



26 | amending s. 440.385, F.S.; providing requirements for  
27 | certain contracts entered into and purchases made by  
28 | the Florida Self-Insurers Guaranty Association,  
29 | Incorporated; providing duties of the department and  
30 | the association relating to such contracts and  
31 | purchases; providing exemptions; amending s. 497.101,  
32 | F.S.; revising the requirements for appointing and  
33 | nominating members of the Board of Funeral, Cemetery,  
34 | and Consumer Services; revising the members' terms;  
35 | revising the authority to remove board members;  
36 | providing for vacancy appointments; providing that  
37 | board members are subject to the code of ethics;  
38 | providing requirements for board members' conduct;  
39 | prohibiting certain acts by the board; providing  
40 | penalties; providing requirements for board meetings,  
41 | books, and records; requiring notices of board  
42 | meetings; providing requirements for such notices;  
43 | amending s. 497.153, F.S.; authorizing services by  
44 | electronic mail of administrative complaints against  
45 | certain licensees under certain circumstances;  
46 | amending s. 497.155, F.S.; authorizing services of  
47 | citations by electronic mail under certain  
48 | circumstances; amending s. 497.172, F.S.; revising  
49 | circumstances under which the department may disclose  
50 | certain information that is confidential and exempt

51 from public records requirements; amending s. 497.386,  
52 F.S.; authorizing the department to enter and secure  
53 certain establishments, facilities, and morgues and  
54 remove certain remains under specified circumstances;  
55 requiring the department to make certain  
56 determinations; prohibiting certain licensees and  
57 facilities from being held liable under certain  
58 circumstances; providing penalties; creating s.  
59 497.469, F.S.; authorizing preneed licensees to  
60 withdraw certain amounts of money under certain  
61 circumstances; providing documents that show that a  
62 preneed contract has been fulfilled; providing  
63 recordkeeping requirements; amending s. 624.307, F.S.;  
64 requiring eligible surplus lines insurers to respond  
65 to the department or the Office of Insurance  
66 Regulation after receipt of requests for documents and  
67 information concerning consumer complaints; providing  
68 penalties for failure to comply; requiring authorized  
69 insurers and eligible surplus lines insurers to file  
70 e-mail addresses with the department and to designate  
71 contact persons for specified purposes; authorizing  
72 changes of designated contact information; amending s.  
73 626.171, F.S.; requiring the department to make  
74 provisions for certain insurance license applicants to  
75 submit cellular telephone numbers for a specified

76 | purpose; amending s. 626.221, F.S.; providing a  
77 | qualification for all-lines adjuster licenses;  
78 | amending s. 626.601, F.S.; revising construction;  
79 | amending s. 626.7351, F.S.; providing a qualification  
80 | for customer representative's licenses; amending s.  
81 | 626.878, F.S.; providing duties and prohibited acts  
82 | for adjusters; amending s. 626.929, F.S.; specifying  
83 | that licensed and appointed general lines agents,  
84 | rather than general lines agents, may engage in  
85 | certain activities while also licensed and appointed  
86 | as surplus lines agents; authorizing general lines  
87 | agents that are also licensed as surplus lines agents  
88 | to make certain appointments; authorizing such agents  
89 | to originate specified businesses and accept specified  
90 | businesses; prohibiting such agents from being  
91 | appointed by or transacting certain insurance on  
92 | behalf of specified insurers; amending s. 627.351,  
93 | F.S.; providing requirements for certain contracts  
94 | entered into and purchases made by the Florida Joint  
95 | Underwriting Association; providing duties of the  
96 | department and the association associated with such  
97 | contracts and purchases; amending s. 631.59, F.S.;  
98 | providing requirements for certain contracts entered  
99 | into and purchases made by the Florida Insurance  
100 | Guaranty Association, Incorporated; providing duties

101 of the department and the association associated with  
102 such contracts and purchases; providing  
103 nonapplicability; amending ss. 631.722, 631.821, and  
104 631.921, F.S.; providing requirements for certain  
105 contracts entered into and purchases made by the  
106 Florida Life and Health Insurance Guaranty  
107 Association, the board of directors of the Florida  
108 Health Maintenance Organization Consumer Assistance  
109 Plan, and the board of directors of the Florida  
110 Workers' Compensation Insurance Guaranty Association,  
111 respectively; providing duties of the department and  
112 of the association and boards associated with such  
113 contracts and purchases; amending s. 633.124, F.S.;  
114 updating the edition of a manual for the use of  
115 pyrotechnics; amending s. 633.202, F.S.; revising the  
116 duties of the State Fire Marshal; amending s. 633.206,  
117 F.S.; revising the requirements for uniform firesafety  
118 standards established by the department; amending s.  
119 634.041, F.S.; specifying the conditions under which  
120 service agreement companies do not have to establish  
121 and maintain unearned premium reserves; amending s.  
122 634.081, F.S.; specifying the conditions under which  
123 service agreement companies' licenses are not  
124 suspended or revoked under certain circumstances;  
125 amending s. 634.3077, F.S.; specifying requirements

126 for certain contractual liability insurance obtained  
127 by home warranty associations; providing that such  
128 associations are not required to establish unearned  
129 premium reserves or maintain contractual liability  
130 insurance; authorizing such associations to allow  
131 their premiums to exceed certain limitations under  
132 certain circumstances; amending s. 634.317, F.S.;  
133 providing that certain entities, employees, and agents  
134 are exempt from sales representative licenses and  
135 appointments under certain circumstances; amending s.  
136 648.25, F.S.; providing definitions; amending s.  
137 648.26, F.S.; revising the types of investigatory  
138 records of the department which are confidential and  
139 exempt from public records requirements; revising the  
140 circumstances under which investigatory records are  
141 confidential and exempt from public records  
142 requirements; revising construction; amending s.  
143 648.30, F.S.; revising circumstances under which a  
144 person or entity may act in the capacity of a bail  
145 bond agent or bail bond agency and perform certain  
146 functions, duties, and powers; amending s. 648.355,  
147 F.S.; revising the requirements for limited surety  
148 agents and professional bail bond agent license  
149 applications; creating s. 655.49, F.S.; authorizing  
150 the Office of Financial Regulation to receive

151 |       complaints from a customer or member who reasonably  
152 |       believes that a financial institution has acted in bad  
153 |       faith in terminating, suspending, or taking similar  
154 |       action restricting access to such customer's or  
155 |       member's account; providing a time limit for a  
156 |       customer or member to file a complaint; providing  
157 |       nonapplicability; providing duties of the office upon  
158 |       receipt of a customer's or member's complaint;  
159 |       providing duties of a financial institution upon  
160 |       receipt of notification that a complaint has been  
161 |       filed; providing violations and penalties; requiring  
162 |       the office to provide certain reports and information  
163 |       to specified entities under certain circumstances;  
164 |       providing that the financial institutions' customers  
165 |       and members have a cause of action under certain  
166 |       circumstances; authorizing such customers and members  
167 |       to recover damages, together with costs and attorney  
168 |       fees; providing a time limit for initiating causes of  
169 |       action; requiring the office to make available  
170 |       information necessary for filing complaints on its  
171 |       website; amending s. 717.101, F.S.; providing and  
172 |       revising definitions; amending s. 717.102, F.S.;  
173 |       providing a rebuttal to a presumption of unclaimed  
174 |       property; providing requirements for such rebuttal;  
175 |       providing circumstances under which a property is

176 presumed unclaimed; providing construction; amending  
177 s. 717.106, F.S.; conforming a cross-reference;  
178 creating s. 717.1065, F.S.; providing circumstances  
179 under which virtual currency held or owing by banking  
180 organizations are not presumed unclaimed; prohibiting  
181 virtual currency holders from deducting certain  
182 charges from amounts of specified virtual currency  
183 under certain circumstances; providing an exception;  
184 amending s. 717.1101, F.S.; revising the date on which  
185 stocks and other equity interests in business  
186 associations are presumed unclaimed; amending s.  
187 717.112, F.S.; providing that certain intangible  
188 property held by attorneys in fact and by agents in a  
189 fiduciary capacity are presumed unclaimed under  
190 certain circumstances; revising the requirements for  
191 claiming such property; providing construction;  
192 amending s. 717.1125, F.S.; providing construction;  
193 amending s. 717.117, F.S.; removing the paper option  
194 for reports by holders of unclaimed funds and  
195 property; revising the requirements for reporting the  
196 owners of unclaimed property and funds; authorizing  
197 the department to extend reporting dates under certain  
198 circumstances; revising the circumstances under which  
199 the department may impose and collect penalties;  
200 requiring holders of inactive accounts to notify

201        apparent owners; revising the manner of sending such  
202        notices; providing requirements for such notices;  
203        amending s. 717.119, F.S.; requiring certain virtual  
204        currency to be remitted to the department; providing  
205        requirements for the liquidation of such virtual  
206        currency; providing that holders of such virtual  
207        currency are relieved of all liability upon delivery  
208        of the virtual currency to the department; prohibiting  
209        holders from assigning or transferring certain  
210        obligations or from complying with certain provisions;  
211        providing that certain entities are responsible for  
212        meeting holders' obligations and complying with  
213        certain provisions under certain circumstances;  
214        providing construction; amending s. 717.1201, F.S.;  
215        providing that the state assumes custody and  
216        responsibility for the safekeeping of unclaimed  
217        property upon good faith payments or deliveries of  
218        property to the department; providing that the  
219        department relieves holders of certain liability under  
220        specified circumstances; providing construction;  
221        requiring the department to defend holders against  
222        certain claims and indemnify holders against certain  
223        liability under specified circumstances; revising  
224        circumstances under which payments or deliveries of  
225        unclaimed property are considered to be made in good

226 faith; authorizing the department to refund and  
 227 redeliver certain money and property under certain  
 228 circumstances; amending s. 727.1242, F.S.; revising  
 229 legislative intent; amending s. 717.1243, F.S.;  
 230 revising applicability of certain provisions relating  
 231 to unclaimed small estate accounts; amending s.  
 232 717.129, F.S.; revising the prohibition of department  
 233 enforcement relating to duties of holders of unclaimed  
 234 funds and property; revising the tolling for the  
 235 periods of limitation relating to duties of holders of  
 236 unclaimed funds and property; amending s. 717.1301,  
 237 F.S.; revising the department's authorities on the  
 238 disposition of unclaimed funds and property for  
 239 specified purposes; prohibiting certain materials from  
 240 being disclosed or made public under certain  
 241 circumstances; revising the basis for the department's  
 242 cost assessment against holders of unclaimed funds and  
 243 property; amending s. 717.1311, F.S.; revising the  
 244 recordkeeping requirements for funds and property  
 245 holders; amending s. 717.1322, F.S.; revising acts  
 246 that are violations of specified provisions and  
 247 constitute grounds for administrative enforcement  
 248 actions and civil enforcement by the department;  
 249 providing that claimants' representatives, rather than  
 250 registrants, are subject to civil enforcement and

251 disciplinary actions for certain violations; amending  
 252 s. 717.1333, F.S.; conforming provisions to changes  
 253 made by the act; amending s. 717.134, F.S.; conforming  
 254 a provision to changes made by the act; amending s.  
 255 717.135, F.S.; revising the information that certain  
 256 agreements relating to unclaimed property must  
 257 disclose; removing a requirement for Unclaimed  
 258 Property Purchase Agreement; providing  
 259 nonapplicability; amending s. 717.1400, F.S.; removing  
 260 a circumstance under which certain persons must  
 261 register with the department; amending s. 766.302,  
 262 F.S.; revising a definition; amending s. 766.314,  
 263 F.S.; revising circumstances under which the Florida  
 264 Birth-Related Neurological Injury Compensation Plan  
 265 may not accept new claims; amending ss. 197.582 and  
 266 717.1382, F.S.; conforming a cross-reference;  
 267 providing a directive to the Division of Law Revision;  
 268 providing reporting requirements for the Florida  
 269 Birth-Related Neurological Injury Compensation  
 270 Association; providing effective dates.

271

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

273

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

276 17.69 Federal Tax Liaison.—

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

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

284 (3) The Federal Tax Liaison may:

285 (a) Assist taxpayers by answering taxpayer questions.

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

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

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

295 (e) With the consent of the taxpayer, request records from  
 296 the Internal Revenue Service to assist the liaison in responding  
 297 to taxpayer inquiries.

298 Section 2. Paragraphs (g) through (n) of subsection (2) of  
 299 section 20.121, Florida Statutes, are redesignated as paragraphs  
 300 (f) through (m), respectively, and paragraph (e) and present

301 paragraph (f) of subsection (2) of that section are amended to  
 302 read:

303 20.121 Department of Financial Services.—There is created  
 304 a Department of Financial Services.

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

307 (e) The Division of Criminal Investigations ~~Investigative~~  
 308 ~~and Forensic Services~~, which shall function as a criminal  
 309 justice agency for purposes of ss. 943.045-943.08. The division  
 310 may initiate and conduct investigations into any matter under  
 311 the jurisdiction of the Chief Financial Officer and Fire Marshal  
 312 within or outside of this state as it deems necessary. ~~If,~~  
 313 ~~during an investigation, the division has reason to believe that~~  
 314 ~~any criminal law of this state or the United States has or may~~  
 315 ~~have been violated, it shall refer any records tending to show~~  
 316 ~~such violation to state law enforcement and, if applicable,~~  
 317 ~~federal prosecutorial agencies and shall provide investigative~~  
 318 ~~assistance to those agencies as appropriate. The division shall~~  
 319 ~~include the following bureaus and office:~~

320 1. ~~The Bureau of Forensic Services;~~

321 2. ~~The Bureau of Fire, Arson, and Explosives~~  
 322 ~~Investigations;~~

323 3. ~~The Office of Fiscal Integrity, which shall have a~~  
 324 ~~separate budget;~~

325 4. ~~The Bureau of Insurance Fraud; and~~

326           ~~5. The Bureau of Workers' Compensation Fraud.~~  
 327           ~~(f) The Division of Public Assistance Fraud, which shall~~  
 328 ~~function as a criminal justice agency for purposes of ss.~~  
 329 ~~943.045-943.08. The division shall conduct investigations~~  
 330 ~~pursuant to s. 414.411 within or outside of the state as it~~  
 331 ~~deems necessary. If, during an investigation, the division has~~  
 332 ~~reason to believe that any criminal law of the state has or may~~  
 333 ~~have been violated, it shall refer any records supporting such~~  
 334 ~~violation to state or federal law enforcement or prosecutorial~~  
 335 ~~agencies and shall provide investigative assistance to those~~  
 336 ~~agencies as required.~~

337           Section 3. Subsection (2) of section 112.1816, Florida  
 338 Statutes, is amended to read:

339           112.1816 Firefighters; cancer diagnosis.—

340           (2) Upon a diagnosis of cancer, a firefighter is entitled  
 341 to the following benefits, as an alternative to pursuing  
 342 workers' compensation benefits under chapter 440, if the  
 343 firefighter has been employed by his or her employer for at  
 344 least 5 continuous years, has not used tobacco products for at  
 345 least the preceding 5 years, and has not been employed in any  
 346 other position in the preceding 5 years which is proven to  
 347 create a higher risk for any cancer:

348           (a) Cancer treatment covered within an employer-sponsored  
 349 health plan or through a group health insurance trust fund. The  
 350 employer must timely reimburse the firefighter for any out-of-

351 pocket deductible, copayment, or coinsurance costs incurred due  
352 to the treatment of cancer.

353 (b) A one-time cash payout of \$25,000, upon the  
354 firefighter's initial diagnosis of cancer.

355 (c) Leave time and employee retention benefits equivalent  
356 to those provided for other injuries or illnesses incurred in  
357 the line of duty.

358

359 If the firefighter elects to continue coverage in the employer-  
360 sponsored health plan or group health insurance trust fund after  
361 he or she terminates employment, the benefits specified in  
362 paragraphs (a) and (b) must be made available by the former  
363 employer of a firefighter for 10 years following the date on  
364 which the firefighter terminates employment so long as the  
365 firefighter otherwise met the criteria specified in this  
366 subsection when he or she terminated employment and was not  
367 subsequently employed as a firefighter following that date. ~~For~~  
368 ~~purposes of determining leave time and employee retention~~  
369 ~~policies, the employer must consider a firefighter's cancer~~  
370 ~~diagnosis as an injury or illness incurred in the line of duty.~~

371 Section 4. Paragraph (f) of subsection (2) and paragraph  
372 (h) of subsection (3) of section 121.0515, Florida Statutes, are  
373 amended to read:

374 121.0515 Special Risk Class.—

375 (2) MEMBERSHIP.—

376 (f) Effective July 1, 2008, the member must be employed by  
377 the Department of Law Enforcement in the crime laboratory or by  
378 the Department of Financial Services ~~Division of State Fire~~  
379 ~~Marshal~~ in the forensic laboratory and meet the special criteria  
380 set forth in paragraph (3)(h).

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

383 (h) Effective July 1, 2008, the member must be employed by  
384 the Department of Law Enforcement in the crime laboratory or by  
385 the Department of Financial Services ~~Division of State Fire~~  
386 ~~Marshal~~ in the forensic laboratory in one of the following  
387 classes:

- 388 1. Forensic technologist (class code 8459);
- 389 2. Crime laboratory technician (class code 8461);
- 390 3. Crime laboratory analyst (class code 8463);
- 391 4. Senior crime laboratory analyst (class code 8464);
- 392 5. Crime laboratory analyst supervisor (class code 8466);
- 393 6. Forensic chief (class code 9602); or
- 394 7. Forensic services quality manager (class code 9603);

395 Section 5. Effective July 1, 2024, subsection (16) is  
396 added to section 280.051, Florida Statutes, to read:

397 280.051 Grounds for suspension or disqualification of a  
398 qualified public depository.—A qualified public depository may  
399 be suspended or disqualified or both if the Chief Financial  
400 Officer determines that the qualified public depository has:

401       (16) Pursuant to a determination notice reported by the  
402 Office of Financial Regulation under s. 655.49, acted in bad  
403 faith when terminating, suspending, or taking similar action  
404 restricting access to a customer's or member's account, or  
405 failed to cooperate in an investigation conducted pursuant to s.  
406 655.49(3), including, without limitation, failing to timely file  
407 a termination-of-access report with the office.

408       Section 6. Effective July 1, 2024, paragraph (b) of  
409 subsection (1) of section 280.054, Florida Statutes, is amended  
410 to read:

411       280.054 Administrative penalty in lieu of suspension or  
412 disqualification.—

413       (1) If the Chief Financial Officer finds that one or more  
414 grounds exist for the suspension or disqualification of a  
415 qualified public depository, the Chief Financial Officer may, in  
416 lieu of suspension or disqualification, impose an administrative  
417 penalty upon the qualified public depository.

