

A bill to be entitled
An act relating to payment stablecoin; amending s. 560.103, F.S.; revising the definition of the term "money services business"; defining terms; amending s. 560.114, F.S.; revising the actions by a money services business which constitute grounds for disciplinary actions; amending s. 560.123, F.S.; revising the Florida Control of Money Laundering in Money Services Business Act to include payment stablecoins; requiring certain payment stablecoin issuers to comply with certain regulations; amending s. 560.125, F.S.; revising the prohibition regarding the business of money services businesses or deferred presentment providers; revising the circumstances relating to violations of certain provisions; creating part V of ch. 560, F.S., entitled "Payment Stablecoin Issuers"; creating s. 560.501, F.S.; prohibiting persons from engaging in the activity of a qualified payment stablecoin issuer without registering and receiving a specified notification; providing that certain money services businesses are exempt from registration requirements; specifying that certain payment stablecoins are not a security and are not subject to certain requirements; specifying that certain transactions are not regulated under certain

provisions; requiring qualified payment stablecoin issuers with consolidated total outstanding payment stablecoin issuance that reaches a specified threshold to comply with certain requirements; specifying that qualified payment stablecoin issuers are subject to certain provisions under certain circumstances; specifying that the Office of Financial Regulation remains solely responsible for supervising qualified payment stablecoin issuers or is jointly responsible with the Office of the Comptroller of the Currency for such supervision under certain circumstances; creating s. 560.502, F.S.; requiring applicants seeking to be qualified payment stablecoin issuers to submit a specified application to the office; requiring applicants to resolve deficiencies found in their applications within a certain timeframe; requiring registrants to report changes in their information within a specified timeframe; requiring registrants to renew registration annually; requiring registrants to renew registration in a specified manner; specifying that the renewal registration becomes effective on a certain date; requiring the office to approve renewal registration within a specified timeframe; specifying that failure to submit an application within a specified timeframe results in the registration

51 becoming expired; requiring a qualified payment
52 stablecoin issuer with an expired registration to
53 submit a new application to the office; providing that
54 the office must issue a certification of registration
55 before the qualified payment stablecoin issuer may
56 conduct business in this state; authorizing the office
57 to deny the prospective registrant's initial
58 registration and registrant's renewal application
59 under certain circumstances; requiring the office to
60 deny the application of qualified payment stablecoin
61 issuers under certain circumstances; specifying that
62 any false statement in the application renders the
63 registration void; providing construction; prohibiting
64 registration and registration renewal fees; creating
65 s. 560.503, F.S.; specifying that qualified payment
66 stablecoin issuers may engage only in certain
67 activities; creating s. 560.504, F.S.; requiring
68 qualified payment stablecoin issuers to comply with
69 certain requirements; prohibiting qualified payment
70 stablecoin issuers from engaging in certain conduct;
71 creating s. 560.505, F.S.; requiring the office to
72 submit initial and additional certifications to a
73 specified committee under certain circumstances;
74 requiring the office to comply with certain
75 requirements; creating s. 560.506, F.S.; requiring and

76 authorizing the Financial Services Commission to adopt
77 specified rules; creating s. 658.997, F.S.; defining
78 terms; specifying that certain trust companies are
79 exempt from registration as qualified payment
80 stablecoin issuers but are subject to certain
81 provisions; specifying that certain payment
82 stablecoins are not securities and are not subject to
83 certain requirements; specifying that certain
84 transactions are not regulated by certain provisions;
85 requiring qualified payment stablecoin issuers with
86 consolidated total outstanding payment stablecoin
87 issuance that reaches a specified threshold to comply
88 with certain requirements; specifying that qualified
89 payment stablecoin issuers remain subject to certain
90 provisions under certain circumstances; authorizing
91 the office to enter into an agreement with specified
92 regulators for joint supervision of qualified payment
93 stablecoin issuers; specifying that the office remains
94 solely responsible for supervising qualified payment
95 stablecoin issuers or is jointly responsible with the
96 Office of the Comptroller of the Currency for such
97 supervision under certain circumstances; specifying
98 that qualified payment stablecoin issuers may engage
99 only in certain activities; requiring qualified
100 payment stablecoin issuers to comply with certain

101 requirements; defining the term "registered public
102 accounting firm"; prohibiting qualified payment
103 stablecoin issuers from engaging in certain conduct;
104 requiring that the office's initial certification and
105 annual recertification include certain information;
106 providing for certain rule adoption by the commission;
107 providing effective dates.

108

109 Be It Enacted by the Legislature of the State of Florida:

110

111 **Section 1. Present subsections (33), (34), and (35) and**
112 **(36) through (39) of section 560.103, Florida Statutes, as**
113 **amended by chapter 2025-100, Laws of Florida, are redesignated**
114 **as subsections (34), (35), and (36) and (38) through (41),**
115 **respectively, new subsections (33) and (37) are added to that**
116 **section, and subsection (25) of that section is amended, to**
117 **read:**

118 560.103 Definitions.—As used in this chapter, the term:

119 (25) "Money services business" means any person located in
120 or doing business in this state, from this state, or into this
121 state from locations outside this state or country who acts as a
122 payment instrument seller, foreign currency exchanger, check
123 casher, or money transmitter, or qualified payment stablecoin
124 issuer.

