

26 of competent jurisdiction to shorten or extend the
27 delay; providing construction; requiring financial
28 institutions to take certain actions before placing a
29 delay on a disbursement or transaction; providing
30 construction; amending s. 489.147, F.S.; defining a
31 term; authorizing a residential property owner to
32 cancel contracts to replace or repair a roof without
33 penalty or obligation within a specified timeframe
34 under certain circumstances; requiring contractors to
35 include a notice in the contracts with residential
36 property owners under certain circumstances; providing
37 requirements for notices of contract cancellation;
38 amending s. 559.9611, F.S.; revising the definition of
39 the term "depository institution"; amending s.
40 624.424, F.S.; providing requirements for certain
41 insurers' accountants; amending s. 626.8796, F.S.;
42 revising the content of certain public adjuster
43 contracts; amending s. 627.43141, F.S.; providing
44 requirements for certain notice of change in insurance
45 renewal policy terms; amending s. 627.6426, F.S.;
46 revising the disclosure requirements of contracts for
47 short-term health insurance; amending s. 627.70132,
48 F.S.; providing requirements for notices of claims for
49 loss assessment coverage; providing dates of loss;
50 creating s. 655.49, F.S.; authorizing customers and

51 members of financial institutions to file certain
 52 complaints with the Office of Financial Regulation;
 53 providing nonapplicability; providing duties of the
 54 office upon receipt of such complaints; providing
 55 reporting requirements; providing violations;
 56 requiring the office to provide reports to certain
 57 entities; providing causes of action; providing
 58 construction; requiring the office to make certain
 59 information available on its website; amending s.
 60 791.01, F.S.; revising the definition of the term
 61 "fireworks"; amending s. 791.012, F.S.; updating the
 62 source of the code for outdoor display of fireworks;
 63 providing an effective date.

64
 65 Be It Enacted by the Legislature of the State of Florida:

66 Section 1. Section 212.134, Florida Statutes, is amended
 67 to read:

68 212.134 Information returns relating to payment-card and
 69 third party ~~third-party~~ network transactions.—

70 (1) As used in this section, the term:

71 (a) "Participating payee" has the same meaning as in s.
 72 6050W of the Internal Revenue Code.

73 (b) "Return" or "information return" means the Form 1099-K
 74 required under s. 6050W of the Internal Revenue Code.

75 (c) "Third party network transaction" has the same meaning

76 as in s. 6050W of the Internal Revenue Code.

77 (d) "Third party settlement organization" has the same
78 meaning as in s. 6050W of the Internal Revenue Code.

79 (2) For each year in which a payment settlement entity, an
80 electronic payment facilitator, or other third party contracted
81 with the payment settlement entity to make payments to settle
82 reportable payment transactions on behalf of the payment
83 settlement entity must file a return pursuant to s. 6050W of the
84 Internal Revenue Code, for participating payees with an address
85 in this state, the entity, the facilitator, or the third party
86 must submit the information in the return to the department by
87 the 30th day after filing the federal return. The format of the
88 information returns required must be either a copy of such
89 information returns or a copy of such information returns
90 related to participating payees with an address in the state.
91 For purposes of this subsection, the term "payment settlement
92 entity" has the same meaning as provided in s. 6050W of the
93 Internal Revenue Code.

94 (3)~~(2)~~ All reports of returns submitted to the department
95 under this section must be in an electronic format.

96 (4)~~(3)~~ Any payment settlement entity, facilitator, or
97 third party failing to file the information return required,
98 filing an incomplete information return, or not filing an
99 information return within the time prescribed is subject to a
100 penalty of \$1,000 for each failure, if the failure is for not

101 more than 30 days, with an additional \$1,000 for each month or
102 fraction of a month during which each failure continues. The
103 total amount of penalty imposed on a reporting entity may not
104 exceed \$10,000 annually.

