

1 A bill to be entitled
2 An act relating to the Department of Financial
3 Services; amending s. 17.11, F.S.; revising the
4 subsystem used for a certain report of disbursements
5 made; amending s. 17.13, F.S.; requiring the
6 replacement of lost or destroyed warrants; amending s.
7 110.113, F.S.; deleting the Department of Financial
8 Services' authority to make semimonthly salary
9 payments; amending s. 112.3135, F.S.; authorizing a
10 public official to take specified actions in relation
11 to the employment of a relative as a firefighter;
12 amending s. 215.422, F.S.; requiring agencies to pay
13 interest from available appropriations under certain
14 circumstances; amending s. 215.5586, F.S.; defining
15 terms; revising eligibility requirements for a
16 hurricane mitigation inspection under the My Safe
17 Florida Home Program; revising the circumstances under
18 which applicants may submit a subsequent hurricane
19 mitigation inspection; deleting the requirement that
20 licensed inspectors must determine mitigation measures
21 during initial inspections of eligible homes; deleting
22 inspectors' authorization to inspect townhouses;
23 revising the criteria for eligibility for a hurricane
24 mitigation grant; revising the grant's applicant
25 requirements; removing an expiration date for certain

26 requirements; revising the improvements that grants
27 may be used for; requiring that improvements be
28 identified in the final hurricane mitigation
29 inspection to receive grant funds; deleting a
30 provision related to grants for townhouses;
31 authorizing the program to accept a specified
32 certification directly from applicants; requiring
33 applicants who receive grants to finalize construction
34 and request a final inspection within a specified
35 timeframe; specifying that an application is deemed
36 abandoned, rather than withdrawn, under certain
37 circumstances; requiring the department to notify an
38 applicant within a specified time period before an
39 application is be deemed abandoned; authorizing the
40 applicant to submit a subsequent application in
41 certain circumstances; authorizing the department to
42 determine that an application is not abandoned in
43 certain circumstances; amending s. 215.55871, F.S.;
44 defining the term "area median income"; removing the
45 definition of the term "service area"; revising
46 eligibility requirements for the My Safe Florida
47 Condominium Pilot Program; requiring the Department of
48 Financial Services to adopt rules to verify household
49 income; authorizing condominiums with mixed-income
50 occupancies to participate in the pilot program under

51 certain circumstances; requiring an application for a
52 mitigation grant to include documentation to verify
53 household income; limiting the award of grant funds;
54 requiring an association to complete a certain
55 percentage of opening protection improvements;
56 providing applicability; amending s. 215.89, F.S.;
57 deleting obsolete provisions; amending s. 215.93,
58 F.S.; revising the subsystems of the Florida Financial
59 Management Information System; requiring certain
60 requests for records to be made to a specified entity;
61 prohibiting such requests from being made to the
62 functional owner of the subsystem; providing an
63 exception; amending s. 215.94, F.S.; providing that
64 the department is the functional owner of the
65 Financial Management Subsystem; revising the functions
66 of such subsystem; amending s. 215.96, F.S.; revising
67 the composition of the coordinating council; deleting
68 a requirement for the design and coordination staff;
69 requiring minutes of meetings to be available to
70 interested persons; revising the composition of ex
71 officio members of the council; revising the duties,
72 powers, and responsibilities of the council; amending
73 ss. 215.985, 216.102, and 216.141, F.S.; conforming
74 provisions to changes made by the act; amending s.
75 440.13, F.S.; revising the timeframe in which health

76 care providers must petition the department to resolve
77 utilization and reimbursement disputes; revising
78 petition service requirements; revising the timeframe
79 in which the panel determining the statewide schedule
80 of maximum reimbursement allowances must submit
81 certain recommendations to the Legislature; creating
82 s. 497.1411, F.S.; defining the term "applicant";
83 specifying that certain applicants are permanently
84 barred from licensure; specifying that certain
85 applicants are subject to disqualifying periods;
86 requiring the Board of Funeral, Cemetery, and Consumer
87 Services to adopt rules; specifying requirements,
88 authorizations, and prohibitions for such rules;
89 specifying when a disqualifying period begins;
90 specifying that the applicant has certain burdens to
91 demonstrate that he or she is qualified for licensure;
92 specifying that certain applicants who have been
93 granted a pardon or restoration of civil rights are
94 not barred or disqualified from licensure; specifying
95 that such pardon or restoration does not require the
96 board to award a license; authorizing the board to
97 grant an exemption from disqualification under certain
98 circumstances; specifying requirements for the
99 applicant in order for the board to grant an
100 exemption; specifying that the board has discretion to

101 grant or deny an exemption; specifying that certain
102 decisions are subject to ch. 120, F.S.; providing
103 applicability and construction; amending s. 497.142,
104 F.S.; prohibiting an application from being deemed
105 complete under certain circumstances; revising the
106 list of crimes to be disclosed on a license
107 application; amending s. 553.80, F.S.; providing that
108 dwellings used in specified manners are not considered
109 to have a change in occupancy for certain purposes;
110 amending s. 560.309, F.S.; revising the compliance
111 requirements for certain licensees when seeking
112 collections; amending s. 560.405, F.S.; requiring
113 redemption through a debit card to be treated as cash
114 in certain circumstances; prohibiting payment through
115 a credit card in certain transactions; amending s.
116 560.406, F.S.; revising the compliance requirements
117 for deferred payment processors when seeking
118 collections; amending s. 626.0428, F.S.; conforming a
119 cross-reference; amending s. 626.171, F.S.; deleting
120 reinsurance intermediaries from certain application
121 requirements; revising the list of persons from whom
122 the department is required to accept uniform
123 applications; making clarifying changes regarding the
124 voluntary submission of cellular telephone numbers;
125 revising the exemption from the application filing fee

126 for members of the United States Armed Forces;
127 amending s. 626.292, F.S.; revising applicant
128 requirements for a license transfer; amending s.
129 626.611, F.S.; requiring the department to require
130 license reexamination of certain persons, and suspend
131 or revoke the eligibility to hold a license or
132 appointment of such persons under certain
133 circumstances; amending the grounds for suspension or
134 revocation; amending 626.621, F.S.; authorizing the
135 department to require an reexamination of certain
136 persons; amending s. 626.731, F.S.; revising the
137 qualifications for a general lines agent's license;
138 amending s. 626.785, F.S.; revising the qualifications
139 for a life agent's license; amending s. 626.831, F.S.;
140 revising the qualifications for a health agent's
141 license; amending s. 626.8417, F.S.; deleting an
142 exemption from licensing and appointment requirements
143 for certain designated corporate officers; amending s.
144 626.854, F.S.; requiring a public adjuster, public
145 adjuster apprentice, or public adjusting firm to
146 respond with specific information within a specified
147 timeframe and document in the file the response or
148 information provided; repealing s. 627.797, F.S.,
149 relating to an exempt agent list; amending s. 633.208,
150 F.S.; revising the dwellings prohibited from specified

151 reclassification for purposes of the Florida Fire
152 Prevention Code; amending s. 648.34, F.S.; revising
153 requirements for bail bond agent applicants; amending
154 s. 648.382, F.S.; requiring officers or officials of
155 the appointing insurer to obtain, rather than submit,
156 certain information; amending s. 717.001, F.S.;
157 revising the short title; amending s. 717.101, F.S.;
158 revising and providing definitions; amending s.
159 717.102, F.S.; providing that certain intangible
160 property is presumed abandoned; deleting a provision
161 relating to the presumption that certain intangible
162 property is presumed unclaimed; specifying the
163 dormancy period for property presumed abandoned;
164 requiring that property be considered payable or
165 distributable under certain circumstances; deleting a
166 provision relating to when property is payable or
167 distributable; revising a presumption; providing that
168 property shall be presumed abandoned under certain
169 circumstances; providing an exception; amending s.
170 717.103, F.S.; requiring that intangible property be
171 subject to the custody of the department under certain
172 circumstances; amending criteria for when intangible
173 property is subject to the custody of the department;
174 repealing s. 717.1035, F.S., relating to property
175 originated or issued by this state, any political

176 subdivision of this state, or any entity incorporated,
177 organized, created, or otherwise located in the state;
178 providing that specified interests may not be presumed
179 abandoned under certain circumstances; amending ss.
180 717.104, 717.1045, 717.105, 717.106, 717.107,
181 717.1071, 717.108, and 717.109, F.S.; conforming
182 provisions to changes made by the act; amending s.
183 717.1101, F.S.; revising the timelines and conditions
184 under which stock, other equity interests, or debt of
185 a business association is considered abandoned;
186 requiring the holder to attempt to confirm the
187 apparent owner's interest in the equity interest by
188 sending an e-mail communication under certain
189 circumstances; requiring the holder to attempt to
190 contract the apparent owner by first-class United
191 States mail under certain circumstances; specifying
192 that equity interest is presumed abandoned under
193 certain circumstances; revising when unmatured,
194 unredeemed, matured, or redeemed debt is presumed
195 abandoned; specifying that the applicable dormancy
196 period ceases under certain circumstances; revising
197 the timeframe that a sum held or owing by a business
198 association is presumed abandoned; providing that
199 certain property is not deemed abandoned if specified
200 conditions are met; amending ss. 717.111, 717.112,

201 717.1125, 717.113, 717.115, and 717.116, F.S.;

202 conforming provisions to changes made by the act;

203 amending s. 717.117, F.S.; specifying that property is

204 presumed abandoned upon the expiration of the

205 applicable dormancy periods; specifying that property

206 is not deemed abandoned for certain purposes until the

207 holder meets certain requirements; requiring holders

208 of property presumed abandoned that has a specified

209 value to use due diligence to locate and notify the

210 apparent owner; requiring, before a specified

211 timeframe, a holder in possession of presumed

212 abandoned property to send a specified written notice

213 to the apparent owner; specifying the method of

214 delivery of such notice; requiring, before a specified

215 timeframe, the holder to send a second written notice

216 under certain circumstances; authorizing the

217 reasonable cost for the notice to be deducted from the

218 property; specifying that a signed return receipt

219 constitutes an affirmative demonstration of continued

220 interest; specifying requirements of the written

221 notice; requiring holders of abandoned property to

222 submit a specified report to the department;

223 prohibiting certain balances, overpayments, deposits,

224 and refunds from being reported as abandoned property;

225 prohibiting certain securities from being included in

226 the report; requiring the holder to report and deliver
227 such securities under certain circumstances; requiring
228 the report to be signed and verified and contain a
229 specified statement; deleting certain provisions
230 relating to the due diligence and notices to apparent
231 owners; amending s. 717.118, F.S.; revising the
232 state's obligation to notify apparent owners that
233 their abandoned property has been reported and
234 remitted to the department; requiring the department
235 to use a cost-effective means to make an attempt to
236 notify certain apparent owners; specifying
237 requirements for the notice; requiring the department
238 to maintain a specified website; revising
239 applicability; amending s. 717.119, F.S.; conforming
240 provisions to changes made by the act; revising
241 requirements for firearm or ammunition found in an
242 abandoned safe-deposit box or safekeeping repository;
243 revising requirements if a will or trust instrument is
244 included among the contents of an abandoned safe-
245 deposit box or safekeeping repository; amending ss.
246 717.1201 and 717.122, F.S.; conforming provisions to
247 changes made by the act; amending s. 717.123, F.S.;
248 conforming provisions to changes made by the act;
249 revising the name of a certain trust fund; amending s.
250 717.1235, F.S.; conforming provisions to changes made

251 by the act; amending s. 717.124, F.S.; deleting
252 provisions related to requirements of claimant's
253 representatives; specifying that the department is
254 authorized to make a distribution of property or money
255 in accordance with a specified agreement under certain
256 circumstances; requiring shares of securities to be
257 delivered directly to the claimant under certain
258 circumstances; deleting a provision authorizing the
259 department to develop a process by which a buyer of
260 unclaimed property may electronically submit certain
261 images and documents; deleting provisions relating to
262 a buyer of unclaimed property's filing of a claim;
263 amending s. 717.12403, F.S.; conforming provisions to
264 changes made by the act; amending s. 717.12404, F.S.;
265 requiring claims on behalf of an active corporation to
266 include a specified driver license; conforming
267 provisions to changes made by the act; amending ss.
268 717.12405 and 717.12406, F.S.; conforming provisions
269 to changes made by the act; amending s. 717.1241,
270 F.S.; defining the term "conflicting claim";
271 conforming provisions to changes made by the act;
272 revising requirements for remitting property when
273 conflicting claims have been received by the
274 department; amending ss. 717.1242, 717.1243, 717.1244,
275 717.1245, 717.125, 717.126, 717.1261, 717.1262,

276 717.129, 717.1301, 717.1315, and 717.132, F.S.;

277 conforming provisions to changes made by the act;

278 amending s. 717.1322, F.S.; revising the acts that

279 constitute grounds for administrative enforcement

280 action by the department; conforming provisions to

281 changes made by the act; amending ss. 717.133,

282 717.1333, and 717.1341, F.S.; conforming provisions to

283 changes made by the act; amending s. 717.135, F.S.;

284 conforming provisions to changes made by the act;

285 deleting applicability; creating s. 717.1356, F.S.;

286 specifying that agreements for the purchase of

287 abandoned property reported to the department are

288 valid only under certain circumstances; authorizing

289 the seller to cancel a purchase agreement without

290 penalty or obligation within a specified timeframe;

291 specifying that the agreement must contain certain

292 language; requiring a copy of an executed Florida

293 Abandoned Property Purchase Agreement be filed with

294 the purchaser's claim; prohibiting the department from

295 approving the claim under certain circumstances;

296 specifying that certain purchase agreements are

297 enforceable only by the seller; providing an

298 exception; providing applicability; providing a

299 directive to the Division of Law Revision; amending s.

300 717.138, F.S.; conforming provisions to changes made

301 by the act; amending s. 717.1382, F.S.; conforming
302 provisions to changes made by the act; conforming a
303 cross-reference; amending s. 717.139, F.S.; providing
304 legislative findings; revising a statement of public
305 policy; deleting a legislative declaration; providing
306 legislative intent; prohibiting title to abandoned
307 property from transferring to the state except under
308 certain circumstances; amending s. 717.1400, F.S.;
309 requiring an individual to meet certain requirements
310 in order to file claims as a claimant representative;
311 revising application requirements for registering as a
312 claimant representative; requiring claimant
313 representatives to file and obtain payment on a
314 specified number of claims within a specified
315 timeframe to maintain active registration; requiring
316 the department to notify the claimant representative
317 in writing and provide a certain timeframe to
318 demonstrate compliance or good cause for noncompliance
319 under certain circumstances; requiring the department
320 to revoke a registration under certain circumstances;
321 prohibiting a claimant representative from reapplying
322 under certain circumstances; amending ss. 1001.281 and
323 1001.282, F.S.; conforming provisions to changes made
324 by the act; amending ss. 197.582 and 626.9541, F.S.;
325 conforming cross-references; reenacting s.

326 772.13(6) (a), F.S., relating to postjudgment execution
 327 proceedings to enforce a judgment entered against a
 328 terrorist party, to incorporate the amendment made to
 329 s. 717.101, F.S., in a reference thereto; ratifying
 330 specified rules relating to legal tender for the sole
 331 and exclusive purpose of satisfying any condition on
 332 effectiveness pursuant to chapter 2025-100, Laws of
 333 Florida; repealing s. 18 of chapter 2025-100, Laws of
 334 Florida, which repeals specified provisions relating
 335 to legal tender; providing an effective date.

336
 337 Be It Enacted by the Legislature of the State of Florida:

338
 339 **Section 1. Subsection (2) of section 17.11, Florida**
 340 **Statutes, is amended to read:**

341 17.11 To report disbursements made.—

342 (2) The Chief Financial Officer shall also cause to have
 343 reported from the Financial Management ~~Florida Accounting~~
 344 ~~Information Resource~~ Subsystem no less than quarterly the
 345 disbursements which agencies made to small businesses, as
 346 defined in the Florida Small and Minority Business Assistance
 347 Act; to certified minority business enterprises in the
 348 aggregate; and to certified minority business enterprises broken
 349 down into categories of minority persons, as well as gender and
 350 nationality subgroups. This information shall be made available

351 to the agencies, the Office of Supplier Diversity, the Governor,
352 the President of the Senate, and the Speaker of the House of
353 Representatives. Each agency shall be responsible for the
354 accuracy of information entered into the Financial Management
355 ~~Florida Accounting Information Resource~~ Subsystem for use in
356 this reporting.

357 **Section 2. Section 17.13, Florida Statutes, is amended to**
358 **read:**

359 17.13 To replace ~~duplicate~~ warrants lost or destroyed.—

360 (1) The Chief Financial Officer is required to replace
361 ~~duplicate~~ any Chief Financial Officer's warrants that may have
362 been lost or destroyed, or may hereafter be lost or destroyed,
363 upon the owner thereof or the owner's agent or attorney
364 presenting the Chief Financial Officer the statement, under
365 oath, reciting the number, date, and amount of any warrant or
366 the best and most definite description in his or her knowledge
367 and the circumstances of its loss; if the Chief Financial
368 Officer deems it necessary, the owner or the owner's agent or
369 attorney shall file in the office of the Chief Financial Officer
370 a surety bond, or a bond with securities, to be approved by one
371 of the judges of the circuit court or one of the justices of the
372 Supreme Court, in a penalty of not less than twice the amount of
373 any warrants so replaced ~~duplicate~~, conditioned to indemnify
374 the state and any innocent holders thereof from any damages that
375 may accrue from such replacement ~~duplication~~.

376 (2) The Chief Financial Officer is required to replace
 377 ~~duplicate~~ any Chief Financial Officer's warrant that may have
 378 been lost or destroyed, or may hereafter be lost or destroyed,
 379 when sent to any payee via any state agency when such warrant is
 380 lost or destroyed prior to being received by the payee and
 381 provided the director of the state agency to whom the warrant
 382 was sent presents to the Chief Financial Officer a statement,
 383 under oath, reciting the number, date, and amount of the warrant
 384 lost or destroyed, the circumstances surrounding the loss or
 385 destruction of such warrant, and any additional information that
 386 the Chief Financial Officer shall request in regard to such
 387 warrant.

388 (3) Any replacement ~~duplicate~~ Chief Financial Officer's
 389 warrant issued in pursuance of the above provisions shall be of
 390 the same validity as the original was before its loss.

391 **Section 3. Subsection (1) of section 110.113, Florida**
 392 **Statutes, is amended to read:**

393 110.113 Pay periods for state officers and employees;
 394 salary payments by direct deposit.—

395 (1) The normal pay period for salaries of state officers
 396 and employees shall be 1 month. The Department of Financial
 397 Services shall issue either monthly or biweekly salary payments
 398 by state warrants or by direct deposit pursuant to s. 17.076 ~~or~~
 399 ~~make semimonthly salary payments by direct deposit pursuant to~~
 400 ~~s. 17.076~~, as requested by the head of each state agency and

401 approved by the Executive Office of the Governor and the
 402 Department of Financial Services.

403 **Section 4. Paragraph (c) is added to subsection (2) of**
 404 **section 112.3135, Florida Statutes, to read:**

405 112.3135 Restriction on employment of relatives.—

406 (2)

407 (c) To aid the recruitment of firefighters within this
 408 state, notwithstanding paragraph (a), a public official may
 409 appoint, employ, promote, or advance, or advocate for the
 410 appointment, employment, promotion, or advancement of a relative
 411 as a firefighter as defined in s. 633.102 if such appointment,
 412 employment, promotion, or advancement is part of a competitive
 413 process provided for in a collective bargaining agreement.

414 **Section 5. Subsection (16) of section 215.422, Florida**
 415 **Statutes, is amended to read:**

416 215.422 Payments, warrants, and invoices; processing time
 417 limits; dispute resolution; agency or judicial branch
 418 compliance.—

419 (16) Nothing contained in this section shall be construed
 420 to be an appropriation. Any interest which becomes due and owing
 421 pursuant to this section must be paid ~~shall only be payable~~ from
 422 the appropriation charged for such goods or services. However,
 423 if insufficient funds are available within the appropriation
 424 charged for such goods or services, the agency must pay the
 425 interest from a similar or appropriate appropriation category.

426 **Section 6. Subsections (4) through (10) of section**
427 **215.5586, Florida Statutes, are renumbered as subsections (5)**
428 **through (11), respectively, paragraphs (a) through (e) of**
429 **subsection (1), subsections (2) and (3), paragraph (a) of**
430 **present subsection (8), and present subsection (10) are amended,**
431 **and a new subsection (4) is added to that section, to read:**

432 215.5586 My Safe Florida Home Program.—There is
433 established within the Department of Financial Services the My
434 Safe Florida Home Program. The department shall provide fiscal
435 accountability, contract management, and strategic leadership
436 for the program, consistent with this section. This section does
437 not create an entitlement for property owners or obligate the
438 state in any way to fund the inspection or retrofitting of
439 residential property in this state. Implementation of this
440 program is subject to annual legislative appropriations. It is
441 the intent of the Legislature that, subject to the availability
442 of funds, the My Safe Florida Home Program provide licensed
443 inspectors to perform hurricane mitigation inspections of
444 eligible homes and grants to fund hurricane mitigation projects
445 on those homes. The department shall implement the program in
446 such a manner that the total amount of funding requested by
447 accepted applications, whether for inspections, grants, or other
448 services or assistance, does not exceed the total amount of
449 available funds. If, after applications are processed and
450 approved, funds remain available, the department may accept

451 applications up to the available amount. The program shall
 452 develop and implement a comprehensive and coordinated approach
 453 for hurricane damage mitigation pursuant to the requirements
 454 provided in this section.

455 (1) HURRICANE MITIGATION INSPECTIONS.—

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

457 a. "Attached" means a dwelling unit that shares a wall
 458 with another dwelling unit.

459 b. "Detached" means a dwelling that does not share a wall
 460 with another dwelling unit or building and has greater than zero
 461 clearance between it and any other building. This term includes
 462 a garage that is located under a contiguous roof with a
 463 residence.

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

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

469 a. ~~1.~~ ~~The A~~ home for which the inspection is sought is ~~must~~
 470 ~~be~~ a single-family ~~7~~ unit on an individual parcel of land that
 471 is:

472 (I) A detached residential property; or

473 (II) An attached residential property not exceeding three
 474 stories. ~~A townhouse as defined in s. 481.203;~~

475 b. ~~2.~~ ~~The A~~ home for which the inspection is sought is ~~must~~

476 ~~be~~ site-built and owner-occupied.~~;~~ ~~and~~

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

479 (b)1. An application for a hurricane mitigation inspection
480 must contain a signed or electronically verified statement made
481 under penalty of perjury that the applicant has submitted only
482 one inspection application on the home or that the application
483 is allowed under subparagraph 2., and the application must have
484 documents attached which demonstrate that the applicant meets
485 the requirements of paragraph (a).

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

488 a. The original hurricane mitigation inspection
489 application has been denied or withdrawn because of material
490 errors or omissions in the application;

491 b. The original hurricane mitigation inspection
492 application was denied or withdrawn because the applicant home
493 did not meet the eligibility criteria for an inspection at the
494 time of the previous application, and the applicant homeowner
495 reasonably believes that he or she is ~~the home~~ now ~~is~~ eligible
496 for an inspection; ~~or~~

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

501 d. More than 24 months have passed since the applicant
 502 received a hurricane mitigation inspection under this section,
 503 and the applicant has not received a grant payment through the
 504 program for that inspection.

505 (c) An applicant meeting the requirements of paragraph (a)
 506 may receive an inspection of the a home through ~~under~~ the
 507 program without being eligible for a grant under subsection (2)
 508 or applying for such grant.

509 (d) Licensed inspectors are to provide initial ~~home~~
 510 inspections of eligible homes to determine ~~what mitigation~~
 511 ~~measures are needed,~~ what insurance premium discounts may be
 512 available, and what improvements to existing residential
 513 properties are needed to reduce the property's vulnerability to
 514 hurricane damage. ~~An inspector may inspect a townhouse as~~
 515 ~~defined in s. 481.203 to determine if opening protection~~
 516 ~~mitigation as listed in subparagraph (2) (c)1. would provide~~
 517 ~~improvements to mitigate hurricane damage.~~

518 (e) The department shall contract with wind certification
 519 entities to provide hurricane mitigation inspections. The
 520 initial inspections provided to applicants ~~homeowners~~, at a
 521 minimum, must include:

522 1. A home inspection and report that summarizes the
 523 inspection results and identifies recommended improvements an
 524 applicant ~~a homeowner~~ may make ~~take~~ to mitigate hurricane
 525 damage.

526 2. A range of cost estimates regarding the recommended
527 mitigation improvements.

528 3. Information regarding estimated premium discounts,
529 correlated to the current mitigation features and the
530 recommended mitigation improvements identified by the
531 inspection.

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

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

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

540 2. The home must be a dwelling with an insured value of
541 \$700,000 or less. Applicants ~~Homeowners~~ who are low-income
542 persons, as defined in s. 420.0004(11), are exempt from this
543 requirement.

544 3. The home must undergo an initial ~~acceptable~~ hurricane
545 mitigation inspection through the program as provided in
546 subsection (1).

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

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

554 6. The applicant ~~homeowner~~ must agree to provide to the
 555 department information received from the applicant's ~~homeowner's~~
 556 insurer identifying the discounts realized by the applicant
 557 ~~homeowner~~ because of the mitigation improvements funded through
 558 the program.

559 7.a. The applicant ~~homeowner~~ must be a low-income person
 560 or moderate-income person as defined in s. 420.0004.

561 b. The hurricane mitigation inspection must have occurred
 562 within the previous 24 months from the date of application.

563 c. Notwithstanding subparagraph 2., applicants ~~homeowners~~
 564 who are low-income persons, as defined in s. 420.0004(11), are
 565 not exempt from the requirement that the home must be a dwelling
 566 with an insured value of \$700,000 or less.

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

568 (b)1. An application for a grant must contain a signed or
 569 electronically verified statement made under penalty of perjury
 570 that the applicant has submitted only one grant application or
 571 that the application is allowed under subparagraph 2., and the
 572 application must have documents attached demonstrating that the
 573 applicant meets the requirements of paragraph (a).

574 2. An applicant may submit a subsequent grant application
 575 if:

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

578 b. The original grant application was denied or withdrawn
 579 because the applicant ~~home~~ did not meet the eligibility criteria
 580 for a grant at the time of the previous application, and the
 581 applicant ~~homeowner~~ reasonably believes that he or she is the
 582 ~~home~~ now is eligible for a grant; or

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

587 3. A grant application must include a statement from the
 588 applicant ~~homeowner~~ which contains the name and state license
 589 number of the contractor that the applicant ~~homeowner~~
 590 acknowledges as the intended contractor for the mitigation work.
 591 The program must ~~electronically~~ verify that the contractor's
 592 state license number is valid ~~accurate and up to date before~~
 593 ~~grant approval~~.

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

598 (d) All hurricane mitigation performed under the program
 599 must be based upon the securing of all required local permits
 600 and inspections and must be performed by properly licensed

601 contractors.

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

605 1. Opening protection improvements, including:

606 a. Exterior doors.~~7~~

607 b. Garage doors.~~7~~

608 c. Windows.~~7~~ ~~and~~

609 d. Skylights.

610 2. Roof improvements, including:

611 a. Reinforcing roof-to-wall connections.

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

613 ~~c.4.~~ Installing secondary water resistance for roof and
614 replacing the roof covering.

615 (f) Improvements must be identified by the final hurricane
616 mitigation inspection to receive grant funds ~~When recommended by~~
617 ~~a hurricane mitigation inspection, grants for townhouses, as~~
618 ~~defined in s. 481.203, may only be used for opening protection.~~

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

625 (h) Low-income applicants ~~homeowners~~, as defined in s.

626 420.0004(11), who otherwise meet the applicable requirements of
627 this subsection are eligible for a grant of up to \$10,000 and
628 are not required to provide a matching amount to receive the
629 grant.

630 (i)1. The department shall develop a process that ensures
631 the most efficient means to collect and verify inspection
632 applications and grant applications to determine eligibility.
633 The department may direct hurricane mitigation inspectors to
634 collect and verify grant application information or use the
635 Internet or other electronic means to collect information and
636 determine eligibility.

637 2. The department shall prioritize the review and approval
638 of such inspection applications and grant applications in the
639 following order:

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

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

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

646 d. Fourth, applications from all other moderate-income
647 persons, as defined in s. 420.0004; and

648 e. Last, all other applications.

649 3. The department shall start accepting inspection
650 applications and grant applications no earlier than the

651 effective date of a legislative appropriation funding
652 inspections and grants, as follows:

653 a. Initially, from applicants prioritized under sub-
654 subparagraph 2.a.;

655 b. From applicants prioritized under sub-subparagraph
656 2.b., beginning 15 days after the program initially starts
657 accepting applications;

658 c. From applicants prioritized under sub-subparagraph
659 2.c., beginning 30 days after the program initially starts
660 accepting applications;

661 d. From applicants described in sub-subparagraph 2.d.,
662 beginning 45 days after the program initially starts accepting
663 applications; and

664 e. From all other applicants, beginning 60 days after the
665 program initially starts accepting applications.

666 4. The program may accept a certification directly from a
667 low-income applicant ~~homeowner~~ or moderate-income applicant
668 ~~homeowner~~ who meets the requirements of s. 420.0004(11) or (12),
669 respectively, if the applicant ~~homeowner~~ provides such
670 certification in a signed or electronically verified statement
671 made under penalty of perjury.

672 5. The program may accept a certification directly from an
673 applicant attesting to his or her age if the applicant provides
674 such certification in a signed or electronically verified
675 statement made under penalty of perjury.

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

682 (3) REQUESTS FOR INFORMATION.—The department may request
683 that an applicant provide additional information. An application
684 is deemed abandoned ~~withdrawn~~ by the applicant if the department
685 does not receive a response to its request for additional
686 information within 60 days after the notification of any
687 apparent error or omission.

688 (4) ABANDONED APPLICATIONS.—The department must notify an
689 applicant at least 5 business days before an application is
690 deemed abandoned. If the applicant responds to such notification
691 within 5 business days after receiving the notice and
692 demonstrates good cause for why the application should not be
693 deemed abandoned, the applicant may submit a subsequent grant
694 application or the department may determine the application is
695 not abandoned.

696 (9) ~~(8)~~ CONTRACT MANAGEMENT.—

697 (a) The department may contract with third parties for
698 grants management, inspection services, contractor services for
699 low-income applicants ~~homeowners~~, information technology,
700 educational outreach, and auditing services. Such contracts are

701 considered direct costs of the program and are not subject to
 702 administrative cost limits. The department shall contract with
 703 providers that have a demonstrated record of successful business
 704 operations in areas directly related to the services to be
 705 provided and shall ensure the highest accountability for use of
 706 state funds, consistent with this section.