418       (b) With respect to any knowing and willful violation of a  
419 lawful order or rule, the Chief Financial Officer may impose a  
420 penalty upon the qualified public depository in an amount not  
421 exceeding \$1,000 for each violation. If restitution is due, the  
422 qualified public depository shall make restitution upon the  
423 order of the Chief Financial Officer and shall pay interest on  
424 such amount at the legal rate. Each day a violation continues  
425 constitutes a separate violation. Each of the following Failure

426 ~~to timely file the attestation required under s. 280.025 is~~  
 427 ~~deemed a knowing and willful violation by the qualified public~~  
 428 ~~depository:~~

429 1. Failure to timely file the attestation required under  
 430 s. 280.025.

431 2. Bad faith termination, suspension, or similar action  
 432 restricting a customer's or member's account access, as  
 433 determined by the Office of Financial Regulation pursuant to s.  
 434 655.49.

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

438 Section 7. Subsection (6) of section 284.44, Florida  
 439 Statutes, is amended to read:

440 284.44 Salary indemnification costs of state agencies.—

441 ~~(6) The Division of Risk Management shall prepare~~  
 442 ~~quarterly reports to the Executive Office of the Governor and~~  
 443 ~~the chairs of the legislative appropriations committees~~  
 444 ~~indicating for each state agency the total amount of salary~~  
 445 ~~indemnification benefits paid to claimants and the total amount~~  
 446 ~~of reimbursements from state agencies to the State Risk~~  
 447 ~~Management Trust Fund for initial costs for the previous~~  
 448 ~~quarter. These reports shall also include information for each~~  
 449 ~~state agency indicating the number of cases and amounts of~~  
 450 ~~initial salary indemnification costs for which reimbursement~~

451 ~~requirements were waived by the Executive Office of the Governor~~  
452 ~~pursuant to this section.~~

453 Section 8. Subsection (12) of section 440.13, Florida  
454 Statutes, is amended to read:

455 440.13 Medical services and supplies; penalty for  
456 violations; limitations.—

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

459 (a) A three-member panel is created, consisting of the  
460 Chief Financial Officer, or the Chief Financial Officer's  
461 designee, and two members to be appointed by the Governor,  
462 subject to confirmation by the Senate, one member who, on  
463 account of present or previous vocation, employment, or  
464 affiliation, shall be classified as a representative of  
465 employers, the other member who, on account of previous  
466 vocation, employment, or affiliation, shall be classified as a  
467 representative of employees. The panel shall determine statewide  
468 schedules of maximum reimbursement allowances for medically  
469 necessary treatment, care, and attendance provided by hospitals  
470 and ambulatory surgical centers. The maximum reimbursement  
471 allowances for inpatient hospital care shall be based on a  
472 schedule of per diem rates, to be approved by the three-member  
473 panel no later than March 1, 1994, to be used in conjunction  
474 with a precertification manual as determined by the department,  
475 including maximum hours in which an outpatient may remain in

476 observation status, which shall not exceed 23 hours. All  
477 compensable charges for hospital outpatient care shall be  
478 reimbursed at 75 percent of usual and customary charges, except  
479 as otherwise provided by this subsection. Annually, the three-  
480 member panel shall adopt schedules of maximum reimbursement  
481 allowances for hospital inpatient care, hospital outpatient  
482 care, and ambulatory surgical centers. A hospital or an  
483 ambulatory surgical center shall be reimbursed either the  
484 agreed-upon contract price or the maximum reimbursement  
485 allowance in the appropriate schedule.

486 (b) Payments for outpatient physical, occupational, and  
487 speech therapy provided by hospitals shall be the schedule of  
488 maximum reimbursement allowances for these services which  
489 applies to nonhospital providers.

490 (c) Payments for scheduled outpatient nonemergency  
491 radiological and clinical laboratory services that are not  
492 provided in conjunction with a surgical procedure shall be the  
493 schedule of maximum reimbursement allowances for these services  
494 which applies to nonhospital providers.

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

497 2. Reimbursement for emergency services and care as  
498 defined in s. 395.002 which does not include a maximum  
499 reimbursement allowance must be 250 percent of Medicare, unless  
500 there is a contract, in which case the contract governs

501 reimbursement. Upon this subparagraph taking effect, the  
502 department shall engage with an actuarial services firm to begin  
503 development of maximum reimbursement allowances for services  
504 subject to the reimbursement provisions of this subparagraph.  
505 This subparagraph expires June 30, 2026.

506 (e)1. By July 1 of each year, the department shall notify  
507 carriers and self-insurers of the physician and nonhospital  
508 services schedule of maximum reimbursement allowances. The  
509 notice must include publication of this schedule of maximum  
510 reimbursement allowances on the division's website. This  
511 schedule is not subject to approval by the three-member panel  
512 and does not include reimbursement for prescription medication.

513 2. Subparagraph 1. shall take effect January 1, following  
514 the July 1, 2024, notice of the physician and nonhospital  
515 services schedule of maximum reimbursement allowances that the  
516 department provides to carriers and self-insurers.

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

522 (g) Maximum reimbursement for surgical procedures shall be  
523 140 percent of the reimbursement allowed by Medicare or the  
524 medical reimbursement level adopted by the three-member panel as  
525 of January 1, 2003, whichever is greater.

526 (h) As to reimbursement for a prescription medication, the  
527 reimbursement amount for a prescription shall be the average  
528 wholesale price plus \$4.18 for the dispensing fee. For  
529 repackaged or relabeled prescription medications dispensed by a  
530 dispensing practitioner as provided in s. 465.0276, the fee  
531 schedule for reimbursement shall be 112.5 percent of the average  
532 wholesale price, plus \$8.00 for the dispensing fee. For purposes  
533 of this subsection, the average wholesale price shall be  
534 calculated by multiplying the number of units dispensed times  
535 the per-unit average wholesale price set by the original  
536 manufacturer of the underlying drug dispensed by the  
537 practitioner, based upon the published manufacturer's average  
538 wholesale price published in the Medi-Span Master Drug Database  
539 as of the date of dispensing. All pharmaceutical claims  
540 submitted for repackaged or relabeled prescription medications  
541 must include the National Drug Code of the original  
542 manufacturer. Fees for pharmaceuticals and pharmaceutical  
543 services shall be reimbursable at the applicable fee schedule  
544 amount except where the employer or carrier, or a service  
545 company, third party administrator, or any entity acting on  
546 behalf of the employer or carrier directly contracts with the  
547 provider seeking reimbursement for a lower amount.

548 (i) Reimbursement for all fees and other charges for such  
549 treatment, care, and attendance, including treatment, care, and  
550 attendance provided by any hospital or other health care

551 provider, ambulatory surgical center, work-hardening program, or  
552 pain program, must not exceed the amounts provided by the  
553 uniform schedule of maximum reimbursement allowances as  
554 determined by the panel or as otherwise provided in this  
555 section. This subsection also applies to independent medical  
556 examinations performed by health care providers under this  
557 chapter. In determining the uniform schedule, the panel shall  
558 first approve the data which it finds representative of  
559 prevailing charges in the state for similar treatment, care, and  
560 attendance of injured persons. Each health care provider, health  
561 care facility, ambulatory surgical center, work-hardening  
562 program, or pain program receiving workers' compensation  
563 payments shall maintain records verifying their usual charges.  
564 In establishing the uniform schedule of maximum reimbursement  
565 allowances, the panel must consider:

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

569 2. The impact upon cost to employers for providing a level  
570 of reimbursement for treatment, care, and attendance which will  
571 ensure the availability of treatment, care, and attendance  
572 required by injured workers; and

573 3. The financial impact of the reimbursement allowances  
574 upon health care providers and health care facilities, including  
575 trauma centers as defined in s. 395.4001, and its effect upon

576 their ability to make available to injured workers such  
577 medically necessary remedial treatment, care, and attendance.  
578 The uniform schedule of maximum reimbursement allowances must be  
579 reasonable, must promote health care cost containment and  
580 efficiency with respect to the workers' compensation health care  
581 delivery system, and must be sufficient to ensure availability  
582 of such medically necessary remedial treatment, care, and  
583 attendance to injured workers.

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

586 1. Take testimony, receive records, and collect data to  
587 evaluate the adequacy of the workers' compensation fee schedule,  
588 nationally recognized fee schedules and alternative methods of  
589 reimbursement to health care providers and health care  
590 facilities for inpatient and outpatient treatment and care.

591 2. Survey health care providers and health care facilities  
592 to determine the availability and accessibility of workers'  
593 compensation health care delivery systems for injured workers.

594 3. Survey carriers to determine the estimated impact on  
595 carrier costs and workers' compensation premium rates by  
596 implementing changes to the carrier reimbursement schedule or  
597 implementing alternative reimbursement methods.

598 4. Submit recommendations on or before January 15, 2017,  
599 and biennially thereafter, to the President of the Senate and  
600 the Speaker of the House of Representatives on methods to

601 improve the workers' compensation health care delivery system.  
602  
603 The department, as requested, shall provide data to the panel,  
604 including, but not limited to, utilization trends in the  
605 workers' compensation health care delivery system. The  
606 department shall provide the panel with an annual report  
607 regarding the resolution of medical reimbursement disputes and  
608 any actions pursuant to subsection (8). The department shall  
609 provide administrative support and service to the panel to the  
610 extent requested by the panel. The department may adopt rules  
611 pursuant to ss. 120.536(1) and 120.54 to implement this  
612 subsection. For prescription medication purchased under the  
613 requirements of this subsection, a dispensing practitioner shall  
614 not possess such medication unless payment has been made by the  
615 practitioner, the practitioner's professional practice, or the  
616 practitioner's practice management company or employer to the  
617 supplying manufacturer, wholesaler, distributor, or drug  
618 repackager within 60 days of the dispensing practitioner taking  
619 possession of that medication.

620 Section 9. Subsections (9) through (13) of section  
621 440.385, Florida Statutes, are renumbered as subsections (10)  
622 through (14), respectively, and a new subsection (9) is added to  
623 that section to read:

624 440.385 Florida Self-Insurers Guaranty Association,  
625 Incorporated.—

626 (9) CONTRACTS AND PURCHASES.—

627 (a) After July 1, 2024, all contracts entered into, and  
628 all purchases made by, the association pursuant to this section  
629 which are valued at or more than \$100,000 must first be approved  
630 by the department. The department has 10 days to approve or deny  
631 the contract or purchase upon electronic receipt of the approval  
632 request. The contract or purchase is automatically approved if  
633 the department is nonresponsive.

634 (b) All contracts and purchases valued at or more than  
635 \$100,000 require competition through a formal bid solicitation  
636 conducted by the association. The association must undergo a  
637 formal bid solicitation process. The formal bid solicitation  
638 process must include all of the following:

639 1. The time and date for the receipt of bids, the  
640 proposals, and whether the association contemplates renewal of  
641 the contract, including the price for each year for which the  
642 contract may be renewed.

643 2. All the contractual terms and conditions applicable to  
644 the procurement.

645 (c) Evaluation of bids by the association must include  
646 consideration of the total cost for each year of the contract,  
647 including renewal years, as submitted by the vendor. The  
648 association must award the contract to the most responsible and  
649 responsive vendor. Any formal bid solicitation conducted by the  
650 association must be made available, upon request, to the

651 department via electronic delivery.

652 (d) Contracts that are required by law are exempt from  
 653 this section.

654 Section 10. Subsection (7) of section 497.101, Florida  
 655 Statutes, is renumbered as subsection (11), subsections (1)  
 656 through (4) are amended, and a new subsection (7) and  
 657 subsections (8), (9), and (10) are added to that section, to  
 658 read:

659 497.101 Board of Funeral, Cemetery, and Consumer Services;  
 660 membership; appointment; terms.—

661 (1) The Board of Funeral, Cemetery, and Consumer Services  
 662 is created within the Department of Financial Services and shall  
 663 consist of 10 members, 9 of whom shall be appointed by ~~the~~  
 664 ~~Governor from nominations made by~~ the Chief Financial Officer  
 665 and confirmed by the Senate. ~~The Chief Financial Officer shall~~  
 666 ~~nominate one to three persons for each of the nine vacancies on~~  
 667 ~~the board, and the Governor shall fill each vacancy on the board~~  
 668 ~~by appointing one of the persons nominated by the Chief~~  
 669 ~~Financial Officer to fill that vacancy. If the Governor objects~~  
 670 ~~to each of the nominations for a vacancy, she or he shall inform~~  
 671 ~~the Chief Financial Officer in writing. Upon notification of an~~  
 672 ~~objection by the Governor, the Chief Financial Officer shall~~  
 673 ~~submit one to three additional nominations for that vacancy~~  
 674 ~~until the vacancy is filled.~~ One member must be the State Health  
 675 Officer or her or his designee.

676 (2) Two members of the board must be funeral directors  
677 licensed under part III of this chapter who are associated with  
678 a funeral establishment. One member of the board must be a  
679 funeral director licensed under part III of this chapter who is  
680 associated with a funeral establishment licensed under part III  
681 of this chapter which has a valid preneed license issued  
682 pursuant to this chapter ~~and who owns or operates a cinerator~~  
683 ~~facility approved under chapter 403 and licensed under part VI~~  
684 ~~of this chapter~~. Two members of the board must be persons whose  
685 primary occupation is associated with a cemetery company  
686 licensed pursuant to this chapter. Two members of the board must  
687 be consumers who are residents of this state, have never been  
688 licensed as funeral directors or embalmers, are not connected  
689 with a cemetery or cemetery company licensed pursuant to this  
690 chapter, and are not connected with the death care industry or  
691 the practice of embalming, funeral directing, or direct  
692 disposition. One of the two consumer members must be at least 60  
693 years of age. One member of the board must be a consumer who is  
694 a resident of this state; is licensed as a certified public  
695 accountant under chapter 473; has never been licensed as a  
696 funeral director or an embalmer; is not a principal or an  
697 employee of any licensee licensed under this chapter; and does  
698 not otherwise have control, as defined in s. 497.005, over any  
699 licensee licensed under this chapter. One member of the board  
700 must be a principal of a monument establishment licensed under

701 this chapter as a monument builder. One member must be the State  
 702 Health Officer or her or his designee. There may not be two or  
 703 more board members who are principals or employees of the same  
 704 company or partnership or group of companies or partnerships  
 705 under common control.

706 (3) Board members shall be appointed for terms of 4 years  
 707 and may be reappointed; however, a member may not serve for more  
 708 than 8 consecutive years.~~and~~ The State Health Officer shall  
 709 serve as long as that person holds that office. The designee of  
 710 the State Health Officer shall serve at the pleasure of the  
 711 Chief Financial Officer ~~Governor~~.

712 (4) The Chief Financial Officer ~~Governor~~ ~~may suspend and~~  
 713 ~~the Senate~~ may remove any board member for malfeasance or  
 714 misfeasance, neglect of duty, incompetence, substantial  
 715 inability to perform official duties, commission of a crime, or  
 716 other substantial cause as determined by the Chief Financial  
 717 Officer ~~Governor or Senate, as applicable,~~ to evidence a lack of  
 718 fitness to sit on the board. A board member shall be deemed to  
 719 have resigned her or his board membership, and that position  
 720 shall be deemed vacant, upon the failure of the member to attend  
 721 three consecutive meetings of the board or at least half of the  
 722 meetings of the board during any 12-month period, unless the  
 723 Chief Financial Officer determines that there was good and  
 724 adequate justification for the absences and that such absences  
 725 are not likely to continue. Any vacancy so created shall be

726 filled as provided in subsection (1).

727 (7) Members of the board are subject to the code of ethics  
728 under part III of chapter 112. For purposes of applying part III  
729 of chapter 112 to activities of the members of the board, those  
730 persons are considered public officers, and the department is  
731 considered their agency. A board member may not vote on any  
732 measure that would inure to his or her special private gain or  
733 loss and, in accordance with s. 112.3143(2), may not vote on any  
734 measure that he or she knows would inure to the special private  
735 gain or loss of any principal by which he or she is retained,  
736 other than an agency as defined in s. 112.312; or that he or she  
737 knows would inure to the special private gain or loss of his or  
738 her relative or business associate. Before the vote is taken,  
739 such member shall publicly state to the board the nature of his  
740 or her interest in the matter from which he or she is abstaining  
741 from voting and, within 15 days after the vote occurs, disclose  
742 the nature of his or her interest as a public record in a  
743 memorandum filed with the person responsible for recording the  
744 minutes of the meeting, who shall incorporate the memorandum in  
745 the minutes.

746 (8) In accordance with ss. 112.3148 and 112.3149, a board  
747 member may not knowingly accept, directly or indirectly, any  
748 gift or expenditure from a person or entity, or an employee or  
749 representative of such person or entity, which has a contractual  
750 relationship with the department or the board, which is under

751 consideration for a contract, or which is licensed by the  
752 department.

753 (9) A board member who fails to comply with subsection (7)  
754 or subsection (8) is subject to the penalties provided under ss.  
755 112.317 and 112.3173.

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

760 (b) Except for emergency meetings, the department shall  
761 give notice of any board meeting by publication on the  
762 department's website at least 7 days before the meeting. The  
763 department shall publish a meeting agenda on its website at  
764 least 7 days before the meeting. The agenda must contain the  
765 items to be considered in order of presentation. After the  
766 agenda has been made available, a change may be made only for  
767 good cause, as determined by the person designated to preside,  
768 and must be stated in the record. Notification of such change  
769 must be at the earliest practicable time.

770 Section 11. Paragraph (a) of subsection (4) of section  
771 497.153, Florida Statutes, is amended to read:

772 497.153 Disciplinary procedures and penalties.—

773 (4) ACTION AFTER PROBABLE CAUSE FOUND.—

774 (a) Service of an administrative complaint may be in  
775 person by department staff or any person authorized to make

776 service of process under the Florida Rules of Civil Procedure.  
777 Service upon a licensee may in the alternative be made by  
778 certified mail, return receipt requested, to the last known  
779 address of record provided by the licensee to the department. If  
780 service by certified mail cannot be made at the last address  
781 provided by the licensee to the department, service may be made  
782 by e-mail, delivery receipt required, sent to the most recent e-  
783 mail address provided by the licensee to the department in  
784 accordance with s. 497.146.

785 Section 12. Paragraph (e) of subsection (1) of section  
786 497.155, Florida Statutes, is amended to read:

787 497.155 Disciplinary citations and minor violations.—

788 (1) CITATIONS.—

789 (e) Service of a citation may be made by personal service  
790 or certified mail, restricted delivery, to the subject at the  
791 subject's last known address in accordance with s. 497.146. If  
792 service by certified mail cannot be made at the last address  
793 provided by the subject to the department, service may be made  
794 by e-mail, delivery receipt required, sent to the most recent e-  
795 mail address provided by the subject to the department in  
796 accordance with s. 497.146.

