

1 A bill to be entitled
2 An act relating to the Department of Financial
3 Services; creating s. 17.69, F.S.; creating the
4 Federal Tax Liaison position within the Department of
5 Financial Services; providing the duties and authority
6 of the liaison; amending s. 20.121, F.S.; renaming a
7 division in the department; removing provisions
8 relating to duties of such division and to bureaus and
9 offices in such division; removing a division;
10 amending s. 112.1816, F.S.; providing benefits for
11 certain firefighters upon a diagnosis of cancer;
12 amending s. 121.0515, F.S.; revising requirements for
13 the Special Risk Class membership; amending s.
14 215.5586, F.S.; revising legislative intent; revising
15 requirements for My Safe Florida Home Program
16 mitigation inspections and mitigation grants;
17 providing additional requirements for applications for
18 inspections and mitigation grants; removing provisions
19 relating to matching fund grants; revising
20 improvements for which grants may be used; providing a
21 timeframe for finalizing construction and requesting a
22 final inspection or an extension; providing that grant
23 applications are deemed abandoned under a specified
24 circumstance; authorizing the department to request
25 additional information; providing that applications

26 are deemed withdrawn under a specified circumstance;
27 amending s. 284.44, F.S.; removing provisions relating
28 to certain quarterly reports prepared by the Division
29 of Risk Management; amending s. 440.13, F.S.;;
30 providing the reimbursement schedule requirements for
31 emergency services and care under workers'
32 compensation under certain circumstances; amending s.
33 440.385, F.S.; providing requirements for certain
34 contracts entered into and purchases made by the
35 Florida Self-Insurers Guaranty Association,
36 Incorporated; providing duties of the department and
37 the association relating to these contracts and
38 purchases; providing exemptions; amending s. 497.101,
39 F.S.; revising the requirements for appointing and
40 nominating members of the Board of Funeral, Cemetery,
41 and Consumer Services; revising the members' terms;
42 revising the authority to remove board members;
43 providing for vacancy appointments; providing that
44 board members are subject to the code of ethics;
45 providing requirements for board members' conduct;
46 providing prohibited acts; providing penalties;
47 providing requirements for board meetings, books, and
48 records; requiring notices of board meetings;
49 providing requirements for such notices; amending s.
50 497.153, F.S.; authorizing services by electronic mail

51 of administrative complaints against certain licensees
52 under certain circumstances; amending s. 497.155,
53 F.S.; authorizing services of citations by electronic
54 mail under certain circumstances; amending s. 624.155,
55 F.S.; removing a cross-reference; amending s. 624.307,
56 F.S.; requiring eligible surplus lines insurers to
57 respond to the department or the Office of Insurance
58 Regulation after receipt of requests for documents and
59 information concerning consumer complaints; providing
60 penalties for failure to comply; requiring authorized
61 insurers and eligible surplus lines insurers to file
62 e-mail addresses with the department and to designate
63 contact persons for specified purposes; authorizing
64 changes of designated contact information; amending s.
65 626.171, F.S.; requiring the department to make
66 provisions for certain insurance license applicants to
67 submit cellular telephone numbers for a specified
68 purpose; amending s. 626.221, F.S.; providing a
69 qualification for all-lines adjuster licenses;
70 amending s. 626.601, F.S.; revising construction;
71 amending s. 626.7351, F.S.; providing a qualification
72 for customer representative's licenses; amending s.
73 626.878, F.S.; providing duties and prohibited acts
74 for adjusters; amending s. 626.929, F.S.; specifying
75 that licensed and appointed general lines agents,

76 rather than general lines agents, may engage in
77 certain activities while also licensed and appointed
78 as surplus lines agents; authorizing general lines
79 agents that are also licensed as surplus lines agents
80 to make certain appointments; authorizing such agents
81 to originate specified businesses and accept specified
82 businesses; prohibiting such agents from being
83 appointed by or transacting certain insurance on
84 behalf of specified insurers; amending s. 627.351,
85 F.S.; providing requirements for certain contracts
86 entered into and purchases made by the Florida Joint
87 Underwriting Association; providing duties of the
88 department and the association associated with such
89 contracts and purchases; amending s. 627.43141, F.S.;
90 providing requirements for certain notice of change in
91 insurance renewal policy terms; amending s. 627.70152,
92 F.S.; removing a cross-reference; amending s. 631.59,
93 F.S.; providing requirements for certain contracts
94 entered into and purchases made by the Florida
95 Insurance Guaranty Association, Incorporated;
96 providing duties of the department and the association
97 associated with such contracts and purchases;
98 providing nonapplicability; amending ss. 631.722,
99 631.821, and 631.921, F.S.; providing requirements for
100 certain contracts entered into and purchases made by

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

126 their premiums to exceed certain limitations under
127 certain circumstances; amending s. 634.317, F.S.;
128 providing that certain entities, employees, and agents
129 are exempt from sales representative licenses and
130 appointments under certain circumstances; amending s.
131 648.25, F.S.; providing definitions; amending s.
132 648.26, F.S.; revising the types of investigatory
133 records of the department which are confidential and
134 exempt from public records requirements; revising the
135 circumstances under which investigatory records are
136 confidential and exempt from public records
137 requirements; revising construction; amending s.
138 648.30, F.S.; revising circumstances under which a
139 person or entity may act in the capacity of a bail
140 bond agent or bail bond agency and perform certain
141 functions, duties, and powers; amending s. 648.355,
142 F.S.; revising the requirements for limited surety
143 agents and professional bail bond agent license
144 applications; amending s. 648.43, F.S.; revising
145 requirements for bail bond agents to execute and
146 countersign transfer bonds; amending s. 717.101, F.S.;
147 providing and revising definitions; amending s.
148 717.102, F.S.; providing a rebuttal to a presumption
149 of unclaimed property; providing requirements for such
150 rebuttal; amending s. 717.106, F.S.; conforming a

151 cross-reference; creating s. 717.1065, F.S.; providing
152 circumstances under which virtual currency held or
153 owing by banking organizations are not presumed
154 unclaimed; prohibiting virtual currency holders from
155 deducting certain charges from amounts of specified
156 virtual currency under certain circumstances;
157 providing an exception; amending s. 717.1101, F.S.;
158 revising the date on which stocks and other equity
159 interests in business associations are presumed
160 unclaimed; amending s. 717.112, F.S.; providing that
161 certain intangible property held by attorneys in fact
162 and by agents in a fiduciary capacity are presumed
163 unclaimed under certain circumstances; revising the
164 requirements for claiming such property; amending s.
165 717.117, F.S.; removing the paper option for reports
166 by holders of unclaimed funds and property; revising
167 the requirements for reporting the owners of unclaimed
168 property and funds; authorizing the department to
169 extend reporting dates under certain circumstances;
170 revising the circumstances under which the department
171 may impose and collect penalties; requiring holders of
172 inactive accounts to notify apparent owners; revising
173 the manner of sending such notices; providing
174 requirements for such notices; amending s. 717.119,
175 F.S.; requiring certain virtual currency to be

176 remitted to the department; providing requirements for
177 the liquidation of such virtual currency; providing
178 that holders of such virtual currency are relieved of
179 all liability upon delivery of the virtual currency to
180 the department; prohibiting holders from assigning or
181 transferring certain obligations or from complying
182 with certain provisions; providing that certain
183 entities are responsible for meeting holders'
184 obligations and complying with certain provisions
185 under certain circumstances; providing construction;
186 amending s. 717.1201, F.S.; providing that good faith
187 payments and deliveries of property to the department
188 relieve holders of all liability; authorizing the
189 department to refund and redeliver certain money and
190 property under certain circumstances; amending s.
191 717.123, F.S.; revising the maximum amount that the
192 department shall retain from funds of unclaimed
193 property to make certain payment; amending s.
194 727.1242, F.S.; revising legislative intent; providing
195 circumstances under which the department is considered
196 interested parties in probate proceedings; amending s.
197 717.1243, F.S.; revising applicability of certain
198 provisions relating to unclaimed small estate
199 accounts; amending s. 717.129, F.S.; revising the
200 prohibition of department enforcement relating to

201 duties of holders of unclaimed funds and property;
202 revising the tolling for the periods of limitation
203 relating to duties of holders of unclaimed funds and
204 property; amending s. 717.1301, F.S.; revising the
205 department's authorities on the disposition of
206 unclaimed funds and property for specified purposes;
207 prohibiting certain materials from being disclosed or
208 made public under certain circumstances; revising the
209 basis for the department's cost assessment against
210 holders of unclaimed funds and property; amending s.
211 717.1311, F.S.; revising the recordkeeping
212 requirements for funds and property holders; amending
213 s. 717.1322, F.S.; revising acts that are violations
214 of specified provisions and constitute grounds for
215 administrative enforcement actions and civil
216 enforcement by the department; providing that
217 claimants' representatives, rather than registrants,
218 are subject to civil enforcement and disciplinary
219 actions for certain violations; amending s. 717.1333,
220 F.S.; conforming provisions to changes made by the
221 act; amending s. 717.134, F.S.; conforming a provision
222 to changes made by the act; amending s. 717.135, F.S.;
223 revising the information that certain agreements
224 relating to unclaimed property must disclose; applying
225 certain provisions relating to such agreements to

226 purchasers; removing a requirement for Unclaimed
 227 Property Purchase Agreement; providing
 228 nonapplicability; amending s. 717.1400, F.S.; removing
 229 a circumstance under which certain persons must
 230 register with the department; amending ss. 197.582 and
 231 717.1382, F.S.; conforming a cross-reference;
 232 providing a directive to the Division of Law Revision;
 233 authorizing a position and providing an appropriation;
 234 providing effective dates.

235

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

237

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

240 17.69 Federal Tax Liaison.—

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

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

248 (3) The Federal Tax Liaison may:

249 (a) Assist taxpayers by answering taxpayer questions.

250 (b) Direct taxpayers to the proper division or office

251 within the Internal Revenue Service in order to facilitate
 252 timely resolution to taxpayer issues.

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

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

259 (e) With a taxpayer's consent, request records from the
 260 Internal Revenue Service to assist with the taxpayer's
 261 inquiries.

262 Section 2. Paragraphs (g) through (n) of subsection (2) of
 263 section 20.121, Florida Statutes, are redesignated as paragraphs
 264 (f) through (m), respectively, and paragraph (e) and present
 265 paragraph (f) of subsection (2) of that section are amended to
 266 read:

267 20.121 Department of Financial Services.—There is created
 268 a Department of Financial Services.

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

271 (e) The Division of Criminal Investigations ~~Investigative~~
 272 ~~and Forensic Services~~, which shall function as a criminal
 273 justice agency for purposes of ss. 943.045-943.08. The division
 274 may initiate and conduct investigations into any matter under
 275 the jurisdiction of the Chief Financial Officer and Fire Marshal

276 | within or outside of this state as it deems necessary. ~~If,~~
277 | ~~during an investigation, the division has reason to believe that~~
278 | ~~any criminal law of this state or the United States has or may~~
279 | ~~have been violated, it shall refer any records tending to show~~
280 | ~~such violation to state law enforcement and, if applicable,~~
281 | ~~federal prosecutorial agencies and shall provide investigative~~
282 | ~~assistance to those agencies as appropriate. The division shall~~
283 | ~~include the following bureaus and office:~~

- 284 | ~~1. The Bureau of Forensic Services;~~
- 285 | ~~2. The Bureau of Fire, Arson, and Explosives~~
286 | ~~Investigations;~~
- 287 | ~~3. The Office of Fiscal Integrity, which shall have a~~
288 | ~~separate budget;~~
- 289 | ~~4. The Bureau of Insurance Fraud; and~~
- 290 | ~~5. The Bureau of Workers' Compensation Fraud.~~

291 | ~~(f) The Division of Public Assistance Fraud, which shall~~
292 | ~~function as a criminal justice agency for purposes of ss.~~
293 | ~~943.045-943.08. The division shall conduct investigations~~
294 | ~~pursuant to s. 414.411 within or outside of the state as it~~
295 | ~~deems necessary. If, during an investigation, the division has~~
296 | ~~reason to believe that any criminal law of the state has or may~~
297 | ~~have been violated, it shall refer any records supporting such~~
298 | ~~violation to state or federal law enforcement or prosecutorial~~
299 | ~~agencies and shall provide investigative assistance to those~~
300 | ~~agencies as required.~~

301 Section 3. Paragraph (c) is added to subsection (2) of
302 section 112.1816, Florida Statutes, to read:

303 112.1816 Firefighters; cancer diagnosis.—

304 (2) Upon a diagnosis of cancer, a firefighter is entitled
305 to the following benefits, as an alternative to pursuing
306 workers' compensation benefits under chapter 440, if the
307 firefighter has been employed by his or her employer for at
308 least 5 continuous years, has not used tobacco products for at
309 least the preceding 5 years, and has not been employed in any
310 other position in the preceding 5 years which is proven to
311 create a higher risk for any cancer:

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

315

316 If the firefighter elects to continue coverage in the employer-
317 sponsored health plan or group health insurance trust fund after
318 he or she terminates employment, the benefits specified in
319 paragraphs (a) and (b) must be made available by the former
320 employer of a firefighter for 10 years following the date on
321 which the firefighter terminates employment so long as the
322 firefighter otherwise met the criteria specified in this
323 subsection when he or she terminated employment and was not
324 subsequently employed as a firefighter following that date. For
325 purposes of determining leave time and employee retention

326 policies, the employer must consider a firefighter's cancer
 327 diagnosis as an injury or illness incurred in the line of duty.

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

331 121.0515 Special Risk Class.—

332 (2) MEMBERSHIP.—

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

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

340 (h) Effective July 1, 2024 ~~2008~~, the member must be
 341 employed by the Department of Law Enforcement in the crime
 342 laboratory or by the Department of Financial Services ~~Division~~
 343 ~~of State Fire Marshal~~ in the forensic laboratory in one of the
 344 following classes:

- 345 1. Forensic technologist (class code 8459);
- 346 2. Crime laboratory technician (class code 8461);
- 347 3. Crime laboratory analyst (class code 8463);
- 348 4. Senior crime laboratory analyst (class code 8464);
- 349 5. Crime laboratory analyst supervisor (class code 8466);
- 350 6. Forensic chief (class code 9602); or

351 7. Forensic services quality manager (class code 9603);
352 Section 5. Section 215.5586, Florida Statutes, as amended
353 by section 5 of chapter 2023-349, Laws of Florida, is amended to
354 read:

355 215.5586 My Safe Florida Home Program.— There is
356 established within the Department of Financial Services the My
357 Safe Florida Home Program. The department shall provide fiscal
358 accountability, contract management, and strategic leadership
359 for the program, consistent with this section. This section does
360 not create an entitlement for property owners or obligate the
361 state in any way to fund the inspection or retrofitting of
362 residential property in this state. Implementation of this
363 program is subject to annual legislative appropriations. It is
364 the intent of the Legislature that, subject to the availability
365 of funds, the My Safe Florida Home Program provide licensed
366 inspectors to perform inspections for eligible homes ~~owners of~~
367 ~~site-built, single-family, residential properties~~ and grants to
368 fund hurricane mitigation projects for those homes eligible
369 ~~applicants~~. The department shall implement the program in such a
370 manner that the total amount of funding requested by accepted
371 applications, whether for inspections, grants, or other services
372 or assistance, does not exceed the total amount of available
373 funds. If, after applications are processed and approved, funds
374 remain available, the department may accept applications up to
375 the available amount. The program shall develop and implement a

376 comprehensive and coordinated approach for hurricane damage
 377 mitigation that may include the following:

378 (1) HURRICANE MITIGATION INSPECTIONS.—

379 (a) To be eligible for a hurricane mitigation inspection,
 380 all of the following criteria must be met:

381 1. The home must be a single-family, detached residential
 382 property or a townhouse, as defined in s. 481.203.

383 2. The home must be site-built and owner-occupied.

384 3. The homeowner must have been granted a homestead
 385 exemption on the home under chapter 196.

386 (b) An application for an inspection must contain a signed
 387 or electronically verified statement made under penalty of
 388 perjury that the applicant has submitted only a single
 389 inspection application and must have attached documents
 390 demonstrating that the applicant meets the requirements of
 391 paragraph (a). An applicant may submit a new inspection
 392 application if all of the following criteria are met:

393 1. The original application has already been denied or
 394 withdrawn.

395 2. The program's eligibility requirements or applicant's
 396 qualifications have changed since the original application date.

397 3. The applicant reasonably believes that the home will be
 398 eligible under the new requirements or qualifications.

399 (c) An applicant who meets the requirements of paragraph
 400 (a) may apply for and receive an inspection without also

401 applying for a grant pursuant to subsection (2) and without
402 meeting the requirements of paragraph (2)(a).

403 (d)-(a) Licensed inspectors are to provide home inspections
404 of eligible homes ~~site-built, single-family, residential~~
405 ~~properties for which a homestead exemption has been granted,~~ to
406 determine what mitigation measures are needed, what insurance
407 premium discounts may be available, and what improvements to
408 existing residential properties are needed to reduce the
409 property's vulnerability to hurricane damage. ~~An inspector may~~
410 ~~inspect a townhouse as defined in s. 481.203 to determine if~~
411 ~~opening protection mitigation as listed in paragraph (2)(c)~~
412 ~~would provide improvements to mitigate hurricane damage.~~

413 (e)-(b) The Department of Financial Services shall contract
414 with wind certification entities to provide hurricane mitigation
415 inspections. The inspections provided to homeowners, at a
416 minimum, must include:

417 1. A home inspection and report that summarizes the
418 results and identifies recommended improvements a homeowner may
419 take to mitigate hurricane damage.

420 2. A range of cost estimates regarding the recommended
421 mitigation improvements.

