

1                                   A bill to be entitled  
2   An act relating to the financial services; creating s. 17.69,  
3   F.S.; creating the Federal Tax Liaison position within the  
4   Department of Financial Services; providing the duties and  
5   authority of the liaison; amending s. 20.121, F.S.; renaming a  
6   division in the department; removing provisions relating to  
7   duties of such division and to bureaus and offices in such  
8   division; removing a division; amending s. 121.0515, F.S.;  
9   revising requirements for the Special Risk Class membership;  
10  amending s. 280.051, F.S.; providing additional grounds for  
11  qualified public depositories to be suspended and disqualified;  
12  amending s. 280.054, F.S.; providing additional acts deemed  
13  knowing and willful violations by qualified public depositories  
14  which are subject to certain penalties; amending s. 284.44,  
15  F.S.; removing provisions relating to certain quarterly reports  
16  prepared by the Division of Risk Management; amending s. 440.13,  
17  F.S.; providing the reimbursement schedule requirements for  
18  emergency services and care under workers' compensation under  
19  certain circumstances; providing rulemaking authority; amending  
20  s. 440.385, F.S.; providing requirements for certain contracts  
21  entered into and purchases made by the Florida Self-Insurers  
22  Guaranty Association, Incorporated; providing duties of the  
23  department and the association relating to such contracts and  
24  purchases; providing exemptions; amending s. 497.101, F.S.;  
25  revising the requirements for appointing and nominating members

26 | of the Board of Funeral, Cemetery, and Consumer Services;  
 27 | revising the members' terms; revising the authority to remove  
 28 | board members; providing for vacancy appointments; providing  
 29 | that board members are subject to the code of ethics; providing  
 30 | requirements for board members' conduct; prohibiting certain  
 31 | acts by the board; providing penalties; providing requirements  
 32 | for board meetings, books, and records; requiring notices of  
 33 | board meetings; providing requirements for such notices;  
 34 | amending s. 497.153, F.S.; authorizing services by electronic  
 35 | mail of administrative complaints against certain licensees  
 36 | under certain circumstances; amending s. 497.155, F.S.;  
 37 | authorizing services of citations by electronic mail under  
 38 | certain circumstances; amending s. 497.172, F.S.; revising  
 39 | circumstances under which the department may disclose certain  
 40 | information that is confidential and exempt from public records  
 41 | requirements; amending s. 497.386, F.S.; authorizing the  
 42 | department to enter and secure certain establishments,  
 43 | facilities, and morgues and remove certain remains under  
 44 | specified circumstances; requiring the department to make  
 45 | certain determinations; prohibiting certain licensees and  
 46 | facilities from being held liable under certain circumstances;  
 47 | providing penalties; amending s. 497.469, F.S.; authorizing  
 48 | preneed licensees to withdraw certain amounts of money under  
 49 | certain circumstances; providing documents that show that a  
 50 | preneed contract has been fulfilled; providing recordkeeping

51 requirements; amending s. 624.307, F.S.; requiring eligible  
52 surplus lines insurers to respond to the department or the  
53 Office of Insurance Regulation after receipt of requests for  
54 documents and information concerning consumer complaints;  
55 providing penalties for failure to comply; requiring authorized  
56 insurers and eligible surplus lines insurers to file e-mail  
57 addresses with the department and to designate contact persons  
58 for specified purposes; authorizing changes of designated  
59 contact information; amending s. 626.171, F.S.; requiring the  
60 department to make provisions for certain insurance license  
61 applicants to submit cellular telephone numbers for a specified  
62 purpose; amending s. 626.221, F.S.; providing a qualification  
63 for all-lines adjuster licenses; amending s. 626.601, F.S.;  
64 revising construction; amending s. 626.7351, F.S.; providing a  
65 qualification for customer representative's licenses; amending  
66 s. 626.878, F.S.; providing duties and prohibited acts for  
67 adjusters; amending s. 626.929, F.S.; specifying that licensed  
68 and appointed general lines agents, rather than general lines  
69 agents, may engage in certain activities while also licensed and  
70 appointed as surplus lines agents; authorizing general lines  
71 agents that are also licensed as surplus lines agents to make  
72 certain appointments; authorizing such agents to originate  
73 specified businesses and accept specified businesses;  
74 prohibiting such agents from being appointed by or transacting  
75 certain insurance on behalf of specified insurers; amending s.

76 | 627.351, F.S.; providing requirements for certain contracts  
 77 | entered into and purchases made by the Florida Joint  
 78 | Underwriting Association; providing duties of the department and  
 79 | the association associated with such contracts and purchases;  
 80 | amending s. 631.59, F.S.; providing requirements for certain  
 81 | contracts entered into and purchases made by the Florida  
 82 | Insurance Guaranty Association, Incorporated; providing duties  
 83 | of the department and the association associated with such  
 84 | contracts and purchases; providing nonapplicability; amending  
 85 | ss. 631.722, 631.821, and 631.921, F.S.; providing requirements  
 86 | for certain contracts entered into and purchases made by the  
 87 | Florida Life and Health Insurance Guaranty Association, the  
 88 | board of directors of the Florida Health Maintenance  
 89 | Organization Consumer Assistance Plan, and the board of  
 90 | directors of the Florida Workers' Compensation Insurance  
 91 | Guaranty Association, respectively; providing duties of the  
 92 | department and of the association and boards associated with  
 93 | such contracts and purchases; amending s. 633.124, F.S.;  
 94 | updating the edition of a manual for the use of pyrotechnics;  
 95 | amending s. 633.202, F.S.; revising the duties of the State Fire  
 96 | Marshal; amending s. 633.206, F.S.; revising the requirements  
 97 | for uniform firesafety standards established by the department;  
 98 | amending s. 634.041, F.S.; specifying the conditions under which  
 99 | service agreement companies do not have to establish and  
 100 | maintain unearned premium reserves; amending s. 634.081, F.S.;

101 specifying the conditions under which service agreement  
102 companies' licenses are not suspended or revoked under certain  
103 circumstances; amending s. 634.3077, F.S.; specifying  
104 requirements for certain contractual liability insurance  
105 obtained by home warranty associations; providing that such  
106 associations are not required to establish unearned premium  
107 reserves or maintain contractual liability insurance;  
108 authorizing such associations to allow their premiums to exceed  
109 certain limitations under certain circumstances; amending s.  
110 634.317, F.S.; providing that certain entities, employees, and  
111 agents are exempt from sales representative licenses and  
112 appointments under certain circumstances; amending s. 648.25,  
113 F.S.; providing definitions; amending s. 648.26, F.S.; revising  
114 the types of investigatory records of the department which are  
115 confidential and exempt from public records requirements;  
116 revising the circumstances under which investigatory records are  
117 confidential and exempt from public records requirements;  
118 revising construction; amending s. 648.30, F.S.; revising  
119 circumstances under which a person or entity may act in the  
120 capacity of a bail bond agent or bail bond agency and perform  
121 certain functions, duties, and powers; amending s. 648.355,  
122 F.S.; revising the requirements for limited surety agents and  
123 professional bail bond agent license applications; creating s.  
124 655.49, F.S.; authorizing the Office of Financial Regulation to  
125 receive complaints from a customer or member who reasonably

126 | believes that a financial institution has acted in bad faith in  
127 | terminating, suspending, or taking similar action restricting  
128 | access to such customer's or member's account; providing a time  
129 | limit for a customer or member to file a complaint; providing  
130 | nonapplicability; providing duties of the office upon receipt of  
131 | a customer's or member's complaint; providing duties of a  
132 | financial institution upon receipt of notification that a  
133 | complaint has been filed; providing violations and penalties;  
134 | requiring the office to provide certain reports and information  
135 | to specified entities under certain circumstances; providing  
136 | that the financial institutions' customers and members have a  
137 | cause of action under certain circumstances; authorizing such  
138 | customers and members to recover damages, together with costs  
139 | and attorney fees; providing a time limit for initiating causes  
140 | of action; requiring the office to make available information  
141 | necessary for filing complaints on its website; amending s.  
142 | 717.101, F.S.; providing and revising definitions; amending s.  
143 | 717.102, F.S.; providing a rebuttal to a presumption of  
144 | unclaimed property; providing requirements for such rebuttal;  
145 | providing circumstances under which a property is presumed  
146 | unclaimed; providing construction; amending s. 717.106, F.S.;  
147 | conforming a cross-reference; creating s. 717.1065, F.S.;  
148 | providing circumstances under which virtual currency held or  
149 | owing by banking organizations are not presumed unclaimed;  
150 | prohibiting virtual currency holders from deducting certain

151 charges from amounts of specified virtual currency under certain  
152 circumstances; providing an exception; amending s. 717.1101,  
153 F.S.; revising the date on which stocks and other equity  
154 interests in business associations are presumed unclaimed;  
155 amending s. 717.112, F.S.; providing that certain intangible  
156 property held by attorneys in fact and by agents in a fiduciary  
157 capacity are presumed unclaimed under certain circumstances;  
158 revising the requirements for claiming such property; providing  
159 construction; amending s. 717.1125, F.S.; providing  
160 construction; amending s. 717.117, F.S.; removing the paper  
161 option for reports by holders of unclaimed funds and property;  
162 revising the requirements for reporting the owners of unclaimed  
163 property and funds; authorizing the department to extend  
164 reporting dates under certain circumstances; revising the  
165 circumstances under which the department may impose and collect  
166 penalties; requiring holders of inactive accounts to notify  
167 apparent owners; revising the manner of sending such notices;  
168 providing requirements for such notices; amending s. 717.119,  
169 F.S.; requiring certain virtual currency to be remitted to the  
170 department; providing requirements for the liquidation of such  
171 virtual currency; providing that holders of such virtual  
172 currency are relieved of all liability upon delivery of the  
173 virtual currency to the department; prohibiting holders from  
174 assigning or transferring certain obligations or from complying  
175 with certain provisions; providing that certain entities are

176 responsible for meeting holders' obligations and complying with  
 177 certain provisions under certain circumstances; providing  
 178 construction; amending s. 717.1201, F.S.; providing that the  
 179 state assumes custody and responsibility for the safekeeping of  
 180 unclaimed property upon good faith payments or deliveries of  
 181 property to the department; providing that the department  
 182 relieves holders of certain liability under specified  
 183 circumstances; providing construction; requiring the department  
 184 to defend holders against certain claims and indemnify holders  
 185 against certain liability under specified circumstances;  
 186 revising circumstances under which payments or deliveries of  
 187 unclaimed property are considered to be made in good faith;  
 188 authorizing the department to refund and redeliver certain money  
 189 and property under certain circumstances; amending s. 727.1242,  
 190 F.S.; revising legislative intent; amending s. 717.1243, F.S.;  
 191 revising applicability of certain provisions relating to  
 192 unclaimed small estate accounts; amending s. 717.129, F.S.;  
 193 revising the prohibition of department enforcement relating to  
 194 duties of holders of unclaimed funds and property; revising the  
 195 tolling for the periods of limitation relating to duties of  
 196 holders of unclaimed funds and property; amending s. 717.1301,  
 197 F.S.; revising the department's authorities on the disposition  
 198 of unclaimed funds and property for specified purposes;  
 199 prohibiting certain materials from being disclosed or made  
 200 public under certain circumstances; revising the basis for the



201 department's cost assessment against holders of unclaimed funds  
202 and property; amending s. 717.1311, F.S.; revising the  
203 recordkeeping requirements for funds and property holders;  
204 amending s. 717.1322, F.S.; revising acts that are violations of  
205 specified provisions and constitute grounds for administrative  
206 enforcement actions and civil enforcement by the department;  
207 providing that claimants' representatives, rather than  
208 registrants, are subject to civil enforcement and disciplinary  
209 actions for certain violations; amending s. 717.1333, F.S.;  
210 conforming provisions to changes made by the act; amending s.  
211 717.134, F.S.; conforming a provision to changes made by the  
212 act; amending s. 717.135, F.S.; revising the information that  
213 certain agreements relating to unclaimed property must disclose;  
214 removing a requirement for Unclaimed Property Purchase  
215 Agreement; providing nonapplicability; amending s. 717.1400,  
216 F.S.; removing a circumstance under which certain persons must  
217 register with the department; amending s. 766.302, F.S.;  
218 revising a definition; amending s. 766.314, F.S.; revising  
219 circumstances under which the Florida Birth-Related Neurological  
220 Injury Compensation Plan may not accept new claims; amending ss.  
221 197.582 and 717.1382, F.S.; conforming a cross-reference;  
222 providing a directive to the Division of Law Revision; providing  
223 reporting requirements for the Florida Birth-Related  
224 Neurological Injury Compensation Association; providing  
225 effective dates.

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

Section 1. Section 17.69, Florida Statutes, is created to read:

17.69 Federal Tax Liaison.—

(1) The Federal Tax Liaison position is created within the department. The purpose of the position is to assist the taxpayers of the state.

(2) The Chief Financial Officer shall appoint a Federal Tax Liaison. The Federal Tax Liaison reports directly to the Chief Financial Officer but is not otherwise under the authority of the department or of any employee of the department.

(3) The Federal Tax Liaison may:

(a) Assist taxpayers by answering taxpayer questions.

(b) Direct taxpayers to the proper division or office within the Internal Revenue Service in order to facilitate timely resolution to taxpayer issues.

(c) Prepare recommendations for the Internal Revenue Service of any actions that will help resolve problems encountered by taxpayers.

(d) Provide information about the policies, practices, and procedures that the Internal Revenue Service uses to ensure compliance with the tax laws.

251 (e) With the consent of the taxpayer, request records from  
 252 the Internal Revenue Service to assist the liaison in responding  
 253 to taxpayer inquiries.

254 Section 2. Paragraphs (g) through (n) of subsection (2) of  
 255 section 20.121, Florida Statutes, are redesignated as paragraphs  
 256 (f) through (m), respectively, and paragraph (e) and present  
 257 paragraph (f) of subsection (2) of that section are amended to  
 258 read:

259 20.121 Department of Financial Services.—There is created  
 260 a Department of Financial Services.

261 (2) DIVISIONS.—The Department of Financial Services shall  
 262 consist of the following divisions and office:

263 (e) The Division of Criminal Investigations ~~Investigative~~  
 264 ~~and Forensic Services~~, which shall function as a criminal  
 265 justice agency for purposes of ss. 943.045-943.08. The division  
 266 may initiate and conduct investigations into any matter under  
 267 the jurisdiction of the Chief Financial Officer and Fire Marshal  
 268 within or outside of this state as it deems necessary. ~~If,~~  
 269 ~~during an investigation, the division has reason to believe that~~  
 270 ~~any criminal law of this state or the United States has or may~~  
 271 ~~have been violated, it shall refer any records tending to show~~  
 272 ~~such violation to state law enforcement and, if applicable,~~  
 273 ~~federal prosecutorial agencies and shall provide investigative~~  
 274 ~~assistance to those agencies as appropriate. The division shall~~  
 275 ~~include the following bureaus and office:~~

- 276 |       ~~1. The Bureau of Forensic Services;~~
- 277 |       ~~2. The Bureau of Fire, Arson, and Explosives~~
- 278 | ~~Investigations;~~
- 279 |       ~~3. The Office of Fiscal Integrity, which shall have a~~
- 280 | ~~separate budget;~~
- 281 |       ~~4. The Bureau of Insurance Fraud; and~~
- 282 |       ~~5. The Bureau of Workers' Compensation Fraud.~~
- 283 |       ~~(f) The Division of Public Assistance Fraud, which shall~~
- 284 | ~~function as a criminal justice agency for purposes of ss.~~
- 285 | ~~943.045-943.08. The division shall conduct investigations~~
- 286 | ~~pursuant to s. 414.411 within or outside of the state as it~~
- 287 | ~~deems necessary. If, during an investigation, the division has~~
- 288 | ~~reason to believe that any criminal law of the state has or may~~
- 289 | ~~have been violated, it shall refer any records supporting such~~
- 290 | ~~violation to state or federal law enforcement or prosecutorial~~
- 291 | ~~agencies and shall provide investigative assistance to those~~
- 292 | ~~agencies as required.~~

293 |       Section 3. Paragraph (f) of subsection (2) and paragraph  
 294 | (h) of subsection (3) of section 121.0515, Florida Statutes, are  
 295 | amended to read:

296 |       121.0515 Special Risk Class.—

297 |       (2) MEMBERSHIP.—

298 |       (f) Effective July 1, 2008, the member must be employed by  
 299 | the Department of Law Enforcement in the crime laboratory or by  
 300 | the Department of Financial Services ~~Division of State Fire~~

301 ~~Marshal~~ in the forensic laboratory and meet the special criteria  
 302 set forth in paragraph (3)(h).

303 (3) CRITERIA.—A member, to be designated as a special risk  
 304 member, must meet the following criteria:

305 (h) Effective July 1, 2008, the member must be employed by  
 306 the Department of Law Enforcement in the crime laboratory or by  
 307 the Department of Financial Services ~~Division of State Fire~~  
 308 ~~Marshal~~ in the forensic laboratory in one of the following  
 309 classes:

- 310 1. Forensic technologist (class code 8459);
- 311 2. Crime laboratory technician (class code 8461);
- 312 3. Crime laboratory analyst (class code 8463);
- 313 4. Senior crime laboratory analyst (class code 8464);
- 314 5. Crime laboratory analyst supervisor (class code 8466);
- 315 6. Forensic chief (class code 9602); or
- 316 7. Forensic services quality manager (class code 9603);

317 Section 4. Effective July 1, 2024, subsection (16) is  
 318 added to section 280.051, Florida Statutes, to read:

319 280.051 Grounds for suspension or disqualification of a  
 320 qualified public depository.—A qualified public depository may  
 321 be suspended or disqualified or both if the Chief Financial  
 322 Officer determines that the qualified public depository has:

323 (16) Pursuant to a determination notice reported by the  
 324 Office of Financial Regulation under s. 655.49, acted in bad  
 325 faith when terminating, suspending, or taking similar action

326 restricting a customer's or member's account, or failed to  
 327 cooperate in an investigation conducted pursuant to s.  
 328 655.49(3), including, without limitation, failing to timely file  
 329 a termination-of-access report with the office.

330 Section 5. Effective July 1, 2024, paragraph (b) of  
 331 subsection (1) of section 280.054, Florida Statutes, is amended  
 332 to read:

333 280.054 Administrative penalty in lieu of suspension or  
 334 disqualification.—

335 (1) If the Chief Financial Officer finds that one or more  
 336 grounds exist for the suspension or disqualification of a  
 337 qualified public depository, the Chief Financial Officer may, in  
 338 lieu of suspension or disqualification, impose an administrative  
 339 penalty upon the qualified public depository.