125 (33) (a) "Payment stablecoin" means a digital asset that

126 is, or is designed to be, used as a means of payment or
127 settlement, and the issuer of which:

128 1. Is obligated to convert, redeem, or repurchase the
129 digital asset for a fixed amount of monetary value, not
130 including a digital asset denominated in a fixed amount of
131 monetary value.

132 2. Represents that such issuer will maintain, or create
133 the reasonable expectation that it will maintain, a stable value
134 relative to the value of a fixed amount of monetary value.

135 (b) The term does not include a digital asset that is any
136 of the following:

137 1. A national currency. For purposes of this subparagraph,
138 the term "national currency" means each of the following:

139 a. A Federal Reserve note as the term is used in the first
140 undesignated paragraph of s. 16 of the Federal Reserve Act, 12
141 U.S.C. s. 411.

142 b. Money standing to the credit of an account with a
143 Federal Reserve Bank.

144 c. Money issued by a foreign central bank.

145 d. Money issued by an intergovernmental organization
146 pursuant to an agreement by two or more governments.

147 2. A deposit as defined in s. 3 of the Federal Deposit
148 Insurance Act, 12 U.S.C. s. 1813, including a deposit recorded
149 using distributed ledger technology. For purposes of this
150 subparagraph, the term "distributed ledger" means technology in

151 which data is shared across a network that creates a public
152 digital ledger of verified transactions or information among
153 network participants and cryptography is used to link the data
154 to maintain the integrity of the public ledger and execute other
155 functions.

156 3. A security, as defined in s. 517.021; s. 2 of the
157 Securities Act of 1933, 15 U.S.C. s. 77b; s. 3 of the Securities
158 and Exchange Act of 1934, 15 U.S.C. s. 78c; or s. 2 of the
159 Investment Company Act of 1940, 15 U.S.C. s. 80a-2.

160 (c) As used in this subsection, the term "digital asset"
161 means any digital representation of value that is recorded on a
162 cryptographically secured digital ledger.

163 (37) "Qualified payment stablecoin issuer" means an entity
164 legally established under the laws of a state and registered
165 with the office to issue payment stablecoins.

166 **Section 2. Paragraph (w) of subsection (1) of section**
167 **560.114, Florida Statutes, is amended to read:**

168 560.114 Disciplinary actions; penalties.—

169 (1) The following actions by a money services business,
170 authorized vendor, or affiliated party constitute grounds for
171 the issuance of a cease and desist order; the issuance of a
172 removal order; the denial, suspension, or revocation of a
173 license; or taking any other action within the authority of the
174 office pursuant to this chapter:

175 (w) Engaging or advertising engagement in the business of

176 a money services business or deferred presentment provider
177 without a license or registration, unless exempted from
178 licensure or registration.

179 **Section 3. Present subsection (9) of section 560.123, Florida Statutes, is redesignated as subsection (10), a new subsection (9) is added to that section, and subsections (2), (3), and (8) of that section are amended, to read:**

183 560.123 Florida Control of Money Laundering in Money
184 Services Business Act.—

185 (2) The purpose of this section is to require the
186 maintenance of certain records of transactions involving
187 currency, monetary value, payment instruments, ~~or~~ virtual
188 currency, or payment stablecoins in order to deter the use of a
189 money services business to conceal proceeds from criminal
190 activity and to ensure the availability of such records for
191 criminal, tax, or regulatory investigations or proceedings.

192 (3) A money services business shall keep a record, as
193 prescribed by the commission, of each financial transaction
194 occurring in this state which it knows to involve currency,
195 monetary value, a payment instrument, ~~or~~ virtual currency, or a
196 payment stablecoin having a value greater than \$10,000; to
197 involve the proceeds of specified unlawful activity; or to be
198 designed to evade the reporting requirements of this section or
199 chapter 896. The money services business must maintain
200 appropriate procedures to ensure compliance with this section

201 and chapter 896.

202 (a) Multiple financial transactions shall be treated as a
203 single transaction if the money services business has knowledge
204 that they are made by or on behalf of any one person and result
205 in value in or value out totaling a value of more than \$10,000
206 during any day.

207 (b) A money services business may keep a record of any
208 financial transaction occurring in this state, regardless of the
209 value, if it suspects that the transaction involves the proceeds
210 of unlawful activity.

211 (c) The money services business must file a report with
212 the office of any records required by this subsection, at such
213 time and containing such information as required by rule. The
214 timely filing of the report required by 31 U.S.C. s. 5313 with
215 the appropriate federal agency shall be deemed compliance with
216 the reporting requirements of this subsection unless the reports
217 are not regularly and comprehensively transmitted by the federal
218 agency to the office.