105 ~~(5)-(4)~~ The executive director or his or her designee may
106 waive the penalty if he or she determines that the failure to
107 timely file an information return was due to reasonable cause
108 and not due to willful negligence, willful neglect, or fraud.

109 (6) All third party settlement organizations that conduct
110 transactions involving a participating payee with an address in
111 this state shall create a mechanism for participating payees to
112 identify whether a participating payee's transaction is for
113 goods and services or is personal. The mechanism must clearly
114 indicate the participating payee's requirement to indicate the
115 appropriate transaction type. The participating payee is
116 responsible for indicating the appropriate transaction type. All
117 third party settlement organizations shall maintain records that
118 clearly identify whether a transaction, as designated by the
119 participating payee, is a transaction for goods and services or
120 is personal. The information in the return submitted to the
121 department under subsection (2) for such entities must be
122 limited to transactions for goods and services.

123 Section 2. Subsection (16) is added to section 280.051,
124 Florida Statutes, to read:

125 280.051 Grounds for suspension or disqualification of a

126 qualified public depository.—A qualified public depository may
127 be suspended or disqualified or both if the Chief Financial
128 Officer determines that the qualified public depository has:

129 (16) Pursuant to a determination notice reported by the
130 Office of Financial Regulation under s. 655.49, acted in bad
131 faith when terminating, suspending, or taking similar action
132 restricting access to a customer's or member's account, or
133 failed to cooperate in an investigation conducted pursuant to s.
134 655.49(3), including, without limitation, failing to timely file
135 a termination-of-access report with the office.

136 Section 3. Paragraph (b) of subsection (1) of section
137 280.054, Florida Statutes, is amended to read:

138 280.054 Administrative penalty in lieu of suspension or
139 disqualification.—

140 (1) If the Chief Financial Officer finds that one or more
141 grounds exist for the suspension or disqualification of a
142 qualified public depository, the Chief Financial Officer may, in
143 lieu of suspension or disqualification, impose an administrative
144 penalty upon the qualified public depository.

145 (b) With respect to any knowing and willful violation of a
146 lawful order or rule, the Chief Financial Officer may impose a
147 penalty upon the qualified public depository in an amount not
148 exceeding \$1,000 for each violation. If restitution is due, the
149 qualified public depository shall make restitution upon the
150 order of the Chief Financial Officer and shall pay interest on

151 such amount at the legal rate. Each day a violation continues
 152 constitutes a separate violation. Each of the following Failure
 153 ~~to timely file the attestation required under s. 280.025~~ is
 154 deemed a knowing and willful violation by the qualified public
 155 depository:

156 1. Failure to timely file the attestation required under
 157 s. 280.025.

158 2. Bad faith termination, suspension, or similar action
 159 restricting access to a customer's or member's account, as
 160 determined by the Office of Financial Regulation pursuant to s.
 161 655.49.

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

165 Section 4. Section 415.10341, Florida Statutes, is created
 166 to read:

167 415.10341 Protection of specified adults.-

168 (1) As used in this section, the term:

169 (a) "Financial exploitation" means the wrongful or
 170 unauthorized taking, withholding, appropriation, or use of
 171 money, assets, or property of a specified adult; or any act or
 172 omission by a person, including through the use of a power of
 173 attorney, guardianship, or conservatorship of a specified adult,
 174 to:

175 1. Obtain control over the specified adult's money,

176 assets, or property through deception, intimidation, or undue
177 influence to deprive him or her of the ownership, use, benefit,
178 or possession of the money, assets, or property; or

179 2. Divert the specified adult's money, assets, or property
180 to deprive him or her of the ownership, use, benefit, or
181 possession of the money, assets, or property.

182 (b) "Financial institution" means a state financial
183 institution or a federal financial institution as those terms
184 are defined under s. 655.005(1)(w) and (1)(h), respectively.

185 (c) "Specified adult" means a natural person 70 years of
186 age or older, or a vulnerable adult as defined in s. 415.102.