422 3. Information regarding estimated premium discounts,
423 correlated to the current mitigation features and the
424 recommended mitigation improvements identified by the
425 inspection.

426 (f)~~(e)~~ To qualify for selection by the department as a
427 wind certification entity to provide hurricane mitigation
428 inspections, the entity must, at a minimum, meet the following
429 requirements:

430 1. Use hurricane mitigation inspectors who are licensed or
431 certified as:

432 a. A building inspector under s. 468.607;

433 b. A general, building, or residential contractor under s.
434 489.111;

435 c. A professional engineer under s. 471.015;

436 d. A professional architect under s. 481.213; or

437 e. A home inspector under s. 468.8314 and who have
438 completed at least 3 hours of hurricane mitigation training
439 approved by the Construction Industry Licensing Board, which
440 training must include hurricane mitigation techniques,
441 compliance with the uniform mitigation verification form, and
442 completion of a proficiency exam.

443 2. Use hurricane mitigation inspectors who also have
444 undergone drug testing and a background screening. The
445 department may conduct criminal record checks of inspectors used
446 by wind certification entities. Inspectors must submit a set of
447 fingerprints to the department for state and national criminal
448 history checks and must pay the fingerprint processing fee set
449 forth in s. 624.501. The fingerprints must be sent by the
450 department to the Department of Law Enforcement and forwarded to

451 the Federal Bureau of Investigation for processing. The results
 452 must be returned to the department for screening. The
 453 fingerprints must be taken by a law enforcement agency,
 454 designated examination center, or other department-approved
 455 entity.

456 3. Provide a quality assurance program including a
 457 reinspection component.

458 ~~(d) An application for an inspection must contain a signed~~
 459 ~~or electronically verified statement made under penalty of~~
 460 ~~perjury that the applicant has submitted only a single~~
 461 ~~application for that home.~~

462 ~~(e) The owner of a site-built, single-family, residential~~
 463 ~~property or townhouse as defined in s. 481.203, for which a~~
 464 ~~homestead exemption has been granted, may apply for and receive~~
 465 ~~an inspection without also applying for a grant pursuant to~~
 466 ~~subsection (2) and without meeting the requirements of paragraph~~
 467 ~~(2)(a).~~

468 (2) HURRICANE MITIGATION GRANTS.—Financial grants shall be
 469 used ~~to encourage single-family, site-built, owner-occupied,~~
 470 ~~residential property owners~~ to retrofit eligible homes based on
 471 the recommendations made in a hurricane mitigation inspection
 472 ~~their properties~~ to make the homes ~~them~~ less vulnerable to
 473 hurricane damage.

474 (a) ~~For a homeowner~~ To be eligible for a grant, all of the
 475 following criteria must be met:

476 1. The home must be a single-family, detached residential
 477 property or a townhouse, as defined in s. 481.203.

478 2. The home must be site-built and owner-occupied.

479 ~~3.1.~~ The homeowner must have been granted a homestead
 480 exemption on the home under chapter 196.

481 ~~4.2.~~ The home must be a dwelling with an insured value of
 482 \$700,000 or less. Homeowners who are low-income persons, as
 483 defined in s. 420.0004(11), are exempt from this requirement.

484 ~~5.3.~~ The home must undergo an acceptable hurricane
 485 mitigation inspection as provided in subsection (1).

486 ~~6.4.~~ The building permit application for initial
 487 construction of the home must have been made before January 1,
 488 2008.

489 ~~7.5.~~ The homeowner must agree to make his or her home
 490 available for inspection once a mitigation project is completed.

491 (b)1. An application for a grant must contain a signed or
 492 electronically verified statement made under penalty of perjury
 493 that the applicant has submitted only a single grant application
 494 and must have attached documents demonstrating that the
 495 applicant meets the requirements of ~~this~~ paragraph (a).

496 2. An applicant may submit a new grant application if all
 497 of the following criteria are met:

498 a. The original application has already been denied or
 499 withdrawn.

500 b. The program's eligibility requirements or applicant's

501 qualifications have changed since the original application date.

502 c. The applicant reasonably believes that the home will be
 503 eligible under the new requirements or qualifications.

504 ~~(c)(b)~~ All grants must be matched on the basis of \$1
 505 provided by the applicant for \$2 provided by the state up to a
 506 maximum state contribution of \$10,000 toward the actual cost of
 507 the mitigation project.

508 ~~(d)(e)~~ The program shall require ~~create a process in which~~
 509 ~~contractors agree to participate and homeowners select from a~~
 510 ~~list of participating contractors. All mitigation work to must~~
 511 be based upon the securing of all required local permits and
 512 inspections, and the work must be performed by properly licensed
 513 contractors. The program shall approve only a homeowner grant
 514 application that includes an acknowledged statement from the
 515 homeowner containing the name and state license number of the
 516 contractor the homeowner intends to use for the mitigation work.
 517 The program must electronically verify that the contractor's
 518 state license number is accurate and up to date before grant
 519 approval ~~Hurricane mitigation inspectors qualifying for the~~
 520 ~~program may also participate as mitigation contractors as long~~
 521 ~~as the inspectors meet the department's qualifications and~~
 522 ~~certification requirements for mitigation contractors.~~

523 ~~(d) Matching fund grants shall also be made available to~~
 524 ~~local governments and nonprofit entities for projects that will~~
 525 ~~reduce hurricane damage to single-family, site-built, owner-~~

526 ~~occupied, residential property. The department shall liberally~~
 527 ~~construe those requirements in favor of availing the state of~~
 528 ~~the opportunity to leverage funding for the My Safe Florida Home~~
 529 ~~Program with other sources of funding.~~

530 (e) When recommended by a hurricane mitigation inspection,
 531 grants for eligible homes may be used for the following
 532 improvements:

533 1. Opening protection, including windows, skylights,
 534 exterior doors, and garage doors.

535 2. Exterior doors, including garage doors.

536 3. Reinforcing roof-to-wall connections.

537 4. Improving the strength of roof-deck attachments.

538 5. Secondary Water Resistance (SWR) barrier for roof.

539 (f) When recommended by a hurricane mitigation inspection,
 540 grants for townhouses, as defined in s. 481.203, may only be
 541 used for opening protection.

542 (g) The department may require that improvements be made
 543 to all openings, including exterior doors and garage doors, as a
 544 condition of reimbursing a homeowner approved for a grant. The
 545 department may adopt, by rule, the maximum grant allowances for
 546 any improvement allowable under paragraph (e) or this paragraph.

547 ~~(g) Grants may be used on a previously inspected existing~~
 548 ~~structure or on a rebuild. A rebuild is defined as a site-built,~~
 549 ~~single-family dwelling under construction to replace a home that~~
 550 ~~was destroyed or significantly damaged by a hurricane and deemed~~

551 ~~unlivable by a regulatory authority. The homeowner must be a~~
552 ~~low-income homeowner as defined in paragraph (h), must have had~~
553 ~~a homestead exemption for that home before the hurricane, and~~
554 ~~must be intending to rebuild the home as that homeowner's~~
555 ~~homestead.~~

556 (h) Low-income homeowners, as defined in s. 420.0004(11),
557 who otherwise meet the requirements of this subsection
558 ~~paragraphs (a), (c), (e), and (g)~~ are eligible for a grant of up
559 to \$10,000 and are not required to provide a matching amount to
560 receive the grant. The program may accept a certification
561 directly from a low-income homeowner that the homeowner meets
562 the requirements of s. 420.0004(11) if the homeowner provides
563 such certification in a signed or electronically verified
564 statement made under penalty of perjury.

565 (i) The department shall develop a process that ensures
566 the most efficient means to collect and verify grant
567 applications to determine eligibility and may direct hurricane
568 mitigation inspectors to collect and verify grant application
569 information or use the Internet or other electronic means to
570 collect information and determine eligibility.

571 (j) Homeowners must finalize construction and request a
572 final inspection, or request an extension for an additional 6
573 months, within 1 year after grant approval. If the homeowners
574 fail to comply, the application shall be deemed abandoned and
575 the grant money reverts back to the department.

576 (3) REQUESTS FOR INFORMATION.—The department may request
 577 that the applicant provide additional information. An
 578 application shall be deemed withdrawn by the applicant if the
 579 department does not receive a response to its request for
 580 additional information within 60 days after the notification of
 581 any apparent errors or omissions.

582 (4)~~(3)~~ EDUCATION, CONSUMER AWARENESS, AND OUTREACH.—

583 (a) The department may undertake a statewide multimedia
 584 public outreach and advertising campaign to inform consumers of
 585 the availability and benefits of hurricane inspections and of
 586 the safety and financial benefits of residential hurricane
 587 damage mitigation. The department may seek out and use local,
 588 state, federal, and private funds to support the campaign.

589 (b) The program may develop brochures for distribution to
 590 Citizens Property Insurance Corporation, and other licensed
 591 entities or nonprofits that work with the department to educate
 592 the public on the benefits of the program ~~general contractors,~~
 593 ~~roofing contractors, and real estate brokers and sales~~
 594 ~~associates who are licensed under part I of chapter 475 which~~
 595 ~~provide information on the benefits to homeowners of residential~~
 596 ~~hurricane damage mitigation.~~ Citizens Property Insurance
 597 Corporation is encouraged to distribute the brochure to
 598 policyholders of the corporation. ~~Contractors are encouraged to~~
 599 ~~distribute the brochures to homeowners at the first meeting with~~
 600 ~~a homeowner who is considering contracting for home or roof~~

601 ~~repair or contracting for the construction of a new home. Real~~
602 ~~estate brokers and sales associates are encouraged to distribute~~
603 ~~the brochure to clients before the purchase of a home. The~~
604 brochures may be made available electronically.

605 (5)~~(4)~~ FUNDING.—The department may seek out and leverage
606 local, state, federal, or private funds to enhance the financial
607 resources of the program.

608 (6)~~(5)~~ RULES.—The Department of Financial Services shall
609 adopt rules pursuant to ss. 120.536(1) and 120.54 to govern the
610 program; implement the provisions of this section; including
611 rules governing hurricane mitigation inspections and grants,
612 mitigation contractors, and training of inspectors and
613 contractors; and carry out the duties of the department under
614 this section.

615 (7)~~(6)~~ HURRICANE MITIGATION INSPECTOR LIST.—The department
616 shall develop and maintain as a public record a current list of
617 hurricane mitigation inspectors authorized to conduct hurricane
618 mitigation inspections pursuant to this section.

619 (8)~~(7)~~ CONTRACT MANAGEMENT.—

620 (a) The department may contract with third parties for
621 grants management, inspection services, contractor services for
622 low-income homeowners, information technology, educational
623 outreach, and auditing services. Such contracts are considered
624 direct costs of the program and are not subject to
625 administrative cost limits. The department shall contract with

626 providers that have a demonstrated record of successful business
627 operations in areas directly related to the services to be
628 provided and shall ensure the highest accountability for use of
629 state funds, consistent with this section.

630 (b) The department shall implement a quality assurance and
631 reinspection program that determines whether mitigation initial
632 inspections and mitigation projects ~~home improvements~~ are
633 completed in a manner consistent with the intent of the program.
634 The department may use valid random sampling in order to perform
635 the quality assurance portion of the program.

636 (9)-(8) INTENT.—It is the intent of the Legislature that
637 grants made to residential property owners under this section
638 shall be considered disaster-relief assistance within the
639 meaning of s. 139 of the Internal Revenue Code of 1986, as
640 amended.

641 (10)-(9) REPORTS.—The department shall make an annual
642 report on the activities of the program that shall account for
643 the use of state funds and indicate the number of inspections
644 requested, the number of inspections performed, the number of
645 grant applications received, the number and value of grants
646 approved, and the estimated average annual amount of insurance
647 premium discounts and total estimated annual amount of insurance
648 premium discounts homeowners received from insurers as a result
649 of mitigation funded through the program. The report must be
650 delivered to the President of the Senate and the Speaker of the

651 House of Representatives by February 1 of each year.

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

654 284.44 Salary indemnification costs of state agencies.—

655 ~~(6) The Division of Risk Management shall prepare~~
 656 ~~quarterly reports to the Executive Office of the Governor and~~
 657 ~~the chairs of the legislative appropriations committees~~
 658 ~~indicating for each state agency the total amount of salary~~
 659 ~~indemnification benefits paid to claimants and the total amount~~
 660 ~~of reimbursements from state agencies to the State Risk~~
 661 ~~Management Trust Fund for initial costs for the previous~~
 662 ~~quarter. These reports shall also include information for each~~
 663 ~~state agency indicating the number of cases and amounts of~~
 664 ~~initial salary indemnification costs for which reimbursement~~
 665 ~~requirements were waived by the Executive Office of the Governor~~
 666 ~~pursuant to this section.~~

667 Section 7. Paragraph (a) of subsection (12) of section
 668 440.13, Florida Statutes, is amended to read:

669 440.13 Medical services and supplies; penalty for
 670 violations; limitations.—

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

673 (a) A three-member panel is created, consisting of the
 674 Chief Financial Officer, or the Chief Financial Officer's
 675 designee, and two members to be appointed by the Governor,

676 subject to confirmation by the Senate, one member who, on
677 account of present or previous vocation, employment, or
678 affiliation, shall be classified as a representative of
679 employers, the other member who, on account of previous
680 vocation, employment, or affiliation, shall be classified as a
681 representative of employees. The panel shall determine statewide
682 schedules of maximum reimbursement allowances for medically
683 necessary treatment, care, and attendance provided by hospitals
684 and ambulatory surgical centers. The maximum reimbursement
685 allowances for inpatient hospital care shall be based on a
686 schedule of per diem rates, to be approved by the three-member
687 panel no later than March 1, 1994, to be used in conjunction
688 with a precertification manual as determined by the department,
689 including maximum hours in which an outpatient may remain in
690 observation status, which shall not exceed 23 hours. All
691 compensable charges for hospital outpatient care shall be
692 reimbursed at 75 percent of usual and customary charges, except
693 as otherwise provided by this subsection. Annually, the three-
694 member panel shall adopt schedules of maximum reimbursement
695 allowances for hospital inpatient care, hospital outpatient
696 care, and ambulatory surgical centers. A hospital or an
697 ambulatory surgical center shall be reimbursed either the
698 agreed-upon contract price or the maximum reimbursement
699 allowance in the appropriate schedule. Reimbursement for
700 emergency services and care, as defined in s. 395.002, without a

701 maximum reimbursement allowance must be at 75 percent of the
702 hospital's charge, unless there is a contract, in which case the
703 contract governs reimbursement.

704
705 The department, as requested, shall provide data to the panel,
706 including, but not limited to, utilization trends in the
707 workers' compensation health care delivery system. The
708 department shall provide the panel with an annual report
709 regarding the resolution of medical reimbursement disputes and
710 any actions pursuant to subsection (8). The department shall
711 provide administrative support and service to the panel to the
712 extent requested by the panel. For prescription medication
713 purchased under the requirements of this subsection, a
714 dispensing practitioner shall not possess such medication unless
715 payment has been made by the practitioner, the practitioner's
716 professional practice, or the practitioner's practice management
717 company or employer to the supplying manufacturer, wholesaler,
718 distributor, or drug repackager within 60 days of the dispensing
719 practitioner taking possession of that medication.

720 Section 8. Subsections (9) through (13) of section
721 440.385, Florida Statutes, are renumbered as subsections (10)
722 through (14), respectively, and a new subsection (9) is added to
723 that section to read:

724 440.385 Florida Self-Insurers Guaranty Association,
725 Incorporated.—

726 (9) CONTRACTS AND PURCHASES.—

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

734 (b) All contracts and purchases valued at or more than
 735 \$100,000 require competition through a formal bid solicitation
 736 conducted by the association. The association must undergo a
 737 formal bid solicitation process. The formal bid solicitation
 738 process must include all of the following:

739 1. The time and date for the receipt of bids, the
 740 proposals, and whether the association contemplates renewal of
 741 the contract, including the price for each year for which the
 742 contract may be renewed.

743 2. All the contractual terms and conditions applicable to
 744 the procurement.

745 (c) Evaluation of bids by the association must include
 746 consideration of the total cost for each year of the contract,
 747 including renewal years, as submitted by the vendor. The
 748 association must award the contract to the most responsible and
 749 responsive vendor. Any formal bid solicitation conducted by the
 750 association must be made available, upon request, to the

751 department via electronic delivery.

752 (d) Contracts that are required by law are exempt from
753 this section.

