

**AGENDA  
FINANCIAL SERVICES COMMISSION  
OFFICE OF FINANCIAL REGULATION**

<https://www.flofr.gov/news/public-meetings>

**June 10, 2025**

**MEMBERS**

Governor Ron DeSantis  
Attorney General James Uthmeier  
Commissioner Wilton Simpson

**Contact:** Ash Mason  
Director of Legislative Affairs (OFR)  
(850) 410-9601

9:00 A.M.  
LL-03, The Capitol  
Tallahassee, Florida

<b>ITEM</b>	<b>SUBJECT</b>	<b>RECOMMENDATION</b>
1.	The OFR respectfully requests approval to publish Notices of Proposed Rule to amend 69W-200.001, 69W-200.002, 69W-500.019, 69W-600.001, 69W-600.0011, 69W-600.0012, 69W-600.0015, 69W-600.0016, 69W-600.0017, 69W-600.0018, 69W-600.0019, 69W-600.002, 69W-600.0022, 69W-600.0024, 69W-600.0031, 69W-600.0032, 69W-600.0151, 69W-600.0161, 69W-600.017, and 69W-1000.001 and adopt Rules 69W-302.001 and 69W-500.020, 69W-500.021, Florida Administrative Code, and approval for final adoption of the same if no member of the public timely requests a rule hearing or if a rule hearing is requested and no notice of change is needed as a result thereof or otherwise.	
	<b>(ATTACHMENT 1)</b>	<b>FOR APPROVAL</b>
2.	The OFR respectfully requests approval to publish Notices of Proposed Rule to amend Rule 69U-100.045, Florida Administrative Code, and approval for final adoption of the same if no member of the public timely requests a rule hearing or if a rule hearing is requested and no notice of change is needed as a result thereof or otherwise.	
	<b>(ATTACHMENT 2)</b>	<b>FOR APPROVAL</b>

## ATTACHMENT 1

**FINANCIAL SERVICES COMMISSION  
OFFICE OF FINANCIAL REGULATION**

**AGENDA ITEM #\_1\_: REQUEST APPROVAL TO PUBLISH NOTICES OF PROPOSED RULE AND FILE  
FOR FINAL ADOPTION**

**Action Requested:**

The OFR respectfully requests approval to publish Notices of Proposed Rule and file for final adoption to:

1. Amend Rules 69W-200.001, 69W-200.002, 69W-500.019, 69W-600.001, 69W-600.0011, 69W-600.0012, 69W-600.0015, 69W-600.0016, 69W-600.0017, 69W-600.0018, 69W-600.0019, 69W-600.002, 69W-600.0022, 69W-600.0024, 69W-600.0031, 69W-600.0032, 69W-600.0151, 69W-600.0161, 69W-600.017, and 69W-1000.001, Florida Administrative Code (F.A.C.).
2. Adopt Rules 69W-302.001 and 69W-500.020, 69W-500.021, F.A.C.

**Summary and Justification of Rules:**

The OFR incorporates by reference several general industry standards into its rules. Over time these industry standards are revised and updated, consequently OFR now proposes to amend Rule 69W-200.002, F.A.C., to incorporate the current versions of those industry standards.

The OFR proposes to adopt Rule 69W-302.001, F.A.C., and to adopt new form OFR-SGFund, Application for Payment for the Securities Guaranty Fund, and form OFR-SGFund-A, Assignment of Right, Title and Interest in Judgment in Connection with Recovery from Securities Guaranty Fund to implement Chapter 2024-168, Laws of Florida, and Chapter 2025-28, Laws of Florida, which made significant revisions to the Securities Guaranty Fund.

The OFR proposes to amend Rule 69W-500.019, F.A.C., to implement Chapter 2025- 28, Laws of Florida, to incorporate Form OFR-FAIE, Notice of Transaction Under Florida Accredited Investor Exemption, and to allow an issuer conducting an offering pursuant to Section 517.061(11), F.S., to file a notice of transaction, a consent to service of process, and a copy of the general announcement through the North American Securities Administrators Association Electronic Filing Depository (EFD).

The OFR proposes to adopt new Rule 69W-500.020, F.A.C., which incorporates Form OFR-FILE, Notice of Transaction Under Florida Invest Local Exemption, to implement new section 517.0612, Florida Statutes, which was adopted by Chapter 2024-168, Laws of Florida, and revised by Chapter 2025-28, Laws of Florida, and provides an exemption for offers or sales of securities meeting certain conditions so long as the offering does not exceed \$500,000.

