

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 381 (2026)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Committee/Subcommittee hearing bill: Insurance & Banking
Subcommittee

Representative Barnaby offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

**Section 1. Section 494.00123, Florida Statutes, is created
to read:**

494.00123 Information security programs.—

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

(a) "Customer" means a person who seeks to obtain or who
obtains or has obtained a financial product or service from a
licensee.

(b) "Customer information" means any record containing
nonpublic personal information about a customer of a financial
transaction, whether on paper, electronic, or in other forms,

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17 which is handled or maintained by or on behalf of the licensee
18 or its affiliates.

19 (c) "Cybersecurity event" means an event resulting in
20 unauthorized access to, or disruption or misuse of, an
21 information system, information stored on such information
22 system, or customer information held in physical form.

23 (d) "Financial product or service" means any product or
24 service offered by a licensee under this chapter.

25 (e) "Information security program" means the
26 administrative, technical, or physical safeguards used to
27 access, collect, distribute, process, protect, store, use,
28 transmit, dispose of, or otherwise handle customer information.

29 (f) "Information system" means a discrete set of
30 electronic information resources organized for the collection,
31 processing, maintenance, use, sharing, dissemination, or
32 disposition of electronic information, as well as any
33 specialized system such as an industrial process control system,
34 telephone switching and private branch exchange system, or
35 environmental control system, which contain customer information
36 or which are connected to a system that contains customer
37 information.

38 (g) "Licensee" means a person licensed under this chapter.

39 (h)1. "Nonpublic personal information" means:

40 a. Personally identifiable financial information; and

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41 b. Any list, description, or other grouping of customers
42 that is derived using any personally identifiable financial
43 information that is not publicly available, such as account
44 numbers, including any list of individuals' names and street
45 addresses that is derived, in whole or in part, using personally
46 identifiable financial information that is not publicly
47 available.

48 2. The term does not include:

49 a. Publicly available information, except as included on a
50 list, description, or other grouping of customers described in
51 sub-subparagraph 1.b.;

52 b. Any list, description, or other grouping of consumers,
53 or any publicly available information pertaining to such list,
54 description, or other grouping of consumers, which is derived
55 without using any personally identifiable financial information
56 that is not publicly available; or

57 c. Any list of individuals' names and addresses that
58 contains only publicly available information, is not derived, in
59 whole or in part, using personally identifiable financial
60 information that is not publicly available, and is not disclosed
61 in a manner that indicates that any of the individuals on the
62 list is a customer of a licensee.

63 3. As used in this paragraph, the term:

64 a.(I) "Personally identifiable financial information"
65 means any information that:

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66 (A) A customer provides to a licensee to obtain a
67 financial product or service, such as information that a
68 customer provides to a licensee on an application to obtain a
69 loan or other financial product or service;

70 (B) A licensee receives about a consumer that is obtained
71 during or as a result of any transaction involving a financial
72 product or service between the licensee and the customer, such
73 as information collected through an information-collecting
74 device from a web server; or

75 (C) A licensee otherwise obtains about a customer in
76 connection with providing a financial product or service to the
77 customer, such as the fact that an individual is or has been one
78 of the licensee's customers or has obtained a financial product
79 or service from the licensee.

80 (II) The term "personally identifiable financial
81 information" does not include:

82 (A) A list of names and addresses of customers of an
83 entity that is not a financial institution; or

84 (B) Information that does not identify a customer, such as
85 blind data or aggregate information that does not contain
86 personal identifiers such as account numbers, names, or
87 addresses.

88 b.(I) "Publicly available information" means any
89 information that a licensee has a reasonable basis to believe is
90 lawfully made available to the general public from:

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91 (A) Federal, state, or local government records, such as
92 government real estate records or security interest filings;

93 (B) Widely distributed media, such as information from a
94 telephone records repository or directory, a television or radio
95 program, a newspaper, a social media platform, or a website that
96 is available to the general public on an unrestricted basis. A
97 website is not restricted merely because an Internet service
98 provider or a site operator requires a fee or a password, so
99 long as access is available to the general public; or

100 (C) Disclosures to the general public which are required
101 to be made by federal, state, or local law.

102 (II) As used in this sub-subparagraph, the term
103 "reasonable basis to believe is lawfully made available to the
104 general public" relating to any information means that the
105 person has taken steps to determine:

106 (A) That the information is of the type that is available
107 to the general public, such as information included on the
108 public record in the jurisdiction where the mortgage would be
109 recorded; and

110 (B) Whether an individual can direct that the information
111 not be made available to the general public and, if so, the
112 customer to whom the information relates has not done so, such
113 as when a telephone number is listed in a telephone directory
114 and the customer has informed the licensee that the telephone
115 number is not unlisted.

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116 (i) "Third-party service provider" means a person, other
117 than a licensee, which contracts with a licensee to maintain,
118 process, or store nonpublic personal information, or is
119 otherwise permitted access to nonpublic personal information
120 through its provision of services to a licensee.

121 (2) INFORMATION SECURITY PROGRAM.—

122 (a) Each licensee shall develop, implement, and maintain a
123 comprehensive written information security program that contains
124 administrative, technical, and physical safeguards for the
125 protection of the licensee's information system and nonpublic
126 personal information.

127 (b) Each licensee shall ensure that the information
128 security program meets all of the following criteria:

129 1. Be commensurate with the following measures:

130 a. Size and complexity of the licensee.

131 b. Nature and scope of the licensee's activities,
132 including the licensee's use of third-party service providers.

133 c. Sensitivity of nonpublic personal information that is
134 used by the licensee or that is in the licensee's possession,
135 custody, or control.

136 2. Be designed to do all of the following:

137 a. Protect the security and confidentiality of nonpublic
138 personal information and the security of the licensee's
139 information system.

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140 b. Protect against threats or hazards to the security or
141 integrity of nonpublic personal information and the licensee's
142 information system.

143 c. Protect against unauthorized access to or the use of
144 nonpublic personal information and minimize the likelihood of
145 harm to any customer.

146 3. Define and periodically reevaluate the retention
147 schedule and the mechanism for the destruction of nonpublic
148 personal information if retention is no longer necessary for the
149 licensee's business operations or is no longer required by
150 applicable law.

151 4. Regularly test and monitor systems and procedures for
152 the detection of actual and attempted attacks on, or intrusions
153 into, the licensee's information system.

154 5. Be monitored, evaluated, and adjusted, as necessary, to
155 meet all of the following requirements:

156 a. Determine whether the licensee's information security
157 program is consistent with relevant changes in technology.

