owner interest; specifying that  
4583 certain accounts may be presumed abandoned under  
4584 certain circumstances; providing applicability;  
4585 amending s. 717.118, F.S.; revising the state's  
4586 obligation to notify apparent owners that their  
4587 abandoned property has been reported and remitted to  
4588 the department; requiring the department to use a  
4589 cost-effective means to make an attempt to notify  
4590 certain apparent owners; specifying requirements for  
4591 the notice; requiring the department to maintain a  
4592 specified website; revising applicability; amending s.  
4593 717.119, F.S.; conforming provisions to changes made



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4594 by the act; revising requirements for firearms or  
4595 ammunition found in an abandoned safe-deposit box or  
4596 safekeeping repository; revising required actions the  
4597 department must take if a will or trust instrument is  
4598 included among the contents of an abandoned safe-  
4599 deposit box or safekeeping repository; amending ss.  
4600 717.1201, 717.122, 717.123, and 717.1235, F.S.;  
4601 conforming provisions to changes made by the act;  
4602 amending s. 717.124, F.S.; conforming provisions to  
4603 changes made by the act; deleting provisions related  
4604 to requirements of claimants' representatives;  
4605 specifying that a claim is withdrawn under certain  
4606 circumstances; specifying that the department is  
4607 authorized to make a distribution of property or money  
4608 in accordance with a specified agreement under certain  
4609 circumstances; requiring that shares of securities be  
4610 delivered directly to the claimant under certain  
4611 circumstances; revising a provision authorizing the  
4612 department to develop a process by which a claimant  
4613 representative may electronically submit certain  
4614 images and documents; deleting provisions relating to  
4615 a buyer of unclaimed property's filing of a claim;  
4616 amending s. 717.12403, F.S.; conforming provisions to  
4617 changes made by the act; amending s. 717.12404, F.S.;  
4618 requiring claims on behalf of an active corporation to  
4619 include a specified driver license; conforming  
4620 provisions to changes made by the act; amending ss.  
4621 717.12405 and 717.12406, F.S.; conforming provisions  
4622 to changes made by the act; amending s. 717.1241,



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4623 F.S.; defining the term "conflicting claim";  
4624 conforming provisions to changes made by the act;  
4625 revising requirements for remitting property when  
4626 conflicting claims have been received by the  
4627 department; amending ss. 717.1242, 717.1243, 717.1244,  
4628 717.1245, 717.125, 717.126, 717.1261, 717.1262,  
4629 717.129, 717.1301, 717.1315, and 717.132, F.S.;  
4630 conforming provisions to changes made by the act;  
4631 amending s. 717.1322, F.S.; revising the acts that  
4632 constitute grounds for administrative enforcement  
4633 action by the department; conforming provisions to  
4634 changes made by the act; amending ss. 717.133,  
4635 717.1333, and 717.1341, F.S.; conforming provisions to  
4636 changes made by the act; amending s. 717.135, F.S.;  
4637 conforming provisions to changes made by the act;  
4638 deleting applicability; creating s. 717.1356, F.S.;  
4639 specifying that agreements for the purchase of  
4640 abandoned property reported to the department are  
4641 valid only under certain circumstances; authorizing  
4642 the seller to cancel a purchase agreement without  
4643 penalty or obligation within a specified timeframe;  
4644 requiring that such agreement contain certain  
4645 language; requiring that a copy of an executed Florida  
4646 Abandoned Property Purchase Agreement be filed with  
4647 the purchaser's claim; prohibiting the department from  
4648 approving the claim under certain circumstances;  
4649 specifying that certain purchase agreements are  
4650 enforceable only by the seller; defining the terms  
4651 "asset purchaser" and "large business association";



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4652 requiring that claims filed by asset purchasers  
4653 include certain information; authorizing the asset  
4654 purchaser to provide a copy of a specified form in  
4655 lieu of certain requirements if the seller is a  
4656 publicly traded entity; providing applicability and  
4657 construction; authorizing the department to adopt  
4658 rules; amending s. 717.138, F.S.; conforming  
4659 provisions to changes made by the act; amending s.  
4660 717.1382, F.S.; conforming provisions to changes made  
4661 by the act; conforming a cross-reference; amending s.  
4662 717.139, F.S.; providing legislative findings;  
4663 revising a statement of public policy; deleting a  
4664 legislative declaration; providing legislative intent;  
4665 prohibiting title to abandoned property from  
4666 transferring to the state except under certain  
4667 circumstances; amending s. 717.1400, F.S.; requiring  
4668 an individual to meet certain requirements in order to  
4669 file claims as a claimant representative; revising  
4670 application requirements for registering as a claimant  
4671 representative; requiring claimant representatives to  
4672 file and obtain payment on a specified number of  
4673 claims within a specified timeframe to maintain active  
4674 registration; requiring the department to notify the  
4675 claimant representative in writing and provide a  
4676 certain timeframe to demonstrate compliance or good  
4677 cause for noncompliance under certain circumstances;  
4678 requiring the department to revoke a registration  
4679 under certain circumstances; prohibiting a claimant  
4680 representative from reapplying under certain



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4681           circumstances; amending ss. 1001.281 and 1001.282,  
4682           F.S.; conforming provisions to changes made by the  
4683           act; amending ss. 197.582 and 626.9541, F.S.;  
4684           conforming cross-references; reenacting s.  
4685           772.13(6)(a), F.S., relating to postjudgment execution  
4686           proceedings to enforce a judgment entered against a  
4687           terrorist party, to incorporate the amendment made to  
4688           s. 717.101, F.S., in a reference thereto; providing a  
4689           directive to the Division of Law Revision; providing  
4690           an effective date.