797 Section 13. Paragraph (d) of subsection (3) of section  
798 497.172, Florida Statutes, is amended to read:

799 497.172 Public records exemptions; public meetings  
800 exemptions.—

801 (3) EXAMINATIONS, INSPECTIONS, AND INVESTIGATIONS.—  
 802 (d) Information made confidential and exempt pursuant to  
 803 this subsection may be disclosed by the department as follows:  
 804 1. To the probable cause panel of the board, for the  
 805 purpose of probable cause proceedings pursuant to s. 497.153.  
 806 2. To any law enforcement agency or other government  
 807 agency in the performance of its official duties and  
 808 responsibilities.  
 809 3. If the department uncovers information of immediate and  
 810 serious concern to the public health, safety, or welfare, it may  
 811 disseminate such information as it deems necessary for the  
 812 public health, safety, or welfare.  
 813 4. If the department issues an emergency order pursuant to  
 814 s. 497.156.  
 815 Section 14. Section 497.386, Florida Statutes, is amended  
 816 to read:  
 817 497.386 Storage, preservation, and transportation of human  
 818 remains.—  
 819 (1) A person may not store or maintain human remains at  
 820 any establishment or facility except an establishment or  
 821 facility licensed under this chapter or a health care facility,  
 822 medical examiner's facility, morgue, or cemetery holding  
 823 facility.  
 824 (2) A dead human body may not be held in any place or in  
 825 transit over 24 hours after death or pending final disposition

826 unless the body is maintained under refrigeration at a  
 827 temperature of 40 degrees Fahrenheit or below or is embalmed or  
 828 otherwise preserved in a manner approved by the licensing  
 829 authority in accordance with the provisions of this chapter.

830 (3) A dead human body transported by common carrier or any  
 831 agency or individual authorized to carry dead human bodies must  
 832 be placed in a carrying container adequate to prevent the  
 833 seepage of fluids and escape of offensive odors. A dead human  
 834 body may be transported only when accompanied by a properly  
 835 completed burial-transit permit issued in accordance with the  
 836 provisions of chapter 382.

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

842 (5) In the event of an emergency situation, including the  
 843 abandonment of any establishments or facilities licensed under  
 844 this chapter or any medical examiner's facility, morgue, or  
 845 cemetery holding facility, the department may enter and secure  
 846 such establishment, facility, or morgue during or outside of  
 847 normal business hours and remove human remains and cremated  
 848 remains from the establishment, facility, or morgue. For  
 849 purposes of this subsection, the department shall determine if a  
 850 facility is abandoned and if there is an emergency situation. A

851 licensee or licensed facility that accepts transfer of human  
 852 remains and cremated remains from the department pursuant to  
 853 this subsection may not be held liable for the condition of any  
 854 human remains or cremated remains at the time of transfer.

855 (6)-(5) A person who violates subsection (1) or subsection  
 856 (3) any provision of this section commits a misdemeanor of the  
 857 first degree, punishable as provided in s. 775.082 or s.  
 858 775.083.

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

862 Section 15. Section 497.469, Florida Statutes, is created  
 863 to read:

864 497.469 Fulfillment of preneed contracts.-

865 (1) Upon delivery of merchandise or performance of  
 866 services in fulfillment of a preneed contract, either in part or  
 867 in whole, a preneed licensee may withdraw the amount deposited  
 868 in trust plus income earned on such amount for the merchandise  
 869 delivered or services performed, when adequate documentation is  
 870 submitted to the trustee.

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

873 (a) A certified copy of death certificate;

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

876        (c) An acknowledgment signed by the purchaser or legally  
 877 authorized person, acknowledging that merchandise was delivered  
 878 or services performed; or

879        (d) A burial permit or other documentation provided to  
 880 another governmental agency.

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

884        Section 16. Paragraphs (c) and (d) subsection (10) of  
 885 section 624.307, Florida Statutes, are redesignated as  
 886 paragraphs (d) and (e), respectively, paragraph (b) is amended,  
 887 and a new paragraph (c) is added to subsection (10) of that  
 888 section, to read:

889        624.307 General powers; duties.—

890        (10)

891        (b) Any person licensed or issued a certificate of  
 892 authority or made an eligible surplus lines insurer by the  
 893 department or the office shall respond, in writing or  
 894 electronically, to the division within 14 days after receipt of  
 895 a written request for documents and information from the  
 896 division concerning a consumer complaint. The response must  
 897 address the issues and allegations raised in the complaint and  
 898 include any requested documents concerning the consumer  
 899 complaint not subject to attorney-client or work-product  
 900 privilege. The division may impose an administrative penalty for

901 failure to comply with this paragraph of up to \$5,000 per  
902 violation upon any entity licensed by the department or the  
903 office and up to \$1,000 per violation by any individual licensed  
904 by the department or the office.

905 (c) Each insurer issued a certificate of authority or made  
906 an eligible surplus lines insurer shall file with the department  
907 an e-mail address to which requests for response to consumer  
908 complaints shall be directed pursuant to paragraph (b). Such  
909 insurer shall also designate a contact person for escalated  
910 complaint issues and shall provide the name, e-mail address, and  
911 telephone number of such person. A licensee of the department,  
912 including an agency or a firm, may elect to designated an e-mail  
913 address to which requests for response to consumer complaints  
914 shall be directed pursuant to paragraph (b). If a licensee,  
915 including an agency or a firm, elects not to designate an e-mail  
916 address, the department shall direct requests for response to  
917 consumer complaints to the e-mail address of record for the  
918 licensee in the department's licensing system. An insurer or a  
919 licensee, including an agency or a firm, may change a designated  
920 contact information at any time by submitting the new  
921 information to the department using the method designated by  
922 rule by the department.

923 Section 17. Subsection (2) of section 626.171, Florida  
924 Statutes, is amended to read:

925 626.171 Application for license as an agent, customer

926 representative, adjuster, service representative, or reinsurance  
927 intermediary.—

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

929 (a) His or her full name, age, social security number,  
930 residence address, business address, mailing address, contact  
931 telephone numbers, including a business telephone number, and e-  
932 mail address.

933 (b) A statement indicating the method the applicant used  
934 or is using to meet any required prelicensing education,  
935 knowledge, experience, or instructional requirements for the  
936 type of license applied for.

937 (c) Whether he or she has been refused or has voluntarily  
938 surrendered or has had suspended or revoked a license to solicit  
939 insurance by the department or by the supervising officials of  
940 any state.

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

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

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

948 (g) The applicant's native language.

949 (h) The highest level of education achieved by the  
950 applicant.

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

953 (j) Such other or additional information as the department  
 954 may deem proper to enable it to determine the character,  
 955 experience, ability, and other qualifications of the applicant  
 956 to hold himself or herself out to the public as an insurance  
 957 representative.

958

959 However, the application must contain a statement that an  
 960 applicant is not required to disclose his or her race or  
 961 ethnicity, gender, or native language, that he or she will not  
 962 be penalized for not doing so, and that the department will use  
 963 this information exclusively for research and statistical  
 964 purposes and to improve the quality and fairness of the  
 965 examinations. The department shall make provisions for  
 966 applicants to submit cellular telephone numbers as part of the  
 967 application process on a voluntary basis only for the purpose of  
 968 two-factor authentication of secure login credentials only.

969 Section 18. Paragraph (j) of subsection (2) of section  
 970 626.221, Florida Statutes, is amended to read:

971 626.221 Examination requirement; exemptions.—

972 (2) However, an examination is not necessary for any of  
 973 the following:

974 (j) An applicant for license as an all-lines adjuster who  
 975 has the designation of Accredited Claims Adjuster (ACA) from a

976 regionally accredited postsecondary institution in this state;  
 977 Certified All Lines Adjuster (CALA) from Kaplan Financial  
 978 Education; Associate in Claims (AIC) from the Insurance  
 979 Institute of America; Professional Claims Adjuster (PCA) from  
 980 the Professional Career Institute; Professional Property  
 981 Insurance Adjuster (PPIA) from the HurriClaim Training Academy;  
 982 Certified Adjuster (CA) from ALL LINES Training; Certified  
 983 Claims Adjuster (CCA) from AE21 Incorporated; Claims Adjuster  
 984 Certified Professional (CACP) from WebCE, Inc.; Accredited  
 985 Insurance Claims Specialist (AICS) from Encore Claim Services;  
 986 Professional in Claims (PIC) from 2021 Training, LLC; Registered  
 987 Claims Adjuster (RCA) from American Insurance College; or  
 988 Universal Claims Certification (UCC) from Claims and Litigation  
 989 Management Alliance (CLM) whose curriculum has been approved by  
 990 the department and which includes comprehensive analysis of  
 991 basic property and casualty lines of insurance and testing at  
 992 least equal to that of standard department testing for the all-  
 993 lines adjuster license. The department shall adopt rules  
 994 establishing standards for the approval of curriculum.

995 Section 19. Subsection (6) of section 626.601, Florida  
 996 Statutes, is amended to read:

997 626.601 Improper conduct; inquiry; fingerprinting.—

998 (6) The complaint and any information obtained pursuant to  
 999 the investigation by the department or office are confidential  
 1000 and are exempt from s. 119.07 unless the department or office

1001 files a formal administrative complaint, emergency order, or  
 1002 consent order against the individual or entity. This subsection  
 1003 does not prevent the department or office from disclosing the  
 1004 complaint or such information as it deems necessary to conduct  
 1005 the investigation, to update the complainant as to the status  
 1006 and outcome of the complaint, to review the details of the  
 1007 investigation with the individual or entity being investigated  
 1008 or their representative, or to share such information with any  
 1009 law enforcement agency or other regulatory body.

1010 Section 20. Subsection (3) of section 626.7351, Florida  
 1011 Statutes, is amended to read:

1012 626.7351 Qualifications for customer representative's  
 1013 license.—The department shall not grant or issue a license as  
 1014 customer representative to any individual found by it to be  
 1015 untrustworthy or incompetent, or who does not meet each of the  
 1016 following qualifications:

1017 (3) Within 4 years preceding the date that the application  
 1018 for license was filed with the department, the applicant has  
 1019 earned the designation of Accredited Advisor in Insurance (AAI),  
 1020 Associate in General Insurance (AINS), or Accredited Customer  
 1021 Service Representative (ACSR) from the Insurance Institute of  
 1022 America; the designation of Certified Insurance Counselor (CIC)  
 1023 from the Society of Certified Insurance Service Counselors; the  
 1024 designation of Certified Professional Service Representative  
 1025 (CPSR) from the National Foundation for CPSR; the designation of

1026 Certified Insurance Service Representative (CISR) from the  
 1027 Society of Certified Insurance Service Representatives; the  
 1028 designation of Certified Insurance Representative (CIR) from  
 1029 All-Lines Training; the designation of Chartered Customer  
 1030 Service Representative (CCSR) from American Insurance College;  
 1031 the designation of Professional Customer Service Representative  
 1032 (PCSR) from the Professional Career Institute; the designation  
 1033 of Insurance Customer Service Representative (ICSR) from  
 1034 Statewide Insurance Associates LLC; the designation of  
 1035 Registered Customer Service Representative (RCSR) from a  
 1036 regionally accredited postsecondary institution in the state  
 1037 whose curriculum is approved by the department and includes  
 1038 comprehensive analysis of basic property and casualty lines of  
 1039 insurance and testing which demonstrates mastery of the subject;  
 1040 or a degree from an accredited institution of higher learning  
 1041 approved by the department when the degree includes a minimum of  
 1042 9 credit hours of insurance instruction, including specific  
 1043 instruction in the areas of property, casualty, and inland  
 1044 marine insurance. The department shall adopt rules establishing  
 1045 standards for the approval of curriculum.

1046 Section 21. Section 626.878, Florida Statutes, is amended  
 1047 to read:

1048 626.878 Rules; code of ethics.—

1049 (1) An adjuster shall subscribe to the code of ethics  
 1050 specified in the rules of the department. The rules shall

1051 implement the provisions of this part and specify the terms and  
 1052 conditions of contracts, including a right to cancel, and  
 1053 require practices necessary to ensure fair dealing, prohibit  
 1054 conflicts of interest, and ensure preservation of the rights of  
 1055 the claimant to participate in the adjustment of claims.

1056 (2) A person licensed as an adjuster must identify himself  
 1057 or herself in any advertisement, solicitation, or written  
 1058 document based on the adjuster appointment type held.

1059 (3) An adjuster who has had his or her licensed revoked or  
 1060 suspended may not participate in any part of an insurance claim  
 1061 or in the insurance claims adjusting process, including  
 1062 estimating, completing, filing, negotiating, appraising,  
 1063 mediating, umpiring, or effecting settlement of a claim for loss  
 1064 or damage covered under an insurance contract. A person who  
 1065 provides these services while the person's license is revoked or  
 1066 suspended acts as an unlicensed adjuster.

1067 Section 22. Subsection (1) of section 626.929, Florida  
 1068 Statutes, is amended, and subsection (4) is added to that  
 1069 section, to read:

1070 626.929 Origination, acceptance, placement of surplus  
 1071 lines business.—

1072 (1) A licensed and appointed general lines agent while  
 1073 also licensed and appointed as a surplus lines agent under this  
 1074 part may originate surplus lines business and may accept surplus  
 1075 lines business from any other originating Florida-licensed

1076 general lines agent appointed and licensed as to the kinds of  
 1077 insurance involved and may compensate such agent therefor.

1078 (4) A general lines agent while licensed as a surplus  
 1079 lines agent under this part may appoint these licenses with a  
 1080 single surplus license agent appointment pursuant to s. 624.501.  
 1081 Such agent may only originate surplus lines business and accept  
 1082 surplus lines business from other originating Florida-licensed  
 1083 general lines agents appointed and licensed as to the kinds of  
 1084 insurance involved and may compensate such agent therefor. Such  
 1085 agent may not be appointed by or transact general lines  
 1086 insurance on behalf of an admitted insurer.

1087 Section 23. Paragraph (j) is added to subsection (4) of  
 1088 section 627.351, Florida Statutes, to read:

1089 627.351 Insurance risk apportionment plans.—

1090 (4) MEDICAL MALPRACTICE RISK APPORTIONMENT; ASSOCIATION  
 1091 CONTRACTS AND PURCHASES.—

1092 (j)1. After July 1, 2024, all contracts entered into, and  
 1093 all purchases made by, the association pursuant to this  
 1094 subsection which are valued at or more than \$100,000 must first  
 1095 be approved by the department. The department has 10 days to  
 1096 approve or deny a contract or purchase upon electronic receipt  
 1097 of the approval request. The contract or purchase is  
 1098 automatically approved if the department is nonresponsive.

1099 2. All contracts and purchases valued at or more than  
 1100 \$100,000 require competition through a formal bid solicitation

1101 conducted by the association. The association must undergo a  
 1102 formal bid solicitation process by a minimum of three vendors.  
 1103 The formal bid solicitation process must include all of the  
 1104 following:

1105 a. The time and date for the receipt of bids, the  
 1106 proposals, and whether the association contemplates renewal of  
 1107 the contract, including the price for each year for which the  
 1108 contract may be renewed.

1109 b. All the contractual terms and conditions applicable to  
 1110 the procurement.

1111 3. Evaluation of bids by the association must include  
 1112 consideration of the total cost for each year of the contract,  
 1113 including renewal years, as submitted by the vendor. The  
 1114 association must award the contract to the most responsible and  
 1115 responsive vendor. Any formal bid solicitation conducted by the  
 1116 association must be made available, upon request, to the  
 1117 department by electronic delivery.

1118 Section 24. Subsection (5) is added to section 631.59,  
 1119 Florida Statutes, to read:

1120 631.59 Duties and powers of department and office;  
 1121 association contracts and purchases.-

1122 (5)(a) After July 1, 2024, all contracts entered into, and  
 1123 all purchases made by, the association pursuant to this section  
 1124 which are valued at or more than \$100,000 must first be approved  
 1125 by the department. The department has 10 days to approve or deny

1126 the contract or purchase upon electronic receipt of the approval  
1127 request. The contract or purchase is automatically approved if  
1128 the department is nonresponsive.

1129 (b) All contracts and purchases valued at or more than  
1130 \$100,000 require competition through a formal bid solicitation  
1131 conducted by the association. The association must undergo a  
1132 formal bid solicitation process. The formal bid solicitation  
1133 process must include all of the following:

1134 1. The time and date for the receipt of bids, the  
1135 proposals, and whether the association contemplates renewal of  
1136 the contract, including the price for each year for which the  
1137 contract may be renewed.

1138 2. All the contractual terms and conditions applicable to  
1139 the procurement.

1140 (c) Evaluation of bids by the association must include  
1141 consideration of the total cost for each year of the contract,  
1142 including renewal years, as submitted by the vendor. The  
1143 association must award the contract to the most responsible and  
1144 responsive vendor. Any formal bid solicitation conducted by the  
1145 association must be made available, upon request, to the  
1146 department via electronic delivery.

1147 (d) Paragraphs (b) and (c) do not apply to claims defense  
1148 counsel or claims vendors if contracts with all vendors which  
1149 may exceed \$100,000 are provided to the department for prior  
1150 approval in accordance with paragraph (a).

1151 Section 25. Subsection (6) is added to section 631.722,  
1152 Florida Statutes, to read:

1153 631.722 Powers and duties of department and office;  
1154 association contracts and purchases.—

1155 (6) (a) After July 1, 2024, all contracts entered into, and  
1156 all purchases made by, the association pursuant to this section  
1157 which are valued at or more than \$100,000 must first be approved  
1158 by the department. The department has 10 days to approve or deny  
1159 the contract or purchase upon electronic receipt of the approval  
1160 request. The contract or purchase is automatically approved if  
1161 the department is nonresponsive.

1162 (b) All contracts and purchases valued at or more than  
1163 \$100,000 require competition through a formal bid solicitation  
1164 conducted by the association. The association must undergo a  
1165 formal bid solicitation process. The formal bid solicitation  
1166 process must include all of the following:

1167 1. The time and date for the receipt of bids, the  
1168 proposals, and whether the association contemplates renewal of  
1169 the contract, including the price for each year for which the  
1170 contract may be renewed.

1171 2. All the contractual terms and conditions applicable to  
1172 the procurement.

1173 (c) Evaluation of bids by the association must include  
1174 consideration of the total cost for each year of the contract,  
1175 including renewal years, as submitted by the vendor. The

1176 association must award the contract to the most responsible and  
 1177 responsive vendor. Any formal bid solicitation conducted by the  
 1178 association must be made available, upon request, to the  
 1179 department via electronic delivery.