187 (d) "Trusted contact" means a natural person 18 years of
188 age or older whom the account owner has expressly identified and
189 recorded in a financial institution's books and records as the
190 person who may be contacted about the account.

191 (2) The Legislature finds that many persons in this state,
192 because of age or disability, are at increased risk of financial
193 exploitation and loss of their assets, funds, investments, and
194 investment accounts. The Legislature further finds that
195 specified adults in this state are at a statistically higher
196 risk of being targeted for financial exploitation, regardless of
197 diminished capacity or other disability, because of their
198 accumulation of substantial assets and wealth compared to
199 younger age groups. In enacting this section, the Legislature
200 recognizes the freedom of specified adults to manage their

201 assets, make investment choices, and spend their funds, and
202 intends that such rights may not be infringed absent a
203 reasonable belief of financial exploitation as provided in this
204 section. The Legislature therefore intends to provide for the
205 prevention of financial exploitation of such persons. The
206 Legislature intends to encourage the constructive involvement of
207 financial institutions that take action based upon the
208 reasonable belief that specified adults who have accounts with
209 such financial institutions have been or are the subject of
210 financial exploitation. The Legislature intends to balance the
211 rights of specified adults to direct and control their assets,
212 funds, and investments and to exercise their constitutional
213 rights consistent with due process with the need to provide
214 financial institutions the ability to place narrow, time-limited
215 restrictions on these rights in an effort to decrease specified
216 adults' risk of loss due to abuse, neglect, or financial
217 exploitation.

218 (3) If a financial institution reports suspected financial
219 exploitation of a specified adult pursuant to s. 415.1034, it
220 may delay a disbursement or transaction from an account of a
221 specified adult or an account for which a specified adult is a
222 beneficiary or beneficial owner if all of the following apply:

223 (a) The financial institution immediately initiates an
224 internal review of the facts and circumstances that caused an
225 employee of the financial institution to report suspected

226 financial exploitation.

227 (b) Not later than 3 business days after the date on which
228 the delay was first placed, the financial institution:

229 1. Notifies in writing all parties authorized to transact
230 business on the account and any trusted contact on the account,
231 using the contact information provided for the account, with the
232 exception of any party that an employee of the financial
233 institution reasonably believes has engaged in, is engaging in,
234 has attempted to engage in, or will attempt to engage in the
235 suspected financial exploitation of the specified adult. The
236 notice, which may be provided electronically, must provide the
237 reason for the delay.

238 2. Creates a written or electronic record of the delayed
239 disbursement or transaction which includes, at minimum, the
240 following information:

241 a. The date on which the delay was first placed.

242 b. The name and address of the specified adult.

243 c. The business location of the financial institution.

244 d. The name and title of the employee who reported
245 suspected financial exploitation of the specified adult pursuant
246 to s. 415.1034.

247 e. The facts and circumstances that caused the employee to
248 report suspected financial exploitation.

249 (4) The financial institution must maintain for at least 5
250 years after the date of a delayed disbursement or transaction a

251 written or electronic record of the information required by
252 subparagraph (3)(b)2.

253 (5) A delay on a disbursement or transaction under
254 subsection (3) expires 5 business days after the date on which
255 the delay was first placed. However, the financial institution
256 may extend the delay for up to 7 additional calendar days if the
257 financial institution's review of the available facts and
258 circumstances continues to support the reasonable belief that
259 financial exploitation of the specified adult has occurred, is
260 occurring, has been attempted, or will be attempted. The length
261 of the delay may be shortened or extended at any time by a court
262 of competent jurisdiction. This subsection does not prevent a
263 financial institution from terminating a delay after
264 communication with the parties authorized to transact business
265 on the account and any trusted contact on the account.

266 (6) Before placing a delay on a disbursement or
267 transaction pursuant to this section, a financial institution
268 must do all of the following:

269 (a) Develop training policies or programs reasonably
270 designed to educate employees on issues pertaining to financial
271 exploitation of specified adults.