754 Section 9. Subsection (7) of section 497.101, Florida
755 Statutes, is renumbered as subsection (11), subsections (1)
756 through (4) are amended, and a new subsection (7) and
757 subsections (8), (9), and (10) are added to that section, to
758 read:

759 497.101 Board of Funeral, Cemetery, and Consumer Services;
760 membership; appointment; terms.—

761 (1) The Board of Funeral, Cemetery, and Consumer Services
762 is created within the Department of Financial Services and shall
763 consist of 10 members, 9 of whom shall be appointed by ~~the~~
764 ~~Governor from nominations made by~~ the Chief Financial Officer
765 ~~and confirmed by the Senate. The Chief Financial Officer shall~~
766 ~~nominate one to three persons for each of the nine vacancies on~~
767 ~~the board, and the Governor shall fill each vacancy on the board~~
768 ~~by appointing one of the persons nominated by the Chief~~
769 ~~Financial Officer to fill that vacancy. If the Governor objects~~
770 ~~to each of the nominations for a vacancy, she or he shall inform~~
771 ~~the Chief Financial Officer in writing. Upon notification of an~~
772 ~~objection by the Governor, the Chief Financial Officer shall~~
773 ~~submit one to three additional nominations for that vacancy~~
774 ~~until the vacancy is filled. One member must be the State Health~~
775 ~~Officer or her or his designee.~~

776 (2) Two members of the board must be funeral directors
 777 licensed under part III of this chapter who are associated with
 778 a funeral establishment. One member of the board must be a
 779 funeral director licensed under part III of this chapter who is
 780 associated with a funeral establishment licensed under part III
 781 of this chapter which has a valid preneed license issued
 782 pursuant to this chapter ~~and who owns or operates a cinerator~~
 783 ~~facility approved under chapter 403 and licensed under part VI~~
 784 ~~of this chapter.~~ Two members of the board must be persons whose
 785 primary occupation is associated with a cemetery company
 786 licensed pursuant to this chapter. Two members of the board must
 787 be consumers who are residents of this state, have never been
 788 licensed as funeral directors or embalmers, are not connected
 789 with a cemetery or cemetery company licensed pursuant to this
 790 chapter, and are not connected with the death care industry or
 791 the practice of embalming, funeral directing, or direct
 792 disposition. One of the two consumer members must be at least 60
 793 years of age. One member of the board must be a consumer who is
 794 a resident of this state; is licensed as a certified public
 795 accountant under chapter 473; has never been licensed as a
 796 funeral director or an embalmer; is not a principal or an
 797 employee of any licensee licensed under this chapter; and does
 798 not otherwise have control, as defined in s. 497.005, over any
 799 licensee licensed under this chapter. One member of the board
 800 must be a principal of a monument establishment licensed under

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

806 (3) Board members shall be appointed for terms of 4 years
 807 and may be reappointed; however, a member may not serve for more
 808 than 8 consecutive years.~~and~~ The State Health Officer shall
 809 serve as long as that person holds that office. The designee of
 810 the State Health Officer shall serve at the pleasure of the
 811 Chief Financial Officer ~~Governor~~.

812 (4) The Chief Financial Officer ~~Governor~~ ~~may suspend and~~
 813 ~~the Senate~~ may remove any board member for malfeasance or
 814 misfeasance, neglect of duty, incompetence, substantial
 815 inability to perform official duties, commission of a crime, or
 816 other substantial cause as determined by the Chief Financial
 817 Officer ~~Governor or Senate, as applicable,~~ to evidence a lack of
 818 fitness to sit on the board. A board member shall be deemed to
 819 have resigned her or his board membership, and that position
 820 shall be deemed vacant, upon the failure of the member to attend
 821 three consecutive meetings of the board or at least half of the
 822 meetings of the board during any 12-month period, unless the
 823 Chief Financial Officer determines that there was good and
 824 adequate justification for the absences and that such absences
 825 are not likely to continue. Any vacancy so created shall be

826 filled as provided in subsection (1).

827 (7) Members of the board are subject to the code of ethics
828 under part III of chapter 112. For purposes of applying part III
829 of chapter 112 to activities of the members of the board, those
830 persons are considered public officers, and the department is
831 considered their agency. A board member may not vote on any
832 measure that would inure to his or her special private gain or
833 loss and, in accordance with s. 112.3143(2), may not vote on any
834 measure that he or she knows would inure to the special private
835 gain or loss of any principal by which he or she is retained,
836 other than an agency as defined in s. 112.312; or that he or she
837 knows would inure to the special private gain or loss of his or
838 her relative or business associate. Before the vote is taken,
839 such member shall publicly state to the board the nature of his
840 or her interest in the matter from which he or she is abstaining
841 from voting and, within 15 days after the vote occurs, disclose
842 the nature of his or her interest as a public record in a
843 memorandum filed with the person responsible for recording the
844 minutes of the meeting, who shall incorporate the memorandum in
845 the minutes.

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

851 consideration for a contract, or which is licensed by the
852 department.

853 (9) A board member who fails to comply with subsection (7)
854 or subsection (8) is subject to the penalties provided under ss.
855 112.317 and 112.3173.

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

860 (b) Except for emergency meetings, the department shall
861 give notice of any board meeting by publication on the
862 department's website at least 7 days before the meeting. The
863 department shall publish a meeting agenda on its website at
864 least 7 days before the meeting. The agenda must contain the
865 items to be considered in order of presentation. After the
866 agenda has been made available, a change may be made only for
867 good cause, as determined by the person designated to preside,
868 and must be stated in the record. Notification of such change
869 must be at the earliest practicable time.

870 Section 10. Paragraph (a) of subsection (4) of section
871 497.153, Florida Statutes, is amended to read:

872 497.153 Disciplinary procedures and penalties.—

873 (4) ACTION AFTER PROBABLE CAUSE FOUND.—

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

876 service of process under the Florida Rules of Civil Procedure.
 877 Service upon a licensee may in the alternative be made by
 878 certified mail, return receipt requested, to the last known
 879 address of record provided by the licensee to the department. If
 880 service by certified mail cannot be made at the last address
 881 provided by the licensee to the department, service may be made
 882 by e-mail, delivery receipt required, sent to the most recent e-
 883 mail address provided by the licensee to the department in
 884 accordance with s. 497.146.

885 Section 11. Paragraph (e) of subsection (1) of section
 886 497.155, Florida Statutes, is amended to read:

887 497.155 Disciplinary citations and minor violations.—

888 (1) CITATIONS.—

889 (e) Service of a citation may be made by personal service
 890 or certified mail, restricted delivery, to the subject at the
 891 subject's last known address in accordance with s. 497.146. If
 892 service by certified mail cannot be made at the last address
 893 provided by the subject to the department, service may be made
 894 by e-mail, delivery receipt required, sent to the most recent e-
 895 mail address provided by the subject to the department in
 896 accordance with s. 497.146.

897 Section 12. Paragraph (a) of subsection (3) of section
 898 624.155, Florida Statutes, is amended to read:

899 624.155 Civil remedy.—

900 (3)(a) As a condition precedent to bringing an action

901 under this section, the department and the authorized insurer
 902 must have been given 60 days' written notice of the violation.
 903 Notice to the authorized insurer must be provided by the
 904 department to the e-mail address designated by the insurer ~~under~~
 905 ~~s. 624.422.~~

906 Section 13. Paragraphs (c) and (d) subsection (10) of
 907 section 624.307, Florida Statutes, are redesignated as
 908 paragraphs (d) and (e), respectively, paragraph (b) is amended,
 909 and a new paragraph (c) is added to subsection (10) of that
 910 section, to read:

911 624.307 General powers; duties.-

912 (10)

913 (b) Any person licensed or issued a certificate of
 914 authority or made an eligible surplus lines insurer by the
 915 department or the office shall respond, in writing or
 916 electronically, to the division within 14 days after receipt of
 917 a written request for documents and information from the
 918 division concerning a consumer complaint. The response must
 919 address the issues and allegations raised in the complaint and
 920 include any requested documents concerning the consumer
 921 complaint not subject to attorney-client or work-product
 922 privilege. The division may impose an administrative penalty for
 923 failure to comply with this paragraph of up to \$5,000 per
 924 violation upon any entity licensed by the department or the
 925 office and up to \$1,000 per violation by any individual licensed

926 | by the department or the office.

927 | (c) Each insurer issued a certificate of authority or made
928 | an eligible surplus lines insurer shall file with the department
929 | an e-mail address to which requests for response to consumer
930 | complaints shall be directed pursuant to paragraph (b). Such
931 | insurer shall also designate a contact person for escalated
932 | complaint issues and shall provide the name, e-mail address, and
933 | telephone number of such person. A licensee of the department,
934 | including an agency or a firm, may elect to designated an e-mail
935 | address to which requests for response to consumer complaints
936 | shall be directed pursuant to paragraph (b). If a licensee,
937 | including an agency or a firm, elects not to designate an e-mail
938 | address, the department shall direct requests for response to
939 | consumer complaints to the e-mail of record for the licensee in
940 | the department's licensing system. An insurer or a licensee,
941 | including an agency or a firm, may change a designated contact
942 | information at any time by submitting the new information to the
943 | department using the method designated by rule by the
944 | department.

945 | Section 14. Subsection (2) of section 626.171, Florida
946 | Statutes, is amended to read:

947 | 626.171 Application for license as an agent, customer
948 | representative, adjuster, service representative, or reinsurance
949 | intermediary.—

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

951 (a) His or her full name, age, social security number,
952 residence address, business address, mailing address, contact
953 telephone numbers, including a business telephone number, and e-
954 mail address.

955 (b) A statement indicating the method the applicant used
956 or is using to meet any required prelicensing education,
957 knowledge, experience, or instructional requirements for the
958 type of license applied for.

959 (c) Whether he or she has been refused or has voluntarily
960 surrendered or has had suspended or revoked a license to solicit
961 insurance by the department or by the supervising officials of
962 any state.

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

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

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

970 (g) The applicant's native language.

971 (h) The highest level of education achieved by the
972 applicant.

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

975 (j) Such other or additional information as the department

976 | may deem proper to enable it to determine the character,
 977 | experience, ability, and other qualifications of the applicant
 978 | to hold himself or herself out to the public as an insurance
 979 | representative.

980 |
 981 | However, the application must contain a statement that an
 982 | applicant is not required to disclose his or her race or
 983 | ethnicity, gender, or native language, that he or she will not
 984 | be penalized for not doing so, and that the department will use
 985 | this information exclusively for research and statistical
 986 | purposes and to improve the quality and fairness of the
 987 | examinations. The department shall make provisions for
 988 | applicants to submit cellular telephone numbers as part of the
 989 | application process on a voluntary basis for purpose of two-
 990 | factor authentication of secure login credentials only.

991 | Section 15. Paragraph (j) of subsection (2) of section
 992 | 626.221, Florida Statutes, is amended to read:

993 | 626.221 Examination requirement; exemptions.—

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

996 | (j) An applicant for license as an all-lines adjuster who
 997 | has the designation of Accredited Claims Adjuster (ACA) from a
 998 | regionally accredited postsecondary institution in this state;
 999 | Certified All Lines Adjuster (CALA) from Kaplan Financial
 1000 | Education; Associate in Claims (AIC) from the Insurance

1001 Institute of America; Professional Claims Adjuster (PCA) from
 1002 the Professional Career Institute; Professional Property
 1003 Insurance Adjuster (PPIA) from the HurriClaim Training Academy;
 1004 Certified Adjuster (CA) from ALL LINES Training; Certified
 1005 Claims Adjuster (CCA) from AE21 Incorporated; Claims Adjuster
 1006 Certified Professional (CACP) from WebCE, Inc.; Accredited
 1007 Insurance Claims Specialist (AICS) from Encore Claim Services;
 1008 Professional in Claims (PIC) from 2021 Training, LLC; Registered
 1009 Claims Adjuster (RCA) from American Insurance College; or
 1010 Universal Claims Certification (UCC) from Claims and Litigation
 1011 Management Alliance (CLM) whose curriculum has been approved by
 1012 the department and which includes comprehensive analysis of
 1013 basic property and casualty lines of insurance and testing at
 1014 least equal to that of standard department testing for the all-
 1015 lines adjuster license. The department shall adopt rules
 1016 establishing standards for the approval of curriculum.

1017 Section 16. Subsection (6) of section 626.601, Florida
 1018 Statutes, is amended to read:

1019 626.601 Improper conduct; inquiry; fingerprinting.—

1020 (6) The complaint and any information obtained pursuant to
 1021 the investigation by the department or office are confidential
 1022 and are exempt from s. 119.07 unless the department or office
 1023 files a formal administrative complaint, emergency order, or
 1024 consent order against the individual or entity. This subsection
 1025 does not prevent the department or office from disclosing the

1026 | complaint or such information as it deems necessary to conduct
1027 | the investigation, to update the complainant as to the status
1028 | and outcome of the complaint, to review the details of the
1029 | investigation with the individual or entity or their
1030 | representative, or to share such information with any law
1031 | enforcement agency or other regulatory body.

1032 | Section 17. Subsection (3) of section 626.7351, Florida
1033 | Statutes, is amended to read:

1034 | 626.7351 Qualifications for customer representative's
1035 | license.—The department shall not grant or issue a license as
1036 | customer representative to any individual found by it to be
1037 | untrustworthy or incompetent, or who does not meet each of the
1038 | following qualifications:

1039 | (3) Within 4 years preceding the date that the application
1040 | for license was filed with the department, the applicant has
1041 | earned the designation of Accredited Advisor in Insurance (AAI),
1042 | Associate in General Insurance (AINS), or Accredited Customer
1043 | Service Representative (ACSR) from the Insurance Institute of
1044 | America; the designation of Certified Insurance Counselor (CIC)
1045 | from the Society of Certified Insurance Service Counselors; the
1046 | designation of Certified Professional Service Representative
1047 | (CPSR) from the National Foundation for CPSR; the designation of
1048 | Certified Insurance Service Representative (CISR) from the
1049 | Society of Certified Insurance Service Representatives; the
1050 | designation of Certified Insurance Representative (CIR) from

1051 All-Lines Training; the designation of Chartered Customer
 1052 Service Representative (CCSR) from American Insurance College;
 1053 the designation of Professional Customer Service Representative
 1054 (PCSR) from the Professional Career Institute; the designation
 1055 of Insurance Customer Service Representative (ICSR) from
 1056 Statewide Insurance Associates LLC; the designation of
 1057 Registered Customer Service Representative (RCSR) from a
 1058 regionally accredited postsecondary institution in the state
 1059 whose curriculum is approved by the department and includes
 1060 comprehensive analysis of basic property and casualty lines of
 1061 insurance and testing which demonstrates mastery of the subject;
 1062 or a degree from an accredited institution of higher learning
 1063 approved by the department when the degree includes a minimum of
 1064 9 credit hours of insurance instruction, including specific
 1065 instruction in the areas of property, casualty, and inland
 1066 marine insurance. The department shall adopt rules establishing
 1067 standards for the approval of curriculum.

1068 Section 18. Section 626.878, Florida Statutes, is amended
 1069 to read:

1070 626.878 Rules; code of ethics.—

1071 (1) An adjuster shall subscribe to the code of ethics
 1072 specified in the rules of the department. The rules shall
 1073 implement the provisions of this part and specify the terms and
 1074 conditions of contracts, including a right to cancel, and
 1075 require practices necessary to ensure fair dealing, prohibit

1076 conflicts of interest, and ensure preservation of the rights of
 1077 the claimant to participate in the adjustment of claims.

1078 (2) A person licensed as an adjuster must identify himself
 1079 or herself in any advertisement, solicitation, or written
 1080 document based on the adjuster appointment type held.

1081 (3) An adjuster who has had his or her licensed revoked or
 1082 suspended may not participate in any part of an insurance claim
 1083 or in the insurance claims adjusting process, including
 1084 estimating, completing, filing, negotiating, appraising,
 1085 mediating, umpiring, or effecting settlement of a claim for loss
 1086 or damage covered under an insurance contract. A person who
 1087 provides these services while the person's license is revoked or
 1088 suspended acts as an unlicensed adjuster.

1089 Section 19. Subsection (1) of section 626.929, Florida
 1090 Statutes, is amended, and subsection (4) is added to that
 1091 section, to read:

1092 626.929 Origination, acceptance, placement of surplus
 1093 lines business.—

1094 (1) A licensed and appointed general lines agent while
 1095 also licensed and appointed as a surplus lines agent under this
 1096 part may originate surplus lines business and may accept surplus
 1097 lines business from any other originating Florida-licensed
 1098 general lines agent appointed and licensed as to the kinds of
 1099 insurance involved and may compensate such agent therefor.

1100 (4) A general lines agent while licensed as a surplus

1101 lines agent under this part may appoint these licenses with a
 1102 single surplus license agent appointment pursuant to s. 624.501.
 1103 Such agent may only originate surplus lines business and accept
 1104 surplus lines business from other originating Florida-licensed
 1105 general lines agents appointed and licensed as to the kinds of
 1106 insurance involved and may compensate such agent therefor. Such
 1107 agent may not be appointed by or transact general lines
 1108 insurance on behalf of an admitted insurer.

1109 Section 20. Paragraph (j) is added to subsection (4) of
 1110 section 627.351, Florida Statutes, to read:

1111 627.351 Insurance risk apportionment plans.—

1112 (4) MEDICAL MALPRACTICE RISK APPORTIONMENT; ASSOCIATION
 1113 CONTRACTS AND PURCHASES.—

1114 (j)1. After July 1, 2024, all contracts entered into, and
 1115 all purchases made by, the association pursuant to this
 1116 subsection which are valued at or more than \$100,000 must first
 1117 be approved by the department. The department has 10 days to
 1118 approve or deny a contract or purchase upon electronic receipt
 1119 of the approval request. The contract or purchase is
 1120 automatically approved if the department is nonresponsive.

1121 2. All contracts and purchases valued at or more than
 1122 \$100,000 require competition through a formal bid solicitation
 1123 conducted by the association. The association must undergo a
 1124 formal bid solicitation process by a minimum of three vendors.
 1125 The formal bid solicitation process must include all of the

1126 following:

1127 a. The time and date for the receipt of bids, the
 1128 proposals, and whether the association contemplates renewal of
 1129 the contract, including the price for each year for which the
 1130 contract may be renewed.

1131 b. All the contractual terms and conditions applicable to
 1132 the procurement.

1133 3. Evaluation of bids by the association must include
 1134 consideration of the total cost for each year of the contract,
 1135 including renewal years, as submitted by the vendor. The
 1136 association must award the contract to the most responsible and
 1137 responsive vendor. Any formal bid solicitation conducted by the
 1138 association must be made available, upon request, to the
 1139 department by electronic delivery.