1180 Section 26. Subsection (5) is added to section 631.821,  
 1181 Florida Statutes, to read:

1182 631.821 Powers and duties of the department; board  
 1183 contracts and purchases.—

1184 (5) (a) After July 1, 2024, all contracts entered into, and  
 1185 all purchases made by, the board pursuant to this section which  
 1186 are valued at or more than \$100,000 must first be approved by  
 1187 the department. The department has 10 days to approve or deny  
 1188 the contract or purchase upon electronic receipt of the approval  
 1189 request. The contract or purchase is automatically approved if  
 1190 the department is nonresponsive.

1191 (b) All contracts and purchases valued at or more than  
 1192 \$100,000 require competition through a formal bid solicitation  
 1193 conducted by the board. The board must undergo a formal bid  
 1194 solicitation process. The formal bid solicitation process must  
 1195 include all of the following:

1196 1. The time and date for the receipt of bids, the  
 1197 proposals, and whether the board contemplates renewal of the  
 1198 contract, including the price for each year for which the  
 1199 contract may be renewed.

1200 2. All the contractual terms and conditions applicable to

1201 the procurement.

1202 (c) Evaluation of bids by the board must include  
 1203 consideration of the total cost for each year of the contract,  
 1204 including renewal years, as submitted by the vendor. The plan  
 1205 must award the contract to the most responsible and responsive  
 1206 vendor. Any formal bid solicitation conducted by the board must  
 1207 be made available, upon request, to the department via  
 1208 electronic delivery.

1209 Section 27. Section 631.921, Florida Statutes, is amended  
 1210 to read:

1211 631.921 Department powers; board contracts and purchases.—

1212 (1) The corporation shall be subject to examination by the  
 1213 department. By March 1 of each year, the board of directors  
 1214 shall cause a financial report to be filed with the department  
 1215 for the immediately preceding calendar year in a form approved  
 1216 by the department.

1217 (2)(a) After July 1, 2024, all contracts entered into, and  
 1218 all purchases made by, the board pursuant to this section which  
 1219 are valued at or more than \$100,000 must first be approved by  
 1220 the department. The department has 10 days to approve or deny  
 1221 the contract or purchase upon electronic receipt of the approval  
 1222 request. The contract or purchase is automatically approved if  
 1223 the department is nonresponsive.

1224 (b) All contracts and purchases valued at or more than  
 1225 \$100,000 require competition through a formal bid solicitation

1226 conducted by the board. The board must undergo a formal bid  
 1227 solicitation process. The formal bid solicitation process must  
 1228 include all of the following:

1229 1. The time and date for the receipt of bids, the  
 1230 proposals, and whether the board contemplates renewal of the  
 1231 contract, including the price for each year for which the  
 1232 contract may be renewed.

1233 2. All the contractual terms and conditions applicable to  
 1234 the procurement.

1235 (c) Evaluation of bids by the board must include  
 1236 consideration of the total cost for each year of the contract,  
 1237 including renewal years, as submitted by the vendor. The  
 1238 association must award the contract to the most responsible and  
 1239 responsive vendor. Any formal bid solicitation conducted by the  
 1240 association must be made available, upon request, to the  
 1241 department via electronic delivery.

1242 Section 28. Paragraph (b) of subsection (3) of section  
 1243 633.124, Florida Statutes, is amended to read:

1244 633.124 Penalty for violation of law, rule, or order to  
 1245 cease and desist or for failure to comply with corrective  
 1246 order.—

1247 (3)

1248 (b) A person who initiates a pyrotechnic display within  
 1249 any structure commits a felony of the third degree, punishable  
 1250 as provided in s. 775.082, s. 775.083, or s. 775.084, unless:

1251           1. The structure has a fire protection system installed in  
1252 compliance with s. 633.334.

1253           2. The owner of the structure has authorized in writing  
1254 the pyrotechnic display.

1255           3. If the local jurisdiction requires a permit for the use  
1256 of a pyrotechnic display in an occupied structure, such permit  
1257 has been obtained and all conditions of the permit complied with  
1258 or, if the local jurisdiction does not require a permit for the  
1259 use of a pyrotechnic display in an occupied structure, the  
1260 person initiating the display has complied with National Fire  
1261 Protection Association, Inc., Standard 1126, 2021 ~~2001~~ Edition,  
1262 Standard for the Use of Pyrotechnics before a Proximate  
1263 Audience.

1264           Section 29. Subsection (2) of section 633.202, Florida  
1265 Statutes, is amended to read:

1266           633.202 Florida Fire Prevention Code.—

1267           (2) The State Fire Marshal shall adopt the current edition  
1268 of the National Fire Protection Association's Standard 1, Fire  
1269 Prevention Code but may not adopt a building, mechanical,  
1270 accessibility, or plumbing code. The State Fire Marshal shall  
1271 adopt the current edition of the Life Safety Code, NFPA 101,  
1272 current editions, by reference. The State Fire Marshal may  
1273 modify the selected codes and standards as needed to accommodate  
1274 the specific needs of the state. Standards or criteria in the  
1275 selected codes shall be similarly incorporated by reference. The

1276 State Fire Marshal shall incorporate within sections of the  
 1277 Florida Fire Prevention Code provisions that address uniform  
 1278 firesafety standards as established in s. 633.206. The State  
 1279 Fire Marshal shall incorporate within sections of the Florida  
 1280 Fire Prevention Code provisions addressing regional and local  
 1281 concerns and variations.

1282 Section 30. Paragraph (b) of subsection (1) of section  
 1283 633.206, Florida Statutes, is amended to read:

1284 633.206 Uniform firesafety standards.—The Legislature  
 1285 hereby determines that to protect the public health, safety, and  
 1286 welfare it is necessary to provide for firesafety standards  
 1287 governing the construction and utilization of certain buildings  
 1288 and structures. The Legislature further determines that certain  
 1289 buildings or structures, due to their specialized use or to the  
 1290 special characteristics of the person utilizing or occupying  
 1291 these buildings or structures, should be subject to firesafety  
 1292 standards reflecting these special needs as may be appropriate.

1293 (1) The department shall establish uniform firesafety  
 1294 standards that apply to:

1295 (b) All new, existing, and proposed hospitals, nursing  
 1296 homes, assisted living facilities, adult family-care homes,  
 1297 correctional facilities, public schools, transient public  
 1298 lodging establishments, public food service establishments,  
 1299 mobile food dispensing vehicles, elevators, migrant labor camps,  
 1300 mobile home parks, lodging parks, recreational vehicle parks,

1301 recreational camps, residential and nonresidential child care  
1302 facilities, facilities for the developmentally disabled, motion  
1303 picture and television special effects productions, tunnels,  
1304 energy storage systems, and self-service gasoline stations, of  
1305 which standards the State Fire Marshal is the final  
1306 administrative interpreting authority.

1307  
1308 In the event there is a dispute between the owners of the  
1309 buildings specified in paragraph (b) and a local authority  
1310 requiring a more stringent uniform firesafety standard for  
1311 sprinkler systems, the State Fire Marshal shall be the final  
1312 administrative interpreting authority and the State Fire  
1313 Marshal's interpretation regarding the uniform firesafety  
1314 standards shall be considered final agency action.

1315 Section 31. Paragraph (b) of subsection (8) of section  
1316 634.041, Florida Statutes, is amended to read:

1317 634.041 Qualifications for license.—To qualify for and  
1318 hold a license to issue service agreements in this state, a  
1319 service agreement company must be in compliance with this part,  
1320 with applicable rules of the commission, with related sections  
1321 of the Florida Insurance Code, and with its charter powers and  
1322 must comply with the following:

1323 (8)

1324 (b) A service agreement company does not have to establish  
1325 and maintain an unearned premium reserve if it secures and

1326 maintains contractual liability insurance in accordance with the  
1327 following:

1328 1. Coverage of 100 percent of the claim exposure is  
1329 obtained from an insurer or insurers approved by the office,  
1330 which hold ~~holds~~ a certificate of authority under s. 624.401 to  
1331 do business within this state, or secured through a risk  
1332 retention groups ~~group~~, which are ~~is~~ authorized to do business  
1333 within this state under s. 627.943 or s. 627.944. Such insurers  
1334 ~~insurer~~ or risk retention groups ~~group~~ must maintain a surplus  
1335 as regards policyholders of at least \$15 million.

1336 2. If the service agreement company does not meet its  
1337 contractual obligations, the contractual liability insurance  
1338 policy binds its issuer to pay or cause to be paid to the  
1339 service agreement holder all legitimate claims and cancellation  
1340 refunds for all service agreements issued by the service  
1341 agreement company while the policy was in effect. This  
1342 requirement also applies to those service agreements for which  
1343 no premium has been remitted to the insurer.

1344 3. If the issuer of the contractual liability policy is  
1345 fulfilling the service agreements covered by the contractual  
1346 liability policy and the service agreement holder cancels the  
1347 service agreement, the issuer must make a full refund of  
1348 unearned premium to the consumer, subject to the cancellation  
1349 fee provisions of s. 634.121(3). The sales representative and  
1350 agent must refund to the contractual liability policy issuer

1351 their unearned pro rata commission.

1352 4. The policy may not be canceled, terminated, or  
 1353 nonrenewed by the insurer or the service agreement company  
 1354 unless a 90-day written notice thereof has been given to the  
 1355 office by the insurer before the date of the cancellation,  
 1356 termination, or nonrenewal.

1357 5. The service agreement company must provide the office  
 1358 with the claims statistics.

1359 6. A policy issued in compliance with this paragraph may  
 1360 either pay 100 percent of claims as they are incurred, or pay  
 1361 100 percent of claims due in the event of the failure of the  
 1362 service agreement company to pay such claims when due.

1363  
 1364 All funds or premiums remitted to an insurer by a motor vehicle  
 1365 service agreement company under this part shall remain in the  
 1366 care, custody, and control of the insurer and shall be counted  
 1367 as an asset of the insurer; provided, however, this requirement  
 1368 does not apply when the insurer and the motor vehicle service  
 1369 agreement company are affiliated companies and members of an  
 1370 insurance holding company system. If the motor vehicle service  
 1371 agreement company chooses to comply with this paragraph but also  
 1372 maintains a reserve to pay claims, such reserve shall only be  
 1373 considered an asset of the covered motor vehicle service  
 1374 agreement company and may not be simultaneously counted as an  
 1375 asset of any other entity.

1376 Section 32. Subsection (5) of section 634.081, Florida  
 1377 Statutes, is amended to read:

1378 634.081 Suspension or revocation of license; grounds.—

1379 (5) The office shall suspend or revoke the license of a  
 1380 company if it finds that the ratio of gross written premiums  
 1381 written to net assets exceeds 10 to 1 unless the company has in  
 1382 excess of \$750,000 in net assets and is utilizing contractual  
 1383 liability insurance which cedes 100 percent of the service  
 1384 agreement company's claims liabilities to the contractual  
 1385 liability insurers ~~insurer~~ or is utilizing contractual liability  
 1386 insurance which reimburses the service agreement company for 100  
 1387 percent of its paid claims. However, if a service agreement  
 1388 company has been licensed by the office in excess of 10 years,  
 1389 is in compliance with all applicable provisions of this part,  
 1390 and has net assets at all times in excess of \$3 million that  
 1391 comply with the provisions of part II of chapter 625, such  
 1392 company may not exceed a ratio of gross written premiums written  
 1393 to net assets of 15 to 1.

1394 Section 33. Subsection (5) of section 634.3077, Florida  
 1395 Statutes, is renumbered as subsection (6), subsection (3) is  
 1396 amended, and a new subsection (5) is added to that section, to  
 1397 read:

1398 634.3077 Financial requirements.—

1399 (3) An association may ~~shall~~ not be required to set up an  
 1400 unearned premium reserve if it has purchased contractual

1401 liability insurance which demonstrates to the satisfaction of  
1402 the office that 100 percent of its claim exposure is covered by  
1403 such insurance. Such contractual liability insurance shall be  
1404 obtained from an insurer or insurers that hold ~~holds~~ a  
1405 certificate of authority to do business within the state or from  
1406 an insurer or insurers approved by the office as financially  
1407 capable of meeting the obligations incurred pursuant to the  
1408 policy. For purposes of this subsection, the contractual  
1409 liability policy shall contain the following provisions:

1410 (a) In the event that the home warranty association is  
1411 unable to fulfill its obligation under its contracts issued in  
1412 this state for any reason, including insolvency, bankruptcy, or  
1413 dissolution, the contractual liability insurer will pay losses  
1414 and unearned premiums under such plans directly to persons  
1415 making claims under such contracts.

1416 (b) The insurer issuing the policy shall assume full  
1417 responsibility for the administration of claims in the event of  
1418 the inability of the association to do so.

1419 (c) The policy may not be canceled or not renewed by  
1420 ~~either~~ the insurer or the association unless 60 days' written  
1421 notice thereof has been given to the office by the insurer  
1422 before the date of such cancellation or nonrenewal.

1423 (d) The contractual liability insurance policy shall  
1424 insure all home warranty contracts that were issued while the  
1425 policy was in effect whether or not the premium has been

1426 remitted to the insurer.

1427 (5) An association licensed under this part is not  
1428 required to establish an unearned premium reserve or maintain  
1429 contractual liability insurance and may allow its premiums to  
1430 exceed the ratio to net assets limitation of this section if the  
1431 association complies with the following:

1432 (a) The association or, if the association is a direct or  
1433 indirect wholly owned subsidiary of a parent corporation, its  
1434 parent corporation has, and maintains at all times, a minimum  
1435 net worth of at least \$100 million and provides the office with  
1436 the following:

1437 1. A copy of the association's annual audited financial  
1438 statements or the audited consolidated financial statements of  
1439 the association's parent corporation, prepared by an independent  
1440 certified public accountant in accordance with generally  
1441 accepted accounting principles, which clearly demonstrate the  
1442 net worth of the association or its parent corporation to be  
1443 \$100 million, and a quarterly written certification to the  
1444 office that the association or its parent corporation continues  
1445 to maintain the net worth required under this paragraph.

1446 2. The association's or its parent corporation's Form 10-  
1447 K, Form 10-Q, or Form 20-F as filed with the United States  
1448 Securities and Exchange Commission or such other documents  
1449 required to be filed with a recognized stock exchange, which  
1450 shall be provided on a quarterly and annual basis within 10 days

1451 after the last date each such report must be filed with the  
1452 Securities and Exchange Commission, the National Association of  
1453 Securities Dealers Automated Quotation system, or other  
1454 recognized stock exchange.

1455  
1456 Failure to timely file the documents required under this  
1457 paragraph may, at the discretion of the office, subject the  
1458 association to suspension or revocation of its license under  
1459 this part.

1460 (b) If the net worth of a parent corporation is used to  
1461 satisfy the net worth provisions of paragraph (a), the following  
1462 provisions must be met:

1463 1. The parent corporation must guarantee all service  
1464 warranty obligations of the association, wherever written, on a  
1465 form approved in advance by the office. A cancellation,  
1466 termination, or modification of the guarantee does not become  
1467 effective unless the parent corporation provides the office  
1468 written notice at least 90 days before the effective date of the  
1469 cancellation, termination, or modification and the office  
1470 approves the request in writing. Before the effective date of  
1471 the cancellation, termination, or modification of the guarantee,  
1472 the association must demonstrate to the satisfaction of the  
1473 office compliance with all applicable provisions of this part,  
1474 including whether the association will meet the requirements of  
1475 this section by the purchase of contractual liability insurance,

1476 establishing required reserves, or other method allowed under  
 1477 this section. If the association or parent corporation does not  
 1478 demonstrate to the satisfaction of the office compliance with  
 1479 all applicable provisions of this part, the association or  
 1480 parent association shall immediately cease writing new and  
 1481 renewal business upon the effective date of the cancellation,  
 1482 termination, or modification.

1483 2. The association must maintain at all times net assets  
 1484 of at least \$750,000.

1485 Section 34. Section 634.317, Florida Statutes, is amended  
 1486 to read:

1487 634.317 License and appointment required.—No person may  
 1488 solicit, negotiate, or effectuate home warranty contracts for  
 1489 remuneration in this state unless such person is licensed and  
 1490 appointed as a sales representative. A licensed and appointed  
 1491 sales representative shall be directly responsible and  
 1492 accountable for all acts of the licensee's employees. A  
 1493 municipality, a county government, a special district, an entity  
 1494 operated by a municipality or county government, or an employee  
 1495 or agent of a municipality, county government, special district,  
 1496 or entity operated by a municipality or county government is  
 1497 exempt from the licensing and appointing requirements under this  
 1498 section.

1499 Section 35. Subsection (9) of section 648.25, Florida  
 1500 Statutes, is renumbered as subsection (10), and a new subsection

1501 (9) and subsection (11) are added to that section to read:  
1502 648.25 Definitions.—As used in this chapter, the term:  
1503 (9) "Referring bail bond agent" is the limited surety  
1504 agent who is requesting the transfer bond. The referring bail  
1505 bond agent is the agent held liable for the transfer bond, along  
1506 with the issuing surety company.  
1507 (11) "Transfer bond" means the appearance bond and power  
1508 of attorney form posted by a limited surety agent who is  
1509 registered in the county where the defendant is being held in  
1510 custody.  
1511 Section 36. Subsection (3) of section 648.26, Florida  
1512 Statutes, is amended to read:  
1513 648.26 Department of Financial Services; administration.—  
1514 (3) The papers, documents, reports, or any other  
1515 investigatory records of the department are confidential and  
1516 exempt from s. 119.07(1) until such investigation is completed  
1517 or ceases to be active, unless the department or office files a  
1518 formal administrative complaint, emergency order, or consent  
1519 order against the individual or entity. For the purpose of this  
1520 section, an investigation is considered active while the  
1521 investigation is being conducted by the department with a  
1522 reasonable, good faith belief that it may lead to the filing of  
1523 administrative, civil, or criminal proceedings. An investigation  
1524 does not cease to be active if the department is proceeding with  
1525 reasonable dispatch and there is good faith belief that action

1526 | may be initiated by the department or other administrative or  
1527 | law enforcement agency. This subsection does not prevent the  
1528 | department or office from disclosing the content of a complaint  
1529 | or such information as it deems necessary to conduct the  
1530 | investigation, to update the complainant as to the status and  
1531 | outcome of the complaint, to review the details of the  
1532 | investigation with the subject or the subject's representative,  
1533 | or to share such information with any law enforcement agency or  
1534 | other regulatory body.