272 (b) Conduct training for all employees at least annually
273 and maintain a written record of all trainings conducted.

274 (c) Develop, maintain, and enforce written procedures
275 regarding the manner in which suspected financial exploitation

276 is reviewed internally, including, if applicable, the manner in
 277 which suspected financial exploitation is required to be
 278 reported to supervisory personnel.

279 (7) Absent a reasonable belief of financial exploitation
 280 as provided in this section, this section does not otherwise
 281 alter a financial institution's obligations to all parties
 282 authorized to transact business on an account and any trusted
 283 contact named on such account.

284 (8) This section does not create new rights for or impose
 285 new obligations on a financial institution under other
 286 applicable law.

287 Section 5. Paragraph (b) of subsection (1) of section
 288 489.147, Florida Statutes, is redesignated as paragraph (c), a
 289 new paragraph (b) is added to that subsection, and subsection
 290 (6) is added to that section, to read:

291 489.147 Prohibited property insurance practices; contract
 292 requirements.—

293 (1) As used in this section, the term:

294 (b) "Residential property owner" means the person who
 295 holds the legal title to the residential real property that is
 296 subject of and directly impacted by the action of a governmental
 297 entity. The term does not include a governmental entity.

298 (6) (a) A residential property owner may cancel a contract
 299 to replace or repair a roof without penalty or obligation within
 300 10 days after the execution of the contract or by the official

301 start date, whichever comes first, if the contract was entered
 302 into based on events that are subject of a declaration of a
 303 state of emergency by the Governor. For the purposes of this
 304 subsection, the official start date is the date on which work
 305 that includes the installation of materials that will be
 306 included in the final work on the roof commences, a final permit
 307 has been issued, or a temporary repair to the roof covering or
 308 roof has been made in compliance with the Florida Building Code.

309 (b) A contractor executing a contract during a declaration
 310 of a state of emergency to replace or repair a roof of a
 311 residential property must include or add as an attachment to the
 312 contract the following language, in bold type of not less than
 313 18 points, immediately before the space reserved for the
 314 signature of the residential property owner:

315
 316 "You, the residential property owner, may cancel this contract
 317 without penalty or obligation within 10 days after the execution
 318 of the contract or by the official start date, whichever comes
 319 first, because this contract was entered into during a state of
 320 emergency by the Governor. The official start date is the date
 321 on which work that includes the installation of materials that
 322 will be included in the final work on the roof commences, a
 323 final permit has been issued, or a temporary repair to the roof
 324 covering or roof system has been made in compliance with the
 325 Florida Building Code."

326
 327 (c) The residential property owner must send the notice of
 328 cancellation by certified mail, return receipt requested, or
 329 other form of mailing that provides proof thereof, at the
 330 address specified in the contract.

331 Section 6. Subsection (9) of section 559.9611, Florida
 332 Statutes, is amended to read:

333 559.9611 Definitions.—As used in this part, the term:

334 (9) "Depository institution" means a bank, credit union,
 335 savings bank, savings and loan association, savings or thrift
 336 association, trust company, or industrial loan company doing
 337 business under the authority of, or in accordance with, a
 338 license, certificate, or charter issued by the United States,
 339 this state, or any other state, district, territory, or
 340 commonwealth of the United States which is authorized to
 341 transact business in this state ~~Florida state-chartered bank,~~
 342 ~~savings bank, credit union, or trust company, or a federal~~
 343 ~~savings or thrift association, bank, credit union, savings bank,~~
 344 ~~or thrift.~~

345 Section 7. Paragraph (d) of subsection (8) of section
 346 624.424, Florida Statutes, is amended to read:

347 624.424 Annual statement and other information.—

348 (8)

349 (d) The certified public accountant that prepares the
 350 audit must be licensed to practice pursuant to chapter 473 and