158 b. Confirm the licensee's information security program
159 accounts for the sensitivity of nonpublic personal information.

160 c. Identify changes that may be necessary to the
161 licensee's information system.

162 d. Mitigate any internal or external threats to nonpublic
163 personal information.

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e. Amend the licensee's information security program for any of the licensee's changing business arrangements, including, but not limited to, mergers and acquisitions, alliances and joint ventures, and outsourcing arrangements.

(c)1. As part of a licensee's information security program, the licensee shall establish a written incident response plan designed to promptly respond to, and recover from, a cybersecurity event that compromises:

a. The confidentiality, integrity, or availability of nonpublic personal information in the licensee's possession;

b. The licensee's information system; or

c. The continuing functionality of any aspect of the licensee's operations.

2. The written incident response plan must address all of the following:

a. The licensee's internal process for responding to a cybersecurity event.

b. The goals of the licensee's incident response plan.

c. The assignment of clear roles, responsibilities, and levels of decisionmaking authority for the licensee's personnel that participate in the incident response plan.

d. External communications, internal communications, and information sharing related to a cybersecurity event.

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187 e. The identification of remediation requirements for
188 weaknesses identified in information systems and associated
189 controls.

190 f. The documentation and reporting regarding cybersecurity
191 events and related incident response activities.

192 g. The evaluation and revision of the incident response
193 plan, as appropriate, following a cybersecurity event.

194 h. The process by which notice must be given as required
195 under subsection (4) and s. 501.171(3) and (4).

196 (d)1. This section does not apply to a licensee that has
197 fewer than:

198 a. Twenty individuals on its workforce, including
199 employees and independent contractors; or

200 b. Five hundred customers during a calendar year.

201 2. A licensee that no longer qualifies for exemption under
202 subparagraph 1. has 180 calendar days to comply with this
203 section after the date of the disqualification.

204 (e) Each licensee shall maintain a copy of the information
205 security program for a minimum of 5 years and shall make it
206 available to the office upon request or as part of an
207 examination.

208 (3) NOTICE TO OFFICE OF SECURITY BREACH.—

209 (a) Each licensee shall provide notice to the office of
210 any breach of security affecting 500 or more individuals in this
211 state at a time and in the manner prescribed by commission rule.

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(4) CONSTRUCTION.—This section may not be construed to relieve a covered entity from complying with s. 501.171. To the extent a licensee is a covered entity, as defined in s. 501.171(1), the licensee remains subject to s. 501.171.

(5) RULES.—The commission must adopt rules to administer this section, including rules that allow a licensee that is in compliance with the Federal Trade Commission's Standards for Safeguarding Customer Information, 16 C.F.R. part 314, to be deemed in compliance with subsection (2).

Section 2. Paragraph (z) is added to subsection (1) of section 494.00255, Florida Statutes, to read:

494.00255 Administrative penalties and fines; license violations.—

(1) Each of the following acts constitutes a ground for which the disciplinary actions specified in subsection (2) may be taken against a person licensed or required to be licensed under part II or part III of this chapter:

(z) Failure to comply with the notification requirements in s. 501.171(3) and (4).

Section 3. Subsections (28) through (36) of section 517.021, Florida Statutes, are renumbered as subsections (29) through (37), respectively, subsection (20) is amended, and a new subsection (28) is added to that section, to read:

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235 517.021 Definitions.—When used in this chapter, unless the
236 context otherwise indicates, the following terms have the
237 following respective meanings:

238 (20) (a) "Investment adviser" means a person, other than an
239 associated person of an investment adviser or a federal covered
240 adviser, that receives compensation, directly or indirectly, and
241 engages for all or part of the person's time, directly or
242 indirectly, or through publications or writings, in the business
243 of advising others as to the value of securities or as to the
244 advisability of investments in, purchasing of, or selling of
245 securities.

246 (b) The term does not include any of the following:

247 1. A dealer or an associated person of a dealer whose
248 performance of services in paragraph (a) is solely incidental to
249 the conduct of the dealer's or associated person's business as a
250 dealer and who does not receive special compensation for those
251 services.

252 2. A licensed practicing attorney or certified public
253 accountant whose performance of such services is solely
254 incidental to the practice of the attorney's or accountant's
255 profession.

256 3. A bank authorized to do business in this state.

257 4. A bank holding company as defined in the Bank Holding
258 Company Act of 1956, as amended, authorized to do business in
259 this state.

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260 5. A trust company having trust powers, as defined in s.
261 658.12, which it is authorized to exercise in this state, which
262 trust company renders or performs investment advisory services
263 in a fiduciary capacity incidental to the exercise of its trust
264 powers.

265 6. A person that renders investment advice exclusively to
266 insurance or investment companies.

267 7. A person:

268 a. Without a place of business in this state if the person
269 has had that, during the preceding 12 months, has fewer than six
270 clients who are residents of this state.

271 b. With a place of business in this state if the person
272 has had, during the preceding 12 months, fewer than six clients
273 who are residents of this state and no clients who are not
274 residents of this state.

275
276 As used in this subparagraph, the term "client" has the same
277 meaning as provided in Securities and Exchange Commission Rule
278 222-2 ~~275.222-2~~, 17 C.F.R. s. 275.222-2, as amended.

279 8. A federal covered adviser.

280 9. The United States, a state, or any political
281 subdivision of a state, or any agency, authority, or
282 instrumentality of any such entity; a business entity that is
283 wholly owned directly or indirectly by such a governmental
284 entity; or any officer, agent, or employee of any such

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governmental or business entity who is acting within the scope of his or her official duties.

10. A family office as defined in Securities and Exchange Commission Rule 202(a)(11)(G)-1(b) under the Investment Advisers Act of 1940, 17 C.F.R. s. 275.202(a)(11)(G)-1(b), as amended. In determining whether a person meets the definition of a family office under this subparagraph, the terms "affiliated family office," "control," "executive officer," "family client," "family entity," "family member," "former family member," "key employee," and "spousal equivalent" have the same meaning as in Securities and Exchange Commission Rule 202(a)(11)(G)-1(d), 17 C.F.R. s. 275.202(a)(11)(G)-1(d).

(28) "Place of business" of an investment adviser means an office at which the investment adviser regularly provides investment advisory services to, solicits, meets with, or otherwise communicates with clients; and any other location that is held out to the general public as a location at which the investment adviser provides investment advisory services to, solicits, meets with, or otherwise communicates with clients.