1140 Section 21. Subsection (2) of section 627.43141, Florida
 1141 Statutes, is amended to read:

1142 627.43141 Notice of change in policy terms.—

1143 (2) A renewal policy may contain a change in policy terms.
 1144 If such change occurs, the insurer shall give the named insured
 1145 advance written notice summarizing the change, which may be
 1146 enclosed in ~~along with~~ the written notice of renewal premium
 1147 required under ss. 627.4133 and 627.728 or sent separately
 1148 within the timeframe required under the Florida Insurance Code
 1149 for the provision of a notice of nonrenewal to the named insured
 1150 for that line of insurance. The insurer must also provide a

1151 sample copy of the notice to the named insured's insurance agent
 1152 before or at the same time that notice is provided to the named
 1153 insured. Such notice shall be entitled "Notice of Change in
 1154 Policy Terms-" and shall be in bold type of not less than 14
 1155 points and included as a single page or consecutive pages, as
 1156 necessary, within the written notice.

1157 Section 22. Paragraph (a) of subsection (3) of section
 1158 627.70152, Florida Statutes, is amended to read:

1159 627.70152 Suits arising under a property insurance
 1160 policy.-

1161 (3) NOTICE.-

1162 (a) As a condition precedent to filing a suit under a
 1163 property insurance policy, a claimant must provide the
 1164 department with written notice of intent to initiate litigation
 1165 on a form provided by the department. Such notice must be given
 1166 at least 10 business days before filing suit under the policy,
 1167 but may not be given before the insurer has made a determination
 1168 of coverage under s. 627.70131. Notice to the insurer must be
 1169 provided by the department to the e-mail address designated by
 1170 the insurer ~~under s. 624.422~~. The notice must state with
 1171 specificity all of the following information:

- 1172 1. That the notice is provided pursuant to this section.
- 1173 2. The alleged acts or omissions of the insurer giving
 1174 rise to the suit, which may include a denial of coverage.
- 1175 3. If provided by an attorney or other representative,

1176 that a copy of the notice was provided to the claimant.

1177 4. If the notice is provided following a denial of
1178 coverage, an estimate of damages, if known.

1179 5. If the notice is provided following acts or omissions
1180 by the insurer other than denial of coverage, both of the
1181 following:

1182 a. The presuit settlement demand, which must itemize the
1183 damages, attorney fees, and costs.

1184 b. The disputed amount.

1185
1186 Documentation to support the information provided in this
1187 paragraph may be provided along with the notice to the insurer.

1188 Section 23. Subsection (5) is added to section 631.59,
1189 Florida Statutes, to read:

1190 631.59 Duties and powers of department and office;
1191 association contracts and purchases.-

1192 (5)(a) After July 1, 2024, all contracts entered into, and
1193 all purchases made by, the association pursuant to this section
1194 which are valued at or more than \$100,000 must first be approved
1195 by the department. The department has 10 days to approve or deny
1196 the contract or purchase upon electronic receipt of the approval
1197 request. The contract or purchase is automatically approved if
1198 the department is nonresponsive.

1199 (b) All contracts and purchases valued at or more than
1200 \$100,000 require competition through a formal bid solicitation

1201 conducted by the association. The association must undergo a
 1202 formal bid solicitation process. The formal bid solicitation
 1203 process must include all of the following:

1204 1. The time and date for the receipt of bids, the
 1205 proposals, and whether the association contemplates renewal of
 1206 the contract, including the price for each year for which the
 1207 contract may be renewed.

1208 2. All the contractual terms and conditions applicable to
 1209 the procurement.

1210 (c) Evaluation of bids by the association must include
 1211 consideration of the total cost for each year of the contract,
 1212 including renewal years, as submitted by the vendor. The
 1213 association must award the contract to the most responsible and
 1214 responsive vendor. Any formal bid solicitation conducted by the
 1215 association must be made available, upon request, to the
 1216 department via electronic delivery.

1217 (d) Paragraphs (b) and (c) do not apply to claims defense
 1218 counsel or claims vendors if contracts with all vendors which
 1219 may exceed \$100,000 are provided to the department for prior
 1220 approval in accordance with paragraph (a).

1221 Section 24. Subsection (6) is added to section 631.722,
 1222 Florida Statutes, to read:

1223 631.722 Powers and duties of department and office;
 1224 association contracts and purchases.-

1225 (6) (a) After July 1, 2024, all contracts entered into, and

1226 all purchases made by, the association pursuant to this section
1227 which are valued at or more than \$100,000 must first be approved
1228 by the department. The department has 10 days to approve or deny
1229 the contract or purchase upon electronic receipt of the approval
1230 request. The contract or purchase is automatically approved if
1231 the department is nonresponsive.

1232 (b) All contracts and purchases valued at or more than
1233 \$100,000 require competition through a formal bid solicitation
1234 conducted by the association. The association must undergo a
1235 formal bid solicitation process. The formal bid solicitation
1236 process must include all of the following:

1237 1. The time and date for the receipt of bids, the
1238 proposals, and whether the association contemplates renewal of
1239 the contract, including the price for each year for which the
1240 contract may be renewed.

1241 2. All the contractual terms and conditions applicable to
1242 the procurement.

1243 (c) Evaluation of bids by the association must include
1244 consideration of the total cost for each year of the contract,
1245 including renewal years, as submitted by the vendor. The
1246 association must award the contract to the most responsible and
1247 responsive vendor. Any formal bid solicitation conducted by the
1248 association must be made available, upon request, to the
1249 department via electronic delivery.

1250 Section 25. Subsection (5) is added to section 631.821,

1251 Florida Statutes, to read:

1252 631.821 Powers and duties of the department; board
1253 contracts and purchases.-

1254 (5)(a) After July 1, 2024, all contracts entered into, and
1255 all purchases made by, the board pursuant to this section which
1256 are valued at or more than \$100,000 must first be approved by
1257 the department. The department has 10 days to approve or deny
1258 the contract or purchase upon electronic receipt of the approval
1259 request. The contract or purchase is automatically approved if
1260 the department is nonresponsive.

1261 (b) All contracts and purchases valued at or more than
1262 \$100,000 require competition through a formal bid solicitation
1263 conducted by the board. The board must undergo a formal bid
1264 solicitation process. The formal bid solicitation process must
1265 include all of the following:

1266 1. The time and date for the receipt of bids, the
1267 proposals, and whether the board contemplates renewal of the
1268 contract, including the price for each year for which the
1269 contract may be renewed.

1270 2. All the contractual terms and conditions applicable to
1271 the procurement.

1272 (c) Evaluation of bids by the board must include
1273 consideration of the total cost for each year of the contract,
1274 including renewal years, as submitted by the vendor. The plan
1275 must award the contract to the most responsible and responsive

1276 vendor. Any formal bid solicitation conducted by the board must
 1277 be made available, upon request, to the department via
 1278 electronic delivery.

1279 Section 26. Section 631.921, Florida Statutes, is amended
 1280 to read:

1281 631.921 Department powers; board contracts and purchases.—

1282 (1) The corporation shall be subject to examination by the
 1283 department. By March 1 of each year, the board of directors
 1284 shall cause a financial report to be filed with the department
 1285 for the immediately preceding calendar year in a form approved
 1286 by the department.

1287 (2)(a) After July 1, 2024, all contracts entered into, and
 1288 all purchases made by, the board pursuant to this section which
 1289 are valued at or more than \$100,000 must first be approved by
 1290 the department. The department has 10 days to approve or deny
 1291 the contract or purchase upon electronic receipt of the approval
 1292 request. The contract or purchase is automatically approved if
 1293 the department is nonresponsive.

1294 (b) All contracts and purchases valued at or more than
 1295 \$100,000 require competition through a formal bid solicitation
 1296 conducted by the board. The board must undergo a formal bid
 1297 solicitation process. The formal bid solicitation process must
 1298 include all of the following:

1299 1. The time and date for the receipt of bids, the
 1300 proposals, and whether the board contemplates renewal of the

1301 contract, including the price for each year for which the
 1302 contract may be renewed.

1303 2. All the contractual terms and conditions applicable to
 1304 the procurement.

1305 (c) Evaluation of bids by the board must include
 1306 consideration of the total cost for each year of the contract,
 1307 including renewal years, as submitted by the vendor. The
 1308 association must award the contract to the most responsible and
 1309 responsive vendor. Any formal bid solicitation conducted by the
 1310 association must be made available, upon request, to the
 1311 department via electronic delivery.

1312 Section 27. Paragraph (b) of subsection (3) of section
 1313 633.124, Florida Statutes, is amended to read:

1314 633.124 Penalty for violation of law, rule, or order to
 1315 cease and desist or for failure to comply with corrective
 1316 order.—

1317 (3)

1318 (b) A person who initiates a pyrotechnic display within
 1319 any structure commits a felony of the third degree, punishable
 1320 as provided in s. 775.082, s. 775.083, or s. 775.084, unless:

1321 1. The structure has a fire protection system installed in
 1322 compliance with s. 633.334.

1323 2. The owner of the structure has authorized in writing
 1324 the pyrotechnic display.

1325 3. If the local jurisdiction requires a permit for the use

1326 of a pyrotechnic display in an occupied structure, such permit
 1327 has been obtained and all conditions of the permit complied with
 1328 or, if the local jurisdiction does not require a permit for the
 1329 use of a pyrotechnic display in an occupied structure, the
 1330 person initiating the display has complied with National Fire
 1331 Protection Association, Inc., Standard 1126, 2021 ~~2001~~ Edition,
 1332 Standard for the Use of Pyrotechnics before a Proximate
 1333 Audience.

1334 Section 28. Subsection (2) of section 633.202, Florida
 1335 Statutes, is amended to read:

1336 633.202 Florida Fire Prevention Code.—

1337 (2) The State Fire Marshal shall adopt the current edition
 1338 of the National Fire Protection Association's Standard 1, Fire
 1339 Prevention Code but may not adopt a building, mechanical,
 1340 accessibility, or plumbing code. The State Fire Marshal shall
 1341 adopt the current edition of the Life Safety Code, NFPA 101,
 1342 current editions, by reference. The State Fire Marshal may
 1343 modify the selected codes and standards as needed to accommodate
 1344 the specific needs of the state. Standards or criteria in the
 1345 selected codes shall be similarly incorporated by reference. The
 1346 State Fire Marshal shall incorporate within sections of the
 1347 Florida Fire Prevention Code provisions that address uniform
 1348 firesafety standards as established in s. 633.206. The State
 1349 Fire Marshal shall incorporate within sections of the Florida
 1350 Fire Prevention Code provisions addressing regional and local

1351 concerns and variations.

1352 Section 29. Paragraph (b) of subsection (1) of section
1353 633.206, Florida Statutes, is amended to read:

1354 633.206 Uniform firesafety standards.—The Legislature
1355 hereby determines that to protect the public health, safety, and
1356 welfare it is necessary to provide for firesafety standards
1357 governing the construction and utilization of certain buildings
1358 and structures. The Legislature further determines that certain
1359 buildings or structures, due to their specialized use or to the
1360 special characteristics of the person utilizing or occupying
1361 these buildings or structures, should be subject to firesafety
1362 standards reflecting these special needs as may be appropriate.

1363 (1) The department shall establish uniform firesafety
1364 standards that apply to:

1365 (b) All new, existing, and proposed hospitals, nursing
1366 homes, assisted living facilities, adult family-care homes,
1367 correctional facilities, public schools, transient public
1368 lodging establishments, public food service establishments,
1369 mobile food dispensing vehicles, elevators, migrant labor camps,
1370 mobile home parks, lodging parks, recreational vehicle parks,
1371 recreational camps, residential and nonresidential child care
1372 facilities, facilities for the developmentally disabled, motion
1373 picture and television special effects productions, tunnels,
1374 energy storage systems, and self-service gasoline stations, of
1375 which standards the State Fire Marshal is the final

1376 administrative interpreting authority.

1377

1378 In the event there is a dispute between the owners of the
 1379 buildings specified in paragraph (b) and a local authority
 1380 requiring a more stringent uniform firesafety standard for
 1381 sprinkler systems, the State Fire Marshal shall be the final
 1382 administrative interpreting authority and the State Fire
 1383 Marshal's interpretation regarding the uniform firesafety
 1384 standards shall be considered final agency action.

1385 Section 30. Paragraph (b) of subsection (8) of section
 1386 634.041, Florida Statutes, is amended to read:

1387 634.041 Qualifications for license.—To qualify for and
 1388 hold a license to issue service agreements in this state, a
 1389 service agreement company must be in compliance with this part,
 1390 with applicable rules of the commission, with related sections
 1391 of the Florida Insurance Code, and with its charter powers and
 1392 must comply with the following:

1393 (8)

1394 (b) A service agreement company does not have to establish
 1395 and maintain an unearned premium reserve if it secures and
 1396 maintains contractual liability insurance in accordance with the
 1397 following:

1398 1. Coverage of 100 percent of the claim exposure is
 1399 obtained from an insurer or insurers approved by the office,
 1400 which hold ~~holds~~ a certificate of authority under s. 624.401 to

1401 do business within this state, or secured through a risk
1402 retention groups ~~group~~, which are ~~is~~ authorized to do business
1403 within this state under s. 627.943 or s. 627.944. Such insurers
1404 ~~insurer~~ or risk retention groups ~~group~~ must maintain a surplus
1405 as regards policyholders of at least \$15 million.

1406 2. If the service agreement company does not meet its
1407 contractual obligations, the contractual liability insurance
1408 policy binds its issuer to pay or cause to be paid to the
1409 service agreement holder all legitimate claims and cancellation
1410 refunds for all service agreements issued by the service
1411 agreement company while the policy was in effect. This
1412 requirement also applies to those service agreements for which
1413 no premium has been remitted to the insurer.

1414 3. If the issuer of the contractual liability policy is
1415 fulfilling the service agreements covered by the contractual
1416 liability policy and the service agreement holder cancels the
1417 service agreement, the issuer must make a full refund of
1418 unearned premium to the consumer, subject to the cancellation
1419 fee provisions of s. 634.121(3). The sales representative and
1420 agent must refund to the contractual liability policy issuer
1421 their unearned pro rata commission.

1422 4. The policy may not be canceled, terminated, or
1423 nonrenewed by the insurer or the service agreement company
1424 unless a 90-day written notice thereof has been given to the
1425 office by the insurer before the date of the cancellation,

1426 termination, or nonrenewal.

1427 5. The service agreement company must provide the office
1428 with the claims statistics.

1429 6. A policy issued in compliance with this paragraph may
1430 either pay 100 percent of claims as they are incurred, or pay
1431 100 percent of claims due in the event of the failure of the
1432 service agreement company to pay such claims when due.

1433

1434 All funds or premiums remitted to an insurer by a motor vehicle
1435 service agreement company under this part shall remain in the
1436 care, custody, and control of the insurer and shall be counted
1437 as an asset of the insurer; provided, however, this requirement
1438 does not apply when the insurer and the motor vehicle service
1439 agreement company are affiliated companies and members of an
1440 insurance holding company system. If the motor vehicle service
1441 agreement company chooses to comply with this paragraph but also
1442 maintains a reserve to pay claims, such reserve shall only be
1443 considered an asset of the covered motor vehicle service
1444 agreement company and may not be simultaneously counted as an
1445 asset of any other entity.

1446 Section 31. Subsection (5) of section 634.081, Florida
1447 Statutes, is amended to read:

1448 634.081 Suspension or revocation of license; grounds.—

1449 (5) The office shall suspend or revoke the license of a
1450 company if it finds that the ratio of gross written premiums

1451 written to net assets exceeds 10 to 1 unless the company has in
1452 excess of \$750,000 in net assets and is utilizing contractual
1453 liability insurance which cedes 100 percent of the service
1454 agreement company's claims liabilities to the contractual
1455 liability insurers ~~insurer~~ or is utilizing contractual liability
1456 insurance which reimburses the service agreement company for 100
1457 percent of its paid claims. However, if a service agreement
1458 company has been licensed by the office in excess of 10 years,
1459 is in compliance with all applicable provisions of this part,
1460 and has net assets at all times in excess of \$3 million that
1461 comply with the provisions of part II of chapter 625, such
1462 company may not exceed a ratio of gross written premiums written
1463 to net assets of 15 to 1.

1464 Section 32. Subsection (5) of section 634.3077, Florida
1465 Statutes, is renumbered as subsection (6), subsection (3) is
1466 amended, and a new subsection (5) is added to that section, to
1467 read:

1468 634.3077 Financial requirements.—

1469 (3) An association may ~~shall~~ not be required to set up an
1470 unearned premium reserve if it has purchased contractual
1471 liability insurance which demonstrates to the satisfaction of
1472 the office that 100 percent of its claim exposure is covered by
1473 such insurance. Such contractual liability insurance shall be
1474 obtained from an insurer or insurers that hold ~~holds~~ a
1475 certificate of authority to do business within the state or from

1476 an insurer or insurers approved by the office as financially
 1477 capable of meeting the obligations incurred pursuant to the
 1478 policy. For purposes of this subsection, the contractual
 1479 liability policy shall contain the following provisions:

1480 (a) In the event that the home warranty association is
 1481 unable to fulfill its obligation under its contracts issued in
 1482 this state for any reason, including insolvency, bankruptcy, or
 1483 dissolution, the contractual liability insurer will pay losses
 1484 and unearned premiums under such plans directly to persons
 1485 making claims under such contracts.

1486 (b) The insurer issuing the policy shall assume full
 1487 responsibility for the administration of claims in the event of
 1488 the inability of the association to do so.

1489 (c) The policy may not be canceled or not renewed by
 1490 ~~either~~ the insurer or the association unless 60 days' written
 1491 notice thereof has been given to the office by the insurer
 1492 before the date of such cancellation or nonrenewal.