707 (11)~~(10)~~ REPORTS.—The department shall make an annual
 708 report on the activities of the program that shall account for
 709 the use of state funds and indicate the number of inspections
 710 requested, the number of inspections performed, the number of
 711 grant applications received, the number and value of grants
 712 approved, and the estimated average annual amount of insurance
 713 premium discounts and total estimated annual amount of insurance
 714 premium discounts applicants ~~homeowners~~ received from insurers
 715 as a result of mitigation funded through the program. The report
 716 must be delivered to the President of the Senate and the Speaker
 717 of the House of Representatives by February 1 of each year.

718 **Section 7. Subsections (1) and (2) and paragraphs (a) and**
 719 **(j) of subsection (5) of section 215.55871, Florida Statutes,**
 720 **are amended to read:**

721 215.55871 My Safe Florida Condominium Pilot Program.—There
 722 is established within the Department of Financial Services the
 723 My Safe Florida Condominium Pilot Program to be implemented
 724 pursuant to appropriations. The department shall provide fiscal
 725 accountability, contract management, and strategic leadership

726 for the pilot program, consistent with this section. This
727 section does not create an entitlement for associations or unit
728 owners or obligate the state in any way to fund the inspection
729 or retrofitting of condominiums in the state. Implementation of
730 this pilot program is subject to annual legislative
731 appropriations. It is the intent of the Legislature that the My
732 Safe Florida Condominium Pilot Program provide licensed
733 inspectors to perform inspections for and grants to eligible
734 associations as funding allows.

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

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

740 (b)~~(a)~~ "Association" has the same meaning as in s.
741 718.103.

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

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

748 (e)~~(d)~~ "Condominium" has the same meaning as in s.
749 718.103. For purposes of this section, the term does not include
750 detached units on individual parcels of land.

751 ~~(f)~~^(e) "Condominium property" means the lands, leaseholds,
752 and personal property that are subjected to condominium
753 ownership, whether or not contiguous, and all improvements
754 thereon and all easements and rights appurtenant thereto
755 intended for use in connection with the condominium ~~and are~~
756 ~~located in the service area.~~

757 ~~(g)~~^(f) "Department" means the Department of Financial
758 Services.

759 ~~(h)~~^(g) "Property" means association property and
760 condominium property, as applicable, ~~located in the service~~
761 ~~area.~~

762 ~~(h)~~ "Service area" means the area of the state which is 15
763 miles inward of a coastline, as that term is defined in s.
764 ~~376.031.~~

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

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

767 (2) PARTICIPATION.—

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

769 1. Condominium associations in which at least 80 percent
770 of the occupied units within the condominium are owned or
771 occupied by a person or family whose annual income is at or
772 below 80 percent of the area median income, adjusted for
773 household size, applicable to the county in which the
774 condominium is located. Eligibility must be determined using the
775 area median income published at the time an application is

776 submitted. For purposes of determining if a condominium
777 association meets the 80 percent unit-occupied threshold:
778 a. Only occupied residential units may be counted.
779 b. Both owner-occupied and tenant-occupied residential
780 units may be counted as long as the persons or families living
781 in such residential units provide income documentation to the
782 department and the department has verified that such person or
783 family meets the income requirements of this subparagraph.
784 2. Structures or buildings on the condominium property
785 which are three or more stories in height, provided that each
786 structure or building that is the subject of a mitigation grant
787 contains at least two single-family dwellings.
788 (b) The department shall adopt rules establishing
789 acceptable methods for verifying household income, including,
790 but not limited to, owner self-certification, tax returns,
791 income statements, or other documentation deemed sufficient by
792 the department. The department may require periodic
793 recertification of income eligibility to ensure compliance with
794 this section.
795 (c) A condominium with mixed-income occupancies is
796 eligible to participate in the pilot program under this section
797 if the income threshold in subparagraph (a)1. is met.
798 (d) ~~(b)~~ In order to apply for an inspection under
799 subsection (4) or a grant under subsection (5) for association
800 property or condominium property, an association must receive

801 approval by a majority vote of the board of administration or a
 802 majority vote of the total voting interests of the association
 803 to participate in the pilot program. An association may not
 804 apply for an inspection under subsection (4) or a grant under
 805 subsection (5) for association property or condominium property
 806 unless the association has complied with the inspection
 807 requirements in ss. 553.899 and 718.112(2)(g) and (h). An
 808 association may not apply for a grant under subparagraph
 809 (5)(e)1. for association property or condominium property unless
 810 the windows of the association property or condominium property
 811 are established as common elements in the declaration.

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

- 815 1. Approval by a majority vote of the board of
 816 administration or a majority vote of the total voting interests
 817 of the association to participate in a mitigation inspection.
- 818 2. Approval by at least 75 percent of all unit owners who
 819 reside within the structure or building that is the subject of
 820 the mitigation grant.

821 (f)~~(d)~~ A unit owner may participate in the pilot program
 822 through a mitigation grant awarded to the association but may
 823 not participate individually in the pilot program.

824 (g)~~(e)~~ The votes required under this subsection may take
 825 place at the annual budget meeting of the association or at a

826 unit owner meeting called for the purpose of taking such vote.
827 Before a vote of the unit owners may be taken, the association
828 must provide to the unit owners a clear disclosure of the pilot
829 program on a form created by the department. The president and
830 the treasurer of the board of administration must sign the
831 disclosure form indicating that a copy of the form was provided
832 to each unit owner of the association. The signed disclosure
833 form and the minutes from the meeting at which the unit owners
834 voted to participate in the pilot program must be maintained as
835 part of the official records of the association. Within 14 days
836 after an affirmative vote to participate in the pilot program,
837 the association must provide written notice in the same manner
838 as required under s. 718.112(2)(d) to all unit owners of the
839 decision to participate in the pilot program.

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

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

845 1. Contain a signed or electronically verified statement
846 made under penalty of perjury by the president of the board of
847 administration that the association has submitted only a single
848 application for each property that the association operates or
849 maintains.

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

851 board of administration containing the name and license number
852 of each contractor the association intends to use for the
853 mitigation project.

854 3. Include a notarized statement from the president of the
855 board of administration which commits to the department that the
856 association will complete the mitigation improvements. If the
857 grant will be used to improve units, the application must also
858 include an acknowledged statement from each unit owner who is
859 required to provide approval for a grant under paragraph (2) (d)
860 ~~(2) (e)~~.

861 4. Include documentation deemed sufficient by the
862 department under paragraph (2) (b) for verifying household
863 income.

864 (j) Grant funds may only be awarded for a mitigation
865 improvement that addresses the common elements of the
866 ~~condominium property that will result in a mitigation credit,~~
867 ~~discount, or other rate differential for the building or~~
868 ~~structure to which the improvement is made.~~ As a condition of
869 receiving ~~awarding~~ a grant, the association ~~department~~ must
870 complete 100 percent of the opening protection improvements to
871 the common elements which were recommended in the final
872 hurricane mitigation inspection report ~~require mitigation~~
873 ~~improvements to be made to all openings,~~ including exterior
874 doors, garage doors, windows, and skylights that are a part of
875 the common elements, ~~if doing so is necessary for the building~~

876 ~~or structure to qualify for a mitigation credit, discount, or~~
877 ~~other rate differential.~~

878 **Section 8.** The amendments made by this act to s.
879 215.55871, Florida Statutes, apply to inspection and grant
880 applications submitted to the Department of Financial Services
881 by a condominium association on or after July 1, 2026.

882 **Section 9. Subsection (3) of section 215.89, Florida**
883 **Statutes, is amended to read:**

884 215.89 Charts of account.—

885 ~~(3) REPORTING STRUCTURE.—~~

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

890 ~~(b) By January 15, 2014, the Chief Financial Officer,~~
891 ~~after consultation with affected state agencies, local~~
892 ~~governments, educational entities, entities of higher education,~~
893 ~~and the Auditor General, shall submit to the Governor, the~~
894 ~~President of the Senate, and the Speaker of the House of~~
895 ~~Representatives a report recommending a uniform charts of~~
896 ~~account which requires specific enterprise-wide information~~
897 ~~related to revenues and expenditures of state agencies, local~~
898 ~~governments, educational entities, and entities of higher~~
899 ~~education. The report must include the estimated cost of~~
900 ~~adopting and implementing a uniform enterprise-wide charts of~~

901 ~~account.~~

902 **Section 10. Subsections (1) and (5) of section 215.93,**
 903 **Florida Statutes, are amended to read:**

904 215.93 Florida Financial Management Information System.—

905 (1) To provide the information necessary to carry out the
 906 intent of the Legislature, there shall be a Florida Financial
 907 Management Information System. The Florida Financial Management
 908 Information System shall be fully implemented and shall be
 909 upgraded as necessary to ensure the efficient operation of an
 910 integrated financial management information system and to
 911 provide necessary information for the effective operation of
 912 state government. Upon the recommendation of the coordinating
 913 council and approval of the board, the Florida Financial
 914 Management Information System may require data from any state
 915 agency information system or information subsystem or may
 916 request data from any judicial branch information system or
 917 information subsystem that the coordinating council and board
 918 have determined to have statewide financial management
 919 significance. Each functional owner information subsystem within
 920 the Florida Financial Management Information System shall be
 921 developed in such a fashion as to allow for timely, positive,
 922 preplanned, and prescribed data transfers between the Florida
 923 Financial Management Information System functional owner
 924 information subsystems and from other information systems. The
 925 principal unit of the system shall be the functional owner

926 information subsystem, and the system shall include, but shall
 927 not be limited to, the following:

928 (a) Planning and Budgeting Subsystem.

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

930 (b)(e) Financial Management Subsystem.

931 (c)(d) Purchasing Subsystem.

932 (d)(e) Personnel Information System.

933 (5) Functional owners are legally responsible for the
 934 security and integrity of all data records existing within or
 935 transferred from their information subsystems. Each agency and
 936 the judicial branch shall be responsible for the accuracy of the
 937 information entered into the Florida Financial Management
 938 Information System. A request for a copy of a document or an
 939 accounting record, whether by public records request or
 940 subpoena, must be made to the state entity for which the
 941 document or accounting record is recorded. The request may not
 942 be made to the functional owner of the subsystem unless the
 943 document or accounting record was recorded for such entity.

944 **Section 11. Subsections (4) through (7) of section 215.94,**
 945 **Florida Statutes, are renumbered as subsections (3) through (6),**
 946 **respectively, and subsection (2) and present subsection (3) of**
 947 **that section are amended to read:**

948 215.94 Designation, duties, and responsibilities of
 949 functional owners.—

950 (2) The Department of Financial Services shall be the

951 functional owner of the Financial Management ~~Florida Accounting~~
952 ~~Information Resource~~ Subsystem established pursuant to ss.
953 17.03, 215.86, 216.141, and 216.151 and further developed in
954 accordance with the provisions of ss. 215.90-215.96. The
955 subsystem shall include, but shall not be limited to, the
956 following functions:

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

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

961 ~~(3) The Chief Financial Officer shall be the functional~~
962 ~~owner of the Financial Management Subsystem. The Chief Financial~~
963 ~~Officer shall design, implement, and operate the subsystem in~~
964 ~~accordance with the provisions of ss. 215.90-215.96. The~~
965 ~~subsystem shall include, but shall not be limited to, functions~~
966 ~~for:~~

967 (c) ~~(a)~~ Recording and reconciling credits and debits to
968 treasury fund accounts.

969 (d) ~~(b)~~ Monitoring cash levels and activities in state bank
970 accounts.

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

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

974 **Section 12. Subsections (2) and (3) of section 215.96,**
975 **Florida Statutes, are amended to read:**

976 215.96 Coordinating council and design and coordination
 977 staff.—

978 (2) The coordinating council shall consist of the Chief
 979 Financial Officer; the Commissioner of Agriculture; the Attorney
 980 General; the Secretary of Management Services; the state chief
 981 information officer; the executive director of the Department of
 982 Revenue; and the Director of Planning and Budgeting, Executive
 983 Office of the Governor, or their designees. The Chief Financial
 984 Officer, or his or her designee, shall be chair of the council,
 985 and the design and coordination staff shall provide
 986 administrative and clerical support to the council and the
 987 board. ~~The design and coordination staff shall maintain the~~
 988 Minutes of each meeting shall be ~~and make such minutes~~ available
 989 to any interested person. The Auditor General, the State Courts
 990 Administrator, a ~~an executive officer of the Florida Association~~
 991 ~~of state agency administrative services~~ director selected by the
 992 council Directors, and a ~~an executive officer of the Florida~~
 993 ~~Association of state budget~~ officer selected by the council
 994 ~~Officers~~, or their designees, shall serve without voting rights
 995 as ex officio members of the council. The chair may call
 996 meetings of the council as often as necessary to transact
 997 business; however, the council shall meet at least once a year.
 998 Action of the council shall be by motion, duly made, seconded
 999 and passed by a majority of the council voting in the
 1000 affirmative for approval of items that are to be recommended for

1001 approval to the Financial Management Information Board.

1002 (3) The coordinating council, assisted by the design and
1003 coordination staff, shall have the following duties, powers, and
1004 responsibilities pertaining to the Florida Financial Management
1005 Information System:

1006 (a) To review and coordinate annual workplans to ensure
1007 that the Florida Financial Management Information System remains
1008 aligned across participating entities. The coordination council
1009 shall ensure that each participating entity submits an annual
1010 workplan by October 1 of each year. The coordinating council
1011 shall review and discuss the workplans, identify potential
1012 impacts or conflicts, facilitate resolutions when practicable,
1013 and expedite unresolved issues as appropriate.

1014 (b) To conduct such studies and to establish committees,
1015 workgroups, and teams to develop recommendations for rules,
1016 policies, procedures, principles, and standards to the board as
1017 necessary to assist the board in its efforts to design,
1018 implement, and perpetuate a financial management information
1019 system, including, but not limited to, the establishment of
1020 common data codes, and the development of integrated financial
1021 management policies that address the information and management
1022 needs of the functional owner subsystems. The coordinating
1023 council shall make available a copy of the approved plan in
1024 writing or through electronic means to each of the coordinating
1025 council members, the fiscal committees of the Legislature, and

1026 any interested person.

1027 (c) ~~(b)~~ To recommend to the board solutions, policy
 1028 alternatives, and legislative budget request issues that will
 1029 provide ~~ensure~~ a framework for the timely, positive, preplanned,
 1030 and prescribed data transfer between information subsystems ~~and~~
 1031 ~~to recommend to the board solutions, policy alternatives, and~~
 1032 ~~legislative budget request issues that ensure the availability~~
 1033 ~~of data and information that support state planning, policy~~
 1034 ~~development, management, evaluation, and performance monitoring.~~

1035 ~~(c) To report to the board all actions taken by the~~
 1036 ~~coordinating council for final action.~~

1037 ~~(d) To review the annual work plans of the functional~~
 1038 ~~owner information subsystems by October 1 of each year. The~~
 1039 ~~review shall be conducted to assess the status of the Florida~~
 1040 ~~Financial Management Information System and the functional owner~~
 1041 ~~subsystems in regard to the provisions of s. 215.91. The~~
 1042 ~~coordinating council, as part of the review process, may make~~
 1043 ~~recommendations for modifications to the functional owner~~
 1044 ~~information subsystems annual work plans.~~

1045 **Section 13. Paragraph (a) of subsection (4) of section**
 1046 **215.985, Florida Statutes, is amended to read:**

1047 215.985 Transparency in government spending.—

1048 (4) The Executive Office of the Governor, in consultation
 1049 with the appropriations committees of the Senate and the House
 1050 of Representatives, shall establish and maintain a website that

1051 provides information relating to the approved operating budget
 1052 for each branch of state government and state agency.

1053 (a) At a minimum, the information must include:

1054 1. Disbursement data for each appropriation by the account
 1055 value ~~object code~~ associated with each expenditure established
 1056 within the Financial Management ~~Florida Accounting Information~~
 1057 ~~Resource~~ Subsystem. Expenditure data must include the name of
 1058 the payee, the date of the expenditure, the amount of the
 1059 expenditure, and the voucher ~~statewide document~~ number. Such
 1060 data must be searchable by the name of the payee, the paying
 1061 agency, and fiscal year, and must be downloadable in a format
 1062 that allows offline analysis.

1063 2. For each appropriation, any adjustments, including
 1064 vetoes, approved supplemental appropriations included in
 1065 legislation other than the General Appropriations Act, budget
 1066 amendments, other actions approved pursuant to chapter 216, and
 1067 other adjustments authorized by law.

1068 3. Status of spending authority for each appropriation in
 1069 the approved operating budget, including released, unreleased,
 1070 reserved, and disbursed balances.

1071 4. Position and rate information for positions provided in
 1072 the General Appropriations Act or approved through an amendment
 1073 to the approved operating budget and position information for
 1074 positions established in the legislative branch.

1075 5. Allotments for planned expenditures of state

1076 appropriations established by state agencies in the Financial
 1077 Management ~~Florida Accounting Information Resource~~ Subsystem,
 1078 and the current balances of such allotments.

1079 6. Trust fund balance reports, including cash available,
 1080 investments, and receipts.

1081 7. General revenue fund balance reports, including revenue
 1082 received and amounts disbursed.

1083 8. Fixed capital outlay project data, including original
 1084 appropriation and disbursements throughout the life of the
 1085 project.

1086 9. A 10-year history of appropriations indicated by
 1087 agency.

1088 10. Links to state audits or reports related to the
 1089 expenditure and dispersal of state funds.

1090 11. Links to program or activity descriptions for which
 1091 funds may be expended.

1092 **Section 14. Subsections (1) and (2) and paragraph (f) of**
 1093 **subsection (3) of section 216.102, Florida Statutes, are amended**
 1094 **to read:**

1095 216.102 Filing of financial information; handling by Chief
 1096 Financial Officer; penalty for noncompliance.—

1097 (1) By September 30 of each year, each agency supported by
 1098 any form of taxation, licenses, fees, imposts, or exactions, the
 1099 judicial branch, and, for financial reporting purposes, each
 1100 component unit of the state as determined by the Chief Financial

1101 Officer shall prepare, using generally accepted accounting
1102 principles, and file with the Chief Financial Officer the
1103 financial and other information necessary for the preparation of
1104 annual financial statements for the State of Florida as of June
1105 30. In addition, each such agency and the judicial branch shall
1106 prepare financial statements showing the financial position and
1107 results of agency or branch operations as of June 30 for
1108 internal management purposes.

1109 (a) Each state agency and the judicial branch shall record
1110 the receipt and disbursement of funds from federal sources in a
1111 form and format prescribed by the Chief Financial Officer. The
1112 access to federal funds by the administering agencies or the
1113 judicial branch may not be authorized until:

1114 1. The deposit has been recorded in the Financial
1115 Management ~~Florida Accounting Information Resource~~ Subsystem
1116 using proper, consistent codes that designate deposits as
1117 federal funds.

1118 2. The deposit and appropriate recording required by this
1119 paragraph have been verified by the office of the Chief
1120 Financial Officer.

1121 (b) The Chief Financial Officer shall publish a statewide
1122 policy detailing the requirements for recording receipt and
1123 disbursement of federal funds into the Financial Management
1124 ~~Florida Accounting Information Resource~~ Subsystem and provide
1125 technical assistance to the agencies and the judicial branch to

1126 | implement the policy.

1127 | (2) Financial information must be contained within the
 1128 | Financial Management ~~Florida Accounting Information Resource~~
 1129 | Subsystem. Other information must be submitted in the form and
 1130 | format prescribed by the Chief Financial Officer.

1131 | (a) Each component unit shall file financial information
 1132 | and other information necessary for the preparation of annual
 1133 | financial statements with the agency or branch designated by the
 1134 | Chief Financial Officer by the date specified by the Chief
 1135 | Financial Officer.

1136 | (b) The state agency or branch designated by the Chief
 1137 | Financial Officer to receive financial information and other
 1138 | information from component units shall include the financial
 1139 | information in the Financial Management ~~Florida Accounting~~
 1140 | ~~Information Resource~~ Subsystem and shall include the component
 1141 | units' other information in its submission to the Chief
 1142 | Financial Officer.

1143 | (3) The Chief Financial Officer shall:

1144 | (f) Consult with and elicit comments from the Executive
 1145 | Office of the Governor on changes to the Financial Management
 1146 | ~~Florida Accounting Information Resource~~ Subsystem which clearly
 1147 | affect the accounting of federal funds, so as to ensure
 1148 | consistency of information entered into the Federal Aid Tracking
 1149 | System by state executive and judicial branch entities. While
 1150 | efforts shall be made to ensure the compatibility of the

1151 Financial Management ~~Florida Accounting Information Resource~~
 1152 Subsystem and the Federal Aid Tracking System, any successive
 1153 systems serving identical or similar functions shall preserve
 1154 such compatibility.

1155
 1156 The Chief Financial Officer may furnish and publish in
 1157 electronic form the financial statements and the annual
 1158 comprehensive financial report required under paragraphs (a),
 1159 (b), and (c).

1160 **Section 15. Subsection (3) of section 216.141, Florida**
 1161 **Statutes, is amended to read:**

1162 216.141 Budget system procedures; planning and programming
 1163 by state agencies.—

1164 (3) The Chief Financial Officer, as chief fiscal officer,
 1165 shall use the Financial Management ~~Florida Accounting~~
 1166 ~~Information Resource~~ Subsystem developed pursuant to s.
 1167 215.94(2) for account purposes in the performance of and
 1168 accounting for all of his or her constitutional and statutory
 1169 duties and responsibilities. However, state agencies and the
 1170 judicial branch continue to be responsible for maintaining
 1171 accounting records necessary for effective management of their
 1172 programs and functions.

1173 **Section 16. Paragraph (a) of subsection (7) and paragraph**
 1174 **(j) of subsection (12) of section 440.13, Florida Statutes, are**
 1175 **amended to read:**

1176 440.13 Medical services and supplies; penalty for
 1177 violations; limitations.—
 1178 (7) UTILIZATION AND REIMBURSEMENT DISPUTES.—
 1179 (a) Any health care provider who elects to contest the
 1180 disallowance or adjustment of payment by a carrier under
 1181 subsection (6) must, within 60 ~~45~~ days after receipt of notice
 1182 of disallowance or adjustment of payment, petition the
 1183 department to resolve the dispute. The petitioner must serve, by
 1184 the United States Postal Service certified mail or by common
 1185 carrier with verifiable tracking methods, a copy of the petition
 1186 on the carrier and on all affected parties listed on the notice
 1187 of disallowance or adjustment ~~by certified mail~~. The petition
 1188 must be accompanied by all documents and records that support
 1189 the allegations contained in the petition. Failure of a
 1190 petitioner to submit such documentation to the department
 1191 results in dismissal of the petition.
 1192 (12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM
 1193 REIMBURSEMENT ALLOWANCES.—
 1194 (j) In addition to establishing the uniform schedule of
 1195 maximum reimbursement allowances, the panel shall:
 1196 1. Take testimony, receive records, and collect data to
 1197 evaluate the adequacy of the workers' compensation fee schedule,
 1198 nationally recognized fee schedules and alternative methods of
 1199 reimbursement to health care providers and health care
 1200 facilities for inpatient and outpatient treatment and care.

1201 2. Survey health care providers and health care facilities
 1202 to determine the availability and accessibility of workers'
 1203 compensation health care delivery systems for injured workers.

1204 3. Survey carriers to determine the estimated impact on
 1205 carrier costs and workers' compensation premium rates by
 1206 implementing changes to the carrier reimbursement schedule or
 1207 implementing alternative reimbursement methods.

1208 4. Submit recommendations on or before January 15, 2031
 1209 ~~2017~~, and every 5 years ~~biennially~~ thereafter, to the President
 1210 of the Senate and the Speaker of the House of Representatives on
 1211 methods to improve the workers' compensation health care
 1212 delivery system.

1213
 1214 The department, as requested, shall provide data to the panel,
 1215 including, but not limited to, utilization trends in the
 1216 workers' compensation health care delivery system. The
 1217 department shall provide the panel with an annual report
 1218 regarding the resolution of medical reimbursement disputes and
 1219 any actions pursuant to subsection (8). The department shall
 1220 provide administrative support and service to the panel to the
 1221 extent requested by the panel. The department may adopt rules
 1222 pursuant to ss. 120.536(1) and 120.54 to implement this
 1223 subsection. For prescription medication purchased under the
 1224 requirements of this subsection, a dispensing practitioner shall
 1225 not possess such medication unless payment has been made by the

1226 practitioner, the practitioner's professional practice, or the
1227 practitioner's practice management company or employer to the
1228 supplying manufacturer, wholesaler, distributor, or drug
1229 repackager within 60 days of the dispensing practitioner taking
1230 possession of that medication.

1231 **Section 17. Section 497.1411, Florida Statutes, is created**
1232 **to read:**

1233 497.1411 Disqualification of applicants and licenses;
1234 penalties against licensees; rulemaking.-

1235 (1) For purposes of this section, the term "applicant"
1236 means an individual applying for licensure or relicensure under
1237 this chapter, or an officer, director, majority owner, partner,
1238 manager, or other person who manages or controls an entity
1239 applying for licensure or relicensure under this chapter.

1240 (2) An applicant who has been found guilty of or has
1241 pleaded guilty or nolo contendere to any of the following
1242 offenses, regardless of adjudication, is permanently barred from
1243 licensure under this chapter:

1244 (a) A felony of the first degree.

1245 (b) A felony involving conduct prohibited under chapter
1246 497, chapter 787, chapter 794, chapter 796, chapter 800, chapter
1247 825, chapter 827, or chapter 847.

1248 (c) A felony involving moral turpitude.

1249 (3) An applicant who has been found guilty of, or has
1250 entered a plea of guilty or nolo contendere to an offense not

1251 subject to the permanent bar under subsection (2), regardless of
1252 adjudication, is subject to the following disqualifying periods:

1253 (a) A 10-year disqualifying period for any felony to which
1254 the permanent bar in subsection (2) does not apply.

1255 Notwithstanding subsection (4), an applicant who has completed
1256 at least one-half of the disqualifying period may apply for a
1257 probationary license for the remainder of the disqualifying
1258 period if, during that time, the applicant has not been found
1259 guilty of, or has not entered a plea of guilty or nolo
1260 contendere to, any offense.

1261 (b) A 5-year disqualifying period for all misdemeanors
1262 directly related to chapter 497.

1263 (4) The board shall adopt rules to administer this
1264 section. Such rules must provide additional disqualifying
1265 periods for applicants who have committed multiple criminal
1266 offenses and may provide additional factors for disqualification
1267 reasonably related to the applicant's criminal history. The
1268 rules must also establish mitigating and aggravating factors.
1269 However, mitigation may not reduce any disqualifying period to
1270 less than 5 years and may not be applied to reduce the 5-year
1271 disqualifying period provided in paragraph (3)(b).

1272 (5) For purposes of this section, a disqualifying period
1273 begins upon the applicant's final release from supervision or
1274 upon completion of the applicant's criminal sentence. The board
1275 may not approve issuance of a license to an applicant until the

1276 applicant provides proof that all related fines, court costs,
1277 fees, and court-ordered restitution have been paid.

1278 (6) After the disqualifying period has expired, the burden
1279 is on the applicant to demonstrate to the board that he or she
1280 has been rehabilitated, does not pose a risk to the public, is
1281 fit and trustworthy to engage in business regulated by this
1282 chapter, and is otherwise qualified for licensure.

1283 (7) Notwithstanding subsections (2) and (3), an applicant
1284 who has been found guilty of, or has pleaded guilty or nolo
1285 contendere to, a crime in subsection (2) or subsection (3), and
1286 who has subsequently been granted a pardon or the restoration of
1287 civil rights pursuant to chapter 940 and s. 8, Art. IV of the
1288 State Constitution, or a pardon or the restoration of civil
1289 rights under the laws of another jurisdiction with respect to a
1290 conviction in that jurisdiction, is not barred or disqualified
1291 from licensure under this chapter; however, such a pardon or
1292 restoration of civil rights does not require the board to award
1293 such license.

1294 (8) (a) The board may grant an exemption from
1295 disqualification to any person disqualified from licensure under
1296 subsection (3) if:

1297 1. The applicant has paid in full any fee, fine, fund,
1298 lien, civil judgment, restitution, or cost of prosecution
1299 imposed by the court as part of the judgment and sentence for
1300 any disqualifying offense; and

1301 2. At least 2 years have elapsed since the applicant
1302 completed or has been lawfully released from confinement,
1303 supervision, or any nonmonetary condition imposed by the court
1304 for a disqualifying offense.

1305 (b) For the board to grant an exemption under this
1306 subsection, the applicant must clearly and convincingly
1307 demonstrate that he or she would not pose a risk to persons or
1308 property if licensed under this chapter, evidence of which must
1309 include, but need not be limited to, facts and circumstances
1310 surrounding the disqualifying offense, the time that has elapsed
1311 since the offense, the nature of the offense and harm caused to
1312 the victim, the applicant's history before and after the
1313 offense, and any other evidence or circumstances indicating that
1314 the applicant will not present a danger if licensed or
1315 certified.

1316 (c) The board has discretion whether to grant or deny an
1317 exemption under this subsection. The board's decision is subject
1318 to chapter 120.

1319 (9) The disqualification periods provided in this section
1320 do not apply to the renewal of a license or to a new application
1321 for licensure if the applicant has an active license as of July
1322 1, 2026, and the applicable criminal history was considered by
1323 the board on the prior approval of any active license held by
1324 the applicant. This section does not affect any criminal history
1325 disclosure requirements of this chapter.

1326 **Section 18. Subsection (9) and paragraph (c) of subsection**
 1327 **(10) of section 497.142, Florida Statutes, are amended to read:**

1328 497.142 Licensing; fingerprinting and criminal background
 1329 checks.—

1330 (9) If any applicant under this chapter has been, ~~within~~
 1331 ~~the 10 years preceding the application under this chapter,~~
 1332 convicted or found guilty of, or entered a plea of nolo
 1333 contendere to, regardless of adjudication, any crime in any
 1334 jurisdiction, the application may ~~shall~~ not be deemed complete
 1335 until such time as the applicant provides such certified true
 1336 copies of the court records evidencing the conviction, finding,
 1337 or plea, as required in this section or as the licensing
 1338 authority may by rule require.

1339 (10)

1340 (c) Crimes to be disclosed are:

1341 1. Any felony ~~or misdemeanor,~~ no matter when committed,
 1342 ~~that was directly or indirectly related to or involving any~~
 1343 ~~aspect of the practice or business of funeral directing,~~
 1344 ~~embalming, direct disposition, cremation, funeral or cemetery~~
 1345 ~~preneed sales, funeral establishment operations, cemetery~~
 1346 ~~operations, or cemetery monument or marker sales or~~
 1347 ~~installation.~~

1348 2. Any misdemeanor, no matter when committed, that was
 1349 directly related to the practice or activities regulated under
 1350 this chapter ~~Any other felony not already disclosed under~~

1351 ~~subparagraph 1. that was committed within the 20 years~~
1352 ~~immediately preceding the application under this chapter.~~

1353 3. Any other misdemeanor not already disclosed under
1354 subparagraph 2. which ~~subparagraph 1. that~~ was committed within
1355 the 5 years immediately preceding the application under this
1356 chapter.