219 (d) A money services business, or control person,
220 employee, or agent thereof, that files a report in good faith
221 pursuant to this section is not liable to any person for loss or
222 damage caused in whole or in part by the making, filing, or
223 governmental use of the report, or any information contained
224 therein.

225 (8) (a) Except as provided in paragraph (b), a person who

226 willfully violates any provision of this section commits a
227 misdemeanor of the first degree, punishable as provided in s.
228 775.082 or s. 775.083.

229 (b) A person who willfully violates any provision of this
230 section, if the violation involves:

231 1. Currency, monetary value, payment instruments, or
232 virtual currency, or payment stablecoins of a value exceeding
233 \$300 but less than \$20,000 in any 12-month period, commits a
234 felony of the third degree, punishable as provided in s.
235 775.082, s. 775.083, or s. 775.084.

236 2. Currency, monetary value, payment instruments, or
237 virtual currency, or payment stablecoins of a value totaling or
238 exceeding \$20,000 but less than \$100,000 in any 12-month period,
239 commits a felony of the second degree, punishable as provided in
240 s. 775.082, s. 775.083, or s. 775.084.

241 3. Currency, monetary value, payment instruments, or
242 virtual currency, or payment stablecoins of a value totaling or
243 exceeding \$100,000 in any 12-month period, commits a felony of
244 the first degree, punishable as provided in s. 775.082, s.
245 775.083, or s. 775.084.

246 (c) In addition to the penalties authorized by s. 775.082,
247 s. 775.083, or s. 775.084, a person who has been convicted of,
248 or entered a plea of guilty or nolo contendere, regardless of
249 adjudication, to having violated paragraph (b) may be sentenced
250 to pay a fine of up to the greater of \$250,000 or twice the

251 value of the currency, monetary value, payment instruments, or
252 virtual currency, or payment stablecoins, except that on a
253 second or subsequent conviction for or plea of guilty or nolo
254 contendere, regardless of adjudication, to a violation of
255 paragraph (b), the fine may be up to the greater of \$500,000 or
256 quintuple the value of the currency, monetary value, payment
257 instruments, or virtual currency, or payment stablecoins.

258 (d) A person who violates this section is also liable for
259 a civil penalty of up to the greater of the value of the
260 currency, monetary value, payment instruments, or virtual
261 currency, or payment stablecoins involved or \$25,000.

262 (9) A state qualified payment stablecoin issuer must
263 comply with any anti-money laundering regulation provided in the
264 GENIUS Act under Pub. L. No. 119-27, which includes, but is not
265 limited to, provisions relating to economic sanctions,
266 prevention of money laundering, customer identification, and due
267 diligence in the Bank Secrecy Act; s. 21 of the Federal Deposit
268 Insurance Act, 12 U.S.C. s. 1813; chapter 2 of Title I of Pub.
269 L. No. 91-508; and subchapter II of chapter 53 of Title 31,
270 United States Code.

271 **Section 4. Subsection (1), paragraph (a) of subsection**
272 **(5), and subsection (6) of section 560.125, Florida Statutes,**
273 **are amended to read:**

274 560.125 Unlicensed activity; penalties.—

275 (1) A person may not engage in the business of a money

276 services business or deferred presentment provider in this state
277 unless the person is licensed, registered, or exempted from
278 licensure or registration under this chapter. A deferred
279 presentment transaction conducted by a person not authorized to
280 conduct such transaction under this chapter is void, and the
281 unauthorized person has no right to collect, receive, or retain
282 any principal, interest, or charges relating to such
283 transaction.

284 (5) A person who violates this section, if the violation
285 involves:

286 (a) Currency, monetary value, payment instruments, ~~or~~
287 virtual currency, or payment stablecoins of a value exceeding
288 \$300 but less than \$20,000 in any 12-month period, commits a
289 felony of the third degree, punishable as provided in s.
290 775.082, s. 775.083, or s. 775.084.

291 (6) In addition to the penalties authorized by s. 775.082,
292 s. 775.083, or s. 775.084, a person who has been convicted of,
293 or entered a plea of guilty or nolo contendere to, having
294 violated this section may be sentenced to pay a fine of up to
295 the greater of \$250,000 or twice the value of the currency,
296 monetary value, payment instruments, ~~or~~ virtual currency, or
297 payment stablecoins, except that on a second or subsequent
298 violation of this section the fine may be up to the greater of
299 \$500,000 or quintuple the value of the currency, monetary value,
300 payment instruments, ~~or~~ virtual currency, or payment

301 stablecoins.

302 **Section 5. Part V of chapter 560, Florida Statutes,**
303 consisting of ss. 560.501-560.506, Florida Statutes, is created
304 and entitled "Payment Stablecoin Issuers."

305 **Section 6. Section 560.501, Florida Statutes, is created**
306 **to read:**

307 560.501 Registration required; exemptions; transition to
308 federal oversight.—

309 (1) REGISTRATION REQUIREMENT.—Unless exempted, a person
310 may not engage in the activity of a qualified payment stablecoin
311 issuer as authorized in s. 560.503 in this state without first
312 registering, or renewing registration, with the office in
313 accordance with s. 560.502 and receiving notification from the
314 office that such person is approved as a qualified payment
315 stablecoin issuer. The office shall give written notice to such
316 person that the agency has approved or denied the application
317 for registration.