340 (b) With respect to any knowing and willful violation of a  
 341 lawful order or rule, the Chief Financial Officer may impose a  
 342 penalty upon the qualified public depository in an amount not  
 343 exceeding \$1,000 for each violation. If restitution is due, the  
 344 qualified public depository shall make restitution upon the  
 345 order of the Chief Financial Officer and shall pay interest on  
 346 such amount at the legal rate. Each day a violation continues  
 347 constitutes a separate violation. Each of the following ~~Failure~~  
 348 ~~to timely file the attestation required under s. 280.025 is~~  
 349 deemed a knowing and willful violation by the qualified public  
 350 depository:

351 1. Failure to timely file the attestation required under  
 352 s. 280.025.

353 2. Bad faith termination, suspension, or similar action  
 354 restricting a customer's or member's account access, as  
 355 determined by the Office of Financial Regulation pursuant to s.  
 356 655.49.

357 3. Failure to cooperate in an investigation conducted  
 358 pursuant to s. 655.49(3), including, without limitation, failure  
 359 to timely file a termination-of-access report with the office.

360 Section 6. Subsection (6) of section 284.44, Florida  
 361 Statutes, is amended to read:

362 284.44 Salary indemnification costs of state agencies.—

363 ~~(6) The Division of Risk Management shall prepare~~  
 364 ~~quarterly reports to the Executive Office of the Governor and~~  
 365 ~~the chairs of the legislative appropriations committees~~  
 366 ~~indicating for each state agency the total amount of salary~~  
 367 ~~indemnification benefits paid to claimants and the total amount~~  
 368 ~~of reimbursements from state agencies to the State Risk~~  
 369 ~~Management Trust Fund for initial costs for the previous~~  
 370 ~~quarter. These reports shall also include information for each~~  
 371 ~~state agency indicating the number of cases and amounts of~~  
 372 ~~initial salary indemnification costs for which reimbursement~~  
 373 ~~requirements were waived by the Executive Office of the Governor~~  
 374 ~~pursuant to this section.~~

375 Section 7. Subsection (12) of section 440.13, Florida

376 Statutes, is amended to read:

377 440.13 Medical services and supplies; penalty for  
378 violations; limitations.—

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

381 (a) A three-member panel is created, consisting of the  
382 Chief Financial Officer, or the Chief Financial Officer's  
383 designee, and two members to be appointed by the Governor,  
384 subject to confirmation by the Senate, one member who, on  
385 account of present or previous vocation, employment, or  
386 affiliation, shall be classified as a representative of  
387 employers, the other member who, on account of previous  
388 vocation, employment, or affiliation, shall be classified as a  
389 representative of employees. The panel shall determine statewide  
390 schedules of maximum reimbursement allowances for medically  
391 necessary treatment, care, and attendance provided by hospitals  
392 and ambulatory surgical centers. The maximum reimbursement  
393 allowances for inpatient hospital care shall be based on a  
394 schedule of per diem rates, to be approved by the three-member  
395 panel no later than March 1, 1994, to be used in conjunction  
396 with a precertification manual as determined by the department,  
397 including maximum hours in which an outpatient may remain in  
398 observation status, which shall not exceed 23 hours. All  
399 compensable charges for hospital outpatient care shall be  
400 reimbursed at 75 percent of usual and customary charges, except



401 as otherwise provided by this subsection. Annually, the three-  
 402 member panel shall adopt schedules of maximum reimbursement  
 403 allowances for hospital inpatient care, hospital outpatient  
 404 care, and ambulatory surgical centers. A hospital or an  
 405 ambulatory surgical center shall be reimbursed either the  
 406 agreed-upon contract price or the maximum reimbursement  
 407 allowance in the appropriate schedule.

408 (b) Payments for outpatient physical, occupational, and  
 409 speech therapy provided by hospitals shall be the schedule of  
 410 maximum reimbursement allowances for these services which  
 411 applies to nonhospital providers.

412 (c) Payments for scheduled outpatient nonemergency  
 413 radiological and clinical laboratory services that are not  
 414 provided in conjunction with a surgical procedure shall be the  
 415 schedule of maximum reimbursement allowances for these services  
 416 which applies to nonhospital providers.

417 (d)1. Outpatient reimbursement for scheduled surgeries  
 418 shall be 60 percent of charges.

419 2. Reimbursement for emergency services and care as  
 420 defined in s. 395.002 which does not include a maximum  
 421 reimbursement allowance must be 250 percent of Medicare, unless  
 422 there is a contract, in which case the contract governs  
 423 reimbursement. Upon this subparagraph taking effect, the  
 424 department shall engage with an actuarial services firm to begin  
 425 development of maximum reimbursement allowances for services

426 subject to the reimbursement provisions of this subparagraph.  
427 This subparagraph expires June 30, 2026.

428 (e)1. By July 1 of each year, the department shall notify  
429 carriers and self-insurers of the physician and nonhospital  
430 services schedule of maximum reimbursement allowances. The  
431 notice must include publication of this schedule of maximum  
432 reimbursement allowances on the division's website. This  
433 schedule is not subject to approval by the three-member panel  
434 and does not include reimbursement for prescription medication.

435 2. Subparagraph 1. shall take effect January 1, following  
436 the July 1, 2024, notice of the physician and nonhospital  
437 services schedule of maximum reimbursement allowances that the  
438 department provides to carriers and self-insurers.

439 (f) Maximum reimbursement for a physician licensed under  
440 chapter 458 or chapter 459 shall be 110 percent of the  
441 reimbursement allowed by Medicare, using appropriate codes and  
442 modifiers or the medical reimbursement level adopted by the  
443 three-member panel as of January 1, 2003, whichever is greater.

444 (g) Maximum reimbursement for surgical procedures shall be  
445 140 percent of the reimbursement allowed by Medicare or the  
446 medical reimbursement level adopted by the three-member panel as  
447 of January 1, 2003, whichever is greater.

448 (h) As to reimbursement for a prescription medication, the  
449 reimbursement amount for a prescription shall be the average  
450 wholesale price plus \$4.18 for the dispensing fee. For

451 repackaged or relabeled prescription medications dispensed by a  
452 dispensing practitioner as provided in s. 465.0276, the fee  
453 schedule for reimbursement shall be 112.5 percent of the average  
454 wholesale price, plus \$8.00 for the dispensing fee. For purposes  
455 of this subsection, the average wholesale price shall be  
456 calculated by multiplying the number of units dispensed times  
457 the per-unit average wholesale price set by the original  
458 manufacturer of the underlying drug dispensed by the  
459 practitioner, based upon the published manufacturer's average  
460 wholesale price published in the Medi-Span Master Drug Database  
461 as of the date of dispensing. All pharmaceutical claims  
462 submitted for repackaged or relabeled prescription medications  
463 must include the National Drug Code of the original  
464 manufacturer. Fees for pharmaceuticals and pharmaceutical  
465 services shall be reimbursable at the applicable fee schedule  
466 amount except where the employer or carrier, or a service  
467 company, third party administrator, or any entity acting on  
468 behalf of the employer or carrier directly contracts with the  
469 provider seeking reimbursement for a lower amount.

470 (i) Reimbursement for all fees and other charges for such  
471 treatment, care, and attendance, including treatment, care, and  
472 attendance provided by any hospital or other health care  
473 provider, ambulatory surgical center, work-hardening program, or  
474 pain program, must not exceed the amounts provided by the  
475 uniform schedule of maximum reimbursement allowances as

476 determined by the panel or as otherwise provided in this  
477 section. This subsection also applies to independent medical  
478 examinations performed by health care providers under this  
479 chapter. In determining the uniform schedule, the panel shall  
480 first approve the data which it finds representative of  
481 prevailing charges in the state for similar treatment, care, and  
482 attendance of injured persons. Each health care provider, health  
483 care facility, ambulatory surgical center, work-hardening  
484 program, or pain program receiving workers' compensation  
485 payments shall maintain records verifying their usual charges.  
486 In establishing the uniform schedule of maximum reimbursement  
487 allowances, the panel must consider:

488 1. The levels of reimbursement for similar treatment,  
489 care, and attendance made by other health care programs or  
490 third-party providers;

491 2. The impact upon cost to employers for providing a level  
492 of reimbursement for treatment, care, and attendance which will  
493 ensure the availability of treatment, care, and attendance  
494 required by injured workers; and

495 3. The financial impact of the reimbursement allowances  
496 upon health care providers and health care facilities, including  
497 trauma centers as defined in s. 395.4001, and its effect upon  
498 their ability to make available to injured workers such  
499 medically necessary remedial treatment, care, and attendance.

500 The uniform schedule of maximum reimbursement allowances must be

501 reasonable, must promote health care cost containment and  
 502 efficiency with respect to the workers' compensation health care  
 503 delivery system, and must be sufficient to ensure availability  
 504 of such medically necessary remedial treatment, care, and  
 505 attendance to injured workers.

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

508 1. Take testimony, receive records, and collect data to  
 509 evaluate the adequacy of the workers' compensation fee schedule,  
 510 nationally recognized fee schedules and alternative methods of  
 511 reimbursement to health care providers and health care  
 512 facilities for inpatient and outpatient treatment and care.

513 2. Survey health care providers and health care facilities  
 514 to determine the availability and accessibility of workers'  
 515 compensation health care delivery systems for injured workers.

516 3. Survey carriers to determine the estimated impact on  
 517 carrier costs and workers' compensation premium rates by  
 518 implementing changes to the carrier reimbursement schedule or  
 519 implementing alternative reimbursement methods.

520 4. Submit recommendations on or before January 15, 2017,  
 521 and biennially thereafter, to the President of the Senate and  
 522 the Speaker of the House of Representatives on methods to  
 523 improve the workers' compensation health care delivery system.

524  
 525 The department, as requested, shall provide data to the panel,

526 including, but not limited to, utilization trends in the  
 527 workers' compensation health care delivery system. The  
 528 department shall provide the panel with an annual report  
 529 regarding the resolution of medical reimbursement disputes and  
 530 any actions pursuant to subsection (8). The department shall  
 531 provide administrative support and service to the panel to the  
 532 extent requested by the panel. The department may adopt rules  
 533 pursuant to ss. 120.536(1) and 120.54 to implement this  
 534 subsection. For prescription medication purchased under the  
 535 requirements of this subsection, a dispensing practitioner shall  
 536 not possess such medication unless payment has been made by the  
 537 practitioner, the practitioner's professional practice, or the  
 538 practitioner's practice management company or employer to the  
 539 supplying manufacturer, wholesaler, distributor, or drug  
 540 repackager within 60 days of the dispensing practitioner taking  
 541 possession of that medication.

542 Section 8. Subsections (9) through (13) of section  
 543 440.385, Florida Statutes, are renumbered as subsections (10)  
 544 through (14), respectively, and a new subsection (9) is added to  
 545 that section to read:

546 440.385 Florida Self-Insurers Guaranty Association,  
 547 Incorporated.—

548 (9) CONTRACTS AND PURCHASES.—

549 (a) After July 1, 2024, all contracts entered into, and  
 550 all purchases made by, the association pursuant to this section

551 which are valued at or more than \$100,000 must first be approved  
552 by the department. The department has 10 days to approve or deny  
553 the contract or purchase upon electronic receipt of the approval  
554 request. The contract or purchase is automatically approved if  
555 the department is nonresponsive.

556 (b) All contracts and purchases valued at or more than  
557 \$100,000 require competition through a formal bid solicitation  
558 conducted by the association. The association must undergo a  
559 formal bid solicitation process. The formal bid solicitation  
560 process must include all of the following:

561 1. The time and date for the receipt of bids, the  
562 proposals, and whether the association contemplates renewal of  
563 the contract, including the price for each year for which the  
564 contract may be renewed.

565 2. All the contractual terms and conditions applicable to  
566 the procurement.

567 (c) Evaluation of bids by the association must include  
568 consideration of the total cost for each year of the contract,  
569 including renewal years, as submitted by the vendor. The  
570 association must award the contract to the most responsible and  
571 responsive vendor. Any formal bid solicitation conducted by the  
572 association must be made available, upon request, to the  
573 department via electronic delivery.

574 (d) Contracts that are required by law are exempt from  
575 this section.

576 Section 9. Subsection (7) of section 497.101, Florida  
 577 Statutes, is renumbered as subsection (11), subsections (1)  
 578 through (4) are amended, and new subsections (7) through (10)  
 579 are added to that section, to read:

580 497.101 Board of Funeral, Cemetery, and Consumer Services;  
 581 membership; appointment; terms.—

582 (1) The Board of Funeral, Cemetery, and Consumer Services  
 583 is created within the Department of Financial Services and shall  
 584 consist of 10 members, 9 of whom shall be appointed by ~~the~~  
 585 ~~Governor from nominations made by~~ the Chief Financial Officer  
 586 and confirmed by the Senate. ~~The Chief Financial Officer shall~~  
 587 ~~nominate one to three persons for each of the nine vacancies on~~  
 588 ~~the board, and the Governor shall fill each vacancy on the board~~  
 589 ~~by appointing one of the persons nominated by the Chief~~  
 590 ~~Financial Officer to fill that vacancy. If the Governor objects~~  
 591 ~~to each of the nominations for a vacancy, she or he shall inform~~  
 592 ~~the Chief Financial Officer in writing. Upon notification of an~~  
 593 ~~objection by the Governor, the Chief Financial Officer shall~~  
 594 ~~submit one to three additional nominations for that vacancy~~  
 595 ~~until the vacancy is filled.~~ One member must be the State Health  
 596 Officer or her or his designee.

597 (2) Two members of the board must be funeral directors  
 598 licensed under part III of this chapter who are associated with  
 599 a funeral establishment. One member of the board must be a  
 600 funeral director licensed under part III of this chapter who is



601 associated with a funeral establishment licensed under part III  
602 of this chapter which has a valid preneed license issued  
603 pursuant to this chapter ~~and who owns or operates a cinerator~~  
604 ~~facility approved under chapter 403 and licensed under part VI~~  
605 ~~of this chapter~~. Two members of the board must be persons whose  
606 primary occupation is associated with a cemetery company  
607 licensed pursuant to this chapter. Two members of the board must  
608 be consumers who are residents of this state, have never been  
609 licensed as funeral directors or embalmers, are not connected  
610 with a cemetery or cemetery company licensed pursuant to this  
611 chapter, and are not connected with the death care industry or  
612 the practice of embalming, funeral directing, or direct  
613 disposition. One of the two consumer members must be at least 60  
614 years of age. One member of the board must be a consumer who is  
615 a resident of this state; is licensed as a certified public  
616 accountant under chapter 473; has never been licensed as a  
617 funeral director or an embalmer; is not a principal or an  
618 employee of any licensee licensed under this chapter; and does  
619 not otherwise have control, as defined in s. 497.005, over any  
620 licensee licensed under this chapter. One member of the board  
621 must be a principal of a monument establishment licensed under  
622 this chapter as a monument builder. One member must be the State  
623 Health Officer or her or his designee. There may not be two or  
624 more board members who are principals or employees of the same  
625 company or partnership or group of companies or partnerships

626 | under common control.

627 |       (3) Board members shall be appointed for terms of 4 years  
 628 | and may be reappointed; however, a member may not serve for more  
 629 | than 8 consecutive years.~~and~~ The State Health Officer shall  
 630 | serve as long as that person holds that office. The designee of  
 631 | the State Health Officer shall serve at the pleasure of the  
 632 | Chief Financial Officer ~~Governor~~.

633 |       (4) The Chief Financial Officer ~~Governor~~ ~~may suspend and~~  
 634 | ~~the Senate~~ may remove any board member for malfeasance or  
 635 | misfeasance, neglect of duty, incompetence, substantial  
 636 | inability to perform official duties, commission of a crime, or  
 637 | other substantial cause as determined by the Chief Financial  
 638 | Officer ~~Governor or Senate, as applicable,~~ to evidence a lack of  
 639 | fitness to sit on the board. A board member shall be deemed to  
 640 | have resigned her or his board membership, and that position  
 641 | shall be deemed vacant, upon the failure of the member to attend  
 642 | three consecutive meetings of the board or at least half of the  
 643 | meetings of the board during any 12-month period, unless the  
 644 | Chief Financial Officer determines that there was good and  
 645 | adequate justification for the absences and that such absences  
 646 | are not likely to continue. Any vacancy so created shall be  
 647 | filled as provided in subsection (1).

648 |       (7) Members of the board are subject to the code of ethics  
 649 | under part III of chapter 112. For purposes of applying part III  
 650 | of chapter 112 to activities of the members of the board, those

651 persons are considered public officers, and the department is  
652 considered their agency. A board member may not vote on any  
653 measure that would inure to his or her special private gain or  
654 loss and, in accordance with s. 112.3143(2), may not vote on any  
655 measure that he or she knows would inure to the special private  
656 gain or loss of any principal by which he or she is retained,  
657 other than an agency as defined in s. 112.312; or that he or she  
658 knows would inure to the special private gain or loss of his or  
659 her relative or business associate. Before the vote is taken,  
660 such member shall publicly state to the board the nature of his  
661 or her interest in the matter from which he or she is abstaining  
662 from voting and, within 15 days after the vote occurs, disclose  
663 the nature of his or her interest as a public record in a  
664 memorandum filed with the person responsible for recording the  
665 minutes of the meeting, who shall incorporate the memorandum in  
666 the minutes.

667 (8) In accordance with ss. 112.3148 and 112.3149, a board  
668 member may not knowingly accept, directly or indirectly, any  
669 gift or expenditure from a person or entity, or an employee or  
670 representative of such person or entity, which has a contractual  
671 relationship with the department or the board, which is under  
672 consideration for a contract, or which is licensed by the  
673 department.

674 (9) A board member who fails to comply with subsection (7)  
675 or subsection (8) is subject to the penalties provided under ss.

676 112.317 and 112.3173.

677 (10) (a) All meetings of the board are subject to the  
 678 requirements of s. 286.011, and all books and records of the  
 679 board are open to the public for reasonable inspection except as  
 680 otherwise provided by s. 497.172 or other applicable law.

681 (b) Except for emergency meetings, the department shall  
 682 give notice of any board meeting by publication on the  
 683 department's website at least 7 days before the meeting. The  
 684 department shall publish a meeting agenda on its website at  
 685 least 7 days before the meeting. The agenda must contain the  
 686 items to be considered in order of presentation. After the  
 687 agenda has been made available, a change may be made only for  
 688 good cause, as determined by the person designated to preside,  
 689 and must be stated in the record. Notification of such change  
 690 must be at the earliest practicable time.

691 Section 10. Paragraph (a) of subsection (4) of section  
 692 497.153, Florida Statutes, is amended to read:

693 497.153 Disciplinary procedures and penalties.—

694 (4) ACTION AFTER PROBABLE CAUSE FOUND.—

695 (a) Service of an administrative complaint may be in  
 696 person by department staff or any person authorized to make  
 697 service of process under the Florida Rules of Civil Procedure.  
 698 Service upon a licensee may in the alternative be made by  
 699 certified mail, return receipt requested, to the last known  
 700 address of record provided by the licensee to the department. If

701 service by certified mail cannot be made at the last address  
702 provided by the licensee to the department, service may be made  
703 by e-mail, delivery receipt required, sent to the most recent e-  
704 mail address provided by the licensee to the department in  
705 accordance with s. 497.146.