Section 4. Paragraph (i) of subsection (9) of section 517.061, Florida Statutes, is amended to read:

517.061 Exempt transactions.—

Except as otherwise provided in subsection (11), the exemptions provided herein from the registration requirements of s. 517.07 are self-executing and do not require any filing with

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the office before being claimed. Any person who claims entitlement to an exemption under this section bears the burden of proving such entitlement in any proceeding brought under this chapter. The registration provisions of s. 517.07 do not apply to any of the following transactions; however, such transactions are subject to s. 517.301:

(9) The offer or sale of securities to:

(i) A family office as defined in Securities and Exchange Commission Rule 202(a)(11)(G)-1(b) ~~202(a)(11)(G)-1~~ under the Investment Advisers Act of 1940, 17 C.F.R. s. 275.202(a)(11)(G)-1(b) ~~s. 275.202(a)(11)(G)-1~~, as amended, provided that:

1. The family office has assets under management in excess of \$5 million;

2. The family office is not formed for the specific purpose of acquiring the securities offered; and

3. The prospective investment of the family office is directed by a person who has knowledge and experience in financial and business matters that the family office is capable of evaluating the merits and risks of the prospective investment.

In determining whether a person meets the definition of a family office under this paragraph, the terms "affiliated family office," "control," "executive officer," "family client," "family entity," "family member," "former family member," "key employee," and "spousal equivalent" have the same meaning as in

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Securities and Exchange Commission Rule 202(a)(11)(G)-1(d), 17
C.F.R. s. 275.202(a)(11)(G)-1(d).

**Section 5. Subsections (1) and (2) of section 560.114,
Florida Statutes, are amended to read:**

560.114 Disciplinary actions; penalties.—

(1) The following actions by a money services business, an
authorized vendor, or a affiliated party that was affiliated at
the time of commission of the actions constitute grounds for the
issuance of a cease and desist order; the issuance of a removal
order; the denial, suspension, or revocation of a license; or
taking any other action within the authority of the office
pursuant to this chapter:

(a) Failure to comply with any provision of this chapter
or related rule or order, or any written agreement entered into
with the office.

(b) Fraud, misrepresentation, deceit, or gross negligence
in any transaction by a money services business, regardless of
reliance thereon by, or damage to, a customer.

(c) Fraudulent misrepresentation, circumvention, or
concealment of any matter that must be stated or furnished to a
customer pursuant to this chapter, regardless of reliance
thereon by, or damage to, such customer.

(d) False, deceptive, or misleading advertising.

(e) Failure to maintain, preserve, keep available for
examination, and produce all books, accounts, files, or other

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documents required by this chapter or related rules or orders, by 31 C.F.R. ss. 1010.306, 1010.311, 1010.312, 1010.340, 1010.410, 1010.415, 1022.210, 1022.320, 1022.380, and 1022.410, or by an agreement entered into with the office.

(f) Refusing to allow the examination or inspection of books, accounts, files, or other documents by the office pursuant to this chapter, or to comply with a subpoena issued by the office.

(g) Failure to pay a judgment recovered in any court by a claimant in an action arising out of a money transmission transaction within 30 days after the judgment becomes final.

(h) Engaging in an act prohibited under s. 560.111 or s. 560.1115.

(i) Insolvency.

(j) Failure by a money services business to remove an affiliated party after the office has issued and served upon the money services business a final order setting forth a finding that the affiliated party has violated a provision of this chapter.

(k) Making a material misstatement, misrepresentation, or omission in an application for licensure, any amendment to such application, or application for the appointment of an authorized vendor.

(l) Committing any act that results in a license or its equivalent, to practice any profession or occupation being

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denied, suspended, revoked, or otherwise acted against by a
licensing authority in any jurisdiction.

(m) Being the subject of final agency action or its
equivalent, issued by an appropriate regulator, for engaging in
unlicensed activity as a money services business or deferred
presentment provider in any jurisdiction.

(n) Committing any act resulting in a license or its
equivalent to practice any profession or occupation being
denied, suspended, revoked, or otherwise acted against by a
licensing authority in any jurisdiction for a violation of 18
U.S.C. s. 1956, 18 U.S.C. s. 1957, 18 U.S.C. s. 1960, 31 U.S.C.
s. 5324, or any other law or rule of another state or of the
United States relating to a money services business, deferred
presentment provider, or usury that may cause the denial,
suspension, or revocation of a money services business or
deferred presentment provider license or its equivalent in such
jurisdiction.

(o) Having been convicted of, or entered a plea of guilty
or nolo contendere to, any felony or crime punishable by
imprisonment of 1 year or more under the law of any state or the
United States which involves fraud, moral turpitude, or
dishonest dealing, regardless of adjudication.

(p) Having been convicted of, or entered a plea of guilty
or nolo contendere to, a crime under 18 U.S.C. s. 1956 or 31
U.S.C. s. 5318, s. 5322, or s. 5324, regardless of adjudication.

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410 (q) Having been convicted of, or entered a plea of guilty
411 or nolo contendere to, misappropriation, conversion, or unlawful
412 withholding of moneys belonging to others, regardless of
413 adjudication.

414 (r) Having been convicted of, or entered a plea of guilty
415 or nolo contendere to, a violation of 31 C.F.R. chapter X, part
416 1022, regardless of adjudication.

417 (s)~~(r)~~ Failure to inform the office in writing within 30
418 days after having pled guilty or nolo contendere to, or being
419 convicted of, any felony or crime punishable by imprisonment of
420 1 year or more under the law of any state or the United States,
421 or any crime involving fraud, moral turpitude, or dishonest
422 dealing.

423 (t)~~(s)~~ Aiding, assisting, procuring, advising, or abetting
424 any person in violating a provision of this chapter or any order
425 or rule of the office or commission.

426 (u)~~(t)~~ Failure to pay any fee, charge, or cost imposed or
427 assessed under this chapter.

428 (v)~~(u)~~ Failing to pay a fine assessed by the office within
429 30 days after the due date as stated in a final order.

430 (w)~~(v)~~ Failure to pay any judgment entered by any court
431 within 30 days after the judgment becomes final.

432 (x)~~(w)~~ Engaging or advertising engagement in the business
433 of a money services business or deferred presentment provider
434 without a license, unless exempted from licensure.

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435 (y)~~(*)~~ Payment to the office for a license or other fee,
436 charge, cost, or fine with a check or electronic transmission of
437 funds that is dishonored by the applicant's or licensee's
438 financial institution.

439 (z)~~(y)~~ Violations of 31 C.F.R. ss. 1010.306, 1010.311,
440 1010.312, 1010.340, 1010.410, 1010.415, 1022.210, 1022.320,
441 1022.380, and 1022.410, and United States Treasury Interpretive
442 Release 2004-1.