1493 (d) The contractual liability insurance policy shall
 1494 insure all home warranty contracts that were issued while the
 1495 policy was in effect whether or not the premium has been
 1496 remitted to the insurer.

1497 (5) An association licensed under this part is not
 1498 required to establish an unearned premium reserve or maintain
 1499 contractual liability insurance and may allow its premiums to
 1500 exceed the ratio to net assets limitation of this section if the

1501 association complies with the following:

1502 (a) The association or, if the association is a direct or
1503 indirect wholly owned subsidiary of a parent corporation, its
1504 parent corporation has, and maintains at all times, a minimum
1505 net worth of at least \$100 million and provides the office with
1506 the following:

1507 1. A copy of the association's annual audited financial
1508 statements or the audited consolidated financial statements of
1509 the association's parent corporation, prepared by an independent
1510 certified public accountant in accordance with generally
1511 accepted accounting principles, which clearly demonstrate the
1512 net worth of the association or its parent corporation to be
1513 \$100 million, and a quarterly written certification to the
1514 office that the association or its parent corporation continues
1515 to maintain the net worth required under this paragraph.

1516 2. The association's or its parent corporation's Form 10-
1517 K, Form 10-Q, or Form 20-F as filed with the United States
1518 Securities and Exchange Commission or such other documents
1519 required to be filed with a recognized stock exchange, which
1520 shall be provided on a quarterly and annual basis within 10 days
1521 after the last date each such report must be filed with the
1522 Securities and Exchange Commission, the National Association of
1523 Security Dealers Automated Quotation system, or other recognized
1524 stock exchange.

1525

1526 Failure to timely file the documents required under this
1527 paragraph may, at the discretion of the office, subject the
1528 association to suspension or revocation of its license under
1529 this part.

1530 (b) If the net worth of a parent corporation is used to
1531 satisfy the net worth provisions of paragraph (a), the following
1532 provisions must be met:

1533 1. The parent corporation must guarantee all service
1534 warranty obligations of the association, wherever written, on a
1535 form approved in advance by the office. A cancellation,
1536 termination, or modification of the guarantee does not become
1537 effective unless the parent corporation provides the office
1538 written notice at least 90 days before the effective date of the
1539 cancellation, termination, or modification and the office
1540 approves the request in writing. Before the effective date of
1541 the cancellation, termination, or modification of the guarantee,
1542 the association must demonstrate to the satisfaction of the
1543 office compliance with all applicable provisions of this part,
1544 including whether the association will meet the requirements of
1545 this section by the purchase of contractual liability insurance,
1546 establishing required reserves, or other method allowed under
1547 this section. If the association or parent corporation does not
1548 demonstrate to the satisfaction of the office compliance with
1549 all applicable provisions of this part, the association or
1550 parent association shall immediately cease writing new and

1551 renewal business upon the effective date of the cancellation,
 1552 termination, or modification.

1553 2. The association must maintain at all times net assets
 1554 of at least \$750,000.

1555 Section 33. Section 634.317, Florida Statutes, is amended
 1556 to read:

1557 634.317 License and appointment required.—No person may
 1558 solicit, negotiate, or effectuate home warranty contracts for
 1559 remuneration in this state unless such person is licensed and
 1560 appointed as a sales representative. A licensed and appointed
 1561 sales representative shall be directly responsible and
 1562 accountable for all acts of the licensee's employees. A
 1563 municipality, a county government, a special district, an entity
 1564 operated by a municipality or county government, or an employee
 1565 or agent of a municipality, county government, special district,
 1566 or entity operated by a municipality or county government is
 1567 exempt from the licensing and appointing requirements under this
 1568 section.

1569 Section 34. Subsection (9) of section 648.25, Florida
 1570 Statutes, is renumbered as subsection (10), and a new subsection
 1571 (9) and subsection (11) are added to that section to read:

1572 648.25 Definitions.—As used in this chapter, the term:

1573 (9) "Referring bail bond agent" is the limited surety
 1574 agent who is appointed with the surety company issuing the
 1575 transfer bond that is to be posted in a county where the

1576 referring limited surety agent is not registered. The referring
1577 bail bond agent is the appointed agent held liable for the
1578 transfer bond, along with the issuing surety company.

1579 (11) "Transfer bond" means the appearance bond and power
1580 of attorney form posted by a limited surety agent who is
1581 registered in the county where the defendant is being held in
1582 custody, and who is appointed to represent the same surety
1583 company issuing the appearance bond as the referring bail bond
1584 agent.

1585 Section 35. Subsection (3) of section 648.26, Florida
1586 Statutes, is amended to read:

1587 648.26 Department of Financial Services; administration.—

1588 (3) The papers, documents, reports, or any other
1589 investigatory records of the department are confidential and
1590 exempt from s. 119.07(1) until such investigation is completed
1591 or ceases to be active, unless the department or office files a
1592 formal administrative complaint, emergency order, or consent
1593 order against the individual or entity. For the purpose of this
1594 section, an investigation is considered active while the
1595 investigation is being conducted by the department with a
1596 reasonable, good faith belief that it may lead to the filing of
1597 administrative, civil, or criminal proceedings. An investigation
1598 does not cease to be active if the department is proceeding with
1599 reasonable dispatch and there is good faith belief that action
1600 may be initiated by the department or other administrative or

1601 law enforcement agency. This subsection does not prevent the
 1602 department or office from disclosing the content of a complaint
 1603 or such information as it deems necessary to conduct the
 1604 investigation, to update the complainant as to the status and
 1605 outcome of the complaint, to review the details of the
 1606 investigation with the subject or the subject's representative,
 1607 or to share such information with any law enforcement agency or
 1608 other regulatory body.

1609 Section 36. Paragraph (a) of subsection (1) of section
 1610 648.30, Florida Statutes, is amended to read:

1611 648.30 Licensure and appointment required; prohibited
 1612 acts; penalties.—

1613 (1)(a) A person or entity may not act in the capacity of a
 1614 bail bond agent or bail bond agency or perform any of the
 1615 functions, duties, or powers prescribed for bail bond agents or
 1616 bail bond agencies under this chapter unless that person or
 1617 entity is qualified, licensed, and appointed as provided in this
 1618 chapter ~~and employed by a bail bond agency.~~

1619 Section 37. Subsection (1) of section 648.355, Florida
 1620 Statutes, is amended to read:

1621 648.355 Limited surety agents and professional bail bond
 1622 agents; qualifications.—

1623 (1) The applicant shall furnish, with the application for
 1624 license, a complete set of the applicant's fingerprints in
 1625 accordance with s. 626.171(4) ~~and a recent credential-sized,~~

1626 ~~fullface photograph of the applicant.~~ The department may not
1627 issue a license under this section until the department has
1628 received a report from the Department of Law Enforcement and the
1629 Federal Bureau of Investigation relative to the existence or
1630 nonexistence of a criminal history report based on the
1631 applicant's fingerprints.

1632 Section 38. Subsection (3) of section 648.43, Florida
1633 Statutes, is amended to read:

1634 648.43 Power of attorney; approval by office; filing of
1635 copies; notification of transfer bond.—

1636 (3) Every bail bond agent who executes or countersigns a
1637 transfer bond shall indicate in writing on the bond the name, and
1638 ~~and~~ address, and license number of the referring bail bond
1639 agent.

1640 Section 39. Section 717.101, Florida Statutes, is amended
1641 to read:

1642 717.101 Definitions.—As used in this chapter, unless the
1643 context otherwise requires:

1644 (1) "Aggregate" means the amounts reported for owners of
1645 unclaimed property of less than \$50 or where there is no name
1646 for the individual or entity listed on the holder's records,
1647 regardless of the amount to be reported.

1648 (2) "Apparent owner" means the person whose name appears
1649 on the records of the holder as the person entitled to property
1650 held, issued, or owing by the holder.

1651 (3) "Audit" means an action or proceeding to examine and
 1652 verify a person's records, books, accounts, and other documents
 1653 to ascertain and determine compliance with this chapter.

1654 (4) "Audit agent" means a person with whom the department
 1655 enters into a contract with to conduct an audit or examination.
 1656 The term includes an independent contractor of the person and
 1657 each individual participating in the audit on behalf of the
 1658 person or contractor.

1659 (5)~~(3)~~ "Banking organization" means any and all banks,
 1660 trust companies, private bankers, savings banks, industrial
 1661 banks, safe-deposit companies, savings and loan associations,
 1662 credit unions, and investment companies in this state, organized
 1663 under or subject to the laws of this state or of the United
 1664 States, including entities organized under 12 U.S.C. s. 611, but
 1665 does not include federal reserve banks. The term also includes
 1666 any corporation, business association, or other organization
 1667 that:

1668 (a) Is a wholly or partially owned subsidiary of any
 1669 banking, banking corporation, or bank holding company that
 1670 performs any or all of the functions of a banking organization;
 1671 or

1672 (b) Performs functions pursuant to the terms of a contract
 1673 with any banking organization ~~state or national bank,~~
 1674 ~~international banking entity or similar entity, trust company,~~
 1675 ~~savings bank, industrial savings bank, land bank, safe-deposit~~

1676 ~~company, private bank, or any organization otherwise defined by~~
 1677 ~~law as a bank or banking organization.~~

1678 (6)-(4) "Business association" means any for-profit or
 1679 nonprofit corporation other than a public corporation; joint
 1680 stock company; investment company; unincorporated association or
 1681 association of two or more individuals for business purposes,
 1682 whether or not for profit; partnership; joint venture; limited
 1683 liability company; sole proprietorship; business trust; trust
 1684 company; land bank; safe-deposit company; safekeeping
 1685 depository; financial organization; insurance company; federally
 1686 chartered entity; utility company; or other business entity,
 1687 whether or not for profit corporation (other than a public
 1688 corporation), joint stock company, investment company, business
 1689 trust, partnership, limited liability company, or association of
 1690 two or more individuals for business purposes, whether for
 1691 profit or not for profit.

1692 (7)-(5) "Claimant" means the person on whose behalf a claim
 1693 is filed.

1694 (8) "Claimant's representative" means an attorney who is a
 1695 member in good standing of The Florida Bar, a certified public
 1696 accountant licensed in this state, or private investigator who
 1697 is duly licensed to do business in the state, registered with
 1698 the department, and authorized by the claimant to claim
 1699 unclaimed property on the claimant's behalf. The term does not
 1700 include a person acting in a representative capacity, such as a

1701 personal representative, guardian, trustee, or attorney, whose
 1702 representation is not contingent upon the discovery or location
 1703 of unclaimed property; provided, however, that any agreement
 1704 entered into for the purpose of evading s. 717.135 is invalid
 1705 and unenforceable.

1706 (9)-(6) "Credit balance" means an account balance in the
 1707 customer's favor.

1708 (10)-(7) "Department" means the Department of Financial
 1709 Services.

1710 (11)-(8) "Domicile" means the state of incorporation for a
 1711 corporation; the state of filing for a business association,
 1712 other than a corporation, whose formation or organization
 1713 requires a filing with a state; the state of organization for a
 1714 business association, other than a corporation, whose formation
 1715 or organization does not require a filing with a state; the
 1716 state of home office for a federally chartered entity ~~incorporated~~
 1717 under the laws of a state, or, for an unincorporated business
 1718 association, the state where the business association is
 1719 organized.

1720 (12)-(9) "Due diligence" means the use of reasonable and
 1721 prudent methods under particular circumstances to locate
 1722 apparent owners of inactive accounts using the taxpayer
 1723 identification number or social security number, if known, which
 1724 may include, but are not limited to, using a nationwide
 1725 database, cross-indexing with other records of the holder,

1726 mailing to the last known address unless the last known address
1727 is known to be inaccurate, providing written notice as described
1728 in this chapter by electronic mail if an apparent owner has
1729 elected such delivery, or engaging a licensed agency or company
1730 capable of conducting such search and providing updated
1731 addresses.

1732 (13) "Electronic" means relating to technology having
1733 electrical, digital, magnetic, wireless, optical,
1734 electromagnetic, or similar capabilities.

1735 (14)-(10) "Financial organization" means a ~~state or federal~~
1736 savings association, savings and loan association, savings bank,
1737 industrial bank, bank, banking organization, trust company,
1738 international bank agency, cooperative bank, building and loan
1739 association, or credit union.

1740 (15)-(11) "Health care provider" means any state-licensed
1741 entity that provides and receives payment for health care
1742 services. These entities include, but are not limited to,
1743 hospitals, outpatient centers, physician practices, and skilled
1744 nursing facilities.

1745 (16)-(12) "Holder" means:

1746 (a) A person, ~~wherever organized or domiciled,~~ who is in
1747 possession or control or has custody of property or the rights
1748 to property belonging to another; is indebted to another on an
1749 obligation; or is obligated to hold for the account of, or to
1750 deliver or pay to, the owner, property subject to this chapter;

1751 or÷

1752 ~~(a) In possession of property belonging to another;~~

1753 (b) A trustee in case of a trust; ~~or~~

1754 ~~(c) Indebted to another on an obligation.~~

1755 (17) ~~(13)~~ "Insurance company" means an association,
 1756 corporation, or fraternal or mutual benefit organization,
 1757 whether for profit or not for profit, which is engaged in
 1758 providing insurance coverage.

1759 (18) ~~(14)~~ "Intangible property" includes, by way of
 1760 illustration and not limitation:

1761 (a) Moneys, checks, virtual currency, drafts, deposits,
 1762 interest, dividends, and income.

1763 (b) Credit balances, customer overpayments, security
 1764 deposits and other instruments as defined by chapter 679,
 1765 refunds, unpaid wages, unused airline tickets, and unidentified
 1766 remittances.

1767 (c) Stocks, and other intangible ownership interests in
 1768 business associations.

1769 (d) Moneys deposited to redeem stocks, bonds, bearer
 1770 bonds, original issue discount bonds, coupons, and other
 1771 securities, or to make distributions.

1772 (e) Amounts due and payable under the terms of insurance
 1773 policies.

1774 (f) Amounts distributable from a trust or custodial fund
 1775 established under a plan to provide any health, welfare,

1776 pension, vacation, severance, retirement, death, stock purchase,
1777 profit sharing, employee savings, supplemental unemployment
1778 insurance, or similar benefit.

1779 (19)~~(15)~~ "Last known address" means a description of the
1780 location of the apparent owner sufficient for the purpose of the
1781 delivery of mail. For the purposes of identifying, reporting,
1782 and remitting property to the department which is presumed to be
1783 unclaimed, "last known address" includes any partial description
1784 of the location of the apparent owner sufficient to establish
1785 the apparent owner was a resident of this state at the time of
1786 last contact with the apparent owner or at the time the property
1787 became due and payable.

1788 (20)~~(16)~~ "Lawful charges" means charges against dormant
1789 accounts that are authorized by statute for the purpose of
1790 offsetting the costs of maintaining the dormant account.

1791 (21)~~(17)~~ "Managed care payor" means a health care plan
1792 that has a defined system of selecting and limiting health care
1793 providers as evidenced by a managed care contract with the
1794 health care providers. These plans include, but are not limited
1795 to, managed care health insurance companies and health
1796 maintenance organizations.

1797 (22)~~(18)~~ "Owner" means a person, or the person's legal
1798 representative, entitled to receive or having a legal or
1799 equitable interest in or claim against property subject to this
1800 chapter; a depositor in the case of a deposit; a beneficiary in

1801 the case of a trust or a deposit in trust; or a payee in the
 1802 case of a negotiable instrument or other intangible property a
 1803 ~~depositor in the case of a deposit, a beneficiary in the case of~~
 1804 ~~a trust or a deposit in trust, or a payee in the case of other~~
 1805 ~~intangible property, or a person having a legal or equitable~~
 1806 ~~interest in property subject to this chapter or his or her legal~~
 1807 ~~representative.~~

1808 (23) "Person" means an individual; estate; business
 1809 association; corporation; firm; association; joint adventure;
 1810 partnership; government or governmental subdivision, agency, or
 1811 instrumentality; or any other legal or commercial entity.

1812 ~~(24)-(19)~~ "Public corporation" means a corporation created
 1813 by the state, founded and owned in the public interest,
 1814 supported by public funds, and governed by those deriving their
 1815 power from the state.

1816 (25) "Record" means information that is inscribed on a
 1817 tangible medium or that is stored in an electronic or other
 1818 medium and is retrievable in perceivable form.

1819 ~~(26)-(20)~~ "Reportable period" means the calendar year
 1820 ending December 31 of each year.

1821 ~~(27)-(21)~~ "State," when applied to a part of the United
 1822 States, includes any state, district, commonwealth, territory,
 1823 insular possession, and any other area subject to the
 1824 legislative authority of the United States.

1825 ~~(28)-(22)~~ "Trust instrument" means a trust instrument as

1826 defined in s. 736.0103.

1827 ~~(23) "Ultimate equitable owner" means a natural person~~
 1828 ~~who, directly or indirectly, owns or controls an ownership~~
 1829 ~~interest in a corporation, a foreign corporation, an alien~~
 1830 ~~business organization, or any other form of business~~
 1831 ~~organization, regardless of whether such natural person owns or~~
 1832 ~~controls such ownership interest through one or more natural~~
 1833 ~~persons or one or more proxies, powers of attorney, nominees,~~
 1834 ~~corporations, associations, partnerships, trusts, joint stock~~
 1835 ~~companies, or other entities or devices, or any combination~~
 1836 ~~thereof.~~

1837 (29) "Unclaimed Property Purchase Agreement" means the
 1838 form adopted by the department pursuant to s. 717.135 which must
 1839 be used, without modification or amendment, by a claimant's
 1840 representative to purchase unclaimed property from an owner.

