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# **Insurance, Business & Financial Affairs Policy Committee**

**Thursday March 11, 2010**

**8:30 AM**

**212 Knott Bldg.**

**COMMITTEE ACTION PACKET**

**COMMITTEE MEETING REPORT**  
**Insurance, Business & Financial Affairs Policy Committee**  
**3/11/2010 8:30:00AM**

**Location:** Webster Hall (212 Knott)

**Summary:**

**Insurance, Business & Financial Affairs Policy Committee**

*Thursday March 11, 2010 08:30 am*

HB 629	Favorable	Yeas: 13	Nays: 0
HB 633	Favorable With Committee Substitute	Yeas: 13	Nays: 0
HB 661	Favorable	Yeas: 13	Nays: 0
HB 821	Favorable With Committee Substitute	Yeas: 13	Nays: 0
HB 1281	Favorable With Committee Substitute	Yeas: 13	Nays: 0
HB 1299	Favorable	Yeas: 13	Nays: 0

Committee meeting was reported out: Thursday, March 11, 2010 11:34:00AM

**COMMITTEE MEETING REPORT**  
**Insurance, Business & Financial Affairs Policy Committee**  
**3/11/2010 8:30:00AM**

**Location:** Webster Hall (212 Knott)

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Pat Patterson (Chair)	X		
Carl Domino	X		
Eric Eisnaugle	X		
Anitere Flores	X		
Tom Grady	X		
D. Alan Hays	X		
Evan Jenne	X		
Janet Long	X		
Peter Nehr	X		
Bryan Nelson	X		
Kevin Rader	X		
Dwayne Taylor	X		
John Wood	X		
Ritch Workman	X		
<b>Totals:</b>	<b>14</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Thursday, March 11, 2010 11:34:00AM

**COMMITTEE MEETING REPORT**  
**Insurance, Business & Financial Affairs Policy Committee**  
**3/11/2010 8:30:00AM**

**Location:** Webster Hall (212 Knott)

**HB 629 : Firesafety Inspections**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino	X				
Eric Eisnaugle	X				
Anitere Flores	X				
Tom Grady	X				
D. Alan Hays	X				
Evan Jenne	X				
Janet Long	X				
Peter Nehr	X				
Bryan Nelson	X				
Kevin Rader	X				
Dwayne Taylor	X				
John Wood	X				
Ritch Workman				X	
Pat Patterson (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 11, 2010 11:34:00AM

# COMMITTEE MEETING REPORT

## Insurance, Business & Financial Affairs Policy Committee

3/11/2010 8:30:00AM

**Location:** Webster Hall (212 Knott)

**HB 633 : Human Trafficking**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Carl Domino	X				
Eric Eisnaugle	X				
Anitere Flores	X				
Tom Grady	X				
D. Alan Hays	X				
Evan Jenne	X				
Janet Long	X				
Peter Nehr	X				
Bryan Nelson	X				
Kevin Rader	X				
Dwayne Taylor	X				
John Wood	X				
Ritch Workman				X	
Pat Patterson (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

### Appearances:

Brian Pitts, Chair - Proponent  
Justice-2-Jesus  
1119 Newton Avenue S.  
St. Petersburg FL 33705  
Phone: 727-897-9291

Committee meeting was reported out: Thursday, March 11, 2010 11:34:00AM

Adopted  
3/11/10

COUNCIL/COMMITTEE AMENDMENT  
Bill No. HB 633 (2010)

Amendment No.

COUNCIL/COMMITTEE ACTION

ADOPTED  (Y/N)

ADOPTED AS AMENDED  (Y/N)

ADOPTED W/O OBJECTION  (Y/N)

FAILED TO ADOPT  (Y/N)

WITHDRAWN  (Y/N)

OTHER

1 Council/Committee hearing bill: Insurance, Business & Financial  
 2 Affairs Policy Committee  
 3 Representative Burgin offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

7 Section 1. Section 480.0535, Florida Statutes, is created  
8 to read:

9 480.0535 Documents required while offering or providing  
10 massage services.-

11 (1) To provide law enforcement the means to more  
 12 effectively identify, investigate, and arrest persons engaging  
 13 in human trafficking as defined in s. 787.06 or prostitution as  
 14 proscribed by chapter 796 by the fraudulent or valid use of a  
 15 license to practice massage therapy or operate a massage  
 16 establishment:

17 (a) Each person providing or offering to provide massage  
 18 services must have in his or her possession, and it is unlawful  
 19 to provide or offer to provide massage services without, a

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 633 (2010)

Amendment No.