318 (2) EXEMPTIONS.—

319 (a) A payment instrument seller, foreign currency
320 exchanger, check casher, or money transmitter that is licensed
321 as a money services business pursuant to s. 560.141 and issues
322 payment stablecoins with a consolidated total outstanding
323 issuance of \$10 billion or less is exempt from registration as a
324 qualified payment stablecoin issuer but is subject to ss.
325 560.503 and 560.504.

326 (b) A payment stablecoin that meets the requirements of
327 this part is not a security and is not subject to the
328 requirements of chapter 517.

329 (c) The following transactions are not regulated under
330 this part:

331 1. The direct transfer of payment stablecoin between two
332 individuals acting on their own behalf and for their own lawful
333 purposes, without the involvement of an intermediary.

334 2. Any transaction involving the receipt of payment
335 stablecoins by an individual between an account owned by the
336 individual in the United States and an account owned by the
337 individual abroad which are offered by the same parent company.

338 3. Any transaction by means of a software or hardware
339 wallet that facilitates an individual's own custody of payment
340 stablecoins.

341 (3) TRANSITION TO FEDERAL OVERSIGHT.—

342 (a) Unless a federal waiver is obtained, a qualified
343 payment stablecoin issuer with a consolidated total outstanding
344 payment stablecoin issuance that reaches the \$10 billion
345 threshold must comply with one of the following requirements:

346 1. Not later than 360 days after the payment stablecoin
347 issuance reaches such threshold, transition to the applicable
348 federal regulatory framework administered jointly by the office
349 and the Office of the Comptroller of the Currency; or

350 2. Beginning on the date the payment stablecoin issuance

351 reaches such threshold, cease issuing new payment stablecoins
352 until the payment stablecoin falls below the \$10 billion
353 consolidated total outstanding issuance threshold.

354 (b) A qualified payment stablecoin issuer remains subject
355 to this part if a federal waiver of the transition requirements
356 in paragraph (a) is obtained pursuant to the GENIUS Act, Pub. L.
357 No. 119-27, and the office remains solely responsible for
358 supervising the qualified payment stablecoin issuer, or if the
359 office is jointly responsible with the Office of the Comptroller
360 of the Currency to supervise the qualified payment stablecoin
361 issuer pursuant to subparagraph (a)1. The office may enter into
362 an agreement with the relevant primary federal payment
363 stablecoin regulator for the joint supervision of any qualified
364 payment stablecoin issuer.

365 **Section 7. Section 560.502, Florida Statutes, is created**
366 **to read:**

367 560.502 Registration applications.—
368 (1) To apply to be a qualified payment stablecoin issuer
369 under this part, the applicant must submit a completed
370 registration application on forms prescribed by rule of the
371 commission. The application must include the following
372 information:

373 (a) The legal name of the applicant, including any
374 fictitious or trade names used by the applicant in the conduct
375 of its business, and the physical and mailing addresses of the

376 applicant.

377 (b) The date of the applicant's formation and the state in
378 which the applicant was formed, if applicable.

379 (c) The name, social security number, alien identification
380 number or taxpayer identification number, business and residence
381 addresses, and employment history for the past 5 years for each
382 control person.

383 (d) A description of the organizational structure of the
384 applicant, including the identity of any parent or subsidiary of
385 the applicant, and a disclosure of whether any parent or
386 subsidiary is publicly traded.

387 (e) The name and mailing address of the registered agent
388 in this state for service of process.

389 (f) An attestation that the applicant has developed
390 clearly documented policies, processes, and procedures regarding
391 the use of blockchain analytics to prevent transfers to wallet
392 addresses linked to known criminal activity, including the
393 manner in which such blockchain analytics activity will
394 integrate into its compliance controls, and that the applicant
395 will maintain and comply with such blockchain analytics
396 policies, processes, and procedures.

397 (g) Any other information as required by this chapter or
398 commission rule.

399 (2) Any information needed to resolve deficiencies found
400 in the application must be provided within a time period

401 prescribed by rule of the commission.

402 (3) A registrant shall report, on a form prescribed by
403 rule of the commission, any change in the information contained
404 in an initial application form or an amendment thereto within 30
405 days after the change is effective.

406 (4) A registrant must renew its registration annually on
407 or before December 31 of the year preceding the expiration date
408 of the registration. To renew such registration, the registrant
409 must submit a renewal application that provides the information
410 required in subsection (1) if there are changes in the
411 application information, or an affidavit signed by the
412 registrant that the information remains the same as the prior
413 year's information.

414 (5) Any renewal registration made pursuant to this section
415 becomes effective upon the date the office approves the
416 application for registration. The office shall approve the
417 renewal registration within a timeframe prescribed by rule.

