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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/08/2025	.	
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The Committee on Rules (Collins) recommended the following:

1           **Senate Substitute for Amendment (891766) (with title**  
2 **amendment)**

3  
4           Delete everything after the enacting clause  
5 and insert:

6           Section 1. Subsection (7) of section 435.02, Florida  
7 Statutes, is amended to read:

8           435.02 Definitions.—For the purposes of this chapter, the  
9 term:

10           (7) "Specified agency" means the Department of Health, the  
11 Department of Children and Families, the Agency for Health Care



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12 Administration, the Department of Elderly Affairs, the  
13 Department of Juvenile Justice, the Agency for Persons with  
14 Disabilities, the Department of Education, the Department of  
15 Veterans' Affairs, each district unit under s. 1001.30, special  
16 district units under s. 1011.24, the Florida School for the Deaf  
17 and the Blind under s. 1002.36, the Florida Virtual School under  
18 s. 1002.37, virtual instruction programs under s. 1002.45,  
19 charter schools under s. 1002.33, hope operators under s.  
20 1002.333, private schools participating in an educational  
21 scholarship program established pursuant to chapter 1002,  
22 alternative schools under s. 1008.341, regional workforce boards  
23 providing services as defined in s. 445.002(3), and local  
24 licensing agencies approved pursuant to s. 402.307, when these  
25 agencies are conducting state and national criminal history  
26 background screening on persons who work with children or  
27 persons who are elderly or disabled.

28 Section 2. Section 501.9741, Florida Statutes, is created  
29 to read:

30 501.9741 Assisting in veterans' benefits matters.-

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

32 (a) "Compensation" means payment of any money, thing of  
33 value, or economic benefit conferred on or received by a person  
34 in return for services rendered or to be rendered.

35 (b) "Provider" means an entity or individual assisting  
36 veterans with veterans' benefits matters.

37 (c) "Veteran" has the same meaning as in s. 1.01(14) and  
38 includes eligible peacetime service as defined in s. 296.02.

39 (d) "Veterans' benefits matter" means the preparation,  
40 presentation, or prosecution of a veteran's claim, or a claim by



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41 the veteran's spouse, dependent child, or any other individual  
42 eligible for any benefit, program, service, commodity, function,  
43 status, or entitlement under the laws and regulations  
44 administered by the Department of Veterans' Affairs or the  
45 United States Department of Veterans Affairs.

46 (2) LIMITS ON COMPENSATION; TERMS OF ENGAGEMENT; WRITTEN  
47 DISCLOSURE.-

48 (a) A person may not receive compensation for referring an  
49 individual to a provider who will advise, assist, or consult  
50 with the individual regarding any veterans' benefits matter.

51 (b) A provider may receive compensation for services  
52 rendered in connection with a claim filed within the 1-year  
53 presumptive period after active-duty release as determined by  
54 the United States Department of Veterans Affairs only if the  
55 veteran acknowledges, by signing a waiver, that he or she is  
56 within the presumptive period and is choosing to deny the free  
57 services available to him or her.

58 (c) A provider seeking compensation for advising,  
59 assisting, or consulting with an individual regarding any  
60 veterans' benefits matter must, before rendering services, enter  
61 into a written agreement, signed by both parties, which:

62 1. Memorializes the specific terms under which the  
63 compensation will be determined; and

64 2. Provides that compensation for such services is  
65 contingent upon securing an increase in benefits awarded as a  
66 direct result of such services. Any such compensation may not  
67 exceed the lesser of four times the amount of the monthly  
68 increase in benefits awarded based on the claim or \$12,500, and  
69 must be paid out according to the specific terms agreed to by



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70 both parties in accordance with subparagraph 1.

71 (d)1. A provider who advises, assists, or consults on  
72 veterans' benefits matters for compensation shall provide the  
73 following disclosure, both orally and in writing, before  
74 entering into a business relationship with an individual:

75  
76 This business is not sponsored by or affiliated with  
77 the Florida Department of Veterans' Affairs, the  
78 United States Department of Veterans Affairs, or any  
79 other federally chartered veterans' service  
80 organization. Other organizations, including, but not  
81 limited to, the Florida Department of Veterans'  
82 Affairs, a local veterans' service organization, and  
83 other federally chartered veterans' service  
84 organizations, may be able to provide you with this  
85 service free of charge. Products or services offered  
86 by this business are not necessarily endorsed by any  
87 of these organizations. You may qualify for other  
88 veterans' benefits beyond the benefits for which you  
89 are receiving services here.

90  
91 2. The written disclosure must appear in a clearly legible  
92 font in at least 12-point type immediately above the signature  
93 line and must be signed by the individual to signify that he or  
94 she understands the oral and written disclosures' provisions.  
95 The provider shall retain a copy of the written disclosure while  
96 providing veterans' benefits services to the individual for  
97 compensation and for at least 6 years after the date on which  
98 the services provided under the agreement terminate.



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99           (e) A provider who advises, assists, or consults on a  
100 veterans' benefits matter may not charge an initial or  
101 nonrefundable fee. Any charge for interest on any payment plan  
102 agreed to by the parties is prohibited.

103           (3) DEATH OF VETERAN CLAIMANT.—If a veteran claimant dies  
104 before a claim is processed:

105           (a) Any expected compensation must be waived and a charge,  
106 fee, or debt may not be collected; and

107           (b) Any payment plan for services rendered must be  
108 terminated immediately.