1357 **Section 19. Subsection (11) is added to section 553.80,**
1358 **Florida Statutes, to read:**

1359 553.80 Enforcement.—

1360 (11) For purposes of the design, construction, erection,
1361 alteration, fire protection, fire suppression, modification,
1362 repair, and demolition of a single-family or two-family
1363 dwelling, such dwelling does not have a change of occupancy as
1364 defined in the Florida Building Code, solely due to the
1365 dwelling's use as or conversion into a dwelling used:

1366 (a) By a tax-exempt charitable organization under s.
1367 501(c)(3) of the Internal Revenue Code whose stated corporate
1368 purpose relates to the support of people who are living with a
1369 mental health disorder and has no fewer than two and no more
1370 than four bedrooms, is occupied by a group of or family of no
1371 more than six ambulatory adults living with a mental disorder,
1372 and has no more than two adults assigned to any bedroom; or

1373 (b) For residential migrant housing, as defined in s.
1374 381.008, that has a permit from the Department of Health
1375 pursuant to s. 381.0081.

1376 **Section 20. Subsection (10) of section 560.309, Florida**
 1377 **Statutes, is amended to read:**

1378 560.309 Conduct of business.—

1379 (10) If a check is returned to a licensee from a payor
 1380 financial institution due to lack of funds, a closed account, or
 1381 a stop-payment order, the licensee may seek collection pursuant
 1382 to s. 68.065. In seeking collection, the licensee must comply
 1383 with the prohibitions against harassment or abuse, false or
 1384 misleading representations, and unfair practices in the Consumer
 1385 Collection Practices Act under part VI of chapter 559, including
 1386 s. 559.77. The licensee must also comply with the Fair Debt
 1387 Collections Practices Act, 15 U.S.C. ss. 1692d, 1692e, and 1692f
 1388 if the licensee uses a third party debt collector or any name
 1389 other than its own to collect such debts. A violation of this
 1390 subsection is a deceptive and unfair trade practice and
 1391 constitutes a violation of the Deceptive and Unfair Trade
 1392 Practices Act under part II of chapter 501. ~~In addition, a~~
 1393 ~~licensee must comply with the applicable provisions of the~~
 1394 ~~Consumer Collection Practices Act under part VI of chapter 559,~~
 1395 ~~including s. 559.77.~~

1396 **Section 21. Subsection (3) of section 560.405, Florida**
 1397 **Statutes, is amended to read:**

1398 560.405 Deposit; redemption.—

1399 (3) Notwithstanding subsection (1), in lieu of
 1400 presentment, a deferred presentment provider may allow the check

1401 to be redeemed at any time upon payment of the outstanding
1402 transaction balance and earned fees. Redemption in cash or
1403 through a debit card transaction shall be treated the same.
1404 However, payment may not be made in the form of a personal check
1405 or through a credit card transaction. Upon redemption, the
1406 deferred presentment provider must return the drawer's check and
1407 provide a signed, dated receipt showing that the drawer's check
1408 has been redeemed.

1409 **Section 22. Subsection (2) of section 560.406, Florida**
1410 **Statutes, is amended to read:**

1411 560.406 Worthless checks.—

1412 (2) If a check is returned to a deferred presentment
1413 provider from a payor financial institution due to insufficient
1414 funds, a closed account, or a stop-payment order, the deferred
1415 presentment provider may pursue all legally available civil
1416 remedies to collect the check, including, but not limited to,
1417 the imposition of all charges imposed on the deferred
1418 presentment provider by the financial institution. In its
1419 collection practices, a deferred presentment provider must
1420 comply with the prohibitions against harassment or abuse, false
1421 or misleading representations, and unfair practices that are
1422 contained in the Consumer Collection Practices Act under part VI
1423 of chapter 559, including s. 559.77. A deferred presentment
1424 provider must also comply with the Fair Debt Collections
1425 Practices Act, 15 U.S.C. ss. 1692d, 1692e, and 1692f if the

1426 deferred present provider uses a third party debt collector or
 1427 any name other than its own to collect such debts. A violation
 1428 of this act is a deceptive and unfair trade practice and
 1429 constitutes a violation of the Deceptive and Unfair Trade
 1430 Practices Act under part II of chapter 501. ~~In addition, a~~
 1431 ~~deferred presentment provider must comply with the applicable~~
 1432 ~~provisions of the Consumer Collection Practices Act under part~~
 1433 ~~VI of chapter 559, including s. 559.77.~~

1434 **Section 23. Subsection (3) of section 626.0428, Florida**
 1435 **Statutes, is amended to read:**

1436 626.0428 Agency personnel powers, duties, and
 1437 limitations.—

1438 (3) An employee or an authorized representative located at
 1439 a designated branch of an agent or agency may not initiate
 1440 contact with any person for the purpose of soliciting insurance
 1441 unless licensed and appointed as an agent or customer
 1442 representative. As to title insurance, an employee of an agent
 1443 or agency may not initiate contact with any individual proposed
 1444 insured for the purpose of soliciting title insurance unless
 1445 licensed as a title insurance agent or exempt from such
 1446 licensure pursuant to s. 626.8417(4) ~~and (5).~~

1447 **Section 24. Section 626.171, Florida Statutes, is amended**
 1448 **to read:**

1449 626.171 Application for license as an agent, customer
 1450 representative, adjuster, or service representative, ~~or~~

1451 ~~reinsurance intermediary.~~

1452 (1) The department may not issue a license as agent,
1453 customer representative, adjuster, or service representative, ~~or~~
1454 ~~reinsurance intermediary~~ to any person except upon written
1455 application filed with the department, meeting the
1456 qualifications for the license applied for as determined by the
1457 department, and payment in advance of all applicable fees. The
1458 application must be made under the oath of the applicant and be
1459 signed by the applicant. An applicant may permit a third party
1460 to complete, submit, and sign an application on the applicant's
1461 behalf, but is responsible for ensuring that the information on
1462 the application is true and correct and is accountable for any
1463 misstatements or misrepresentations. The department shall accept
1464 the uniform application for resident and nonresident agent and
1465 adjuster licensing. The department may adopt revised versions of
1466 the uniform application by rule.

1467 (2) In the application, the applicant must include all of
1468 the following ~~shall set forth~~:

1469 (a) The applicant's ~~His or her~~ full name, age, social
1470 security number, residence address, business address, mailing
1471 address, contact telephone numbers, including a business
1472 telephone number, and e-mail address.

1473 (b) A statement indicating the method the applicant used
1474 or is using to meet any required prelicensing education,
1475 knowledge, experience, or instructional requirements for the

1476 type of license applied for.

1477 (c) Whether the applicant ~~he or she~~ has been refused or
1478 has voluntarily surrendered or has had suspended or revoked a
1479 license to solicit insurance by the department or by the
1480 supervising officials of any state.

1481 (d) Whether any insurer or any managing general agent
1482 claims the applicant is indebted under any agency contract or
1483 otherwise and, if so, the name of the claimant, the nature of
1484 the claim, and the applicant's defense thereto, if any.

1485 (e) Proof that the applicant meets the requirements for
1486 the type of license for which he or she is applying.

1487 (f) The applicant's gender (male or female).

1488 (g) The applicant's native language.

1489 (h) The highest level of education achieved by the
1490 applicant.

1491 (i) The applicant's race or ethnicity (African American,
1492 white, American Indian, Asian, Hispanic, or other).

1493 (j) Such other or additional information as the department
1494 may deem proper to enable it to determine the character,
1495 experience, ability, and other qualifications of the applicant
1496 to hold himself or herself out to the public as an insurance
1497 representative.

1498

1499 However, the application must contain a statement that an
1500 applicant is not required to disclose his or her race or

1501 ethnicity, gender, or native language, that he or she will not
1502 be penalized for not doing so, and that the department will use
1503 this information exclusively for research and statistical
1504 purposes and to improve the quality and fairness of the
1505 examinations. The department may ~~shall~~ make provisions for
1506 applicants to voluntarily submit their cellular telephone
1507 numbers as part of the application process solely ~~on a voluntary~~
1508 ~~basis only~~ for the purpose of two-factor authentication of
1509 secure login credentials ~~only~~.

1510 (3) Each application must be accompanied by payment of any
1511 applicable fee.

1512 (4) An applicant for a license issued by the department
1513 under this chapter must submit a set of the individual
1514 applicant's fingerprints, or, if the applicant is not an
1515 individual, a set of the fingerprints of the sole proprietor,
1516 majority owner, partners, officers, and directors, to the
1517 department and must pay the fingerprint processing fee set forth
1518 in s. 624.501. Fingerprints must be processed in accordance with
1519 s. 624.34 and used to investigate the applicant's qualifications
1520 pursuant to s. 626.201. The fingerprints must be taken by a law
1521 enforcement agency or other department-approved entity. The
1522 department may not approve an application for licensure as an
1523 agent, customer ~~service~~ representative, adjuster, or service
1524 representative, ~~or reinsurance intermediary~~ if fingerprints have
1525 not been submitted.

1526 (5) The application for license filing fee prescribed in
 1527 s. 624.501 is not subject to refund.

1528 (6) Members of the United States Armed Forces and their
 1529 spouses, and veterans of the United States Armed Forces who have
 1530 separated from service ~~within 24 months~~ before application for
 1531 licensure, are exempt from the application filing fee prescribed
 1532 in s. 624.501. Qualified individuals must provide a copy of a
 1533 military identification card, military dependent identification
 1534 card, military service record, military personnel file, veteran
 1535 record, discharge paper or separation document that indicates
 1536 such members are currently in good standing or such veterans
 1537 were honorably discharged.

1538 (7) Pursuant to the federal Personal Responsibility and
 1539 Work Opportunity Reconciliation Act of 1996, each party is
 1540 required to provide his or her social security number in
 1541 accordance with this section. Disclosure of social security
 1542 numbers obtained through this requirement must be limited to the
 1543 purpose of administration of the Title IV-D program for child
 1544 support enforcement.

1545 **Section 25. Paragraph (c) of subsection (2) of section**
 1546 **626.292, Florida Statutes, is amended to read:**

1547 626.292 Transfer of license from another state.—

1548 (2) To qualify for a license transfer, an individual
 1549 applicant must meet the following requirements:

1550 (c) The individual must submit a completed application for

1551 this state which is received by the department within 90 days
 1552 after the date the individual became a resident of this state,
 1553 along with payment of the applicable fees set forth in s.
 1554 624.501 and submission of the following documents:

1555 1. A certification issued by the appropriate official of
 1556 the applicant's home state identifying the type of license and
 1557 lines of authority under the license and stating that, ~~at the~~
 1558 ~~time the license from the home state was canceled,~~ the applicant
 1559 was in good standing in that state or that the state's Producer
 1560 Database records, maintained by the National Association of
 1561 Insurance Commissioners, its affiliates, or subsidiaries,
 1562 indicate that the agent or all-lines adjuster is or was licensed
 1563 in good standing for the line of authority requested. An
 1564 applicant may hold a resident license in another state for 30
 1565 days after the Florida resident license has been issued to
 1566 facilitate the transfer of licensure between states.

1567 2. A set of the applicant's fingerprints in accordance
 1568 with s. 626.171(4).

1569 **Section 26. Subsection (1) of section 626.611, Florida**
 1570 **Statutes, is amended to read:**

1571 626.611 Grounds for compulsory refusal, suspension, or
 1572 revocation of agent's, title agency's, adjuster's, customer
 1573 representative's, service representative's, or managing general
 1574 agent's license or appointment.—

1575 (1) The department shall require license reexamination,

1576 deny an application for, suspend, revoke, or refuse to renew or
 1577 continue the license or appointment of any applicant, agent,
 1578 title agency, adjuster, customer representative, service
 1579 representative, or managing general agent, and it shall suspend
 1580 or revoke the eligibility to hold a license or appointment of
 1581 any such person, if it finds that as to the applicant, licensee,
 1582 or appointee any one or more of the following applicable grounds
 1583 exist:

1584 (a) Lack of one or more of the qualifications for the
 1585 license or appointment as specified in this code.

1586 (b) Material misstatement, misrepresentation, or fraud in
 1587 obtaining the license or appointment or in attempting to obtain
 1588 the license or appointment.

1589 (c) Failure to pass to the satisfaction of the department
 1590 any examination required under this code, including cheating on
 1591 an examination required for licensure or violating test center
 1592 or examination procedures published orally, in writing, or
 1593 electronically at the test site by authorized representatives of
 1594 the examination program administrator.

1595 (d) If the license or appointment is willfully used, or to
 1596 be used, to circumvent any of the requirements or prohibitions
 1597 of this code.

1598 (e) Willful misrepresentation of any insurance policy or
 1599 annuity contract or willful deception with regard to any such
 1600 policy or contract, done either in person or by any form of

1601 dissemination of information or advertising.

1602 (f) If, as an adjuster, or agent licensed and appointed to
 1603 adjust claims under this code, he or she has materially
 1604 misrepresented to an insured or other interested party the terms
 1605 and coverage of an insurance contract with intent and for the
 1606 purpose of effecting settlement of claim for loss or damage or
 1607 benefit under such contract on less favorable terms than those
 1608 provided in and contemplated by the contract.

1609 (g) Demonstrated lack of fitness or trustworthiness to
 1610 engage in the business of insurance.

1611 (h) Demonstrated lack of reasonably adequate knowledge and
 1612 technical competence to engage in the transactions authorized by
 1613 the license or appointment.

1614 (i) Fraudulent or dishonest practices in the conduct of
 1615 business under the license or appointment.

1616 (j) Misappropriation, conversion, or unlawful withholding
 1617 of moneys belonging to insurers or insureds or beneficiaries or
 1618 to others and received in conduct of business under the license
 1619 or appointment.

1620 (k) Unlawfully rebating, attempting to unlawfully rebate,
 1621 or unlawfully dividing or offering to divide his or her
 1622 commission with another.

1623 (l) Having obtained or attempted to obtain, or having used
 1624 or using, a license or appointment as agent or customer
 1625 representative for the purpose of soliciting or handling

1626 "controlled business" as defined in s. 626.730 with respect to
1627 general lines agents, s. 626.784 with respect to life agents,
1628 and s. 626.830 with respect to health agents.

1629 (m) Willful failure to comply with, or willful violation
1630 of, any proper order or rule of the department or willful
1631 violation of any provision of this code.

1632 (n) Having been found guilty of or having pleaded guilty
1633 or nolo contendere to a misdemeanor directly related to the
1634 financial services business, any felony, or any crime punishable
1635 by imprisonment of 1 year or more under the law of the United
1636 States of America or of any state thereof or under the law of
1637 any other country, without regard to whether a judgment of
1638 conviction has been entered by the court having jurisdiction of
1639 such cases.

1640 (o) Fraudulent or dishonest practice in submitting or
1641 aiding or abetting any person in the submission of an
1642 application for workers' compensation coverage under chapter 440
1643 containing false or misleading information as to employee
1644 payroll or classification for the purpose of avoiding or
1645 reducing the amount of premium due for such coverage.

1646 (p) Sale of an unregistered security that was required to
1647 be registered, pursuant to chapter 517.

1648 (q) In transactions related to viatical settlement
1649 contracts as defined in s. 626.9911:

1650 1. Commission of a fraudulent or dishonest act.

1651 2. No longer meeting the requirements for initial
1652 licensure.

1653 3. Having received a fee, commission, or other valuable
1654 consideration for his or her services with respect to viatical
1655 settlements that involved unlicensed viatical settlement
1656 providers or persons who offered or attempted to negotiate on
1657 behalf of another person a viatical settlement contract as
1658 defined in s. 626.9911 and who were not licensed life agents.

1659 4. Dealing in bad faith with viators.

1660 **Section 27. Section 626.621, Florida Statutes, is amended**
1661 **to read:**

1662 626.621 Grounds for discretionary refusal, suspension, or
1663 revocation of agent's, adjuster's, customer representative's,
1664 service representative's, or managing general agent's license or
1665 appointment.—The department may, in its discretion, require a
1666 license reexamination, deny an application for, suspend, revoke,
1667 or refuse to renew or continue the license or appointment of any
1668 applicant, agent, adjuster, customer representative, service
1669 representative, or managing general agent, and it may suspend or
1670 revoke the eligibility to hold a license or appointment of any
1671 such person, if it finds that as to the applicant, licensee, or
1672 appointee any one or more of the following applicable grounds
1673 exist under circumstances for which such denial, suspension,
1674 revocation, or refusal is not mandatory under s. 626.611:

1675 (1) Any cause for which issuance of the license or

1676 appointment could have been refused had it then existed and been
1677 known to the department.

1678 (2) Violation of any provision of this code or of any
1679 other law applicable to the business of insurance in the course
1680 of dealing under the license or appointment.

1681 (3) Violation of any lawful order or rule of the
1682 department, commission, or office.

1683 (4) Failure or refusal, upon demand, to pay over to any
1684 insurer he or she represents or has represented any money coming
1685 into his or her hands belonging to the insurer.

1686 (5) Violation of the provision against twisting, as
1687 defined in s. 626.9541(1)(1).

1688 (6) In the conduct of business under the license or
1689 appointment, engaging in unfair methods of competition or in
1690 unfair or deceptive acts or practices, as prohibited under part
1691 IX of this chapter, or having otherwise shown himself or herself
1692 to be a source of injury or loss to the public.

1693 (7) Willful overinsurance of any property or health
1694 insurance risk.

1695 (8) If a life agent, violation of the code of ethics.

1696 (9) Cheating on an examination required for licensure or
1697 violating test center or examination procedures published
1698 orally, in writing, or electronically at the test site by
1699 authorized representatives of the examination program
1700 administrator. Communication of test center and examination

1701 | procedures must be clearly established and documented.

1702 | (10) Failure to inform the department in writing within 30
 1703 | days after pleading guilty or nolo contendere to, or being
 1704 | convicted or found guilty of, any felony or a crime punishable
 1705 | by imprisonment of 1 year or more under the law of the United
 1706 | States or of any state thereof, or under the law of any other
 1707 | country without regard to whether a judgment of conviction has
 1708 | been entered by the court having jurisdiction of the case.

1709 | (11) Knowingly aiding, assisting, procuring, advising, or
 1710 | abetting any person in the violation of or to violate a
 1711 | provision of the insurance code or any order or rule of the
 1712 | department, commission, or office.

1713 | (12) Has been the subject of or has had a license, permit,
 1714 | appointment, registration, or other authority to conduct
 1715 | business subject to any decision, finding, injunction,
 1716 | suspension, prohibition, revocation, denial, judgment, final
 1717 | agency action, or administrative order by any court of competent
 1718 | jurisdiction, administrative law proceeding, state agency,
 1719 | federal agency, national securities, commodities, or option
 1720 | exchange, or national securities, commodities, or option
 1721 | association involving a violation of any federal or state
 1722 | securities or commodities law or any rule or regulation adopted
 1723 | thereunder, or a violation of any rule or regulation of any
 1724 | national securities, commodities, or options exchange or
 1725 | national securities, commodities, or options association.

1726 (13) Failure to comply with any civil, criminal, or
1727 administrative action taken by the child support enforcement
1728 program under Title IV-D of the Social Security Act, 42 U.S.C.
1729 ss. 651 et seq., to determine paternity or to establish, modify,
1730 enforce, or collect support.

1731 (14) Directly or indirectly accepting any compensation,
1732 inducement, or reward from an inspector for the referral of the
1733 owner of the inspected property to the inspector or inspection
1734 company. This prohibition applies to an inspection intended for
1735 submission to an insurer in order to obtain property insurance
1736 coverage or establish the applicable property insurance premium.

1737 (15) Denial, suspension, or revocation of, or any other
1738 adverse administrative action against, a license to practice or
1739 conduct any regulated profession, business, or vocation by this
1740 state, any other state, any nation, any possession or district
1741 of the United States, any court, or any lawful agency thereof.

1742 (16) Taking an action that allows the personal financial
1743 or medical information of a consumer or customer to be made
1744 available or accessible to the general public, regardless of the
1745 format in which the record is stored.

1746 (17) Initiating in-person or telephone solicitation after
1747 9 p.m. or before 8 a.m. local time of the prospective customer
1748 unless requested by the prospective customer.

1749 (18) Cancellation of the applicant's, licensee's, or
1750 appointee's resident license in a state other than Florida.

1751 **Section 28. Subsection (1) of section 626.731, Florida**
 1752 **Statutes, is amended to read:**

1753 626.731 Qualifications for general lines agent's license.-

1754 (1) The department may ~~shall~~ not grant or issue a license
 1755 as general lines agent to any individual found by it to be
 1756 untrustworthy or incompetent or who does not meet each all of
 1757 the following qualifications:

1758 (a) The applicant is a natural person at least 18 years of
 1759 age.

1760 (b) The applicant is a United States citizen or legal
 1761 alien who possesses work authorization from the United States
 1762 Bureau of Citizenship and Immigration Services and is a bona
 1763 fide resident of this state. ~~An individual who is a bona fide~~
 1764 ~~resident of this state shall be deemed to meet the residence~~
 1765 ~~requirement of this paragraph, notwithstanding the existence at~~
 1766 ~~the time of application for license of a license in his or her~~
 1767 ~~name on the records of another state as a resident licensee of~~
 1768 ~~such other state, if the applicant furnishes a letter of~~
 1769 ~~clearance satisfactory to the department that the resident~~
 1770 ~~licenses have been canceled or changed to a nonresident basis~~
 1771 ~~and that he or she is in good standing.~~

1772 (c) The applicant's place of business will be located in
 1773 this state and he or she will be actively engaged in the
 1774 business of insurance and will maintain a place of business, the
 1775 location of which is identifiable by and accessible to the

1776 public.

1777 (d) The license is not being sought for the purpose of
 1778 writing or handling controlled business, in violation of s.
 1779 626.730.

1780 (e) The applicant is qualified as to knowledge,
 1781 experience, or instruction in the business of insurance and
 1782 meets the requirements provided in s. 626.732.

1783 (f) The applicant has passed any required examination for
 1784 license required under s. 626.221.

1785 **Section 29. Subsection (2) of section 626.785, Florida**
 1786 **Statutes, is amended to read:**

1787 626.785 Qualifications for license.—

1788 ~~(2) An individual who is a bona fide resident of this~~
 1789 ~~state shall be deemed to meet the residence requirement of~~
 1790 ~~paragraph (1)(b), notwithstanding the existence at the time of~~
 1791 ~~application for license of a license in his or her name on the~~
 1792 ~~records of another state as a resident licensee of such other~~
 1793 ~~state, if the applicant furnishes a letter of clearance~~
 1794 ~~satisfactory to the department that the resident licenses have~~
 1795 ~~been canceled or changed to a nonresident basis and that he or~~
 1796 ~~she is in good standing.~~

1797 **Section 30. Section 626.831, Florida Statutes, is amended**
 1798 **to read:**

1799 626.831 Qualifications for license.—

1800 ~~(1)~~ The department may ~~shall~~ not grant or issue a license

1801 as health agent as to any individual found by it to be
1802 untrustworthy or incompetent, or who does not meet all of the
1803 following qualifications:

1804 (1)(a) Is ~~Must be~~ a natural person of at least 18 years of
1805 age.

1806 (2)(b) Is ~~Must be~~ a United States citizen or legal alien
1807 who possesses work authorization from the United States Bureau
1808 of Citizenship and Immigration Services and is a bona fide
1809 resident of this state.

1810 (3)(e) Is ~~Must not be~~ an employee of the United States
1811 Department of Veterans Affairs or state service office, as
1812 referred to in s. 626.833.

1813 (4)(d) Has taken ~~Must take~~ and passed ~~pass~~ any examination
1814 for license required under s. 626.221.

1815 (5)(e) Is ~~Must be~~ qualified as to knowledge, experience,
1816 or instruction in the business of insurance and meets ~~meet~~ the
1817 requirements relative thereto provided in s. 626.8311.

1818 ~~(2) An individual who is a bona fide resident of this~~
1819 ~~state shall be deemed to meet the residence requirement of~~
1820 ~~paragraph (1)(b), notwithstanding the existence at the time of~~
1821 ~~application for license of a license in his or her name on the~~
1822 ~~records of another state as a resident licensee of such other~~
1823 ~~state, if the applicant furnishes a letter of clearance~~
1824 ~~satisfactory to the department that the resident licenses have~~
1825 ~~been canceled or changed to a nonresident basis and that he or~~

1826 ~~she is in good standing.~~

1827 **Section 31. Subsection (5) of section 626.8417, Florida**
 1828 **Statutes, is amended to read:**

1829 626.8417 Title insurance agent licensure; exemptions.—

1830 ~~(5) An insurer may designate a corporate officer of the~~
 1831 ~~insurer to occasionally issue and countersign binders,~~
 1832 ~~commitments, and policies of title insurance. The designated~~
 1833 ~~officer is exempt from the provisions of this chapter relating~~
 1834 ~~to title insurance licensing and appointment requirements while~~
 1835 ~~the officer is acting within the scope of the designation.~~

1836 **Section 32. Subsection (24) is added to section 626.854,**
 1837 **Florida Statutes, to read:**

1838 626.854 "Public adjuster" defined; prohibitions.—The
 1839 Legislature finds that it is necessary for the protection of the
 1840 public to regulate public insurance adjusters and to prevent the
 1841 unauthorized practice of law.

1842 (24) A public adjuster, public adjuster apprentice, or
 1843 public adjusting firm must respond with specific information to
 1844 a written or electronic request for claims status from a
 1845 claimant or insured or their designated representative within 14
 1846 days after the date of the request and shall document in the
 1847 file the response or information provided.

1848 **Section 33. Section 627.797, Florida Statutes, is**
 1849 **repealed.**

1850 **Section 34. Subsection (11) of section 633.208, Florida**

1851 **Statutes, is amended to read:**

1852 633.208 Minimum firesafety standards.—

1853 (11) Notwithstanding subsection (8), a single-family or
 1854 two-family dwelling may not be reclassified for purposes of
 1855 enforcing the Florida Fire Prevention Code solely due to such
 1856 dwelling's use as or conversion into:

1857 (a) ~~that is~~ A certified recovery residence, as defined in
 1858 s. 397.311, or ~~that is~~ a recovery residence, as defined in s.
 1859 397.311, that has a charter from an entity recognized or
 1860 sanctioned by Congress;

1861 (b) A residence owned by a tax-exempt charitable
 1862 organization under s. 501(c)(3) of the Internal Revenue Code
 1863 whose stated corporate purpose relates to the support of people
 1864 who are living with a mental health disorder, which has no fewer
 1865 than two and no more than four bedrooms, is occupied by a group
 1866 or family of no more than six ambulatory adults living with a
 1867 mental health disorder, and has no more than two adults assigned
 1868 to any bedroom; or

1869 (c) Residential migrant housing, as defined in s. 381.008,
 1870 that has a permit from the Department of Health pursuant to s.
 1871 381.0081 ~~may not be reclassified for purposes of enforcing the~~
 1872 Florida Fire Prevention Code solely due to such use.

1873 **Section 35. Subsection (4) of section 648.34, Florida**
 1874 **Statutes, is amended to read:**

1875 648.34 Bail bond agents; qualifications.—

1876 (4) The applicant shall furnish, with his or her
1877 application, a complete set of his or her fingerprints in
1878 accordance with s. 626.171(4) ~~and a recent credential-sized,~~
1879 ~~fullface photograph of the applicant.~~ The department may ~~shall~~
1880 not authorize an applicant to take the required examination
1881 until the department has received a report from the Department
1882 of Law Enforcement and the Federal Bureau of Investigation
1883 relative to the existence or nonexistence of a criminal history
1884 report based on the applicant's fingerprints.

1885 **Section 36. Subsection (2) of section 648.382, Florida**
1886 **Statutes, is amended to read:**

1887 648.382 Appointment of bail bond agents and bail bond
1888 agencies; effective date of appointment.—

1889 (2) Before any appointment, an appropriate officer or
1890 official of the appointing insurer must obtain all of the
1891 following information ~~submit~~:

1892 (a) A certified statement or affidavit to the department
1893 stating what investigation has been made concerning the proposed
1894 appointee and the proposed appointee's background and the
1895 appointing person's opinion to the best of his or her knowledge
1896 and belief as to the moral character and reputation of the
1897 proposed appointee. In lieu of such certified statement or
1898 affidavit, by authorizing the effectuation of an appointment for
1899 a licensee, the appointing entity certifies to the department
1900 that such investigation has been made and that the results of

1901 the investigation and the appointing person's opinion is that
1902 the proposed appointee is a person of good moral character and
1903 reputation and is fit to engage in the bail bond business.†

1904 (b) An affidavit under oath on a form prescribed by the
1905 department, signed by the proposed appointee, stating that
1906 premiums are not owed to any insurer and that the appointee will
1907 discharge all outstanding forfeitures and judgments on bonds
1908 previously written. If the appointee does not satisfy or
1909 discharge such forfeitures or judgments, the former insurer
1910 shall file a notice, with supporting documents, with the
1911 appointing insurer, the former agent or agency, and the
1912 department, stating under oath that the licensee has failed to
1913 timely satisfy forfeitures and judgments on bonds written and
1914 that the insurer has satisfied the forfeiture or judgment from
1915 its own funds. Upon receipt of such notification and supporting
1916 documents, the appointing insurer shall immediately cancel the
1917 licensee's appointment. The licensee may be reappointed only
1918 upon certification by the former insurer that all forfeitures
1919 and judgments on bonds written by the licensee have been
1920 discharged. The appointing insurer or former agent or agency
1921 may, within 10 days, file a petition with the department seeking
1922 relief from this paragraph. Filing of the petition stays the
1923 duty of the appointing insurer to cancel the appointment until
1924 the department grants or denies the petition.†

1925 (c) Any other information that the department reasonably

1926 requires concerning the proposed appointee. ~~and~~

1927 (d) Effective January 1, 2025, a certification that the
 1928 appointing entity obtained from each appointee the following
 1929 sworn statement:

1930
 1931 Pursuant to section 648.382(2)(b), Florida Statutes, I
 1932 do solemnly swear that I owe no premium to any insurer
 1933 or agency and that I will discharge all outstanding
 1934 forfeitures and judgments on bonds that have been
 1935 previously written. I acknowledge that failure to do
 1936 this will result in my active appointments being
 1937 canceled.

1938
 1939 An appointed bail bond agency must have the attestation under
 1940 this paragraph signed by its owner.

1941 **Section 37. Section 717.001, Florida Statutes, is amended**
 1942 **to read:**

1943 717.001 Short title.—This chapter may be cited as the
 1944 "Florida Disposition of Abandoned Personal ~~Unclaimed~~ Property
 1945 Act."

1946 **Section 38. Section 717.101, Florida Statutes, is amended**
 1947 **to read:**

1948 717.101 Definitions.—As used in this chapter, unless the
 1949 context otherwise requires:

1950 (1) "Abandoned property" means property held by a holder

1951 for which all of the following are true:

1952 (a) The apparent owner has shown no activity or indication
1953 of interest for the duration of the applicable dormancy period
1954 established under this chapter.