20 wallet-size identification license card or wall license card  
21 issued by the Department of Health pursuant to s. 456.013, plus  
22 one of the following documents specifically issued to such  
23 person:

24 1. A current driver's license or identification card  
25 issued by a state.

26 2. A valid passport issued by the United States of  
27 America.

28 3. A valid I-551 permanent resident card.

29 4. A valid employment authorization document.

30 (b) Upon request by a law enforcement officer, each person  
31 providing or offering to provide massage services must present  
32 the wallet-size identification license card or wall license card  
33 issued by the Department of Health pursuant to s. 456.013, plus  
34 one of the additional documents specified in paragraph (a).

35 (2)(a) Any person, firm, or corporation operating a  
36 massage establishment pursuant to s. 480.043 shall maintain, and  
37 it is unlawful to operate a massage establishment without, a  
38 valid work authorization document on the premises for each  
39 employee who is not a United States citizen. Valid work  
40 authorization documents for an employee who is not a United  
41 States citizen include:

42 1. A valid I-551 permanent resident card.

43 2. A valid employment authorization document.

44 (b) Upon request by a law enforcement officer, any person,  
45 firm, or corporation operating a massage establishment must  
46 present one of the documents specified in paragraph (a) for each  
47 employee who is not a United States citizen.

Amendment No.

48       (3) It is unlawful to knowingly use a massage  
49 establishment license issued under s. 480.043 for the purpose of  
50 lewdness, assignation, or prostitution at any massage  
51 establishment location or structure, or any part thereof,  
52 including any trailer or other conveyance.

53       (4) A person who violates any provision of this section  
54 commits:

55       (a) A misdemeanor of the second degree for a first  
56 violation, punishable as provided in s. 775.082 or s. 775.083.

57       (b) A misdemeanor of the first degree for a second  
58 violation, punishable as provided in s. 775.082 or s. 775.083.

59       (c) A felony of the third degree for a third or subsequent  
60 violation, punishable as provided in s. 775.082, s. 775.083, or  
61 s. 775.084.

62       Section 2. This act shall take effect July 1, 2010.

63  
64 -----  
65                   **T I T L E   A M E N D M E N T**

66       Remove the entire title and insert:

67                   A bill to be entitled

68       An act relating to human trafficking; creating s.  
69       480.0535, F.S.; specifying documents that must be  
70       possessed by each person providing or offering to provide  
71       massage services; requiring presentation of such documents  
72       upon request of a law enforcement officer; requiring  
73       operators of massage establishments to maintain valid work  
74       authorization documents on the premises for each employee  
75       who is not a United States citizen; requiring presentation



COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 633 (2010)

Amendment No.

76 | of such documents upon request of a law enforcement  
77 | officer; prohibiting the use of a massage establishment  
78 | license for the purpose of lewdness, assignation, or  
79 | prostitution; providing criminal penalties; providing an  
80 | effective date.

# COMMITTEE MEETING REPORT

## Insurance, Business & Financial Affairs Policy Committee

3/11/2010 8:30:00AM

Location: Webster Hall (212 Knott)

HB 661 : Minimum Surplus Requirements for Mortgage Guaranty Insurers

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino	X				
Eric Eisnaugle	X				
Anitere Flores	X				
Tom Grady	X				
D. Alan Hays	X				
Evan Jenne	X				
Janet Long	X				
Peter Nehr	X				
Bryan Nelson	X				
Kevin Rader	X				
Dwayne Taylor	X				
John Wood	X				
Ritch Workman				X	
Pat Patterson (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 11, 2010 11:34:00AM

**COMMITTEE MEETING REPORT**  
**Insurance, Business & Financial Affairs Policy Committee**  
**3/11/2010 8:30:00AM**

**Location:** Webster Hall (212 Knott)

**HB 821 : International Commercial Arbitration**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino	X				
Eric Eisnaugle	X				
Anitere Flores	X				
Tom Grady	X				
D. Alan Hays	X				
Evan Jenne	X				
Janet Long	X				
Peter Nehr	X				
Bryan Nelson	X				
Kevin Rader	X				
Dwayne Taylor	X				
John Wood	X				
Ritch Workman				X	
Pat Patterson (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

**Appearances:**

Brian Pitts, Chair - Information Only  
 Justice-2-Jesus  
 1119 Newton Avenue S.  
 St. Petersburg FL 33705  
 Phone: 727-897-9291