706 Section 11. Paragraph (e) of subsection (1) of section  
707 497.155, Florida Statutes, is amended to read:

708 497.155 Disciplinary citations and minor violations.—

709 (1) CITATIONS.—

710 (e) Service of a citation may be made by personal service  
711 or certified mail, restricted delivery, to the subject at the  
712 subject's last known address in accordance with s. 497.146. If  
713 service by certified mail cannot be made at the last address  
714 provided by the subject to the department, service may be made  
715 by e-mail, delivery receipt required, sent to the most recent e-  
716 mail address provided by the subject to the department in  
717 accordance with s. 497.146.

718 Section 12. Paragraph (d) of subsection (3) of section  
719 497.172, Florida Statutes, is amended to read:

720 497.172 Public records exemptions; public meetings  
721 exemptions.—

722 (3) EXAMINATIONS, INSPECTIONS, AND INVESTIGATIONS.—

723 (d) Information made confidential and exempt pursuant to  
724 this subsection may be disclosed by the department as follows:

725 1. To the probable cause panel of the board, for the

726 | purpose of probable cause proceedings pursuant to s. 497.153.

727 |       2. To any law enforcement agency or other government  
728 | agency in the performance of its official duties and  
729 | responsibilities.

730 |       3. If the department uncovers information of immediate and  
731 | serious concern to the public health, safety, or welfare, it may  
732 | disseminate such information as it deems necessary for the  
733 | public health, safety, or welfare.

734 |       4. If the department issues an emergency order pursuant to  
735 | s. 497.156.

736 |       Section 13. Section 497.386, Florida Statutes, is amended  
737 | to read:

738 |       497.386 Storage, preservation, and transportation of human  
739 | remains.—

740 |       (1) A person may not store or maintain human remains at  
741 | any establishment or facility except an establishment or  
742 | facility licensed under this chapter or a health care facility,  
743 | medical examiner's facility, morgue, or cemetery holding  
744 | facility.

745 |       (2) A dead human body may not be held in any place or in  
746 | transit over 24 hours after death or pending final disposition  
747 | unless the body is maintained under refrigeration at a  
748 | temperature of 40 degrees Fahrenheit or below or is embalmed or  
749 | otherwise preserved in a manner approved by the licensing  
750 | authority in accordance with the provisions of this chapter.

751 (3) A dead human body transported by common carrier or any  
 752 agency or individual authorized to carry dead human bodies must  
 753 be placed in a carrying container adequate to prevent the  
 754 seepage of fluids and escape of offensive odors. A dead human  
 755 body may be transported only when accompanied by a properly  
 756 completed burial-transit permit issued in accordance with the  
 757 provisions of chapter 382.

758 (4) The licensing authority shall establish by rule the  
 759 minimal standards of acceptable and prevailing practices for the  
 760 handling and storing of dead human bodies, provided that all  
 761 human remains transported or stored must be completely covered  
 762 and at all times treated with dignity and respect.

763 (5) In the event of an emergency situation, including the  
 764 abandonment of any establishments or facilities licensed under  
 765 this chapter or any medical examiner's facility, morgue, or  
 766 cemetery holding facility, the department may enter and secure  
 767 such establishment, facility, or morgue during or outside of  
 768 normal business hours and remove human remains and cremated  
 769 remains from the establishment, facility, or morgue. For  
 770 purposes of this subsection, the department shall determine if a  
 771 facility is abandoned and if there is an emergency situation. A  
 772 licensee or licensed facility that accepts transfer of human  
 773 remains and cremated remains from the department pursuant to  
 774 this subsection may not be held liable for the condition of any  
 775 human remains or cremated remains at the time of transfer.

776 (6)-(5) A person who violates subsection (1) or subsection  
 777 (3) any provision of this section commits a misdemeanor of the  
 778 first degree, punishable as provided in s. 775.082 or s.  
 779 775.083.

780 (7) A person who violates subsection (2) or subsection (4)  
 781 commits a felony of the third degree, punishable as provided in  
 782 s. 775.082, s. 775.083, or s. 775.084.

783 Section 14. Section 497.469, Florida Statutes, is created  
 784 to read:

785 497.469 Fulfillment of preneed contracts.-

786 (1) Upon delivery of merchandise or performance of  
 787 services in fulfillment of a preneed contract, either in part or  
 788 in whole, a preneed licensee may withdraw the amount deposited  
 789 in trust plus income earned on such amount for the merchandise  
 790 delivered or services performed, when adequate documentation is  
 791 submitted to the trustee.

792 (2) The following documentation is satisfactory evidence  
 793 that a preneed contract has been fulfilled:

794 (a) A certified copy of death certificate;

795 (b) An invoice for merchandise which reflects the name of  
 796 the purchaser or beneficiary and the contract number;

797 (c) An acknowledgment signed by the purchaser or legally  
 798 authorized person, acknowledging that merchandise was delivered  
 799 or services performed; or

800 (d) A burial permit or other documentation provided to



801 another governmental agency.

802 (3) The preneed licensee shall maintain documentation that  
803 supports fulfillment of a particular contract until such records  
804 are examined by the department.

805 Section 15. Paragraphs (c) and (d) subsection (10) of  
806 section 624.307, Florida Statutes, are redesignated as  
807 paragraphs (d) and (e), respectively, paragraph (b) is amended,  
808 and a new paragraph (c) is added to subsection (10) of that  
809 section, to read:

810 624.307 General powers; duties.—

811 (10)

812 (b) Any person licensed or issued a certificate of  
813 authority or made an eligible surplus lines insurer by the  
814 department or the office shall respond, in writing or  
815 electronically, to the division within 14 days after receipt of  
816 a written request for documents and information from the  
817 division concerning a consumer complaint. The response must  
818 address the issues and allegations raised in the complaint and  
819 include any requested documents concerning the consumer  
820 complaint not subject to attorney-client or work-product  
821 privilege. The division may impose an administrative penalty for  
822 failure to comply with this paragraph of up to \$5,000 per  
823 violation upon any entity licensed by the department or the  
824 office and up to \$1,000 per violation by any individual licensed  
825 by the department or the office.

826       (c) Each insurer issued a certificate of authority or made  
 827 an eligible surplus lines insurer shall file with the department  
 828 an e-mail address to which requests for response to consumer  
 829 complaints shall be directed pursuant to paragraph (b). Such  
 830 insurer shall also designate a contact person for escalated  
 831 complaint issues and shall provide the name, e-mail address, and  
 832 telephone number of such person. A licensee of the department,  
 833 including an agency or a firm, may elect to designated an e-mail  
 834 address to which requests for response to consumer complaints  
 835 shall be directed pursuant to paragraph (b). If a licensee,  
 836 including an agency or a firm, elects not to designate an e-mail  
 837 address, the department shall direct requests for response to  
 838 consumer complaints to the e-mail address of record for the  
 839 licensee in the department's licensing system. An insurer or a  
 840 licensee, including an agency or a firm, may change a designated  
 841 contact information at any time by submitting the new  
 842 information to the department using the method designated by  
 843 rule by the department.

844       Section 16. Subsection (2) of section 626.171, Florida  
 845 Statutes, is amended to read:

846       626.171 Application for license as an agent, customer  
 847 representative, adjuster, service representative, or reinsurance  
 848 intermediary.—

849       (2) In the application, the applicant shall set forth:

850       (a) His or her full name, age, social security number,

851 residence address, business address, mailing address, contact  
 852 telephone numbers, including a business telephone number, and e-  
 853 mail address.

854 (b) A statement indicating the method the applicant used  
 855 or is using to meet any required prelicensing education,  
 856 knowledge, experience, or instructional requirements for the  
 857 type of license applied for.

858 (c) Whether he or she has been refused or has voluntarily  
 859 surrendered or has had suspended or revoked a license to solicit  
 860 insurance by the department or by the supervising officials of  
 861 any state.

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

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

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

869 (g) The applicant's native language.

870 (h) The highest level of education achieved by the  
 871 applicant.

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

874 (j) Such other or additional information as the department  
 875 may deem proper to enable it to determine the character,

876 | experience, ability, and other qualifications of the applicant  
877 | to hold himself or herself out to the public as an insurance  
878 | representative.

879 |  
880 | However, the application must contain a statement that an  
881 | applicant is not required to disclose his or her race or  
882 | ethnicity, gender, or native language, that he or she will not  
883 | be penalized for not doing so, and that the department will use  
884 | this information exclusively for research and statistical  
885 | purposes and to improve the quality and fairness of the  
886 | examinations. The department shall make provisions for  
887 | applicants to submit cellular telephone numbers as part of the  
888 | application process on a voluntary basis only for the purpose of  
889 | two-factor authentication of secure login credentials only.

890 |       Section 17. Paragraph (j) of subsection (2) of section  
891 | 626.221, Florida Statutes, is amended to read:

892 |       626.221 Examination requirement; exemptions.—

893 |       (2) However, an examination is not necessary for any of  
894 | the following:

895 |       (j) An applicant for license as an all-lines adjuster who  
896 | has the designation of Accredited Claims Adjuster (ACA) from a  
897 | regionally accredited postsecondary institution in this state;  
898 | Certified All Lines Adjuster (CALA) from Kaplan Financial  
899 | Education; Associate in Claims (AIC) from the Insurance  
900 | Institute of America; Professional Claims Adjuster (PCA) from

901 the Professional Career Institute; Professional Property  
 902 Insurance Adjuster (PPIA) from the HurriClaim Training Academy;  
 903 Certified Adjuster (CA) from ALL LINES Training; Certified  
 904 Claims Adjuster (CCA) from AE21 Incorporated; Claims Adjuster  
 905 Certified Professional (CACP) from WebCE, Inc.; Accredited  
 906 Insurance Claims Specialist (AICS) from Encore Claim Services;  
 907 Professional in Claims (PIC) from 2021 Training, LLC; Registered  
 908 Claims Adjuster (RCA) from American Insurance College; or  
 909 Universal Claims Certification (UCC) from Claims and Litigation  
 910 Management Alliance (CLM) whose curriculum has been approved by  
 911 the department and which includes comprehensive analysis of  
 912 basic property and casualty lines of insurance and testing at  
 913 least equal to that of standard department testing for the all-  
 914 lines adjuster license. The department shall adopt rules  
 915 establishing standards for the approval of curriculum.

916 Section 18. Subsection (6) of section 626.601, Florida  
 917 Statutes, is amended to read:

918 626.601 Improper conduct; inquiry; fingerprinting.—

919 (6) The complaint and any information obtained pursuant to  
 920 the investigation by the department or office are confidential  
 921 and are exempt from s. 119.07 unless the department or office  
 922 files a formal administrative complaint, emergency order, or  
 923 consent order against the individual or entity. This subsection  
 924 does not prevent the department or office from disclosing the  
 925 complaint or such information as it deems necessary to conduct

926 | the investigation, to update the complainant as to the status  
 927 | and outcome of the complaint, to review the details of the  
 928 | investigation with the individual or entity being investigated  
 929 | or their representative, or to share such information with any  
 930 | law enforcement agency or other regulatory body.

931 | Section 19. Subsection (3) of section 626.7351, Florida  
 932 | Statutes, is amended to read:

933 | 626.7351 Qualifications for customer representative's  
 934 | license.—The department shall not grant or issue a license as  
 935 | customer representative to any individual found by it to be  
 936 | untrustworthy or incompetent, or who does not meet each of the  
 937 | following qualifications:

938 | (3) Within 4 years preceding the date that the application  
 939 | for license was filed with the department, the applicant has  
 940 | earned the designation of Accredited Advisor in Insurance (AAI),  
 941 | Associate in General Insurance (AINS), or Accredited Customer  
 942 | Service Representative (ACSR) from the Insurance Institute of  
 943 | America; the designation of Certified Insurance Counselor (CIC)  
 944 | from the Society of Certified Insurance Service Counselors; the  
 945 | designation of Certified Professional Service Representative  
 946 | (CPSR) from the National Foundation for CPSR; the designation of  
 947 | Certified Insurance Service Representative (CISR) from the  
 948 | Society of Certified Insurance Service Representatives; the  
 949 | designation of Certified Insurance Representative (CIR) from  
 950 | All-Lines Training; the designation of Chartered Customer

951 Service Representative (CCSR) from American Insurance College;  
 952 the designation of Professional Customer Service Representative  
 953 (PCSR) from the Professional Career Institute; the designation  
 954 of Insurance Customer Service Representative (ICSR) from  
 955 Statewide Insurance Associates LLC; the designation of  
 956 Registered Customer Service Representative (RCSR) from a  
 957 regionally accredited postsecondary institution in the state  
 958 whose curriculum is approved by the department and includes  
 959 comprehensive analysis of basic property and casualty lines of  
 960 insurance and testing which demonstrates mastery of the subject;  
 961 or a degree from an accredited institution of higher learning  
 962 approved by the department when the degree includes a minimum of  
 963 9 credit hours of insurance instruction, including specific  
 964 instruction in the areas of property, casualty, and inland  
 965 marine insurance. The department shall adopt rules establishing  
 966 standards for the approval of curriculum.

967 Section 20. Section 626.878, Florida Statutes, is amended  
 968 to read:

969 626.878 Rules; code of ethics.—

970 (1) An adjuster shall subscribe to the code of ethics  
 971 specified in the rules of the department. The rules shall  
 972 implement the provisions of this part and specify the terms and  
 973 conditions of contracts, including a right to cancel, and  
 974 require practices necessary to ensure fair dealing, prohibit  
 975 conflicts of interest, and ensure preservation of the rights of

976 the claimant to participate in the adjustment of claims.

977 (2) A person licensed as an adjuster must identify himself  
 978 or herself in any advertisement, solicitation, or written  
 979 document based on the adjuster appointment type held.

980 (3) An adjuster who has had his or her licensed revoked or  
 981 suspended may not participate in any part of an insurance claim  
 982 or in the insurance claims adjusting process, including  
 983 estimating, completing, filing, negotiating, appraising,  
 984 mediating, umpiring, or effecting settlement of a claim for loss  
 985 or damage covered under an insurance contract. A person who  
 986 provides these services while the person's license is revoked or  
 987 suspended acts as an unlicensed adjuster.

988 Section 21. Subsection (1) of section 626.929, Florida  
 989 Statutes, is amended, and subsection (4) is added to that  
 990 section, to read:

991 626.929 Origination, acceptance, placement of surplus  
 992 lines business.—

993 (1) A licensed and appointed general lines agent while  
 994 also licensed and appointed as a surplus lines agent under this  
 995 part may originate surplus lines business and may accept surplus  
 996 lines business from any other originating Florida-licensed  
 997 general lines agent appointed and licensed as to the kinds of  
 998 insurance involved and may compensate such agent therefor.

999 (4) A general lines agent while licensed as a surplus  
 1000 lines agent under this part may appoint these licenses with a



1001 single surplus license agent appointment pursuant to s. 624.501.  
 1002 Such agent may only originate surplus lines business and accept  
 1003 surplus lines business from other originating Florida-licensed  
 1004 general lines agents appointed and licensed as to the kinds of  
 1005 insurance involved and may compensate such agent therefor. Such  
 1006 agent may not be appointed by or transact general lines  
 1007 insurance on behalf of an admitted insurer.

1008 Section 22. Paragraph (j) is added to subsection (4) of  
 1009 section 627.351, Florida Statutes, to read:

1010 627.351 Insurance risk apportionment plans.—

1011 (4) MEDICAL MALPRACTICE RISK APPORTIONMENT; ASSOCIATION  
 1012 CONTRACTS AND PURCHASES.—

1013 (j)1. After July 1, 2024, all contracts entered into, and  
 1014 all purchases made by, the association pursuant to this  
 1015 subsection which are valued at or more than \$100,000 must first  
 1016 be approved by the department. The department has 10 days to  
 1017 approve or deny a contract or purchase upon electronic receipt  
 1018 of the approval request. The contract or purchase is  
 1019 automatically approved if the department is nonresponsive.

1020 2. All contracts and purchases valued at or more than  
 1021 \$100,000 require competition through a formal bid solicitation  
 1022 conducted by the association. The association must undergo a  
 1023 formal bid solicitation process by a minimum of three vendors.  
 1024 The formal bid solicitation process must include all of the  
 1025 following:

1026 a. The time and date for the receipt of bids, the  
 1027 proposals, and whether the association contemplates renewal of  
 1028 the contract, including the price for each year for which the  
 1029 contract may be renewed.

1030 b. All the contractual terms and conditions applicable to  
 1031 the procurement.

1032 3. Evaluation of bids by the association must include  
 1033 consideration of the total cost for each year of the contract,  
 1034 including renewal years, as submitted by the vendor. The  
 1035 association must award the contract to the most responsible and  
 1036 responsive vendor. Any formal bid solicitation conducted by the  
 1037 association must be made available, upon request, to the  
 1038 department by electronic delivery.

1039 Section 23. Subsection (5) is added to section 631.59,  
 1040 Florida Statutes, to read:

1041 631.59 Duties and powers of department and office;  
 1042 association contracts and purchases.-

1043 (5) (a) After July 1, 2024, all contracts entered into, and  
 1044 all purchases made by, the association pursuant to this section  
 1045 which are valued at or more than \$100,000 must first be approved  
 1046 by the department. The department has 10 days to approve or deny  
 1047 the contract or purchase upon electronic receipt of the approval  
 1048 request. The contract or purchase is automatically approved if  
 1049 the department is nonresponsive.

1050 (b) All contracts and purchases valued at or more than

1051 \$100,000 require competition through a formal bid solicitation  
 1052 conducted by the association. The association must undergo a  
 1053 formal bid solicitation process. The formal bid solicitation  
 1054 process must include all of the following:

1055 1. The time and date for the receipt of bids, the  
 1056 proposals, and whether the association contemplates renewal of  
 1057 the contract, including the price for each year for which the  
 1058 contract may be renewed.

1059 2. All the contractual terms and conditions applicable to  
 1060 the procurement.

1061 (c) Evaluation of bids by the association must include  
 1062 consideration of the total cost for each year of the contract,  
 1063 including renewal years, as submitted by the vendor. The  
 1064 association must award the contract to the most responsible and  
 1065 responsive vendor. Any formal bid solicitation conducted by the  
 1066 association must be made available, upon request, to the  
 1067 department via electronic delivery.

1068 (d) Paragraphs (b) and (c) do not apply to claims defense  
 1069 counsel or claims vendors if contracts with all vendors which  
 1070 may exceed \$100,000 are provided to the department for prior  
 1071 approval in accordance with paragraph (a).