1955 (b) The holder has complied with the due diligence
1956 requirements set forth in this chapter, including the issuance
1957 of notice to the apparent owner, and has received no response or
1958 contact sufficient to demonstrate continued interest in the
1959 property.

1960

1961 For purposes of this chapter, property is presumed abandoned
1962 upon expiration of the applicable dormancy period established
1963 under this chapter. Once the dormancy period has expired, the
1964 holder must comply with the due diligence requirements set forth
1965 in s. 717.117. If the holder receives no response or contact
1966 sufficient to demonstrate continued interest in the property
1967 after completion of its due diligence efforts, the property is
1968 deemed abandoned and subject to reporting and remittance to the
1969 department for custodial holding on behalf of the owner.

1970 (2) "Abandoned Property Purchase Agreement" means the form
1971 adopted by the department pursuant to s. 717.135 which must be
1972 used, without modification or amendment, by a claimant
1973 representative to purchase abandoned property from an owner.

1974 (3) "Abandoned Property Recovery Agreement" means the form
1975 adopted by the department pursuant to s. 717.135 which must be

1976 used, without modification or amendment, by a claimant
1977 representative to obtain consent and authority to recover
1978 abandoned property on behalf of a person.

1979 (4)-(1) "Aggregate" means the amounts reported for owners
1980 of abandoned ~~unclaimed~~ property of less than \$10 or where there
1981 is no name for the individual or entity listed on the holder's
1982 records, regardless of the amount to be reported.

1983 (5)-(2) "Apparent owner" means the person whose name
1984 appears on the records of the holder as the owner of the
1985 abandoned property, but whose status as the true owner entitled
1986 to receive the property may be subject to change due to the
1987 passage of time or changes in circumstances ~~person entitled to~~
1988 ~~property held, issued, or owing by the holder.~~

1989 (6) "Asset purchaser" means a business association that
1990 has purchased property from a large business association as
1991 defined in s. 717.1356(6).

1992 (7)-(3) "Audit" means an action or proceeding to examine
1993 and verify a person's records, books, accounts, and other
1994 documents to ascertain and determine compliance with this
1995 chapter.

1996 (8)-(4) "Audit agent" means a person with whom the
1997 department enters into a contract to conduct an audit or
1998 examination. The term includes an independent contractor of the
1999 person and each individual participating in the audit on behalf
2000 of the person or contractor.

2001 (9) "Authorized representative" means a person or entity
 2002 legally empowered to act on behalf of the apparent owner or his
 2003 or estate, including, but not limited to, an agent, a fiduciary,
 2004 a personal representative, a trustee, a legal heir, a guardian,
 2005 or any other individual or entity authorized by law or
 2006 agreement.

2007 (10)-(5) "Banking or financial organization" means any and
 2008 all banks, trust companies, private bankers, savings banks,
 2009 industrial banks, safe-deposit companies, savings and loan
 2010 associations, credit unions, savings associations, banking
 2011 organizations, international bank agencies, cooperative banks,
 2012 building and loan associations, and investment companies in this
 2013 state, organized under or subject to the laws of this state or
 2014 of the United States, including entities organized under 12
 2015 U.S.C. s. 611, but does not include federal reserve banks. The
 2016 term also includes any corporation, business association, or
 2017 other organization that:

2018 (a) Is a wholly or partially owned subsidiary of any
 2019 banking, banking corporation, or bank holding company that
 2020 performs any or all of the functions of a banking organization;
 2021 or

2022 (b) Performs functions pursuant to the terms of a contract
 2023 with any banking organization.

2024 (11)-(6) "Business association" means any for-profit or
 2025 nonprofit corporation other than a public corporation; joint

2026 stock company; investment company; unincorporated association or
2027 association of two or more individuals for business purposes,
2028 whether or not for profit; partnership; joint venture; limited
2029 liability company; sole proprietorship; business trust; trust
2030 company; land bank; safe-deposit company; safekeeping
2031 depository; banking or financial organization; insurance
2032 company; federally chartered entity; utility company; transfer
2033 agent; or other business entity, whether or not for profit.

2034 ~~(12)(7)~~ "Claimant" means the person on whose behalf a
2035 claim is filed.

2036 ~~(13)(8)~~ "Claimant ~~Claimant's~~ representative" means an
2037 attorney who is a member in good standing with ~~of~~ The Florida
2038 Bar, a certified public accountant licensed in this state, or a
2039 private investigator ~~who is duly licensed to do business in this~~
2040 ~~the state, who is~~ registered with the department, and authorized
2041 to file claims on behalf of persons with the department ~~by the~~
2042 ~~claimant to claim unclaimed property on the claimant's behalf.~~
2043 The term does not include a person acting in a representative or
2044 fiduciary capacity, such as a personal representative, guardian,
2045 trustee, or attorney, whose representation is not contingent
2046 upon the discovery or location of abandoned ~~unclaimed~~ property,
2047 and it expressly excludes locators, who engage in locating
2048 owners of abandoned property for a fee but are not registered
2049 with the department; provided, however, that any agreement
2050 ~~entered into for the purpose of evading s. 717.135 is invalid~~

2051 ~~and unenforceable.~~

2052 ~~(9) "Credit balance" means an account balance in the~~
2053 ~~customer's favor.~~

2054 (14)~~(10)~~ "Department" means the Department of Financial
2055 Services.

2056 (15)~~(11)~~ "Domicile" means the state of incorporation for a
2057 corporation; the state of filing for a business association,
2058 other than a corporation, whose formation or organization
2059 requires a filing with a state; the state of organization for a
2060 business association, other than a corporation, whose formation
2061 or organization does not require a filing with a state; or the
2062 state of home office for a federally chartered entity.

2063 (16)~~(12)~~ "Due diligence" means the use of reasonable and
2064 prudent methods under particular circumstances to locate
2065 apparent owners of presumed abandoned property ~~inactive accounts~~
2066 using the taxpayer identification number or social security
2067 number, if known, which may include, but are not limited to,
2068 using a nationwide database, cross-indexing with other records
2069 of the holder, mailing to the last known address unless the last
2070 known address is known to be inaccurate, providing written
2071 notice as described in this chapter by electronic mail if an
2072 apparent owner has elected such delivery, or engaging a licensed
2073 agency or company capable of conducting such search and
2074 providing updated addresses.

2075 (17)~~(13)~~ "Electronic" means relating to technology having

2076 electrical, digital, magnetic, wireless, optical,
2077 electromagnetic, or similar capabilities.

2078 ~~(14) "Financial organization" means a savings association,~~
2079 ~~savings and loan association, savings bank, industrial bank,~~
2080 ~~bank, banking organization, trust company, international bank~~
2081 ~~agency, cooperative bank, building and loan association, or~~
2082 ~~credit union.~~

2083 (18)~~(15)~~ "Health care provider" means any state-licensed
2084 entity that provides and receives payment for health care
2085 services. These entities include, but are not limited to,
2086 hospitals, outpatient centers, physician practices, and skilled
2087 nursing facilities.

2088 (19)~~(16)~~ "Holder" means a person who is in possession of
2089 property belonging to another or who owes a debt or an
2090 obligation to another person, including, but not limited to,
2091 financial institutions, insurance companies, corporations,
2092 partnerships, fiduciaries, and government agencies;

2093 ~~(a) A person who is in possession or control or has~~
2094 ~~custody of property or the rights to property belonging to~~
2095 ~~another; is indebted to another on an obligation; or is~~
2096 ~~obligated to hold for the account of, or to deliver or pay to,~~
2097 ~~the owner, property subject to this chapter; or~~

2098 ~~(b) A trustee in case of a trust.~~

2099 (20)~~(17)~~ "Insurance company" means an association,
2100 corporation, or fraternal or mutual benefit organization,

2101 whether for profit or not for profit, which is engaged in
 2102 providing insurance coverage.

2103 (21)~~(18)~~ "Intangible property" includes, by way of
 2104 illustration and not limitation:

2105 (a) Moneys, checks, virtual currency, drafts, deposits,
 2106 interest, dividends, and income.

2107 (b) Credit balances, customer overpayments, security
 2108 deposits and other instruments as defined by chapter 679,
 2109 refunds, unpaid wages, unused airline tickets, and unidentified
 2110 remittances.

2111 (c) Stocks, and other intangible ownership interests in
 2112 business associations except for:

2113 1. A nonfreely transferable security; or

2114 2. A security that is subject to a lien, legal hold, or
 2115 restriction evidenced on the records of the holder or imposed by
 2116 operation of law, if the lien, legal hold, or restriction
 2117 restricts the holder's or owner's ability to receive, transfer,
 2118 sell, or otherwise negotiate the security.

2119 (d) Moneys deposited to redeem stocks, bonds, bearer
 2120 bonds, original issue discount bonds, coupons, and other
 2121 securities, or to make distributions.

2122 (e) Amounts due and payable under the terms of insurance
 2123 policies.

2124 (f) Amounts distributable from a trust or custodial fund
 2125 established under a plan to provide any health, welfare,

2126 pension, vacation, severance, retirement, death, stock purchase,
 2127 profit sharing, employee savings, supplemental unemployment
 2128 insurance, or similar benefit.

2129 (22)~~(19)~~ "Last known address" means a description of the
 2130 location of the apparent owner sufficient for the purpose of the
 2131 delivery of mail. For the purposes of identifying, reporting,
 2132 and remitting property to the department ~~which is presumed to be~~
 2133 ~~unclaimed~~, the term "last known address" includes any partial
 2134 description of the location of the apparent owner sufficient to
 2135 establish the apparent owner was a resident of this state at the
 2136 time of last contact with the apparent owner or at the time the
 2137 property became due and payable.

2138 (23)~~(20)~~ "Lawful charges" means charges against the
 2139 property or the account in which the property is held ~~dormant~~
 2140 ~~accounts~~ that are authorized by statute for the purpose of
 2141 offsetting the costs of maintaining the property or the account
 2142 in which the property is held ~~dormant account~~.

2143 (24) "Locator" means a private individual or business that
 2144 locates owners of abandoned property in exchange for a fee,
 2145 typically a percentage of the recovered property. Locators are
 2146 not employees or agents of the state and are not registered with
 2147 the department.

2148 (25)~~(21)~~ "Managed care payor" means a health care plan
 2149 that has a defined system of selecting and limiting health care
 2150 providers as evidenced by a managed care contract with the

2151 health care providers. These plans include, but are not limited
 2152 to, managed care health insurance companies and health
 2153 maintenance organizations.

2154 (26) "Nonfreely transferable security" means a security
 2155 that cannot be delivered to the administrator by the Depository
 2156 Trust Clearing Corporation or similar custodian of securities
 2157 providing post-trade clearing and settlement services to
 2158 financial markets or cannot be delivered because there is no
 2159 agent to effect transfer. The term includes a worthless
 2160 security.

2161 (27)-(22) "Owner" means the a person, ~~or the person's legal~~
 2162 ~~representative,~~ entitled to receive or having a legal or
 2163 equitable interest in the abandoned property. An owner
 2164 establishes his or her entitlement by filing a valid claim with
 2165 the department pursuant ~~or claim against property subject to~~
 2166 ~~this chapter; a depositor in the case of a deposit; a~~
 2167 ~~beneficiary in the case of a trust or a deposit in trust; or a~~
 2168 ~~payee in the case of a negotiable instrument or other intangible~~
 2169 ~~property.~~

2170 (28)-(23) "Person" means an individual; estate; business
 2171 association; corporation; firm; association; joint adventure;
 2172 partnership; government or governmental subdivision, agency, or
 2173 instrumentality; or any other legal or commercial entity.

2174 (29)-(24) "Public corporation" means a corporation created
 2175 by the state, founded and owned in the public interest,

2176 supported by public funds, and governed by those deriving their
2177 power from the state.

2178 (30)-(25) "Record" means information that is captured or
2179 maintained in any format, including written, printed,
2180 electronic, audio, visual, or other forms, and that can be made
2181 perceptible or understandable to a person, either directly or
2182 through technological means, including assistive technologies
2183 ~~inscribed on a tangible medium or that is stored in an~~
2184 ~~electronic or other medium and is retrievable in perceivable~~
2185 ~~form.~~

2186 (31)-(27) "State," when applied to a part of the United
2187 States, includes any state, district, commonwealth, territory,
2188 insular possession, and any other area subject to the
2189 legislative authority of the United States.

2190 (32)-(28) "Trust instrument" means a trust instrument as
2191 defined in s. 736.0103.

2192 ~~(29) "Unclaimed Property Purchase Agreement" means the~~
2193 ~~form adopted by the department pursuant to s. 717.135 which must~~
2194 ~~be used, without modification or amendment, by a claimant's~~
2195 ~~representative to purchase unclaimed property from an owner.~~

2196 ~~(30) "Unclaimed Property Recovery Agreement" means the~~
2197 ~~form adopted by the department pursuant to s. 717.135 which must~~
2198 ~~be used, without modification or amendment, by a claimant's~~
2199 ~~representative to obtain an owner's consent and authority to~~
2200 ~~recover unclaimed property on the owner's behalf.~~

2201 (33)~~(31)~~ "United States" means any state, district,
 2202 commonwealth, territory, insular possession, and any other area
 2203 subject to the legislative authority of the United States of
 2204 America.

2205 (34)~~(32)~~ "Utility" means a person who owns or operates,
 2206 for public use, any plant, equipment, property, franchise, or
 2207 license for the transmission of communications or the
 2208 production, storage, transmission, sale, delivery, or furnishing
 2209 of electricity, water, steam, or gas.

2210 (35)~~(33)~~ (a) "Virtual currency" means digital units of
 2211 exchange that:

- 2212 1. Have a centralized repository or administrator;
- 2213 2. Are decentralized and have no centralized repository or
 2214 administrator; or
- 2215 3. May be created or obtained by computing or
 2216 manufacturing effort.

2217 (b) The term does not include any of the following:

- 2218 1. Digital units that:
 - 2219 a. Are used solely within online gaming platforms;
 - 2220 b. Have no market or application outside of the online
 2221 gaming platforms in sub-subparagraph a.;
 - 2222 c. Cannot be converted into, or redeemed for, fiat
 2223 currency or virtual currency; and
 - 2224 d. Can or cannot be redeemed for real-world goods,
 2225 services, discounts, or purchases.

- 2226 2. Digital units that can be redeemed for:
- 2227 a. Real-world goods, services, discounts, or purchases as
- 2228 part of a customer affinity or rewards program with the issuer
- 2229 or other designated merchants; or
- 2230 b. Digital units in another customer affinity or rewards
- 2231 program, but cannot be converted into, or redeemed for, fiat
- 2232 currency or virtual currency.
- 2233 3. Digital units used as part of prepaid cards.

2234 **Section 39. Section 717.102, Florida Statutes, is amended**

2235 **to read:**

2236 717.102 Property presumed abandoned ~~unclaimed~~; general

2237 rule.—

2238 (1) Except as otherwise provided by this chapter, all

2239 intangible property, including any income or increment thereon

2240 less any lawful charges, that is held, issued, or owing in the

2241 ordinary course of the holder's business and for which the

2242 apparent owner or authorized representative fails to demonstrate

2243 continued interest for more than the applicable dormancy period

2244 prescribed by this chapter shall be presumed abandoned ~~claim~~

2245 ~~such property for more than 5 years after the property becomes~~

2246 ~~payable or distributable is presumed unclaimed, except as~~

2247 ~~otherwise provided by this chapter. Unless otherwise specified~~

2248 ~~by law, the dormancy period shall be 5 years from the date the~~

2249 ~~property becomes payable or distributable. For the purposes of~~

2250 ~~this chapter, property shall be considered payable or~~

2251 distributable once the holder's obligation to pay or deliver the
2252 property arises, regardless of whether the apparent owner or
2253 authorized representative has failed to demand or to present
2254 documents required to receive payment.

2255 ~~(2) Property is payable or distributable for the purpose~~
2256 ~~of this chapter notwithstanding the owner's failure to make~~
2257 ~~demand or to present any instrument or document required to~~
2258 ~~receive payment.~~

2259 ~~(3)~~ A presumption that property is abandoned may be
2260 ~~unclaimed is~~ rebutted by the affirmative demonstration of
2261 continued interest by the apparent owner or authorized
2262 representative ~~an apparent owner's expression of interest in the~~
2263 ~~property. Such demonstration~~ An owner's expression of continued
2264 interest in property includes, but is not limited to, any of the
2265 following:

2266 (a) A record communicated by the apparent owner or
2267 authorized representative to the holder or its agent ~~of the~~
2268 ~~holder~~ concerning the property or the account in which the
2269 property is held. ~~†~~

2270 (b) An oral communication by the apparent owner or
2271 authorized representative to the holder or its agent ~~of the~~
2272 ~~holder~~ concerning the property or the account in which the
2273 property is held, if the holder or its agent contemporaneously
2274 records ~~makes~~ and preserves evidence ~~a record~~ of the ~~fact~~ of the
2275 ~~apparent owner's~~ communication. ~~†~~

2276 (c) Presentment of a check or other instrument for ~~of~~
 2277 payment of ~~a~~ dividends ~~dividend~~, interest ~~payment~~, or other
 2278 distributions related to the property. ~~distribution, with~~
 2279 ~~respect to an account, underlying security, or interest in a~~
 2280 ~~business association;~~

2281 (d) Any account activity initiated ~~directed~~ by an apparent
 2282 owner or authorized representative ~~in the account in which the~~
 2283 ~~property is held~~, including accessing the account or directing
 2284 changes to information concerning the account, or to the amount
 2285 or type of property held, excluding routine automatic
 2286 transactions previously authorized, ~~a direction by the apparent~~
 2287 ~~owner~~ to increase, decrease, or otherwise change the amount or
 2288 type of property held in the account. ~~.~~

2289 (e) Any ~~A~~ deposit into or withdrawal from the property or
 2290 the an account in which the property is held at a financial
 2291 ~~organization,~~ excluding ~~an~~ automatic deposits, withdrawals, or
 2292 reinvestments ~~deposit or withdrawal~~ previously authorized by the
 2293 apparent owner or authorized representative. ~~an automatic~~
 2294 ~~reinvestment of dividends or interest, which does not constitute~~
 2295 ~~an expression of interest; or~~

2296 (f) Any other action by the apparent owner or authorized
 2297 representative which reasonably demonstrates to the holder that
 2298 the apparent owner or authorized representative is aware of and
 2299 maintains an interest in ~~knows that~~ the property ~~exists.~~

2300 (3) ~~(4)~~ If a holder learns or receives confirmation of an

2301 apparent owner's death, the property shall be presumed abandoned
 2302 ~~unclaimed~~ 2 years after the date of death, unless an authorized
 2303 representative makes an affirmative demonstration ~~a fiduciary~~
 2304 ~~appointed to represent the estate of the apparent owner has made~~
 2305 ~~an expression~~ of interest in the property before the expiration
 2306 of the 2-year period. This subsection may not be construed to
 2307 extend the otherwise applicable dormancy period prescribed by
 2308 this chapter.

2309 **Section 40. Section 717.103, Florida Statutes, is amended**
 2310 **to read:**

2311 717.103 General rules for taking custody of intangible
 2312 abandoned ~~unclaimed~~ property.—Unless otherwise provided in this
 2313 chapter or by other statute of this state, intangible property
 2314 is subject to the custody of the department as abandoned
 2315 ~~unclaimed~~ property when ~~if~~ the conditions leading to a
 2316 presumption that the property is abandoned ~~unclaimed~~ as
 2317 described in ss. 717.102 and 717.105–717.116 are satisfied and
 2318 the holder has fulfilled all required due diligence obligations
 2319 without receiving any response or claim from the apparent owner,
 2320 and one or more of the following criteria apply:

2321 (1) The last known address, as shown on the records of the
 2322 holder, of the apparent owner is in this state.~~†~~

2323 (2) The records of the holder do not identify the name of
 2324 the apparent owner, but do reflect the identity of the person
 2325 ~~entitled to the property, and it is established that the last~~

2326 known address of the apparent owner ~~person entitled to the~~
 2327 ~~property~~ is in this state.†

2328 (3) The records of the holder do not reflect the last
 2329 known address of the apparent owner, but ~~and~~ it is established
 2330 that either of the following conditions apply:

2331 (a) The last known address of the apparent owner ~~person~~
 2332 ~~entitled to the property~~ is in this state.† ~~or~~

2333 (b) The holder is domiciled in this state, ~~a domiciliary~~
 2334 ~~or is~~ a government entity or ~~governmental~~ subdivision ~~or agency~~
 2335 of this state, and has not previously paid the property to the
 2336 state of the last known address of the apparent owner. ~~or other~~
 2337 ~~person entitled to the property;~~

2338 (4) The last known address, as shown on the records of the
 2339 holder, of the apparent owner ~~or other person entitled to the~~
 2340 ~~property~~ is in a jurisdiction state that does not have
 2341 applicable provide by law for the escheat, abandoned, or
 2342 unclaimed property laws ~~custodial taking of the property, or its~~
 2343 ~~escheat or unclaimed property law is not applicable to the~~
 2344 ~~property,~~ and the holder is domiciled in this state ~~a~~
 2345 ~~domiciliary~~ or is a government entity or ~~governmental~~
 2346 subdivision or agency of this state.†

2347 (5) The last known address, as shown on the records of the
 2348 holder, of the apparent owner is in a foreign nation and the
 2349 holder is domiciled in this state ~~a domiciliary~~ or is a
 2350 government entity or ~~governmental~~ subdivision or agency of this

2351 state.~~;~~ ~~or~~

2352 (6) The transaction out of which the property arose
 2353 occurred in this state~~,~~ and both of the following are true:~~;~~

2354 (a)~~1.~~ The last known address of the apparent owner ~~or~~
 2355 ~~other person entitled to the property is unknown.~~~~;~~ ~~or~~

2356 ~~2. The last known address of the apparent owner or other~~
 2357 ~~person entitled to the property is in a state that does not~~
 2358 ~~provide by law for the escheat or custodial taking of the~~
 2359 ~~property, or its escheat or unclaimed property law is not~~
 2360 ~~applicable to the property; and~~

2361 (b) The holder is domiciled in a jurisdiction a
 2362 ~~domiciliary of a state that does not~~ have applicable ~~provide by~~
 2363 ~~law for the escheat,~~ abandoned, ~~or custodial taking of the~~
 2364 ~~property, or its escheat or unclaimed property~~ laws ~~law is not~~
 2365 ~~applicable to the property.~~

2366 **Section 41.** Section 717.1035, Florida Statutes, is
 2367 repealed.

2368 **Section 42. Section 717.104, Florida Statutes, is amended**
 2369 **to read:**

2370 717.104 Traveler's checks and money orders.—

2371 (1) Subject to subsection (4), any sum payable on a
 2372 traveler's check that has been outstanding for more than 15
 2373 years after its issuance is presumed abandoned ~~unclaimed~~ unless
 2374 the apparent owner or authorized representative, within 15
 2375 years, has demonstrated a continued interest in the property in

2376 accordance with s. 717.102 ~~communicated in writing with the~~
2377 ~~issuer concerning it or otherwise indicated an interest as~~
2378 ~~evidenced by a memorandum or other record on file with the~~
2379 ~~issuer.~~

2380 (2) Subject to subsection (4), any sum payable on a money
2381 order or similar written instrument, other than a third party
2382 bank check, that has been outstanding for more than 7 years
2383 after its issuance is presumed abandoned ~~unclaimed~~ unless the
2384 apparent owner or authorized representative, within 7 years, has
2385 demonstrated a continued interest in the property in accordance
2386 with s. 717.102 ~~communicated in writing with the issuer~~
2387 ~~concerning it or otherwise indicated an interest as evidenced by~~
2388 ~~a memorandum or other record on file with the issuer.~~

2389 (3) A ~~No~~ holder may not deduct from the amount of any
2390 traveler's check or money order any charges imposed by reason of
2391 the failure to present those instruments for payment unless
2392 there is a valid and enforceable written contract between the
2393 holder ~~issuer~~ and the apparent owner of the property pursuant to
2394 which the holder ~~issuer~~ may impose those charges and the holder
2395 ~~issuer~~ regularly imposes those charges and does not regularly
2396 reverse or otherwise cancel those charges with respect to the
2397 property.

2398 (4) No sum payable on a traveler's check, money order, or
2399 similar written instrument, other than a third party bank check,
2400 described in subsections (1) and (2) may be subjected to the

2401 custody of this state as abandoned ~~unclaimed~~ property unless any
 2402 of the following conditions are met:

2403 (a) The records of the holder ~~issuer~~ show that the
 2404 traveler's check, money order, or similar written instrument was
 2405 purchased in this state.~~;~~

2406 (b) The holder ~~issuer~~ has its principal place of business
 2407 in this state and its ~~the~~ records ~~of the issuer~~ do not show the
 2408 state in which the traveler's check, money order, or similar
 2409 written instrument was purchased.~~;~~ ~~or~~

2410 (c) The holder ~~issuer~~ has its principal place of business
 2411 in this state; the holder's records ~~of the issuer~~ show the state
 2412 in which the traveler's check, money order, or similar written
 2413 instrument was purchased; and the ~~laws of the~~ state of purchase
 2414 does not provide applicable ~~do not provide for the~~ escheat,
 2415 abandoned, or unclaimed property laws ~~or custodial taking of the~~
 2416 ~~property, or its escheat or unclaimed property law is not~~
 2417 ~~applicable to the property.~~

2418 (5) Notwithstanding any other provision of this chapter,
 2419 subsection (4) applies to sums payable on traveler's checks,
 2420 money orders, and similar written instruments presumed abandoned
 2421 ~~unclaimed~~ on or after February 1, 1965, except to the extent
 2422 that those sums have been paid over to a state prior to January
 2423 1, 1974.

2424 **Section 43. Section 717.1045, Florida Statutes, is amended**
 2425 **to read:**

2426 717.1045 Gift certificates and similar credit items.—
 2427 Notwithstanding s. 717.117, an unredeemed gift certificate or
 2428 credit memo as defined in s. 501.95 is not required to be
 2429 reported as abandoned ~~unclaimed~~ property.

2430 (1) The consideration paid for an unredeemed gift
 2431 certificate or credit memo is the property of the issuer of the
 2432 unredeemed gift certificate or credit memo.

2433 (2) An unredeemed gift certificate or credit memo is
 2434 subject only to any rights of a purchaser or owner thereof and
 2435 is not subject to a claim made by any state acting on behalf of
 2436 a purchaser or owner.

2437 (3) It is the intent of the Legislature that this section
 2438 apply to the custodial holding of unredeemed gift certificates
 2439 and credit memos.

2440 (4) However, a gift certificate or credit memo described
 2441 in s. 501.95(2)(b) shall be reported as abandoned ~~unclaimed~~
 2442 property. The consideration paid for such a gift certificate or
 2443 credit memo is the property of the owner of the gift certificate
 2444 or credit memo.

2445 **Section 44. Section 717.105, Florida Statutes, is amended**
 2446 **to read:**

2447 717.105 Checks, drafts, and similar instruments issued or
 2448 certified by banking and financial organizations.—

2449 (1) Any sum payable on a check, draft, or similar
 2450 instrument, except those subject to ss. 717.104 and 717.115, on

2451 which a banking or financial organization is directly liable,
2452 including, but not limited to, a cashier's check or a certified
2453 check, which has been outstanding for more than 5 years after it
2454 was payable or after its issuance if payable on demand, is
2455 presumed abandoned ~~unclaimed~~ unless the apparent owner or
2456 authorized representative, within 5 years, has communicated in
2457 writing with the banking or financial organization concerning it
2458 or otherwise demonstrated a continued interest in the property
2459 in accordance with s. 717.102 ~~indicated an interest as evidenced~~
2460 ~~by a memorandum or other record on file with the banking or~~
2461 ~~financial organization.~~

2462 (2) A ~~No~~ holder may not deduct from the amount of any
2463 instrument subject to this section any charges imposed by reason
2464 of the failure to present the instrument for encashment unless
2465 there is a valid and enforceable written contract between the
2466 holder and the apparent owner of the instrument pursuant to
2467 which the holder may impose those charges and does not regularly
2468 reverse or otherwise cancel those charges with respect to the
2469 instrument.

2470 **Section 45. Subsection (1), paragraphs (a) and (b) of**
2471 **subsection (3), and subsections (4) and (5) of section 717.106,**
2472 **Florida Statutes, are amended to read:**

2473 717.106 Bank deposits and funds in financial
2474 organizations.—

2475 (1) Any demand, savings, or matured time deposit with a

2476 banking or financial organization, including deposits that are
2477 automatically renewable, and any funds paid toward the purchase
2478 of shares, a mutual investment certificate, or any other
2479 interest in a banking or financial organization is presumed
2480 abandoned ~~unclaimed~~ unless the apparent owner or authorized
2481 representative has, within 5 years, engaged in any of the
2482 following activities:

2483 (a) Increased or decreased the amount of the deposit or
2484 presented the passbook or other similar evidence of the deposit
2485 for the crediting of interest. ~~†~~

2486 (b) Communicated in writing or by documented telephone
2487 contact with the banking or financial organization concerning
2488 the property. ~~†~~

2489 (c) Otherwise demonstrated a continued ~~indicated an~~
2490 interest in the property as evidenced by a memorandum or other
2491 record on file with the banking or financial organization. ~~†~~

2492 (d) Owned other property to which paragraph (a), paragraph
2493 (b), or paragraph (c) is applicable and if the banking or
2494 financial organization communicates in writing with the owner
2495 with regard to the property that would otherwise be presumed
2496 abandoned ~~unclaimed~~ under this subsection at the address to
2497 which communications regarding the other property regularly are
2498 sent. ~~† or~~

2499 (e) Had another relationship with the banking or financial
2500 organization concerning which the apparent owner has:

2501 1. Communicated in writing with the banking or financial
 2502 organization; or

2503 2. Otherwise demonstrated a continued ~~indicated an~~
 2504 interest as evidenced by a memorandum or other record on file
 2505 with the banking or financial organization and if the banking or
 2506 financial organization communicates in writing with the apparent
 2507 owner or authorized representative with regard to the property
 2508 that would otherwise be presumed abandoned ~~unclaimed~~ under this
 2509 subsection at the address to which communications regarding the
 2510 other relationship regularly are sent.

2511 (3) A ~~No~~ holder may not impose with respect to property
 2512 described in subsection (1) any charges due to dormancy or
 2513 inactivity or cease payment of interest unless:

2514 (a) There is an enforceable written contract between the
 2515 holder and the apparent owner of the property pursuant to which
 2516 the holder may impose those charges or cease payment of
 2517 interest.

2518 (b) For property in excess of \$2, the holder, no more than
 2519 3 months prior to the initial imposition of those charges or
 2520 cessation of interest, has given written notice to the apparent
 2521 owner of the amount of those charges at the last known address
 2522 of the apparent owner stating that those charges shall be
 2523 imposed or that interest shall cease, but the notice provided in
 2524 this section need not be given with respect to charges imposed
 2525 or interest ceased before July 1, 1987.