Tammy Perdue, General Counsel - Proponent  
 AIF  
 516 N. Adams Street  
 Tallahassee FL 32312  
 Phone: 850-224-7173

Todd Kocoviek - Proponent  
 International Law Section  
 1351 N. Gadsden  
 Tallahassee FL 32303  
 Phone: 850-545-7125

Committee meeting was reported out: Thursday, March 11, 2010 11:34:00AM

Adopted  
3/11/10

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 821 (2010)

Amendment No. 1

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

Council/Committee hearing bill: Insurance, Business & Financial  
Affairs Policy Committee

Representative(s) Thurston offered the following:

**Amendment (with title amendment)**

Between lines 125 and 126, insert:

Section 1. Subsection (1) of section 48.196, Florida  
Statutes, is amended to read:

48.196 Service of process in connection with actions under  
the Florida International Commercial Arbitration Act.-

(1) Any process in connection with the commencement of an  
action before the courts of this state under chapter 684, the  
Florida International Commercial Arbitration Act, shall be  
served:

(a) In the case of a natural person, by service upon:

1. That person;

2. Any agent for service of process appointed in, or  
pursuant to, any applicable agreement or by operation of any law  
of this state; or

Amendment No. 1

20 3. Any person authorized by the law of the jurisdiction  
21 where process is being served to accept service for that person.

22 (b) In the case of any person other than a natural person,  
23 by service upon:

24 1. Any agent for service of process appointed in, or  
25 pursuant to, any applicable agreement or by operation of any law  
26 of this state;

27 2. Any person authorized by the law of the jurisdiction  
28 where process is being served to accept service for that person;  
29 or

30 3. Any person, whether natural or otherwise and wherever  
31 located, who by operation of law or internal action is an  
32 officer, business agent, director, general partner, or managing  
33 agent or director of the person being served; or

34 4. Any partner, joint venturer, member or controlling  
35 shareholder, wherever located, of the person being served, if  
36 the person being served does not by law or internal action have  
37 any officer, business agent, director, general partner, or  
38 managing agent or director.

39

40

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41

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

42

Between lines 2 and 3, insert:

43

amending s. 48.196, F.S.; correcting a cross reference;

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 821 (2010)

Amendment No. 2

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Insurance, Business & Financial  
2 Affairs Policy Committee  
3 Representative(s) Thurston offered the following:  
4

5 **Amendment**

6 Remove lines 217-358 and insert:

7 684.0006 Waiver of right to object.—A party waives its right to  
8 object if it proceeds with the arbitration and fails to object  
9 without undue delay or within a provided time limit to:

10 (1) Noncompliance of any provision of this chapter from  
11 which the parties may derogate and have not derogated; or

12 (2) Noncompliance of any requirement under the arbitration  
13 agreement.

14 Section 7. Section 684.0007, Florida Statutes, is created  
15 to read:

16 684.0007 Extent of court intervention.—In matters governed  
17 by this chapter, a court may not intervene except to the extent  
18 authorized by this chapter.

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 821 (2010)

Amendment No. 2

19 Section 8. Section 684.0008, Florida Statutes, is created  
20 to read:

21 684.0008 Court for certain functions of arbitration  
22 assistance and supervision.—The functions referenced in ss.  
23 684.0012(3) and (4), 684.0014(3), 684.0015, 684.0017(3), and  
24 684.0046(2) shall be performed by the circuit court in the  
25 county in which the seat of the arbitration is located.

26 Section 9. Section 684.0009, Florida Statutes, is created  
27 to read:

28 684.0009 Arbitration agreement and substantive claim  
29 before court.—

30 (1) A court before which an action is brought in a matter  
31 that is the subject of an arbitration agreement shall, if a  
32 party so requests not later than when submitting its first  
33 statement on the substance of the dispute, refer the parties to  
34 arbitration unless it finds that the agreement is null and void,  
35 inoperative, or incapable of being performed.

36 (2) If an action described in subsection (1) has been  
37 brought, arbitral proceedings may nevertheless be commenced or  
38 continued, and an award may be made, while the issue is pending  
39 before the court.

40 Section 10. Section 684.001, Florida Statutes, is created  
41 to read:

42 684.001 Arbitration agreement and interim measures by a  
43 court.—It is not incompatible with an arbitration agreement for  
44 a party to request from a court, before or during arbitral  
45 proceedings, an interim measure of protection and for a court to  
46 grant such a measure.