443 (aa)~~(z)~~ Any practice or conduct that creates the
444 likelihood of a material loss, insolvency, or dissipation of
445 assets of a money services business or otherwise materially
446 prejudices the interests of its customers.

447 (bb)~~(aa)~~ Failure of a check casher to maintain a federally
448 insured depository account as required by s. 560.309.

449 (cc)~~(bb)~~ Failure of a check casher to deposit into its own
450 federally insured depository account any payment instrument
451 cashed as required by s. 560.309.

452 (dd)~~(ee)~~ Violating any provision of the Military Lending
453 Act, 10 U.S.C. s. 987, or the regulations adopted under that act
454 in 32 C.F.R. part 232, in connection with a deferred presentment
455 transaction conducted under part IV of this chapter.

456 (ee) Failure to comply with the notification requirements
457 in s. 501.171(3) and (4).

458 (2) ~~Pursuant to s. 120.60(6),~~ The office shall issue an
459 emergency order suspending ~~may summarily suspend~~ the license of

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460 a money services business if the office finds that a licensee
461 poses an immediate, serious danger to the public health, safety,
462 and welfare as deemed by the Legislature. ~~A proceeding in which~~
463 ~~the office seeks the issuance of a final order for the summary~~
464 ~~suspension of a licensee shall be conducted by the commissioner~~
465 ~~of the office, or his or her designee, who shall issue such~~
466 ~~order.~~

467 (a) An emergency order under this section may be issued
468 without prior notice and an opportunity to be heard. An
469 emergency order must:

470 1. state the grounds on which the order is based;
471 2. advise the licensee against whom the order is directed
472 that the order takes effect immediately, and, to the extent
473 applicable, require the licensee to immediately cease and desist
474 from the conduct or violation that is the subject of the order
475 or to take the affirmative action stated in the order as
476 necessary to correct a condition resulting from the conduct or
477 violation or as otherwise appropriate;

478 3. be delivered by personal delivery or sent by certified
479 mail, return receipt requested, to the licensee against whom the
480 order is directed at the licensee's last known address; and

481 4. include a notice that the licensee subject to an
482 emergency suspension order may seek judicial review pursuant to
483 s. 120.68.

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484 (b) An emergency order is effective as soon as the licensee
485 against whom the order is directed has actual or constructive
486 knowledge of the issuance of the order.

487 (c) The office shall institute proceedings under ss.
488 120.569 and 120.57 within 20 days after issuance of an emergency
489 suspension order.

490 (d) A licensee subject to an emergency suspension order may
491 seek judicial review pursuant to s. 120.68.

492 (e) ~~(2)~~ The following acts are deemed by the Legislature to
493 constitute an immediate and serious danger to the public health,
494 safety, and welfare, and the office shall ~~may~~ immediately
495 suspend the license of a money services business without making
496 any further findings of immediate danger, necessity, and
497 procedural fairness if:

498 1. ~~(a)~~ The money services business fails to provide to the
499 office, upon written request, any of the records required by s.
500 560.123, s. 560.1235, s. 560.211, or s. 560.310 or any rule
501 adopted under those sections. The suspension may be rescinded if
502 the licensee submits the requested records to the office.

503 2. ~~(b)~~ The money services business fails to maintain a
504 federally insured depository account as required by s.
505 560.208(4) or s. 560.309.

506 3. ~~(e)~~ A natural person required to be listed on the
507 license application for a money services business pursuant to s.
508 560.141(1)(a)3. is criminally charged with, or arrested for, a

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crime described in paragraph (1)(o), paragraph (1)(p), or paragraph(1)(q).

Section 6. Section 520.135, Florida Statutes, is created to read:

520.135 Surrendered or repossessed vehicles.—

The rights and obligations of parties with respect to a surrendered or repossessed motor vehicle are exclusively governed by part VI of chapter 679.

Section 7. Section 560.1311, Florida Statutes, is created to read:

560.1311 Information security programs.—

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

(a) "Customer" means a person who seeks to obtain or who obtains or has obtained a financial product or service from a licensee.

(b) "Customer information" means any record containing nonpublic personal information about a customer of a financial transaction, whether on paper, electronic, or in other forms, which is handled or maintained by or on behalf of the licensee or its affiliates.

(c) "Cybersecurity event" means an event resulting in unauthorized access to, or disruption or misuse of, an information system, information stored on such information system, or customer information held in physical form.

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533 (d) "Financial product or service" means any product or
534 service offered by a licensee under this chapter.

535 (e) "Information security program" means the
536 administrative, technical, or physical safeguards used to
537 access, collect, distribute, process, protect, store, use,
538 transmit, dispose of, or otherwise handle customer information.

539 (f) "Information system" means a discrete set of
540 electronic information resources organized for the collection,
541 processing, maintenance, use, sharing, dissemination, or
542 disposition of electronic information, as well as any
543 specialized system such as an industrial process control system,
544 telephone switching and private branch exchange system, or
545 environmental control system, which contain customer information
546 or which are connected to a system that contains customer
547 information.

548 (g)1. "Nonpublic personal information" means:

549 a. Personally identifiable financial information; and

550 b. Any list, description, or other grouping of customers
551 that is derived using any personally identifiable financial
552 information that is not publicly available, such as account
553 numbers, including any list of individuals' names and street
554 addresses that is derived, in whole or in part, using personally
555 identifiable financial information that is not publicly
556 available.

557 2. The term does not include:

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558 a. Publicly available information, except as included on a
559 list, description, or other grouping of customers described in
560 sub-subparagraph 1.b.;

561 b. Any list, description, or other grouping of consumers,
562 or any publicly available information pertaining to such list,
563 description, or other grouping of consumers, which is derived
564 without using any personally identifiable financial information
565 that is not publicly available; or

566 c. Any list of individuals' names and addresses that
567 contains only publicly available information, is not derived, in
568 whole or in part, using personally identifiable financial
569 information that is not publicly available, and is not disclosed
570 in a manner that indicates that any of the individuals on the
571 list is a customer of a licensee.

572 3. As used in this paragraph, the term:

573 a.(I) "Personally identifiable financial information"
574 means any information that:

575 (A) A customer provides to a licensee to obtain a
576 financial product or service, such as information that a
577 customer provides to a licensee on an application to obtain a
578 loan or other financial product or service;

579 (B) A licensee receives about a consumer that is obtained
580 during or as a result of any transaction involving a financial
581 product or service between the licensee and the customer, such

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582 as information collected through an information-collecting
583 device from a web server; or

584 (C) A licensee otherwise obtains about a customer in
585 connection with providing a financial product or service to the
586 customer, such as the fact that an individual is or has been one
587 of the licensee's customers or has obtained a financial product
588 or service from the licensee.