1072 Section 24. Subsection (6) is added to section 631.722,  
 1073 Florida Statutes, to read:

1074 631.722 Powers and duties of department and office;  
 1075 association contracts and purchases.-

1076 (6) (a) After July 1, 2024, all contracts entered into, and  
1077 all purchases made by, the association pursuant to this section  
1078 which are valued at or more than \$100,000 must first be approved  
1079 by the department. The department has 10 days to approve or deny  
1080 the contract or purchase upon electronic receipt of the approval  
1081 request. The contract or purchase is automatically approved if  
1082 the department is nonresponsive.

1083 (b) All contracts and purchases valued at or more than  
1084 \$100,000 require competition through a formal bid solicitation  
1085 conducted by the association. The association must undergo a  
1086 formal bid solicitation process. The formal bid solicitation  
1087 process must include all of the following:

1088 1. The time and date for the receipt of bids, the  
1089 proposals, and whether the association contemplates renewal of  
1090 the contract, including the price for each year for which the  
1091 contract may be renewed.

1092 2. All the contractual terms and conditions applicable to  
1093 the procurement.

1094 (c) Evaluation of bids by the association must include  
1095 consideration of the total cost for each year of the contract,  
1096 including renewal years, as submitted by the vendor. The  
1097 association must award the contract to the most responsible and  
1098 responsive vendor. Any formal bid solicitation conducted by the  
1099 association must be made available, upon request, to the  
1100 department via electronic delivery.

1101 Section 25. Subsection (5) is added to section 631.821,  
 1102 Florida Statutes, to read:

1103 631.821 Powers and duties of the department; board  
 1104 contracts and purchases.-

1105 (5) (a) After July 1, 2024, all contracts entered into, and  
 1106 all purchases made by, the board pursuant to this section which  
 1107 are valued at or more than \$100,000 must first be approved by  
 1108 the department. The department has 10 days to approve or deny  
 1109 the contract or purchase upon electronic receipt of the approval  
 1110 request. The contract or purchase is automatically approved if  
 1111 the department is nonresponsive.

1112 (b) All contracts and purchases valued at or more than  
 1113 \$100,000 require competition through a formal bid solicitation  
 1114 conducted by the board. The board must undergo a formal bid  
 1115 solicitation process. The formal bid solicitation process must  
 1116 include all of the following:

1117 1. The time and date for the receipt of bids, the  
 1118 proposals, and whether the board contemplates renewal of the  
 1119 contract, including the price for each year for which the  
 1120 contract may be renewed.

1121 2. All the contractual terms and conditions applicable to  
 1122 the procurement.

1123 (c) Evaluation of bids by the board must include  
 1124 consideration of the total cost for each year of the contract,  
 1125 including renewal years, as submitted by the vendor. The plan

1126 must award the contract to the most responsible and responsive  
 1127 vendor. Any formal bid solicitation conducted by the board must  
 1128 be made available, upon request, to the department via  
 1129 electronic delivery.

1130 Section 26. Section 631.921, Florida Statutes, is amended  
 1131 to read:

1132 631.921 Department powers; board contracts and purchases.—

1133 (1) The corporation shall be subject to examination by the  
 1134 department. By March 1 of each year, the board of directors  
 1135 shall cause a financial report to be filed with the department  
 1136 for the immediately preceding calendar year in a form approved  
 1137 by the department.

1138 (2)(a) After July 1, 2024, all contracts entered into, and  
 1139 all purchases made by, the board pursuant to this section which  
 1140 are valued at or more than \$100,000 must first be approved by  
 1141 the department. The department has 10 days to approve or deny  
 1142 the contract or purchase upon electronic receipt of the approval  
 1143 request. The contract or purchase is automatically approved if  
 1144 the department is nonresponsive.

1145 (b) All contracts and purchases valued at or more than  
 1146 \$100,000 require competition through a formal bid solicitation  
 1147 conducted by the board. The board must undergo a formal bid  
 1148 solicitation process. The formal bid solicitation process must  
 1149 include all of the following:

1150 1. The time and date for the receipt of bids, the

1151 proposals, and whether the board contemplates renewal of the  
 1152 contract, including the price for each year for which the  
 1153 contract may be renewed.

1154 2. All the contractual terms and conditions applicable to  
 1155 the procurement.

1156 (c) Evaluation of bids by the board must include  
 1157 consideration of the total cost for each year of the contract,  
 1158 including renewal years, as submitted by the vendor. The  
 1159 association must award the contract to the most responsible and  
 1160 responsive vendor. Any formal bid solicitation conducted by the  
 1161 association must be made available, upon request, to the  
 1162 department via electronic delivery.

1163 Section 27. Paragraph (b) of subsection (3) of section  
 1164 633.124, Florida Statutes, is amended to read:

1165 633.124 Penalty for violation of law, rule, or order to  
 1166 cease and desist or for failure to comply with corrective  
 1167 order.—

1168 (3)

1169 (b) A person who initiates a pyrotechnic display within  
 1170 any structure commits a felony of the third degree, punishable  
 1171 as provided in s. 775.082, s. 775.083, or s. 775.084, unless:

1172 1. The structure has a fire protection system installed in  
 1173 compliance with s. 633.334.

1174 2. The owner of the structure has authorized in writing  
 1175 the pyrotechnic display.

1176           3. If the local jurisdiction requires a permit for the use  
1177 of a pyrotechnic display in an occupied structure, such permit  
1178 has been obtained and all conditions of the permit complied with  
1179 or, if the local jurisdiction does not require a permit for the  
1180 use of a pyrotechnic display in an occupied structure, the  
1181 person initiating the display has complied with National Fire  
1182 Protection Association, Inc., Standard 1126, 2021 ~~2001~~ Edition,  
1183 Standard for the Use of Pyrotechnics before a Proximate  
1184 Audience.

1185           Section 28. Subsection (2) of section 633.202, Florida  
1186 Statutes, is amended to read:

1187           633.202 Florida Fire Prevention Code.—

1188           (2) The State Fire Marshal shall adopt the current edition  
1189 of the National Fire Protection Association's Standard 1, Fire  
1190 Prevention Code but may not adopt a building, mechanical,  
1191 accessibility, or plumbing code. The State Fire Marshal shall  
1192 adopt the current edition of the Life Safety Code, NFPA 101,  
1193 current editions, by reference. The State Fire Marshal may  
1194 modify the selected codes and standards as needed to accommodate  
1195 the specific needs of the state. Standards or criteria in the  
1196 selected codes shall be similarly incorporated by reference. The  
1197 State Fire Marshal shall incorporate within sections of the  
1198 Florida Fire Prevention Code provisions that address uniform  
1199 firesafety standards as established in s. 633.206. The State  
1200 Fire Marshal shall incorporate within sections of the Florida



1201 Fire Prevention Code provisions addressing regional and local  
 1202 concerns and variations.

1203 Section 29. Paragraph (b) of subsection (1) of section  
 1204 633.206, Florida Statutes, is amended to read:

1205 633.206 Uniform firesafety standards.—The Legislature  
 1206 hereby determines that to protect the public health, safety, and  
 1207 welfare it is necessary to provide for firesafety standards  
 1208 governing the construction and utilization of certain buildings  
 1209 and structures. The Legislature further determines that certain  
 1210 buildings or structures, due to their specialized use or to the  
 1211 special characteristics of the person utilizing or occupying  
 1212 these buildings or structures, should be subject to firesafety  
 1213 standards reflecting these special needs as may be appropriate.

1214 (1) The department shall establish uniform firesafety  
 1215 standards that apply to:

1216 (b) All new, existing, and proposed hospitals, nursing  
 1217 homes, assisted living facilities, adult family-care homes,  
 1218 correctional facilities, public schools, transient public  
 1219 lodging establishments, public food service establishments,  
 1220 mobile food dispensing vehicles, elevators, migrant labor camps,  
 1221 mobile home parks, lodging parks, recreational vehicle parks,  
 1222 recreational camps, residential and nonresidential child care  
 1223 facilities, facilities for the developmentally disabled, motion  
 1224 picture and television special effects productions, tunnels,  
 1225 energy storage systems, and self-service gasoline stations, of

1226 | which standards the State Fire Marshal is the final  
 1227 | administrative interpreting authority.

1228 |  
 1229 | In the event there is a dispute between the owners of the  
 1230 | buildings specified in paragraph (b) and a local authority  
 1231 | requiring a more stringent uniform firesafety standard for  
 1232 | sprinkler systems, the State Fire Marshal shall be the final  
 1233 | administrative interpreting authority and the State Fire  
 1234 | Marshal's interpretation regarding the uniform firesafety  
 1235 | standards shall be considered final agency action.

1236 |         Section 30. Paragraph (b) of subsection (8) of section  
 1237 | 634.041, Florida Statutes, is amended to read:

1238 |         634.041 Qualifications for license.—To qualify for and  
 1239 | hold a license to issue service agreements in this state, a  
 1240 | service agreement company must be in compliance with this part,  
 1241 | with applicable rules of the commission, with related sections  
 1242 | of the Florida Insurance Code, and with its charter powers and  
 1243 | must comply with the following:

1244 |         (8)

1245 |         (b) A service agreement company does not have to establish  
 1246 | and maintain an unearned premium reserve if it secures and  
 1247 | maintains contractual liability insurance in accordance with the  
 1248 | following:

1249 |             1. Coverage of 100 percent of the claim exposure is  
 1250 | obtained from an insurer or insurers approved by the office,

1251 | which hold ~~holds~~ a certificate of authority under s. 624.401 to  
 1252 | do business within this state, or secured through a risk  
 1253 | retention groups ~~group~~, which are ~~is~~ authorized to do business  
 1254 | within this state under s. 627.943 or s. 627.944. Such insurers  
 1255 | ~~insurer~~ or risk retention groups ~~group~~ must maintain a surplus  
 1256 | as regards policyholders of at least \$15 million.

1257 |         2. If the service agreement company does not meet its  
 1258 | contractual obligations, the contractual liability insurance  
 1259 | policy binds its issuer to pay or cause to be paid to the  
 1260 | service agreement holder all legitimate claims and cancellation  
 1261 | refunds for all service agreements issued by the service  
 1262 | agreement company while the policy was in effect. This  
 1263 | requirement also applies to those service agreements for which  
 1264 | no premium has been remitted to the insurer.

1265 |         3. If the issuer of the contractual liability policy is  
 1266 | fulfilling the service agreements covered by the contractual  
 1267 | liability policy and the service agreement holder cancels the  
 1268 | service agreement, the issuer must make a full refund of  
 1269 | unearned premium to the consumer, subject to the cancellation  
 1270 | fee provisions of s. 634.121(3). The sales representative and  
 1271 | agent must refund to the contractual liability policy issuer  
 1272 | their unearned pro rata commission.

1273 |         4. The policy may not be canceled, terminated, or  
 1274 | nonrenewed by the insurer or the service agreement company  
 1275 | unless a 90-day written notice thereof has been given to the

1276 office by the insurer before the date of the cancellation,  
 1277 termination, or nonrenewal.

1278 5. The service agreement company must provide the office  
 1279 with the claims statistics.

1280 6. A policy issued in compliance with this paragraph may  
 1281 either pay 100 percent of claims as they are incurred, or pay  
 1282 100 percent of claims due in the event of the failure of the  
 1283 service agreement company to pay such claims when due.

1284  
 1285 All funds or premiums remitted to an insurer by a motor vehicle  
 1286 service agreement company under this part shall remain in the  
 1287 care, custody, and control of the insurer and shall be counted  
 1288 as an asset of the insurer; provided, however, this requirement  
 1289 does not apply when the insurer and the motor vehicle service  
 1290 agreement company are affiliated companies and members of an  
 1291 insurance holding company system. If the motor vehicle service  
 1292 agreement company chooses to comply with this paragraph but also  
 1293 maintains a reserve to pay claims, such reserve shall only be  
 1294 considered an asset of the covered motor vehicle service  
 1295 agreement company and may not be simultaneously counted as an  
 1296 asset of any other entity.

1297 Section 31. Subsection (5) of section 634.081, Florida  
 1298 Statutes, is amended to read:

1299 634.081 Suspension or revocation of license; grounds.—

1300 (5) The office shall suspend or revoke the license of a

1301 company if it finds that the ratio of gross written premiums  
 1302 written to net assets exceeds 10 to 1 unless the company has in  
 1303 excess of \$750,000 in net assets and is utilizing contractual  
 1304 liability insurance which cedes 100 percent of the service  
 1305 agreement company's claims liabilities to the contractual  
 1306 liability insurers ~~insurer~~ or is utilizing contractual liability  
 1307 insurance which reimburses the service agreement company for 100  
 1308 percent of its paid claims. However, if a service agreement  
 1309 company has been licensed by the office in excess of 10 years,  
 1310 is in compliance with all applicable provisions of this part,  
 1311 and has net assets at all times in excess of \$3 million that  
 1312 comply with the provisions of part II of chapter 625, such  
 1313 company may not exceed a ratio of gross written premiums written  
 1314 to net assets of 15 to 1.

1315 Section 32. Subsection (5) of section 634.3077, Florida  
 1316 Statutes, is renumbered as subsection (6), subsection (3) is  
 1317 amended, and a new subsection (5) is added to that section, to  
 1318 read:

1319 634.3077 Financial requirements.—

1320 (3) An association may ~~shall~~ not be required to set up an  
 1321 unearned premium reserve if it has purchased contractual  
 1322 liability insurance which demonstrates to the satisfaction of  
 1323 the office that 100 percent of its claim exposure is covered by  
 1324 such insurance. Such contractual liability insurance shall be  
 1325 obtained from an insurer or insurers that hold ~~holds~~ a

1326 certificate of authority to do business within the state or from  
 1327 an insurer or insurers approved by the office as financially  
 1328 capable of meeting the obligations incurred pursuant to the  
 1329 policy. For purposes of this subsection, the contractual  
 1330 liability policy shall contain the following provisions:

1331 (a) In the event that the home warranty association is  
 1332 unable to fulfill its obligation under its contracts issued in  
 1333 this state for any reason, including insolvency, bankruptcy, or  
 1334 dissolution, the contractual liability insurer will pay losses  
 1335 and unearned premiums under such plans directly to persons  
 1336 making claims under such contracts.

1337 (b) The insurer issuing the policy shall assume full  
 1338 responsibility for the administration of claims in the event of  
 1339 the inability of the association to do so.

1340 (c) The policy may not be canceled or not renewed by  
 1341 ~~either~~ the insurer or the association unless 60 days' written  
 1342 notice thereof has been given to the office by the insurer  
 1343 before the date of such cancellation or nonrenewal.

1344 (d) The contractual liability insurance policy shall  
 1345 insure all home warranty contracts that were issued while the  
 1346 policy was in effect whether or not the premium has been  
 1347 remitted to the insurer.

1348 (5) An association licensed under this part is not  
 1349 required to establish an unearned premium reserve or maintain  
 1350 contractual liability insurance and may allow its premiums to

1351 exceed the ratio to net assets limitation of this section if the  
1352 association complies with the following:

1353 (a) The association or, if the association is a direct or  
1354 indirect wholly owned subsidiary of a parent corporation, its  
1355 parent corporation has, and maintains at all times, a minimum  
1356 net worth of at least \$100 million and provides the office with  
1357 the following:

1358 1. A copy of the association's annual audited financial  
1359 statements or the audited consolidated financial statements of  
1360 the association's parent corporation, prepared by an independent  
1361 certified public accountant in accordance with generally  
1362 accepted accounting principles, which clearly demonstrate the  
1363 net worth of the association or its parent corporation to be  
1364 \$100 million, and a quarterly written certification to the  
1365 office that the association or its parent corporation continues  
1366 to maintain the net worth required under this paragraph.

1367 2. The association's or its parent corporation's Form 10-  
1368 K, Form 10-Q, or Form 20-F as filed with the United States  
1369 Securities and Exchange Commission or such other documents  
1370 required to be filed with a recognized stock exchange, which  
1371 shall be provided on a quarterly and annual basis within 10 days  
1372 after the last date each such report must be filed with the  
1373 Securities and Exchange Commission, the National Association of  
1374 Securities Dealers Automated Quotation system, or other  
1375 recognized stock exchange.

1376  
1377 Failure to timely file the documents required under this  
1378 paragraph may, at the discretion of the office, subject the  
1379 association to suspension or revocation of its license under  
1380 this part.

1381 (b) If the net worth of a parent corporation is used to  
1382 satisfy the net worth provisions of paragraph (a), the following  
1383 provisions must be met:

1384 1. The parent corporation must guarantee all service  
1385 warranty obligations of the association, wherever written, on a  
1386 form approved in advance by the office. A cancellation,  
1387 termination, or modification of the guarantee does not become  
1388 effective unless the parent corporation provides the office  
1389 written notice at least 90 days before the effective date of the  
1390 cancellation, termination, or modification and the office  
1391 approves the request in writing. Before the effective date of  
1392 the cancellation, termination, or modification of the guarantee,  
1393 the association must demonstrate to the satisfaction of the  
1394 office compliance with all applicable provisions of this part,  
1395 including whether the association will meet the requirements of  
1396 this section by the purchase of contractual liability insurance,  
1397 establishing required reserves, or other method allowed under  
1398 this section. If the association or parent corporation does not  
1399 demonstrate to the satisfaction of the office compliance with  
1400 all applicable provisions of this part, the association or



1401 parent association shall immediately cease writing new and  
 1402 renewal business upon the effective date of the cancellation,  
 1403 termination, or modification.

1404 2. The association must maintain at all times net assets  
 1405 of at least \$750,000.

1406 Section 33. Section 634.317, Florida Statutes, is amended  
 1407 to read:

1408 634.317 License and appointment required.—No person may  
 1409 solicit, negotiate, or effectuate home warranty contracts for  
 1410 remuneration in this state unless such person is licensed and  
 1411 appointed as a sales representative. A licensed and appointed  
 1412 sales representative shall be directly responsible and  
 1413 accountable for all acts of the licensee's employees. A  
 1414 municipality, a county government, a special district, an entity  
 1415 operated by a municipality or county government, or an employee  
 1416 or agent of a municipality, county government, special district,  
 1417 or entity operated by a municipality or county government is  
 1418 exempt from the licensing and appointing requirements under this  
 1419 section.

1420 Section 34. Subsection (9) of section 648.25, Florida  
 1421 Statutes, is renumbered as subsection (10), and new subsection  
 1422 (9) and subsection (11) are added to that section to read:

1423 648.25 Definitions.—As used in this chapter, the term:

1424 (9) "Referring bail bond agent" is the limited surety  
 1425 agent who is requesting the transfer bond. The referring bail

1426 bond agent is the agent held liable for the transfer bond, along  
 1427 with the issuing surety company.