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 821 (2010)

Amendment No. 2

47 Section 11. Section 684.0011, Florida Statutes, is created  
48 to read:

49 684.0011 Number of arbitrators.-

50 (1) The parties may determine the number of arbitrators.

51 (2) If the parties fail to determine the number of  
52 arbitrators, the number of arbitrators shall be three.

53 Section 12. Section 684.0012, Florida Statutes, is created  
54 to read:

55 684.0012 Appointment of arbitrators.-

56 (1) A person is not precluded by reason of his or her  
57 nationality from acting as an arbitrator, unless otherwise  
58 agreed by the parties.

59 (2) The parties may agree on a procedure of appointing the  
60 arbitrator or arbitrators, subject to subsections (4) and (5).

61 (3) Failing such agreement:

62 (a) In an arbitration having three arbitrators, each party  
63 shall appoint one arbitrator, and the two arbitrators thus  
64 appointed shall appoint the third arbitrator. If a party fails  
65 to appoint the arbitrator within 30 days after receipt of a  
66 request to do so from the other party, or if the two arbitrators  
67 fail to agree on the third arbitrator within 30 days after their  
68 appointment, the appointment shall be made, upon request of a  
69 party, by the court specified in s. 684.0008.

70 (b) In an arbitration having a single arbitrator, if the  
71 parties are unable to agree on the arbitrator, the arbitrator  
72 shall be appointed, upon request of a party, by the court  
73 specified in s. 684.0008.



COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 821 (2010)

Amendment No. 2

74 (4) If, under an appointment procedure agreed upon by the  
75 parties:

76 (a) A party fails to act as required under such procedure;

77 (b) The parties, or two arbitrators, are unable to reach  
78 an agreement under such procedure; or

79 (c) A third party, including an institution, fails to  
80 perform any function entrusted to it under such procedure,

81  
82 any party may request the court specified in s. 684.0008 to take  
83 the necessary measure, unless the agreement on the appointment  
84 procedure provides other means for securing the appointment.

85 (5) A decision on a matter entrusted by subsection (3) or  
86 subsection (4) to the court specified in s. 684.0008 is not  
87 appealable. The court, in appointing an arbitrator, shall have  
88 due regard to any qualifications required by the arbitrator by  
89 the agreement of the parties and to such considerations that are  
90 likely to secure the appointment of an independent and impartial  
91 arbitrator. In the case of the appointment of a sole or third  
92 arbitrator, the court shall take into account the advisability  
93 of appointing an arbitrator of a nationality other than those of  
94 the parties.

95 Section 13. Section 684.0013, Florida Statutes, is created  
96 to read:

97 684.0013 Grounds for challenge.—

98 (1) When a person is approached in connection with a  
99 possible appointment as an arbitrator, the person must disclose  
100 any circumstances likely to give rise to justifiable doubts as  
101 to the person's impartiality or independence. An arbitrator,

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 821 (2010)

Amendment No. 2

102 from the time of appointment and throughout the arbitral  
103 proceedings, shall disclose any such circumstances to the  
104 parties without delay, unless they have already been informed of  
105 them by him or her.

106 (2) An arbitrator may be challenged only if circumstances  
107 exist that give rise to justifiable doubts as to the  
108 arbitrator's impartiality or independence, or if the arbitrator  
109 does not possess qualifications agreed to by the parties. A  
110 party may challenge an arbitrator appointed by it, or in whose  
111 appointment the party participated, only for reasons of which  
112 the party became aware after the appointment was made.

113 Section 14. Section 684.0014, Florida Statutes, is created  
114 to read:

115 684.0014 Challenge procedure.-

116 (1) The parties may agree on a procedure for challenging  
117 an arbitrator, subject to subsection (3).

118 (2) Failing such agreement, a party who intends to  
119 challenge an arbitrator shall, within 15 days after becoming  
120 aware of the constitution of the arbitral tribunal or after  
121 becoming aware of any circumstance described in s. 684.0013(2),  
122 send a written statement of the reasons for the challenge to the  
123 arbitral tribunal. Unless the challenged arbitrator withdraws  
124 from his or her office or the other party agrees to the  
125 challenge, the arbitral tribunal shall decide on the challenge.