589 (II) The term "personally identifiable financial
590 information" does not include:

591 (A) A list of names and addresses of customers of an
592 entity that is not a financial institution; or

593 (B) Information that does not identify a customer, such as
594 blind data or aggregate information that does not contain
595 personal identifiers such as account numbers, names, or
596 addresses.

597 b.(I) "Publicly available information" means any
598 information that a licensee has a reasonable basis to believe is
599 lawfully made available to the general public from:

600 (A) Federal, state, or local government records, such as
601 government real estate records or security interest filings;

602 (B) Widely distributed media, such as information from a
603 telephone records repository or directory, a television or radio
604 program, a newspaper, a social media platform, or a website that
605 is available to the general public on an unrestricted basis. A
606 website is not restricted merely because an Internet service

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provider or a site operator requires a fee or a password, so long as access is available to the general public; or

(C) Disclosures to the general public which are required to be made by federal, state, or local law.

(II) As used in this sub-subparagraph, the term "reasonable basis to believe is lawfully made available to the general public" relating to any information means that the person has taken steps to determine:

(A) That the information is of the type that is available to the general public, such as information included on the public record in the jurisdiction where the mortgage would be recorded; and

(B) Whether an individual can direct that the information not be made available to the general public and, if so, the customer to whom the information relates has not done so, such as when a telephone number is listed in a telephone directory and the customer has informed the licensee that the telephone number is not unlisted.

(h) "Third-party service provider" means a person, other than a licensee, which contracts with a licensee to maintain, process, or store nonpublic personal information, or is otherwise permitted access to nonpublic personal information through its provision of services to a licensee.

(2) INFORMATION SECURITY PROGRAM.—

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631 (a) Each licensee shall develop, implement, and maintain a
632 comprehensive written information security program that contains
633 administrative, technical, and physical safeguards for the
634 protection of the licensee's information system and nonpublic
635 personal information.

636 (b) Each licensee shall ensure that the information
637 security program meets all of the following criteria:

638 1. Be commensurate with the following measures:

639 a. Size and complexity of the licensee.

640 b. Nature and scope of the licensee's activities,
641 including the licensee's use of third-party service providers.

642 c. Sensitivity of nonpublic personal information that is
643 used by the licensee or that is in the licensee's possession,
644 custody, or control.

645 2. Be designed to do all of the following:

646 a. Protect the security and confidentiality of nonpublic
647 personal information and the security of the licensee's
648 information system.

649 b. Protect against threats or hazards to the security or
650 integrity of nonpublic personal information and the licensee's
651 information system.

652 c. Protect against unauthorized access to or the use of
653 nonpublic personal information and minimize the likelihood of
654 harm to any customer.

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655 3. Define and periodically reevaluate the retention
656 schedule and the mechanism for the destruction of nonpublic
657 personal information if retention is no longer necessary for the
658 licensee's business operations or is no longer required by
659 applicable law.

660 4. Regularly test and monitor systems and procedures for
661 the detection of actual and attempted attacks on, or intrusions
662 into, the licensee's information system.

663 5. Be monitored, evaluated, and adjusted, as necessary, to
664 meet all of the following requirements:

665 a. Determine whether the licensee's information security
666 program is consistent with relevant changes in technology.

667 b. Confirm the licensee's information security program
668 accounts for the sensitivity of nonpublic personal information.

669 c. Identify changes that may be necessary to the
670 licensee's information system.

671 d. Mitigate any internal or external threats to nonpublic
672 personal information.

673 e. Amend the licensee's information security program for
674 any of the licensee's changing business arrangements, including,
675 but not limited to, mergers and acquisitions, alliances and
676 joint ventures, and outsourcing arrangements.

677 (c)1. As part of a licensee's information security
678 program, the licensee shall establish a written incident

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679 response plan designed to promptly respond to, and recover from,
680 a cybersecurity event that compromises:

681 a. The confidentiality, integrity, or availability of
682 nonpublic personal information in the licensee's possession;

683 b. The licensee's information system; or

684 c. The continuing functionality of any aspect of the
685 licensee's operations.

686 2. The written incident response plan must address all of
687 the following:

688 a. The licensee's internal process for responding to a
689 cybersecurity event.

690 b. The goals of the licensee's incident response plan.

691 c. The assignment of clear roles, responsibilities, and
692 levels of decisionmaking authority for the licensee's personnel
693 that participate in the incident response plan.

694 d. External communications, internal communications, and
695 information sharing related to a cybersecurity event.

696 e. The identification of remediation requirements for
697 weaknesses identified in information systems and associated
698 controls.

699 f. The documentation and reporting regarding cybersecurity
700 events and related incident response activities.

701 g. The evaluation and revision of the incident response
702 plan, as appropriate, following a cybersecurity event.

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703 h. The process by which notice must be given as required
704 under subsection (4) and s. 501.171(3) and (4).

705 (d)1. This section does not apply to a licensee that has
706 fewer than:

707 a. Twenty individuals on its workforce, including
708 employees and independent contractors; or

709 b. Five hundred customers during a calendar year.

710 2. A licensee that no longer qualifies for exemption under
711 subparagraph 1. has 180 calendar days to comply with this
712 section after the date of the disqualification.

713 (e) Each licensee shall maintain a copy of the information
714 security program for a minimum of 5 years and shall make it
715 available to the office upon request or as part of an
716 examination.

717 (3) NOTICE TO OFFICE OF SECURITY BREACH.—

718 (a) Each licensee shall provide notice to the office of
719 any breach of security affecting 500 or more individuals in this
720 state at a time and in the manner prescribed by commission rule.

721 (4) CONSTRUCTION.—This section may not be construed to
722 relieve a covered entity from complying with s. 501.171. To the
723 extent a licensee is a covered entity, as defined in s.
724 501.171(1), the licensee remains subject to s. 501.171.

725 (5) RULES.—The commission must adopt rules to administer
726 this section, including rules that allow a licensee that is in
727 full compliance with the Federal Trade Commission's Standards

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for Safeguarding Customer Information, 16 C.F.R. part 314, to be deemed in compliance with subsection (2).