2526 (4) Any property described in subsection (1) that is
 2527 automatically renewable is matured for purposes of subsection
 2528 (1) upon the expiration of its initial time period except that,
 2529 in the case of any renewal to which the apparent owner consents
 2530 at or about the time of renewal by communicating in writing with
 2531 the banking or financial organization or otherwise indicating
 2532 consent as evidenced by a memorandum or other record on file
 2533 prepared by an employee of the organization, the property is
 2534 matured upon the expiration of the last time period for which
 2535 consent was given. If, at the time provided for delivery in s.
 2536 717.119, a penalty or forfeiture in the payment of interest
 2537 would result from the delivery of the property, the time for
 2538 delivery is extended until the time when no penalty or
 2539 forfeiture would result.

2540 (5) If the documents establishing a deposit described in
 2541 subsection (1) state the address of a beneficiary of the
 2542 deposit, and the account has a value of at least \$50, notice
 2543 shall be given to the beneficiary as provided for notice to the
 2544 apparent owner under s. 717.117 ~~s. 717.117(6)~~. This subsection
 2545 shall apply to accounts opened on or after October 1, 1990.

2546 **Section 46. Subsection (1) of section 717.107, Florida**
 2547 **Statutes, is amended to read:**

2548 717.107 Funds owing under life insurance policies, annuity
 2549 contracts, and retained asset accounts; fines, penalties, and
 2550 interest; United States Social Security Administration Death

2551 Master File.—

2552 (1) Funds held or owing under any life or endowment
 2553 insurance policy or annuity contract which has matured or
 2554 terminated are presumed abandoned ~~unclaimed~~ if unclaimed for
 2555 more than 5 years after the date of death of the insured, the
 2556 annuitant, or the retained asset account holder, but property
 2557 described in paragraph (3) (d) is presumed abandoned ~~unclaimed~~ if
 2558 such property is not claimed for more than 2 years. The amount
 2559 presumed abandoned ~~unclaimed~~ shall include any amount due and
 2560 payable under s. 627.4615.

2561 **Section 47. Section 717.1071, Florida Statutes, is amended**
 2562 **to read:**

2563 717.1071 Lost owners of abandoned ~~unclaimed~~
 2564 demutualization, rehabilitation, or related reorganization
 2565 proceeds.—

2566 (1) Property distributable in the course of a
 2567 demutualization, rehabilitation, or related reorganization of an
 2568 insurance company is deemed abandoned 2 years after the date the
 2569 property is first distributable if, at the time of the first
 2570 distribution, the last known address of the apparent owner on
 2571 the books and records of the holder is known to be incorrect or
 2572 the distribution or statements are returned by the post office
 2573 as undeliverable; and the apparent owner or authorized
 2574 representative ~~owner~~ has not communicated in writing with the
 2575 holder or its agent regarding the interest or otherwise

2576 | communicated with the holder regarding the interest as evidenced
2577 | by a memorandum or other record on file with the holder or its
2578 | agent.

2579 | (2) Property distributable in the course of
2580 | demutualization, rehabilitation, or related reorganization of a
2581 | mutual insurance company that is not subject to subsection (1)
2582 | shall be reportable as otherwise provided by this chapter.

2583 | (3) Property subject to this section shall be reported and
2584 | delivered no later than May 1 as of the preceding December 31;
2585 | however, the initial report under this section shall be filed no
2586 | later than November 1, 2003, as of December 31, 2002.

2587 | **Section 48. Section 717.108, Florida Statutes, is amended**
2588 | **to read:**

2589 | 717.108 Deposits held by utilities.—Any deposit, including
2590 | any interest thereon, made by a subscriber with a utility to
2591 | secure payment or any sum paid in advance for utility services
2592 | to be furnished, less any lawful charges, that remains unclaimed
2593 | by the apparent owner for more than 1 year after termination of
2594 | the services for which the deposit or advance payment was made
2595 | is presumed abandoned ~~unclaimed~~.

2596 | **Section 49. Section 717.109, Florida Statutes, is amended**
2597 | **to read:**

2598 | 717.109 Refunds held by business associations.—Except as
2599 | otherwise provided by law, any sum that a business association
2600 | has been ordered to refund by a court or administrative agency

2601 which has been unclaimed by the apparent owner for more than 1
2602 year after it became payable in accordance with the final
2603 determination or order providing for the refund, regardless of
2604 whether the final determination or order requires any person
2605 entitled to a refund to make a claim for it, is presumed
2606 abandoned ~~unclaimed~~.

2607 **Section 50. Section 717.1101, Florida Statutes, is amended**
2608 **to read:**

2609 717.1101 Abandoned ~~Unclaimed~~ equity and debt of business
2610 associations.—

2611 (1) (a) Stock, ~~or~~ other equity interests, or debt of
2612 ~~interest in~~ a business association is presumed abandoned
2613 ~~unclaimed~~ on the date of the earliest of any of the following:

2614 1. Three years after the date a communication, other than
2615 communications required by s. 717.117, sent by the holder by
2616 first-class United States mail to the apparent owner is returned
2617 to the holder undelivered by the United States Postal Service.
2618 If such returned communication is resent within 1 month to the
2619 apparent owner, the 3-year dormancy period does not begin until
2620 the day the resent item is returned as undelivered.

2621 2. Five ~~Three~~ years after the most recent of any account
2622 ~~owner-generated~~ activity or communication initiated by the
2623 apparent owner or authorized representative which demonstrates
2624 continued interest in the ~~related to the~~ account, as recorded
2625 and maintained by ~~in~~ the holder. Routine automatic reinvestments

2626 or other routine transactions previously authorized by the
 2627 apparent owner or authorized representative do not prevent,
 2628 interrupt, or reset the dormancy period and do not constitute an
 2629 affirmative demonstration of continued interest. ~~holder's~~
 2630 database and records systems sufficient enough to demonstrate
 2631 the owner's continued awareness or interest in the property;

2632 3.2. Two Three years after the date of the death of the
 2633 apparent owner, as evidenced by:

2634 a. Notice to the holder of the apparent owner's death by
 2635 an authorized representative ~~administrator, beneficiary,~~
 2636 ~~relative, or trustee, or by a personal representative or other~~
 2637 ~~legal representative of the owner's estate;~~

2638 b. Receipt by the holder of a copy of the death
 2639 certificate of the apparent owner;

2640 c. Confirmation by the holder of the apparent owner's
 2641 death through ~~through~~ other means; or

2642 d. Other evidence from which the holder may reasonably
 2643 conclude that the apparent owner is deceased. ~~;~~ ~~or~~

2644 ~~3. One year after the date on which the holder receives~~
 2645 ~~notice under subparagraph 2. if the notice is received 2 years~~
 2646 ~~or less after the owner's death and the holder lacked knowledge~~
 2647 ~~of the owner's death during that period of 2 years or less.~~

2648 (b) If the holder does not send communication to the
 2649 apparent owner of a security by first-class United States mail
 2650 on an annual basis, the holder shall attempt to confirm the

2651 apparent owner's interest in the equity interest by sending the
 2652 apparent owner an e-mail communication not later than 3 years
 2653 after the apparent owner's or authorized representative's last
 2654 demonstration of continued interest in the equity interest.

2655 However, the holder shall promptly attempt to contact the
 2656 apparent owner by first-class United States mail if:

2657 1. The holder does not have information needed to send the
 2658 apparent owner an e-mail communication or the holder believes
 2659 that the apparent owner's e-mail address in the holder's records
 2660 is not valid;

2661 2. The holder received notification that the e-mail
 2662 communication was not received; or

2663 3. The apparent owner does not respond to the e-mail
 2664 communication within 30 days after the communication was sent.

2665 (c) If first-class United States mail sent under paragraph
 2666 (b) is returned to the holder undelivered by the United States
 2667 Postal Service, the equity interest is presumed abandoned in
 2668 accordance with paragraph (1) (a).

2669 (d) Unmatured or unredeemed debt, other than a bearer bond
 2670 or an original issue discount bond, is presumed abandoned 5
 2671 ~~unclaimed~~ 3 years after the date of the most recent interest
 2672 payment unclaimed by the owner.

2673 (e) ~~(e)~~ Matured or redeemed debt is presumed abandoned 5
 2674 ~~unclaimed~~ 3 years after the date of maturity or redemption.

2675 (f) ~~(d)~~ At the time property is presumed abandoned

2676 ~~unclaimed~~ under paragraph (a) or paragraph (b), any other
2677 property right accrued or accruing to the owner as a result of
2678 the property interest and not previously presumed abandoned
2679 ~~unclaimed~~ is also presumed abandoned ~~unclaimed~~.

2680 (2) The running of the applicable dormancy period under
2681 this section ~~such 3-year period~~ ceases if the apparent owner or
2682 authorized representative demonstrates continued interest under
2683 s. 717.102, including by any of the following actions ~~person:~~

2684 (a) ~~1. Communicating~~ Communicates in writing or by other
2685 means with the association or its agent regarding the interest,
2686 ~~or a dividend, distribution, or other sum payable as a result of~~
2687 the interest, as recorded by the association or its agent; ~~or~~

2688 ~~2. Otherwise communicates with the association regarding~~
2689 ~~the interest or a dividend, distribution, or other sum payable~~
2690 ~~as a result of the interest, as evidenced by a memorandum or~~
2691 ~~other record on file with the association or its agent.~~

2692 (b) Presenting ~~Presents~~ an instrument issued to pay
2693 interest, ~~or a dividend,~~ or other ~~cash~~ distribution. If any
2694 future dividend, distribution, or other sum payable ~~to the owner~~
2695 as a result of the interest is subsequently unclaimed ~~not~~
2696 ~~claimed by the owner,~~ a new period in which the property is
2697 presumed abandoned ~~unclaimed~~ commences and relates back only to
2698 the time a subsequent dividend, distribution, or other sum
2699 became due and payable.

2700 (3) At the same time any interest is presumed abandoned

2701 ~~unclaimed~~ under this section, any dividend, distribution, or
2702 other sum then held for or owing to the owner as a result of the
2703 interest, is presumed abandoned ~~unclaimed~~.

2704 (4) Any dividend, profit, distribution, interest
2705 redemption, payment on principal, or other sum held or owing by
2706 a business association for or to a shareholder,
2707 certificateholder, member, bondholder, or other security holder,
2708 who has not claimed such amount or corresponded in writing with
2709 the business association concerning such amount, within 5 ~~3~~
2710 years after the date prescribed for payment or delivery, is
2711 presumed abandoned ~~unclaimed~~.

2712 (5) Notwithstanding any other provision of this section,
2713 equity interests in business association and securities accounts
2714 are not presumed abandoned solely due to inactivity if the
2715 holder knows the location of the apparent owner.

2716 (a) For purposes of this subsection, a holder shall
2717 perform data matching of owner records maintained in its
2718 database against commercially available third party data
2719 comparison sources to identify updated owner address information
2720 and indicators of deceased status. Utilizing any updated
2721 information, together with existing information of record, the
2722 holder is deemed to know the location of the apparent owner if:

2723 1. The holder communicates with the apparent owner at
2724 least annually by first-class United States mail or electronic
2725 means, including, but not limited to, electronic mail, text

2726 message, mobile application, or similar mechanism;
2727 2. Such communication is successfully delivered, meaning
2728 not returned as undeliverable; and
2729 3. One or more additional account-level indicators
2730 demonstrating an owner indication of interest occurs at least
2731 once every 10 years, including:
2732 a. Owner-initiated activity, such as authenticated access
2733 to website, mobile engagement via mobile messaging, or other
2734 authenticated third party account servicing software;
2735 b. Updated contact information received authorized
2736 financial adviser;
2737 c. Responses to account notifications or alerts;
2738 d. Negotiation of distributions, including dividends; or
2739 e. Any other action by the apparent owner or authorized
2740 representative which reasonably demonstrates to the holder that
2741 the apparent owner or authorized representative is aware of and
2742 maintains an interest in the property.
2743 (b) Automatic deposits, reinvestments, or other recurring
2744 transactions initiated by the holder shall not independently
2745 constitute an indication of apparent owner interest for purposes
2746 of this section.
2747 (c) If the conditions in paragraph (a) are not satisfied,
2748 the owner's location is deemed unknown, and the equity interest
2749 or securities account may be presumed abandoned:
2750 1. Ten years after the owner's most recent indication of

2751 interest in the property; or

2752 2. Ten years after the date a communication is returned as
 2753 undeliverable, unless the owner responds to a due diligence
 2754 notice before the reporting deadline.

2755 (d) Property described in paragraph (c) may be presumed
 2756 abandoned only after reasonable efforts to locate the owner have
 2757 been unsuccessful and the holder has complied with the due
 2758 diligence requirement of this chapter.

2759 (e) This subsection applies to equity interests and
 2760 securities accounts held directly by the owner or indirectly
 2761 through a brokerage account or similar account

2762 **Section 51. Section 717.111, Florida Statutes, is amended**
 2763 **to read:**

2764 717.111 Property of business associations held in course
 2765 of dissolution.—All intangible property distributable in the
 2766 course of a voluntary or involuntary dissolution of a business
 2767 association which is not claimed by the apparent owner for more
 2768 than 6 months after the date specified for final distribution is
 2769 presumed abandoned ~~unclaimed~~.

2770 **Section 52. Subsections (1) and (5) of section 717.112,**
 2771 **Florida Statutes, are amended to read:**

2772 717.112 Property held by agents and fiduciaries.—

2773 (1) All intangible property and any income or increment
 2774 thereon held in a fiduciary capacity for the benefit of another
 2775 person, including property held by an attorney in fact or an

2776 agent, except as provided in ss. 717.1125 and 733.816, is
 2777 presumed abandoned ~~unclaimed~~ unless the apparent owner has
 2778 within 5 years after it has become payable or distributable
 2779 increased or decreased the principal, accepted payment of
 2780 principal or income, communicated in writing concerning the
 2781 property, or otherwise indicated an interest as evidenced by a
 2782 memorandum or other record on file with the fiduciary.

2783 (5) All intangible property, and any income or increment
 2784 thereon, issued by a government or governmental subdivision or
 2785 agency, public corporation, or public authority and held in an
 2786 agency capacity for the governmental subdivision, agency, public
 2787 corporation, or public authority for the benefit of the owner of
 2788 record, is presumed abandoned ~~unclaimed~~ unless the apparent
 2789 owner has, within 1 year after such property has become payable
 2790 or distributable, increased or decreased the principal, accepted
 2791 payment of the principal or income, communicated concerning the
 2792 property, or otherwise indicated an interest in the property as
 2793 evidenced by a memorandum or other record on file with the
 2794 fiduciary.

2795 **Section 53. Section 717.1125, Florida Statutes, is amended**
 2796 **to read:**

2797 717.1125 Property held by fiduciaries under trust
 2798 instruments.—All intangible property and any income or increment
 2799 thereon held in a fiduciary capacity for the benefit of another
 2800 person under a trust instrument is presumed abandoned ~~unclaimed~~

2801 unless the apparent owner has, within 2 years after it has
 2802 become payable or distributable, increased or decreased the
 2803 principal, accepted payment of principal or income, communicated
 2804 concerning the property, or otherwise indicated an interest as
 2805 evidenced by a memorandum or other record on file with the
 2806 fiduciary. This section does not relieve a fiduciary of his or
 2807 her duties under the Florida Trust Code.

2808 **Section 54. Section 717.113, Florida Statutes, is amended**
 2809 **to read:**

2810 717.113 Property held by courts and public agencies.—All
 2811 intangible property held for the apparent owner by any court,
 2812 government or governmental subdivision or agency, public
 2813 corporation, or public authority that has not been claimed by
 2814 the apparent owner for more than 1 year after it became payable
 2815 or distributable is presumed abandoned ~~unclaimed~~. Except as
 2816 provided in s. 45.032(3)(c), money held in the court registry
 2817 and for which no court order has been issued to determine an
 2818 owner does not become payable or distributable and is not
 2819 subject to reporting under this chapter. Notwithstanding the
 2820 provisions of this section, funds deposited in the Minerals
 2821 Trust Fund pursuant to s. 377.247 are presumed abandoned
 2822 ~~unclaimed~~ only if the funds have not been claimed by the
 2823 apparent owner for more than 5 years after the date of first
 2824 production from the well.

2825 **Section 55. Section 717.115, Florida Statutes, is amended**

2826 **to read:**

2827 717.115 Wages.—Unpaid wages, including wages represented
 2828 by unrepresented payroll checks, owing in the ordinary course of
 2829 the holder's business that have not been claimed by the apparent
 2830 owner for more than 1 year after becoming payable are presumed
 2831 abandoned ~~unclaimed~~.

2832 **Section 56. Section 717.116, Florida Statutes, is amended**
 2833 **to read:**

2834 717.116 Contents of safe-deposit box or other safekeeping
 2835 repository.—All tangible and intangible property held by a
 2836 banking or financial organization in a safe-deposit box or any
 2837 other safekeeping repository in this state in the ordinary
 2838 course of the holder's business, and proceeds resulting from the
 2839 sale of the property permitted by law, that has not been claimed
 2840 by the apparent owner or authorized representative for more than
 2841 3 years after the lease or rental period on the box or other
 2842 repository has expired are presumed abandoned ~~unclaimed~~.

2843 **Section 57. Section 717.117, Florida Statutes, is amended**
 2844 **to read:**

2845 717.117 Holder due diligence and report of abandoned
 2846 ~~unclaimed~~ property.—

2847 (1) Property is presumed abandoned upon expiration of the
 2848 applicable dormancy period under this chapter. However, such
 2849 property is not deemed abandoned for purposes of reporting or
 2850 remittance to the department until the holder has conducted

2851 reasonable due diligence as required by this section, resulting
2852 in no indication of interest from the apparent owner or
2853 authorized representative.

2854 (2) Holders of property presumed abandoned that has a
2855 value of \$50 or more shall use due diligence to locate and
2856 notify the apparent owner that the holder is in possession of
2857 property subject to this chapter. At least 90 days, but not more
2858 than 180 days, before filing the report required by this
2859 section, a holder in possession of presumed abandoned property
2860 shall send written notice by first-class United States mail to
2861 the apparent owner's last known address as shown in the holder's
2862 records or from other available sources, or by e-mail if the
2863 apparent owner has elected for e-mail delivery, informing the
2864 apparent owner that the holder is in possession of property
2865 subject to this chapter, provided that the holder's records
2866 contain a mailing or e-mail address for the apparent owner which
2867 is not known by the holder to be inaccurate. The holder may
2868 provide notice by mail, by e-mail, or by both methods. If the
2869 holder's records indicate that the mailing address is
2870 inaccurate, notice may be provided by e-mail if the apparent
2871 owner has elected e-mail delivery.

2872 (3) If the value of the property is greater than \$1,000,
2873 the holder shall send a second written notice by certified
2874 United States mail, return receipt requested, to the apparent
2875 owner's last known address at least 60 days before filing the

2876 report required by this section, if the holder's records contain
2877 a mailing address for the apparent owner which is not known by
2878 the holder to be inaccurate. Reasonable costs paid to the United
2879 States Postal Service for certified mail, return receipt
2880 requested, may be deducted from the property as a service
2881 charge. A signed return receipt received in response to the
2882 certified mail notice constitutes an affirmative demonstration
2883 of continued interest as described in s. 717.102.

2884 (4) The written notice required under this section must
2885 include:

2886 (a) A heading that reads substantially as follows:

2887 "Notice: The State of Florida requires us to notify you that
2888 your property may be transferred to the custody of the Florida
2889 Department of Financial Services if you do not contact us before
2890 ...(insert date that is at least 30 days after the date of
2891 notice)...."

2892 (b) A description of the type, nature, and, unless the
2893 property does not have a fixed value, value of the property that
2894 is the subject of the notice.

2895 (c) A statement that the property will be turned over to
2896 the custody of the department as abandoned property if no
2897 response is received.

2898 (d) A statement that noncash property will be sold or
2899 liquidated by the department.

2900 (e) A statement that, after the property is remitted to

2901 the department, a claim must be filed with the department to
 2902 recover the property.

2903 (f) A statement that the property is currently in the
 2904 custody of the holder and that the apparent owner may prevent
 2905 transfer of the property by contacting the holder before the
 2906 deadline stated in the notice.

2907 (g) If the property is virtual currency, a statement that
 2908 the virtual currency will be liquated by the holder before it is
 2909 remitted to the department and that only the proceeds of
 2910 liquidation will be transferred.

2911 (5) Every holder of abandoned ~~person holding funds or~~
 2912 ~~other~~ property, tangible or intangible, ~~presumed unclaimed and~~
 2913 subject to custody ~~as unclaimed property~~ under this chapter
 2914 shall submit a report to the department via electronic medium as
 2915 the department may prescribe by rule. The report must include:

2916 (a) Except for traveler's checks and money orders, the
 2917 name, social security number or taxpayer identification number,
 2918 date of birth, if known, and last known address, if any, of each
 2919 apparent ~~person appearing from the records of the holder to be~~
 2920 the owner of any property which is abandoned ~~presumed unclaimed~~
 2921 and which has a value of \$10 or more.

2922 (b) For abandoned ~~unclaimed~~ funds that have a value of \$10
 2923 or more held or owing under any life or endowment insurance
 2924 policy or annuity contract, the identifying information provided
 2925 in paragraph (a) for both the insured or annuitant and the

2926 beneficiary according to records of the insurance company
 2927 holding or owing the funds.

2928 (c) For all tangible property held in a safe-deposit box
 2929 or other safekeeping repository, a description of the property
 2930 and the place where the property is held and may be inspected by
 2931 the department, and any amounts owing to the holder. Contents of
 2932 a safe-deposit box or other safekeeping repository which consist
 2933 of documents or writings ~~of a private nature and~~ which have
 2934 little or no commercial value may ~~apparent value shall~~ not be
 2935 reported as abandoned property ~~presumed unclaimed~~.

2936 (d) The nature or type of property, any accounting or
 2937 identifying number associated with the property, a description
 2938 of the property, and the amount appearing from the records to be
 2939 due. Items of value of less than \$10 each may be reported in the
 2940 aggregate.

2941 (e) The date the property became payable, demandable, or
 2942 returnable, and the date of the last transaction with the
 2943 apparent owner with respect to the property.

2944 (f) Any other information the department may prescribe by
 2945 rule as necessary for the administration of this chapter.

2946 ~~(6)(2)~~ If the total value of all abandoned ~~presumed~~
 2947 ~~unclaimed~~ property, whether tangible or intangible, held by a
 2948 person is less than \$10, a zero balance report may be filed for
 2949 that reporting period.

2950 ~~(7)(3)~~ Credit balances, customer overpayments, security

2951 deposits, and refunds having a value of less than \$10 may not be
2952 reported as abandoned property ~~shall not be presumed unclaimed.~~

2953 (8) A security identified by the holder as non-freely
2954 transferable or worthless may not to be included in a report
2955 filed under this section. If the holder determines that a
2956 security is no longer non-freely transferable or worthless, the
2957 holder shall report and deliver the security on the next regular
2958 report date prescribed for delivery of securities by the holder
2959 under this chapter.

2960 (9)~~(4)~~ If the holder of abandoned property ~~presumed~~
2961 ~~unclaimed and subject to custody under this chapter as unclaimed~~
2962 ~~property~~ is a successor holder or if the holder has changed the
2963 holder's name while in possession of the property, the holder
2964 shall file with the holder's report all known names and
2965 addresses of each prior holder of the property. Compliance with
2966 this subsection means the holder exercises reasonable and
2967 prudent efforts to determine the names of all prior holders.

2968 (10) The report must be signed by or on behalf of the
2969 holder and verified as to its completeness and accuracy, and the
2970 holder must state that it has complied with the due diligence
2971 requirements of this section.

2972 (11)~~(5)~~ The report must be filed before May 1 of each
2973 year. The report applies to the preceding calendar year. Upon
2974 written request by any person required to file a report, and
2975 upon a showing of good cause, the department may extend the

2976 reporting date. The department may impose and collect a penalty
2977 of \$10 per day up to a maximum of \$500 for the failure to timely
2978 report, if an extension was not provided or if the holder of the
2979 property failed to include in a report information required by
2980 this chapter which was in the holder's possession at the time of
2981 reporting. The penalty shall be remitted to the department
2982 within 30 days after the date of the notification to the holder
2983 that the penalty is due and owing. As necessary for proper
2984 administration of this chapter, the department may waive any
2985 penalty due with appropriate justification. The department must
2986 provide information contained in a report filed with the
2987 department to any person requesting a copy of the report or
2988 information contained in a report, to the extent the information
2989 requested is not confidential, within 45 days after the
2990 department determines that the report is accurate and acceptable
2991 and that the reported property is the same as the remitted
2992 property.

2993 ~~(6) Holders of inactive accounts having a value of \$50 or~~
2994 ~~more shall use due diligence to locate and notify apparent~~
2995 ~~owners that the entity is holding unclaimed property available~~
2996 ~~for them to recover. Not more than 120 days and not less than 60~~
2997 ~~days prior to filing the report required by this section, the~~
2998 ~~holder in possession of property presumed unclaimed and subject~~
2999 ~~to custody as unclaimed property under this chapter shall send~~
3000 ~~written notice by first-class United States mail to the apparent~~

3001 ~~owner at the apparent owner's last known address from the~~
3002 ~~holder's records or from other available sources, or via~~
3003 ~~electronic mail if the apparent owner has elected this method of~~
3004 ~~delivery, informing the apparent owner that the holder is in~~
3005 ~~possession of property subject to this chapter, if the holder~~
3006 ~~has in its records a mailing or electronic address for the~~
3007 ~~apparent owner which the holder's records do not disclose to be~~
3008 ~~inaccurate. These two means of contact are not mutually~~
3009 ~~exclusive; if the mailing address is determined to be~~
3010 ~~inaccurate, electronic mail may be used if so elected by the~~
3011 ~~apparent owner.~~

3012 ~~(7) The written notice to the apparent owner required~~
3013 ~~under this section must:~~

3014 ~~(a) Contain a heading that reads substantially as follows:~~
3015 ~~"Notice. The State of Florida requires us to notify you that~~
3016 ~~your property may be transferred to the custody of the Florida~~
3017 ~~Department of Financial Services if you do not contact us before~~
3018 ~~...(insert date that is at least 30 days after the date of~~
3019 ~~notice)...."~~

3020 ~~(b) Identify the type, nature, and, except for property~~
3021 ~~that does not have a fixed value, value of the property that is~~
3022 ~~the subject of the notice.~~

3023 ~~(c) State that the property will be turned over to the~~
3024 ~~eustody of the department as unclaimed property if no response~~
3025 ~~to this letter is received.~~

3026 ~~(d) State that any property that is not legal tender of~~
 3027 ~~the United States may be sold or liquidated by the department.~~

3028 ~~(e) State that after the property is turned over to the~~
 3029 ~~department, an apparent owner seeking return of the property may~~
 3030 ~~file a claim with the department.~~

3031 ~~(f) State that the property is currently with a holder and~~
 3032 ~~provide instructions that the apparent owner must follow to~~
 3033 ~~prevent the holder from reporting and paying for the property or~~
 3034 ~~from delivering the property to the department.~~

3035 (12)~~(8)~~ Any holder of intangible property may file with
 3036 the department a petition for determination that the property is
 3037 abandoned and unclaimed requesting the department to accept
 3038 custody of the property. The petition shall state any special
 3039 circumstances that exist, contain the information required by
 3040 subsection (9) ~~subsection (4)~~, and show that a diligent search
 3041 has been made to locate the apparent owner. If the department
 3042 finds that the proof of diligent search is satisfactory, it
 3043 shall give notice as provided in s. 717.118 and accept custody
 3044 of the property.

3045 (13)~~(9)~~ Upon written request by any entity or person
 3046 required to file a report, stating such entity's or person's
 3047 justification for such action, the department may place that
 3048 entity or person in an inactive status as an abandoned unclaimed
 3049 property "holder."

3050 (14)~~(10)~~ (a) This section does not apply to the abandoned

3051 ~~unclaimed~~ patronage refunds as provided for by contract or
 3052 through bylaw provisions of entities organized under chapter 425
 3053 or that are exempt from ad valorem taxation pursuant to s.
 3054 196.2002.

3055 (b) This section does not apply to intangible property
 3056 held, issued, or owing by a business association subject to the
 3057 jurisdiction of the United States Surface Transportation Board
 3058 or its successor federal agency if the apparent owner of such
 3059 intangible property is a business association. The holder of
 3060 such property does not have any obligation to report, to pay, or
 3061 to deliver such property to the department.

3062 (c) This section does not apply to credit balances,
 3063 overpayments, refunds, or outstanding checks owed by a health
 3064 care provider to a managed care payor with whom the health care
 3065 provider has a managed care contract, provided that the credit
 3066 balances, overpayments, refunds, or outstanding checks become
 3067 due and owing pursuant to the managed care contract.

3068 (15)~~(11)~~(a) As used in this subsection, the term "property
 3069 identifier" means the descriptor used by the holder to identify
 3070 the abandoned ~~unclaimed~~ property.

3071 (b) Social security numbers and property identifiers
 3072 contained in reports required under this section, held by the
 3073 department, are confidential and exempt from s. 119.07(1) and s.
 3074 24(a), Art. I of the State Constitution.

3075 (c) This exemption applies to social security numbers and

3076 | property identifiers held by the department before, on, or after
 3077 | the effective date of this exemption.

3078 | **Section 58. Section 717.118, Florida Statutes, is amended**
 3079 | **to read:**

3080 | 717.118 Notification of apparent owners of abandoned
 3081 | ~~unclaimed~~ property.—

3082 | (1) It is specifically recognized that the state has an
 3083 | obligation to make an effort to notify apparent owners in a
 3084 | cost-effective manner that their abandoned property has been
 3085 | reported and remitted to the department ~~of unclaimed property in~~
 3086 | ~~a cost-effective manner~~. In order to provide all the citizens of
 3087 | this state an effective and efficient program for the recovery
 3088 | of abandoned personal ~~unclaimed~~ property, the department shall
 3089 | use cost-effective means to make at least one active attempt to
 3090 | notify apparent owners of abandoned ~~unclaimed~~ property ~~accounts~~
 3091 | valued at \$50 or more, abandoned tangible property, and
 3092 | abandoned shares of stock for which more than \$250 with a
 3093 | reported address or taxpayer identification number is available.
 3094 | Such active attempt to notify apparent owners shall include any
 3095 | attempt by the department to directly contact the apparent
 3096 | owner. Other means of notification, such as publication of the
 3097 | names of apparent owners in the newspaper, on television, on the
 3098 | Internet, or through other promotional efforts and items in
 3099 | which the department does not directly attempt to contact the
 3100 | apparent owner are expressly declared to be passive attempts.