126 (3) If a challenge under any procedure agreed upon by the  
127 parties or pursuant to subsection (2) is not successful, the  
128 challenging party may request, within 30 days after having  
129 received notice of the decision rejecting the challenge, the

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 821 (2010)

Amendment No. 2

130 court specified in s. 684.0008 to decide on the challenge. The  
131 decision of the court is not appealable. While such a request is  
132 pending, the arbitral tribunal, including the challenged  
133 arbitrator, may continue the arbitral proceedings and make an  
134 award.

135 Section 15. Section 684.0015, Florida Statutes, is created  
136 to read:

137 684.0015 Failure or impossibility to act.-

138 (1) If an arbitrator becomes de jure or de facto unable to  
139 perform his or her functions or for other reasons fails to act  
140 without undue delay, his or her mandate terminates if he or she  
141 withdraws from office or if the parties agree on the  
142 termination. Otherwise, if a controversy remains concerning any  
143 of these grounds, any party may request the court specified in  
144 s. 684.0008 to decide on the termination  
145

Adopted  
3/11/10

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 821 (2010)

Amendment No. 3

COUNCIL/COMMITTEE ACTION

ADOPTED  (Y/N)

ADOPTED AS AMENDED  (Y/N)

ADOPTED W/O OBJECTION  (Y/N)

FAILED TO ADOPT  (Y/N)

WITHDRAWN  (Y/N)

OTHER

1 Council/Committee hearing bill: Insurance, Business & Financial  
 2 Affairs Policy Committee  
 3 Representative(s) Thurston offered the following:

**Amendment**

Remove lines 810-863 and insert:

additional award within 60 days of the request.

8 (4) The arbitral tribunal may extend, if necessary, the  
 9 period of time within which it shall make a correction,  
 10 interpretation, or additional award pursuant to subsection (1)  
 11 or subsection (3).

12 (5) Section 684.0042, specifying the form and contents of  
 13 an award, applies to a correction or interpretation of the award  
 14 or to an additional award.

Section 45. Section 684.0045, Florida Statutes, is created to read:

17 684.0045 Immunity for arbitrators.—An arbitrator serving  
 18 under this chapter shall have judicial immunity in the same  
 19 manner and to the same extent as a judge.

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 821 (2010)

Amendment No. 3

20 Section 46. Section 684.0046, Florida Statutes, is created  
21 to read:

22 684.0046 Application to set aside as exclusive recourse  
23 against arbitral award.-

24 (1) Recourse to a court against an arbitral award may be  
25 made only by an application to set aside an arbitral award  
26 pursuant to subsections (2) and (3).

27 (2) An arbitral award may be set aside by the court  
28 specified in s. 684.0008 only if:

29 (a) The party making the application furnishes proof that:

30 1. A party to the arbitration agreement defined in s.  
31 684.0003(1)(c) was under some incapacity; the arbitration  
32 agreement is not valid under the law to which the parties have  
33 subjected it; or failing any indication thereon, under the law  
34 of this state;

35 2. The party making the application was not given proper  
36 notice of the appointment of an arbitrator or of the arbitral  
37 proceedings or was otherwise unable to present its case;

38 3. The award deals with a dispute not contemplated by or  
39 not falling within the terms of the submissions to arbitration,  
40 or contains decisions on matters beyond the scope of the  
41 submission to arbitration. However, if the decisions on matters  
42 submitted to arbitration can be separated from those not so  
43 submitted, only that part of the award which contains decisions  
44 on matters not submitted to arbitration may be set aside; or

45 4. The composition of the arbitral tribunal or the  
46 arbitral procedure was not in accordance with the agreement of  
47 the parties, unless such agreement was in conflict with a

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 821 (2010)

Amendment No. 3

48 provision of this chapter from which the parties may not  
49 derogate, or, failing such agreement, was not in accordance with  
50 this chapter; or

51 (b) The court finds that:

52 1. The subject matter of the dispute is not capable of  
53 settlement by arbitration under the law of this state; or

54 2. The award is in conflict with the public policy of this  
55 state.

56 (3) An application to set aside an arbitral award may not be  
57 made after 3 months have elapsed after the date on which the  
58 party making that application receives the award or, if a  
59 request had been made under s. 684.0044, after 3 months have  
60 elapsed after the date on which that request had been disposed  
61 of by the arbitral tribunal.