Section 8. Subsection (10) of section 560.309, Florida Statutes, is amended to read:

(10) If a check is returned to a licensee from a payor financial institution due to lack of funds, a closed account, or a stop-payment order, the licensee may seek collection pursuant to s. 68.065. In seeking collection, the licensee must comply with the prohibitions against harassment or abuse, false or misleading representations, and unfair practices in the Consumer Collection Practices Act under part VI of chapter 559, including s. 559.77. A licensee must also comply with the Fair Debt Collections Practices Act, 15 U.S.C. ss. 1692d, 1692e, and 1692f if the licensee is utilizing a third-party debt collector or any name other than its own to collect such debts. A violation of this subsection is a deceptive and unfair trade practice and constitutes a violation of the Deceptive and Unfair Trade Practices Act under part II of chapter 501. ~~In addition, a licensee must comply with the applicable provisions of the Consumer Collection Practices Act under part VI of chapter 559, including s. 559.77.~~

Section 9. Subsection (3) of section 560.405, Florida Statutes, is amended to read:

(3) Notwithstanding subsection (1), in lieu of presentment, a deferred presentment provider may allow the check to be

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redeemed at any time upon payment of the outstanding transaction balance and earned fees. Redemption in cash or through a debit card transaction shall be treated the same. However, payment may not be made in the form of a personal check or through a credit card transaction. Upon redemption, the deferred presentment provider must return the drawer's check and provide a signed, dated receipt showing that the drawer's check has been redeemed.

Section 10. Subsection (2) of section 560.406, Florida Statutes, is amended to read:

(2) If a check is returned to a deferred presentment provider from a payor financial institution due to insufficient funds, a closed account, or a stop-payment order, the deferred presentment provider may pursue all legally available civil remedies to collect the check, including, but not limited to, the imposition of all charges imposed on the deferred presentment provider by the financial institution. In its collection practices, a deferred presentment provider must comply with the prohibitions against harassment or abuse, false or misleading representations, and unfair practices that are contained in the Consumer Collection Practices Act under part VI of chapter 559, including s. 559.77. A deferred presentment provider must also comply with the Fair Debt Collections Practices Act, 15 U.S.C. ss. 1692d, 1692e, and 1692f if the deferred present provider is utilizing a third-party debt collector or any name other than its own to collect such debts.

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A violation of this act is a deceptive and unfair trade practice and constitutes a violation of the Deceptive and Unfair Trade Practices Act under part II of chapter 501. ~~In addition, a deferred presentment provider must comply with the applicable provisions of the Consumer Collection Practices Act under part VI of chapter 559, including s. 559.77.~~

Section 11. Section 655.0171, Florida Statutes, is created to read:

655.0171 Requirements for customer data security and for notices of security breaches.—

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

(a) "Breach of security" or "breach" means unauthorized access of data in electronic form containing personal information. Good faith access of personal information by an employee or agent of a financial institution does not constitute a breach of security, provided that the information is not used for a purpose unrelated to the business or subject to further unauthorized use. As used in this paragraph, the term "data in electronic form" means any data stored electronically or digitally on any computer system or other database and includes recordable tapes and other mass storage devices.

(b) "Department" means the Department of Legal Affairs.

(c)1. "Personal information" means:

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801 a. An individual's first name, or first initial, and last
802 name, in combination with any of the following data elements for
803 that individual:

804 (I) A social security number;

805 (II) A driver license or identification card number,
806 passport number, military identification number, or other
807 similar number issued on a government document used to verify
808 identity;

809 (III) A financial account number or credit or debit card
810 number, in combination with any required security code, access
811 code, or password that is necessary to permit access to the
812 individual's financial account;

813 (IV) The individual's biometric data as defined in s.
814 501.702; or

815 (V) Any information regarding the individual's
816 geolocation; or

817 b. A username or e-mail address, in combination with a
818 password or security question and answer that would permit
819 access to an online account.

820 2. The term does not include information about an
821 individual which has been made publicly available by a federal,
822 state, or local governmental entity. The term also does not
823 include information that is encrypted, secured, or modified by
824 any other method or technology that removes elements that

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825 personally identify an individual or that otherwise renders the
826 information unusable.

827 (2) REQUIREMENTS FOR DATA SECURITY.—Each financial
828 institution shall take reasonable measures to protect and secure
829 data that are in electronic form and that contain personal
830 information.

831 (3) NOTICE TO OFFICE AND DEPARTMENT OF SECURITY BREACH.—

832 (a)1. Each financial institution shall provide notice to
833 the office of any breach of security affecting 500 or more
834 individuals in this state. Such notice must be provided to the
835 office as expeditiously as practicable, but no later than 30
836 days after the determination of the breach or the determination
837 of a reason to believe that a breach has occurred.

838 2. The written notice to the office must include the items
839 required under s. 501.171(3)(b).

840 3. A financial institution must provide the following
841 information to the office upon its request:

842 a. A police report, incident report, or computer forensics
843 report.

844 b. A copy of the policies in place regarding breaches.

845 4. Steps that have been taken to rectify the breach.

846 5. A financial institution may provide the office with
847 supplemental information regarding a breach at any time.

848 (b) Each financial institution shall provide notice to the
849 department of any breach of security affecting 500 or more

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850 individuals in this state. Such notice must be provided to the
851 department in accordance with s. 501.171.

852 (4) NOTICE TO INDIVIDUALS OF SECURITY BREACH.—Each
853 financial institution shall give notice to each individual in
854 this state whose personal information was, or the financial
855 institution reasonably believes to have been, accessed as a
856 result of the breach in accordance with s. 501.171(4). The
857 notice must be provided no later than 30 days after the
858 determination of the breach or the determination of a reason to
859 believe that a breach has occurred. A financial institution may
860 receive 15 additional days to provide notice to individuals of a
861 security breach as required in this subsection if good cause for
862 delay is provided in writing to the office within 30 days after
863 determination of the breach or determination of the reason to
864 believe that a breach has occurred.

865 (5) NOTICE TO CREDIT REPORTING AGENCIES.—If a financial
866 institution discovers circumstances requiring notice pursuant to
867 this section of more than 1,000 individuals at a single time,
868 the financial institution shall also notify, without
869 unreasonable delay, all consumer reporting agencies that compile
870 and maintain files on consumers on a nationwide basis, as
871 defined in the Fair Credit Reporting Act, 15 U.S.C. s. 1681a(p),
872 of the timing, distribution, and content of the notices.