3101 ~~Nothing in~~ This subsection does not preclude ~~precludes~~ other
3102 agencies or entities of state government from notifying owners
3103 of the existence of abandoned ~~unclaimed~~ property or attempting
3104 to notify apparent owners of abandoned ~~unclaimed~~ property.

3105 (2) Notification provided directly to individual apparent
3106 owners shall contain ~~consist of~~ a description of the abandoned
3107 property and information regarding recovery of the unclaimed
3108 property from the department. The form and content of the
3109 department's notice shall be tailored to the type of property
3110 reported and shall include any information necessary to
3111 reasonably inform the apparent owner of the consequences of
3112 failure to claim the property, including potential sale or
3113 disposition under s. 717.122.

3114 (3) The department shall maintain a publicly accessible,
3115 electronically searchable website that includes the names of
3116 apparent owners of abandoned property reported to the department
3117 and instructions for filing a claim. The website must list
3118 property valued at \$10 or more and provide instructions for
3119 filing a claim. Abandoned property valued at less than \$10
3120 remains recoverable from the department in accordance with this
3121 chapter.

3122 (4) This section is not applicable to abandoned sums
3123 payable on traveler's checks, money orders, and other written
3124 instruments ~~presumed unclaimed~~ under s. 717.104, or any other
3125 abandoned property reported without the necessary identifying

3126 information to establish ownership.

3127 **Section 59. Section 717.119, Florida Statutes, is amended**
3128 **to read:**

3129 717.119 Payment or delivery of abandoned ~~unclaimed~~
3130 property.—

3131 (1) Every person who is required to file a report under s.
3132 717.117 shall simultaneously pay or deliver to the department
3133 all abandoned ~~unclaimed~~ property required to be reported. Such
3134 payment or delivery shall accompany the report as required in
3135 this chapter for the preceding calendar year.

3136 (2) Payment of abandoned ~~unclaimed~~ funds may be made to
3137 the department by electronic funds transfer.

3138 (3) If the apparent owner establishes the right to receive
3139 the abandoned ~~unclaimed~~ property to the satisfaction of the
3140 holder before the property has been delivered to the department
3141 or it appears that for some other reason ~~the presumption~~ that
3142 the property was erroneously classified as abandoned ~~is~~
3143 ~~unclaimed is erroneous~~, the holder need not pay or deliver the
3144 property to the department. In lieu of delivery, the holder
3145 shall file a verified written explanation of the proof of claim
3146 or of the error in classification of ~~the presumption that~~ the
3147 property as abandoned ~~was unclaimed~~.

3148 (4) All virtual currency reported under this chapter on
3149 the annual report filing required in s. 717.117 shall be
3150 remitted to the department with the report. The holder shall

3151 liquidate the virtual currency and remit the proceeds to the
3152 department. The liquidation must occur within 30 days before the
3153 filing of the report. Upon delivery of the virtual currency
3154 proceeds to the department, the holder is relieved of all
3155 liability of every kind in accordance with the provisions of s.
3156 717.1201 to every person for any losses or damages resulting to
3157 the person by the delivery to the department of the virtual
3158 currency proceeds.

3159 (5) All stock or other intangible ownership interest
3160 reported under this chapter on the annual report filing required
3161 in s. 717.117 shall be remitted to the department with the
3162 report. Upon delivery of the stock or other intangible ownership
3163 interest to the department, the holder and any transfer agent,
3164 registrar, or other person acting for or on behalf of a holder
3165 is relieved of all liability of every kind in accordance with
3166 the provisions of s. 717.1201 to every person for any losses or
3167 damages resulting to the person by the delivery to the
3168 department of the stock or other intangible ownership interest.

3169 (6) All intangible and tangible property held in a safe-
3170 deposit box or any other safekeeping repository reported under
3171 s. 717.117 shall not be delivered to the department until 120
3172 days after the report due date. The delivery of the property,
3173 through the United States mail or any other carrier, shall be
3174 insured by the holder at an amount equal to the estimated value
3175 of the property. Each package shall be clearly marked on the

3176 outside "Deliver Unopened." A holder's safe-deposit box contents
3177 shall be delivered to the department in a single shipment. In
3178 lieu of a single shipment, holders may provide the department
3179 with a single detailed shipping schedule that includes package
3180 tracking information for all packages being sent pursuant to
3181 this section.

3182 (a) Holders may remit the value of cash and coins found in
3183 abandoned ~~unclaimed~~ safe-deposit boxes to the department by
3184 cashier's check or by electronic funds transfer, unless the cash
3185 or coins have a value above face value. The department shall
3186 identify by rule those cash and coin items having a numismatic
3187 value. Cash and coin items identified as having a numismatic
3188 value shall be remitted to the department in their original
3189 form.

3190 (b) Any firearm or ammunition found in an abandoned
3191 ~~unclaimed~~ safe-deposit box or any other safekeeping repository
3192 shall be delivered by the holder to a law enforcement agency for
3193 property handling or disposal pursuant to s. 705.103(2)(b). If
3194 the firearm is sold by the law enforcement agency, ~~with~~ the
3195 balance of the proceeds shall be deposited into the State School
3196 Fund ~~if the firearm is sold. However,~~ The department is
3197 authorized to make a reasonable attempt to ascertain the
3198 historical value to collectors of any firearm that has been
3199 delivered to the department. Any firearm appearing to have
3200 historical value to collectors may be sold by the department

3201 pursuant to s. 717.122 to a person having a federal firearms
3202 license. Any firearm which is not sold pursuant to s. 717.122
3203 shall be delivered by the department to a law enforcement agency
3204 in this state for proper handling or disposal. In accordance
3205 with ~~pursuant to~~ s. 705.103(2) (b), if the firearm is sold by the
3206 law enforcement agency, ~~with~~ the balance of the proceeds shall
3207 be deposited into the State School Fund ~~if the firearm is sold~~.
3208 The department shall not be administratively, civilly, or
3209 criminally liable for any firearm delivered by the department to
3210 a law enforcement agency in this state for disposal.

3211 (c) If such property is not paid or delivered to the
3212 department on or before the applicable payment or delivery date,
3213 the holder shall pay to the department a penalty for each safe-
3214 deposit box shipment received late. The penalty shall be \$100
3215 for a safe-deposit box shipment container that is late 30 days
3216 or less. Thereafter, the penalty shall be \$500 for a safe-
3217 deposit box shipment container that is late for each additional
3218 successive 30-day period. The penalty assessed against a holder
3219 for a late safe-deposit box shipment container shall not exceed
3220 \$4,000 annually. The penalty shall be remitted to the department
3221 within 30 days after the date of the notification to the holder
3222 that the penalty is due and owing.

3223 (d) The department may waive any penalty due with
3224 appropriate justification, as provided by rule.

3225 (e) If a will or trust instrument is included among the

3226 contents of an abandoned a safe-deposit box or other safekeeping
 3227 repository delivered to the department, the department must
 3228 provide a copy of the will, trust, and any codicils or
 3229 amendments to such will or trust instrument, upon request, to
 3230 anyone who provides the department with a certified copy of the
 3231 death certificate or another government certified record
 3232 evidencing ~~evidence of~~ the death of the testator or settlor.

3233 (7) Any holder may request an extension in writing of up
 3234 to 60 days for the delivery of property if extenuating
 3235 circumstances exist for the late delivery of the property. Any
 3236 such extension the department may grant shall be in writing.

3237 (8) A holder may not assign or otherwise transfer its
 3238 obligation to report, pay, or deliver property or to comply with
 3239 the provisions of this chapter, other than to a parent,
 3240 subsidiary, or affiliate of the holder.

3241 (a) Unless otherwise agreed to by the parties to a
 3242 transaction, the holder's successor by merger or consolidation,
 3243 or any person or entity that acquires all or substantially all
 3244 of the holder's capital stock or assets, is responsible for
 3245 fulfilling the holder's obligation to report, pay, or deliver
 3246 property or to comply with the duties of this chapter regarding
 3247 the transfer of property owed to the holder's successor and
 3248 being held for an owner resulting from the merger,
 3249 consolidation, or acquisition.

3250 (b) This subsection does not prohibit a holder from

3251 | contracting with a third party for the reporting of abandoned
 3252 | ~~unclaimed~~ property, but the holder remains responsible to the
 3253 | department for the complete, accurate, and timely reporting of
 3254 | the property.

3255 | **Section 60. Subsections (1), (2), and (4) of section**
 3256 | **717.1201, Florida Statutes, are amended to read:**

3257 | 717.1201 Custody by state; holder liability; reimbursement
 3258 | of holder paying claim; reclaiming for owner; payment of safe-
 3259 | deposit box or repository charges.—

3260 | (1) Upon the good faith payment or delivery of abandoned
 3261 | ~~unclaimed~~ property to the department, the state assumes custody
 3262 | and responsibility for the safekeeping of the property. Any
 3263 | person who pays or delivers abandoned ~~unclaimed~~ property to the
 3264 | department in good faith is relieved of all liability to the
 3265 | extent of the value of the property paid or delivered for any
 3266 | claim then existing or which thereafter may arise or be made
 3267 | with ~~in~~ respect to the property.

3268 | (a) A holder's substantial compliance with the due
 3269 | diligence provisions in s. 717.117 ~~s. 717.117(6)~~ and good faith
 3270 | payment or delivery of abandoned ~~unclaimed~~ property to the
 3271 | department releases the holder from liability that may arise
 3272 | from such payment or delivery, and such delivery and payment may
 3273 | be pleaded as a defense in any suit or action brought by reason
 3274 | of such delivery or payment. This section does not relieve a
 3275 | fiduciary of his or her duties under the Florida Trust Code or

3276 Florida Probate Code.

3277 (b) If the holder pays or delivers property to the
 3278 department in good faith and thereafter any other person claims
 3279 the property from the holder paying or delivering, or another
 3280 state claims the money or property under that state's laws
 3281 relating to escheat or abandoned or unclaimed property, the
 3282 department, upon written notice of the claim, shall defend the
 3283 holder against the claim and indemnify the holder against any
 3284 liability on the claim, except that a holder may not be
 3285 indemnified against penalties imposed by another state.

3286 (2) For the purposes of this section, a payment or
 3287 delivery of abandoned ~~unclaimed~~ property is made in good faith
 3288 if:

3289 (a) The payment or delivery was made in conjunction with
 3290 an accurate and acceptable report.

3291 (b) The payment or delivery was made in a reasonable
 3292 attempt to comply with this chapter and other applicable general
 3293 law.

3294 (c) The holder had a reasonable basis for believing, based
 3295 on the facts then known, that the property was abandoned
 3296 ~~unclaimed~~ and subject to this chapter.

3297 (d) There is no showing that the records pursuant to which
 3298 the delivery was made did not meet reasonable commercial
 3299 standards of practice in the industry.

3300 (4) Any holder who has delivered property, including a

3301 certificate of any interest in a business association, other
 3302 than money to the department pursuant to this chapter may
 3303 reclaim the property if still in the possession of the
 3304 department, without payment of any fee or other charges, upon
 3305 filing proof that the person entitled to the property ~~owner~~ has
 3306 claimed it ~~the property~~ from the holder.

3307 **Section 61. Section 717.122, Florida Statutes, is amended**
 3308 **to read:**

3309 717.122 Public sale of abandoned ~~unclaimed~~ property.—

3310 (1) Except as provided in paragraph (2) (a), the department
 3311 after the receipt of abandoned ~~unclaimed~~ property shall sell it
 3312 to the highest bidder at public sale on the Internet or at a
 3313 specified physical location wherever in the judgment of the
 3314 department the most favorable market for the property involved
 3315 exists. The department may decline the highest bid and reoffer
 3316 the property for sale if in the judgment of the department the
 3317 bid is insufficient. The department shall have the discretion to
 3318 withhold from sale any abandoned ~~unclaimed~~ property that the
 3319 department deems to be of benefit to the people of the state. If
 3320 in the judgment of the department the probable cost of sale
 3321 exceeds the value of the property, it need not be offered for
 3322 sale and may be disposed of as the department determines
 3323 appropriate. Any sale at a specified physical location held
 3324 under this section must be preceded by a single publication of
 3325 notice, at least 3 weeks in advance of sale, in a newspaper of

3326 | general circulation in the county in which the property is to be
 3327 | sold. The department shall proportionately deduct auction fees,
 3328 | preparation costs, and expenses from the amount posted to an ~~the~~
 3329 | ~~owner's~~ account for an abandoned ~~when~~ safe-deposit box when the
 3330 | contents are sold. No action or proceeding may be maintained
 3331 | against the department for or on account of any decision to
 3332 | decline the highest bid or withhold any abandoned ~~unclaimed~~
 3333 | property from sale.

3334 | (2) (a) Securities listed on an established stock exchange
 3335 | must be sold at prices prevailing at the time of sale on the
 3336 | exchange. Other securities may be sold over the counter at
 3337 | prices prevailing at the time of sale or by any other method the
 3338 | department deems advisable. The department may authorize the
 3339 | agent or broker acting on behalf of the department to deduct
 3340 | fees from the proceeds of these sales at a rate agreed upon in
 3341 | advance by the agent or broker and the department. The
 3342 | department shall reimburse owners' accounts for these brokerage
 3343 | fees from the State School Fund unless the securities are sold
 3344 | at the owner's request.

3345 | (b) Unless the department deems it to be in the public
 3346 | interest to do otherwise, all abandoned securities ~~presumed~~
 3347 | ~~unclaimed~~ and delivered to the department may be sold upon
 3348 | receipt. Any person making a claim pursuant to this chapter is
 3349 | entitled to receive either the securities delivered to the
 3350 | department by the holder, if they still remain in the hands of

3351 the department, or the proceeds received from sale, but no
3352 person has any claim under this chapter against the state, the
3353 holder, any transfer agent, any registrar, or any other person
3354 acting for or on behalf of a holder for any appreciation in the
3355 value of the property occurring after delivery by the holder to
3356 the state.

3357 (c) Certificates for abandoned ~~unclaimed~~ stock or other
3358 equity interest of business associations that cannot be canceled
3359 and registered in the department's name or that cannot be
3360 readily liquidated and converted into the currency of the United
3361 States may be sold for the value of the certificate, if any, in
3362 accordance with subsection (1) or may be destroyed in accordance
3363 with s. 717.128.

3364 (3) The purchaser of property at any sale conducted by the
3365 department pursuant to this chapter is entitled to ownership of
3366 the property purchased free from all claims of the owner or
3367 previous holder thereof and of all persons claiming through or
3368 under them. The department shall execute all documents necessary
3369 to complete the transfer of ownership.

3370 (4) The sale of abandoned ~~unclaimed~~ tangible personal
3371 property is not subject to tax under chapter 212 when such
3372 property is sold by or on behalf of the department pursuant to
3373 this section.

3374 **Section 62. Section 717.123, Florida Statutes, is amended**
3375 **to read:**

3376 717.123 Deposit of funds.—

3377 (1) All funds received under this chapter, including the
 3378 proceeds from the sale of abandoned ~~unclaimed~~ property under s.
 3379 717.122, shall immediately ~~forthwith~~ be deposited by the
 3380 department in the Abandoned ~~Unclaimed~~ Property Trust Fund. The
 3381 department shall retain, from funds received under this chapter,
 3382 an amount not exceeding \$15 million from which the department
 3383 shall make prompt payment of claims allowed by the department
 3384 and shall pay the costs incurred by the department in
 3385 administering and enforcing this chapter. All remaining funds
 3386 received by the department under this chapter shall be deposited
 3387 by the department into the State School Fund.

3388 (2) The department shall record the name and last known
 3389 address of each person appearing from the holder's reports to be
 3390 entitled to the abandoned ~~unclaimed~~ property in the total
 3391 amounts of \$5 or greater; the name and the last known address of
 3392 each insured person or annuitant; and with respect to each
 3393 policy or contract listed in the report of an insurance
 3394 corporation, its number, the name of the corporation, and the
 3395 amount due.

3396 **Section 63. Section 717.1235, Florida Statutes, is amended**
 3397 **to read:**

3398 717.1235 Dormant campaign accounts; ~~report of unclaimed~~
 3399 ~~property.~~ Abandoned ~~Unclaimed~~ funds reported in the name of a
 3400 campaign for public office, for any campaign that must dispose

3401 of surplus funds in its campaign account pursuant to s. 106.141,
3402 after being reported to the department, shall be deposited with
3403 the Chief Financial Officer to the credit of the State School
3404 Fund.

3405 **Section 64. Section 717.124, Florida Statutes, is amended**
3406 **to read:**

3407 717.124 Abandoned ~~Unclaimed~~ property claims.—

3408 (1) Any person, excluding another state, claiming an
3409 interest in any property paid or delivered to the department
3410 under this chapter may file with the department a claim on a
3411 form prescribed by the department and verified by the claimant
3412 or the claimant ~~claimant's~~ representative. ~~The claimant's~~
3413 ~~representative must be an attorney licensed to practice law in~~
3414 ~~this state, a licensed Florida-certified public accountant, or a~~
3415 ~~private investigator licensed under chapter 493.~~ The claimant
3416 ~~claimant's~~ representative must be registered with the department
3417 under this chapter. The claimant, or the claimant ~~claimant's~~
3418 representative, shall provide the department with a legible copy
3419 of a valid driver license of the claimant at the time the
3420 original claim form is filed. If the claimant has not been
3421 issued a valid driver license at the time the original claim
3422 form is filed, the department shall be provided with a legible
3423 copy of a photographic identification of the claimant issued by
3424 the United States, a state or territory of the United States, a
3425 foreign nation, or a political subdivision or agency thereof or

3426 other evidence deemed acceptable by the department by rule. In
 3427 lieu of photographic identification, a notarized sworn statement
 3428 by the claimant may be provided which affirms the claimant's
 3429 identity and states the claimant's full name and address. The
 3430 claimant must produce to the notary photographic identification
 3431 of the claimant issued by the United States, a state or
 3432 territory of the United States, a foreign nation, or a political
 3433 subdivision or agency thereof or other evidence deemed
 3434 acceptable by the department by rule. The notary shall indicate
 3435 the notary's full address on the notarized sworn statement. Any
 3436 claim filed without the required identification or the sworn
 3437 statement with the original claim form and the original
 3438 Abandoned Unclaimed Property Recovery Agreement or Abandoned
 3439 Unclaimed Property Purchase Agreement, if applicable, is void.

3440 (a) Within 90 days after receipt of a claim, the
 3441 department may return any claim that provides for the receipt of
 3442 fees and costs greater than that permitted under this chapter or
 3443 that contains any apparent errors or omissions. The department
 3444 may also request that the claimant or the claimant ~~claimant's~~
 3445 representative provide additional information. The department
 3446 shall retain a copy or electronic image of the claim.

3447 (b) A claim is ~~considered to have been~~ withdrawn by a
 3448 ~~claimant or the claimant's~~ representative if:

- 3449 1. The department receives a written acknowledgement from
 3450 the claimant confirming withdrawal of the claim;

3451 2. The department receives a written notice to withdraw
3452 the claim from a claimant representative that is accompanied by
3453 written authorization from the claimant expressly approving
3454 withdrawal of the claim. The authorization must state the reason
3455 for the withdrawal, contain an acknowledgement that the claimant
3456 understands that withdrawal will affect the processing of that
3457 claim and may affect the processing of other pending claims, and
3458 must be signed by the claimant. The claimant's authorization
3459 must be submitted concurrently with, or as part of, the
3460 withdrawal notice; or

3461 3. The claimant or the claimant's representative fails to
3462 respond to the department's written ~~does not receive a response~~
3463 ~~to its~~ request for additional information within 60 days after
3464 the notification of any apparent errors or omissions.

3465 (c) Within 90 days after receipt of the claim, or the
3466 response of the claimant or the claimant ~~claimant's~~
3467 representative to the department's request for additional
3468 information, whichever is later, the department shall determine
3469 each claim. Such determination shall contain a notice of rights
3470 provided by ss. 120.569 and 120.57. The 90-day period shall be
3471 extended by 60 days if the department has good cause to need
3472 additional time or if the abandoned ~~unclaimed~~ property:

3473 1. Is owned by a person who has been a debtor in
3474 bankruptcy;

3475 2. Was reported with an address outside of the United

3476 States;

3477 3. Is being claimed by a person outside of the United

3478 States; or

3479 4. Contains documents filed in support of the claim that

3480 are not in the English language and have not been accompanied by

3481 an English language translation.

3482 (2) A claim for a cashier's check or a stock certificate

3483 without the original instrument may require an indemnity bond

3484 equal to the value of the claim to be provided prior to issue of

3485 the stock or payment of the claim by the department.

3486 (3) The department may require an affidavit swearing to

3487 the authenticity of the claim, lack of documentation, and an

3488 agreement to allow the department to provide the name and

3489 address of the claimant to subsequent claimants coming forward

3490 with substantiated proof to claim the account. This shall apply

3491 to claims equal to or less than \$250. The exclusive remedy of a

3492 subsequent claimant to the property shall be against the person

3493 who received the property from the department.

3494 (4) (a) Except as otherwise provided in this chapter, if a

3495 claim is determined in favor of the claimant, the department

3496 shall deliver or pay over to the claimant the property or the

3497 amount the department actually received or the proceeds if it

3498 has been sold by the department, together with any additional

3499 amount required by s. 717.121.

3500 (b) If a claimant ~~an owner~~ authorizes a claimant

3501 representative ~~an attorney licensed to practice law in this~~
 3502 ~~state, a Florida-certified public accountant, or a private~~
 3503 ~~investigator licensed under chapter 493,~~ and registered with the
 3504 department under this chapter, to claim the abandoned ~~unclaimed~~
 3505 property on the claimant's ~~owner's~~ behalf, the department is
 3506 authorized to make distribution of the property or money in
 3507 accordance with the Abandoned ~~Unclaimed~~ Property Recovery
 3508 Agreement or Abandoned ~~Unclaimed~~ Property Purchase Agreement
 3509 under s. 717.135. The original Abandoned ~~Unclaimed~~ Property
 3510 Recovery Agreement or Abandoned ~~Unclaimed~~ Property Purchase
 3511 Agreement must be executed by the claimant or seller and must be
 3512 filed with the department.

3513 (c)1. Payments of approved claims for unclaimed cash
 3514 accounts must be made to the owner after deducting any fees and
 3515 costs authorized by the claimant under an Abandoned ~~Unclaimed~~
 3516 Property Recovery Agreement. The contents of a safe-deposit box
 3517 or shares of securities must be delivered directly to the
 3518 claimant.

3519 2. Payments of fees and costs authorized under an
 3520 Abandoned ~~Unclaimed~~ Property Recovery Agreement for approved
 3521 claims must be made or issued to the law firm of the designated
 3522 attorney licensed to practice law in this state, the public
 3523 accountancy firm of the licensed Florida-certified public
 3524 accountant, or the designated employing private investigative
 3525 agency licensed by this state. Such payments shall be made by

3526 | electronic funds transfer and may be made on such periodic
3527 | schedule as the department may define by rule, provided the
3528 | payment intervals do not exceed 31 days. Payment made to an
3529 | attorney licensed in this state, a Florida-certified public
3530 | accountant, or a private investigator licensed under chapter
3531 | 493, operating individually or as a sole practitioner, must be
3532 | to the attorney, certified public accountant, or private
3533 | investigator.

3534 | (5) The department shall not be administratively, civilly,
3535 | or criminally liable for any property or funds distributed
3536 | pursuant to this section, provided such distribution is made in
3537 | good faith.

3538 | (6) This section does not supersede the licensing
3539 | requirements of chapter 493.

3540 | (7) The department may allow an apparent owner to
3541 | electronically submit a claim for abandoned ~~unclaimed~~ property
3542 | to the department. If a claim is submitted electronically for
3543 | \$2,000 or less, the department may use a method of identity
3544 | verification other than a copy of a valid driver license, other
3545 | government-issued photographic identification, or a sworn
3546 | notarized statement. The department may adopt rules to implement
3547 | this subsection.

3548 | (8) Notwithstanding any other provision of this chapter,
3549 | the department may develop and implement an identification
3550 | verification and disbursement process by which an account valued

3551 at \$2,000 or less, after being received by the department and
3552 added to the abandoned ~~unclaimed~~ property database, may be
3553 disbursed to an apparent owner after the department has verified
3554 that the apparent owner is living and that the apparent owner's
3555 current address is correct. The department shall include with
3556 the payment a notification and explanation of the dollar amount,
3557 the source, and the property type of each account included in
3558 the disbursement. The department shall adopt rules to implement
3559 this subsection.

3560 (9) (a) Notwithstanding any other provision of this
3561 chapter, the department may develop and implement a verification
3562 and disbursement process by which an account, after being
3563 received by the department and added to the abandoned ~~unclaimed~~
3564 property database, for which the apparent owner entity is:

- 3565 1. A state agency in this state or a subdivision or
3566 successor agency thereof;
- 3567 2. A county government in this state or a subdivision
3568 thereof;
- 3569 3. A public school district in this state or a subdivision
3570 thereof;
- 3571 4. A municipality in this state or a subdivision thereof;
- 3572 or
- 3573 5. A special taxing district or authority in this state,
3574
3575 may be disbursed to the apparent owner entity or successor

3576 entity. The department shall include with the payment a
3577 notification and explanation of the dollar amount, the source,
3578 and the property type of each account included in the
3579 disbursement.

3580 (b) The department may adopt rules to implement this
3581 subsection.

3582 (10) Notwithstanding any other provision of this chapter,
3583 the department may develop a process by which a claimant
3584 ~~claimant's~~ representative ~~or a buyer of unclaimed property~~ may
3585 electronically submit to the department an electronic image of a
3586 completed claim and claims-related documents under this chapter,
3587 including an Abandoned Unclaimed Property Recovery Agreement or
3588 Abandoned Unclaimed Property Purchase Agreement that has been
3589 signed and dated by a claimant or seller under s. 717.135, after
3590 the claimant ~~claimant's~~ representative ~~or the buyer of unclaimed~~
3591 ~~property~~ receives the original documents provided by the
3592 claimant or the seller for any claim. Each claim filed by a
3593 claimant ~~claimant's~~ representative ~~or a buyer of unclaimed~~
3594 ~~property~~ must include a statement by the claimant ~~claimant's~~
3595 representative ~~or the buyer of unclaimed property~~ attesting that
3596 all documents are true copies of the original documents and that
3597 all original documents are physically in the possession of the
3598 claimant ~~claimant's~~ representative ~~or the buyer of unclaimed~~
3599 ~~property~~. All original documents must be kept in the original
3600 form, by claim number, under the secure control of the claimant

3601 ~~claimant's~~ representative ~~or the buyer of unclaimed property~~ and
3602 must be available for inspection by the department in accordance
3603 with s. 717.1315. The department may adopt rules to implement
3604 this subsection.

3605 (11) This section applies to all abandoned ~~unclaimed~~
3606 property reported and remitted to the Chief Financial Officer,
3607 including, but not limited to, property reported pursuant to ss.
3608 45.032, 732.107, 733.816, and 744.534.

3609 **Section 65. Section 717.12403, Florida Statutes, is**
3610 **amended to read:**

3611 717.12403 Abandoned ~~Unclaimed~~ demand, savings, or checking
3612 account in a financial institution held in the name of more than
3613 one person.—

3614 (1) (a) If an abandoned ~~unclaimed~~ demand, savings, or
3615 checking account in a financial institution is reported as an
3616 "and" account in the name of two or more persons who are not
3617 beneficiaries, it is presumed that each person must claim the
3618 account in order for the claim to be approved by the department.
3619 This presumption may be rebutted by showing that entitlement to
3620 the account has been transferred to another person or by clear
3621 and convincing evidence demonstrating that the account should
3622 have been reported by the financial institution as an "or"
3623 account.

3624 (b) If an abandoned ~~unclaimed~~ demand, savings, or checking
3625 account in a financial institution is reported as an "and"

3626 account and one of the persons on the account is deceased, it is
3627 presumed that the account is a survivorship account. This
3628 presumption may be rebutted by showing that entitlement to the
3629 account has been transferred to another person or by clear and
3630 convincing evidence demonstrating that the account is not a
3631 survivorship account.

3632 (2) If an abandoned ~~unclaimed~~ demand, savings, or checking
3633 account in a financial institution is reported as an "or"
3634 account in the name of two or more persons who are not
3635 beneficiaries, it is presumed that either person listed on the
3636 account may claim the entire amount held in the account. This
3637 presumption may be rebutted by showing that entitlement to the
3638 account has been transferred to another person or by clear and
3639 convincing evidence demonstrating that the account should have
3640 been reported by the financial institution as an "and" account.

3641 (3) If an abandoned ~~unclaimed~~ demand, savings, or checking
3642 account in a financial institution is reported in the name of
3643 two or more persons who are not beneficiaries without
3644 identifying whether the account is an "and" account or an "or"
3645 account, it is presumed that the account is an "or" account.
3646 This presumption may be rebutted by showing that entitlement to
3647 the account has been transferred to another person or by clear
3648 and convincing evidence demonstrating that the account should
3649 have been reported by the financial institution as an "and"
3650 account.

3651 (4) The department shall be deemed to have made a
 3652 distribution in good faith if the department remits funds
 3653 consistent with this section.

3654 **Section 66. Subsection (2) of section 717.12404, Florida**
 3655 **Statutes, is amended to read:**

3656 717.12404 Claims on behalf of a business entity or trust.—

3657 (2) Claims on behalf of an active or a dissolved
 3658 corporation, a business entity ~~other than an active corporation,~~
 3659 or a trust must include a legible copy of a valid driver license
 3660 of the person acting on behalf of the ~~dissolved~~ corporation,
 3661 business entity ~~other than an active corporation,~~ or trust. If
 3662 the person has not been issued a valid driver license, the
 3663 department shall be provided with a legible copy of a
 3664 photographic identification of the person issued by the United
 3665 States, a foreign nation, or a political subdivision or agency
 3666 thereof. In lieu of photographic identification, a notarized
 3667 sworn statement by the person may be provided which affirms the
 3668 person's identity and states the person's full name and address.
 3669 The person must produce his or her photographic identification
 3670 issued by the United States, a state or territory of the United
 3671 States, a foreign nation, or a political subdivision or agency
 3672 thereof or other evidence deemed acceptable by the department by
 3673 rule. The notary shall indicate the notary's full address on the
 3674 notarized sworn statement. Any claim filed without the required
 3675 identification or the sworn statement with the original claim

3676 form and the original Abandoned ~~Unclaimed~~ Property Recovery
 3677 Agreement or Abandoned ~~Unclaimed~~ Property Purchase Agreement, if
 3678 applicable, is void.

3679 **Section 67. Section 717.12405, Florida Statutes, is**
 3680 **amended to read:**

3681 717.12405 Claims by estates.—An estate or any person
 3682 representing an estate or acting on behalf of an estate may
 3683 claim abandoned ~~unclaimed~~ property only after the heir or
 3684 legatee of the decedent entitled to the property has been
 3685 located. Any estate, or any person representing an estate or
 3686 acting on behalf of an estate, that receives abandoned ~~unclaimed~~
 3687 property before the heir or legatee of the decedent entitled to
 3688 the property has been located, is personally liable for the
 3689 abandoned ~~unclaimed~~ property and must immediately return the
 3690 full amount of the abandoned ~~unclaimed~~ property or the value
 3691 thereof to the department in accordance with s. 717.1341.