The OFR proposes to adopt new Rule 69W-500.021, F.A.C., to implement Chapter 2025-28, Laws of Florida, and designate certain foreign securities exchanges and foreign securities markets for purposes of section 571.061(20), Florida Statutes.

The OFR proposes to amend Rules 69W-600.001, 69W-600.0011, 69W-600.0012, 69W-600.0016, 69W-600.0019, 69W-600.002, 69W-600.0022, F.A.C., to implement the fingerprint requirements of Chapter 2025-28, Laws of Florida, and update cross-references.

The OFR proposes to amend Rules 69W-200.001, 69W-600.0015, 69W-600.0017, 69W-600.0024, 69W-600.0031, 69W-600.0032, 69W-600.0151, 69W-600.0161, 69W-600.017, F.A.C., to update cross-references.

The OFR proposes to amend Rule 69W-600.0018, F.A.C., to implement changes made to the Florida Limited Offering Exemption, formerly Florida Intrastate Crowdfunding, by Chapter 2024-168, Laws of Florida, and to incorporate Form FLO, Notice of Florida Limited Offering Exemption, formerly Form FL-CI, Notice of Crowdfunding Issuer Offering, and Supplement FLO, Preparing a Disclosure Statement for a Florida Limited Offering, formerly Supplement CI, Preparing a Disclosure Statement for a Florida Intrastate Crowdfunding Offering. The rule is also amended to specify when Form FLO must be filed.

The OFR proposes to amend Rule 69W-1000.001, F.A.C., to add subsections (1) and (2) of section 517.121, Florida Statutes, to the disciplinary guidelines incorporated therein.

## **B. Procedural History of the Rules**

On June 12, 2024, the Financial Services Commission approved the OFR's request for authorization to publish notices of proposed rule and file Rules 69W-302.001, 69W-500.020, and 69W-600.0018, F.A.C., for final adoption. On June 20, 2024, Notices of Rule Development were published in the Florida Administrative Register (FAR) for Rules 69W-302.001, 69W-500.020, and 69W-600.0018, F.A.C. On July 12, 2024, the Notices of Proposed Rule were published in FAR for Rules 69W-302.001, 69W-500.020, and 69W-600.0018, F.A.C.

The OFR subsequently determined that the forms incorporated in Rule 69W-302.001, F.A.C., should be filed directly with the agency clerk via email instead of through the REAL system. Consequently, a Notice of Withdrawal was filed on September 3, 2024, in Vol. 50, Number 172 edition of the FAR.

The OFR subsequently determined that the forms incorporated in Rule 69W-600.0018, F.A.C., required further amendment. Consequently, a Notice of Withdrawal was filed on September 3, 2024, in Vol. 50, Number 172 edition of the FAR.

The Office received comments from the Joint Administrative Procedures Committee (JAPC) on Rule 69W-500.020, F.A.C. After review of JAPC's comments, the Office determined that it was necessary to make changes to Form OFR-FILE, Notice of Offering Under Florida Invest Local Exemption and a Notice of Withdrawal was filed on September 19, 2024, in Vol. 50, Number 184 edition of the FAR. Form OFR-FILE, Notice of Offering Under Florida Invest Local Exemption, has been revised to remove the requirement that it be submitted under oath.

On January 16, 2025, a Notice of Rule Development was published in FAR for Rule 69W-200.001, F.A.C.

## **Proposed Text of Rules:**

### **69W-200.001 Definitions.**

As used in Chapter 517, F.S., and the rules promulgated thereunder, unless the context otherwise specifically requires:

(1) through (6) No change.

(7)(a) Except as otherwise provided in this subsection, the term “Branch Office” means any location in this state of a dealer or investment adviser at which one or more associated persons regularly conduct the business of rendering investment advice or effecting any transactions in, or inducing or attempting to induce the purchase or sale of, any security or any location that is held out as such. Pursuant to Section 517.021(7) ~~517.021(6)~~, F.S., the Financial Services Commission may adopt exceptions to this definition. The following locations shall not be deemed branch offices for purposes of Section 517.12(4), F.S., and are considered exceptions to the definition of a branch office under Section 517.021(7) ~~517.021(6)~~, F.S.:

1. through 9. No change

(b) through (c) No change.

(8) through (9) No change.

(10) “Independent Director” shall be defined as a member of the issuer’s board of directors who:

(a) No change.