1428 (11) "Transfer bond" means the appearance bond and power  
 1429 of attorney form posted by a limited surety agent who is  
 1430 registered in the county where the defendant is being held in  
 1431 custody.

1432 Section 35. Subsection (3) of section 648.26, Florida  
 1433 Statutes, is amended to read:

1434 648.26 Department of Financial Services; administration.—

1435 (3) The papers, documents, reports, or any other  
 1436 investigatory records of the department are confidential and  
 1437 exempt from s. 119.07(1) until such investigation is completed  
 1438 or ceases to be active, unless the department or office files a  
 1439 formal administrative complaint, emergency order, or consent  
 1440 order against the individual or entity. For the purpose of this  
 1441 section, an investigation is considered active while the  
 1442 investigation is being conducted by the department with a  
 1443 reasonable, good faith belief that it may lead to the filing of  
 1444 administrative, civil, or criminal proceedings. An investigation  
 1445 does not cease to be active if the department is proceeding with  
 1446 reasonable dispatch and there is good faith belief that action  
 1447 may be initiated by the department or other administrative or  
 1448 law enforcement agency. This subsection does not prevent the  
 1449 department or office from disclosing the content of a complaint  
 1450 or such information as it deems necessary to conduct the

1451 investigation, to update the complainant as to the status and  
1452 outcome of the complaint, to review the details of the  
1453 investigation with the subject or the subject's representative,  
1454 or to share such information with any law enforcement agency or  
1455 other regulatory body.

1456 Section 36. Paragraph (a) of subsection (1) of section  
1457 648.30, Florida Statutes, is amended to read:

1458 648.30 Licensure and appointment required; prohibited  
1459 acts; penalties.—

1460 (1)(a) A person or entity may not act in the capacity of a  
1461 bail bond agent or bail bond agency or perform any of the  
1462 functions, duties, or powers prescribed for bail bond agents or  
1463 bail bond agencies under this chapter unless that person or  
1464 entity is qualified, licensed, and appointed as provided in this  
1465 chapter ~~and employed by a bail bond agency.~~

1466 Section 37. Subsection (1) of section 648.355, Florida  
1467 Statutes, is amended to read:

1468 648.355 Limited surety agents and professional bail bond  
1469 agents; qualifications.—

1470 (1) The applicant shall furnish, with the application for  
1471 license, a complete set of the applicant's fingerprints in  
1472 accordance with s. 626.171(4) ~~and a recent credential-sized,~~  
1473 ~~fullface photograph of the applicant.~~ The department may not  
1474 issue a license under this section until the department has  
1475 received a report from the Department of Law Enforcement and the

1476 Federal Bureau of Investigation relative to the existence or  
1477 nonexistence of a criminal history report based on the  
1478 applicant's fingerprints.

1479 Section 38. Effective July 1, 2024, Section 655.49,  
1480 Florida Statutes, is created to read:

1481 655.49 Bad faith termination or restriction of account  
1482 access; investigations by the office.—

1483 (1) A customer or member of a financial institution who  
1484 reasonably believes that a financial institution has terminated,  
1485 suspended, or taken similar action restricting access to the  
1486 customer's or member's account in bad faith may file, within 30  
1487 calendar days after such termination, suspension, or similar  
1488 action restricting account access, a complaint with the office  
1489 alleging a violation of this section. Such complaint is barred  
1490 if not timely filed.

1491 (2) This section does not apply if a financial  
1492 institution's termination, suspension, or similar action  
1493 restricting a customer's or member's account access was due to  
1494 one or more of the following:

1495 (a) The customer or member initiated the change in access;

1496 (b) There is a lack of activity in the account; or

1497 (c) The account is presumed unclaimed property pursuant to  
1498 chapter 717.

1499 (3) Upon receipt of a customer's or member's complaint  
1500 under subsection (1):

1501 (a) Within 30 calendar days, the office must notify the  
1502 financial institution that a complaint has been filed.

1503 (b) Within 30 calendar days after receiving the notice  
1504 from the office, the financial institution must file with the  
1505 office a termination-of-access report containing such  
1506 information as the commission requires by rule.

1507 (c) Within 90 calendar days after receiving the  
1508 termination-of-access report from the financial institution, the  
1509 office must investigate the financial institution's action and  
1510 determine whether the action was taken in bad faith as  
1511 substantiated by competent and substantial evidence that was  
1512 known or should have been known to the financial institution at  
1513 the time of the termination, suspension, or similar action  
1514 restricting a customer's or member's account access.

1515 (d) Within 30 calendar days after making the determination  
1516 required under paragraph (c), the office must report to the  
1517 Attorney General and the Chief Financial Officer the  
1518 determination of a bad faith termination, suspension, or similar  
1519 action restricting a customer's or member's account access. The  
1520 report to the Attorney General must describe the findings of the  
1521 investigation, provide a summary of the evidence, and state  
1522 whether an alleged violation of the financial institutions codes  
1523 by the financial institution occurred. Upon reporting to the  
1524 Attorney General pursuant to this paragraph, the office must  
1525 send a copy of the report to the customer or member by certified

1526 mail, return receipt requested.

1527 (4) A financial institution's bad faith termination,  
1528 suspension, or similar action restricting access to a customer's  
1529 or member's account, as determined by the office pursuant to  
1530 subsection (3), or a financial institution's failure to  
1531 cooperate in an investigation conducted pursuant to subsection  
1532 (3), including, without limitation, failure to timely file a  
1533 termination-of-access report with the office, constitutes a  
1534 violation of the financial institutions codes and subjects the  
1535 financial institution to the applicable sanctions and penalties  
1536 provided for in the financial institutions codes.

1537 (5) The office shall provide any report filed pursuant to  
1538 this section, or any information contained therein, to any  
1539 federal, state, or local law enforcement or prosecutorial  
1540 agency, and any federal or state agency responsible for the  
1541 regulation or supervision of financial institutions, if the  
1542 provision of such report is otherwise required by law.

1543 (6) If the office determines under subsection (3) that a  
1544 financial institution has acted in bad faith, the aggrieved  
1545 customer or member of the financial institution has a cause of  
1546 action against the financial institution for damages and may  
1547 recover damages therefor in any court of competent jurisdiction,  
1548 together with costs and reasonable attorney fees to be assessed  
1549 by the court. To recover damages under this subsection, the  
1550 customer or member must establish that, beyond a reasonable

1551 doubt, the financial institution acted in bad faith in  
1552 terminating, suspending, or taking similar action restricting  
1553 access to the customer's or member's account. The office's  
1554 determination that the financial institution has acted in bad  
1555 faith pursuant to subsection (3) does not, in and of itself,  
1556 establish beyond a reasonable doubt that the financial  
1557 institution acted in bad faith in the termination, suspension,  
1558 or similar action restricting access to the customer's or  
1559 member's account. A customer's or member's failure to initiate a  
1560 cause of action under this subsection within 12 months after the  
1561 office's finding of bad faith pursuant to subsection (3) bars  
1562 recovery of any filed claims thereafter.

1563 (7) By July 1, 2024, the office shall make available on  
1564 its website the information necessary for a customer or member  
1565 of a financial institution to file a complaint with the office  
1566 under subsection (1).

1567 Section 39. Section 717.101, Florida Statutes, is amended  
1568 to read:

1569 717.101 Definitions.—As used in this chapter, unless the  
1570 context otherwise requires:

1571 (1) "Aggregate" means the amounts reported for owners of  
1572 unclaimed property of less than \$10 ~~\$50~~ or where there is no  
1573 name for the individual or entity listed on the holder's  
1574 records, regardless of the amount to be reported.

1575 (2) "Apparent owner" means the person whose name appears

1576 on the records of the holder as the person entitled to property  
 1577 held, issued, or owing by the holder.

1578 (3) "Audit" means an action or proceeding to examine and  
 1579 verify a person's records, books, accounts, and other documents  
 1580 to ascertain and determine compliance with this chapter.

1581 (4) "Audit agent" means a person with whom the department  
 1582 enters into a contract with to conduct an audit or examination.  
 1583 The term includes an independent contractor of the person and  
 1584 each individual participating in the audit on behalf of the  
 1585 person or contractor.

1586 (5)-(3) "Banking organization" means any and all banks,  
 1587 trust companies, private bankers, savings banks, industrial  
 1588 banks, safe-deposit companies, savings and loan associations,  
 1589 credit unions, and investment companies in this state, organized  
 1590 under or subject to the laws of this state or of the United  
 1591 States, including entities organized under 12 U.S.C. s. 611, but  
 1592 does not include federal reserve banks. The term also includes  
 1593 any corporation, business association, or other organization  
 1594 that:

1595 (a) Is a wholly or partially owned subsidiary of any  
 1596 banking, banking corporation, or bank holding company that  
 1597 performs any or all of the functions of a banking organization;  
 1598 or

1599 (b) Performs functions pursuant to the terms of a contract  
 1600 with any banking organization ~~state or national bank,~~



1601 ~~international banking entity or similar entity, trust company,~~  
 1602 ~~savings bank, industrial savings bank, land bank, safe-deposit~~  
 1603 ~~company, private bank, or any organization otherwise defined by~~  
 1604 ~~law as a bank or banking organization.~~

1605 (6)-(4) "Business association" means any for-profit or  
 1606 nonprofit corporation other than a public corporation; joint  
 1607 stock company; investment company; unincorporated association or  
 1608 association of two or more individuals for business purposes,  
 1609 whether or not for profit; partnership; joint venture; limited  
 1610 liability company; sole proprietorship; business trust; trust  
 1611 company; land bank; safe-deposit company; safekeeping  
 1612 depository; financial organization; insurance company; federally  
 1613 chartered entity; utility company; or other business entity,  
 1614 whether or not for profit corporation (other than a public  
 1615 corporation), joint stock company, investment company, business-  
 1616 trust, partnership, limited liability company, or association of  
 1617 two or more individuals for business purposes, whether for  
 1618 profit or not for profit.

1619 (7)-(5) "Claimant" means the person on whose behalf a claim  
 1620 is filed.

1621 (8) "Claimant's representative" means an attorney who is a  
 1622 member in good standing of The Florida Bar, a certified public  
 1623 accountant licensed in this state, or private investigator who  
 1624 is duly licensed to do business in the state, registered with  
 1625 the department, and authorized by the claimant to claim

1626 unclaimed property on the claimant's behalf. The term does not  
 1627 include a person acting in a representative capacity, such as a  
 1628 personal representative, guardian, trustee, or attorney, whose  
 1629 representation is not contingent upon the discovery or location  
 1630 of unclaimed property; provided, however, that any agreement  
 1631 entered into for the purpose of evading s. 717.135 is invalid  
 1632 and unenforceable.

1633 (9)-(6) "Credit balance" means an account balance in the  
 1634 customer's favor.

1635 (10)-(7) "Department" means the Department of Financial  
 1636 Services.

1637 (11)-(8) "Domicile" means the state of incorporation for a  
 1638 corporation; the state of filing for a business association,  
 1639 other than a corporation, whose formation or organization  
 1640 requires a filing with a state; the state of organization for a  
 1641 business association, other than a corporation, whose formation  
 1642 or organization does not require a filing with a state; the  
 1643 state of home office for a federally chartered entity ~~incorporated~~  
 1644 ~~under the laws of a state, or, for an unincorporated business~~  
 1645 ~~association, the state where the business association is~~  
 1646 ~~organized.~~

1647 (12)-(9) "Due diligence" means the use of reasonable and  
 1648 prudent methods under particular circumstances to locate  
 1649 apparent owners of inactive accounts using the taxpayer  
 1650 identification number or social security number, if known, which

1651 may include, but are not limited to, using a nationwide  
1652 database, cross-indexing with other records of the holder,  
1653 mailing to the last known address unless the last known address  
1654 is known to be inaccurate, providing written notice as described  
1655 in this chapter by electronic mail if an apparent owner has  
1656 elected such delivery, or engaging a licensed agency or company  
1657 capable of conducting such search and providing updated  
1658 addresses.

1659 (13) "Electronic" means relating to technology having  
1660 electrical, digital, magnetic, wireless, optical,  
1661 electromagnetic, or similar capabilities.

1662 (14)-(10) "Financial organization" means a ~~state or federal~~  
1663 savings association, savings and loan association, savings bank,  
1664 industrial bank, bank, banking organization, trust company,  
1665 international bank agency, cooperative bank, building and loan  
1666 association, or credit union.

1667 (15)-(11) "Health care provider" means any state-licensed  
1668 entity that provides and receives payment for health care  
1669 services. These entities include, but are not limited to,  
1670 hospitals, outpatient centers, physician practices, and skilled  
1671 nursing facilities.

1672 (16)-(12) "Holder" means:

1673 (a) A person, ~~wherever organized or domiciled,~~ who is in  
1674 possession or control or has custody of property or the rights  
1675 to property belonging to another; is indebted to another on an

1676 obligation; or is obligated to hold for the account of, or to  
 1677 deliver or pay to, the owner, property subject to this chapter;  
 1678 or;

1679 ~~(a) In possession of property belonging to another;~~

1680 (b) A trustee in case of a trust; ~~or~~

1681 ~~(c) Indebted to another on an obligation.~~

1682 (17)~~(13)~~ "Insurance company" means an association,  
 1683 corporation, or fraternal or mutual benefit organization,  
 1684 whether for profit or not for profit, which is engaged in  
 1685 providing insurance coverage.

1686 (18)~~(14)~~ "Intangible property" includes, by way of  
 1687 illustration and not limitation:

1688 (a) Moneys, checks, virtual currency, drafts, deposits,  
 1689 interest, dividends, and income.

1690 (b) Credit balances, customer overpayments, security  
 1691 deposits and other instruments as defined by chapter 679,  
 1692 refunds, unpaid wages, unused airline tickets, and unidentified  
 1693 remittances.

1694 (c) Stocks, and other intangible ownership interests in  
 1695 business associations.

1696 (d) Moneys deposited to redeem stocks, bonds, bearer  
 1697 bonds, original issue discount bonds, coupons, and other  
 1698 securities, or to make distributions.

1699 (e) Amounts due and payable under the terms of insurance  
 1700 policies.

1701 (f) Amounts distributable from a trust or custodial fund  
1702 established under a plan to provide any health, welfare,  
1703 pension, vacation, severance, retirement, death, stock purchase,  
1704 profit sharing, employee savings, supplemental unemployment  
1705 insurance, or similar benefit.

1706 ~~(19)-(15)~~ "Last known address" means a description of the  
1707 location of the apparent owner sufficient for the purpose of the  
1708 delivery of mail. For the purposes of identifying, reporting,  
1709 and remitting property to the department which is presumed to be  
1710 unclaimed, "last known address" includes any partial description  
1711 of the location of the apparent owner sufficient to establish  
1712 the apparent owner was a resident of this state at the time of  
1713 last contact with the apparent owner or at the time the property  
1714 became due and payable.

1715 ~~(20)-(16)~~ "Lawful charges" means charges against dormant  
1716 accounts that are authorized by statute for the purpose of  
1717 offsetting the costs of maintaining the dormant account.

1718 ~~(21)-(17)~~ "Managed care payor" means a health care plan  
1719 that has a defined system of selecting and limiting health care  
1720 providers as evidenced by a managed care contract with the  
1721 health care providers. These plans include, but are not limited  
1722 to, managed care health insurance companies and health  
1723 maintenance organizations.

1724 ~~(22)-(18)~~ "Owner" means a person, or the person's legal  
1725 representative, entitled to receive or having a legal or

1726 equitable interest in or claim against property subject to this  
 1727 chapter; a depositor in the case of a deposit; a beneficiary in  
 1728 the case of a trust or a deposit in trust; or a payee in the  
 1729 case of a negotiable instrument or other intangible property a  
 1730 depositor in the case of a deposit, a beneficiary in the case of  
 1731 a trust or a deposit in trust, or a payee in the case of other  
 1732 intangible property, or a person having a legal or equitable  
 1733 interest in property subject to this chapter or his or her legal  
 1734 representative.

1735 (23) "Person" means an individual; estate; business  
 1736 association; corporation; firm; association; joint adventure;  
 1737 partnership; government or governmental subdivision, agency, or  
 1738 instrumentality; or any other legal or commercial entity.

1739 (24)-(19) "Public corporation" means a corporation created  
 1740 by the state, founded and owned in the public interest,  
 1741 supported by public funds, and governed by those deriving their  
 1742 power from the state.

1743 (25) "Record" means information that is inscribed on a  
 1744 tangible medium or that is stored in an electronic or other  
 1745 medium and is retrievable in perceivable form.

1746 (26)-(20) "Reportable period" means the calendar year  
 1747 ending December 31 of each year.

1748 (27)-(21) "State," when applied to a part of the United  
 1749 States, includes any state, district, commonwealth, territory,  
 1750 insular possession, and any other area subject to the

1751 legislative authority of the United States.

1752 (28)~~(22)~~ "Trust instrument" means a trust instrument as  
1753 defined in s. 736.0103.

1754 ~~(23) "Ultimate equitable owner" means a natural person  
1755 who, directly or indirectly, owns or controls an ownership  
1756 interest in a corporation, a foreign corporation, an alien  
1757 business organization, or any other form of business  
1758 organization, regardless of whether such natural person owns or  
1759 controls such ownership interest through one or more natural  
1760 persons or one or more proxies, powers of attorney, nominees,  
1761 corporations, associations, partnerships, trusts, joint stock  
1762 companies, or other entities or devices, or any combination  
1763 thereof.~~

1764 (29) "Unclaimed Property Purchase Agreement" means the  
1765 form adopted by the department pursuant to s. 717.135 which must  
1766 be used, without modification or amendment, by a claimant's  
1767 representative to purchase unclaimed property from an owner.

1768 (30) "Unclaimed Property Recovery Agreement" means the  
1769 form adopted by the department pursuant to s. 717.135 which must  
1770 be used, without modification or amendment, by a claimant's  
1771 representative to obtain an owner's consent and authority to  
1772 recover unclaimed property on the owner's behalf.

1773 (31)~~(24)~~ "United States" means any state, district,  
1774 commonwealth, territory, insular possession, and any other area  
1775 subject to the legislative authority of the United States of

1776 America.

1777 ~~(32)-(25)~~ "Utility" means a person who owns or operates,

1778 for public use, any plant, equipment, property, franchise, or

1779 license for the transmission of communications or the

1780 production, storage, transmission, sale, delivery, or furnishing

1781 of electricity, water, steam, or gas.

1782 (33) (a) "Virtual currency" means digital units of exchange

1783 that:

1784 1. Have a centralized repository or administrator;

1785 2. Are decentralized and have no centralized repository or

1786 administrator; or

1787 3. May be created or obtained by computing or

1788 manufacturing effort.