351 must have completed at least 4 hours of insurance-related
352 continuing education during each 2-year continuing education
353 cycle. An insurer may not use the same accountant or partner of
354 an accounting firm responsible for preparing the report required
355 by this subsection for more than 5 consecutive years. Following
356 this period, the insurer may not use such accountant or partner
357 for a period of 5 years, but may use another accountant or
358 partner of the same firm. An insurer may request the office to
359 waive this prohibition based upon an unusual hardship to the
360 insurer and a determination that the accountant is exercising
361 independent judgment that is not unduly influenced by the
362 insurer considering such factors as the number of partners,
363 expertise of the partners or the number of insurance clients of
364 the accounting firm; the premium volume of the insurer; and the
365 number of jurisdictions in which the insurer transacts business.

366 Section 8. Subsection (2) of section 626.8796, Florida
367 Statutes, is amended to read:

368 626.8796 Public adjuster contracts; disclosure statement;
369 fraud statement.—

370 (2) A public adjuster contract relating to a property and
371 casualty claim must contain the full name, permanent business
372 address, phone number, e-mail address, and license number of the
373 public adjuster; the full name and license number of the public
374 adjusting firm; and the insured's full name, street address,
375 phone number, and e-mail address, together with a brief

376 description of the loss. The contract must state the percentage
377 of compensation for the public adjuster's services in minimum
378 18-point bold type before the space reserved in the contract for
379 the signature of the insured; the type of claim, including an
380 emergency claim, nonemergency claim, or supplemental claim; the
381 initials of the named insured on each page that does not contain
382 the insured's signature; the signatures of the public adjuster
383 and all named insureds; and the signature date. If all of the
384 named insureds' signatures are not available, the public
385 adjuster must submit an affidavit signed by the available named
386 insureds attesting that they have authority to enter into the
387 contract and settle all claim issues on behalf of the named
388 insureds. An unaltered copy of the executed contract must be
389 remitted to the insured at the time of execution and to the
390 insurer, or the insurer's representative within 7 days after
391 execution. A public adjusting firm that adjusts claims primarily
392 for commercial entities with operations in more than one state
393 and that does not directly or indirectly perform adjusting
394 services for insurers or individual homeowners is deemed to
395 comply with the requirements of this subsection if, at the time
396 a proof of loss is submitted, the public adjusting firm remits
397 to the insurer an affidavit signed by the public adjuster or
398 public adjuster apprentice that identifies:

399 (a) The full name, permanent business address, phone
400 number, e-mail address, and license number of the public

401 adjuster or public adjuster apprentice.

402 (b) The full name of the public adjusting firm.

403 (c) The insured's full name, street address, phone number,
404 and e-mail address, together with a brief description of the
405 loss.

406 (d) An attestation that the compensation for public
407 adjusting services will not exceed the limitations provided by
408 law.

409 (e) The type of claim, including an emergency claim,
410 nonemergency claim, or supplemental claim.

411 Section 9. Subsection (2) of section 627.43141, Florida
412 Statutes, is amended to read:

413 627.43141 Notice of change in policy terms.—

414 (2) A renewal policy may contain a change in policy terms.
415 If such change occurs, the insurer shall give the named insured
416 advance written notice summarizing the change, which may be
417 enclosed in ~~along with~~ the written notice of renewal premium
418 required under ss. 627.4133 and 627.728 or sent separately
419 within the timeframe required under the Florida Insurance Code
420 for the provision of a notice of nonrenewal to the named insured
421 for that line of insurance. The insurer must also provide a
422 sample copy of the notice to the named insured's insurance agent
423 before or at the same time that notice is provided to the named
424 insured. Such notice shall be entitled "Notice of Change in
425 Policy Terms" and must be in bold type of not less than 14

426 points and must be included as a single page or consecutive
 427 pages, as necessary, within the written notice.