(b) Is not a promoter as defined in Section 517.021(30)(b) ~~517.021(22)(b)~~, F.S.; and,

(c) No change.

(11) through (17) No change.

*Rulemaking Authority 517.03(1) FS. Law Implemented 517.07, 517.021, 517.051, 517.061, 517.081, 517.12, 517.161 FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-200.01, Amended 12-8-87, 10-14-90, 7-31-91, 6-16-92, 1-10-93, 5-5-94, 10-20-97, 8-9-98, 8-19-99, 10-30-03, Formerly 3E-200.001, Amended 5-15-07, 9-30-10, 11-11-13, 9-22-14, 11-15-16, 1-18-21, 2-14-23, 3-21-24, 10-1-24,\_\_\_\_\_.*

### **69W-200.002 General Industry Standards Incorporated by Reference.**

The following general industry standards as expressed in the statutes, rules and regulations of the various federal and self-regulatory agencies and regulatory associations and referenced in Division 69W, F.A.C., are hereby incorporated by reference and adopted by this rule. The material incorporated by reference in this rule may also be obtained from the Florida Office of Financial Regulation (Office), Division of Securities’ website at <https://flofr.gov/sitePages/MaterialsDS.htm>, except where noted for copyright restrictions. Materials subject to copyright restrictions may be inspected and examined by contacting the Florida Office of Financial Regulation, Division of Securities, at 200 E. Gaines Street, Tallahassee, Florida 32399, (850)487-9687 or the Florida Department of State at 500 S. Bronough Street, Tallahassee, Florida 32399, (850)245-6500.

(1) no change.

(2) Sections 2, 3, 4, 5, 6, 7, 8, and 10(a) of the Securities Act of 1933, (15 U.S.C. §§77b, 77c, 77d, 77e, 77f, 77g, 77h, and 77j) (2-14-25) ~~(7-6-23)~~, accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-16498>~~.

(3) Securities Exchange Act of 1934 (15 U.S.C. §§78a through 78qq) (2-14-25) ~~(7-6-23)~~, accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-16476>~~.

(4) through (12) No change.

(13) Regulation S-X (17 C.F.R. Part 210) (4-1-24 ~~4-1-21~~ edition), accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-15084>.

(14) SEC Rules 134, 134a, 135a, 144, 156, 419, 481 and 482, (17 C.F.R. §§230.134, 230.134a, 230.135a, 230.144, 230.156, 230.419, 230.481 and 230.482) (4-1-24 ~~4-1-23~~ edition as amended in 89 FR 60082 (July 24, 2024) and 89 FR 90590 (Nov. 18, 2024)) accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-16961>.

(15) through (16) No change.

(17) SEC Rule 415 (17 C.F.R. §230.415) (4-1-24 ~~4-1-22~~ edition as amended in 89 FR 60083 (July 24, 2024)), accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-16479>.

(18) through (27) No change.

(28) SEC Rule 15c3-3 and Exhibit A (17 C.F.R. §§240.15c3-3 and 240.15c3-3a) (4-1-24 ~~4-1-23~~ edition), accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-16963>.

(29) through (34) No change.

(35) Regulation M (17 C.F.R. §§242.100 through 242.105) (4-1-24 ~~4-1-23~~ edition), accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-16964>.

(36) Regulation SHO (17 C.F.R. §§242.200-242.203) (4-1-24 ~~4-1-22~~ edition), accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-16485>.

(37) No change.

(38) Regulation S-P §248.30 (17 C.F.R. §248.30) (4-1-24 ~~4-1-18~~ edition), accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-11294>.

(39) No change.

(40) FASB Rule ASC 946-210-50 (existing as of 2-17-25 ~~7-5-23~~), available for inspection at the Office due to copyright restrictions.

(41) No change.

(42) FINRA Rule 2000 Series (2010 through 2370) (existing as of 2-17-25 ~~5-7-24~~), accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-16967>.

(43) FINRA Rule 3000 Series (3110 through 3310) (existing as of 2-17-25 ~~5-7-24~~), accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-16968>.

(44) FINRA Rule 4000 Series (4110 through 4590) (existing as of 2-17-25 ~~5-7-24~~), accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-16969>.

(45) FINRA Rule 5000 Series (5110 through 5350) (existing as of 2-17-25 ~~5-7-24~~), accessible at accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-16971>.