1789 (b) The term does not include any of the following:

1790 1. Digital units that:

1791 a. Are used solely within online gaming platforms;

1792 b. Have no market or application outside of the online

1793 gaming platforms in sub-subparagraph a.;

1794 c. Cannot be converted into, or redeemed for, fiat

1795 currency or virtual currency; and

1796 d. Can or cannot be redeemed for real-world goods,

1797 services, discounts, or purchases.

1798 2. Digital units that can be redeemed for:

1799 a. Real-world goods, services, discounts, or purchases as

1800 part of a customer affinity or rewards program with the issuer



1801 or other designated merchants; or  
 1802 b. Digital units in another customer affinity or rewards  
 1803 program, but cannot be converted into, or redeemed for, fiat  
 1804 currency or virtual currency.

1805 3. Digital units used as part of prepaid cards.

1806 Section 40. Subsections (3) and (4) are added to section  
 1807 717.102, Florida Statutes, to read:

1808 717.102 Property presumed unclaimed; general rule.—

1809 (3) A presumption that property is unclaimed is rebutted  
 1810 by an apparent owner's expression of interest in the property.

1811 An owner's expression of interest in property includes:

1812 (a) A record communicated by the apparent owner to the  
 1813 holder or agent of the holder concerning the property or the  
 1814 account in which the property is held;

1815 (b) An oral communication by the apparent owner to the  
 1816 holder or agent of the holder concerning the property or the  
 1817 account in which the property is held, if the holder or its  
 1818 agent contemporaneously makes and preserves a record of the fact  
 1819 of the apparent owner's communication;

1820 (c) Presentment of a check or other instrument of payment  
 1821 of a dividend, interest payment, or other distribution, with  
 1822 respect to an account, underlying security, or interest in a  
 1823 business association;

1824 (d) Activity directed by an apparent owner in the account  
 1825 in which the property is held, including accessing the account

1826 or information concerning the account, or a direction by the  
1827 apparent owner to increase, decrease, or otherwise change the  
1828 amount or type of property held in the account;

1829 (e) A deposit into or withdrawal from an account at a  
1830 financial organization, excluding an automatic deposit or  
1831 withdrawal previously authorized by the apparent owner or an  
1832 automatic reinvestment of dividends or interest, which does not  
1833 constitute an expression of interest; or

1834 (f) Any other action by the apparent owner which  
1835 reasonably demonstrates to the holder that the apparent owner  
1836 knows that the property exists.

1837 (4) If a holder learns or receives confirmation of an  
1838 apparent owner's death, the property shall be presumed unclaimed  
1839 2 years after the date of death, unless a fiduciary appointed to  
1840 represent the estate of the apparent owner has made an  
1841 expression of interest in the property before the expiration of  
1842 the 2-year period. This subsection may not be construed to  
1843 extend the otherwise applicable dormancy period prescribed by  
1844 this chapter.

1845 Section 41. Subsection (5) of section 717.106, Florida  
1846 Statutes, is amended to read:

1847 717.106 Bank deposits and funds in financial  
1848 organizations.—

1849 (5) If the documents establishing a deposit described in  
1850 subsection (1) state the address of a beneficiary of the

1851 deposit, and the account has a value of at least \$50, notice  
1852 shall be given to the beneficiary as provided for notice to the  
1853 apparent owner under s. 717.117(6) ~~s. 717.117(4)~~. This  
1854 subsection shall apply to accounts opened on or after October 1,  
1855 1990.

1856 Section 42. Section 717.1065, Florida Statutes, is created  
1857 to read:

1858 717.1065 Virtual currency.—

1859 (1) Any virtual currency held or owing by a banking  
1860 organization, corporation, custodian, exchange, or other entity  
1861 engaged in virtual currency business activity is presumed  
1862 unclaimed unless the owner, within 5 years, has communicated in  
1863 writing with the banking organization, corporation, custodian,  
1864 exchange, or other entity engaged in virtual currency business  
1865 activity concerning the virtual currency or otherwise indicated  
1866 an interest as evidenced by a memorandum or other record on file  
1867 with the banking organization, corporation, custodian, exchange,  
1868 or other entity engaged in virtual currency business activity.

1869 (2) A holder may not deduct from the amount of any virtual  
1870 currency subject to this section any charges imposed by reason  
1871 of the virtual currency unless there is a valid and enforceable  
1872 written contract between the holder and the owner of the virtual  
1873 currency pursuant to which the holder may impose those charges  
1874 and the holder does not regularly reverse or otherwise cancel  
1875 those charges with respect to the virtual currency.

1876 Section 43. Paragraph (a) of subsection (1) of section  
 1877 717.1101, Florida Statutes, is amended to read:

1878 717.1101 Unclaimed equity and debt of business  
 1879 associations.—

1880 (1)(a) Stock or other equity interest in a business  
 1881 association is presumed unclaimed on the date of ~~3 years after~~  
 1882 the earliest of the following:

1883 1. Three years after ~~The date of~~ the most recent of any  
 1884 owner-generated activity or communication related to the  
 1885 account, as recorded and maintained in the holder's database and  
 1886 records systems sufficient enough to demonstrate the owners  
 1887 continued awareness or interest in the property dividend, stock  
 1888 split, or other distribution unclaimed by the apparent owner;

1889 2. Three years after the date of the death of the owner,  
 1890 as evidenced by: ~~The date of a statement of account or other~~  
 1891 ~~notification or communication that was returned as~~  
 1892 ~~undeliverable; or~~

1893 a. Notice to the holder of the owner's death by an  
 1894 administrator, beneficiary, relative, or trustee, or by a  
 1895 personal representative or other legal representative of the  
 1896 owner's estate;

1897 b. Receipt by the holder of a copy of the death  
 1898 certificate of the owner;

1899 c. Confirmation by the holder of the owner's death though  
 1900 other means; or

1901 d. Other evidence from which the holder may reasonably  
 1902 conclude that the owner is deceased; or

1903 3. One year after the date on which the holder receives  
 1904 notice under subparagraph 2. if the notice is received 2 years  
 1905 or less after the owner's death and the holder lacked knowledge  
 1906 of the owner's death during that period of 2 years or less ~~The~~  
 1907 ~~date the holder discontinued mailings, notifications, or~~  
 1908 ~~communications to the apparent owner.~~

1909 Section 44. Subsection (1) of section 717.112, Florida  
 1910 Statutes, is amended, and subsection (6) is added to that  
 1911 section, to read:

1912 717.112 Property held by agents and fiduciaries.—

1913 (1) ~~Except as provided in ss. 717.1125 and 733.816,~~ All  
 1914 intangible property and any income or increment thereon held in  
 1915 a fiduciary capacity for the benefit of another person,  
 1916 including property held by an attorney in fact or an agent,  
 1917 except as provided in ss. 717.1125 and 733.816, is presumed  
 1918 unclaimed unless the owner has within 5 years after it has  
 1919 become payable or distributable increased or decreased the  
 1920 principal, accepted payment of principal or income, communicated  
 1921 in writing concerning the property, or otherwise indicated an  
 1922 interest as evidenced by a memorandum or other record on file  
 1923 with the fiduciary.

1924 (6) This section does not relieve a fiduciary of his or  
 1925 her duties under applicable general law.

1926 Section 45. Section 717.1125, Florida Statutes, is amended  
 1927 to read:

1928 717.1125 Property held by fiduciaries under trust  
 1929 instruments.—All intangible property and any income or increment  
 1930 thereon held in a fiduciary capacity for the benefit of another  
 1931 person under a trust instrument is presumed unclaimed unless the  
 1932 owner has, within 2 years after it has become payable or  
 1933 distributable, increased or decreased the principal, accepted  
 1934 payment of principal or income, communicated concerning the  
 1935 property, or otherwise indicated an interest as evidenced by a  
 1936 memorandum or other record on file with the fiduciary. This  
 1937 section does not relieve a fiduciary of his or her duties under  
 1938 the Florida Trust Code.

1939 Section 46. Effective January 1, 2025, section 717.117,  
 1940 Florida Statutes, is amended to read:

1941 717.117 Report of unclaimed property.—

1942 (1) Every person holding funds or other property, tangible  
 1943 or intangible, presumed unclaimed and subject to custody as  
 1944 unclaimed property under this chapter shall report to the  
 1945 department ~~on such forms as the department may prescribe by~~  
 1946 ~~rule. In lieu of forms, a report identifying 25 or more~~  
 1947 ~~different apparent owners must be submitted by the holder via~~  
 1948 electronic medium as the department may prescribe by rule. The  
 1949 report must include:

1950 (a) Except for traveler's checks and money orders, the

1951 name, social security number or taxpayer identification number,  
 1952 ~~and~~ date of birth, if known, and last known address, if any, of  
 1953 each person appearing from the records of the holder to be the  
 1954 owner of any property which is presumed unclaimed and which has  
 1955 a value of \$10 ~~\$50~~ or more.

1956 (b) For unclaimed funds that ~~which~~ have a value of \$10 ~~\$50~~  
 1957 or more held or owing under any life or endowment insurance  
 1958 policy or annuity contract, the identifying information provided  
 1959 in paragraph (a) for both ~~full name, taxpayer identification~~  
 1960 ~~number or social security number, date of birth, if known, and~~  
 1961 ~~last known address of~~ the insured or annuitant and ~~of~~ the  
 1962 beneficiary according to records of the insurance company  
 1963 holding or owing the funds.

1964 (c) For all tangible property held in a safe-deposit box  
 1965 or other safekeeping repository, a description of the property  
 1966 and the place where the property is held and may be inspected by  
 1967 the department, and any amounts owing to the holder. Contents of  
 1968 a safe-deposit box or other safekeeping repository which consist  
 1969 of documents or writings of a private nature and which have  
 1970 little or no apparent value shall not be presumed unclaimed.

1971 (d) The nature or type of property, any accounting or ~~and~~  
 1972 identifying number associated with the property, ~~a~~ if any, ~~or~~  
 1973 description of the property, and the amount appearing from the  
 1974 records to be due. Items of value of less than \$10 ~~under \$50~~  
 1975 each may be reported in the aggregate.

1976 (e) The date the property became payable, demandable, or  
 1977 returnable, and the date of the last transaction with the  
 1978 apparent owner with respect to the property.

1979 (f) Any other information the department may prescribe by  
 1980 rule as necessary for the administration of this chapter.

1981 (2) If the total value of all presumed unclaimed property,  
 1982 whether tangible or intangible, held by a person is less than  
 1983 \$10, a zero balance report may be filed for that reporting  
 1984 period.

1985 ~~(f) Any person or business association or public~~  
 1986 ~~corporation holding funds presumed unclaimed and having a total~~  
 1987 ~~value of \$10 or less may file a zero balance report for that~~  
 1988 ~~reporting period. The balance brought forward to the new~~  
 1989 ~~reporting period is zero.~~

1990 ~~(g) Such other information as the department may prescribe~~  
 1991 ~~by rule as necessary for the administration of this chapter.~~

1992 (3)-(h) Credit balances, customer overpayments, security  
 1993 deposits, and refunds having a value of less than \$10 shall not  
 1994 be presumed unclaimed.

1995 (4)-(2) If the holder of property presumed unclaimed and  
 1996 subject to custody as unclaimed property is a successor holder  
 1997 or if the holder has changed the holder's name while in  
 1998 possession of the property, the holder shall file with the  
 1999 holder's report all known names and addresses of each prior  
 2000 holder of the property. Compliance with this subsection means



2001 the holder exercises reasonable and prudent efforts to determine  
 2002 the names of all prior holders.

2003 ~~(5)-(3)~~ The report must be filed before May 1 of each year.

2004 The report applies ~~shall apply~~ to the preceding calendar year.

2005 Upon written request by any person required to file a report,

2006 and upon a showing of good cause, the department may extend the

2007 reporting date. The department may impose and collect a penalty

2008 of \$10 per day up to a maximum of \$500 for the failure to timely

2009 report, if an extension was not provided or if the holder of the

2010 property failed the failure to include in a report information

2011 required by this chapter which was in the holder's possession at

2012 the time of reporting. The penalty shall be remitted to the

2013 department within 30 days after the date of the notification to

2014 the holder that the penalty is due and owing. As necessary for

2015 proper administration of this chapter, the department may waive

2016 any penalty due with appropriate justification. ~~On written~~

2017 ~~request by any person required to file a report and upon a~~

2018 ~~showing of good cause, the department may postpone the reporting~~

2019 ~~date.~~ The department must provide information contained in a

2020 report filed with the department to any person requesting a copy

2021 of the report or information contained in a report, to the

2022 extent the information requested is not confidential, within 45

2023 days after the department determines that the report ~~has been~~

2024 ~~processed and added to the unclaimed property database~~

2025 ~~subsequent to a determination that the report is accurate and~~

2026 acceptable and that the reported property is the same as the  
 2027 remitted property.

2028 ~~(6)-(4)~~ Holders of inactive accounts having a value of \$50  
 2029 or more shall use due diligence to locate and notify apparent  
 2030 owners that the entity is holding unclaimed property available  
 2031 for them to recover. Not more than 120 days and not less than 60  
 2032 days prior to filing the report required by this section, the  
 2033 holder in possession of property presumed unclaimed and subject  
 2034 to custody as unclaimed property under this chapter shall send  
 2035 written notice by first-class United States mail to the apparent  
 2036 owner at the apparent owner's last known address from the  
 2037 holder's records or from other available sources, or via  
 2038 electronic mail if the apparent owner has elected this method of  
 2039 delivery, informing the apparent owner that the holder is in  
 2040 possession of property subject to this chapter, if the holder  
 2041 has in its records a mailing or electronic ~~an~~ address for the  
 2042 apparent owner which the holder's records do not disclose to be  
 2043 inaccurate. These two means of contact are not mutually  
 2044 exclusive; if the mailing address is determined to be  
 2045 inaccurate, electronic mail may be used if so elected by the  
 2046 apparent owner.

2047 (7) The written notice to the apparent owner required  
 2048 under this section must:

2049 (a) Contain a heading that reads substantially as follows:  
 2050 "Notice. The State of Florida requires us to notify you that

2051 your property may be transferred to the custody of the Florida  
2052 Department of Financial Services if you do not contact us before  
2053 (insert date that is at least 30 days after the date of  
2054 notice)."

2055 (b) Identify the type, nature, and, except for property  
2056 that does not have a fixed value, value of the property that is  
2057 the subject of the notice.

2058 (c) State that the property will be turned over to the  
2059 custody of the department as unclaimed property if no response  
2060 to this letter is received.

2061 (d) State that any property that is not legal tender of  
2062 the United States may be sold or liquidated by the department.

2063 (e) State that after the property is turned over to the  
2064 department, an apparent owner seeking return of the property may  
2065 file a claim with the department.

2066 (f) State that the property is currently with a holder and  
2067 provide instructions that the apparent owner must follow to  
2068 prevent the holder from reporting and paying for the property or  
2069 from delivering the property to the department.

2070 (8)-(5) Any holder of intangible property may file with the  
2071 department a petition for determination that the property is  
2072 unclaimed requesting the department to accept custody of the  
2073 property. The petition shall state any special circumstances  
2074 that exist, contain the information required by subsection (4)  
2075 ~~(2)~~, and show that a diligent search has been made to locate the

2076 owner. If the department finds that the proof of diligent search  
 2077 is satisfactory, it shall give notice as provided in s. 717.118  
 2078 and accept custody of the property.

2079 (9)~~(6)~~ Upon written request by any entity or person  
 2080 required to file a report, stating such entity's or person's  
 2081 justification for such action, the department may place that  
 2082 entity or person in an inactive status as an unclaimed property  
 2083 "holder."

2084 (10)~~(7)~~(a) This section does not apply to the unclaimed  
 2085 patronage refunds as provided for by contract or through bylaw  
 2086 provisions of entities organized under chapter 425 or that are  
 2087 exempt from ad valorem taxation pursuant to s. 196.2002.

2088 (b) This section does not apply to intangible property  
 2089 held, issued, or owing by a business association subject to the  
 2090 jurisdiction of the United States Surface Transportation Board  
 2091 or its successor federal agency if the apparent owner of such  
 2092 intangible property is a business association. The holder of  
 2093 such property does not have any obligation to report, to pay, or  
 2094 to deliver such property to the department.

2095 (c) This section does not apply to credit balances,  
 2096 overpayments, refunds, or outstanding checks owed by a health  
 2097 care provider to a managed care payor with whom the health care  
 2098 provider has a managed care contract, provided that the credit  
 2099 balances, overpayments, refunds, or outstanding checks become  
 2100 due and owing pursuant to the managed care contract.

2101 ~~(11)-(8)~~(a) As used in this subsection, the term "property  
 2102 identifier" means the descriptor used by the holder to identify  
 2103 the unclaimed property.

2104 (b) Social security numbers and property identifiers  
 2105 contained in reports required under this section, held by the  
 2106 department, are confidential and exempt from s. 119.07(1) and s.  
 2107 24(a), Art. I of the State Constitution.

2108 (c) This exemption applies to social security numbers and  
 2109 property identifiers held by the department before, on, or after  
 2110 the effective date of this exemption.

2111 Section 47. Subsections (4), (5), and (6) of section  
 2112 717.119, Florida Statutes, are renumbered as subsections (5),  
 2113 (6), and (7), respectively, and new subsection (4) and  
 2114 subsection (8) are added to that section, to read:

2115 717.119 Payment or delivery of unclaimed property.—

2116 (4) All virtual currency reported under this chapter on  
 2117 the annual report filing required in s. 717.117 shall be  
 2118 remitted to the department with the report. The holder shall  
 2119 liquidate the virtual currency and remit the proceeds to the  
 2120 department. The liquidation must occur within 30 before the  
 2121 filing of the report. Upon delivery of the virtual currency  
 2122 proceeds to the department, the holder is relieved of all  
 2123 liability of every kind in accordance with the provisions of s.  
 2124 717.1201 to every person for any losses or damages resulting to  
 2125 the person by the delivery to the department of the virtual

2126 currency proceeds.

2127 (8) A holder may not assign or otherwise transfer its  
 2128 obligation to report, pay, or deliver property or to comply with  
 2129 the provisions of this chapter, other than to a parent,  
 2130 subsidiary, or affiliate of the holder.

2131 (a) Unless otherwise agreed to by the parties to a  
 2132 transaction, the holder's successor by merger or consolidation,  
 2133 or any person or entity that acquires all or substantially all  
 2134 of the holder's capital stock or assets, is responsible for  
 2135 fulfilling the holder's obligation to report, pay, or deliver  
 2136 property or to comply with the duties of this chapter regarding  
 2137 the transfer of property owed to the holder's successor and  
 2138 being held for an owner resulting from the merger,  
 2139 consolidation, or acquisition.

2140 (b) This subsection does not prohibit a holder from  
 2141 contracting with a third party for the reporting of unclaimed  
 2142 property, but the holder remains responsible to the department  
 2143 for the complete, accurate, and timely reporting of the  
 2144 property.