428 Section 10. Section 627.6426, Florida Statutes, is amended
 429 to read:

430 627.6426 Short-term health insurance.—

431 (1) For purposes of this part, the term "short-term health
 432 insurance" means health insurance coverage provided by an issuer
 433 with an expiration date specified in the contract that is less
 434 than 12 months after the original effective date of the contract
 435 and, taking into account renewals or extensions, has a duration
 436 not to exceed 36 months in total.

437 (2) All contracts for short-term health insurance entered
 438 into by an issuer and an individual seeking coverage shall
 439 include the following written disclosures signed by the
 440 purchaser at the time of purchase disclosure:

441 (a) The following statement:

442
 443 "This coverage is not required to comply with certain federal
 444 market requirements for health insurance, principally those
 445 contained in the Patient Protection and Affordable Care Act. Be
 446 sure to check your policy carefully to make sure you are aware
 447 of any exclusions or limitations regarding coverage of
 448 preexisting conditions or health benefits (such as
 449 hospitalization, emergency services, maternity care, preventive
 450 care, prescription drugs, and mental health and substance use

451 disorder services). Your policy might also have lifetime and/or
 452 annual dollar limits on health benefits. If this coverage
 453 expires or you lose eligibility for this coverage, you might
 454 have to wait until an open enrollment period to get other health
 455 insurance coverage."

456
 457 (b) The following information:

458 1. The duration of the contract, including any waiting
 459 period.

460 2. Any essential health benefit under 42 U.S.C. s.
 461 18022(b) that the contract does not provide.

462 3. The content of coverage.

463 4. Any exclusion of preexisting conditions.

464 (3) The disclosures required in subsection (2) must be
 465 printed in no less than 12-point type and in a color that is
 466 readable. A copy of the signed disclosures must be maintained by
 467 the issuer for a period of 5 years after the date of purchase.

468 (4) Disclosures provided by electronic means must meet the
 469 requirements of subsection (2).

470 Section 11. Subsection (4) of section 627.70132, Florida
 471 Statutes, is renumbered as subsection (5), and a new subsection
 472 (4) is added to that section to read:

473 627.70132 Notice of property insurance claim.—

474 (4) (a) A notice of claim for loss assessment coverage
 475 under s. 627.714 may not occur later than 3 years after the date

476 of loss and must be provided to the insurer the later of:

477 1. Within 1 year after the date of loss; or

478 2. Within 90 days after the date on which the condominium
479 association or its governing board votes to levy an assessment
480 resulting from a covered loss.

481 (b) For purposes of this subsection, the date of loss is
482 the date of the covered loss event that created the need for an
483 assessment.

484 Section 12. Section 655.49, Florida Statutes, is created
485 to read:

486 655.49 Bad faith termination or restriction of account
487 access; investigations by the office.—

488 (1) A customer or member of a financial institution who
489 reasonably believes that a financial institution has terminated,
490 suspended, or taken similar action restricting access to the
491 customer's or member's account in bad faith may file, within 30
492 calendar days after such termination, suspension, or similar
493 action restricting account access, a complaint with the office
494 alleging a violation of this section. Such complaint is barred
495 if not timely filed.

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

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

501 (b) There is a lack of activity in the account; or
502 (c) The account is presumed unclaimed property pursuant to
503 chapter 717.

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

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

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

512 (c) Within 90 calendar days after receiving the
513 termination-of-access report from the financial institution, the
514 office must investigate the financial institution's action and
515 determine whether the action was taken in bad faith as
516 substantiated by competent and substantial evidence that was
517 known or should have been known to the financial institution at
518 the time of the termination, suspension, or similar action
519 restricting a customer's or member's account access.