873 **Section 12. Paragraph (d) of subsection (1) of section**
874 **655.045, Florida Statutes, is amended to read:**

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875 655.045 Examinations, reports, and internal audits;
876 penalty.—

877 (1) The office shall conduct an examination of the
878 condition of each state financial institution at least every 18
879 months. The office may conduct more frequent examinations based
880 upon the risk profile of the financial institution, prior
881 examination results, or significant changes in the institution
882 or its operations. The office may use continuous, phase, or
883 other flexible scheduling examination methods for very large or
884 complex state financial institutions and financial institutions
885 owned or controlled by a multi-financial institution holding
886 company. The office shall consider examination guidelines from
887 federal regulatory agencies in order to facilitate, coordinate,
888 and standardize examination processes.

889 (d) As used in this section, the term "costs" means the
890 salary and travel expenses directly attributable to the field
891 staff examining the state financial institution, subsidiary, or
892 service corporation, and the travel expenses of any supervisory
893 staff required as a result of examination findings. The mailing
894 of any costs incurred under this subsection must be postmarked
895 within 45 ~~30~~ days after the date of receipt of a notice stating
896 that such costs are due. The office may levy a late payment of
897 up to \$100 per day or part thereof that a payment is overdue,
898 unless excused for good cause. However, for intentional late

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899 payment of costs, the office may levy an administrative fine of
900 up to \$1,000 per day for each day the payment is overdue.

901 **Section 13. Subsection (2) of section 657.005, Florida**
902 **Statutes, is amended to read:**

903 657.005 Application for authority to organize a credit
904 union; investigation.—

905 (2) Any five or more individuals, a majority of whom are
906 residents of this state and all of whom ~~who~~ represent a limited
907 field of membership, may apply to the office for permission to
908 organize a credit union. The fact that individuals within the
909 proposed limited field of membership have credit union services
910 available to them through another limited field of membership
911 shall not preclude the granting of a certificate of
912 authorization to engage in the business of a credit union.

913 **Section 14. Subsection (1) of section 657.024, Florida**
914 **Statutes, is amended to read:**

915 657.024 Membership meetings.—

916 (1) The members shall receive timely notice of the annual
917 meeting and any special meetings of the members, which shall be
918 held at the time, place, and in the manner provided in the
919 bylaws. The annual meeting and any special meetings of the
920 members may be held virtually without an in-person quorum, and
921 virtual attendance may satisfy quorum requirements, subject to
922 the bylaws.

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923 **Section 15. Subsections (6) and (7) of section 657.042,**
924 **Florida Statutes, are renumbered as subsections (5) and (6), and**
925 **paragraph (b) of subsection (3) and present subsection (5) of**
926 **that section are amended to read:**

927 657.042 Investment powers and limitations.—A credit union
928 may invest its funds subject to the following definitions,
929 restrictions, and limitations:

930 (3) INVESTMENT SUBJECT TO LIMITATION OF TWO PERCENT OF
931 CAPITAL OF THE CREDIT UNION.—

932 (b) Commercial paper and bonds of any corporation within
933 the United States which have a fixed maturity, as provided in
934 subsection (6) ~~(7)~~, except that the total investment in all such
935 paper and bonds may not exceed 10 percent of the capital of the
936 credit union.

937 ~~(5) INVESTMENTS IN REAL ESTATE AND EQUIPMENT FOR THE~~
938 ~~CREDIT UNION.—~~

939 ~~(a) Up to 5 percent of the capital of the credit union may~~
940 ~~be invested in real estate and improvements thereon, furniture,~~
941 ~~fixtures, and equipment utilized or to be utilized by the credit~~
942 ~~union for the transaction of business.~~

943 ~~(b) The limitations provided by this subsection may be~~
944 ~~exceeded with the prior written approval of the office. The~~
945 ~~office shall grant such approval if it is satisfied that:~~

946 ~~1. The proposed investment is necessary.~~

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947 ~~2. The amount thereof is commensurate with the size and~~
948 ~~needs of the credit union.~~

949 ~~3. The investment will be beneficial to the members.~~

950 ~~4. A reasonable plan is developed to reduce the investment~~
951 ~~to statutory limits.~~

952 **Section 16. Paragraphs (b) and (c) of subsection (4) of**
953 **section 658.21, Florida Statutes, are amended to read:**

954 658.21 Approval of application; findings required.—The
955 office shall approve the application if it finds that:

956 (4)

957 (b) At least two of the proposed directors who are not
958 also proposed officers must have had within the 10 years before
959 the date of the application at least 1 year of direct experience
960 as an executive officer, regulator, or director of a financial
961 institution as specified in the application ~~within the 5 years~~
962 ~~before the date of the application. However, if the applicant~~
963 ~~demonstrates that at least one of the proposed directors has~~
964 ~~very substantial experience as an executive officer, director,~~
965 ~~or regulator of a financial institution more than 5 years before~~
966 ~~the date of the application, the office may modify the~~
967 ~~requirement and allow the applicant to have only one director~~
968 ~~who has direct financial institution experience within the last~~
969 ~~5 years.~~

970 (c) The proposed president or chief executive officer must
971 have had at least 1 year of direct experience as an executive

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officer, director, or regulator of a financial institution within the last 10 ~~5~~ years. In making a decision, the office must also consider ~~may waive this requirement after considering:~~

1. The adequacy of the overall experience and expertise of the proposed president or chief executive officer;

2. The likelihood of successful operation of the proposed state bank or trust company pursuant to subsection (1);

3. The adequacy of the proposed capitalization under subsection (2);

4. The proposed capital structure under subsection (3);

5. The experience of the other proposed officers and directors; and

6. Any other relevant data or information.

Section 17. Subsection (2) of section 658.33, Florida Statutes, is amended to read:

658.33 Directors, number, qualifications; officers.—

(2) Not less than a majority of the directors must, during their whole term of service, be citizens of the United States, and at least a majority of the directors must have resided in this state for at least 1 year preceding their election and must be residents therein during their continuance in office. In the case of a bank or trust company with total assets of less than \$150 million, at least one, and in the case of a bank or trust company with total assets of \$150 million or more, two of the directors who are not also officers of the bank or trust company

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must have had at least 1 year of direct experience as an executive officer, regulator, or director of a financial institution within the last 10 5 years.

Section 18. Subsection (4) of section 662.141, Florida Statutes, is amended to read:

662.141 Examination, investigations, and fees.—The office may conduct an examination or investigation of a licensed family trust company at any time it deems necessary to determine whether the licensed family trust company or licensed family trust company-affiliated party thereof has violated or is about to violate any provision of this chapter, any applicable provision of the financial institutions codes, or any rule adopted by the commission pursuant to this chapter or the codes. The office may conduct an examination or investigation of a family trust company or foreign licensed family trust company at any time it deems necessary to determine whether the family trust company or foreign licensed family trust company has engaged in any act prohibited under s. 662.131 or s. 662.134 and, if a family trust company or a foreign licensed family trust company has engaged in such act, to determine whether any applicable provision of the financial institutions codes has been violated.