418 (6) Failure to submit an application to renew a qualified
419 payment stablecoin issuer's registration within 60 days after
420 the registration becomes inactive will result in the
421 registration becoming expired. If the registration is expired, a
422 new application to register the qualified payment stablecoin
423 issuer pursuant to subsection (1) must be submitted to the
424 office, and a new registration must be issued by the office
425 before the qualified payment stablecoin issuer may conduct

426 business in this state.

427 (7) If a control person of a registrant or prospective
428 registrant has engaged in any unlawful business practice, or has
429 been convicted or found guilty of, or pled guilty or nolo
430 contendere to, regardless of adjudication, a crime involving
431 dishonest dealing, fraud, acts of moral turpitude, or other acts
432 that reflect an inability to engage lawfully in the business of
433 a registered qualified payment stablecoin issuer, the office may
434 deny the prospective registrant's initial registration
435 application or the registrant's renewal application.

436 (8) The office shall deny the application of a qualified
437 payment stablecoin issuer that submits a renewal application
438 that fails to comply with subsection (1).

439 (9) Any false statement made by a qualified payment
440 stablecoin issuer in an application for registration under this
441 section renders the registration void. A void registration may
442 not be construed as creating a defense to any prosecution for
443 violation of this chapter.

444 (10) The office may not charge any registration or
445 registration renewal fees and also may not charge any
446 application fees to register or renew a registration.

447 **Section 8. Section 560.503, Florida Statutes, is created**
448 **to read:**

449 560.503 Limitation on payment stablecoin activities.—
450 Unless licensed under this chapter or chapter 655 to conduct

451 other financial business activities, a qualified payment
452 stablecoin issuer may engage only in the following activities:
453 (1) Issue payment stablecoins.
454 (2) Redeem payment stablecoins.
455 (3) Manage related reserves, including purchasing,
456 selling, and holding reserve assets or providing custodial
457 services for reserve assets, consistent with federal law and the
458 laws of this state.
459 (4) Undertake other activities that directly support any
460 of the activities described in this section.

461 **Section 9. Section 560.504, Florida Statutes, is created**
462 **to read:**

463 560.504 Minimum prudential requirements.—
464 (1) In accordance with the GENIUS Act, Pub. L. No. 119-27,
465 a qualified payment stablecoin issuer must comply with all of
466 the following requirements:
467 (a) Maintain identifiable reserves backing the outstanding
468 payment stablecoins of the qualified payment stablecoin issuer
469 on at least a one-to-one basis, with reserves consisting of any
470 of the following:
471 1. United States coin or currency or money standing to the
472 credit of an account with a Federal Reserve Bank.
473 2. Funds held as demand deposits or insured shares at an
474 insured depository institution, subject to limitations
475 established by the Federal Deposit Insurance Corporation and the

476 National Credit Union Administration.

477 3. United States Treasury bills, notes, or bonds with a
478 remaining maturity or issued with a maturity of 93 days or less.

479 4. Money received under repurchase agreements, with the
480 qualified payment stablecoin issuer acting as a seller of
481 securities and with an overnight maturity, which are backed by
482 United States Treasury bills with a maturity of 93 days or less.

483 5. Reverse purchase agreements, with the qualified payment
484 stablecoin issuer acting as a purchaser of securities and with
485 an overnight maturity, which are collateralized by United States
486 Treasury bills, notes, or bonds on an overnight basis, subject
487 to overcollateralization in line with standard market terms that
488 meet federal requirements in the GENIUS Act, Pub. L. No. 119-27.

489 6. Securities that are issued by an investment company
490 registered under s. 8(a) of the Investment Company Act of 1940,
491 15 U.S.C. s. 80a-8(a), or other registered government money
492 market fund, and that are invested solely in underlying assets
493 described in subparagraphs 1.-5.

494 7. Any other similarly liquid Federal Government-issued
495 asset approved by the primary federal payment stablecoin
496 regulator, in consultation with the office.

497 8. Any reserve described in subparagraphs 1.-3. or
498 subparagraph 6. or subparagraph 7. in tokenized form, provided
499 that such reserves comply with all applicable laws and
500 regulations.

501 (b) Publicly disclose the issuer's redemption policy,
502 which must comply with all of the following requirements:
503 1. Establish clear and conspicuous procedures for timely
504 redemption of outstanding payment stablecoins.
505 2. Publicly, clearly, and conspicuously disclose in plain
506 language all fees associated with purchasing or redeeming the
507 payment stablecoins, provided that such fees can be changed only
508 upon not less than 7 days' prior notice to consumers.
509 (c) Publish on the issuer's website a monthly reserve
510 composition of the issuer's reserve which must contain all of
511 the following information:
512 1. The total number of outstanding payment stablecoins
513 issued by the issuer.
514 2. The amount and composition of the reserves described in
515 paragraph (a), including the average tenor and geographic
516 location of custody of each category of reserve instruments.
517 (d) Comply with all federal prohibitions on pledging,
518 rehypothecating, or reusing reserve assets, either directly or
519 indirectly, except for any of the following purposes:
520 1. Satisfying margin obligations in connection with
521 investments in permitted reserves under subparagraph (a)4. or
522 subparagraph (a)5.
523 2. Satisfying obligations associated with the use,
524 receipt, or provision of standard custodial services.
525 3. Creating liquidity to meet reasonable expectations of

526 requests to redeem payment stablecoins, such that reserves in
527 the form of United States Treasury bills may be sold as
528 purchased securities for repurchase agreements with a maturity
529 of 93 days or less, provided that either:

530 a. The repurchase agreements are cleared by a clearing
531 agency registered with the Securities and Exchange Commission;
532 or

533 b. The qualified payment stablecoin issuer receives prior
534 approval from the office.