1535 |       Section 37. Paragraph (a) of subsection (1) of section  
1536 | 648.30, Florida Statutes, is amended to read:

1537 |       648.30 Licensure and appointment required; prohibited  
1538 | acts; penalties.—

1539 |       (1)(a) A person or entity may not act in the capacity of a  
1540 | bail bond agent or bail bond agency or perform any of the  
1541 | functions, duties, or powers prescribed for bail bond agents or  
1542 | bail bond agencies under this chapter unless that person or  
1543 | entity is qualified, licensed, and appointed as provided in this  
1544 | chapter ~~and employed by a bail bond agency.~~

1545 |       Section 38. Subsection (1) of section 648.355, Florida  
1546 | Statutes, is amended to read:

1547 |       648.355 Limited surety agents and professional bail bond  
1548 | agents; qualifications.—

1549 |       (1) The applicant shall furnish, with the application for  
1550 | license, a complete set of the applicant's fingerprints in

1551 accordance with s. 626.171(4) ~~and a recent credential-sized,~~  
1552 ~~fullface photograph of the applicant.~~ The department may not  
1553 issue a license under this section until the department has  
1554 received a report from the Department of Law Enforcement and the  
1555 Federal Bureau of Investigation relative to the existence or  
1556 nonexistence of a criminal history report based on the  
1557 applicant's fingerprints.

1558 Section 39. Effective July 1, 2024, Section 655.49,  
1559 Florida Statutes, is created to read:

1560 655.49 Bad faith termination or restriction of account  
1561 access; investigations by the office.-

1562 (1) A customer or member of a financial institution who  
1563 reasonably believes that a financial institution has terminated,  
1564 suspended, or taken similar action restricting access to the  
1565 customer's or member's account in bad faith may file, within 30  
1566 calendar days after such termination, suspension, or similar  
1567 action restricting account access, a complaint with the office  
1568 alleging a violation of this section. Such complaint is barred  
1569 if not timely filed.

1570 (2) This section does not apply if a financial  
1571 institution's termination, suspension, or similar action  
1572 restricting a customer's or member's account access was due to  
1573 one or more of the following:

1574 (a) The customer or member initiated the change in access;  
1575 (b) There is a lack of activity in the account; or

1576 (c) The account is presumed unclaimed property pursuant to  
1577 chapter 717.

1578 (3) Upon receipt of a customer's or member's complaint  
1579 under subsection (1):

1580 (a) Within 30 calendar days, the office must notify the  
1581 financial institution that a complaint has been filed.

1582 (b) Within 30 calendar days after receiving the notice  
1583 from the office, the financial institution must file with the  
1584 office a termination-of-access report containing such  
1585 information as the commission requires by rule.

1586 (c) Within 90 calendar days after receiving the  
1587 termination-of-access report from the financial institution, the  
1588 office must investigate the financial institution's action and  
1589 determine whether the action was taken in bad faith as  
1590 substantiated by competent and substantial evidence that was  
1591 known or should have been known to the financial institution at  
1592 the time of the termination, suspension, or similar action  
1593 restricting a customer's or member's account access.

1594 (d) Within 30 calendar days after making the determination  
1595 required under paragraph (c), the office must report to the  
1596 Attorney General and the Chief Financial Officer the  
1597 determination of a bad faith termination, suspension, or similar  
1598 action restricting a customer's or member's account access. The  
1599 report to the Attorney General must describe the findings of the  
1600 investigation, provide a summary of the evidence, and state

1601 whether an alleged violation of the financial institutions codes  
1602 by the financial institution occurred. Upon reporting to the  
1603 Attorney General pursuant to this paragraph, the office must  
1604 send a copy of the report to the customer or member by certified  
1605 mail, return receipt requested.

1606 (4) A financial institution's bad faith termination,  
1607 suspension, or similar action restricting access to a customer's  
1608 or member's account, as determined by the office pursuant to  
1609 subsection (3), or a financial institution's failure to  
1610 cooperate in an investigation conducted pursuant to subsection  
1611 (3), including, without limitation, failure to timely file a  
1612 termination-of-access report with the office, constitutes a  
1613 violation of the financial institutions codes and subjects the  
1614 financial institution to the applicable sanctions and penalties  
1615 provided for in the financial institutions codes.

1616 (5) The office shall provide any report filed pursuant to  
1617 this section, or any information contained therein, to any  
1618 federal, state, or local law enforcement or prosecutorial  
1619 agency, and any federal or state agency responsible for the  
1620 regulation or supervision of financial institutions, if the  
1621 provision of such report is otherwise required by law.

1622 (6) If the office determines under subsection (3) that a  
1623 financial institution has acted in bad faith, the aggrieved  
1624 customer or member of the financial institution has a cause of  
1625 action against the financial institution for damages and may

1626 recover damages therefor in any court of competent jurisdiction,  
1627 together with costs and reasonable attorney fees to be assessed  
1628 by the court. To recover damages under this subsection, the  
1629 customer or member must establish that, beyond a reasonable  
1630 doubt, the financial institution acted in bad faith in  
1631 terminating, suspending, or taking similar action restricting  
1632 access to the customer's or member's account. The office's  
1633 determination that the financial institution has acted in bad  
1634 faith pursuant to subsection (3) does not, in and of itself,  
1635 establish beyond a reasonable doubt that the financial  
1636 institution acted in bad faith in the termination, suspension,  
1637 or similar action restricting access to the customer's or  
1638 member's account. A customer's or member's failure to initiate a  
1639 cause of action under this subsection within 12 months after the  
1640 office's finding of bad faith pursuant to subsection (3) bars  
1641 recovery of any filed claims thereafter.

1642 (7) By July 1, 2024, the office shall make available on  
1643 its website the information necessary for a customer or member  
1644 of a financial institution to file a complaint with the office  
1645 under subsection (1).

1646 Section 40. Section 717.101, Florida Statutes, is amended  
1647 to read:

1648 717.101 Definitions.—As used in this chapter, unless the  
1649 context otherwise requires:

1650 (1) "Aggregate" means the amounts reported for owners of

1651 unclaimed property of less than \$10 ~~\$50~~ or where there is no  
1652 name for the individual or entity listed on the holder's  
1653 records, regardless of the amount to be reported.

1654 (2) "Apparent owner" means the person whose name appears  
1655 on the records of the holder as the person entitled to property  
1656 held, issued, or owing by the holder.

1657 (3) "Audit" means an action or proceeding to examine and  
1658 verify a person's records, books, accounts, and other documents  
1659 to ascertain and determine compliance with this chapter.

1660 (4) "Audit agent" means a person with whom the department  
1661 enters into a contract with to conduct an audit or examination.  
1662 The term includes an independent contractor of the person and  
1663 each individual participating in the audit on behalf of the  
1664 person or contractor.

1665 (5)-(3) "Banking organization" means any and all banks,  
1666 trust companies, private bankers, savings banks, industrial  
1667 banks, safe-deposit companies, savings and loan associations,  
1668 credit unions, and investment companies in this state, organized  
1669 under or subject to the laws of this state or of the United  
1670 States, including entities organized under 12 U.S.C. s. 611, but  
1671 does not include federal reserve banks. The term also includes  
1672 any corporation, business association, or other organization  
1673 that:

1674 (a) Is a wholly or partially owned subsidiary of any  
1675 banking, banking corporation, or bank holding company that

1676 performs any or all of the functions of a banking organization;  
 1677 or

1678 (b) Performs functions pursuant to the terms of a contract  
 1679 with any banking organization ~~state or national bank,~~  
 1680 ~~international banking entity or similar entity, trust company,~~  
 1681 ~~savings bank, industrial savings bank, land bank, safe-deposit~~  
 1682 ~~company, private bank, or any organization otherwise defined by~~  
 1683 ~~law as a bank or banking organization.~~

1684 (6)-(4) "Business association" means any for-profit or  
 1685 nonprofit corporation other than a public corporation; joint  
 1686 stock company; investment company; unincorporated association or  
 1687 association of two or more individuals for business purposes,  
 1688 whether or not for profit; partnership; joint venture; limited  
 1689 liability company; sole proprietorship; business trust; trust  
 1690 company; land bank; safe-deposit company; safekeeping  
 1691 depository; financial organization; insurance company; federally  
 1692 chartered entity; utility company; or other business entity,  
 1693 whether or not for profit ~~corporation (other than a public~~  
 1694 ~~corporation), joint stock company, investment company, business~~  
 1695 ~~trust, partnership, limited liability company, or association of~~  
 1696 ~~two or more individuals for business purposes, whether for~~  
 1697 ~~profit or not for profit.~~

1698 (7)-(5) "Claimant" means the person on whose behalf a claim  
 1699 is filed.

1700 (8) "Claimant's representative" means an attorney who is a

1701 member in good standing of The Florida Bar, a certified public  
1702 accountant licensed in this state, or private investigator who  
1703 is duly licensed to do business in the state, registered with  
1704 the department, and authorized by the claimant to claim  
1705 unclaimed property on the claimant's behalf. The term does not  
1706 include a person acting in a representative capacity, such as a  
1707 personal representative, guardian, trustee, or attorney, whose  
1708 representation is not contingent upon the discovery or location  
1709 of unclaimed property; provided, however, that any agreement  
1710 entered into for the purpose of evading s. 717.135 is invalid  
1711 and unenforceable.

1712 (9)-(6) "Credit balance" means an account balance in the  
1713 customer's favor.

1714 (10)-(7) "Department" means the Department of Financial  
1715 Services.

1716 (11)-(8) "Domicile" means the state of incorporation for a  
1717 corporation; the state of filing for a business association,  
1718 other than a corporation, whose formation or organization  
1719 requires a filing with a state; the state of organization for a  
1720 business association, other than a corporation, whose formation  
1721 or organization does not require a filing with a state; the  
1722 state of home office for a federally chartered entity incorporated  
1723 under the laws of a state, or, for an unincorporated business  
1724 association, the state where the business association is  
1725 organized.

1726        (12)~~(9)~~ "Due diligence" means the use of reasonable and  
 1727 prudent methods under particular circumstances to locate  
 1728 apparent owners of inactive accounts using the taxpayer  
 1729 identification number or social security number, if known, which  
 1730 may include, but are not limited to, using a nationwide  
 1731 database, cross-indexing with other records of the holder,  
 1732 mailing to the last known address unless the last known address  
 1733 is known to be inaccurate, providing written notice as described  
 1734 in this chapter by electronic mail if an apparent owner has  
 1735 elected such delivery, or engaging a licensed agency or company  
 1736 capable of conducting such search and providing updated  
 1737 addresses.

1738        (13) "Electronic" means relating to technology having  
 1739 electrical, digital, magnetic, wireless, optical,  
 1740 electromagnetic, or similar capabilities.

1741        (14)~~(10)~~ "Financial organization" means a ~~state or federal~~  
 1742 savings association, savings and loan association, savings bank,  
 1743 industrial bank, bank, banking organization, trust company,  
 1744 international bank agency, cooperative bank, building and loan  
 1745 association, or credit union.

1746        (15)~~(11)~~ "Health care provider" means any state-licensed  
 1747 entity that provides and receives payment for health care  
 1748 services. These entities include, but are not limited to,  
 1749 hospitals, outpatient centers, physician practices, and skilled  
 1750 nursing facilities.

1751            (16)~~(12)~~ "Holder" means:

1752            (a) A person, ~~wherever organized or domiciled,~~ who is in

1753 possession or control or has custody of property or the rights

1754 to property belonging to another; is indebted to another on an

1755 obligation; or is obligated to hold for the account of, or to

1756 deliver or pay to, the owner, property subject to this chapter;

1757 or÷

1758            ~~(a) In possession of property belonging to another;~~

1759            (b) A trustee in case of a trust; ~~or~~

1760            ~~(c) Indebted to another on an obligation.~~

1761            (17)~~(13)~~ "Insurance company" means an association,

1762 corporation, or fraternal or mutual benefit organization,

1763 whether for profit or not for profit, which is engaged in

1764 providing insurance coverage.

1765            (18)~~(14)~~ "Intangible property" includes, by way of

1766 illustration and not limitation:

1767            (a) Moneys, checks, virtual currency, drafts, deposits,

1768 interest, dividends, and income.

1769            (b) Credit balances, customer overpayments, security

1770 deposits and other instruments as defined by chapter 679,

1771 refunds, unpaid wages, unused airline tickets, and unidentified

1772 remittances.

1773            (c) Stocks, and other intangible ownership interests in

1774 business associations.

1775            (d) Moneys deposited to redeem stocks, bonds, bearer

1776 | bonds, original issue discount bonds, coupons, and other  
1777 | securities, or to make distributions.

1778 |       (e) Amounts due and payable under the terms of insurance  
1779 | policies.

1780 |       (f) Amounts distributable from a trust or custodial fund  
1781 | established under a plan to provide any health, welfare,  
1782 | pension, vacation, severance, retirement, death, stock purchase,  
1783 | profit sharing, employee savings, supplemental unemployment  
1784 | insurance, or similar benefit.

1785 |       (19)~~(15)~~ "Last known address" means a description of the  
1786 | location of the apparent owner sufficient for the purpose of the  
1787 | delivery of mail. For the purposes of identifying, reporting,  
1788 | and remitting property to the department which is presumed to be  
1789 | unclaimed, "last known address" includes any partial description  
1790 | of the location of the apparent owner sufficient to establish  
1791 | the apparent owner was a resident of this state at the time of  
1792 | last contact with the apparent owner or at the time the property  
1793 | became due and payable.

1794 |       (20)~~(16)~~ "Lawful charges" means charges against dormant  
1795 | accounts that are authorized by statute for the purpose of  
1796 | offsetting the costs of maintaining the dormant account.

1797 |       (21)~~(17)~~ "Managed care payor" means a health care plan  
1798 | that has a defined system of selecting and limiting health care  
1799 | providers as evidenced by a managed care contract with the  
1800 | health care providers. These plans include, but are not limited

1801 to, managed care health insurance companies and health  
 1802 maintenance organizations.

1803 (22)~~(18)~~ "Owner" means a person, or the person's legal  
 1804 representative, entitled to receive or having a legal or  
 1805 equitable interest in or claim against property subject to this  
 1806 chapter; a depositor in the case of a deposit; a beneficiary in  
 1807 the case of a trust or a deposit in trust; or a payee in the  
 1808 case of a negotiable instrument or other intangible property a  
 1809 ~~depositor in the case of a deposit, a beneficiary in the case of~~  
 1810 ~~a trust or a deposit in trust, or a payee in the case of other~~  
 1811 ~~intangible property, or a person having a legal or equitable~~  
 1812 ~~interest in property subject to this chapter or his or her legal~~  
 1813 ~~representative.~~

1814 (23) "Person" means an individual; estate; business  
 1815 association; corporation; firm; association; joint adventure;  
 1816 partnership; government or governmental subdivision, agency, or  
 1817 instrumentality; or any other legal or commercial entity.

1818 (24)~~(19)~~ "Public corporation" means a corporation created  
 1819 by the state, founded and owned in the public interest,  
 1820 supported by public funds, and governed by those deriving their  
 1821 power from the state.

1822 (25) "Record" means information that is inscribed on a  
 1823 tangible medium or that is stored in an electronic or other  
 1824 medium and is retrievable in perceivable form.

1825 (26)~~(20)~~ "Reportable period" means the calendar year

1826 ending December 31 of each year.

1827 (27)~~(21)~~ "State," when applied to a part of the United  
 1828 States, includes any state, district, commonwealth, territory,  
 1829 insular possession, and any other area subject to the  
 1830 legislative authority of the United States.

1831 (28)~~(22)~~ "Trust instrument" means a trust instrument as  
 1832 defined in s. 736.0103.

1833 ~~(23) "Ultimate equitable owner" means a natural person  
 1834 who, directly or indirectly, owns or controls an ownership  
 1835 interest in a corporation, a foreign corporation, an alien  
 1836 business organization, or any other form of business  
 1837 organization, regardless of whether such natural person owns or  
 1838 controls such ownership interest through one or more natural  
 1839 persons or one or more proxies, powers of attorney, nominees,  
 1840 corporations, associations, partnerships, trusts, joint stock  
 1841 companies, or other entities or devices, or any combination  
 1842 thereof.~~

1843 (29) "Unclaimed Property Purchase Agreement" means the  
 1844 form adopted by the department pursuant to s. 717.135 which must  
 1845 be used, without modification or amendment, by a claimant's  
 1846 representative to purchase unclaimed property from an owner.

1847 (30) "Unclaimed Property Recovery Agreement" means the  
 1848 form adopted by the department pursuant to s. 717.135 which must  
 1849 be used, without modification or amendment, by a claimant's  
 1850 representative to obtain an owner's consent and authority to

1851 recover unclaimed property on the owner's behalf.

1852 ~~(31)-(24)~~ "United States" means any state, district,

1853 commonwealth, territory, insular possession, and any other area

1854 subject to the legislative authority of the United States of

1855 America.

1856 ~~(32)-(25)~~ "Utility" means a person who owns or operates,

1857 for public use, any plant, equipment, property, franchise, or

1858 license for the transmission of communications or the

1859 production, storage, transmission, sale, delivery, or furnishing

1860 of electricity, water, steam, or gas.

1861 (33) (a) "Virtual currency" means digital units of exchange

1862 that:

1863 1. Have a centralized repository or administrator;

1864 2. Are decentralized and have no centralized repository or

1865 administrator; or

1866 3. May be created or obtained by computing or

1867 manufacturing effort.

1868 (b) The term does not include any of the following:

1869 1. Digital units that:

1870 a. Are used solely within online gaming platforms;

1871 b. Have no market or application outside of the online

1872 gaming platforms in sub-subparagraph a.;

1873 c. Cannot be converted into, or redeemed for, fiat

1874 currency or virtual currency; and

1875 d. Can or cannot be redeemed for real-world goods,

1876 services, discounts, or purchases.

1877 2. Digital units that can be redeemed for:

1878 a. Real-world goods, services, discounts, or purchases as  
 1879 part of a customer affinity or rewards program with the issuer  
 1880 or other designated merchants; or

1881 b. Digital units in another customer affinity or rewards  
 1882 program, but cannot be converted into, or redeemed for, fiat  
 1883 currency or virtual currency.

1884 3. Digital units used as part of prepaid cards.

1885 Section 41. Subsections (3) and (4) are added to section  
 1886 717.102, Florida Statutes, to read:

1887 717.102 Property presumed unclaimed; general rule.—

1888 (3) A presumption that property is unclaimed is rebutted  
 1889 by an apparent owner's expression of interest in the property.