1841 (30) "Unclaimed Property Recovery Agreement" means the
 1842 form adopted by the department pursuant to s. 717.135 which must
 1843 be used, without modification or amendment, by a claimant's
 1844 representative to obtain an owner's consent and authority to
 1845 recover unclaimed property on the owner's behalf.

1846 ~~(31)-(24)~~ (31) "United States" means any state, district,
 1847 commonwealth, territory, insular possession, and any other area
 1848 subject to the legislative authority of the United States of
 1849 America.

1850 ~~(32)-(25)~~ (32) "Utility" means a person who owns or operates,

1851 for public use, any plant, equipment, property, franchise, or
 1852 license for the transmission of communications or the
 1853 production, storage, transmission, sale, delivery, or furnishing
 1854 of electricity, water, steam, or gas.

1855 (33) (a) "Virtual currency" means digital units of exchange
 1856 that:

- 1857 1. Have a centralized repository or administrator;
- 1858 2. Are decentralized and have no centralized repository or
 1859 administrator; or
- 1860 3. May be created or obtained by computing or
 1861 manufacturing effort.

1862 (b) The term does not include any of the following:

- 1863 1. Digital units that:
 - 1864 a. Are used solely within online gaming platforms;
 - 1865 b. Have no market or application outside of the online
 1866 gaming platforms in sub-subparagraph a.;
 - 1867 c. Cannot be converted into, or redeemed for, fiat
 1868 currency or virtual currency; and
 - 1869 d. Can or cannot be redeemed for real-world goods,
 1870 services, discounts, or purchases.
- 1871 2. Digital units that can be redeemed for:
 - 1872 a. Real-world goods, services, discounts, or purchases as
 1873 part of a customer affinity or rewards program with the issuer
 1874 or other designated merchants; or
 - 1875 b. Digital units in another customer affinity or rewards

1876 program, but cannot be converted into, or redeemed for, fiat
 1877 currency or virtual currency.

1878 3. Digital units used as part of prepaid cards.

1879 Section 40. Subsections (3) and (4) are added to section
 1880 717.102, Florida Statutes, to read:

1881 717.102 Property presumed unclaimed; general rule.—

1882 (3) A presumption that property is unclaimed is rebutted
 1883 by an apparent owner's expression of interest in the property.

1884 An owner's expression of interest in property includes:

1885 (a) A record communicated by the apparent owner to the
 1886 holder or agent of the holder concerning the property or the
 1887 account in which the property is held;

1888 (b) An oral communication by the apparent owner to the
 1889 holder or agent of the holder concerning the property or the
 1890 account in which the property is held, if the holder or its
 1891 agent contemporaneously makes and preserves a record of the fact
 1892 of the apparent owner's communication;

1893 (c) Presentment of a check or other instrument of payment
 1894 of a dividend, interest payment, or other distribution, with
 1895 respect to an account, underlying security, or interest in a
 1896 business association;

1897 (d) Activity directed by an apparent owner in the account
 1898 in which the property is held, including accessing the account
 1899 or information concerning the account, or a direction by the
 1900 apparent owner to increase, decrease, or otherwise change the

1901 amount or type of property held in the account;
 1902 (e) A deposit into or withdrawal from an account at a
 1903 financial organization, excluding an automatic deposit or
 1904 withdrawal previously authorized by the apparent owner or an
 1905 automatic reinvestment of dividends or interest, which does not
 1906 constitute an expression of interest; or
 1907 (f) Any other action by the apparent owner which
 1908 reasonably demonstrates to the holder that the apparent owner
 1909 knows that the property exists.
 1910 (4) A deceased owner is incapable of expressing an
 1911 interest in property.

1912 Section 41. Subsection (5) of section 717.106, Florida
 1913 Statutes, is amended to read:

1914 717.106 Bank deposits and funds in financial
 1915 organizations.—

1916 (5) If the documents establishing a deposit described in
 1917 subsection (1) state the address of a beneficiary of the
 1918 deposit, and the account has a value of at least \$50, notice
 1919 shall be given to the beneficiary as provided for notice to the
 1920 apparent owner under s. 717.117(6) ~~s. 717.117(4)~~. This
 1921 subsection shall apply to accounts opened on or after October 1,
 1922 1990.

1923 Section 42. Section 717.1065, Florida Statutes, is created
 1924 to read:

1925 717.1065 Virtual currency.—

1926 (1) Any virtual currency held or owing by a banking
 1927 organization, corporation, custodian, exchange, or other entity
 1928 engaged in virtual currency business activity is presumed
 1929 unclaimed unless the owner, within 5 years, has communicated in
 1930 writing with the banking organization, corporation, custodian,
 1931 exchange, or other entity engaged in virtual currency business
 1932 activity concerning the virtual currency or otherwise indicated
 1933 an interest as evidenced by a memorandum or other record on file
 1934 with the banking organization, corporation, custodian, exchange,
 1935 or other entity engaged in virtual currency business activity.

1936 (2) A holder may not deduct from the amount of any virtual
 1937 currency subject to this section any charges imposed by reason
 1938 of the virtual currency unless there is a valid and enforceable
 1939 written contract between the holder and the owner of the virtual
 1940 currency pursuant to which the holder may impose those charges
 1941 and does not regularly reverse or otherwise cancel those charges
 1942 with respect to the virtual currency.

1943 Section 43. Paragraph (a) of subsection (1) of section
 1944 717.1101, Florida Statutes, is amended to read:

1945 717.1101 Unclaimed equity and debt of business
 1946 associations.—

1947 (1)(a) Stock or other equity interest in a business
 1948 association is presumed unclaimed on the date of ~~3 years after~~
 1949 the earliest of the following:

- 1950 1. Three years after ~~The date of~~ the most recent of any

1951 owner-generated activity or communication related to the
 1952 account, as recorded and maintained in the holder's database and
 1953 records systems sufficient enough to demonstrate the owners
 1954 continued awareness or interest in the property dividend, stock
 1955 split, or other distribution unclaimed by the apparent owner;
 1956 2. Three years after the date of the death of the owner,
 1957 as evidenced by: The date of a statement of account or other
 1958 notification or communication that was returned as
 1959 undeliverable; or
 1960 a. Notice to the holder of the owner's death by an
 1961 administrator, beneficiary, relative, or trustee, or by a
 1962 personal representative or other legal representative of the
 1963 owner's estate;
 1964 b. Receipt by the holder of a copy of the death
 1965 certificate of the owner;
 1966 c. Confirmation by the holder of the owner's death though
 1967 other means; or
 1968 d. Other evidence from which the holder may reasonably
 1969 conclude that the owner is deceased; or
 1970 3. One year after the date on which the holder receives
 1971 notice under subparagraph 2. if the notice is received 2 years
 1972 or less after the owner's death and the holder lacked knowledge
 1973 of the owner's death during that period of 2 years or less ~~The~~
 1974 ~~date the holder discontinued mailings, notifications, or~~
 1975 ~~communications to the apparent owner.~~

1976 Section 44. Subsection (1) of section 717.112, Florida
 1977 Statutes, is amended to read:

1978 717.112 Property held by agents and fiduciaries.—

1979 (1) ~~Except as provided in ss. 717.1125 and 733.816,~~ All
 1980 intangible property and any income or increment thereon held in
 1981 a fiduciary capacity for the benefit of another person,
 1982 including property held by an attorney in fact or an agent,
 1983 except as provided in ss. 717.1125 and 733.816, is presumed
 1984 unclaimed unless the owner has within 5 years after it has
 1985 become payable or distributable increased or decreased the
 1986 principal, accepted payment of principal or income, communicated
 1987 in writing concerning the property, or otherwise indicated an
 1988 interest as evidenced by a memorandum or other record on file
 1989 with the fiduciary.

1990 Section 45. Effective January 1, 2025, section 717.117,
 1991 Florida Statutes, is amended to read:

1992 717.117 Report of unclaimed property.—

1993 (1) Every person holding funds or other property, tangible
 1994 or intangible, presumed unclaimed and subject to custody as
 1995 unclaimed property under this chapter shall report to the
 1996 department ~~on such forms as the department may prescribe by~~
 1997 ~~rule. In lieu of forms, a report identifying 25 or more~~
 1998 ~~different apparent owners must be submitted by the holder via~~
 1999 electronic medium as the department may prescribe by rule. The
 2000 report must include:

2001 (a) ~~Except for traveler's checks and money orders,~~ The
 2002 name, social security number or taxpayer identification number,
 2003 ~~and date of birth, if known,~~ and last known address, ~~if any,~~ of
 2004 each person appearing from the records of the holder to be the
 2005 owner of any property which is presumed unclaimed and which has
 2006 a value of \$10 ~~\$50~~ or more.

2007 (b) For unclaimed funds that ~~which~~ have a value of \$10 ~~\$50~~
 2008 or more held or owing under any life or endowment insurance
 2009 policy or annuity contract, the identifying information provided
 2010 in paragraph (a) for both full name, taxpayer identification
 2011 number or social security number, date of birth, if known, and
 2012 last known address of the insured or annuitant and ~~of~~ the
 2013 beneficiary according to records of the insurance company
 2014 holding or owing the funds.

2015 (c) For all tangible property held in a safe-deposit box
 2016 or other safekeeping repository, a description of the property
 2017 and the place where the property is held and may be inspected by
 2018 the department, and any amounts owing to the holder. Contents of
 2019 a safe-deposit box or other safekeeping repository which consist
 2020 of documents or writings of a private nature and which have
 2021 little or no apparent value shall not be presumed unclaimed.

2022 (d) The nature or type of property, any accounting or ~~and~~
 2023 identifying number associated with the property, a if any, or
 2024 description of the property, and the amount appearing from the
 2025 records to be due. Items of value under \$10 ~~\$50~~ each may be

2026 reported in the aggregate.

2027 (e) The date the property became payable, demandable, or
2028 returnable, and the date of the last transaction with the
2029 apparent owner with respect to the property.

2030 (f) Any other information the department may prescribe by
2031 rule as necessary for the administration of this chapter.

2032 (2) If the total value of all presumed unclaimed property,
2033 whether tangible or intangible, held by a person is less than
2034 \$10, a zero balance report may be filed for that reporting
2035 period.

2036 ~~(f) Any person or business association or public~~
2037 ~~corporation holding funds presumed unclaimed and having a total~~
2038 ~~value of \$10 or less may file a zero balance report for that~~
2039 ~~reporting period. The balance brought forward to the new~~
2040 ~~reporting period is zero.~~

2041 ~~(g) Such other information as the department may prescribe~~
2042 ~~by rule as necessary for the administration of this chapter.~~

2043 (3)-(h) Credit balances, customer overpayments, security
2044 deposits, and refunds having a value of less than \$10 shall not
2045 be presumed unclaimed.

2046 (4)-(2) If the holder of property presumed unclaimed and
2047 subject to custody as unclaimed property is a successor holder
2048 or if the holder has changed the holder's name while in
2049 possession of the property, the holder shall file with the
2050 holder's report all known names and addresses of each prior

2051 holder of the property. Compliance with this subsection means
2052 the holder exercises reasonable and prudent efforts to determine
2053 the names of all prior holders.

2054 (5)~~(3)~~ The report must be filed before May 1 of each year.
2055 The report shall apply to the preceding calendar year. On
2056 written request by any person required to file a report, and
2057 upon a showing of good cause, the department may extend the
2058 reporting date. The department may impose and collect a penalty
2059 of \$10 per day up to a maximum of \$500 for the failure to timely
2060 report, if an extension was not provided or if the holder of the
2061 property failed the failure to include in a report information
2062 required by this chapter which was in the holder's possession at
2063 the time of reporting. The penalty shall be remitted to the
2064 department within 30 days after the date of the notification to
2065 the holder that the penalty is due and owing. As necessary for
2066 proper administration of this chapter, the department may waive
2067 any penalty due with appropriate justification. ~~On written~~
2068 ~~request by any person required to file a report and upon a~~
2069 ~~showing of good cause, the department may postpone the reporting~~
2070 ~~date.~~ The department must provide information contained in a
2071 report filed with the department to any person requesting a copy
2072 of the report or information contained in a report, to the
2073 extent the information requested is not confidential, within 45
2074 days after the department determines that the report ~~has been~~
2075 ~~processed and added to the unclaimed property database~~

2076 ~~subsequent to a determination that the report~~ is accurate and
2077 acceptable and that the reported property is the same as the
2078 remitted property.

2079 (6)(4) Holders of inactive accounts having a value of \$50
2080 or more shall use due diligence to locate and notify apparent
2081 owners that the entity is holding unclaimed property available
2082 for them to recover. Not more than 120 days and not less than 60
2083 days prior to filing the report required by this section, the
2084 holder in possession of property presumed unclaimed and subject
2085 to custody as unclaimed property under this chapter shall send
2086 written notice by first-class United States mail to the apparent
2087 owner at the apparent owner's last known address from the
2088 holder's records or from other available sources, or via
2089 electronic mail if the apparent owner has elected this method of
2090 delivery, informing the apparent owner that the holder is in
2091 possession of property subject to this chapter, if the holder
2092 has in its records a mailing or electronic ~~an~~ address for the
2093 apparent owner which the holder's records do not disclose to be
2094 inaccurate. These two means of contact are not mutually
2095 exclusive; if the mailing address is determined to be
2096 inaccurate, electronic mail may be used if so elected by the
2097 apparent owner.

2098 (7) The written notice to the apparent owner required
2099 under this section must:

2100 (a) Contain a heading that reads substantially as follows:

2101 "Notice. The State of Florida requires us to notify you that
 2102 your property may be transferred to the custody of the Florida
 2103 Department of Financial Services if you do not contact us before
 2104 (insert date that is 30 days after the date of notice)."

2105 (b) Identify the type, nature, and, except for property
 2106 that does not have a fixed value, value of the property that is
 2107 the subject of the notice.

2108 (c) State that the property will be turned over to the
 2109 custody of the department if no response is received within 30
 2110 days after the date of the notice.

2111 (d) State that any property that is not legal tender of
 2112 the United States may be sold or liquidated by the department.

2113 (e) State that after the property is turned over to the
 2114 department, an apparent owner seeking return of the property may
 2115 file a claim with the department.

2116 (f) State that the property is currently with a holder and
 2117 provide instructions that the apparent owner must follow to
 2118 prevent the holder from reporting and paying for the property or
 2119 from delivering the property to the department.

2120 (8)-(5) Any holder of intangible property may file with the
 2121 department a petition for determination that the property is
 2122 unclaimed requesting the department to accept custody of the
 2123 property. The petition shall state any special circumstances
 2124 that exist, contain the information required by subsection (4)
 2125 ~~(2)~~, and show that a diligent search has been made to locate the

2126 owner. If the department finds that the proof of diligent search
2127 is satisfactory, it shall give notice as provided in s. 717.118
2128 and accept custody of the property.

2129 (9)~~(6)~~ Upon written request by any entity or person
2130 required to file a report, stating such entity's or person's
2131 justification for such action, the department may place that
2132 entity or person in an inactive status as an unclaimed property
2133 "holder."

2134 (10)~~(7)~~(a) This section does not apply to the unclaimed
2135 patronage refunds as provided for by contract or through bylaw
2136 provisions of entities organized under chapter 425 or that are
2137 exempt from ad valorem taxation pursuant to s. 196.2002.

2138 (b) This section does not apply to intangible property
2139 held, issued, or owing by a business association subject to the
2140 jurisdiction of the United States Surface Transportation Board
2141 or its successor federal agency if the apparent owner of such
2142 intangible property is a business association. The holder of
2143 such property does not have any obligation to report, to pay, or
2144 to deliver such property to the department.

2145 (c) This section does not apply to credit balances,
2146 overpayments, refunds, or outstanding checks owed by a health
2147 care provider to a managed care payor with whom the health care
2148 provider has a managed care contract, provided that the credit
2149 balances, overpayments, refunds, or outstanding checks become
2150 due and owing pursuant to the managed care contract.

2151 ~~(11)-(8)~~(a) As used in this subsection, the term "property
 2152 identifier" means the descriptor used by the holder to identify
 2153 the unclaimed property.

2154 (b) Social security numbers and property identifiers
 2155 contained in reports required under this section, held by the
 2156 department, are confidential and exempt from s. 119.07(1) and s.
 2157 24(a), Art. I of the State Constitution.

2158 (c) This exemption applies to social security numbers and
 2159 property identifiers held by the department before, on, or after
 2160 the effective date of this exemption.

2161 Section 46. Subsections (4), (5), and (6) of section
 2162 717.119, Florida Statutes, are renumbered as subsections (5),
 2163 (6), and (7), respectively, and a new subsection (4) and
 2164 subsection (8) are added to that section, to read:

2165 717.119 Payment or delivery of unclaimed property.—

2166 (4) All virtual currency reported under this chapter on
 2167 the annual report filing required in s. 717.117 shall be
 2168 remitted to the department with the report. The holder shall
 2169 liquidate the virtual currency and remit the proceeds to the
 2170 department. The liquidation must occur within 30 before the
 2171 filing of the report. Upon delivery of the virtual currency
 2172 proceeds to the department, the holder is relieved of all
 2173 liability of every kind in accordance with the provisions of s.
 2174 717.1201 to every person for any losses or damages resulting to
 2175 the person by the delivery to the department of the virtual

2176 currency proceeds.

2177 (8) A holder may not assign or otherwise transfer its
 2178 obligation to report, pay, or deliver property or to comply with
 2179 the provisions of this chapter, other than to a parent,
 2180 subsidiary, or affiliate of the holder.

2181 (a) Unless otherwise agreed to by the parties to a
 2182 transaction, the holder's successor by merger or consolidation,
 2183 or any person or entity that acquires all or substantially all
 2184 of the holder's capital stock or assets, is responsible for
 2185 fulfilling the holder's obligation to report, pay, or deliver
 2186 property or to comply with the duties of this chapter regarding
 2187 the transfer to it of property owed to and being held for an
 2188 owner resulting from the merger, consolidation, or acquisition.