3692 **Section 68. Section 717.12406, Florida Statutes, is**
 3693 **amended to read:**

3694 717.12406 Joint ownership of abandoned ~~unclaimed~~
 3695 securities or dividends.—For the purpose of determining joint
 3696 ownership of abandoned ~~unclaimed~~ securities or dividends, the
 3697 term:

- 3698 (1) "TEN COM" means tenants in common.
- 3699 (2) "TEN ENT" means tenants by the entireties.
- 3700 (3) "JT TEN" or "JT" means joint tenants with the right of

3701 survivorship and not as tenants in common.

3702 (4) "And" means tenants in common with each person
3703 entitled to an equal pro rata share.

3704 (5) "Or" means that each person listed on the account is
3705 entitled to all of the funds.

3706 **Section 69. Section 717.1241, Florida Statutes, is amended**
3707 **to read:**

3708 717.1241 Conflicting claims.—

3709 (1) For purposes of this section, the term "conflicting
3710 claim" means two or more claims received by the department for
3711 the same abandoned property account or accounts in which two or
3712 more claimants appear to be equally entitled to the property.
3713 The term also includes circumstances in which the same claimant
3714 has more than one claim pending for the same property, including
3715 when the claimant is represented by more than one claimant
3716 representative or submits both a personal claim and a claim
3717 through a representative.

3718 (2) When conflicting claims have been received by the
3719 department for the same abandoned ~~unclaimed~~ property account or
3720 accounts, the property shall be remitted in accordance with the
3721 claim filed by the person as follows, notwithstanding the
3722 withdrawal of a claim:

3723 (a) To the person submitting the first claim received by
3724 the ~~Division of Unclaimed Property of the~~ department that is
3725 complete or made complete.

3726 (b) If a claimant's claim and a claimant ~~claimant's~~
 3727 representative's claim for the recovery of property are received
 3728 by the ~~Division of Unclaimed Property of the~~ department on the
 3729 same day and both claims are complete, to the claimant.

3730 (c) If a buyer's claim or a purchasing claimant
 3731 representative's claim and a claimant's claim or a claimant
 3732 ~~claimant's~~ representative's claim for the recovery of property
 3733 are received by the ~~Division of Unclaimed Property of the~~
 3734 department on the same day and the claims are complete, to the
 3735 buyer.

3736 (d) As between two or more claimant representatives'
 3737 ~~claimant's representative's~~ claims received by the ~~Division of~~
 3738 ~~Unclaimed Property of the~~ department that are complete or made
 3739 complete on the same day, to the claimant ~~claimant's~~
 3740 representative who has agreed to receive the lowest fee. If the
 3741 two or more claimant ~~claimant's~~ representatives whose claims
 3742 received by ~~the Division of Unclaimed Property of the~~ department
 3743 were complete or made complete on the same day are charging the
 3744 same ~~lowest~~ fee, the fee shall be divided equally between the
 3745 claimant ~~claimant's~~ representatives.

3746 (e) If more than one buyer's claim received by the
 3747 ~~Division of Unclaimed Property of the~~ department is complete or
 3748 made complete on the same day, the department shall remit the
 3749 abandoned ~~unclaimed~~ property to the buyer who paid the highest
 3750 amount to the seller. If the buyers paid the same amount to the

3751 seller, the department shall remit the abandoned ~~unclaimed~~
 3752 property to the buyers divided in equal amounts.

3753 (3)~~(2)~~ The purpose of this section is solely to provide
 3754 guidance to the department regarding to whom it should remit the
 3755 abandoned ~~unclaimed~~ property and is not intended to extinguish
 3756 or affect any private cause of action that any person may have
 3757 against another person for breach of contract or other statutory
 3758 or common-law remedy. A buyer's sole remedy, if any, shall be
 3759 against the claimant ~~claimant's~~ representative or the seller, or
 3760 both. A claimant ~~claimant's~~ representative's sole remedy, if
 3761 any, shall be against the buyer or the seller, or both. A
 3762 claimant's or seller's sole remedy, if any, shall be against the
 3763 buyer or the claimant ~~claimant's~~ representative, or both.
 3764 Nothing in this section forecloses the right of a person to
 3765 challenge the department's determination of completeness in a
 3766 proceeding under ss. 120.569 and 120.57.

3767 (4)~~(3)~~ A claim is complete when entitlement to the
 3768 abandoned ~~unclaimed~~ property has been established.

3769 **Section 70. Subsection (1) of section 717.1242, Florida**
 3770 **Statutes, is amended to read:**

3771 717.1242 Restatement of jurisdiction of the circuit court
 3772 sitting in probate and the department.—

3773 (1) It is and has been the intent of the Legislature that,
 3774 pursuant to s. 26.012(2)(b), circuit courts have jurisdiction of
 3775 proceedings relating to the settlement of the estates of

3776 | decedents and other jurisdiction usually pertaining to courts of
 3777 | probate. It is and has been the intent of the Legislature that,
 3778 | pursuant to this chapter, the department determines the merits
 3779 | of claims and entitlement to abandoned ~~unclaimed~~ property paid
 3780 | or delivered to the department under this chapter. Consistent
 3781 | with this legislative intent, any beneficiary, devisee, heir,
 3782 | personal representative, or other interested person, as those
 3783 | terms are defined in the Florida Probate Code and the Florida
 3784 | Trust Code, of an estate seeking to obtain property paid or
 3785 | delivered to the department under this chapter must file a claim
 3786 | with the department as provided in s. 717.124.

3787 | **Section 71. Subsections (1) and (4) of section 717.1243,**
 3788 | **Florida Statutes, are amended to read:**

3789 | 717.1243 Small estate accounts.—

3790 | (1) A claim for abandoned ~~unclaimed~~ property made by a
 3791 | beneficiary, as defined in s. 731.201, of a deceased owner need
 3792 | not be accompanied by an order of a probate court if the
 3793 | claimant files with the department an affidavit, signed by all
 3794 | beneficiaries, stating that all the beneficiaries have amicably
 3795 | agreed among themselves upon a division of the estate and that
 3796 | all funeral expenses, expenses of the last illness, and any
 3797 | other lawful claims have been paid, and any additional
 3798 | information reasonably necessary to make a determination of
 3799 | entitlement. If the owner died testate, the claim shall be
 3800 | accompanied by a copy of the will.

3801 (4) This section applies only if all of the abandoned
 3802 ~~unclaimed~~ property held by the department on behalf of the owner
 3803 has an aggregate value of \$20,000 or less and no probate
 3804 proceeding is pending.

3805 **Section 72. Section 717.1244, Florida Statutes, is amended**
 3806 **to read:**

3807 717.1244 Determinations of abandoned ~~unclaimed~~ property
 3808 claims.—In rendering a determination regarding the merits of an
 3809 abandoned ~~unclaimed~~ property claim, the department shall rely on
 3810 the applicable statutory, regulatory, common, and case law.
 3811 Agency statements applying the statutory, regulatory, common,
 3812 and case law to abandoned ~~unclaimed~~ property claims are not
 3813 agency statements subject to s. 120.56(4).

3814 **Section 73. Section 717.1245, Florida Statutes, is amended**
 3815 **to read:**

3816 717.1245 Garnishment of abandoned ~~unclaimed~~ property.—If
 3817 any person files a petition for writ of garnishment seeking to
 3818 obtain property paid or delivered to the department under this
 3819 chapter, the petitioner shall be ordered to pay the department
 3820 reasonable costs and attorney ~~attorney's~~ fees in any proceeding
 3821 brought by the department to oppose, appeal, or collaterally
 3822 attack the petition or writ if the department is the prevailing
 3823 party in any such proceeding.

3824 **Section 74. Subsection (1) of section 717.125, Florida**
 3825 **Statutes, is amended to read:**

3826 717.125 Claim of another state to recover property;
 3827 procedure.—

3828 (1) At any time after property has been paid or delivered
 3829 to the department under this chapter, another state may recover
 3830 the property if:

3831 (a) The property was subjected to custody by this state
 3832 because the records of the holder did not reflect the last known
 3833 address of the apparent owner when the property was presumed
 3834 abandoned ~~unclaimed~~ under this chapter, and the other state
 3835 establishes that the last known address of the apparent owner or
 3836 other person entitled to the property was in that state and
 3837 under the laws of that state the property escheated to or was
 3838 subject to a claim of abandonment or being unclaimed by that
 3839 state;

3840 (b) The last known address of the apparent owner or other
 3841 person entitled to the property, as reflected by the records of
 3842 the holder, is in the other state and under the laws of that
 3843 state the property has escheated to or become subject to a claim
 3844 of abandonment by that state;

3845 (c) The records of the holder were erroneous in that they
 3846 did not accurately reflect the actual owner of the property and
 3847 the last known address of the actual owner is in the other state
 3848 and under laws of that state the property escheated to or was
 3849 subject to a claim of abandonment by that state;

3850 (d) The property was subject to custody by this state

3851 under s. 717.103(6) and under the laws of the state of domicile
 3852 of the holder the property has escheated to or become subject to
 3853 a claim of abandonment by that state; or

3854 (e) The property is the sum payable on a traveler's check,
 3855 money order, or other similar instrument that was subjected to
 3856 custody by this state under s. 717.104, and the instrument was
 3857 purchased in the other state, and under the laws of that state
 3858 the property escheated to or became subject to a claim of
 3859 abandonment by that state.

3860 **Section 75. Subsection (1) of section 717.126, Florida**
 3861 **Statutes, is amended to read:**

3862 717.126 Administrative hearing; burden of proof; proof of
 3863 entitlement; venue.—

3864 (1) Any person aggrieved by a decision of the department
 3865 may petition for a hearing as provided in ss. 120.569 and
 3866 120.57. In any proceeding for determination of a claim to
 3867 property paid or delivered to the department under this chapter,
 3868 the burden shall be upon the claimant to establish entitlement
 3869 to the property by a preponderance of evidence. Having the same
 3870 name as that reported to the department is not sufficient, in
 3871 the absence of other evidence, to prove entitlement to abandoned
 3872 ~~unclaimed~~ property.

3873 **Section 76. Section 717.1261, Florida Statutes, is amended**
 3874 **to read:**

3875 717.1261 Death certificates.—Any person who claims

3876 entitlement to abandoned ~~unclaimed~~ property by means of the
 3877 death of one or more persons shall file a copy of the death
 3878 certificate of the decedent or decedents that has been certified
 3879 as being authentic by the issuing governmental agency.

3880 **Section 77. Section 717.1262, Florida Statutes, is amended**
 3881 **to read:**

3882 717.1262 Court documents.—Any person who claims
 3883 entitlement to abandoned ~~unclaimed~~ property by reason of a court
 3884 document shall file a certified copy of the court document with
 3885 the department. A certified copy of each pleading filed with the
 3886 court to obtain a court document establishing entitlement, filed
 3887 within 180 days before the date the claim form was signed by the
 3888 claimant or claimant ~~claimant's~~ representative, must also be
 3889 filed with the department.

3890 **Section 78. Section 717.129, Florida Statutes, is amended**
 3891 **to read:**

3892 717.129 Periods of limitation.—
 3893 (1) The expiration before or after July 1, 1987, of any
 3894 period of time specified by contract, statute, or court order,
 3895 during which a claim for money or property may be made or during
 3896 which an action or proceeding may be commenced or enforced to
 3897 obtain payment of a claim for money or to recover property, does
 3898 not prevent the money or property from being presumed abandoned
 3899 ~~unclaimed~~ or affect any duty to file a report or to pay or
 3900 deliver abandoned ~~unclaimed~~ property to the department as

3901 required by this chapter.

3902 (2) The department may not commence an action or
 3903 proceeding to enforce this chapter with respect to the
 3904 reporting, payment, or delivery of property or any other duty of
 3905 a holder under this chapter more than 10 years after the duty
 3906 arose. The period of limitation established under this
 3907 subsection is tolled by the earlier of the department's or audit
 3908 agent's delivery of a notice that a holder is subject to an
 3909 audit or examination under s. 717.1301 or the holder's written
 3910 election to enter into an abandoned ~~unclaimed~~ property voluntary
 3911 disclosure agreement.

3912 **Section 79. Subsections (3) and (4) of section 717.1301,**
 3913 **Florida Statutes, are amended to read:**

3914 717.1301 Investigations; examinations; subpoenas.—

3915 (3) The department may authorize a compliance review of a
 3916 report for a specified reporting year. The review must be
 3917 limited to the contents of the report filed, as required by s.
 3918 717.117 and subsection (2), and all supporting documents related
 3919 to the reports. If the review results in a finding of a
 3920 deficiency in abandoned ~~unclaimed~~ property due and payable to
 3921 the department, the department shall notify the holder in
 3922 writing of the amount of deficiency within 1 year after the
 3923 authorization of the compliance review. If the holder fails to
 3924 pay the deficiency within 90 days, the department may seek to
 3925 enforce the assessment under subsection (1). The department is

3926 | not required to conduct a review under this section before
 3927 | initiating an audit.

3928 | (4) Notwithstanding any other provision of law, in a
 3929 | contract providing for the location or collection of abandoned
 3930 | ~~unclaimed~~ property, the department may authorize the contractor
 3931 | to deduct its fees and expenses for services provided under the
 3932 | contract from the abandoned ~~unclaimed~~ property that the
 3933 | contractor has recovered or collected under the contract. The
 3934 | department shall annually report to the Chief Financial Officer
 3935 | the total amount collected or recovered by each contractor
 3936 | during the previous fiscal year and the total fees and expenses
 3937 | deducted by each contractor.

3938 | **Section 80. Section 717.1315, Florida Statutes, is amended**
 3939 | **to read:**

3940 | 717.1315 Retention of records by claimant ~~claimant's~~
 3941 | representatives and buyers of abandoned ~~unclaimed~~ property.—

3942 | (1) Every claimant ~~claimant's~~ representative and buyer of
 3943 | abandoned ~~unclaimed~~ property shall keep and use in his or her
 3944 | business such books, accounts, and records of the business
 3945 | conducted under this chapter to enable the department to
 3946 | determine whether such person is complying with this chapter and
 3947 | the rules adopted by the department under this chapter. Every
 3948 | claimant ~~claimant's~~ representative and buyer of abandoned
 3949 | ~~unclaimed~~ property shall preserve such books, accounts, and
 3950 | records, including every Abandoned ~~Unclaimed~~ Property Recovery

3951 Agreement or Abandoned ~~Unclaimed~~ Property Purchase Agreement
 3952 between the owner and such claimant ~~claimant's~~ representative or
 3953 buyer, for at least 3 years after the date of the initial
 3954 agreement.

3955 (2) A claimant ~~claimant's~~ representative or buyer of
 3956 abandoned ~~unclaimed~~ property, operating at two or more places of
 3957 business in this state, may maintain the books, accounts, and
 3958 records of all such offices at any one of such offices, or at
 3959 any other office maintained by such claimant ~~claimant's~~
 3960 representative or buyer of abandoned ~~unclaimed~~ property, upon
 3961 the filing of a written notice with the department designating
 3962 in the written notice the office at which such records are
 3963 maintained.

3964 (3) A claimant ~~claimant's~~ representative or buyer of
 3965 abandoned ~~unclaimed~~ property shall make all books, accounts, and
 3966 records available at a convenient location in this state upon
 3967 request of the department.

3968 **Section 81. Subsections (2) and (3) of section 717.132,**
 3969 **Florida Statutes, are amended to read:**

3970 717.132 Enforcement; cease and desist orders; fines.—

3971 (2) In addition to any other powers conferred upon it to
 3972 enforce and administer the provisions of this chapter, the
 3973 department may issue and serve upon a person an order to cease
 3974 and desist and to take corrective action whenever the department
 3975 finds that such person is violating, has violated, or is about

3976 to violate any provision of this chapter, any rule or order
 3977 promulgated under this chapter, or any written agreement entered
 3978 into with the department. For purposes of this subsection, the
 3979 term "corrective action" includes refunding excessive charges,
 3980 requiring a person to return abandoned ~~unclaimed~~ property,
 3981 requiring a holder to remit abandoned ~~unclaimed~~ property, and
 3982 requiring a holder to correct a report that contains errors or
 3983 omissions. Any such order shall contain a notice of rights
 3984 provided by ss. 120.569 and 120.57.

3985 (3) In addition to any other powers conferred upon it to
 3986 enforce and administer the provisions of this chapter, the
 3987 department or a court of competent jurisdiction may impose fines
 3988 against any person found to have violated any provision of this
 3989 chapter, any rule or order promulgated under this chapter, or
 3990 any written agreement entered into with the department in an
 3991 amount not to exceed \$2,000 for each violation. All fines
 3992 collected under this subsection shall be deposited as received
 3993 in the Abandoned ~~Unclaimed~~ Property Trust Fund.

3994 **Section 82. Paragraphs (c), (d), and (j) of subsection**
 3995 **(1), subsections (2) and (3), paragraph (b) of subsection (4),**
 3996 **and subsection (5) of section 717.1322, Florida Statutes, are**
 3997 **amended to read:**

3998 717.1322 Administrative and civil enforcement.—

3999 (1) The following acts are violations of this chapter and
 4000 constitute grounds for an administrative enforcement action by

4001 the department in accordance with the requirements of chapter
4002 120 and for civil enforcement by the department in a court of
4003 competent jurisdiction:

4004 (c) ~~Fraudulent~~ Misrepresentation, circumvention, or
4005 concealment of any matter required to be stated or furnished to
4006 the department or to an owner or apparent owner under this
4007 chapter, ~~regardless of reliance by or damage to the owner or~~
4008 ~~apparent owner.~~

4009 (d) ~~Willful~~ Imposition of illegal or excessive charges in
4010 any abandoned unclaimed property transaction.

4011 (j) Requesting or receiving compensation for notifying a
4012 person of his or her abandoned unclaimed property or assisting
4013 another person in filing a claim for abandoned unclaimed
4014 property, ~~unless the person is an attorney licensed to practice~~
4015 ~~law in this state, a Florida-certified public accountant, or a~~
4016 ~~private investigator licensed under chapter 493,~~ or entering
4017 into, or making a solicitation to enter into, an agreement to
4018 file a claim for abandoned unclaimed property owned by another,
4019 unless such person is a registered claimant representative
4020 ~~registered with the department under this chapter and an~~
4021 ~~attorney licensed to practice law in this state in the regular~~
4022 ~~practice of her or his profession, a Florida-certified public~~
4023 ~~accountant who is acting within the scope of the practice of~~
4024 ~~public accounting as defined in chapter 473, or a private~~
4025 ~~investigator licensed under chapter 493.~~ This paragraph does not

4026 apply to a person who has been granted a durable power of
 4027 attorney to convey and receive all of the real and personal
 4028 property of the owner, is the court-appointed guardian of the
 4029 owner, has been employed as an attorney or qualified
 4030 representative to contest the department's denial of a claim, or
 4031 has been employed as an attorney to probate the estate of the
 4032 owner or an heir or legatee of the owner.

4033 (2) Upon a finding by the department that any person has
 4034 committed any of the acts set forth in subsection (1), the
 4035 department may enter an order doing any of the following:

4036 (a) Revoking for a minimum of 5 years or suspending for a
 4037 maximum of 5 years a registration previously granted under this
 4038 chapter during which time the registrant may not reapply for a
 4039 registration under this chapter.~~†~~

4040 (b) Placing a claimant representative ~~registrant~~ or an
 4041 applicant for a registration on probation for a period of time
 4042 and subject to such conditions as the department may specify.~~†~~

4043 (c) Placing permanent restrictions or conditions upon
 4044 issuance or maintenance of a registration under this chapter;

4045 (d) Issuing a reprimand.~~†~~

4046 (e) Imposing an administrative fine not to exceed \$2,000
 4047 for each such act.~~†~~~~or~~

4048 (f) Prohibiting any person from being a director, officer,
 4049 agent, employee, or ultimate equitable owner of a 10 percent ~~10-~~
 4050 ~~percent~~ or greater interest in an employer of a claimant

4051 representative ~~registrant~~.

4052 (3) A claimant ~~claimant's~~ representative is subject to
 4053 civil enforcement and the disciplinary actions specified in
 4054 subsection (2) for violations of subsection (1) by an agent or
 4055 employee of the claimant representative's ~~registrant's~~ employer
 4056 if the claimant ~~claimant's~~ representative knew or should have
 4057 known that such agent or employee was violating any provision of
 4058 this chapter.

4059 (4)

4060 (b) The disciplinary guidelines shall specify a meaningful
 4061 range of designated penalties based upon the severity or
 4062 repetition of specific offenses, or both. It is the legislative
 4063 intent that minor violations be distinguished from more serious
 4064 violations; that such guidelines consider the amount of the
 4065 claim involved, the complexity of locating the owner, the steps
 4066 taken to ensure the accuracy of the claim by the person filing
 4067 the claim, the acts of commission and omission of the claimant
 4068 ~~ultimate owners~~ in establishing themselves as rightful owners of
 4069 the funds, the acts of commission or omission of the agent or
 4070 employee of a claimant representative or its ~~an~~ employer in the
 4071 filing of the claim, the actual knowledge of the agent,
 4072 employee, employer, or owner in the filing of the claim, the
 4073 departure, if any, by the agent or employee from the internal
 4074 controls and procedures established by the claimant
 4075 representative or its employer with regard to the filing of a

4076 claim, the number of defective claims previously filed by the
 4077 agent, employee, employer, or owner; that such guidelines
 4078 provide reasonable and meaningful notice of likely penalties
 4079 that may be imposed for proscribed conduct; and that such
 4080 penalties be consistently applied by the department.

4081 (5) The department may seek any appropriate civil legal
 4082 remedy available to it by filing a civil action in a court of
 4083 competent jurisdiction against any person who has, directly or
 4084 through a claimant ~~claimant's~~ representative, wrongfully
 4085 submitted a claim as the ~~ultimate~~ owner of property and
 4086 improperly received funds from the department in violation of
 4087 this chapter.

4088 **Section 83. Subsections (1) and (3) of section 717.133,**
 4089 **Florida Statutes, are amended to read:**

4090 717.133 Interstate agreements and cooperation; joint and
 4091 reciprocal actions with other states.—

4092 (1) The department may enter into agreements with other
 4093 states to exchange information needed to enable this or another
 4094 state to audit or otherwise determine abandoned ~~unclaimed~~
 4095 property that it or another state may be entitled to subject to
 4096 a claim of custody. The department may require the reporting of
 4097 information needed to enable compliance with agreements made
 4098 pursuant to this section and prescribe the form.

4099 (3) At the request of another state, the department may
 4100 bring an action in the name of the other state in any court of

4101 competent jurisdiction to enforce the abandoned ~~unclaimed~~
4102 property laws of the other state against a holder in this state
4103 of property subject to escheat or a claim of abandonment by the
4104 other state, if the other state has agreed to pay expenses
4105 incurred in bringing the action.

4106 **Section 84. Subsection (2) of section 717.1333, Florida**
4107 **Statutes, is amended to read:**

4108 717.1333 Evidence; estimations; audit reports and
4109 worksheets, investigator reports and worksheets, other related
4110 documents.—

4111 (2) If the records of the holder that are available for
4112 the periods subject to this chapter are insufficient to permit
4113 the preparation of a report of the abandoned ~~unclaimed~~ property
4114 due and owing by a holder, or if the holder fails to provide
4115 records after being requested to do so, the amount due to the
4116 department may be reasonably estimated.

4117 **Section 85. Paragraph (a) of subsection (1) and**
4118 **subsections (2) and (4) of section 717.1341, Florida Statutes,**
4119 **are amended to read:**

4120 717.1341 Invalid claims, recovery of property, interest
4121 and penalties.—

4122 (1) (a) A ~~No~~ person may not ~~shall~~ receive abandoned
4123 ~~unclaimed~~ property that the person is not entitled to receive.
4124 Any person who receives, or assists another person to receive,
4125 abandoned ~~unclaimed~~ property that the person is not entitled to

4126 receive is strictly, jointly, personally, and severally liable
4127 for the abandoned ~~unclaimed~~ property and shall immediately
4128 return the property, or the reasonable value of the property if
4129 the property has been damaged or disposed of, to the department
4130 plus interest at the rate set in accordance with s. 55.03(1).
4131 Assisting another person to receive abandoned ~~unclaimed~~ property
4132 includes executing a claim form on the person's behalf.

4133 (2) The department may maintain a civil or administrative
4134 action:

4135 (a) To recover abandoned ~~unclaimed~~ property that was paid
4136 or remitted to a person who was not entitled to the abandoned
4137 ~~unclaimed~~ property or to offset amounts owed to the department
4138 against amounts owed to an owner representative;

4139 (b) Against a person who assists another person in
4140 receiving, or attempting to receive, abandoned ~~unclaimed~~
4141 property that the person is not entitled to receive; or

4142 (c) Against a person who attempts to receive abandoned
4143 ~~unclaimed~~ property that the person is not entitled to receive.

4144 (4) A ~~No~~ person may not ~~shall~~ knowingly file, knowingly
4145 conspire to file, or knowingly assist in filing, a claim for
4146 abandoned ~~unclaimed~~ property the person is not entitled to
4147 receive. Any person who violates this subsection regarding
4148 abandoned ~~unclaimed~~ property of an aggregate value:

4149 (a) Greater than \$50,000, commits ~~is guilty of~~ a felony of
4150 the first degree, punishable as provided in s. 775.082, s.

4151 775.083, or s. 775.084;

4152 (b) Greater than \$10,000 up to \$50,000, commits ~~is guilty~~
 4153 ~~of~~ a felony of the second degree, punishable as provided in s.
 4154 775.082, s. 775.083, or s. 775.084;

4155 (c) Greater than \$250 up to \$10,000, commits ~~is guilty of~~
 4156 a felony of the third degree, punishable as provided in s.
 4157 775.082, s. 775.083, or s. 775.084;

4158 (d) Greater than \$50 up to \$250, commits ~~is guilty of~~ a
 4159 misdemeanor of the first degree, punishable as provided in s.
 4160 775.082 or s. 775.083; or

4161 (e) Up to \$50, commits ~~is guilty of~~ a misdemeanor of the
 4162 second degree, punishable as provided in s. 775.082 or s.
 4163 775.083.

4164 **Section 86. Section 717.135, Florida Statutes, is amended**
 4165 **to read:**

4166 717.135 Recovery agreements and purchase agreements for
 4167 claims filed by a claimant ~~claimant's~~ representative; fees and
 4168 costs or total net gain.—

4169 (1) In order to protect the interests of owners of
 4170 abandoned ~~unclaimed~~ property, the department shall adopt by rule
 4171 a form entitled "Abandoned Unclaimed Property Recovery
 4172 Agreement" and a form entitled "Abandoned Unclaimed Property
 4173 Purchase Agreement."

4174 (2) The Abandoned Unclaimed Property Recovery Agreement
 4175 and the Abandoned Unclaimed Property Purchase Agreement must

4176 include and disclose all of the following:

4177 (a) The total dollar amount of abandoned ~~unclaimed~~
4178 property accounts claimed or sold.

4179 (b) The total percentage of all authorized fees and costs
4180 to be paid to the claimant ~~claimant's~~ representative or the
4181 percentage of the value of the property to be paid as net gain
4182 to the purchasing claimant ~~claimant's~~ representative.

4183 (c) The total dollar amount to be deducted and received
4184 from the claimant as fees and costs by the claimant ~~claimant's~~
4185 representative or the total net dollar amount to be received by
4186 the purchasing claimant ~~claimant's~~ representative.

4187 (d) The net dollar amount to be received by the claimant
4188 or the seller.

4189 (e) For each account claimed, the abandoned ~~unclaimed~~
4190 property account number.

4191 (f) For the Abandoned ~~Unclaimed~~ Property Purchase
4192 Agreement, a statement that the amount of the purchase price
4193 will be remitted to the seller by the purchaser within 30 days
4194 after the execution of the agreement by the seller.

4195 (g) The name, address, e-mail address, phone number, and
4196 license number of the claimant ~~claimant's~~ representative.

4197 (h)1. The manual signature of the claimant or seller and
4198 the date signed, affixed on the agreement by the claimant or
4199 seller.

4200 2. Notwithstanding any other provision of this chapter to

4201 the contrary, the department may allow ~~an apparent owner, who is~~
4202 ~~also~~ the claimant or seller, to sign the agreement
4203 electronically. All electronic signatures on the Abandoned
4204 ~~Unclaimed~~ Property Recovery Agreement and the Abandoned
4205 ~~Unclaimed~~ Property Purchase Agreement must be affixed on the
4206 agreement by the claimant or seller using the specific,
4207 exclusive eSignature product and protocol authorized by the
4208 department.

4209 (i) The social security number or taxpayer identification
4210 number of the claimant or seller, if a number has been issued to
4211 the claimant or seller.

4212 (j) The total fees and costs, or the total discount in the
4213 case of a purchase agreement, which may not exceed 30 percent of
4214 the claimed amount. In the case of a recovery agreement, if the
4215 total fees and costs exceed 30 percent, the fees and costs shall
4216 be reduced to 30 percent and the net balance shall be remitted
4217 directly by the department to the claimant. In the case of a
4218 purchase agreement, if the total net gain of the claimant
4219 ~~claimant's~~ representative exceeds 30 percent, the claim will be
4220 denied.

4221 (3) For an Abandoned ~~Unclaimed~~ Property Purchase Agreement
4222 form, proof that the purchaser has made payment must be filed
4223 with the department along with the claim. If proof of payment is
4224 not provided, the claim is void.

4225 (4) A claimant ~~claimant's~~ representative must use the

4226 Abandoned ~~Unclaimed~~ Property Recovery Agreement or the Abandoned
 4227 ~~Unclaimed~~ Property Purchase Agreement as the exclusive means of
 4228 entering into an agreement or a contract with a claimant or
 4229 seller to file a claim with the department.

4230 (5) Fees and costs may be owed or paid to, or received by,
 4231 a claimant ~~claimant's~~ representative only after a filed claim
 4232 has been approved and if the claimant's representative used an
 4233 agreement authorized by this section.

4234 (6) A claimant ~~claimant's~~ representative may not use or
 4235 distribute any other agreement of any type, conveyed by any
 4236 method, with respect to the claimant or seller which relates,
 4237 directly or indirectly, to abandoned ~~unclaimed~~ property accounts
 4238 held by the department or the Chief Financial Officer other than
 4239 the agreements authorized by this section. Any engagement,
 4240 authorization, recovery, or fee agreement that is not authorized
 4241 by this section is void. A claimant ~~claimant's~~ representative is
 4242 subject to administrative and civil enforcement under s.
 4243 717.1322 if he or she uses an agreement that is not authorized
 4244 by this section and if the agreement is used to apply, directly
 4245 or indirectly, to abandoned ~~unclaimed~~ property held by this
 4246 state. This subsection does not prohibit lawful nonagreement,
 4247 noncontractual, or advertising communications between or among
 4248 the parties.