1890 An owner's expression of interest in property includes:

1891 (a) A record communicated by the apparent owner to the  
 1892 holder or agent of the holder concerning the property or the  
 1893 account in which the property is held;

1894 (b) An oral communication by the apparent owner to the  
 1895 holder or agent of the holder concerning the property or the  
 1896 account in which the property is held, if the holder or its  
 1897 agent contemporaneously makes and preserves a record of the fact  
 1898 of the apparent owner's communication;

1899 (c) Presentment of a check or other instrument of payment  
 1900 of a dividend, interest payment, or other distribution, with

1901 respect to an account, underlying security, or interest in a  
 1902 business association;

1903 (d) Activity directed by an apparent owner in the account  
 1904 in which the property is held, including accessing the account  
 1905 or information concerning the account, or a direction by the  
 1906 apparent owner to increase, decrease, or otherwise change the  
 1907 amount or type of property held in the account;

1908 (e) A deposit into or withdrawal from an account at a  
 1909 financial organization, excluding an automatic deposit or  
 1910 withdrawal previously authorized by the apparent owner or an  
 1911 automatic reinvestment of dividends or interest, which does not  
 1912 constitute an expression of interest; or

1913 (f) Any other action by the apparent owner which  
 1914 reasonably demonstrates to the holder that the apparent owner  
 1915 knows that the property exists.

1916 (4) If a holder learns or receives confirmation of an  
 1917 apparent owner's death, the property shall be presumed unclaimed  
 1918 2 years after the date of death, unless a fiduciary appointed to  
 1919 represent the estate of the apparent owner has made an  
 1920 expression of interest in the property before the expiration of  
 1921 the 2-year period. This subsection may not be construed to  
 1922 extend the otherwise applicable dormancy period prescribed by  
 1923 this chapter.

1924 Section 42. Subsection (5) of section 717.106, Florida  
 1925 Statutes, is amended to read:

1926           717.106 Bank deposits and funds in financial  
 1927 organizations.—

1928           (5) If the documents establishing a deposit described in  
 1929 subsection (1) state the address of a beneficiary of the  
 1930 deposit, and the account has a value of at least \$50, notice  
 1931 shall be given to the beneficiary as provided for notice to the  
 1932 apparent owner under s. 717.117(6) ~~s. 717.117(4)~~. This  
 1933 subsection shall apply to accounts opened on or after October 1,  
 1934 1990.

1935           Section 43. Section 717.1065, Florida Statutes, is created  
 1936 to read:

1937           717.1065 Virtual currency.—

1938           (1) Any virtual currency held or owing by a banking  
 1939 organization, corporation, custodian, exchange, or other entity  
 1940 engaged in virtual currency business activity is presumed  
 1941 unclaimed unless the owner, within 5 years, has communicated in  
 1942 writing with the banking organization, corporation, custodian,  
 1943 exchange, or other entity engaged in virtual currency business  
 1944 activity concerning the virtual currency or otherwise indicated  
 1945 an interest as evidenced by a memorandum or other record on file  
 1946 with the banking organization, corporation, custodian, exchange,  
 1947 or other entity engaged in virtual currency business activity.

1948           (2) A holder may not deduct from the amount of any virtual  
 1949 currency subject to this section any charges imposed by reason  
 1950 of the virtual currency unless there is a valid and enforceable

1951 written contract between the holder and the owner of the virtual  
 1952 currency pursuant to which the holder may impose those charges  
 1953 and the holder does not regularly reverse or otherwise cancel  
 1954 those charges with respect to the virtual currency.

1955 Section 44. Paragraph (a) of subsection (1) of section  
 1956 717.1101, Florida Statutes, is amended to read:

1957 717.1101 Unclaimed equity and debt of business  
 1958 associations.—

1959 (1)(a) Stock or other equity interest in a business  
 1960 association is presumed unclaimed on the date of ~~3 years after~~  
 1961 the earliest of the following:

1962 1. Three years after ~~The date of~~ the most recent of any  
 1963 owner-generated activity or communication related to the  
 1964 account, as recorded and maintained in the holder's database and  
 1965 records systems sufficient enough to demonstrate the owners  
 1966 continued awareness or interest in the property ~~dividend, stock~~  
 1967 ~~split, or other distribution unclaimed by the apparent owner;~~

1968 2. Three years after the date of the death of the owner,  
 1969 as evidenced by: ~~The date of a statement of account or other~~  
 1970 ~~notification or communication that was returned as~~  
 1971 ~~undeliverable; or~~

1972 a. Notice to the holder of the owner's death by an  
 1973 administrator, beneficiary, relative, or trustee, or by a  
 1974 personal representative or other legal representative of the  
 1975 owner's estate;

1976 b. Receipt by the holder of a copy of the death  
 1977 certificate of the owner;

1978 c. Confirmation by the holder of the owner's death through  
 1979 other means; or

1980 d. Other evidence from which the holder may reasonably  
 1981 conclude that the owner is deceased; or

1982 3. One year after the date on which the holder receives  
 1983 notice under subparagraph 2. if the notice is received 2 years  
 1984 or less after the owner's death and the holder lacked knowledge  
 1985 of the owner's death during that period of 2 years or less ~~The~~  
 1986 ~~date the holder discontinued mailings, notifications, or~~  
 1987 ~~communications to the apparent owner.~~

1988 Section 45. Subsection (1) of section 717.112, Florida  
 1989 Statutes, is amended, and subsection (6) is added to that  
 1990 section, to read:

1991 717.112 Property held by agents and fiduciaries.—

1992 (1) ~~Except as provided in ss. 717.1125 and 733.816,~~ All  
 1993 intangible property and any income or increment thereon held in  
 1994 a fiduciary capacity for the benefit of another person,  
 1995 including property held by an attorney in fact or an agent,  
 1996 except as provided in ss. 717.1125 and 733.816, is presumed  
 1997 unclaimed unless the owner has within 5 years after it has  
 1998 become payable or distributable increased or decreased the  
 1999 principal, accepted payment of principal or income, communicated  
 2000 in writing concerning the property, or otherwise indicated an

2001 interest as evidenced by a memorandum or other record on file  
 2002 with the fiduciary.

2003 (6) This section does not relieve a fiduciary of his or  
 2004 her duties under applicable general law.

2005 Section 46. Section 717.1125, Florida Statutes, is amended  
 2006 to read:

2007 717.1125 Property held by fiduciaries under trust  
 2008 instruments.—All intangible property and any income or increment  
 2009 thereon held in a fiduciary capacity for the benefit of another  
 2010 person under a trust instrument is presumed unclaimed unless the  
 2011 owner has, within 2 years after it has become payable or  
 2012 distributable, increased or decreased the principal, accepted  
 2013 payment of principal or income, communicated concerning the  
 2014 property, or otherwise indicated an interest as evidenced by a  
 2015 memorandum or other record on file with the fiduciary. This  
 2016 section does not relieve a fiduciary of his or her duties under  
 2017 the Florida Trust Code.

2018 Section 47. Effective January 1, 2025, section 717.117,  
 2019 Florida Statutes, is amended to read:

2020 717.117 Report of unclaimed property.—

2021 (1) Every person holding funds or other property, tangible  
 2022 or intangible, presumed unclaimed and subject to custody as  
 2023 unclaimed property under this chapter shall report to the  
 2024 department ~~on such forms as the department may prescribe by~~  
 2025 ~~rule. In lieu of forms, a report identifying 25 or more~~

2026 ~~different apparent owners must be submitted by the holder via~~  
 2027 electronic medium as the department may prescribe by rule. The  
 2028 report must include:

2029 (a) Except for traveler's checks and money orders, the  
 2030 name, social security number or taxpayer identification number,  
 2031 ~~and~~ date of birth, if known, and last known address, if any, of  
 2032 each person appearing from the records of the holder to be the  
 2033 owner of any property which is presumed unclaimed and which has  
 2034 a value of \$10 ~~\$50~~ or more.

2035 (b) For unclaimed funds that ~~which~~ have a value of \$10 ~~\$50~~  
 2036 or more held or owing under any life or endowment insurance  
 2037 policy or annuity contract, the identifying information provided  
 2038 in paragraph (a) for both ~~full name, taxpayer identification~~  
 2039 ~~number or social security number, date of birth, if known, and~~  
 2040 ~~last known address of~~ the insured or annuitant and ~~of~~ the  
 2041 beneficiary according to records of the insurance company  
 2042 holding or owing the funds.

2043 (c) For all tangible property held in a safe-deposit box  
 2044 or other safekeeping repository, a description of the property  
 2045 and the place where the property is held and may be inspected by  
 2046 the department, and any amounts owing to the holder. Contents of  
 2047 a safe-deposit box or other safekeeping repository which consist  
 2048 of documents or writings of a private nature and which have  
 2049 little or no apparent value shall not be presumed unclaimed.

2050 (d) The nature or type of property, any accounting or ~~and~~

2051 identifying number associated with the property, ~~a if any, or~~  
2052 description of the property, and the amount appearing from the  
2053 records to be due. Items of value of less than \$10 ~~under \$50~~  
2054 each may be reported in the aggregate.

2055 (e) The date the property became payable, demandable, or  
2056 returnable, and the date of the last transaction with the  
2057 apparent owner with respect to the property.

2058 (f) Any other information the department may prescribe by  
2059 rule as necessary for the administration of this chapter.

2060 (2) If the total value of all presumed unclaimed property,  
2061 whether tangible or intangible, held by a person is less than  
2062 \$10, a zero balance report may be filed for that reporting  
2063 period.

2064 ~~(f) Any person or business association or public~~  
2065 ~~corporation holding funds presumed unclaimed and having a total~~  
2066 ~~value of \$10 or less may file a zero balance report for that~~  
2067 ~~reporting period. The balance brought forward to the new~~  
2068 ~~reporting period is zero.~~

2069 ~~(g) Such other information as the department may prescribe~~  
2070 ~~by rule as necessary for the administration of this chapter.~~

2071 (3)-(h) Credit balances, customer overpayments, security  
2072 deposits, and refunds having a value of less than \$10 shall not  
2073 be presumed unclaimed.

2074 (4)-(2) If the holder of property presumed unclaimed and  
2075 subject to custody as unclaimed property is a successor holder

2076 or if the holder has changed the holder's name while in  
 2077 possession of the property, the holder shall file with the  
 2078 holder's report all known names and addresses of each prior  
 2079 holder of the property. Compliance with this subsection means  
 2080 the holder exercises reasonable and prudent efforts to determine  
 2081 the names of all prior holders.

2082 (5)~~(3)~~ The report must be filed before May 1 of each year.  
 2083 The report applies ~~shall apply~~ to the preceding calendar year.  
 2084 Upon written request by any person required to file a report,  
 2085 and upon a showing of good cause, the department may extend the  
 2086 reporting date. The department may impose and collect a penalty  
 2087 of \$10 per day up to a maximum of \$500 for the failure to timely  
 2088 report, if an extension was not provided or if the holder of the  
 2089 property failed ~~the failure~~ to include in a report information  
 2090 required by this chapter which was in the holder's possession at  
 2091 the time of reporting. The penalty shall be remitted to the  
 2092 department within 30 days after the date of the notification to  
 2093 the holder that the penalty is due and owing. As necessary for  
 2094 proper administration of this chapter, the department may waive  
 2095 any penalty due with appropriate justification. ~~On written~~  
 2096 ~~request by any person required to file a report and upon a~~  
 2097 ~~showing of good cause, the department may postpone the reporting~~  
 2098 ~~date.~~ The department must provide information contained in a  
 2099 report filed with the department to any person requesting a copy  
 2100 of the report or information contained in a report, to the

2101 extent the information requested is not confidential, within 45  
2102 days after the department determines that the report ~~has been~~  
2103 ~~processed and added to the unclaimed property database~~  
2104 ~~subsequent to a determination that the report~~ is accurate and  
2105 acceptable and that the reported property is the same as the  
2106 remitted property.

2107 (6)+(4) Holders of inactive accounts having a value of \$50  
2108 or more shall use due diligence to locate and notify apparent  
2109 owners that the entity is holding unclaimed property available  
2110 for them to recover. Not more than 120 days and not less than 60  
2111 days prior to filing the report required by this section, the  
2112 holder in possession of property presumed unclaimed and subject  
2113 to custody as unclaimed property under this chapter shall send  
2114 written notice by first-class United States mail to the apparent  
2115 owner at the apparent owner's last known address from the  
2116 holder's records or from other available sources, or via  
2117 electronic mail if the apparent owner has elected this method of  
2118 delivery, informing the apparent owner that the holder is in  
2119 possession of property subject to this chapter, if the holder  
2120 has in its records a mailing or electronic ~~an~~ address for the  
2121 apparent owner which the holder's records do not disclose to be  
2122 inaccurate. These two means of contact are not mutually  
2123 exclusive; if the mailing address is determined to be  
2124 inaccurate, electronic mail may be used if so elected by the  
2125 apparent owner.

2126        (7) The written notice to the apparent owner required  
 2127 under this section must:

2128        (a) Contain a heading that reads substantially as follows:  
 2129 "Notice. The State of Florida requires us to notify you that  
 2130 your property may be transferred to the custody of the Florida  
 2131 Department of Financial Services if you do not contact us before  
 2132 (insert date that is at least 30 days after the date of  
 2133 notice)."

2134        (b) Identify the type, nature, and, except for property  
 2135 that does not have a fixed value, value of the property that is  
 2136 the subject of the notice.

2137        (c) State that the property will be turned over to the  
 2138 custody of the department as unclaimed property if no response  
 2139 to this letter is received.

2140        (d) State that any property that is not legal tender of  
 2141 the United States may be sold or liquidated by the department.

2142        (e) State that after the property is turned over to the  
 2143 department, an apparent owner seeking return of the property may  
 2144 file a claim with the department.

2145        (f) State that the property is currently with a holder and  
 2146 provide instructions that the apparent owner must follow to  
 2147 prevent the holder from reporting and paying for the property or  
 2148 from delivering the property to the department.

2149        (8)~~(5)~~ Any holder of intangible property may file with the  
 2150 department a petition for determination that the property is

2151 unclaimed requesting the department to accept custody of the  
 2152 property. The petition shall state any special circumstances  
 2153 that exist, contain the information required by subsection (4)  
 2154 ~~(2)~~, and show that a diligent search has been made to locate the  
 2155 owner. If the department finds that the proof of diligent search  
 2156 is satisfactory, it shall give notice as provided in s. 717.118  
 2157 and accept custody of the property.

2158 (9)~~(6)~~ Upon written request by any entity or person  
 2159 required to file a report, stating such entity's or person's  
 2160 justification for such action, the department may place that  
 2161 entity or person in an inactive status as an unclaimed property  
 2162 "holder."

2163 (10)~~(7)~~(a) This section does not apply to the unclaimed  
 2164 patronage refunds as provided for by contract or through bylaw  
 2165 provisions of entities organized under chapter 425 or that are  
 2166 exempt from ad valorem taxation pursuant to s. 196.2002.

2167 (b) This section does not apply to intangible property  
 2168 held, issued, or owing by a business association subject to the  
 2169 jurisdiction of the United States Surface Transportation Board  
 2170 or its successor federal agency if the apparent owner of such  
 2171 intangible property is a business association. The holder of  
 2172 such property does not have any obligation to report, to pay, or  
 2173 to deliver such property to the department.

2174 (c) This section does not apply to credit balances,  
 2175 overpayments, refunds, or outstanding checks owed by a health

2176 care provider to a managed care payor with whom the health care  
 2177 provider has a managed care contract, provided that the credit  
 2178 balances, overpayments, refunds, or outstanding checks become  
 2179 due and owing pursuant to the managed care contract.

2180 (11)~~(8)~~(a) As used in this subsection, the term "property  
 2181 identifier" means the descriptor used by the holder to identify  
 2182 the unclaimed property.

2183 (b) Social security numbers and property identifiers  
 2184 contained in reports required under this section, held by the  
 2185 department, are confidential and exempt from s. 119.07(1) and s.  
 2186 24(a), Art. I of the State Constitution.

2187 (c) This exemption applies to social security numbers and  
 2188 property identifiers held by the department before, on, or after  
 2189 the effective date of this exemption.

2190 Section 48. Subsections (4), (5), and (6) of section  
 2191 717.119, Florida Statutes, are renumbered as subsections (5),  
 2192 (6), and (7), respectively, and a new subsection (4) and  
 2193 subsection (8) are added to that section, to read:

2194 717.119 Payment or delivery of unclaimed property.—

2195 (4) All virtual currency reported under this chapter on  
 2196 the annual report filing required in s. 717.117 shall be  
 2197 remitted to the department with the report. The holder shall  
 2198 liquidate the virtual currency and remit the proceeds to the  
 2199 department. The liquidation must occur within 30 days before the  
 2200 filing of the report. Upon delivery of the virtual currency

2201 proceeds to the department, the holder is relieved of all  
 2202 liability of every kind in accordance with the provisions of s.  
 2203 717.1201 to every person for any losses or damages resulting to  
 2204 the person by the delivery to the department of the virtual  
 2205 currency proceeds.

2206 (8) A holder may not assign or otherwise transfer its  
 2207 obligation to report, pay, or deliver property or to comply with  
 2208 the provisions of this chapter, other than to a parent,  
 2209 subsidiary, or affiliate of the holder.

2210 (a) Unless otherwise agreed to by the parties to a  
 2211 transaction, the holder's successor by merger or consolidation,  
 2212 or any person or entity that acquires all or substantially all  
 2213 of the holder's capital stock or assets, is responsible for  
 2214 fulfilling the holder's obligation to report, pay, or deliver  
 2215 property or to comply with the duties of this chapter regarding  
 2216 the transfer of property owed to the holder's successor and  
 2217 being held for an owner resulting from the merger,  
 2218 consolidation, or acquisition.

2219 (b) This subsection does not prohibit a holder from  
 2220 contracting with a third party for the reporting of unclaimed  
 2221 property, but the holder remains responsible to the department  
 2222 for the complete, accurate, and timely reporting of the  
 2223 property.

2224 Section 49. Section 717.1201, Florida Statutes, is amended  
 2225 to read:

2226 717.1201 Custody by state; holder ~~relieved from~~ liability;  
 2227 reimbursement of holder paying claim; reclaiming for owner;  
 2228 ~~defense of holder;~~ payment of safe-deposit box or repository  
 2229 charges.—

2230 (1) Upon the good faith payment or delivery of unclaimed  
 2231 property to the department, the state assumes custody and  
 2232 responsibility for the safekeeping of the property. Any person  
 2233 who pays or delivers unclaimed property to the department in  
 2234 good faith is relieved of all liability to the extent of the  
 2235 value of the property paid or delivered for any claim then  
 2236 existing or which thereafter may arise or be made in respect to  
 2237 the property.

2238 (a) A holder's substantial compliance with s. 717.117(6)  
 2239 and good faith payment or delivery of unclaimed property to the  
 2240 department releases the holder from liability that may arise  
 2241 from such payment or delivery, and such delivery and payment may  
 2242 be plead as a defense in any suit or action brought by reason of  
 2243 such delivery or payment. This section does not relieve a  
 2244 fiduciary of his or her duties under the Florida Trust Code or  
 2245 Florida Probate Code.