535 (e) Engage a registered public accounting firm to conduct
536 a monthly examination of the previous month-end reserve report.
537 For purposes of this paragraph, the term "registered public
538 accounting firm" means a public accounting firm registered with
539 the Public Company Accounting Oversight Board.

540 (f) Submit to the office each month a certification as to
541 the accuracy of the month-end reserve report by the qualified
542 payment stablecoin issuer's chief executive officer and chief
543 financial officer.

544 (g) Comply with any federal regulations or state rules
545 prescribed by commission rule relating to capital, liquidity,
546 and risk management requirements.

547 (h) Engage only custodians or safekeepers that comply with
548 s. 10 of the GENIUS Act, Pub. L. No. 119-27.

549 (i) Comply with any other federal requirements of s. 4(a)
550 of the GENIUS Act, Pub. L. No. 119-27, and any implementing

551 federal regulations.

552 (2) A qualified payment stablecoin issuer may not engage
553 in any of the following conduct:

554 (a) Except as may be authorized under federal law, tying
555 arrangements that condition access to stablecoin services on the
556 purchase of unrelated products or services from such qualified
557 payment stablecoin issuer or an agreement not to obtain products
558 or services from a competitor.

559 (b) Using deceptive names, which includes, but is not
560 limited to, any of the following:

561 1. Using any combination of terms relating to the United
562 States Government, except abbreviations directly related to the
563 currency to which a payment stablecoin is pegged, such as "USD."

564 2. Marketing a payment stablecoin in such a way that a
565 reasonable person would perceive the payment stablecoin to be
566 legal tender, as described in 31 U.S.C. s. 5103, issued by the
567 United States, or guaranteed or approved by the United States
568 Government.

569 (c) Unless authorized by federal law, paying the holder of
570 any payment stablecoin any form of interest or yield solely in
571 connection with holding, use, or retention of such payment
572 stablecoin.

573 **Section 10. Effective upon becoming a law, section**
574 **560.505, Florida Statutes, is created to read:**

575 560.505 State certification.—

576 (1) No later than 20 days after the federal Stablecoin
577 Certification Review Committee begins accepting certifications
578 or no later than 20 days after this act becomes a law, whichever
579 is later, the office must submit an initial certification to
580 such committee on a form prescribed by the committee attesting
581 that the state regulatory regime meets the criteria for
582 substantial similarity established pursuant to the GENIUS Act.

583 (2) No later than the date to be determined by the United
584 States Secretary of the Treasury each year, the office must
585 submit to the Stablecoin Certification Review Committee an
586 additional certification that confirms the accuracy of the
587 initial certification submitted.

588 (3) The office must comply with the requirements of s.
589 4(c) (4) of the GENIUS Act to ensure the state receives
590 certification and annual recertification by the Stablecoin
591 Certification Review Committee of the state regulatory regime.

592 **Section 11. Section 560.506, Florida Statutes, is created**
593 **to read:**

594 560.506 Rulemaking authority.—The commission shall adopt
595 rules to administer this part as required in s. 13 of the GENIUS
596 Act, Pub. L. No. 119-27. The commission shall also adopt rules
597 relating to capital, liquidity, and risk management which are
598 consistent with s. 4(a) (4) of the GENIUS Act, Pub. L. No. 119-
599 27. The commission may adopt rules establishing standards for
600 the conduct, supervision, examination, and regulation of

601 qualified payment stablecoin issuers, including requirements
602 relating to reserves, customer-asset protection, reporting, and
603 compliance, in order to meet the minimum requirements
604 established by the Stablecoin Certification Review Committee.

605 **Section 12. Section 658.997, Florida Statutes, is created**
606 **to read:**

607 658.997 Qualified payment stablecoin issuers.—

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

609 (a) "Payment stablecoin" has the same meaning as in s.

610 560.103.

611 (b) "Qualified payment stablecoin issuer" has the same
612 meaning as in s. 560.103. The term does not include an insured
613 depository institution, an uninsured national bank, a federal
614 branch of a foreign bank, or a subsidiary of such entities. For
615 purposes of this paragraph, the term:

616 1. "Federal branch of a foreign bank" means a branch of a
617 foreign bank established and operating under 12 U.S.C. s. 3102.