(46) FINRA Rule 6000 Series (6110 through 6898) (existing as of 2-17-25 ~~5-7-24~~), accessible at accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-16972>.

(47) FINRA Rule 7000 Series (7110 through 7730) (existing as of 2-18-25 ~~5-7-24~~), accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-16973>.

(48) FINRA Rule 11000 Series (11100 through 11900) (existing as of 2-18-25 5-8-24), accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> <http://www.flrules.org/Gateway/reference.asp?No=Ref-16974>.

(49) MSRB Definitional Rules D-1 to D-15, and General Rules G-1 to G-48 (existing as of 10-1-24 10-1-23), accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> <http://www.flrules.org/Gateway/reference.asp?No=Ref-16975>.

(50) NYSE American Rule 341A (existing as of 2-18-25 7-5-23), available for inspection at the Office due to copyright restrictions.

(51) through (52) No change.

(53) NYSE Chicago Inc. Article 6, Rule 11 (existing as of 2-18-25 7-5-23), available for inspection at the Office due to copyright restrictions.

*Rulemaking Authority 517.03(1), 517.1215(2), 517.1217 FS. Law Implemented 517.081, 517.12(4), 517.1215, 517.1217, 517.161(1) FS. History—New 9-22-14, Amended 5-6-15, 11-26-19, 1-18-21, 2-14-23, 3-21-24, 10-1-24,\_\_\_\_\_.*

### **Rule 69W-302.001 Application for Payment from Securities Guaranty Fund**

(1) An eligible person, or a receiver on behalf of an eligible person, seeking payment from the Securities Guaranty Fund shall file with the Office a written application by submitting Form OFR-SGFund, Application for Payment from the Securities Guaranty Fund (XX/XX), electronically to the Office of Financial Regulation Agency Clerk at [Agency.Clerk@flofr.gov](mailto:Agency.Clerk@flofr.gov). An application submitted to the Agency Clerk shall be deemed received on the date the Office issues to the applicant a confirmation of submission. The application shall include all information required by such form, as required by Section 517.131, F.S. The application shall include:

(a) Form OFR-SGFund, Application for Payment from the Securities Guaranty Fund (XX/XX), which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> or from the Office at <https://flofr.gov/XXXXX>;

(b) The following documents, where applicable:

1. A copy, as amended, of its articles of incorporation, articles of organization, trust agreement, or partnership agreement;

2. A copy of any final judgment giving rise to the applicant's eligibility under Section 517.131(3)(a), F.S.; and

3. A copy of any restitution order pursuant to Section 517.191(3)(b), F.S., giving rise to the receiver's eligibility under Section 517.131(3)(b), F.S.

(2) Failure to complete an application under subsection (1) within sixty (60) days shall result in the application being abandoned, which shall result in the application being removed from further consideration by the Office and closed.

(3) Upon receipt by the eligible person or receiver of notice of the Office's decision that the eligible person's or receiver's application for payment from the Securities Guaranty Fund is approved, and before any disbursement, the eligible person or receiver shall assign to the Office all right, title, and interest in the final judgment or order of restitution equal to the amount of such payment by filing Form OFR-SGFund-A, Assignment of Right, Title and Interest in Final Judgment or Restitution Order in Connection with Recovery from Securities Guaranty Fund, (XX/XX) electronically to the Office of Financial Regulation Agency Clerk at [Agency.Clerk@flofr.gov](mailto:Agency.Clerk@flofr.gov). A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> or from the Office at



<https://flofr.gov/XXXXX>.

*Rulemaking Authority 517.131, FS. Law Implemented 517.131 FS. History–New\_\_\_\_\_.*

**69W-500.019 Accredited Investor Exemption.**

~~(1) Issuers conducting an offering pursuant to Section 517.061(11), F.S., shall file within fifteen (15) days after the first sale is made in this state the Notice of Transaction Under Florida Accredited Investor Exemption (Form OFR-FAIE), a consent to service of process, and a copy of the general announcement, electronically on the Office of Financial Regulation’s website at <https://real.flofr.gov> through the Regulatory Enforcement and Licensing (REAL) System or through the North American Securities Administrators Association Electronic Filing Depository (EFD) at <https://efdnasaa.org> within fifteen (15) days after the first sale is made in this state. A notice-filing shall include the following:~~

~~(1) Notice of Transaction Under Florida Accredited Investor Exemption, Form OFR-FAIE (XX/XX). A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> or from the Office at <https://flofr.gov/XXXXX>.~~