2145 Section 48. Section 717.1201, Florida Statutes, is amended  
 2146 to read:

2147 717.1201 Custody by state; holder ~~relieved from~~ liability;  
 2148 reimbursement of holder paying claim; reclaiming for owner;  
 2149 ~~defense of holder;~~ payment of safe-deposit box or repository  
 2150 charges.—

2151           (1) Upon the good faith payment or delivery of unclaimed  
2152 property to the department, the state assumes custody and  
2153 responsibility for the safekeeping of the property. Any person  
2154 who pays or delivers unclaimed property to the department in  
2155 good faith is relieved of all liability to the extent of the  
2156 value of the property paid or delivered for any claim then  
2157 existing or which thereafter may arise or be made in respect to  
2158 the property.

2159           (a) A holder's substantial compliance with s. 717.117(6)  
2160 and good faith payment or delivery of unclaimed property to the  
2161 department releases the holder from liability that may arise  
2162 from such payment or delivery, and such delivery and payment may  
2163 be plead as a defense in any suit or action brought by reason of  
2164 such delivery or payment. This section does not relieve a  
2165 fiduciary of his or her duties under the Florida Trust Code or  
2166 Florida Probate Code.

2167           (b) If the holder pays or delivers property to the  
2168 department in good faith and thereafter any other person claims  
2169 the property from the holder paying or delivering, or another  
2170 state claims the money or property under that state's laws  
2171 relating to escheat or abandoned or unclaimed property, the  
2172 department, upon written notice of the claim, shall defend the  
2173 holder against the claim and indemnify the holder against any  
2174 liability on the claim, except that a holder may not be  
2175 indemnified against penalties imposed by another state.

2176        (2) For the purposes of this section, a payment or  
 2177 delivery of unclaimed property is made in good faith if:  
 2178        (a) The payment or delivery was made in conjunction with  
 2179 an accurate and acceptable report.  
 2180        (b) The payment or delivery was made in a reasonable  
 2181 attempt to comply with this chapter and other applicable general  
 2182 law.  
 2183        (c) The holder had a reasonable basis for believing, based  
 2184 on the facts then known, that the property was unclaimed and  
 2185 subject to this chapter.  
 2186        (d) There is no showing that the records pursuant to which  
 2187 the delivery was made did not meet reasonable commercial  
 2188 standards of practice in the industry.  
 2189        (3)-(2) Any holder who has paid money to the department  
 2190 pursuant to this chapter may make payment to any person  
 2191 appearing to be entitled to payment and, upon filing proof that  
 2192 the payee is entitled thereto, the department shall forthwith  
 2193 repay the holder without deduction of any fee or other charges.  
 2194 If repayment is sought for a payment made on a negotiable  
 2195 instrument, including a traveler's check or money order, the  
 2196 holder must be repaid under this subsection upon filing proof  
 2197 that the instrument was duly presented and that the payee is  
 2198 entitled to payment. The holder shall be repaid for payment made  
 2199 under this subsection even if the payment was made to a person  
 2200 whose claim was barred under s. 717.129(1).



2201        (4)~~(3)~~ Any holder who has delivered property, including a  
 2202 certificate of any interest in a business association, other  
 2203 than money to the department pursuant to this chapter may  
 2204 reclaim the property if still in the possession of the  
 2205 department, without payment of any fee or other charges, upon  
 2206 filing proof that the owner has claimed the property from the  
 2207 holder.

2208        (5)~~(4)~~ The department may accept an affidavit of the  
 2209 holder stating the facts that entitle the holder to recover  
 2210 money and property under this section as sufficient proof.

2211        ~~(5) If the holder pays or delivers property to the  
 2212 department in good faith and thereafter any other person claims  
 2213 the property from the holder paying or delivering, or another  
 2214 state claims the money or property under that state's laws  
 2215 relating to escheat or abandoned or unclaimed property, the  
 2216 department, upon written notice of the claim, shall defend the  
 2217 holder against the claim and indemnify the holder against any  
 2218 liability on the claim.~~

2219        ~~(6) For the purposes of this section, "good faith" means  
 2220 that:~~

2221        ~~(a) Payment or delivery was made in a reasonable attempt  
 2222 to comply with this chapter.~~

2223        ~~(b) The person delivering the property was not a fiduciary  
 2224 then in breach of trust in respect to the property and had a  
 2225 reasonable basis for believing, based on the facts then known to~~

2226 ~~that person, that the property was unclaimed for the purposes of~~  
 2227 ~~this chapter.~~

2228 ~~(c) There is no showing that the records pursuant to which~~  
 2229 ~~the delivery was made did not meet reasonable commercial~~  
 2230 ~~standards of practice in the industry.~~

2231 (6)~~(7)~~ Property removed from a safe-deposit box or other  
 2232 safekeeping repository is received by the department subject to  
 2233 the holder's right under this subsection to be reimbursed for  
 2234 the actual cost of the opening and to any valid lien or contract  
 2235 providing for the holder to be reimbursed for unpaid rent or  
 2236 storage charges. The department shall make the reimbursement to  
 2237 the holder out of the proceeds remaining after the deduction of  
 2238 the department's selling cost.

2239 (7) If it appears to the satisfaction of the department  
 2240 that, because of some mistake of fact, error in calculation, or  
 2241 erroneous interpretation of a statute, a person has paid or  
 2242 delivered to the department pursuant to any provision of this  
 2243 chapter any money or other property not required by this chapter  
 2244 to be so paid or delivered, the department may, within 5 years  
 2245 after such erroneous payment or delivery, refund or redeliver  
 2246 such money or other property to the person, provided that such  
 2247 money or property has not been paid or delivered to a claimant  
 2248 or otherwise disposed of in accordance with this chapter.

2249 Section 49. Subsection (1) of section 717.1242, Florida  
 2250 Statutes, is amended to read:

2251           717.1242 Restatement of jurisdiction of the circuit court  
2252 sitting in probate and the department.—

2253           (1) It is and has been the intent of the Legislature that,  
2254 pursuant to s. 26.012(2)(b), circuit courts have jurisdiction of  
2255 proceedings relating to the settlement of the estates of  
2256 decedents and other jurisdiction usually pertaining to courts of  
2257 probate. It is and has been the intent of the Legislature that,  
2258 pursuant to this chapter ~~s. 717.124~~, the department determines  
2259 the merits of claims and entitlements to unclaimed ~~for~~ property  
2260 paid or delivered to the department under this chapter.

2261 Consistent with this legislative intent, any ~~estate or~~  
2262 beneficiary, devisee, heir, personal representative, or other  
2263 interested person, as those terms are defined in the Florida  
2264 Probate Code and the Florida Trust Code ~~s. 731.201~~, of an estate  
2265 seeking to obtain property paid or delivered to the department  
2266 under this chapter must file a claim with the department as  
2267 provided in s. 717.124.

2268           Section 50. Subsection (4) of section 717.1243, Florida  
2269 Statutes, is amended to read:

2270           717.1243 Small estate accounts.—

2271           (4) This section ~~only~~ applies only if all of the unclaimed  
2272 property held by the department on behalf of the owner has an  
2273 aggregate value of \$20,000 ~~\$10,000~~ or less and no probate  
2274 proceeding is pending.

2275           Section 51. Subsection (2) of section 717.129, Florida

2276 Statutes, is amended to read:

2277 717.129 Periods of limitation.—

2278 (2) The department may not commence an ~~No~~ action or  
 2279 proceeding to enforce this chapter with respect to the  
 2280 reporting, payment, or delivery of property or any other duty of  
 2281 a holder under this chapter ~~may be commenced by the department~~  
 2282 ~~with respect to any duty of a holder under this chapter~~ more  
 2283 than 10 years after the duty arose. The period of limitation  
 2284 established under this subsection is tolled by the earlier of  
 2285 the department's or audit agent's delivery of a notice that a  
 2286 holder is subject to an audit or examination under s. 717.1301  
 2287 or the holder's written election to enter into an unclaimed  
 2288 property voluntary disclosure agreement.

2289 Section 52. Section 717.1301, Florida Statutes, is amended  
 2290 to read:

2291 717.1301 Investigations; examinations; subpoenas.—

2292 (1) To carry out the chapter's purpose of protecting the  
 2293 interest of missing owners through the safeguarding of their  
 2294 property and to administer and enforce this chapter, the  
 2295 department may:

2296 (a) Investigate, examine, inspect, request, or otherwise  
 2297 gather information or evidence on, claim documents from a  
 2298 claimant or a claimant's representative during its review of a  
 2299 claim.

2300 (b) Audit the records of a person or the records in the

2301 possession of an agent, representative, subsidiary, or affiliate  
2302 of the person subject to this chapter to determine whether the  
2303 person complied with this chapter. Such records may include  
2304 information to verify the completeness or accuracy of the  
2305 records provided, even if such records may not identify property  
2306 reportable to the department.

2307 (c) Take testimony of a person, including the person's  
2308 employee, agent, representative, subsidiary, or affiliate, to  
2309 determine whether the person complied with this chapter.

2310 (d) Issue an administrative subpoena to require that the  
2311 records specified in paragraph (b) be made available for  
2312 examination or audit and that the testimony specified in  
2313 paragraph (c) be provided.

2314 (e) Bring an action in a court of competent jurisdiction  
2315 seeking enforcement of an administrative subpoena issued under  
2316 this section, which the court shall consider under procedures  
2317 that will lead to an expeditious resolution of the action.

2318 (f) Bring an administrative action or an action in a court  
2319 of competent jurisdiction to enforce this chapter.

2320 (2) If a person is subject to reporting property under  
2321 this chapter, the department may require the person to file a  
2322 verified report in a form prescribed by the department. The  
2323 verified report must:

2324 (a) State whether the person is holding property  
2325 reportable under this chapter;

2326        (b) Describe the property not previously reported, the  
2327 property about which the department has inquired, or the  
2328 property that is in dispute as to whether it is reportable under  
2329 this chapter; and

2330        (c) State the amount or value of the property.

2331        (3) The department may authorize a compliance review of a  
2332 report for a specified reporting year. The review must be  
2333 limited to the contents of the report filed, as required by s.  
2334 717.117 and subsection (2), and all supporting documents related  
2335 to the reports. If the review results in a finding of a  
2336 deficiency in unclaimed property due and payable to the  
2337 department, the department shall notify the holder in writing of  
2338 the amount of deficiency within 1 year after the authorization  
2339 of the compliance review. If the holder fails to pay the  
2340 deficiency within 90 days, the department may seek to enforce  
2341 the assessment under subsection (1). The department is not  
2342 required to conduct a review under this section before  
2343 initiating an audit.

2344        (4) Notwithstanding any other provision of law, in a  
2345 contract providing for the location or collection of unclaimed  
2346 property, the department may authorize the contractor to deduct  
2347 its fees and expenses for services provided under the contract  
2348 from the unclaimed property that the contractor has recovered or  
2349 collected under the contract. The department shall annually  
2350 report to the Chief Financial Officer the total amount collected

2351 or recovered by each contractor during the previous fiscal year  
2352 and the total fees and expenses deducted by each contractor.

2353 ~~(1) The department may make investigations and~~  
2354 ~~examinations within or outside this state of claims, reports,~~  
2355 ~~and other records as it deems necessary to administer and~~  
2356 ~~enforce the provisions of this chapter. In such investigations~~  
2357 ~~and examinations the department may administer oaths, examine~~  
2358 ~~witnesses, issue subpoenas, and otherwise gather evidence. The~~  
2359 ~~department may request any person who has not filed a report~~  
2360 ~~under s. 717.117 to file a verified report stating whether or~~  
2361 ~~not the person is holding any unclaimed property reportable or~~  
2362 ~~deliverable under this chapter.~~

2363 ~~(2) Subpoenas for witnesses whose evidence is deemed~~  
2364 ~~material to any investigation or examination under this section~~  
2365 ~~may be issued by the department under seal of the department, or~~  
2366 ~~by any court of competent jurisdiction, commanding such~~  
2367 ~~witnesses to appear before the department at a time and place~~  
2368 ~~named and to bring such books, records, and documents as may be~~  
2369 ~~specified or to submit such books, records, and documents to~~  
2370 ~~inspection. Such subpoenas may be served by an authorized~~  
2371 ~~representative of the department.~~

2372 ~~(3) If any person shall refuse to testify, produce books,~~  
2373 ~~records, and documents, or otherwise refuse to obey a subpoena~~  
2374 ~~issued under this section, the department may present its~~  
2375 ~~petition to a court of competent jurisdiction in or for the~~

2376 ~~county in which such person resides or has its principal place~~  
2377 ~~of business, whereupon the court shall issue its rule nisi~~  
2378 ~~requiring such person to obey forthwith the subpoena issued by~~  
2379 ~~the department or show cause for failing to obey said subpoena.~~  
2380 ~~Unless said person shows sufficient cause for failing to obey~~  
2381 ~~the subpoena, the court shall forthwith direct such person to~~  
2382 ~~obey the same subject to such punishment as the court may direct~~  
2383 ~~including, but not limited to, the restraint, by injunction or~~  
2384 ~~by appointment of a receiver, of any transfer, pledge,~~  
2385 ~~assignment, or other disposition of such person's assets or any~~  
2386 ~~concealment, alteration, destruction, or other disposition of~~  
2387 ~~subpoenaed books, records, or documents as the court deems~~  
2388 ~~appropriate, until such person has fully complied with such~~  
2389 ~~subpoena and the department has completed its investigation or~~  
2390 ~~examination. The department is entitled to the summary procedure~~  
2391 ~~provided in s. 51.011, and the court shall advance the cause on~~  
2392 ~~its calendar. Costs incurred by the department to obtain an~~  
2393 ~~order granting, in whole or in part, its petition shall be taxed~~  
2394 ~~against the subpoenaed person, and failure to comply with such~~  
2395 ~~order shall be a contempt of court.~~

2396 ~~(4) Witnesses shall be entitled to the same fees and~~  
2397 ~~mileage as they may be entitled by law for attending as~~  
2398 ~~witnesses in the circuit court, except where such examination or~~  
2399 ~~investigation is held at the place of business or residence of~~  
2400 ~~the witness.~~



2401 (5) The material compiled by the department in an  
 2402 investigation or examination under this chapter is confidential  
 2403 until the investigation or examination is complete. If any such  
 2404 material contains a holder's financial or proprietary  
 2405 information, it may not be disclosed or made public by the  
 2406 department after the investigation or audit is completed, except  
 2407 as required by a court of competent jurisdiction in the course  
 2408 of a judicial proceeding in which the state is a party, or  
 2409 pursuant to an agreement with another state allowing joint  
 2410 audits. Such material may be considered trade secret and exempt  
 2411 from s. 119.07(1) as provided for in s. 119.0715. The records,  
 2412 data, and information gathered ~~material compiled by the~~  
 2413 department in an investigation or audit ~~examination~~ under this  
 2414 chapter remain ~~remains~~ confidential ~~after the department's~~  
 2415 ~~investigation or examination is complete~~ if the department has  
 2416 submitted the material or any part of it to any law enforcement  
 2417 agency or other administrative agency for further investigation  
 2418 or for the filing of a criminal or civil prosecution and such  
 2419 investigation has not been completed or become inactive.

2420 (6) If an investigation or an audit ~~examination~~ of the  
 2421 records of any person results in the disclosure of property  
 2422 reportable and deliverable under this chapter, the department  
 2423 may assess the cost of the investigation or audit ~~the~~  
 2424 ~~examination~~ against the holder at the rate of \$100 per 8-hour  
 2425 ~~day for each investigator or examiner. Such fee shall be~~

2426 ~~calculated on an hourly basis and shall be rounded to the~~  
2427 ~~nearest hour. The person shall also pay the travel expense and~~  
2428 ~~per diem subsistence allowance provided for state employees in~~  
2429 ~~s. 112.061. The person shall not be required to pay a per diem~~  
2430 ~~fee and expenses of an examination or investigation which shall~~  
2431 ~~consume more than 30 worker-days in any one year unless such~~  
2432 ~~examination or investigation is due to fraudulent practices of~~  
2433 ~~the person, in which case such person shall be required to pay~~  
2434 ~~the entire cost regardless of time consumed. The fee for the~~  
2435 ~~costs of the investigation or audit shall be remitted to the~~  
2436 ~~department within 30 days after the date of the notification~~  
2437 ~~that the fee is due and owing. Any person who fails to pay the~~  
2438 ~~fee within 30 days after the date of the notification that the~~  
2439 ~~fee is due and owing shall pay to the department interest at the~~  
2440 ~~rate of 12 percent per annum on such fee from the date of the~~  
2441 ~~notification.~~

2442 Section 53. Subsection (1) of section 717.1311, Florida  
2443 Statutes, is amended to read:

2444 717.1311 Retention of records.—

2445 (1) Every holder required to file a report under s.  
2446 717.117 shall maintain a record of the specific type of  
2447 property, amount, name, and last known address of the owner for  
2448 10 ~~5~~ years after the property becomes reportable, except to the  
2449 extent that a shorter time is provided in subsection (2) or by  
2450 rule of the department.

2451 Section 54. Paragraph (j) of subsection (1) and subsection  
 2452 (3) of section 717.1322, Florida Statutes, are amended to read:  
 2453 717.1322 Administrative and civil enforcement.—

2454 (1) The following acts are violations of this chapter and  
 2455 constitute grounds for an administrative enforcement action by  
 2456 the department in accordance with the requirements of chapter  
 2457 120 and for civil enforcement by the department in a court of  
 2458 competent jurisdiction:

2459 (j) Requesting or receiving compensation for notifying a  
 2460 person of his or her unclaimed property or assisting another  
 2461 person in filing a claim for unclaimed property, unless the  
 2462 person is an attorney licensed to practice law in this state, a  
 2463 Florida-certified public accountant, or a private investigator  
 2464 licensed under chapter 493, or entering into, or making a  
 2465 solicitation to enter into, an agreement to file a claim for  
 2466 unclaimed property owned by another, ~~or a contract or agreement~~  
 2467 ~~to purchase unclaimed property,~~ unless such person is registered  
 2468 with the department under this chapter and an attorney licensed  
 2469 to practice law in this state in the regular practice of her or  
 2470 his profession, a Florida-certified public accountant who is  
 2471 acting within the scope of the practice of public accounting as  
 2472 defined in chapter 473, or a private investigator licensed under  
 2473 chapter 493. This paragraph does not apply to a person who has  
 2474 been granted a durable power of attorney to convey and receive  
 2475 all of the real and personal property of the owner, is the

2476 court-appointed guardian of the owner, has been employed as an  
 2477 attorney or qualified representative to contest the department's  
 2478 denial of a claim, or has been employed as an attorney to  
 2479 probate the estate of the owner or an heir or legatee of the  
 2480 owner.