618 2. "Insured depository institution" means:

619 a. A bank or savings association the deposits of which are
620 insured by the Federal Deposit Insurance Corporation; or
621 b. A credit union insured by the National Credit Union
622 Administration Board.

623 3. "Subsidiary" means a company that is owned or
624 controlled directly or indirectly by another company and
625 includes any service corporation owned in whole or in part by an

626 insured depository institution or any subsidiary of such a
627 service corporation.

628 (2) EXEMPTIONS.—

629 (a) A trust company that is organized pursuant to this
630 section and issues payment stablecoins with a consolidated total
631 outstanding issuance of \$10 billion or less is exempt from
632 registration as a qualified payment stablecoin issuer but is
633 subject to the provisions of this section.

634 (b) A payment stablecoin that meets the requirements of
635 this part is not a security and is not subject to the
636 requirements of chapter 517.

637 (c) The following transactions are not regulated under
638 this part:

639 1. The direct transfer of payment stablecoin between two
640 individuals acting on their own behalf and for their own lawful
641 purposes, without the involvement of an intermediary.

642 2. Any transaction involving the receipt of payment
643 stablecoin by an individual between an account owned by the
644 individual in the United States and an account owned by the
645 individual abroad which are offered by the same parent company.

646 3. Any transaction by means of a software or hardware
647 wallet that facilitates an individual's own custody of payment
648 stablecoin.

649 (3) TRANSITION TO FEDERAL OVERSIGHT.—

650 (a) Unless a federal waiver is obtained, a qualified

651 payment stablecoin issuer with a consolidated total outstanding
652 payment stablecoin issuance that reaches the \$10 billion
653 threshold must comply with one of the following requirements:

654 1. Not later than 360 days after the payment stablecoin
655 issuance reaches such threshold, transition to the applicable
656 federal regulatory framework administered jointly by the office
657 and the Office of the Comptroller of the Currency; or
658 2. Beginning on the date the payment stablecoin issuance
659 reaches such threshold, cease issuing new payment stablecoins
660 until the payment stablecoin falls below the \$10 billion
661 consolidated total outstanding issuance threshold.

662 (b) A qualified payment stablecoin issuer remains subject
663 to this part if a federal waiver of the transition requirements
664 in paragraph (a) is obtained pursuant to the GENIUS Act, Pub. L.
665 No. 119-27, and the office remains solely responsible for
666 supervising the qualified payment stablecoin issuer, or if the
667 office is jointly responsible with the Office of the Comptroller
668 of the Currency to supervise the qualified payment stablecoin
669 issuer pursuant to subparagraph (a)1. The office may enter into
670 an agreement with the relevant primary federal payment
671 stablecoin regulator for the joint supervision of any qualified
672 payment stablecoin issuer.

673 (4) LIMITATION ON PAYMENT STABLECOIN ACTIVITIES.—Unless
674 licensed under chapter 560 or chapter 655 to conduct other
675 financial business activities, a qualified payment stablecoin

676 issuer may engage only in the following activities:

677 (a) Issue payment stablecoins.

678 (b) Redeem payment stablecoins.

679 (c) Manage related reserves, including purchasing,
680 selling, and holding reserve assets or providing custodial
681 services for reserve assets, consistent with federal law and the
682 laws of this state.

683 (d) Undertake other activities that directly support any
684 of the activities described in this section.

685 (5) MINIMUM PRUDENTIAL REQUIREMENTS.—

686 (a) In accordance with the GENIUS Act, Pub. L. No. 119-27,
687 a qualified payment stablecoin issuer must comply with all of
688 the following requirements:

689 1. Maintain identifiable reserves backing the outstanding
690 payment stablecoins of the qualified payment stablecoin issuer
691 on at least a one-to-one basis, with reserves consisting of any
692 of the following:

693 a. United States coin or currency or money standing to the
694 credit of an account with a Federal Reserve Bank.

695 b. Funds held as demand deposits or insured shares at an
696 insured depository institution, subject to limitations
697 established by the Federal Deposit Insurance Corporation and the
698 National Credit Union Administration.

699 c. United States Treasury bills, notes, or bonds with a
700 remaining maturity or issued with a maturity of 93 days or less.

701 d. Money received under repurchase agreements, with the
702 qualified payment stablecoin issuer acting as a seller of
703 securities and with an overnight maturity, which are backed by
704 United States Treasury bills with a maturity of 93 days or less.

705 e. Reverse purchase agreements, with the qualified payment
706 stablecoin issuer acting as a purchaser of securities and with
707 an overnight maturity, which are collateralized by United States
708 Treasury bills, notes, or bonds on an overnight basis, subject
709 to overcollateralization in line with standard market terms that
710 meet federal requirements in the GENIUS Act, Pub. L. No. 119-27.

711 f. Securities that are issued by an investment company
712 registered under s. 8(a) of the Investment Company Act of 1940,
713 15 U.S.C. s. 80a-8(a), or other registered government money
714 market fund, and that are invested solely in underlying assets
715 described in sub-subparagraphs a.-e.