(4) For each examination of the books and records of a family trust company, licensed family trust company, or foreign licensed family trust company as authorized under this chapter,

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the trust company shall pay a fee for the costs of the examination by the office. As used in this section, the term "costs" means the salary and travel expenses of field staff which are directly attributable to the examination of the trust company and the travel expenses of any supervisory and support staff required as a result of examination findings. The mailing of payment for costs incurred must be postmarked within 45 ~~30~~ days after the receipt of a notice stating that the costs are due. The office may levy a late payment of up to \$100 per day or part thereof that a payment is overdue unless waived for good cause. However, if the late payment of costs is intentional, the office may levy an administrative fine of up to \$1,000 per day for each day the payment is overdue.

Section 19. Subsection (21) of section 517.12, Florida Statutes, is amended to read:

517.12 Registration of dealers, associated persons, intermediaries, and investment advisers.—

(21) The registration requirements of this section do not apply to any general lines insurance agent or life insurance agent licensed under chapter 626, with regard to the sale of a security as defined in s. 517.021(34)(g) ~~s. 517.021(33)(g)~~, if the individual is directly authorized by the issuer to offer or sell the security on behalf of the issuer and the issuer is a federally chartered savings bank subject to regulation by the Federal Deposit Insurance Corporation. Actions under this

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subsection constitute activity under the insurance agent's
license for purposes of ss. 626.611 and 626.621.

Section 20. This act shall take effect July 1, 2026.

T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:
An act relating to the Office of Financial Regulation;
creating s. 494.00123, F.S.; providing definitions;
requiring loan originators, mortgage brokers, and
mortgage lenders to develop, implement, and maintain
comprehensive written information security programs
for the protection of information systems and
nonpublic personal information; providing requirements
for such programs; requiring loan originators,
mortgage brokers, and mortgage lenders to establish
written incident response plans for specified
purposes; providing requirements for such plans;
providing applicability; providing compliance
requirements under specified circumstances; requiring
loan originators, mortgage brokers, and mortgage
lenders to maintain copies of information security
programs for a specified timeframe and to make them
available to the Office of Financial Regulation under

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 381 (2026)

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1072 certain circumstances; providing requirements for
1073 notices of security breaches; providing construction;
1074 providing rulemaking authority; amending s. 494.00255,
1075 F.S.; providing additional acts that constitute a
1076 ground for specified disciplinary actions against loan
1077 originators and mortgage brokers; amending s. 517.021,
1078 F.S.; revising the definition of the term "investment
1079 adviser" and defining terms; amending s. 517.061,
1080 F.S.; defining terms; amending s. 560.114, F.S.;
1081 specifying the entities that are subject to certain
1082 disciplinary actions and penalties; revising the list
1083 of actions by money services businesses which
1084 constitute grounds for certain disciplinary actions
1085 and penalties; requiring, rather than authorizing, the
1086 office to suspend licenses of money services
1087 businesses under certain circumstances; requiring an
1088 emergency order to state the grounds on which the
1089 order is based, provide notice that the order takes
1090 effect immediately, require the person to immediately
1091 cease and desist from the conduct or violation that is
1092 the subject of the order, be delivered by personal
1093 delivery or certified mail, provide the licensee with
1094 notice that they may seek judicial review; providing
1095 that an emergency order is effective when the licensee
1096 against whom the order is directed has actual or

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COMMITTEE/SUBCOMMITTEE AMENDMENT

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1097 constructive knowledge; requiring the office to
1098 institute proceedings within 20 days after issuance of
1099 an emergency suspension order; providing that a
1100 licensee subject to an emergency suspension may seek
1101 judicial review; creating s. 520.135, F.S.; specifying
1102 that the rights and obligation of parties with respect
1103 to a surrendered or repossessed motor vehicle are
1104 exclusively governed by certain provisions; creating
1105 s. 560.1311, F.S.; providing definitions; requiring
1106 money services businesses to develop, implement, and
1107 maintain comprehensive written information security
1108 programs for the protection of information systems and
1109 nonpublic personal information; providing requirements
1110 for such programs; requiring money services businesses
1111 to establish written incident response plans for
1112 specified purposes; providing requirements for such
1113 plans; providing applicability; providing compliance
1114 requirements under specified circumstances; requiring
1115 money services businesses to maintain copies of
1116 information security programs for a specified
1117 timeframe and to make them available to the office
1118 under certain circumstances; providing requirements
1119 for notices of security breaches; providing
1120 construction; providing rulemaking authority; amending
1121 s. 560.309, F.S.; providing that licensees must comply

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COMMITTEE/SUBCOMMITTEE AMENDMENT

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with the Fair Debt Collections Practices Act only if
the licensee meets certain criteria; amending s.
560.405, F.S.; providing that a debit card transaction
shall be treated the same as cash transactions and
prohibiting redemption through a credit card
transaction; amending s. 560.406, F.S.; providing that
licensees must comply with the Fair Debt Collections
Practices Act only if the licensee meets certain
criteria; creating s. 655.0171, F.S.; providing
definitions; requiring financial institutions to take
measures to protect and secure certain data that
contain personal information; providing requirements
for notices of security breaches to the office, the
Department of Legal Affairs, certain individuals, and
certain credit reporting agencies; amending s.
655.045, F.S.; revising the timeline for the mailing
of payment for salary and travel expenses of certain
field staff; amending s. 657.005, F.S.; revising
requirements for permission to organize credit unions;
amending s. 657.024, F.S.; authorizing meetings of
credit union members to be held virtually without an
in-person quorum and authorizing virtual attendance to
satisfy quorum requirements under certain
circumstances; amending s. 657.042, F.S.; removing
provisions that impose limitations on investments in

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Published On: 1/20/2026 5:05:52 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 381 (2026)

Amendment No.

1147 real estate and equipment for credit unions; amending
1148 s. 658.21, F.S.; revising requirements and factors for
1149 approving applications for organizing banks and trust
1150 companies; amending s. 658.33, F.S.; revising
1151 requirements for directors of certain banks and trust
1152 companies; amending s. 662.141, F.S.; revising the
1153 timeline for the mailing of payment for the salary and
1154 travel expenses of certain field staff; amending s.
1155 517.12, F.S.; conforming a cross-reference; providing
1156 an effective date.