62

**COMMITTEE MEETING REPORT**  
**Insurance, Business & Financial Affairs Policy Committee**  
**3/11/2010 8:30:00AM**

**Location:** Webster Hall (212 Knott)

**HB 1281 : Loan Origination**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Carl Domino				X	
Eric Eisnaugle	X				
Anitere Flores	X				
Tom Grady	X				
D. Alan Hays	X				
Evan Jenne	X				
Janet Long	X				
Peter Nehr	X				
Bryan Nelson	X				
Kevin Rader	X				
Dwayne Taylor	X				
John Wood	X				
Ritch Workman	X				
Pat Patterson (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, March 11, 2010 11:34:00AM

Adopted  
3/11/10

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1281 (2010)

Amendment No. 1

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

Council/Committee hearing bill: Insurance, Business & Financial Affairs Policy Committee

Representative(s) Workman offered the following:

**Amendment (with title amendment)**

Between lines 81 and 82, insert:

Section 3. Section 494.00335, Florida Statutes, is created to read:

494.00335 Mobile home dealers.-

(1) A dealer, as defined in s. 320.77, is exempt from the licensure requirements under s. 520.03 if the dealer holds a mortgage broker or mortgage lender license issued under this chapter; holds a dealer license issued under ch. 320; and engages only in the sale of tangible personal property dwellings.

(2) An employee of a dealer licensed as a mortgage broker or mortgage lender who performs only administrative or clerical tasks as described in s. 494.001(14) is not included in the definition of the term "loan originator".



Amendment No. 1

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**T I T L E   A M E N D M E N T**

Remove line 15 and insert:

violating certain restrictions; creating s. 494.00335, F.S.;  
exempting mobile home dealers licensed under ch. 494, F.S. from  
licensure under ch. 520, F.S.; providing that mobile home dealer  
employees are not loan originators under certain conditions;  
amending s. 494.0038

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1281 (2010)

Amendment No. 2

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Insurance, Business & Financial  
2 Affairs Policy Committee  
3 Representative(s) Workman offered the following:  
4

5       **Amendment (with title amendment)**

6       Remove line 115 and insert:

7       Section 4. Subsection (4) of section 494.0067, Florida  
8 Statutes, as amended by chapter 2009-241, Laws of Florida, is  
9 amended to read:

10       494.0067 Requirements of mortgage lenders.-

11       (4) A mortgage lender shall report any changes in the  
12 principal loan originator, any addition or subtraction of a  
13 control person, or any change in the form of business  
14 organization by written amendment in such form and at such time  
15 that the commission specifies by rule.

16       ~~(a) In any case in which a person or a group of persons,~~  
17 ~~directly or indirectly or acting by or through one or more~~  
18 ~~persons, proposes to purchase or acquire a controlling interest~~  
19 ~~in a licensee, such person or group must submit an initial~~

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1281 (2010)

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20 ~~application for licensure as a mortgage lender before such~~  
21 ~~purchase or acquisition and at the time and in the form~~  
22 ~~prescribed by the commission by rule.~~

23       **(b)** Any addition of a control person who has not  
24 previously filed a Uniform Mortgage Biographical Statement &  
25 Consent Form, MU2, or has not previously complied with the  
26 fingerprinting and credit report requirements of s. 494.00611 is  
27 subject to the provisions of this section. If, after the  
28 addition of a control person, the office determines that the  
29 licensee does not continue to meet licensure requirements, the  
30 office may bring administrative action in accordance with s.  
31 494.00255 to enforce this section.

32       Section 5. This act shall take effect October 1, 2010.

33  
34

35 -----

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

37       Remove line 18 and insert:  
38 document to be signed and dated by the borrower; amending s.  
39 494.0067, F.S.; removing the requirement for licensure  
40 application under certain conditions; providing

# COMMITTEE MEETING REPORT

## Insurance, Business & Financial Affairs Policy Committee

3/11/2010 8:30:00AM

Location: Webster Hall (212 Knott)

### HB 1299 : Streamlining the Issuance of Licenses, Certifications, and Registrations Issued by State Agencies

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Carl Domino	X				
Eric Eisnaugle	X				
Anitere Flores	X				
Tom Grady	X				
D. Alan Hays	X				
Evan Jenne	X				
Janet Long	X				
Peter Nehr	X				
Bryan Nelson	X				
Kevin Rader	X				
Dwayne Taylor	X				
John Wood	X				
Ritch Workman				X	
Pat Patterson (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

#### Appearances:

Brian Pitts, Chair - Information Only  
Justice-2-Jesus  
1119 Newton Avenue S.  
St. Petersburg FL 33705  
Phone: 727-897-9291

Committee meeting was reported out: Thursday, March 11, 2010 11:34:00AM