716 g. Any other similarly liquid Federal Government-issued
717 asset approved by the primary federal payment stablecoin
718 regulator, in consultation with the office.

719 h. Any reserve described in sub-subparagraphs a.-c. or
720 sub-subparagraph f. or sub-subparagraph g. in tokenized form,
721 provided that such reserves comply with all applicable laws and
722 regulations.

723 2. Publicly disclose the issuer's redemption policy, which
724 must comply with all of the following requirements:

725 a. Establish clear and conspicuous procedures for timely

726 redemption of outstanding payment stablecoins.

727 b. Publicly, clearly, and conspicuously disclose in plain
728 language all fees associated with purchasing or redeeming the
729 payment stablecoins, provided that such fees can be changed only
730 upon not less than 7 days' prior notice to consumers.

731 3. Publish on the issuer's website a monthly reserve
732 composition of the issuer's reserve which must contain all of
733 the following information:

734 a. The total number of outstanding payment stablecoins
735 issued by the issuer.

736 b. The amount and composition of the reserves described in
737 subparagraph 1., including the average tenor and geographic
738 location of custody of each category of reserve instruments.

739 4. Comply with all federal prohibitions on pledging,
740 rehypothecating, or reusing reserve assets, either directly or
741 indirectly, except for any of the following purposes:

742 a. Satisfying margin obligations in connection with
743 investments in permitted reserves under sub subparagraph 1.d. or
744 sub subparagraph 1.e.

745 b. Satisfying obligations associated with the use,
746 receipt, or provision of standard custodial services.

747 c. Creating liquidity to meet reasonable expectations of
748 requests to redeem payment stablecoins, such that reserves in
749 the form of United States Treasury bills may be sold as
750 purchased securities for repurchase agreements with a maturity

751 of 93 days or less, provided that either:

752 (I) The repurchase agreements are cleared by a clearing
753 agency registered with the Securities and Exchange Commission;
754 or

755 (II) The qualified payment stablecoin issuer receives
756 prior approval from the office.

757 5. Engage a registered public accounting firm to conduct a
758 monthly examination of the previous month-end reserve report.
759 For purposes of this subparagraph, the term "registered public
760 accounting firm" means a public accounting firm registered with
761 the Public Company Accounting Oversight Board.

762 6. Submit to the office each month a certification as to
763 the accuracy of the month-end reserve report by the qualified
764 payment stablecoin issuer's chief executive officer and chief
765 financial officer.

766 7. Comply with any federal regulations or state rules
767 prescribed by commission rule relating to capital, liquidity,
768 and risk management requirements.

769 8. Engage only custodians or safekeepers that comply with
770 s. 10 of the GENIUS Act, Pub. L. No. 119-27.

771 9. Comply with any other federal requirements of s. 4(a)
772 of the GENIUS Act, Pub. L. No. 119-27, and any implementing
773 federal regulations.

774 (b) A qualified payment stablecoin issuer may not engage
775 in any of the following conduct:

776 1. Except as may be authorized under federal law, tying
777 arrangements that condition access to stablecoin services on the
778 purchase of unrelated products or services from such qualified
779 payment stablecoin issuer or an agreement not to obtain products
780 or services from a competitor.

781 2. Using deceptive names, which includes, but is not
782 limited to, any of the following:

783 a. Using any combination of terms relating to the United
784 States Government, except abbreviations directly related to the
785 currency to which a payment stablecoin is pegged, such as "USD."

786 b. Marketing a payment stablecoin in such a way that a
787 reasonable person would perceive the payment stablecoin to be
788 legal tender, as described in 31 U.S.C. s. 5103, issued by the
789 United States, or guaranteed or approved by the United States
790 Government.

791 3. Unless authorized by federal law, paying the holder of
792 any payment stablecoin any form of interest or yield solely in
793 connection with holding, use, or retention of such payment
794 stablecoin.

795 (6) CERTIFICATION.—The office's initial certification and
796 annual recertification submission to the federal Stablecoin
797 Certification Review Committee pursuant to s. 560.505 must
798 include any relevant information related to the provisions of
799 this chapter in the office's request for certification or
800 recertification of the state regulatory regime of payment

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801 stablecoins.

802 (7) RULEMAKING.—The commission may adopt rules to
803 administer this section as required in s. 13 of the GENIUS Act,
804 Pub. L. No. 119-27. The commission must adopt rules relating to
805 capital, liquidity, and risk management which are consistent
806 with s. 4(a)(4) of the GENIUS Act, Pub. L. No. 119-27. The
807 commission may adopt rules establishing standards for the
808 conduct, supervision, examination, and regulation of qualified
809 payment stablecoin issuers, including requirements relating to
810 reserves, customer-asset protection, reporting, and compliance
811 in order to meet the minimum requirements established by the
812 Stablecoin Certification Review Committee.

813 **Section 13.** Except as otherwise expressly provided in this
814 act and except for this section, which shall take effect upon
815 this act becoming a law, this act shall take effect January 1,
816 2027.