4249 (7) The Abandoned ~~Unclaimed~~ Property Recovery Agreement
 4250 may not contain language that makes the agreement irrevocable or

4251 that creates an assignment of any portion of abandoned ~~unclaimed~~
4252 property held by the department.

4253 (8) When a claim is approved, the department may pay any
4254 additional account that is owned by the claimant but has not
4255 been claimed at the time of approval, provided that a subsequent
4256 claim has not been filed or is not pending for the claimant at
4257 the time of approval.

4258 (9) This section does not supersede s. 717.1241.

4259 ~~(10) This section does not apply to the sale and purchase
4260 of Florida held unclaimed property accounts through a bankruptcy
4261 estate representative or other person or entity authorized
4262 pursuant to Title XI of the United States Code or an order of a
4263 bankruptcy court to act on behalf or for the benefit of the
4264 debtor, its creditors, and its bankruptcy estate.~~

4265 **Section 87. Section 717.1356, Florida Statutes, is created**
4266 **to read:**

4267 717.1356 Purchase of abandoned property.—

4268 (1) Agreements for the purchase of abandoned property
4269 reported to the department shall be valid only if all of the
4270 following conditions are met:

4271 (a) The agreement is entitled "Florida Abandoned Property
4272 Purchase Agreement" and is in writing, in minimum 12-point type.

4273 (b) The agreement includes the social security number or
4274 taxpayer identification number of the seller, if a number has
4275 been issued to the seller; a valid e-mail address, mailing

4276 address, and telephone number for the seller; and is manually
4277 signed and dated by the seller with the signature notarized.

4278 (c) The agreement discloses with specificity the nature
4279 and value of the abandoned property, including the name of the
4280 apparent owner as shown by the records of the department, the
4281 name of the holder who remitted the property, the date of last
4282 contact, and the property category. With respect to the value of
4283 the abandoned property, the agreement must contain the
4284 following:

4285 1. The total dollar amount of all abandoned property to be
4286 sold.

4287 2. The total percentage of the value of the abandoned
4288 property to be paid as net gain to the purchaser.

4289 3. The total net dollar amount to be received by the
4290 purchaser.

4291 4. The net dollar amount to be received by the seller.

4292 (d) The agreement states the abandoned property account
4293 number for each abandoned property account sold.

4294 (e) The purchase price does not discount the total value
4295 of all abandoned property subject to the sale by more than 30
4296 percent.

4297 (f) The agreement states that the amount of the purchase
4298 price will be remitted to the seller by the purchaser within 30
4299 days after the execution of the agreement by the seller.

4300 (g) The agreement includes the name, address, e-mail

4301 address, and phone number of the purchaser.

4302 (h) The agreement states that the abandoned property is
4303 currently in the department's custody and that the seller can
4304 claim the property directly from the department on its
4305 electronically searchable website without being charged a fee.
4306 The agreement must provide the department's website address.

4307 (2) A seller may cancel a purchase agreement without
4308 penalty or obligation within 15 business days after the date on
4309 which the agreement was executed. The agreement must contain the
4310 following language in minimum 12-point type: "You may cancel
4311 this agreement for any reason without penalty or obligation to
4312 you within 15 days after the date of this agreement by providing
4313 notice to . . .(name of purchaser). . ., submitted in writing
4314 and sent by certified mail, return receipt requested, or other
4315 form of mailing that provides proof thereof, at the address or
4316 e-mail address specified in the agreement."

4317 (3) A copy of an executed Florida Abandoned Property
4318 Purchase Agreement must be filed with the purchaser's claim,
4319 along with proof that the purchaser has made payment in full,
4320 and all other required documentation. If proof of payment is not
4321 provided, the department may not approve the claim.

4322 (4) A purchase agreement under this section that discounts
4323 the value of abandoned property by more than the amount
4324 authorized in paragraph (1) (e) is enforceable only by the
4325 seller.

4326 (5) This section does not apply to asset purchase
4327 agreements involving the assets of a business association
4328 arising out of a bankruptcy proceeding under Title 11 of the
4329 United States Code or corporate dissolution or similar
4330 proceeding under applicable state law such as receiverships and
4331 assignments for the benefit of creditors.

4332 (6) This section does not apply to asset purchase
4333 agreements between an asset purchaser and sellers who comprise a
4334 large business association.

4335 (a) For the purposes of this subsection, a large business
4336 association is a business association or group of business
4337 associations that:

4338 1. Generates \$100 million or more in annual gross receipts
4339 or sales;

4340 2. Employs 100 or more full time employees in the United
4341 States; or

4342 3. Has equity securities publicly traded on an exchange
4343 regulated by the United States Securities and Exchange
4344 Commission.

4345 (b) Claims filed by an asset purchaser under this
4346 subsection must include:

4347 1. A complete copy of the asset purchase agreement or
4348 similar contract between the asset purchaser and the seller; and

4349 2. An attestation by the seller either in the asset
4350 purchase agreement or in a separate written affirmation from the

4351 owner that the owner:

4352 a. Meets one or more of the characteristics that qualify
4353 it as a large business association under paragraph (a); and

4354 b. Is aware that it is selling unclaimed property that may
4355 be recovered from the administrator without paying a fee.

4356 (c) If the seller is a publicly traded entity, the asset
4357 purchaser may provide a copy, or a link to an online copy, of
4358 the most recent copy of Form 10K filed with the United States
4359 Securities and Exchange Commission in lieu of the affirmation
4360 that the owner meets one or more of the characteristics that
4361 qualify it as a large business association.

4362 (d) Nothing in this subsection limits the ability of the
4363 department to request or receive additional evidence sufficient
4364 to establish to the satisfaction of the department that the
4365 claimant is the owner of the property pursuant to this chapter.

4366 (e) The department may adopt rules to implement this
4367 subsection.

4368 (f) The requirements of this section shall apply only to
4369 claims filed based on asset purchase agreements executed on or
4370 after the effective date of this act.

4371 **Section 88.** The Division of Law Revision is directed to
4372 replace the phrase "the effective date of this act" wherever it
4373 occurs in this act with the date this act becomes a law.

4374 **Section 89.** **Section 717.138, Florida Statutes, is amended**
4375 **to read:**

4376 717.138 Rulemaking authority.—The department shall
 4377 administer and provide for the enforcement of this chapter. The
 4378 department has authority to adopt rules pursuant to ss.
 4379 120.536(1) and 120.54 to implement the provisions of this
 4380 chapter. The department may adopt rules to allow for electronic
 4381 filing of fees, forms, and reports required by this chapter. The
 4382 authority to adopt rules pursuant to this chapter applies to all
 4383 abandoned ~~unclaimed~~ property reported and remitted to the Chief
 4384 Financial Officer, including, but not limited to, property
 4385 reported and remitted pursuant to ss. 45.032, 732.107, 733.816,
 4386 and 744.534.

4387 **Section 90. Section 717.1382, Florida Statutes, is amended**
 4388 **to read:**

4389 717.1382 United States savings bond; abandoned ~~unclaimed~~
 4390 property; escheatment; procedure.—

4391 (1) Notwithstanding any other provision of law, a United
 4392 States savings bond in possession of the department or
 4393 registered to a person with a last known address in the state,
 4394 including a bond that is lost, stolen, or destroyed, is presumed
 4395 abandoned ~~and unclaimed~~ 5 years after the bond reaches maturity
 4396 and no longer earns interest and shall be reported and remitted
 4397 to the department by the financial institution or other holder
 4398 in accordance with ss. 717.117(5) and (11) ~~ss. 717.117(1) and~~
 4399 ~~(5)~~ and 717.119, if the department is not in possession of the
 4400 bond.

4401 (2) (a) After a United States savings bond is abandoned ~~and~~
 4402 ~~unclaimed~~ in accordance with subsection (1), the department may
 4403 commence a civil action in a court of competent jurisdiction in
 4404 Leon County for a determination that the bond shall escheat to
 4405 the state. Upon determination of escheatment, all property
 4406 rights to the bond or proceeds from the bond, including all
 4407 rights, powers, and privileges of survivorship of an owner, co-
 4408 owner, or beneficiary, shall vest solely in the state.

4409 (b) Service of process by publication may be made on a
 4410 party in a civil action pursuant to this section. A notice of
 4411 action shall state the name of any known owner of the bond, the
 4412 nature of the action or proceeding in short and simple terms,
 4413 the name of the court in which the action or proceeding is
 4414 instituted, and an abbreviated title of the case.

4415 (c) The notice of action shall require a person claiming
 4416 an interest in the bond to file a written defense with the clerk
 4417 of the court and serve a copy of the defense by the date fixed
 4418 in the notice. The date must not be less than 28 or more than 60
 4419 days after the first publication of the notice.

4420 (d) The notice of action shall be published once a week
 4421 for 4 consecutive weeks in a newspaper of general circulation
 4422 published in Leon County. Proof of publication shall be placed
 4423 in the court file.

4424 (e)1. If no person files a claim with the court for the
 4425 bond and if the department has substantially complied with the

4426 provisions of this section, the court shall enter a default
 4427 judgment that the bond, or proceeds from such bond, has
 4428 escheated to the state.

4429 2. If a person files a claim for one or more bonds and,
 4430 after notice and hearing, the court determines that the claimant
 4431 is not entitled to the bonds claimed by such claimant, the court
 4432 shall enter a judgment that such bonds, or proceeds from such
 4433 bonds, have escheated to the state.

4434 3. If a person files a claim for one or more bonds and,
 4435 after notice and hearing, the court determines that the claimant
 4436 is entitled to the bonds claimed by such claimant, the court
 4437 shall enter a judgment in favor of the claimant.

4438 (3) The department may redeem a United States savings bond
 4439 escheated to the state pursuant to this section or, in the event
 4440 that the department is not in possession of the bond, seek to
 4441 obtain the proceeds from such bond. Proceeds received by the
 4442 department shall be deposited in accordance with s. 717.123.

4443 **Section 91. Section 717.139, Florida Statutes, is amended**
 4444 **to read:**

4445 717.139 Uniformity of application and construction.—

4446 (1) The Legislature finds that laws governing abandoned
 4447 property serve a vital public purpose by protecting the property
 4448 rights of owners, facilitating the return abandoned property to
 4449 its owners, preventing private escheatment, and ensuring that
 4450 abandoned assets are preserved and safeguarded from waste or

4451 misuse. It is the public policy of the state to protect the
 4452 interests of owners of abandoned ~~unclaimed~~ property. ~~It is~~
 4453 ~~declared to be in the best interests of owners of unclaimed~~
 4454 ~~property that such owners receive the full amount of any~~
 4455 ~~unclaimed property without any fee.~~

4456 (2) This chapter shall be applied and construed as to
 4457 effectuate its general purpose of protecting the interest of
 4458 missing owners of abandoned property, while providing that the
 4459 benefit of all ~~unclaimed and~~ abandoned property shall go to all
 4460 the people of the state, and to make uniform the law with
 4461 respect to the subject of this chapter among states enacting it.
 4462 It is the intent of the Legislature that property reported under
 4463 this chapter remains the property of the owner and that the
 4464 State of Florida acts solely as a custodian, not as the owner,
 4465 of such property. Title to abandoned property may not transfer
 4466 to the state except as expressly provided by law and only after
 4467 all reasonable efforts to identify and return the property to
 4468 its rightful owner have been exhausted.

4469 **Section 92. Section 717.1400, Florida Statutes, is amended**
 4470 **to read:**

4471 717.1400 Registration.—

4472 (1) In order to file claims as a claimant ~~claimant's~~
 4473 representative, receive a distribution of fees and costs for
 4474 approved claims from the department, and obtain information
 4475 regarding abandoned ~~unclaimed~~ property dollar amounts and

4476 numbers of reported shares of stock held by the department, an
 4477 individual must meet all of the following requirements:

4478 (a) Be one of the following:

4479 1. A Florida-licensed private investigator holding a Class
 4480 "C" individual license under chapter 493;

4481 2. A Florida-certified public account; or

4482 3. A Florida-licensed attorney.

4483 (b) Have obtained a certificate of registration from ~~Must~~
 4484 ~~register with~~ the department.

4485 (2) An application for registration as a claimant
 4486 representative must be submitted in writing on a form prescribed
 4487 by the department and must be accompanied by all of the
 4488 following:

4489 (a) A legible color copy of the applicant's current driver
 4490 license showing the full name and current address of such
 4491 person. If a current driver license is not available, another
 4492 form of photo identification must be provided which shows the
 4493 full name and current address of such person.

4494 (b) If the applicant is a private investigator:

4495 1. ~~on such form as the department prescribes by rule and~~
 4496 ~~must be verified by the applicant. To register with the~~
 4497 ~~department, a private investigator must provide:~~

4498 ~~(a)~~ A legible copy of the applicant's Class "A" business
 4499 license under chapter 493 or that of the applicant's firm or
 4500 employer which holds a Class "A" business license under chapter

4501 493; and-
 4502 2.~~(b)~~ A legible copy of the applicant's Class "C"
 4503 individual license issued under chapter 493.
 4504 (c) If the applicant is a certified public account, the
 4505 applicant's Florida Board of Accountancy number.
 4506 (d) If the applicant is a licensed attorney, the
 4507 applicant's Florida Bar number.
 4508 (e)~~(e)~~ The business address, and telephone number, tax
 4509 identification number, and state of domicile or incorporation of
 4510 the applicant's ~~private investigative~~ firm or employer.
 4511 (f)~~(d)~~ The names of agents, or employees, or independent
 4512 contractors, if any, who are designated or authorized to act on
 4513 behalf of the applicant ~~private investigator,~~ together with a
 4514 legible color copy of their photo identification issued by an
 4515 agency of the United States, or a state, or a political
 4516 subdivision thereof.
 4517 (g) A statement that the applicant has not, during the 5-
 4518 year period immediately preceding the submission of the
 4519 application, violated any part of the Florida Disposition of
 4520 Abandoned Personal Property Act.
 4521 (h) A statement that the applicant has not been convicted
 4522 of, or plead guilty to, a felony or any offense involving moral
 4523 turpitude; dishonesty; deceit; or breach of fiduciary duty,
 4524 including theft, attempted theft, falsification, tampering with
 4525 records, securing writings by deception, fraud, forgery, or

4526 perjury.

4527 (i)~~(e)~~ Sufficient information to enable the department to
4528 disburse funds by electronic funds transfer.

4529 (j) The applicant's notarized signature immediately
4530 following an acknowledgment that any false or perjured statement
4531 subjects the applicant to criminal liability under the laws of
4532 this state

4533 ~~(f) The tax identification number of the private~~
4534 ~~investigator's firm or employer which holds a Class "A" business~~
4535 ~~license under chapter 493.~~

4536 ~~(2) In order to file claims as a claimant's~~
4537 ~~representative, receive a distribution of fees and costs from~~
4538 ~~the department, and obtain unclaimed property dollar amounts and~~
4539 ~~numbers of reported shares of stock held by the department, a~~
4540 ~~Florida-certified public accountant must register with the~~
4541 ~~department on such form as the department prescribes by rule and~~
4542 ~~must be verified by the applicant. To register with the~~
4543 ~~department, a Florida-certified public accountant must provide:~~

4544 ~~(a) The applicant's Florida Board of Accountancy number.~~

4545 ~~(b) A legible copy of the applicant's current driver~~
4546 ~~license showing the full name and current address of such~~
4547 ~~person. If a current driver license is not available, another~~
4548 ~~form of identification showing the full name and current address~~
4549 ~~of such person or persons shall be filed with the department.~~

4550 ~~(c) The business address and telephone number of the~~

4551 ~~applicant's public accounting firm or employer.~~

4552 ~~(d) The names of agents or employees, if any, who are~~
4553 ~~designated to act on behalf of the Florida-certified public~~
4554 ~~accountant, together with a legible copy of their photo~~
4555 ~~identification issued by an agency of the United States, or a~~
4556 ~~state, or a political subdivision thereof.~~

4557 ~~(e) Sufficient information to enable the department to~~
4558 ~~disburse funds by electronic funds transfer.~~

4559 ~~(f) The tax identification number of the accountant's~~
4560 ~~public accounting firm employer.~~

4561 ~~(3) In order to file claims as a claimant's~~
4562 ~~representative, receive a distribution of fees and costs from~~
4563 ~~the department, and obtain unclaimed property dollar amounts and~~
4564 ~~numbers of reported shares of stock held by the department, an~~
4565 ~~attorney licensed to practice in this state must register with~~
4566 ~~the department on such form as the department prescribes by rule~~
4567 ~~and must be verified by the applicant. To register with the~~
4568 ~~department, such attorney must provide:~~

4569 ~~(a) The applicant's Florida Bar number.~~

4570 ~~(b) A legible copy of the applicant's current driver~~
4571 ~~license showing the full name and current address of such~~
4572 ~~person. If a current driver license is not available, another~~
4573 ~~form of identification showing the full name and current address~~
4574 ~~of such person or persons shall be filed with the department.~~

4575 ~~(c) The business address and telephone number of the~~

4576 ~~applicant's firm or employer.~~

4577 ~~(d) The names of agents or employees, if any, who are~~
4578 ~~designated to act on behalf of the attorney, together with a~~
4579 ~~legible copy of their photo identification issued by an agency~~
4580 ~~of the United States, or a state, or a political subdivision~~
4581 ~~thereof.~~

4582 ~~(e) Sufficient information to enable the department to~~
4583 ~~disburse funds by electronic funds transfer.~~

4584 ~~(f) The tax identification number of the attorney's firm~~
4585 ~~or employer.~~

4586 ~~(4)~~ Information and documents already on file with the
4587 department before the effective date of this provision need not
4588 be resubmitted in order to complete the registration.

4589 ~~(4)-(5)~~ If a material change in the status of a
4590 registration occurs, the claimant representative ~~a registrant~~
4591 must, within 30 days, provide the department with the updated
4592 documentation and information in writing. Material changes
4593 include, but are not limited to, the following, ~~÷~~ a designated
4594 agent or employee ceasing to act on behalf of the designating
4595 person, a surrender, suspension, or revocation of a license, or
4596 a license renewal.

4597 (a) If a designated agent or employee ceases to act on
4598 behalf of the person who has designated the agent or employee to
4599 act on such person's behalf, the designating person must, within
4600 30 days, inform the department ~~the Division of Unclaimed~~

4601 ~~Property~~ in writing of the termination of agency or employment.

4602 (b) If a registrant surrenders the registrant's license or
 4603 the license is suspended or revoked, the registrant must, within
 4604 30 days, inform the division in writing of the surrender,
 4605 suspension, or revocation.

4606 (c) If a private investigator's Class "C" individual
 4607 license under chapter 493 or a private investigator's employer's
 4608 Class "A" business license under chapter 493 is renewed, the
 4609 private investigator must provide a copy of the renewed license
 4610 to the department within 30 days after the receipt of the
 4611 renewed license by the private investigator or the private
 4612 investigator's employer.

4613 (5)-(6) An applicant's claimant representative's A
 4614 ~~registrant's~~ firm or employer may not have a name that might
 4615 lead another person to conclude that the claimant
 4616 representative's ~~registrant's~~ firm or employer is affiliated or
 4617 associated with the United States, or an agency thereof, or a
 4618 state or an agency or political subdivision of a state. The
 4619 department shall deny an application for registration or revoke
 4620 a registration if the applicant's or claimant representative's
 4621 ~~registrant's~~ firm or employer has a name that might lead another
 4622 person to conclude that the firm or employer is affiliated or
 4623 associated with the United States, or an agency thereof, or a
 4624 state or an agency or political subdivision of a state. Names
 4625 that might lead another person to conclude that the firm or

4626 employer is affiliated or associated with the United States, or
4627 an agency thereof, or a state or an agency or political
4628 subdivision of a state, include, but are not limited to, the
4629 words United States, Florida, state, bureau, division,
4630 department, or government.

4631 (6) ~~(7)~~ The licensing and other requirements of this
4632 section must be maintained as a condition of registration with
4633 the department.

4634 (7) To maintain active registration under this section, a
4635 claimant representative must file and obtain payment on at least
4636 10 claims per calendar year following the date of initial
4637 registration.

4638 (a) If a claimant representative fails to meet this
4639 requirement, the department must notify the claimant
4640 representative in writing and provide 30 days to demonstrate
4641 compliance or good cause for noncompliance.

4642 (b) If the claimant representative does not cure the
4643 deficiency or demonstrate good cause within the time provided,
4644 the department must revoke the registration.

4645 (c) A claimant representative whose registration is
4646 revoked under this subsection may not reapply for registration
4647 under this section for a period of 1 year following the
4648 effective date of the revocation.

4649 **Section 93. Subsection (1) of section 1001.281, Florida**
4650 **Statutes, is amended to read:**

4651 1001.281 Operating Trust Fund.—

4652 (1) The Operating Trust Fund, ~~FLAIR number 48-2-510,~~ is
 4653 created within the Department of Education.

4654 **Section 94. Subsection (1) of section 1001.282, Florida**
 4655 **Statutes, is amended to read:**

4656 1001.282 Administrative Trust Fund.—

4657 (1) The Administrative Trust Fund, ~~FLAIR number 48-2-021,~~
 4658 is created within the Department of Education.

4659 **Section 95. Paragraph (a) of subsection (2) of section**
 4660 **197.582, Florida Statutes, is amended to read:**

4661 197.582 Disbursement of proceeds of sale.—

4662 (2) (a) If the property is purchased for an amount in
 4663 excess of the statutory bid of the certificateholder, the
 4664 surplus must be paid over and disbursed by the clerk as set
 4665 forth in subsections (3), (5), and (6). If the opening bid
 4666 included the homestead assessment pursuant to s. 197.502(6)(c),
 4667 that amount must be treated as surplus and distributed in the
 4668 same manner. The clerk shall distribute the surplus to the
 4669 governmental units for the payment of any lien of record held by
 4670 a governmental unit against the property, including any tax
 4671 certificates not incorporated in the tax deed application and
 4672 omitted taxes, if any. If there remains a balance of
 4673 undistributed funds, the balance must be retained by the clerk
 4674 for the benefit of persons described in s. 197.522(1)(a), except
 4675 those persons described in s. 197.502(4)(h), as their interests

4676 | may appear. The clerk shall mail notices to such persons
 4677 | notifying them of the funds held for their benefit at the
 4678 | addresses provided in s. 197.502(4). Such notice constitutes
 4679 | compliance with the requirements of s. 717.117 ~~s. 717.117(6)~~.
 4680 | Any service charges and costs of mailing notices shall be paid
 4681 | out of the excess balance held by the clerk. Notice must be
 4682 | provided in substantially the following form:

4683 |

4684 | NOTICE OF SURPLUS FUNDS

4685 | FROM TAX DEED SALE

4686 |

4687 | CLERK OF COURT

4688 | COUNTY, FLORIDA

4689 |

4690 | Tax Deed #.....

4691 | Certificate #.....

4692 | Property Description:

4693 | Pursuant to chapter 197, Florida Statutes, the above
 4694 | property was sold at public sale on ...(date of sale)..., and a
 4695 | surplus of \$...(amount)... (subject to change) will be held by
 4696 | this office for 120 days beginning on the date of this notice to
 4697 | benefit the persons having an interest in this property as
 4698 | described in section 197.502(4), Florida Statutes, as their
 4699 | interests may appear (except for those persons described in
 4700 | section 197.502(4)(h), Florida Statutes).

4701 To the extent possible, these funds will be used to satisfy
 4702 in full each claimant with a senior mortgage or lien in the
 4703 property before distribution of any funds to any junior mortgage
 4704 or lien claimant or to the former property owner. To be
 4705 considered for funds when they are distributed, you must file a
 4706 notarized statement of claim with this office within 120 days of
 4707 this notice. If you are a lienholder, your claim must include
 4708 the particulars of your lien and the amounts currently due. Any
 4709 lienholder claim that is not filed within the 120-day deadline
 4710 is barred.

4711 A copy of this notice must be attached to your statement of
 4712 claim. After the office examines the filed claim statements, it
 4713 will notify you if you are entitled to any payment.

4714 Dated:

4715 Clerk of Court

4716 **Section 96. Paragraph (t) of subsection (1) of section**
 4717 **626.9541, Florida Statutes, is amended to read:**

4718 626.9541 Unfair methods of competition and unfair or
 4719 deceptive acts or practices defined.—

4720 (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE
 4721 ACTS.—The following are defined as unfair methods of competition
 4722 and unfair or deceptive acts or practices:

4723 (t) *Certain life insurance relations with funeral*
 4724 *directors prohibited.*—

4725 1. No life insurer shall permit any funeral director or

4726 direct disposer to act as its representative, adjuster, claim
 4727 agent, special claim agent, or agent for such insurer in
 4728 soliciting, negotiating, or effecting contracts of life
 4729 insurance on any plan or of any nature issued by such insurer or
 4730 in collecting premiums for holders of any such contracts except
 4731 as prescribed in s. 626.785(2) ~~s. 626.785(3)~~.

4732 2. No life insurer shall:

4733 a. Affix, or permit to be affixed, advertising matter of
 4734 any kind or character of any licensed funeral director or direct
 4735 disposer to such policies of insurance.

4736 b. Circulate, or permit to be circulated, any such
 4737 advertising matter with such insurance policies.

4738 c. Attempt in any manner or form to influence
 4739 policyholders of the insurer to employ the services of any
 4740 particular licensed funeral director or direct disposer.

4741 3. No such insurer shall maintain, or permit its agent to
 4742 maintain, an office or place of business in the office,
 4743 establishment, or place of business of any funeral director or
 4744 direct disposer in this state.

4745 **Section 97. For the purpose of incorporating the amendment**
 4746 **made by this act to section 717.101, Florida Statutes, in a**
 4747 **reference thereto, paragraph (a) of subsection (6) of section**
 4748 **772.13, Florida Statutes, is reenacted to read:**

4749 772.13 Civil remedy for terrorism or facilitating or
 4750 furthering terrorism.—

4751 (6) (a) In any postjudgment execution proceedings to
4752 enforce a judgment entered against a terrorist party under this
4753 section or under 18 U.S.C. s. 2333 or a substantially similar
4754 law of the United States or of any state or territory of the
4755 United States, including postjudgment execution proceedings
4756 against any agency or instrumentality of the terrorist party not
4757 named in the judgment pursuant to s. 201(a) of the Terrorism
4758 Risk Insurance Act, 28 U.S.C. s. 1610:

4759 1. There is no right to a jury trial under s. 56.18 or s.
4760 77.08;

4761 2. A defendant or a person may not use the resources of
4762 the courts of this state in furtherance of a defense or an
4763 objection to postjudgment collection proceedings if the
4764 defendant or person purposely leaves the jurisdiction of this
4765 state or the United States, declines to enter or reenter this
4766 state or the United States to submit to its jurisdiction, or
4767 otherwise evades the jurisdiction of the court in which a
4768 criminal case is pending against the defendant or person. This
4769 subparagraph applies to any entity that is owned or controlled
4770 by a person to whom this paragraph applies;

4771 3. Creditor process issued under chapter 56 or chapter 77
4772 may be served upon any person or entity over whom the court has
4773 personal jurisdiction. Writs of garnishment issued under s.
4774 77.01 and proceedings supplementary under s. 56.29 apply to
4775 intangible assets wherever located, without territorial

4776 limitation, including bank accounts as defined in s.
4777 674.104(1)(a), financial assets as defined in s. 678.1021(1), or
4778 other intangible property as defined in s. 717.101. The situs of
4779 any intangible assets held or maintained by or in the
4780 possession, custody, or control of a person or entity so served
4781 shall be deemed to be in this state for the purposes of a
4782 proceeding under chapter 56 or chapter 77. Service of a writ or
4783 notice to appear under this section shall provide the court with
4784 in rem jurisdiction over any intangible assets regardless of the
4785 location of the assets;

4786 4. Notwithstanding s. 678.1121, the interest of a debtor
4787 in a financial asset or security entitlement may be reached by a
4788 creditor by legal process upon the securities intermediary with
4789 whom the debtor's securities account is maintained, or, if that
4790 is a foreign entity, legal process under chapter 56 or chapter
4791 77 may be served upon the United States securities custodian or
4792 intermediary that has reported holding, maintaining, possessing,
4793 or controlling the blocked financial assets or security
4794 entitlements to the Office of Foreign Assets Control of the
4795 United States Department of the Treasury, and such financial
4796 assets or security entitlements shall be subject to execution,
4797 garnishment, and turnover by the United States securities
4798 custodian or intermediary; and

4799 5. Notwithstanding s. 670.502(4), when an electronic funds
4800 transfer is not completed within 5 banking days and is canceled

4801 pursuant to s. 670.211(4) because a United States intermediary
4802 financial institution has blocked the transaction in compliance
4803 with a United States sanctions program, and a terrorist party or
4804 any agency or instrumentality thereof was either the originator
4805 or the intended beneficiary, then the blocked funds shall be
4806 deemed owned by the terrorist party or its agency or
4807 instrumentality and shall be subject to execution and
4808 garnishment.

4809 **Section 98.** The following rules are ratified for the sole
4810 and exclusive purpose of satisfying any condition on
4811 effectiveness imposed under chapter 2025-100, Laws of Florida:
4812 Rules 69C-2.004, 69C-2.005, 69C-2.016, 69C-2.022, 69C-2.026,
4813 69C-2.034, 69C-2.035, 69U-100.097, 69V-560.1000, 69V-560.1012,
4814 69V-560.102, 69V-560.7032, 69V-560.7033, 69V-560.7034, 69V-
4815 560.7035, and 69V-560.7036, Florida Administrative Code,
4816 entitled "Definitions," "Designation of a Qualified Public
4817 Depository," "Financial Information Reports by a Qualified
4818 Public Depository," "Requirements of Public Depositors,"
4819 "Administration of Payment of Losses," "Disqualification,
4820 Suspension, and Administrative Penalty," "Custodians of Gold
4821 Coin or Silver Coin," "Gold Coin or Silver Coin Deposits,"
4822 "Disciplinary Guidelines," "Adoption of Forms," "Application or
4823 Appointment Procedures and Requirements," "Records to Be
4824 Maintained when Engaged in Transactions Involving Gold and
4825 Silver Coin," "Gold Coin and Silver Coin Disclosures,"

4826 "Accredited Refiner or Wholesaler of Gold Coin or Silver Coin,"
 4827 "Chain of Custody Related to Gold or Silver Coin," and "Rapid
 4828 Response Time by Law Enforcement," respectively, as filed for
 4829 adoption with the Department of State pursuant to the
 4830 certification packages dated October 31, 2025, and November 1,
 4831 2025.

4832 **Section 99.** Section 18 of chapter 2025-100, Laws of
 4833 Florida, is repealed.

4834 **Section 100.** This act shall take effect upon becoming a
 4835 law.
 4836