2246 (b) If the holder pays or delivers property to the  
 2247 department in good faith and thereafter any other person claims  
 2248 the property from the holder paying or delivering, or another  
 2249 state claims the money or property under that state's laws  
 2250 relating to escheat or abandoned or unclaimed property, the

2251 department, upon written notice of the claim, shall defend the  
 2252 holder against the claim and indemnify the holder against any  
 2253 liability on the claim, except that a holder may not be  
 2254 indemnified against penalties imposed by another state.

2255 (2) For the purposes of this section, a payment or  
 2256 delivery of unclaimed property is made in good faith if:

2257 (a) The payment or delivery was made in conjunction with  
 2258 an accurate and acceptable report.

2259 (b) The payment or delivery was made in a reasonable  
 2260 attempt to comply with this chapter and other applicable general  
 2261 law.

2262 (c) The holder had a reasonable basis for believing, based  
 2263 on the facts then known, that the property was unclaimed and  
 2264 subject to this chapter.

2265 (d) There is no showing that the records pursuant to which  
 2266 the delivery was made did not meet reasonable commercial  
 2267 standards of practice in the industry.

2268 (3)-(2) Any holder who has paid money to the department  
 2269 pursuant to this chapter may make payment to any person  
 2270 appearing to be entitled to payment and, upon filing proof that  
 2271 the payee is entitled thereto, the department shall forthwith  
 2272 repay the holder without deduction of any fee or other charges.  
 2273 If repayment is sought for a payment made on a negotiable  
 2274 instrument, including a traveler's check or money order, the  
 2275 holder must be repaid under this subsection upon filing proof

2276 that the instrument was duly presented and that the payee is  
 2277 entitled to payment. The holder shall be repaid for payment made  
 2278 under this subsection even if the payment was made to a person  
 2279 whose claim was barred under s. 717.129(1).

2280 (4)~~(3)~~ Any holder who has delivered property, including a  
 2281 certificate of any interest in a business association, other  
 2282 than money to the department pursuant to this chapter may  
 2283 reclaim the property if still in the possession of the  
 2284 department, without payment of any fee or other charges, upon  
 2285 filing proof that the owner has claimed the property from the  
 2286 holder.

2287 (5)~~(4)~~ The department may accept an affidavit of the  
 2288 holder stating the facts that entitle the holder to recover  
 2289 money and property under this section as sufficient proof.

2290 ~~(5) If the holder pays or delivers property to the~~  
 2291 ~~department in good faith and thereafter any other person claims~~  
 2292 ~~the property from the holder paying or delivering, or another~~  
 2293 ~~state claims the money or property under that state's laws~~  
 2294 ~~relating to escheat or abandoned or unclaimed property, the~~  
 2295 ~~department, upon written notice of the claim, shall defend the~~  
 2296 ~~holder against the claim and indemnify the holder against any~~  
 2297 ~~liability on the claim.~~

2298 ~~(6) For the purposes of this section, "good faith" means~~  
 2299 ~~that:~~

2300 ~~(a) Payment or delivery was made in a reasonable attempt~~

2301 ~~to comply with this chapter.~~

2302 ~~(b) The person delivering the property was not a fiduciary~~  
 2303 ~~then in breach of trust in respect to the property and had a~~  
 2304 ~~reasonable basis for believing, based on the facts then known to~~  
 2305 ~~that person, that the property was unclaimed for the purposes of~~  
 2306 ~~this chapter.~~

2307 ~~(c) There is no showing that the records pursuant to which~~  
 2308 ~~the delivery was made did not meet reasonable commercial~~  
 2309 ~~standards of practice in the industry.~~

2310 ~~(6)-(7)~~ Property removed from a safe-deposit box or other  
 2311 safekeeping repository is received by the department subject to  
 2312 the holder's right under this subsection to be reimbursed for  
 2313 the actual cost of the opening and to any valid lien or contract  
 2314 providing for the holder to be reimbursed for unpaid rent or  
 2315 storage charges. The department shall make the reimbursement to  
 2316 the holder out of the proceeds remaining after the deduction of  
 2317 the department's selling cost.

2318 (7) If it appears to the satisfaction of the department  
 2319 that, because of some mistake of fact, error in calculation, or  
 2320 erroneous interpretation of a statute, a person has paid or  
 2321 delivered to the department pursuant to any provision of this  
 2322 chapter any money or other property not required by this chapter  
 2323 to be so paid or delivered, the department may, within 5 years  
 2324 after such erroneous payment or delivery, refund or redeliver  
 2325 such money or other property to the person, provided that such

2326 money or property has not been paid or delivered to a claimant  
 2327 or otherwise disposed of in accordance with this chapter.

2328 Section 50. Subsection (1) of section 717.1242, Florida  
 2329 Statutes, is amended to read:

2330 717.1242 Restatement of jurisdiction of the circuit court  
 2331 sitting in probate and the department.—

2332 (1) It is and has been the intent of the Legislature that,  
 2333 pursuant to s. 26.012(2)(b), circuit courts have jurisdiction of  
 2334 proceedings relating to the settlement of the estates of  
 2335 decedents and other jurisdiction usually pertaining to courts of  
 2336 probate. It is and has been the intent of the Legislature that,  
 2337 pursuant to this chapter ~~s. 717.124~~, the department determines  
 2338 the merits of claims and entitlement to unclaimed ~~for~~ property  
 2339 paid or delivered to the department under this chapter.

2340 Consistent with this legislative intent, any ~~estate or~~  
 2341 beneficiary, devisee, heir, personal representative, or other  
 2342 interested person, as those terms are defined in the Florida  
 2343 Probate Code and the Florida Trust Code ~~s. 731.201~~, of an estate  
 2344 seeking to obtain property paid or delivered to the department  
 2345 under this chapter must file a claim with the department as  
 2346 provided in s. 717.124.

2347 Section 51. Subsection (4) of section 717.1243, Florida  
 2348 Statutes, is amended to read:

2349 717.1243 Small estate accounts.—

2350 (4) This section ~~only~~ applies only if all of the unclaimed

2351 property held by the department on behalf of the owner has an  
 2352 aggregate value of \$20,000 ~~\$10,000~~ or less and no probate  
 2353 proceeding is pending.

2354 Section 52. Subsection (2) of section 717.129, Florida  
 2355 Statutes, is amended to read:

2356 717.129 Periods of limitation.—

2357 (2) The department may not commence an ~~No~~ action or  
 2358 proceeding to enforce this chapter with respect to the  
 2359 reporting, payment, or delivery of property or any other duty of  
 2360 a holder under this chapter ~~may be commenced by the department~~  
 2361 ~~with respect to any duty of a holder under this chapter~~ more  
 2362 than 10 years after the duty arose. The period of limitation  
 2363 established under this subsection is tolled by the earlier of  
 2364 the department's or audit agent's delivery of a notice that a  
 2365 holder is subject to an audit or examination under s. 717.1301  
 2366 or the holder's written election to enter into an unclaimed  
 2367 property voluntary disclosure agreement.

2368 Section 53. Section 717.1301, Florida Statutes, is amended  
 2369 to read:

2370 717.1301 Investigations; examinations; subpoenas.—

2371 (1) To carry out the chapter's purpose of protecting the  
 2372 interest of missing owners through the safeguarding of their  
 2373 property and to administer and enforce this chapter, the  
 2374 department may:

2375 (a) Investigate, examine, inspect, request, or otherwise

2376 gather information or evidence on, claim documents from a  
2377 claimant or a claimant's representative during its review of a  
2378 claim.

2379 (b) Audit the records of a person or the records in the  
2380 possession of an agent, representative, subsidiary, or affiliate  
2381 of the person subject to this chapter to determine whether the  
2382 person complied with this chapter. Such records may include  
2383 information to verify the completeness or accuracy of the  
2384 records provided, even if such records may not identify property  
2385 reportable to the department.

2386 (c) Take testimony of a person, including the person's  
2387 employee, agent, representative, subsidiary, or affiliate, to  
2388 determine whether the person complied with this chapter.

2389 (d) Issue an administrative subpoena to require that the  
2390 records specified in paragraph (b) be made available for  
2391 examination or audit and that the testimony specified in  
2392 paragraph (c) be provided.

2393 (e) Bring an action in a court of competent jurisdiction  
2394 seeking enforcement of an administrative subpoena issued under  
2395 this section, which the court shall consider under procedures  
2396 that will lead to an expeditious resolution of the action.

2397 (f) Bring an administrative action or an action in a court  
2398 of competent jurisdiction to enforce this chapter.

2399 (2) If a person is subject to reporting property under  
2400 this chapter, the department may require the person to file a

2401 verified report in a form prescribed by the department. The  
 2402 verified report must:  
 2403 (a) State whether the person is holding property  
 2404 reportable under this chapter;  
 2405 (b) Describe the property not previously reported, the  
 2406 property about which the department has inquired, or the  
 2407 property that is in dispute as to whether it is reportable under  
 2408 this chapter; and  
 2409 (c) State the amount or value of the property.  
 2410 (3) The department may authorize a compliance review of a  
 2411 report for a specified reporting year. The review must be  
 2412 limited to the contents of the report filed, as required by s.  
 2413 717.117 and subsection (2), and all supporting documents related  
 2414 to the reports. If the review results in a finding of a  
 2415 deficiency in unclaimed property due and payable to the  
 2416 department, the department shall notify the holder in writing of  
 2417 the amount of deficiency within 1 year after the authorization  
 2418 of the compliance review. If the holder fails to pay the  
 2419 deficiency within 90 days, the department may seek to enforce  
 2420 the assessment under subsection (1). The department is not  
 2421 required to conduct a review under this section before  
 2422 initiating an audit.  
 2423 (4) Notwithstanding any other provision of law, in a  
 2424 contract providing for the location or collection of unclaimed  
 2425 property, the department may authorize the contractor to deduct

2426 its fees and expenses for services provided under the contract  
 2427 from the unclaimed property that the contractor has recovered or  
 2428 collected under the contract. The department shall annually  
 2429 report to the Chief Financial Officer the total amount collected  
 2430 or recovered by each contractor during the previous fiscal year  
 2431 and the total fees and expenses deducted by each contractor.

2432 ~~(1) The department may make investigations and~~  
 2433 ~~examinations within or outside this state of claims, reports,~~  
 2434 ~~and other records as it deems necessary to administer and~~  
 2435 ~~enforce the provisions of this chapter. In such investigations~~  
 2436 ~~and examinations the department may administer oaths, examine~~  
 2437 ~~witnesses, issue subpoenas, and otherwise gather evidence. The~~  
 2438 ~~department may request any person who has not filed a report~~  
 2439 ~~under s. 717.117 to file a verified report stating whether or~~  
 2440 ~~not the person is holding any unclaimed property reportable or~~  
 2441 ~~deliverable under this chapter.~~

2442 ~~(2) Subpoenas for witnesses whose evidence is deemed~~  
 2443 ~~material to any investigation or examination under this section~~  
 2444 ~~may be issued by the department under seal of the department, or~~  
 2445 ~~by any court of competent jurisdiction, commanding such~~  
 2446 ~~witnesses to appear before the department at a time and place~~  
 2447 ~~named and to bring such books, records, and documents as may be~~  
 2448 ~~specified or to submit such books, records, and documents to~~  
 2449 ~~inspection. Such subpoenas may be served by an authorized~~  
 2450 ~~representative of the department.~~

2451           ~~(3) If any person shall refuse to testify, produce books,~~  
 2452 ~~records, and documents, or otherwise refuse to obey a subpoena~~  
 2453 ~~issued under this section, the department may present its~~  
 2454 ~~petition to a court of competent jurisdiction in or for the~~  
 2455 ~~county in which such person resides or has its principal place~~  
 2456 ~~of business, whereupon the court shall issue its rule nisi~~  
 2457 ~~requiring such person to obey forthwith the subpoena issued by~~  
 2458 ~~the department or show cause for failing to obey said subpoena.~~  
 2459 ~~Unless said person shows sufficient cause for failing to obey~~  
 2460 ~~the subpoena, the court shall forthwith direct such person to~~  
 2461 ~~obey the same subject to such punishment as the court may direct~~  
 2462 ~~including, but not limited to, the restraint, by injunction or~~  
 2463 ~~by appointment of a receiver, of any transfer, pledge,~~  
 2464 ~~assignment, or other disposition of such person's assets or any~~  
 2465 ~~concealment, alteration, destruction, or other disposition of~~  
 2466 ~~subpoenaed books, records, or documents as the court deems~~  
 2467 ~~appropriate, until such person has fully complied with such~~  
 2468 ~~subpoena and the department has completed its investigation or~~  
 2469 ~~examination. The department is entitled to the summary procedure~~  
 2470 ~~provided in s. 51.011, and the court shall advance the cause on~~  
 2471 ~~its calendar. Costs incurred by the department to obtain an~~  
 2472 ~~order granting, in whole or in part, its petition shall be taxed~~  
 2473 ~~against the subpoenaed person, and failure to comply with such~~  
 2474 ~~order shall be a contempt of court.~~

2475           ~~(4) Witnesses shall be entitled to the same fees and~~

2476 ~~mileage as they may be entitled by law for attending as~~  
2477 ~~witnesses in the circuit court, except where such examination or~~  
2478 ~~investigation is held at the place of business or residence of~~  
2479 ~~the witness.~~

2480 (5) The material compiled by the department in an  
2481 investigation or examination under this chapter is confidential  
2482 until the investigation or examination is complete. If any such  
2483 material contains a holder's financial or proprietary  
2484 information, it may not be disclosed or made public by the  
2485 department after the investigation or audit is completed, except  
2486 as required by a court of competent jurisdiction in the course  
2487 of a judicial proceeding in which the state is a party, or  
2488 pursuant to an agreement with another state allowing joint  
2489 audits. Such material may be considered trade secret and exempt  
2490 from s. 119.07(1) as provided for in s. 119.0715. The records,  
2491 data, and information gathered ~~material compiled~~ by the  
2492 department in an investigation or audit ~~examination~~ under this  
2493 chapter remain ~~remains~~ confidential ~~after the department's~~  
2494 ~~investigation or examination is complete~~ if the department has  
2495 submitted the material or any part of it to any law enforcement  
2496 agency or other administrative agency for further investigation  
2497 or for the filing of a criminal or civil prosecution and such  
2498 investigation has not been completed or become inactive.

2499 (6) If an investigation or an audit ~~examination~~ of the  
2500 records of any person results in the disclosure of property

2501 reportable and deliverable under this chapter, the department  
2502 may assess the cost of the investigation or audit ~~the~~  
2503 ~~examination~~ against the holder at ~~the rate of \$100 per 8-hour~~  
2504 ~~day for each investigator or examiner. Such fee shall be~~  
2505 ~~calculated on an hourly basis and shall be rounded to the~~  
2506 ~~nearest hour. The person shall also pay the travel expense and~~  
2507 ~~per diem subsistence allowance provided for state employees in~~  
2508 ~~s. 112.061. The person shall not be required to pay a per diem~~  
2509 ~~fee and expenses of an examination or investigation which shall~~  
2510 ~~consume more than 30 worker-days in any one year unless such~~  
2511 ~~examination or investigation is due to fraudulent practices of~~  
2512 ~~the person, in which case such person shall be required to pay~~  
2513 ~~the entire cost regardless of time consumed. The fee for the~~  
2514 costs of the investigation or audit shall be remitted to the  
2515 department within 30 days after the date of the notification  
2516 that the fee is due and owing. Any person who fails to pay the  
2517 fee within 30 days after the date of the notification that the  
2518 fee is due and owing shall pay to the department interest at the  
2519 rate of 12 percent per annum on such fee from the date of the  
2520 notification.

2521 Section 54. Subsection (1) of section 717.1311, Florida  
2522 Statutes, is amended to read:

2523 717.1311 Retention of records.—

2524 (1) Every holder required to file a report under s.  
2525 717.117 shall maintain a record of the specific type of

2526 | property, amount, name, and last known address of the owner for  
 2527 | 10 ~~5~~ years after the property becomes reportable, except to the  
 2528 | extent that a shorter time is provided in subsection (2) or by  
 2529 | rule of the department.

2530 | Section 55. Paragraph (j) of subsection (1) and subsection  
 2531 | (3) of section 717.1322, Florida Statutes, are amended to read:  
 2532 | 717.1322 Administrative and civil enforcement.—

2533 | (1) The following acts are violations of this chapter and  
 2534 | constitute grounds for an administrative enforcement action by  
 2535 | the department in accordance with the requirements of chapter  
 2536 | 120 and for civil enforcement by the department in a court of  
 2537 | competent jurisdiction:

2538 | (j) Requesting or receiving compensation for notifying a  
 2539 | person of his or her unclaimed property or assisting another  
 2540 | person in filing a claim for unclaimed property, unless the  
 2541 | person is an attorney licensed to practice law in this state, a  
 2542 | Florida-certified public accountant, or a private investigator  
 2543 | licensed under chapter 493, or entering into, or making a  
 2544 | solicitation to enter into, an agreement to file a claim for  
 2545 | unclaimed property owned by another, ~~or a contract or agreement~~  
 2546 | ~~to purchase unclaimed property,~~ unless such person is registered  
 2547 | with the department under this chapter and an attorney licensed  
 2548 | to practice law in this state in the regular practice of her or  
 2549 | his profession, a Florida-certified public accountant who is  
 2550 | acting within the scope of the practice of public accounting as

2551 defined in chapter 473, or a private investigator licensed under  
 2552 chapter 493. This paragraph does not apply to a person who has  
 2553 been granted a durable power of attorney to convey and receive  
 2554 all of the real and personal property of the owner, is the  
 2555 court-appointed guardian of the owner, has been employed as an  
 2556 attorney or qualified representative to contest the department's  
 2557 denial of a claim, or has been employed as an attorney to  
 2558 probate the estate of the owner or an heir or legatee of the  
 2559 owner.

2560 (3) A claimant's representative ~~registrant~~ is subject to  
 2561 civil enforcement and the disciplinary actions specified in  
 2562 subsection (2) for violations of subsection (1) by an agent or  
 2563 employee of the registrant's employer if the claimant's  
 2564 representative ~~registrant~~ knew or should have known that such  
 2565 agent or employee was violating any provision of this chapter.