2481 (3) A claimant's representative ~~registrant~~ is subject to  
 2482 civil enforcement and the disciplinary actions specified in  
 2483 subsection (2) for violations of subsection (1) by an agent or  
 2484 employee of the registrant's employer if the claimant's  
 2485 representative ~~registrant~~ knew or should have known that such  
 2486 agent or employee was violating any provision of this chapter.

2487 Section 55. Subsection (1) of section 717.1333, Florida  
 2488 Statutes, is amended to read:

2489 717.1333 Evidence; estimations; audit reports and  
 2490 worksheets, investigator examiner's worksheets, investigative  
 2491 reports and worksheets, other related documents.—

2492 (1) In any proceeding involving a holder under ss. 120.569  
 2493 and 120.57 in which an audit agent ~~auditor, examiner,~~ or  
 2494 investigator acting under authority of this chapter is available  
 2495 for cross-examination, any official written report, worksheet,  
 2496 or other related paper, or copy thereof, compiled, prepared,  
 2497 drafted, or otherwise made or received by the audit agent  
 2498 ~~auditor, examiner,~~ or investigator, after being duly  
 2499 authenticated by the audit agent ~~auditor, examiner,~~ or  
 2500 investigator, may be admitted as competent evidence upon the

2501 oath of the audit agent ~~auditor, examiner,~~ or investigator that  
2502 the report, worksheet, or related paper was prepared or received  
2503 as a result of an audit, examination, or investigation of the  
2504 books and records of the person audited, examined, or  
2505 investigated, or the agent thereof.

2506 Section 56. Subsections (1) and (2) of section 717.134,  
2507 Florida Statutes, are amended to read:

2508 717.134 Penalties and interest.—

2509 (1) For any person who willfully fails to render any  
2510 report required under this chapter, the department may impose  
2511 and collect a penalty of \$500 per day up to a maximum of \$5,000  
2512 and 25 percent of the value of property not reported until an  
2513 appropriate a report is provided ~~rendered for any person who~~  
2514 ~~willfully fails to render any report required under this~~  
2515 ~~chapter.~~ Upon a holder's showing of good cause, the department  
2516 may waive said penalty or any portion thereof. If the holder  
2517 acted in good faith and without negligence, the department shall  
2518 waive the penalty provided herein.

2519 (2) For any person who willfully refuses to pay or deliver  
2520 unclaimed property to the department as required under this  
2521 chapter, the department may impose and collect a penalty of \$500  
2522 per day up to a maximum of \$5,000 and 25 percent of the value of  
2523 property not paid or delivered until the property is paid or  
2524 ~~delivered for any person who willfully refuses to pay or deliver~~  
2525 ~~abandoned property to the department as required under this~~

2526 ~~chapter.~~

2527 Section 57. Section 717.135, Florida Statutes, is amended  
2528 to read:

2529 717.135 Recovery agreements and purchase agreements for  
2530 claims filed by a claimant's representative; fees and costs, or  
2531 total net gain.-

2532 (1) In order to protect the interests of owners of  
2533 unclaimed property, the department shall adopt by rule a form  
2534 entitled "Unclaimed Property Recovery Agreement" and a form  
2535 entitled "Unclaimed Property Purchase Agreement."

2536 (2) The Unclaimed Property Recovery Agreement and the  
2537 Unclaimed Property Purchase Agreement must include and disclose  
2538 all of the following:

2539 (a) The total dollar amount of unclaimed property accounts  
2540 claimed or sold.

2541 (b) The total percentage of all authorized fees and costs  
2542 to be paid to the claimant's representative or the percentage of  
2543 the value of the property to be paid as net gain to the  
2544 purchasing claimant's representative.

2545 (c) The total dollar amount to be deducted and received  
2546 from the claimant as fees and costs by the claimant's  
2547 representative or the total net dollar amount to be received by  
2548 the purchasing claimant's representative.

2549 (d) The net dollar amount to be received by the claimant  
2550 or the seller.

2551 (e) For each account claimed, the unclaimed property  
 2552 account number.

2553 (f) For the Unclaimed Property Purchase Agreement, a  
 2554 statement that the amount of the purchase price will be remitted  
 2555 to the seller by the purchaser within 30 days after the  
 2556 execution of the agreement by the seller.

2557 (g) The name, address, e-mail address, phone number, and  
 2558 license number of the claimant's representative.

2559 (h)1. The manual signature of the claimant or seller and  
 2560 the date signed, affixed on the agreement by the claimant or  
 2561 seller.

2562 2. Notwithstanding any other provision of this chapter to  
 2563 the contrary, the department may allow an apparent owner, who is  
 2564 also the claimant or seller, to sign the agreement  
 2565 electronically ~~for claims of \$2,000 or less~~. All electronic  
 2566 signatures on the Unclaimed Property Recovery Agreement and the  
 2567 Unclaimed Property Purchase Agreement must be affixed on the  
 2568 agreement by the claimant or seller using the specific,  
 2569 exclusive eSignature product and protocol authorized by the  
 2570 department.

2571 (i) The social security number or taxpayer identification  
 2572 number of the claimant or seller, if a number has been issued to  
 2573 the claimant or seller.

2574 (j) The total fees and costs, or the total discount in the  
 2575 case of a purchase agreement, which may not exceed 30 percent of

2576 the claimed amount. In the case of a recovery agreement, if the  
 2577 total fees and costs exceed 30 percent, the fees and costs shall  
 2578 be reduced to 30 percent and the net balance shall be remitted  
 2579 directly by the department to the claimant. In the case of a  
 2580 purchase agreement, if the total net gain of the claimant's  
 2581 representative exceeds 30 percent, the claim will be denied.

2582 (3) For an Unclaimed Property Purchase Agreement form,  
 2583 proof that the purchaser has made payment must be filed with the  
 2584 department along with the claim. If proof of payment is not  
 2585 provided, the claim is void.

2586 (4) A claimant's representative must use the Unclaimed  
 2587 Property Recovery Agreement or the Unclaimed Property Purchase  
 2588 Agreement as the exclusive means of entering into an agreement  
 2589 or a contract with a claimant or seller to file a claim with the  
 2590 department.

2591 (5) Fees and costs may be owed or paid to, or received by,  
 2592 a claimant's representative only after a filed claim has been  
 2593 approved and if the claimant's representative used an agreement  
 2594 authorized by this section.

2595 (6) A claimant's representative may not use or distribute  
 2596 any other agreement of any type, conveyed by any method, with  
 2597 respect to the claimant or seller which relates, directly or  
 2598 indirectly, to unclaimed property accounts held by the  
 2599 department or the Chief Financial Officer other than the  
 2600 agreements authorized by this section. Any engagement,



2601 authorization, recovery, or fee agreement that is not authorized  
2602 by this section is void. A claimant's representative is subject  
2603 to administrative and civil enforcement under s. 717.1322 if he  
2604 or she uses an agreement that is not authorized by this section  
2605 and if the agreement is used to apply, directly or indirectly,  
2606 to unclaimed property held by this state. This subsection does  
2607 not prohibit lawful nonagreement, noncontractual, or advertising  
2608 communications between or among the parties.

2609 (7) The Unclaimed Property Recovery Agreement ~~and the~~  
2610 ~~Unclaimed Property Purchase Agreement~~ may not contain language  
2611 that makes the agreement irrevocable or that creates an  
2612 assignment of any portion of unclaimed property held by the  
2613 department.

2614 (8) When a claim is approved, the department may pay any  
2615 additional account that is owned by the claimant but has not  
2616 been claimed at the time of approval, provided that a subsequent  
2617 claim has not been filed or is not pending for the claimant at  
2618 the time of approval.

2619 (9) This section does not supersede s. 717.1241.

2620 (10) This section does not apply to the sale and purchase  
2621 of Florida-held unclaimed property accounts through a bankruptcy  
2622 estate representative or other person or entity authorized  
2623 pursuant to Title XI of the United States Code or an order of a  
2624 bankruptcy court to act on behalf or for the benefit of the  
2625 debtor, its creditors, and its bankruptcy estate.

2626 Section 58. Subsections (1), (2), and (3) of section  
 2627 717.1400, Florida Statutes, are amended to read:

2628 717.1400 Registration.—

2629 (1) In order to file claims as a claimant's  
 2630 representative, ~~acquire ownership of or entitlement to unclaimed~~  
 2631 ~~property,~~ receive a distribution of fees and costs from the  
 2632 department, and obtain unclaimed property dollar amounts and  
 2633 numbers of reported shares of stock held by the department, a  
 2634 private investigator holding a Class "C" individual license  
 2635 under chapter 493 must register with the department on such form  
 2636 as the department prescribes by rule and must be verified by the  
 2637 applicant. To register with the department, a private  
 2638 investigator must provide:

2639 (a) A legible copy of the applicant's Class "A" business  
 2640 license under chapter 493 or that of the applicant's firm or  
 2641 employer which holds a Class "A" business license under chapter  
 2642 493.

2643 (b) A legible copy of the applicant's Class "C" individual  
 2644 license issued under chapter 493.

2645 (c) The business address and telephone number of the  
 2646 applicant's private investigative firm or employer.

2647 (d) The names of agents or employees, if any, who are  
 2648 designated to act on behalf of the private investigator,  
 2649 together with a legible copy of their photo identification  
 2650 issued by an agency of the United States, or a state, or a

2651 political subdivision thereof.

2652 (e) Sufficient information to enable the department to  
2653 disburse funds by electronic funds transfer.

2654 (f) The tax identification number of the private  
2655 investigator's firm or employer which holds a Class "A" business  
2656 license under chapter 493.

2657 (2) In order to file claims as a claimant's  
2658 representative, ~~acquire ownership of or entitlement to unclaimed~~  
2659 ~~property,~~ receive a distribution of fees and costs from the  
2660 department, and obtain unclaimed property dollar amounts and  
2661 numbers of reported shares of stock held by the department, a  
2662 Florida-certified public accountant must register with the  
2663 department on such form as the department prescribes by rule and  
2664 must be verified by the applicant. To register with the  
2665 department, a Florida-certified public accountant must provide:

2666 (a) The applicant's Florida Board of Accountancy number.

2667 (b) A legible copy of the applicant's current driver  
2668 license showing the full name and current address of such  
2669 person. If a current driver license is not available, another  
2670 form of identification showing the full name and current address  
2671 of such person or persons shall be filed with the department.

2672 (c) The business address and telephone number of the  
2673 applicant's public accounting firm or employer.

2674 (d) The names of agents or employees, if any, who are  
2675 designated to act on behalf of the Florida-certified public

2676 accountant, together with a legible copy of their photo  
2677 identification issued by an agency of the United States, or a  
2678 state, or a political subdivision thereof.

2679 (e) Sufficient information to enable the department to  
2680 disburse funds by electronic funds transfer.

2681 (f) The tax identification number of the accountant's  
2682 public accounting firm employer.

2683 (3) In order to file claims as a claimant's  
2684 representative, ~~acquire ownership of or entitlement to unclaimed~~  
2685 ~~property,~~ receive a distribution of fees and costs from the  
2686 department, and obtain unclaimed property dollar amounts and  
2687 numbers of reported shares of stock held by the department, an  
2688 attorney licensed to practice in this state must register with  
2689 the department on such form as the department prescribes by rule  
2690 and must be verified by the applicant. To register with the  
2691 department, such attorney must provide:

2692 (a) The applicant's Florida Bar number.

2693 (b) A legible copy of the applicant's current driver  
2694 license showing the full name and current address of such  
2695 person. If a current driver license is not available, another  
2696 form of identification showing the full name and current address  
2697 of such person or persons shall be filed with the department.

2698 (c) The business address and telephone number of the  
2699 applicant's firm or employer.

2700 (d) The names of agents or employees, if any, who are

2701 designated to act on behalf of the attorney, together with a  
2702 legible copy of their photo identification issued by an agency  
2703 of the United States, or a state, or a political subdivision  
2704 thereof.

2705 (e) Sufficient information to enable the department to  
2706 disburse funds by electronic funds transfer.

2707 (f) The tax identification number of the attorney's firm  
2708 or employer.

2709 Section 59. Paragraph (c) of subsection (10) of section  
2710 766.302, Florida Statutes, is amended to read:

2711 766.302 Definitions; ss. 766.301-766.316.—As used in ss.  
2712 766.301-766.316, the term:

2713 (10) "Family residential or custodial care" means care  
2714 normally rendered by trained professional attendants which is  
2715 beyond the scope of child care duties, but which is provided by  
2716 family members. Family members who provide nonprofessional  
2717 residential or custodial care may not be compensated under this  
2718 act for care that falls within the scope of child care duties  
2719 and other services normally and gratuitously provided by family  
2720 members. Family residential or custodial care shall be performed  
2721 only at the direction and control of a physician when such care  
2722 is medically necessary. Reasonable charges for expenses for  
2723 family residential or custodial care provided by a family member  
2724 shall be determined as follows:

2725 ~~(c) The award of family residential or custodial care as~~

2726 ~~defined in this section shall not be included in the current~~  
 2727 ~~estimates for purposes of s. 766.314(9)(c).~~

2728 Section 60. Paragraph (c) of subsection (9) of section  
 2729 766.314, Florida Statutes, is amended to read:

2730 766.314 Assessments; plan of operation.—

2731 (9)

2732 (c) If the total of all current estimates equals or  
 2733 exceeds 100 ~~80~~ percent of the funds on hand and the funds that  
 2734 will become available to the association within the next 12  
 2735 months from all sources described in subsection ~~subsections~~ (4)  
 2736 ~~and (5)~~ and paragraph (5)(a) ~~(7)(a)~~, the association may not  
 2737 accept any new claims without express authority from the  
 2738 Legislature. ~~Nothing in~~ This section does not preclude ~~precludes~~  
 2739 the association from accepting any claim if the injury occurred  
 2740 18 months or more before the effective date of this suspension.  
 2741 Within 30 days after the effective date of this suspension, the  
 2742 association shall notify the Governor, the Speaker of the House  
 2743 of Representatives, the President of the Senate, the Office of  
 2744 Insurance Regulation, the Agency for Health Care Administration,  
 2745 and the Department of Health of this suspension.

2746 Section 61. Paragraph (a) of subsection (2) of section  
 2747 197.582, Florida Statutes, is amended to read:

2748 197.582 Disbursement of proceeds of sale.—

2749 (2)(a) If the property is purchased for an amount in  
 2750 excess of the statutory bid of the certificateholder, the

2751 surplus must be paid over and disbursed by the clerk as set  
 2752 forth in subsections (3), (5), and (6). If the opening bid  
 2753 included the homestead assessment pursuant to s. 197.502(6)(c),  
 2754 that amount must be treated as surplus and distributed in the  
 2755 same manner. The clerk shall distribute the surplus to the  
 2756 governmental units for the payment of any lien of record held by  
 2757 a governmental unit against the property, including any tax  
 2758 certificates not incorporated in the tax deed application and  
 2759 omitted taxes, if any. If there remains a balance of  
 2760 undistributed funds, the balance must be retained by the clerk  
 2761 for the benefit of persons described in s. 197.522(1)(a), except  
 2762 those persons described in s. 197.502(4)(h), as their interests  
 2763 may appear. The clerk shall mail notices to such persons  
 2764 notifying them of the funds held for their benefit at the  
 2765 addresses provided in s. 197.502(4). Such notice constitutes  
 2766 compliance with the requirements of s. 717.117(6) ~~s. 717.117(4)~~.  
 2767 Any service charges and costs of mailing notices shall be paid  
 2768 out of the excess balance held by the clerk. Notice must be  
 2769 provided in substantially the following form:

2770                   NOTICE OF SURPLUS FUNDS FROM TAX DEED SALE  
 2771           CLERK OF COURT  
 2772           .... COUNTY, FLORIDA  
 2773           Tax Deed #.....  
 2774           Certificate #.....  
 2775           Property Description: .....

2776 Pursuant to chapter 197, Florida Statutes, the above  
 2777 property was sold at public sale on ...(date of sale)..., and a  
 2778 surplus of \$...(amount)... (subject to change) will be held by  
 2779 this office for 120 days beginning on the date of this notice to  
 2780 benefit the persons having an interest in this property as  
 2781 described in section 197.502(4), Florida Statutes, as their  
 2782 interests may appear (except for those persons described in  
 2783 section 197.502(4) (h), Florida Statutes).

2784 To the extent possible, these funds will be used to satisfy  
 2785 in full each claimant with a senior mortgage or lien in the  
 2786 property before distribution of any funds to any junior mortgage  
 2787 or lien claimant or to the former property owner. To be  
 2788 considered for funds when they are distributed, you must file a  
 2789 notarized statement of claim with this office within 120 days of  
 2790 this notice. If you are a lienholder, your claim must include  
 2791 the particulars of your lien and the amounts currently due. Any  
 2792 lienholder claim that is not filed within the 120-day deadline  
 2793 is barred.

2794 A copy of this notice must be attached to your statement of  
 2795 claim. After the office examines the filed claim statements, it  
 2796 will notify you if you are entitled to any payment.

2797 Dated: .....

2798 Clerk of Court

2799 Section 62. Subsection (1) of section 717.1382, Florida  
 2800 Statutes, is amended to read:



2801           717.1382 United States savings bond; unclaimed property;  
 2802 escheatment; procedure.—

2803           (1) Notwithstanding any other provision of law, a United  
 2804 States savings bond in possession of the department or  
 2805 registered to a person with a last known address in the state,  
 2806 including a bond that is lost, stolen, or destroyed, is presumed  
 2807 abandoned and unclaimed 5 years after the bond reaches maturity  
 2808 and no longer earns interest and shall be reported and remitted  
 2809 to the department by the financial institution or other holder  
 2810 in accordance with ss. 717.117(1) and (5) ~~(3)~~ and 717.119, if  
 2811 the department is not in possession of the bond.

2812           Section 63. The Division of Law Revision is directed to  
 2813 prepare a reviser's bill for the 2025 Regular Session of the  
 2814 Legislature to change the term "Division of Investigative and  
 2815 Forensic Services" wherever the term appears in the Florida  
 2816 Statutes to "Division of Criminal Investigations."

2817           Section 64. By September 1, 2025, the Florida Birth-  
 2818 Related Neurological Injury Compensation Association shall  
 2819 submit a report to the Governor, the Chief Financial Officer,  
 2820 the President of the Senate, and the Speaker of the House of  
 2821 Representatives which must include, but is not limited to, the  
 2822 following:

2823           (1) Recommendations for defining actuarial soundness for  
 2824 the association, including options for phase-in, if appropriate.

2825           (2) Recommendations for timing of reporting actuarial

2826 | soundness and to whom the soundness should be reported.

2827 |       (3) Recommendations for ensuring a revenue level to  
2828 | maintain actuarial soundness, including options for phase-in, if  
2829 | appropriate.

2830 |       Section 65. Except as otherwise provided in this act, this  
2831 | act shall take effect upon becoming a law.