109           (4) PROHIBITIONS.—

110           (a) A provider may not guarantee, either directly or by  
111 implication, a successful outcome or that an individual is  
112 certain to receive specific veterans' benefits or a specific  
113 level, percentage, or amount of veterans' benefits.

114           (b) A provider who advises, assists, or consults on  
115 veterans' benefits matters for compensation:

116           1. May not use an international call center or data center  
117 to directly solicit a veteran to enter into a business  
118 relationship with the provider or process a veteran's personal  
119 information.

120           2. May not use a veteran's personal log-in, username, or  
121 password information to access that veteran's medical,  
122 financial, or government benefits information.

123           3. May not employ a medical provider to conduct a secondary  
124 medical examination of the veteran.

125           (5) BACKGROUND SCREENING.—A provider must ensure that all  
126 individuals who directly assist a veteran in a veterans'  
127 benefits matter complete a level 2 background screening that



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128 screens for any offenses identified in ss. 408.809(4) or  
129 435.04(2)(d), (e), or (oo) or (4) before entering into any  
130 agreement with a veteran for veterans' benefits matters. An  
131 individual must submit a full set of fingerprints to the  
132 Department of Law Enforcement or to a vendor, entity, or agency  
133 authorized by s. 943.053(13), which shall forward the  
134 fingerprints to the Department of Law Enforcement for state  
135 processing. The Department of Veterans' Affairs shall transmit  
136 the background screening results to the provider, which results  
137 must indicate whether an individual's background screening  
138 contains any of the offenses listed in this subsection. Fees for  
139 state and federal fingerprint processing must be borne by the  
140 provider or individual. The state cost for fingerprint  
141 processing is as provided in s. 943.053(3)(e). This subsection  
142 does not imply endorsement, certification, or regulation of  
143 providers by the Florida Department of Veterans' Affairs.

144 (6) DOCUMENTATION.—A provider must provide copies of all  
145 fully executed documents required by subsection (2) to the  
146 veteran being assisted in the veterans' benefits matters and  
147 maintain a copy of all fully executed documents for 6 years.

148 (7) COMPLAINT.—If a veteran who receives services from a  
149 provider under this section in return for compensation files a  
150 complaint with the Consumer Protection Division of the Office of  
151 the Attorney General based on alleged absence of good faith as  
152 defined in s. 673.1031(1), and if such veteran does not receive  
153 a monthly monetary increase as a direct result of such  
154 provider's services, the provider may not receive compensation  
155 for any services provided to such individual before the  
156 resolution of the complaint.



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157           (8) PENALTIES.—A violation of this section constitutes a  
158 violation of the Florida Deceptive and Unfair Trade Practices  
159 Act under part II of this chapter. Violators may be subject to  
160 penalties provided in that part, including s. 501.2077 for  
161 violations against a military servicemember or his or her spouse  
162 or dependent child.

163           (9) CONSTRUCTION.—This section may not be construed as  
164 applying to, limiting, or expanding the requirements imposed on  
165 agents or employees of the Department of Veterans' Affairs or  
166 agents or attorneys accredited by the United States Department  
167 of Veterans Affairs and regulated by that agency.

168           Section 3. This act shall take effect upon becoming a law.

169  
170 ===== T I T L E   A M E N D M E N T =====

171 And the title is amended as follows:

172           Delete everything before the enacting clause  
173 and insert:

174                           A bill to be entitled

175           An act relating to veterans' benefits assistance;  
176           amending s. 435.02, F.S.; revising the definition of  
177           the term "specified agency"; creating s. 501.9741,  
178           F.S.; defining terms; prohibiting a person from  
179           receiving compensation for referring an individual to  
180           a provider for advising, assisting, or consulting on  
181           any veterans' benefits matter; authorizing a provider  
182           to receive compensation only for services rendered  
183           during a specified period under certain circumstances;  
184           requiring that, before such services are rendered, a  
185           written agreement, which must include specified



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186 information, be signed by both parties; requiring that  
187 persons who advise, assist, or consult on veterans'  
188 benefits matters for compensation provide a specified  
189 oral and written disclosure before entering into a  
190 business relationship with a client; providing  
191 requirements for such disclosure; prohibiting a  
192 provider who advises, assists, or consults on  
193 veterans' benefits matters from charging certain fees;  
194 prohibiting the charging of interest on payment plans;  
195 providing requirements in the event of the death of a  
196 veteran claimant; prohibiting certain guarantees;  
197 prohibiting a provider who advises, assists, or  
198 consults on veterans' benefits matters for  
199 compensation from taking certain actions; requiring a  
200 provider to ensure that individuals who directly  
201 assist a veteran in a veterans' benefits matter  
202 complete a specified background screening before  
203 entering into an agreement with a veteran for  
204 veterans' benefits matters; providing requirements for  
205 such screening; providing construction; requiring a  
206 provider to provide copies of certain documents to the  
207 veteran and maintain a copy of such documents;  
208 prohibiting a person who provides services from  
209 receiving compensation under certain circumstances and  
210 until certain conditions are met; providing that a  
211 violation is a deceptive and unfair trade practice  
212 that may be subject to specified penalties; providing  
213 construction; providing an effective date.