2566 Section 56. Subsection (1) of section 717.1333, Florida  
 2567 Statutes, is amended to read:

2568 717.1333 Evidence; estimations; audit reports and  
 2569 worksheets, investigator ~~examiner's worksheets, investigative~~  
 2570 reports and worksheets, other related documents.—

2571 (1) In any proceeding involving a holder under ss. 120.569  
 2572 and 120.57 in which an audit agent ~~auditor, examiner,~~ or  
 2573 investigator acting under authority of this chapter is available  
 2574 for cross-examination, any official written report, worksheet,  
 2575 or other related paper, or copy thereof, compiled, prepared,

2576 | drafted, or otherwise made or received by the audit agent  
2577 | ~~auditor, examiner,~~ or investigator, after being duly  
2578 | authenticated by the audit agent ~~auditor, examiner,~~ or  
2579 | investigator, may be admitted as competent evidence upon the  
2580 | oath of the audit agent ~~auditor, examiner,~~ or investigator that  
2581 | the report, worksheet, or related paper was prepared or received  
2582 | as a result of an audit, examination, or investigation of the  
2583 | books and records of the person audited, examined, or  
2584 | investigated, or the agent thereof.

2585 |       Section 57. Subsections (1) and (2) of section 717.134,  
2586 | Florida Statutes, are amended to read:

2587 |       717.134 Penalties and interest.—

2588 |       (1) For any person who willfully fails to render any  
2589 | report required under this chapter, the department may impose  
2590 | and collect a penalty of \$500 per day up to a maximum of \$5,000  
2591 | and 25 percent of the value of property not reported until an  
2592 | appropriate a report is provided ~~rendered for any person who~~  
2593 | ~~willfully fails to render any report required under this~~  
2594 | ~~chapter.~~ Upon a holder's showing of good cause, the department  
2595 | may waive said penalty or any portion thereof. If the holder  
2596 | acted in good faith and without negligence, the department shall  
2597 | waive the penalty provided herein.

2598 |       (2) For any person who willfully refuses to pay or deliver  
2599 | unclaimed property to the department as required under this  
2600 | chapter, the department may impose and collect a penalty of \$500

2601 per day up to a maximum of \$5,000 and 25 percent of the value of  
 2602 property not paid or delivered until the property is paid or  
 2603 ~~delivered for any person who willfully refuses to pay or deliver~~  
 2604 ~~abandoned property to the department as required under this~~  
 2605 ~~chapter.~~

2606 Section 58. Section 717.135, Florida Statutes, is amended  
 2607 to read:

2608 717.135 Recovery agreements and purchase agreements for  
 2609 claims filed by a claimant's representative; fees and costs, or  
 2610 total net gain.—

2611 (1) In order to protect the interests of owners of  
 2612 unclaimed property, the department shall adopt by rule a form  
 2613 entitled "Unclaimed Property Recovery Agreement" and a form  
 2614 entitled "Unclaimed Property Purchase Agreement."

2615 (2) The Unclaimed Property Recovery Agreement and the  
 2616 Unclaimed Property Purchase Agreement must include and disclose  
 2617 all of the following:

2618 (a) The total dollar amount of unclaimed property accounts  
 2619 claimed or sold.

2620 (b) The total percentage of all authorized fees and costs  
 2621 to be paid to the claimant's representative or the percentage of  
 2622 the value of the property to be paid as net gain to the  
 2623 purchasing claimant's representative.

2624 (c) The total dollar amount to be deducted and received  
 2625 from the claimant as fees and costs by the claimant's

2626 representative or the total net dollar amount to be received by  
 2627 the purchasing claimant's representative.

2628 (d) The net dollar amount to be received by the claimant  
 2629 or the seller.

2630 (e) For each account claimed, the unclaimed property  
 2631 account number.

2632 (f) For the Unclaimed Property Purchase Agreement, a  
 2633 statement that the amount of the purchase price will be remitted  
 2634 to the seller by the purchaser within 30 days after the  
 2635 execution of the agreement by the seller.

2636 (g) The name, address, e-mail address, phone number, and  
 2637 license number of the claimant's representative.

2638 (h)1. The manual signature of the claimant or seller and  
 2639 the date signed, affixed on the agreement by the claimant or  
 2640 seller.

2641 2. Notwithstanding any other provision of this chapter to  
 2642 the contrary, the department may allow an apparent owner, who is  
 2643 also the claimant or seller, to sign the agreement  
 2644 electronically ~~for claims of \$2,000 or less~~. All electronic  
 2645 signatures on the Unclaimed Property Recovery Agreement and the  
 2646 Unclaimed Property Purchase Agreement must be affixed on the  
 2647 agreement by the claimant or seller using the specific,  
 2648 exclusive eSignature product and protocol authorized by the  
 2649 department.

2650 (i) The social security number or taxpayer identification

2651 number of the claimant or seller, if a number has been issued to  
2652 the claimant or seller.

2653 (j) The total fees and costs, or the total discount in the  
2654 case of a purchase agreement, which may not exceed 30 percent of  
2655 the claimed amount. In the case of a recovery agreement, if the  
2656 total fees and costs exceed 30 percent, the fees and costs shall  
2657 be reduced to 30 percent and the net balance shall be remitted  
2658 directly by the department to the claimant. In the case of a  
2659 purchase agreement, if the total net gain of the claimant's  
2660 representative exceeds 30 percent, the claim will be denied.

2661 (3) For an Unclaimed Property Purchase Agreement form,  
2662 proof that the purchaser has made payment must be filed with the  
2663 department along with the claim. If proof of payment is not  
2664 provided, the claim is void.

2665 (4) A claimant's representative must use the Unclaimed  
2666 Property Recovery Agreement or the Unclaimed Property Purchase  
2667 Agreement as the exclusive means of entering into an agreement  
2668 or a contract with a claimant or seller to file a claim with the  
2669 department.

2670 (5) Fees and costs may be owed or paid to, or received by,  
2671 a claimant's representative only after a filed claim has been  
2672 approved and if the claimant's representative used an agreement  
2673 authorized by this section.

2674 (6) A claimant's representative may not use or distribute  
2675 any other agreement of any type, conveyed by any method, with

2676 | respect to the claimant or seller which relates, directly or  
 2677 | indirectly, to unclaimed property accounts held by the  
 2678 | department or the Chief Financial Officer other than the  
 2679 | agreements authorized by this section. Any engagement,  
 2680 | authorization, recovery, or fee agreement that is not authorized  
 2681 | by this section is void. A claimant's representative is subject  
 2682 | to administrative and civil enforcement under s. 717.1322 if he  
 2683 | or she uses an agreement that is not authorized by this section  
 2684 | and if the agreement is used to apply, directly or indirectly,  
 2685 | to unclaimed property held by this state. This subsection does  
 2686 | not prohibit lawful nonagreement, noncontractual, or advertising  
 2687 | communications between or among the parties.

2688 | (7) The Unclaimed Property Recovery Agreement ~~and the~~  
 2689 | ~~Unclaimed Property Purchase Agreement~~ may not contain language  
 2690 | that makes the agreement irrevocable or that creates an  
 2691 | assignment of any portion of unclaimed property held by the  
 2692 | department.

2693 | (8) When a claim is approved, the department may pay any  
 2694 | additional account that is owned by the claimant but has not  
 2695 | been claimed at the time of approval, provided that a subsequent  
 2696 | claim has not been filed or is not pending for the claimant at  
 2697 | the time of approval.

2698 | (9) This section does not supersede s. 717.1241.

2699 | (10) This section does not apply to the sale and purchase  
 2700 | of Florida-held unclaimed property accounts through a bankruptcy

2701 estate representative or other person or entity authorized  
 2702 pursuant to Title XI of the United States Code or an order of a  
 2703 bankruptcy court to act on behalf or for the benefit of the  
 2704 debtor, its creditors, and its bankruptcy estate.

2705 Section 59. Subsections (1), (2), and (3) of section  
 2706 717.1400, Florida Statutes, are amended to read:

2707 717.1400 Registration.—

2708 (1) In order to file claims as a claimant's  
 2709 representative, ~~acquire ownership of or entitlement to unclaimed~~  
 2710 ~~property,~~ receive a distribution of fees and costs from the  
 2711 department, and obtain unclaimed property dollar amounts and  
 2712 numbers of reported shares of stock held by the department, a  
 2713 private investigator holding a Class "C" individual license  
 2714 under chapter 493 must register with the department on such form  
 2715 as the department prescribes by rule and must be verified by the  
 2716 applicant. To register with the department, a private  
 2717 investigator must provide:

2718 (a) A legible copy of the applicant's Class "A" business  
 2719 license under chapter 493 or that of the applicant's firm or  
 2720 employer which holds a Class "A" business license under chapter  
 2721 493.

2722 (b) A legible copy of the applicant's Class "C" individual  
 2723 license issued under chapter 493.

2724 (c) The business address and telephone number of the  
 2725 applicant's private investigative firm or employer.

2726 (d) The names of agents or employees, if any, who are  
 2727 designated to act on behalf of the private investigator,  
 2728 together with a legible copy of their photo identification  
 2729 issued by an agency of the United States, or a state, or a  
 2730 political subdivision thereof.

2731 (e) Sufficient information to enable the department to  
 2732 disburse funds by electronic funds transfer.

2733 (f) The tax identification number of the private  
 2734 investigator's firm or employer which holds a Class "A" business  
 2735 license under chapter 493.

2736 (2) In order to file claims as a claimant's  
 2737 representative, ~~acquire ownership of or entitlement to unclaimed~~  
 2738 ~~property~~, receive a distribution of fees and costs from the  
 2739 department, and obtain unclaimed property dollar amounts and  
 2740 numbers of reported shares of stock held by the department, a  
 2741 Florida-certified public accountant must register with the  
 2742 department on such form as the department prescribes by rule and  
 2743 must be verified by the applicant. To register with the  
 2744 department, a Florida-certified public accountant must provide:

2745 (a) The applicant's Florida Board of Accountancy number.

2746 (b) A legible copy of the applicant's current driver  
 2747 license showing the full name and current address of such  
 2748 person. If a current driver license is not available, another  
 2749 form of identification showing the full name and current address  
 2750 of such person or persons shall be filed with the department.

2751 (c) The business address and telephone number of the  
 2752 applicant's public accounting firm or employer.

2753 (d) The names of agents or employees, if any, who are  
 2754 designated to act on behalf of the Florida-certified public  
 2755 accountant, together with a legible copy of their photo  
 2756 identification issued by an agency of the United States, or a  
 2757 state, or a political subdivision thereof.

2758 (e) Sufficient information to enable the department to  
 2759 disburse funds by electronic funds transfer.

2760 (f) The tax identification number of the accountant's  
 2761 public accounting firm employer.

2762 (3) In order to file claims as a claimant's  
 2763 representative, ~~acquire ownership of or entitlement to unclaimed~~  
 2764 ~~property,~~ receive a distribution of fees and costs from the  
 2765 department, and obtain unclaimed property dollar amounts and  
 2766 numbers of reported shares of stock held by the department, an  
 2767 attorney licensed to practice in this state must register with  
 2768 the department on such form as the department prescribes by rule  
 2769 and must be verified by the applicant. To register with the  
 2770 department, such attorney must provide:

2771 (a) The applicant's Florida Bar number.

2772 (b) A legible copy of the applicant's current driver  
 2773 license showing the full name and current address of such  
 2774 person. If a current driver license is not available, another  
 2775 form of identification showing the full name and current address

2776 of such person or persons shall be filed with the department.

2777 (c) The business address and telephone number of the  
 2778 applicant's firm or employer.

2779 (d) The names of agents or employees, if any, who are  
 2780 designated to act on behalf of the attorney, together with a  
 2781 legible copy of their photo identification issued by an agency  
 2782 of the United States, or a state, or a political subdivision  
 2783 thereof.

2784 (e) Sufficient information to enable the department to  
 2785 disburse funds by electronic funds transfer.

2786 (f) The tax identification number of the attorney's firm  
 2787 or employer.

2788 Section 60. Paragraph (c) of subsection (10) of section  
 2789 766.302, Florida Statutes, is amended to read:

2790 766.302 Definitions; ss. 766.301-766.316.—As used in ss.  
 2791 766.301-766.316, the term:

2792 (10) "Family residential or custodial care" means care  
 2793 normally rendered by trained professional attendants which is  
 2794 beyond the scope of child care duties, but which is provided by  
 2795 family members. Family members who provide nonprofessional  
 2796 residential or custodial care may not be compensated under this  
 2797 act for care that falls within the scope of child care duties  
 2798 and other services normally and gratuitously provided by family  
 2799 members. Family residential or custodial care shall be performed  
 2800 only at the direction and control of a physician when such care

2801 is medically necessary. Reasonable charges for expenses for  
 2802 family residential or custodial care provided by a family member  
 2803 shall be determined as follows:

2804 ~~(c) The award of family residential or custodial care as~~  
 2805 ~~defined in this section shall not be included in the current~~  
 2806 ~~estimates for purposes of s. 766.314(9)(c).~~

2807 Section 61. Paragraph (c) of subsection (9) of section  
 2808 766.314, Florida Statutes, is amended to read:

2809 766.314 Assessments; plan of operation.—

2810 (9)

2811 (c) If the total of all current estimates equals or  
 2812 exceeds 100 ~~80~~ percent of the funds on hand and the funds that  
 2813 will become available to the association within the next 12  
 2814 months from all sources described in subsection ~~subsections~~ (4)  
 2815 ~~and (5)~~ and paragraph (5) (a) ~~(7) (a)~~, the association may not  
 2816 accept any new claims without express authority from the  
 2817 Legislature. ~~Nothing in~~ This section does not preclude ~~precludes~~  
 2818 the association from accepting any claim if the injury occurred  
 2819 18 months or more before the effective date of this suspension.  
 2820 Within 30 days after the effective date of this suspension, the  
 2821 association shall notify the Governor, the Speaker of the House  
 2822 of Representatives, the President of the Senate, the Office of  
 2823 Insurance Regulation, the Agency for Health Care Administration,  
 2824 and the Department of Health of this suspension.

2825 Section 62. Paragraph (a) of subsection (2) of section

2826 | 197.582, Florida Statutes, is amended to read:  
 2827 |       197.582 Disbursement of proceeds of sale.—  
 2828 |       (2)(a) If the property is purchased for an amount in  
 2829 | excess of the statutory bid of the certificateholder, the  
 2830 | surplus must be paid over and disbursed by the clerk as set  
 2831 | forth in subsections (3), (5), and (6). If the opening bid  
 2832 | included the homestead assessment pursuant to s. 197.502(6)(c),  
 2833 | that amount must be treated as surplus and distributed in the  
 2834 | same manner. The clerk shall distribute the surplus to the  
 2835 | governmental units for the payment of any lien of record held by  
 2836 | a governmental unit against the property, including any tax  
 2837 | certificates not incorporated in the tax deed application and  
 2838 | omitted taxes, if any. If there remains a balance of  
 2839 | undistributed funds, the balance must be retained by the clerk  
 2840 | for the benefit of persons described in s. 197.522(1)(a), except  
 2841 | those persons described in s. 197.502(4)(h), as their interests  
 2842 | may appear. The clerk shall mail notices to such persons  
 2843 | notifying them of the funds held for their benefit at the  
 2844 | addresses provided in s. 197.502(4). Such notice constitutes  
 2845 | compliance with the requirements of s. 717.117(6) ~~s. 717.117(4)~~.  
 2846 | Any service charges and costs of mailing notices shall be paid  
 2847 | out of the excess balance held by the clerk. Notice must be  
 2848 | provided in substantially the following form:  
 2849 |               NOTICE OF SURPLUS FUNDS FROM TAX DEED SALE  
 2850 |               CLERK OF COURT

2851           .... COUNTY, FLORIDA  
 2852           Tax Deed #.....  
 2853           Certificate #.....  
 2854           Property Description: .....

2855           Pursuant to chapter 197, Florida Statutes, the above  
 2856 property was sold at public sale on ...(date of sale)..., and a  
 2857 surplus of \$...(amount)... (subject to change) will be held by  
 2858 this office for 120 days beginning on the date of this notice to  
 2859 benefit the persons having an interest in this property as  
 2860 described in section 197.502(4), Florida Statutes, as their  
 2861 interests may appear (except for those persons described in  
 2862 section 197.502(4)(h), Florida Statutes).

2863           To the extent possible, these funds will be used to satisfy  
 2864 in full each claimant with a senior mortgage or lien in the  
 2865 property before distribution of any funds to any junior mortgage  
 2866 or lien claimant or to the former property owner. To be  
 2867 considered for funds when they are distributed, you must file a  
 2868 notarized statement of claim with this office within 120 days of  
 2869 this notice. If you are a lienholder, your claim must include  
 2870 the particulars of your lien and the amounts currently due. Any  
 2871 lienholder claim that is not filed within the 120-day deadline  
 2872 is barred.

2873           A copy of this notice must be attached to your statement of  
 2874 claim. After the office examines the filed claim statements, it  
 2875 will notify you if you are entitled to any payment.

2876 Dated: .....

2877 Clerk of Court

2878 Section 63. Subsection (1) of section 717.1382, Florida  
 2879 Statutes, is amended to read:

2880 717.1382 United States savings bond; unclaimed property;  
 2881 escheatment; procedure.—

2882 (1) Notwithstanding any other provision of law, a United  
 2883 States savings bond in possession of the department or  
 2884 registered to a person with a last known address in the state,  
 2885 including a bond that is lost, stolen, or destroyed, is presumed  
 2886 abandoned and unclaimed 5 years after the bond reaches maturity  
 2887 and no longer earns interest and shall be reported and remitted  
 2888 to the department by the financial institution or other holder  
 2889 in accordance with ss. 717.117(1) and (5) ~~(3)~~ and 717.119, if  
 2890 the department is not in possession of the bond.

2891 Section 64. The Division of Law Revision is directed to  
 2892 prepare a reviser's bill for the 2025 Regular Session of the  
 2893 Legislature to change the term "Division of Investigative and  
 2894 Forensic Services" wherever the term appears in the Florida  
 2895 Statutes to "Division of Criminal Investigations."

2896 Section 65. By September 1, 2024, the Florida Birth-  
 2897 Related Neurological Injury Compensation Association shall, in  
 2898 consultation with the Office of Insurance Regulation and the  
 2899 Agency for Health Care Administration, submit a report to the  
 2900 Governor, the Chief Financial Officer, the President of the

2901 Senate, and the Speaker of the House of Representatives which  
2902 must include, but is not limited to, the following:

2903 (1) Recommendations for defining actuarial soundness for  
2904 the association, including options for phase-in, if appropriate.

2905 (2) Recommendations for timing of reporting actuarial  
2906 soundness and to whom the soundness should be reported.

2907 (3) Recommendations for ensuring a revenue level to  
2908 maintain actuarial soundness, including options for phase-in, if  
2909 appropriate.

2910 Section 66. Except as otherwise expressly provided in this  
2911 act, this act shall take effect upon becoming a law.