2189 (b) This subsection does not prohibit a holder from
 2190 contracting with a third party for the reporting of unclaimed
 2191 property, but the holder remains responsible to the department
 2192 for the complete, accurate, and timely reporting of the
 2193 property.

2194 Section 47. Section 717.1201, Florida Statutes, is amended
 2195 to read:

2196 717.1201 Custody by state; holder ~~relieved from~~ liability;
 2197 reimbursement of holder paying claim; reclaiming for owner;
 2198 ~~defense of holder;~~ payment of safe-deposit box or repository
 2199 charges.—

2200 (1) Upon the good faith payment or delivery of property to

2201 the department, the state assumes custody and responsibility for
 2202 the safekeeping of property. Any person who pays or delivers
 2203 property to the department in good faith is relieved of all
 2204 liability to the extent of the value of the property paid or
 2205 delivered for any claim then existing or which thereafter may
 2206 arise or be made in respect to the property.

2207 (a) A holder's substantial compliance with s. 717.117(4)
 2208 and good faith payment or delivery of property to the department
 2209 terminates any legal relationship between the holder and the
 2210 owner with respect to the property reported and releases and
 2211 discharges the holder from any and all liability to the owner,
 2212 the owner's heirs, personal representatives, successors, or
 2213 assigns by reason of such payment or delivery, regardless of
 2214 whether such property is in fact and in law unclaimed property,
 2215 and such delivery and payment may be plead as a bar to recovery
 2216 and are a conclusive defense in any suit or action brought by
 2217 the owner, the owner's heirs, personal representatives,
 2218 successors, and assigns or any claimant against the holder by
 2219 reason of such delivery or payment.

2220 (b) If the holder pays or delivers property to the
 2221 department in good faith and thereafter any other person claims
 2222 the property from the holder paying or delivering, or another
 2223 state claims the money or property under that state's laws
 2224 relating to escheat or abandoned or unclaimed property, the
 2225 department, upon written notice of the claim, shall defend the

2226 holder against the claim and indemnify the holder against any
2227 liability on the claim, except that a holder may not be
2228 indemnified against penalties imposed by another state.

2229 (2) For the purposes of this section, a payment or
2230 delivery of property is made in good faith if:

2231 (a) The payment or delivery was made in conjunction with
2232 an accurate and acceptable report.

2233 (b) The payment or delivery was made in a reasonable
2234 attempt to comply with this chapter.

2235 (c) The holder had a reasonable basis for believing, based
2236 on the facts then known, that the property was unclaimed and
2237 subject to this chapter.

2238 (d) There is no showing that the records pursuant to which
2239 the delivery was made did not meet reasonable commercial
2240 standards of practice in the industry.

2241 (3)~~(2)~~ Any holder who has paid money to the department
2242 pursuant to this chapter may make payment to any person
2243 appearing to be entitled to payment and, upon filing proof that
2244 the payee is entitled thereto, the department shall forthwith
2245 repay the holder without deduction of any fee or other charges.
2246 If repayment is sought for a payment made on a negotiable
2247 instrument, including a traveler's check or money order, the
2248 holder must be repaid under this subsection upon filing proof
2249 that the instrument was duly presented and that the payee is
2250 entitled to payment. The holder shall be repaid for payment made

2251 under this subsection even if the payment was made to a person
 2252 whose claim was barred under s. 717.129(1).

2253 (4)~~(3)~~ Any holder who has delivered property, including a
 2254 certificate of any interest in a business association, other
 2255 than money to the department pursuant to this chapter may
 2256 reclaim the property if still in the possession of the
 2257 department, without payment of any fee or other charges, upon
 2258 filing proof that the owner has claimed the property from the
 2259 holder.

2260 (5)~~(4)~~ The department may accept an affidavit of the
 2261 holder stating the facts that entitle the holder to recover
 2262 money and property under this section as sufficient proof.

2263 ~~(5) If the holder pays or delivers property to the
 2264 department in good faith and thereafter any other person claims
 2265 the property from the holder paying or delivering, or another
 2266 state claims the money or property under that state's laws
 2267 relating to escheat or abandoned or unclaimed property, the
 2268 department, upon written notice of the claim, shall defend the
 2269 holder against the claim and indemnify the holder against any
 2270 liability on the claim.~~

2271 ~~(6) For the purposes of this section, "good faith" means
 2272 that:~~

2273 ~~(a) Payment or delivery was made in a reasonable attempt
 2274 to comply with this chapter.~~

2275 ~~(b) The person delivering the property was not a fiduciary~~

2276 ~~then in breach of trust in respect to the property and had a~~
 2277 ~~reasonable basis for believing, based on the facts then known to~~
 2278 ~~that person, that the property was unclaimed for the purposes of~~
 2279 ~~this chapter.~~

2280 ~~(c) There is no showing that the records pursuant to which~~
 2281 ~~the delivery was made did not meet reasonable commercial~~
 2282 ~~standards of practice in the industry.~~

2283 ~~(6)-(7)~~ Property removed from a safe-deposit box or other
 2284 safekeeping repository is received by the department subject to
 2285 the holder's right under this subsection to be reimbursed for
 2286 the actual cost of the opening and to any valid lien or contract
 2287 providing for the holder to be reimbursed for unpaid rent or
 2288 storage charges. The department shall make the reimbursement to
 2289 the holder out of the proceeds remaining after the deduction of
 2290 the department's selling cost.

2291 (7) If it appears to the satisfaction of the department
 2292 that, because of some mistake of fact, error in calculation, or
 2293 erroneous interpretation of a statute, a person has paid or
 2294 delivered to the department pursuant to any provision of this
 2295 chapter any money or other property not required by this chapter
 2296 to be so paid or delivered, the department may, within 5 years
 2297 after such erroneous payment or delivery, refund or redeliver
 2298 such money or other property to the person, provided that such
 2299 money or property has not been paid or delivered to a claimant
 2300 or otherwise disposed of in accordance with this chapter.

2301 Section 48. Subsection (1) of section 717.123, Florida
 2302 Statutes, is amended to read:

2303 717.123 Deposit of funds.—

2304 (1) All funds received under this chapter, including the
 2305 proceeds from the sale of unclaimed property under s. 717.122,
 2306 shall forthwith be deposited by the department in the Unclaimed
 2307 Property Trust Fund. The department shall retain, from funds
 2308 received under this chapter, an amount not exceeding \$65 ~~\$15~~
 2309 million from which the department shall make prompt payment of
 2310 claims allowed by the department and shall pay the costs
 2311 incurred by the department in administering and enforcing this
 2312 chapter. All remaining funds received by the department under
 2313 this chapter shall be deposited by the department into the State
 2314 School Fund.

2315 Section 49. Section 717.1242, Florida Statutes, is amended
 2316 to read:

2317 717.1242 Restatement of jurisdiction of the circuit court
 2318 sitting in probate and the department.—

2319 (1) It is and has been the intent of the Legislature that,
 2320 pursuant to s. 26.012(2)(b), circuit courts have jurisdiction of
 2321 proceedings relating to the settlement of the estates of
 2322 decedents and other jurisdiction usually pertaining to courts of
 2323 probate. It is and has been the intent of the Legislature that,
 2324 pursuant to this chapter ~~s. 717.124~~, the department determines
 2325 the merits of claims and entitlements to ~~for~~ property paid or

2326 delivered to the department under this chapter. Consistent with
2327 this legislative intent, any ~~estate or~~ beneficiary, devisee,
2328 heir, personal representative, or other interested person, as
2329 those terms are defined in s. 731.201, of an estate seeking to
2330 obtain property paid or delivered to the department under this
2331 chapter must file a claim with the department as provided in s.
2332 717.124.

2333 (2) If a beneficiary, devisee, heir, personal
2334 representative, or other interested person, as those terms are
2335 defined in s. 731.201, of an estate seeks administration of the
2336 estate, of which unclaimed property makes up 50 percent or more
2337 of the assets, the department shall be considered an interested
2338 party and provided with notice of any such proceeding as
2339 provided in the Florida Probate Code and the Florida Probate
2340 Rules.

2341 (3)~~(2)~~ If any estate or heir of an estate seeks or obtains
2342 an order from a circuit court sitting in probate directing the
2343 department to pay or deliver to any person property paid or
2344 delivered to the department under this chapter, the estate or
2345 heir shall be ordered to pay the department reasonable costs and
2346 attorney ~~attorney's~~ fees in any proceeding brought by the
2347 department to oppose, appeal, or collaterally attack the order
2348 if the department is the prevailing party in any such
2349 proceeding.

2350 Section 50. Subsection (4) of section 717.1243, Florida

2351 Statutes, is amended to read:

2352 717.1243 Small estate accounts.—

2353 (4) This section ~~only~~ applies only if all of the unclaimed
 2354 property held by the department on behalf of the owner has an
 2355 aggregate value of \$20,000 ~~\$10,000~~ or less and no probate
 2356 proceeding is pending.

2357 Section 51. Subsection (2) of section 717.129, Florida
 2358 Statutes, is amended to read:

2359 717.129 Periods of limitation.—

2360 (2) The department may not commence an ~~No~~ action or
 2361 proceeding to enforce this chapter with respect to the
 2362 reporting, payment, or delivery of property or any other duty of
 2363 a holder under this chapter ~~may be commenced by the department~~
 2364 ~~with respect to any duty of a holder under this chapter~~ more
 2365 than 10 years after the duty arose. The period of limitation
 2366 established under this subsection is tolled by the earlier of
 2367 the department's or audit agent's delivery of a notice that a
 2368 holder is subject to an audit or examination under s. 717.1301
 2369 or the holder's written election to enter into an unclaimed
 2370 property voluntary disclosure agreement.

2371 Section 52. Section 717.1301, Florida Statutes, is amended
 2372 to read:

2373 717.1301 Investigations; examinations; subpoenas.—

2374 (1) To carry out the chapter's purpose of protecting the
 2375 interest of missing owners through the safeguarding of their

2376 property and to administer and enforce this chapter, the
2377 department may:

2378 (a) Investigate, examine, inspect, request, or otherwise
2379 gather information or evidence on, claim documents from a
2380 claimant or a claimant's representative during its review of a
2381 claim.

2382 (b) Audit the records of a person or the records in the
2383 possession of an agent, representative, subsidiary, or affiliate
2384 of the person subject to this chapter to determine whether the
2385 person complied with this chapter. Such records may include
2386 information to verify the completeness or accuracy of the
2387 records provided, even if such records may not identify property
2388 reportable to the department.

2389 (c) Take testimony of a person, including the person's
2390 employee, agent, representative, subsidiary, or affiliate, to
2391 determine whether the person complied with this chapter.

2392 (d) Issue an administrative subpoena to require that the
2393 records specified in paragraph (b) be made available for
2394 examination or audit and that the testimony specified in
2395 paragraph (c) be provided.

2396 (e) Bring an action in a court of competent jurisdiction
2397 seeking enforcement of an administrative subpoena issued under
2398 this section, which the court shall consider under procedures
2399 that will lead to an expeditious resolution of the action.

2400 (f) Bring an administrative action or an action in a court

2401 of competent jurisdiction to enforce this chapter.

2402 (2) If a person is subject to reporting property under
2403 this chapter, the department may require the person to file a
2404 verified report in a form prescribed by the department. The
2405 verified report must:

2406 (a) State whether the person is holding property
2407 reportable under this chapter;

2408 (b) Describe the property not previously reported, the
2409 property about which the department has inquired, or the
2410 property that is in dispute as to whether it is reportable under
2411 this chapter; and

2412 (c) State the amount or value of the property.

2413 (3) The department may authorize a compliance review of a
2414 report for a specified reporting year. The review must be
2415 limited to the contents of the report filed, as required by s.
2416 717.117 and subsection (2), and all supporting documents related
2417 to the reports. If the review results in a finding of a
2418 deficiency in unclaimed property due and payable to the
2419 department, the department shall notify the holder in writing of
2420 the amount of deficiency within 1 year after the authorization
2421 of the compliance review. If the holder fails to pay the
2422 deficiency within 90 days, the department may seek to enforce
2423 the assessment under subsection (1). The department is not
2424 required to conduct a review under this section before
2425 initiating an audit.

2426 (4) Notwithstanding any other provision of law, in a
2427 contract providing for the location or collection of unclaimed
2428 property, the department may authorize the contractor to deduct
2429 its fees and expenses for services provided under the contract
2430 from the unclaimed property that the contractor has recovered or
2431 collected under the contract. The department shall annually
2432 report to the Chief Financial Officer the total amount collected
2433 or recovered by each contractor during the previous fiscal year
2434 and the total fees and expenses deducted by each contractor.

2435 ~~(1) The department may make investigations and~~
2436 ~~examinations within or outside this state of claims, reports,~~
2437 ~~and other records as it deems necessary to administer and~~
2438 ~~enforce the provisions of this chapter. In such investigations~~
2439 ~~and examinations the department may administer oaths, examine~~
2440 ~~witnesses, issue subpoenas, and otherwise gather evidence. The~~
2441 ~~department may request any person who has not filed a report~~
2442 ~~under s. 717.117 to file a verified report stating whether or~~
2443 ~~not the person is holding any unclaimed property reportable or~~
2444 ~~deliverable under this chapter.~~

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

2451 ~~specified or to submit such books, records, and documents to~~
2452 ~~inspection. Such subpoenas may be served by an authorized~~
2453 ~~representative of the department.~~

2454 ~~(3) If any person shall refuse to testify, produce books,~~
2455 ~~records, and documents, or otherwise refuse to obey a subpoena~~
2456 ~~issued under this section, the department may present its~~
2457 ~~petition to a court of competent jurisdiction in or for the~~
2458 ~~county in which such person resides or has its principal place~~
2459 ~~of business, whereupon the court shall issue its rule nisi~~
2460 ~~requiring such person to obey forthwith the subpoena issued by~~
2461 ~~the department or show cause for failing to obey said subpoena.~~
2462 ~~Unless said person shows sufficient cause for failing to obey~~
2463 ~~the subpoena, the court shall forthwith direct such person to~~
2464 ~~obey the same subject to such punishment as the court may direct~~
2465 ~~including, but not limited to, the restraint, by injunction or~~
2466 ~~by appointment of a receiver, of any transfer, pledge,~~
2467 ~~assignment, or other disposition of such person's assets or any~~
2468 ~~concealment, alteration, destruction, or other disposition of~~
2469 ~~subpoenaed books, records, or documents as the court deems~~
2470 ~~appropriate, until such person has fully complied with such~~
2471 ~~subpoena and the department has completed its investigation or~~
2472 ~~examination. The department is entitled to the summary procedure~~
2473 ~~provided in s. 51.011, and the court shall advance the cause on~~
2474 ~~its calendar. Costs incurred by the department to obtain an~~
2475 ~~order granting, in whole or in part, its petition shall be taxed~~

2476 ~~against the subpoenaed person, and failure to comply with such~~
2477 ~~order shall be a contempt of court.~~

2478 ~~(4) Witnesses shall be entitled to the same fees and~~
2479 ~~mileage as they may be entitled by law for attending as~~
2480 ~~witnesses in the circuit court, except where such examination or~~
2481 ~~investigation is held at the place of business or residence of~~
2482 ~~the witness.~~

2483 (5) The material compiled by the department in an
2484 investigation or examination under this chapter is confidential
2485 until the investigation or examination is complete. If any such
2486 material contains a holder's financial or proprietary
2487 information, it may not be disclosed or made public by the
2488 department after the investigation or audit is completed, except
2489 as required by a court of competent jurisdiction in the course
2490 of a judicial proceeding in which the state is a party, or
2491 pursuant to an agreement with another state allowing joint
2492 audits. Such material may be considered trade secret and exempt
2493 from s. 119.07(1) as provided for in s. 119.0715. The records,
2494 data, and information gathered ~~material compiled~~ by the
2495 department in an investigation or audit ~~examination~~ under this
2496 chapter remain ~~remains~~ confidential ~~after the department's~~
2497 ~~investigation or examination is complete~~ if the department has
2498 submitted the material or any part of it to any law enforcement
2499 agency or other administrative agency for further investigation
2500 or for the filing of a criminal or civil prosecution and such

2501 investigation has not been completed or become inactive.

2502 (6) If an investigation or an audit examination of the
2503 records of any person results in the disclosure of property
2504 reportable and deliverable under this chapter, the department
2505 may assess the cost of the investigation or audit the
2506 ~~examination~~ against the holder at ~~the rate of \$100 per 8-hour~~
2507 ~~day for each investigator or examiner. Such fee shall be~~
2508 ~~calculated on an hourly basis and shall be rounded to the~~
2509 ~~nearest hour. The person shall also pay the travel expense and~~
2510 ~~per diem subsistence allowance provided for state employees in~~
2511 ~~s. 112.061. The person shall not be required to pay a per diem~~
2512 ~~fee and expenses of an examination or investigation which shall~~
2513 ~~consume more than 30 worker-days in any one year unless such~~
2514 ~~examination or investigation is due to fraudulent practices of~~
2515 ~~the person, in which case such person shall be required to pay~~
2516 ~~the entire cost regardless of time consumed. The fee for the~~
2517 costs of the investigation or audit shall be remitted to the
2518 department within 30 days after the date of the notification
2519 that the fee is due and owing. Any person who fails to pay the
2520 fee within 30 days after the date of the notification that the
2521 fee is due and owing shall pay to the department interest at the
2522 rate of 12 percent per annum on such fee from the date of the
2523 notification.