520 (d) Within 30 calendar days after making the determination
521 required under paragraph (c), the office must report to the
522 Attorney General and the Chief Financial Officer the
523 determination of a bad faith termination, suspension, or similar
524 action restricting a customer's or member's account access. The
525 report to the Attorney General must describe the findings of the

526 investigation, provide a summary of the evidence, and state
527 whether an alleged violation of the financial institutions codes
528 by the financial institution occurred. Upon reporting to the
529 Attorney General pursuant to this paragraph, the office must
530 send a copy of the report to the customer or member by certified
531 mail, return receipt requested.

532 (4) A financial institution's bad faith termination,
533 suspension, or similar action restricting access to a customer's
534 or member's account, as determined by the office pursuant to
535 subsection (3), or a financial institution's failure to
536 cooperate in an investigation conducted pursuant to subsection
537 (3), including, without limitation, failure to timely file a
538 termination-of-access report with the office, constitutes a
539 violation of the financial institutions codes and subjects the
540 financial institution to the applicable sanctions and penalties
541 provided for in the financial institutions codes.

542 (5) The office shall provide any report filed pursuant to
543 this section, or any information contained therein, to any
544 federal, state, or local law enforcement or prosecutorial
545 agency, and any federal or state agency responsible for the
546 regulation or supervision of financial institutions, if the
547 provision of such report is otherwise required by law.

548 (6) If the office determines under subsection (3) that a
549 financial institution has acted in bad faith, the aggrieved
550 customer or member of the financial institution has a cause of

551 action against the financial institution for damages and may
552 recover damages therefor in any court of competent jurisdiction,
553 together with costs and reasonable attorney fees to be assessed
554 by the court. To recover damages under this subsection, the
555 customer or member must establish that, beyond a reasonable
556 doubt, the financial institution acted in bad faith in
557 terminating, suspending, or taking similar action restricting
558 access to the customer's or member's account. The office's
559 determination that the financial institution has acted in bad
560 faith pursuant to subsection (3) does not, in and of itself,
561 establish beyond a reasonable doubt that the financial
562 institution acted in bad faith in the termination, suspension,
563 or similar action restricting access to the customer's or
564 member's account. A customer's or member's failure to initiate a
565 cause of action under this subsection within 12 months after the
566 office's finding of bad faith pursuant to subsection (3) bars
567 recovery of any filed claims thereafter.

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

572 Section 13. Paragraph (a) of subsection (4) of section
573 791.01, Florida Statutes, is amended to read:

574 791.01 Definitions.—As used in this chapter, the term:

575 (4) (a) "Fireworks" means and includes any combustible or

576 explosive composition or substance or combination of substances
577 or, except as hereinafter provided, any article prepared for the
578 purpose of producing a visible or audible effect by combustion,
579 explosion, deflagration, or detonation. The term includes blank
580 cartridges and toy cannons in which explosives are used, the
581 type of balloons which require fire underneath to propel them,
582 firecrackers, torpedoes, skyrockets, Roman candles, ~~dagobombs,~~
583 and any fireworks containing any explosives or flammable
584 compound or any tablets or other device containing any explosive
585 substance.

586 Section 14. Section 791.012, Florida Statutes, is amended
587 to read:

588 791.012 Minimum fireworks safety standards.—The outdoor
589 display of fireworks in this state shall be governed by the
590 National Fire Protection Association (NFPA) 1123, Code for
591 Fireworks Display, 2018 ~~1995~~ Edition, ~~approved by the American~~
592 ~~National Standards Institute~~. Any state, county, or municipal
593 law, rule, or ordinance may provide for more stringent
594 regulations for the outdoor display of fireworks, but in no
595 event may any such law, rule, or ordinance provide for less
596 stringent regulations for the outdoor display of fireworks. The
597 division shall promulgate rules to carry out the provisions of
598 this section. The Code for Fireworks Display shall not govern
599 the display of any fireworks on private, residential property
600 and shall not govern the display of those items included under

CS/CS/HB 939

2024

601 s. 791.01(4) (b) and (c) and authorized for sale thereunder.

602 Section 15. This act shall take effect July 1, 2024.