2524 Section 53. Subsection (1) of section 717.1311, Florida
2525 Statutes, is amended to read:

2526 717.1311 Retention of records.—

2527 (1) Every holder required to file a report under s.
 2528 717.117 shall maintain a record of the specific type of
 2529 property, amount, name, and last known address of the owner for
 2530 10 ~~5~~ years after the property becomes reportable, except to the
 2531 extent that a shorter time is provided in subsection (2) or by
 2532 rule of the department.

2533 Section 54. Paragraph (j) of subsection (1) and subsection
 2534 (3) of section 717.1322, Florida Statutes, are amended to read:

2535 717.1322 Administrative and civil enforcement.—

2536 (1) The following acts are violations of this chapter and
 2537 constitute grounds for an administrative enforcement action by
 2538 the department in accordance with the requirements of chapter
 2539 120 and for civil enforcement by the department in a court of
 2540 competent jurisdiction:

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

2551 to practice law in this state in the regular practice of her or
 2552 his profession, a Florida-certified public accountant who is
 2553 acting within the scope of the practice of public accounting as
 2554 defined in chapter 473, or a private investigator licensed under
 2555 chapter 493. This paragraph does not apply to a person who has
 2556 been granted a durable power of attorney to convey and receive
 2557 all of the real and personal property of the owner, is the
 2558 court-appointed guardian of the owner, has been employed as an
 2559 attorney or qualified representative to contest the department's
 2560 denial of a claim, or has been employed as an attorney to
 2561 probate the estate of the owner or an heir or legatee of the
 2562 owner.

2563 (3) A claimant's representative ~~registrant~~ is subject to
 2564 civil enforcement and the disciplinary actions specified in
 2565 subsection (2) for violations of subsection (1) by an agent or
 2566 employee of the registrant's employer if the claimant's
 2567 representative ~~registrant~~ knew or should have known that such
 2568 agent or employee was violating any provision of this chapter.

2569 Section 55. Subsection (1) of section 717.1333, Florida
 2570 Statutes, is amended to read:

2571 717.1333 Evidence; estimations; audit reports and
 2572 worksheets, investigator ~~examiner's worksheets, investigative~~
 2573 ~~reports and worksheets~~, other related documents.—

2574 (1) In any proceeding involving a holder under ss. 120.569
 2575 and 120.57 in which an audit agent ~~auditor, examiner,~~ or

2576 | investigator acting under authority of this chapter is available
 2577 | for cross-examination, any official written report, worksheet,
 2578 | or other related paper, or copy thereof, compiled, prepared,
 2579 | drafted, or otherwise made or received by the audit agent
 2580 | ~~auditor, examiner,~~ or investigator, after being duly
 2581 | authenticated by the audit agent ~~auditor, examiner,~~ or
 2582 | investigator, may be admitted as competent evidence upon the
 2583 | oath of the audit agent ~~auditor, examiner,~~ or investigator that
 2584 | the report, worksheet, or related paper was prepared or received
 2585 | as a result of an audit, examination, or investigation of the
 2586 | books and records of the person audited, examined, or
 2587 | investigated, or the agent thereof.

2588 | Section 56. Subsections (1) and (2) of section 717.134,
 2589 | Florida Statutes, are amended to read:

2590 | 717.134 Penalties and interest.—

2591 | (1) For any person who willfully fails to render any
 2592 | report required under this chapter, the department may impose
 2593 | and collect a penalty of \$500 per day up to a maximum of \$5,000
 2594 | and 25 percent of the value of property not reported until an
 2595 | appropriate a report is provided ~~rendered for any person who~~
 2596 | ~~willfully fails to render any report required under this~~
 2597 | ~~chapter.~~ Upon a holder's showing of good cause, the department
 2598 | may waive said penalty or any portion thereof. If the holder
 2599 | acted in good faith and without negligence, the department shall
 2600 | waive the penalty provided herein.

2601 (2) For any person who willfully refuses to pay or deliver
 2602 unclaimed property to the department as required under this
 2603 chapter, the department may impose and collect a penalty of \$500
 2604 per day up to a maximum of \$5,000 and 25 percent of the value of
 2605 property not paid or delivered until the property is paid or
 2606 delivered ~~for any person who willfully refuses to pay or deliver~~
 2607 ~~abandoned property to the department as required under this~~
 2608 ~~chapter.~~

2609 Section 57. Section 717.135, Florida Statutes, is amended
 2610 to read:

2611 717.135 Recovery agreements and purchase agreements for
 2612 claims filed by a claimant's representative or a purchaser; fees
 2613 and costs, or total net gain.—

2614 (1) In order to protect the interests of owners of
 2615 unclaimed property, the department shall adopt by rule a form
 2616 entitled "Unclaimed Property Recovery Agreement" and a form
 2617 entitled "Unclaimed Property Purchase Agreement."

2618 (2) The Unclaimed Property Recovery Agreement and the
 2619 Unclaimed Property Purchase Agreement must include and disclose
 2620 all of the following:

2621 (a) The total dollar amount of unclaimed property accounts
 2622 claimed or sold.

2623 (b) The total percentage of all authorized fees and costs
 2624 to be paid to the claimant's representative or the percentage of
 2625 the value of the property to be paid as net gain to the

2626 purchaser ~~purchasing claimant's representative.~~

2627 (c) The total dollar amount to be deducted and received
 2628 from the claimant as fees and costs by the claimant's
 2629 representative or the total net dollar amount to be received by
 2630 the purchaser ~~purchasing claimant's representative.~~

2631 (d) The net dollar amount to be received by the claimant
 2632 or the seller.

2633 (e) For each account claimed, the unclaimed property
 2634 account number.

2635 (f) For the Unclaimed Property Purchase Agreement, a
 2636 statement that the amount of the purchase price will be remitted
 2637 to the seller by the purchaser within 30 days after the
 2638 execution of the agreement by the seller.

2639 (g) The name, address, e-mail address, phone number, and
 2640 license number of the claimant's representative, or the name,
 2641 address, e-mail address, and phone number of the purchaser.

2642 (h)1. The manual signature of the claimant or seller and
 2643 the date signed, affixed on the agreement by the claimant or
 2644 seller.

2645 2. Notwithstanding any other provision of this chapter to
 2646 the contrary, the department may allow an apparent owner, who is
 2647 also the claimant or seller, to sign the agreement
 2648 electronically ~~for claims of \$2,000 or less.~~ All electronic
 2649 signatures on the Unclaimed Property Recovery Agreement and the
 2650 Unclaimed Property Purchase Agreement must be affixed on the

2651 agreement by the claimant or seller using the specific,
2652 exclusive eSignature product and protocol authorized by the
2653 department.

2654 (i) The social security number or taxpayer identification
2655 number of the claimant or seller, if a number has been issued to
2656 the claimant or seller.

2657 (j) The total fees and costs, or the total discount in the
2658 case of a purchase agreement, which may not exceed 30 percent of
2659 the claimed amount. In the case of a recovery agreement, if the
2660 total fees and costs exceed 30 percent, the fees and costs shall
2661 be reduced to 30 percent and the net balance shall be remitted
2662 directly by the department to the claimant. In the case of a
2663 purchase agreement, if the total net gain of the purchaser
2664 exceeds 30 percent, the claim will be denied.

2665 (3) For an Unclaimed Property Purchase Agreement form,
2666 proof that the purchaser has made payment must be filed with the
2667 department along with the claim. If proof of payment is not
2668 provided, the claim is void.

2669 (4) A claimant's representative or a purchaser must use
2670 the Unclaimed Property Recovery Agreement or the Unclaimed
2671 Property Purchase Agreement as the exclusive means of entering
2672 into an agreement or a contract with a claimant or seller to
2673 file a claim with the department.

2674 (5) Fees and costs may be owed or paid to, or received by,
2675 a claimant's representative or a purchaser only after a filed

2676 claim has been approved and if the claimant's representative
2677 used an agreement authorized by this section.

2678 (6) A claimant's representative or a purchaser may not use
2679 or distribute any other agreement of any type, conveyed by any
2680 method, with respect to the claimant or seller which relates,
2681 directly or indirectly, to unclaimed property accounts held by
2682 the department or the Chief Financial Officer other than the
2683 agreements authorized by this section. Any engagement,
2684 authorization, recovery, or fee agreement that is not authorized
2685 by this section is void. A claimant's representative or a
2686 purchaser is subject to administrative and civil enforcement
2687 under s. 717.1322 if he or she uses an agreement that is not
2688 authorized by this section and if the agreement is used to
2689 apply, directly or indirectly, to unclaimed property held by
2690 this state. This subsection does not prohibit lawful
2691 nonagreement, noncontractual, or advertising communications
2692 between or among the parties.

2693 (7) The Unclaimed Property Recovery Agreement ~~and the~~
2694 ~~Unclaimed Property Purchase Agreement~~ may not contain language
2695 that makes the agreement irrevocable or that creates an
2696 assignment of any portion of unclaimed property held by the
2697 department.

2698 (8) When a claim is approved, the department may pay any
2699 additional account that is owned by the claimant but has not
2700 been claimed at the time of approval, provided that a subsequent

2701 claim has not been filed or is not pending for the claimant at
 2702 the time of approval.

2703 (9) This section does not supersede s. 717.1241.

2704 (10) This section does not apply to the sale and purchase
 2705 of Florida-held unclaimed property accounts through a bankruptcy
 2706 trustee appointed to represent a debtor's estate in a bankruptcy
 2707 proceeding in accordance with the United States Bankruptcy Code.

2708 Section 58. Subsections (1), (2), and (3) of section
 2709 717.1400, Florida Statutes, are amended to read:

2710 717.1400 Registration.—

2711 (1) In order to file claims as a claimant's
 2712 representative, ~~acquire ownership of or entitlement to unclaimed~~
 2713 ~~property,~~ receive a distribution of fees and costs from the
 2714 department, and obtain unclaimed property dollar amounts and
 2715 numbers of reported shares of stock held by the department, a
 2716 private investigator holding a Class "C" individual license
 2717 under chapter 493 must register with the department on such form
 2718 as the department prescribes by rule and must be verified by the
 2719 applicant. To register with the department, a private
 2720 investigator must provide:

2721 (a) A legible copy of the applicant's Class "A" business
 2722 license under chapter 493 or that of the applicant's firm or
 2723 employer which holds a Class "A" business license under chapter
 2724 493.

2725 (b) A legible copy of the applicant's Class "C" individual

2726 | license issued under chapter 493.

2727 | (c) The business address and telephone number of the
2728 | applicant's private investigative firm or employer.

2729 | (d) The names of agents or employees, if any, who are
2730 | designated to act on behalf of the private investigator,
2731 | together with a legible copy of their photo identification
2732 | issued by an agency of the United States, or a state, or a
2733 | political subdivision thereof.

2734 | (e) Sufficient information to enable the department to
2735 | disburse funds by electronic funds transfer.

2736 | (f) The tax identification number of the private
2737 | investigator's firm or employer which holds a Class "A" business
2738 | license under chapter 493.

2739 | (2) In order to file claims as a claimant's
2740 | representative, ~~acquire ownership of or entitlement to unclaimed~~
2741 | ~~property,~~ receive a distribution of fees and costs from the
2742 | department, and obtain unclaimed property dollar amounts and
2743 | numbers of reported shares of stock held by the department, a
2744 | Florida-certified public accountant must register with the
2745 | department on such form as the department prescribes by rule and
2746 | must be verified by the applicant. To register with the
2747 | department, a Florida-certified public accountant must provide:

2748 | (a) The applicant's Florida Board of Accountancy number.

2749 | (b) A legible copy of the applicant's current driver
2750 | license showing the full name and current address of such

2751 person. If a current driver license is not available, another
 2752 form of identification showing the full name and current address
 2753 of such person or persons shall be filed with the department.

2754 (c) The business address and telephone number of the
 2755 applicant's public accounting firm or employer.

2756 (d) The names of agents or employees, if any, who are
 2757 designated to act on behalf of the Florida-certified public
 2758 accountant, together with a legible copy of their photo
 2759 identification issued by an agency of the United States, or a
 2760 state, or a political subdivision thereof.

2761 (e) Sufficient information to enable the department to
 2762 disburse funds by electronic funds transfer.

2763 (f) The tax identification number of the accountant's
 2764 public accounting firm employer.

2765 (3) In order to file claims as a claimant's
 2766 representative, ~~acquire ownership of or entitlement to unclaimed~~
 2767 ~~property,~~ receive a distribution of fees and costs from the
 2768 department, and obtain unclaimed property dollar amounts and
 2769 numbers of reported shares of stock held by the department, an
 2770 attorney licensed to practice in this state must register with
 2771 the department on such form as the department prescribes by rule
 2772 and must be verified by the applicant. To register with the
 2773 department, such attorney must provide:

2774 (a) The applicant's Florida Bar number.

2775 (b) A legible copy of the applicant's current driver

2776 license showing the full name and current address of such
2777 person. If a current driver license is not available, another
2778 form of identification showing the full name and current address
2779 of such person or persons shall be filed with the department.

2780 (c) The business address and telephone number of the
2781 applicant's firm or employer.

2782 (d) The names of agents or employees, if any, who are
2783 designated to act on behalf of the attorney, together with a
2784 legible copy of their photo identification issued by an agency
2785 of the United States, or a state, or a political subdivision
2786 thereof.

2787 (e) Sufficient information to enable the department to
2788 disburse funds by electronic funds transfer.

2789 (f) The tax identification number of the attorney's firm
2790 or employer.

2791 Section 59. Paragraph (a) of subsection (2) of section
2792 197.582, Florida Statutes, is amended to read:

2793 197.582 Disbursement of proceeds of sale.—

2794 (2)(a) If the property is purchased for an amount in
2795 excess of the statutory bid of the certificateholder, the
2796 surplus must be paid over and disbursed by the clerk as set
2797 forth in subsections (3), (5), and (6). If the opening bid
2798 included the homestead assessment pursuant to s. 197.502(6)(c),
2799 that amount must be treated as surplus and distributed in the
2800 same manner. The clerk shall distribute the surplus to the

2801 governmental units for the payment of any lien of record held by
 2802 a governmental unit against the property, including any tax
 2803 certificates not incorporated in the tax deed application and
 2804 omitted taxes, if any. If there remains a balance of
 2805 undistributed funds, the balance must be retained by the clerk
 2806 for the benefit of persons described in s. 197.522(1)(a), except
 2807 those persons described in s. 197.502(4)(h), as their interests
 2808 may appear. The clerk shall mail notices to such persons
 2809 notifying them of the funds held for their benefit at the
 2810 addresses provided in s. 197.502(4). Such notice constitutes
 2811 compliance with the requirements of s. 717.117(6) ~~s. 717.117(4)~~.
 2812 Any service charges and costs of mailing notices shall be paid
 2813 out of the excess balance held by the clerk. Notice must be
 2814 provided in substantially the following form:

2815 NOTICE OF SURPLUS FUNDS FROM TAX DEED SALE

2816 CLERK OF COURT

2817 COUNTY, FLORIDA

2818 Tax Deed #.....

2819 Certificate #.....

2820 Property Description:

2821 Pursuant to chapter 197, Florida Statutes, the above
 2822 property was sold at public sale on ...(date of sale)..., and a
 2823 surplus of \$...(amount)... (subject to change) will be held by
 2824 this office for 120 days beginning on the date of this notice to
 2825 benefit the persons having an interest in this property as

2826 described in section 197.502(4), Florida Statutes, as their
 2827 interests may appear (except for those persons described in
 2828 section 197.502(4)(h), Florida Statutes).

2829 To the extent possible, these funds will be used to satisfy
 2830 in full each claimant with a senior mortgage or lien in the
 2831 property before distribution of any funds to any junior mortgage
 2832 or lien claimant or to the former property owner. To be
 2833 considered for funds when they are distributed, you must file a
 2834 notarized statement of claim with this office within 120 days of
 2835 this notice. If you are a lienholder, your claim must include
 2836 the particulars of your lien and the amounts currently due. Any
 2837 lienholder claim that is not filed within the 120-day deadline
 2838 is barred.

2839 A copy of this notice must be attached to your statement of
 2840 claim. After the office examines the filed claim statements, it
 2841 will notify you if you are entitled to any payment.

2842 Dated:

2843 Clerk of Court

2844 Section 60. Subsection (1) of section 717.1382, Florida
 2845 Statutes, is amended to read:

2846 717.1382 United States savings bond; unclaimed property;
 2847 escheatment; procedure.—

2848 (1) Notwithstanding any other provision of law, a United
 2849 States savings bond in possession of the department or
 2850 registered to a person with a last known address in the state,

2851 including a bond that is lost, stolen, or destroyed, is presumed
2852 abandoned and unclaimed 5 years after the bond reaches maturity
2853 and no longer earns interest and shall be reported and remitted
2854 to the department by the financial institution or other holder
2855 in accordance with ss. 717.117(1) and (5) ~~(3)~~ and 717.119, if
2856 the department is not in possession of the bond.

2857 Section 61. The Division of Law Revision is directed to
2858 prepare a reviser's bill for the 2025 Regular Session of the
2859 Legislature to change the term "Division of Investigative and
2860 Forensic Services" wherever the term appears in the Florida
2861 Statutes to "Division of Criminal Investigations."

2862 Section 62. For the 2024-2025 fiscal year, one full-time
2863 equivalent position with associated salary rate of 110,000 is
2864 authorized, and the sums of \$183,863 in recurring funds and
2865 \$5,067 in nonrecurring funds from the Insurance Regulatory Trust
2866 Fund are appropriated to the Department of Financial Services
2867 for the purpose of implementing this act.

2868 Section 63. Except as otherwise provided in this act, this
2869 act shall take effect upon becoming a law.