~~(2) A copy of the issuer’s general announcement.~~

~~(3) An irrevocable written consent to service of civil process in accordance with Section 517.101, F.S.~~

~~(2) A notice of transaction providing the following information will be deemed to satisfy the requirements of subsection (1):~~

~~(a) A statement that the issuer is conducting an offering pursuant to Section 517.061(11), F.S.;~~

~~(b) The business name of the issuer;~~

~~(c) The issuer’s state of incorporation or organization;~~

~~(d) The business address of the issuer;~~

~~(e) The date of the first sale made in this state; and~~

~~(f) Name, phone number, and email address for the person to be contacted about the filing.~~

~~(3) A consent to service of civil process, similar to that provided for in Section 517.101, F.S., will be deemed to satisfy the requirements of subsection (1).~~

*Rulemaking Authority 517.03(1), 517.061(11) FS. Law Implemented 516.061(11) FS. History–New 10-20-24, Amended\_\_\_\_\_.*

**69W-500.020 Florida Invest Local Exemption.**

~~(1) An issuer intending to conduct an offering of securities under the Florida Invest Local Exemption, Section 517.0612, F.S., shall file at least five (5) business days before the offering commences the Notice of Transaction Under Florida Invest Local Exemption (Form OFR-FILE) electronically on the Office of Financial Regulation’s website at <https://real.flofr.gov> through the Regulatory Enforcement and Licensing System (REAL) System. A notice-filing shall include the following:~~

~~(a) Notice of Transaction Under Florida Invest Local Exemption, Form OFR-FILE (XX/XX). A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> or from the Office at <https://flofr.gov/XXXXX>.~~

~~(b) A copy of the issuer’s disclosure statement required by Section 517.0612(8), F.S.~~

(c) An irrevocable written consent to service of civil process in accordance with Section 517.101, F.S.

(2) Amendment of the notice-filing. If there are any material changes to the Form OFR-FILE or the disclosure statement, the issuer shall amend the information by filing an amended Form OFR-FILE or disclosure statement with the Office within three (3) business days of the material change. Issuers shall amend information by filing an amended Form OFR-FILE or disclosure statement electronically with the Office through the REAL System. Failure to file amendments shall be considered a violation of Section 517.0612(10), F.S.

Rulemaking Authority 517.03(1), 517.0612(10) FS. Law Implemented 516.0612(10), FS. History—New \_\_\_\_\_.

**69W-500.021 Foreign Securities Exchange or Foreign Securities Market for Purposes of Section 517.061(20), F.S.**

The following are designated as foreign securities exchanges or foreign securities markets for purposes of section 517.061(20)(a)2., F.S.:

(1) The Eurobond market, as regulated by the International Securities Market Association.

(2) The Alberta Stock Exchange.

(3) The Amsterdam Stock Exchange.

(4) The Australian Stock Exchange Limited.

(5) The Bermuda Stock Exchange.

(6) The Bourse de Bruxelles.

(7) The Copenhagen Stock Exchange.

(8) The European Association of Securities Dealers Automated Quotation.

(9) The Frankfurt Stock Exchange.

(10) The Helsinki Stock Exchange.

(11) The Stock Exchange of Hong Kong Limited.

(12) The Irish Stock Exchange.

(14) The Istanbul Stock Exchange.

(15) The Johannesburg Stock Exchange.

(16) The London Stock Exchange.

(17) The Bourse de Luxembourg.

(18) The Mexico Stock Exchange.

(19) The Borsa Valori di Milan.

(20) The Montreal Stock Exchange.

(21) The Oslo Stock Exchange.

(22) The Bourse de Paris.

(23) The Stock Exchange of Singapore Ltd.

(24) The Stockholm Stock Exchange.

(25) The Tokyo Stock Exchange.

(26) The Toronto Stock Exchange.

(27) The Vancouver Stock Exchange.

(28) The Warsaw Stock Exchange.

(29) The Zurich Stock Exchange.

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**69W-600.001 Application for Registration as a Dealer (FINRA).**

(1) New Applications.

(a) Applicants for initial registration of dealers who are members of the Financial Industry Regulatory Authority (FINRA) shall file the Uniform Application for Broker-Dealer Registration (Form BD) electronically through the Central Registration Depository of FINRA (CRD) as prescribed by the Financial Services Commission (Commission). The application shall include all information required by such form, any other information the Commission or Office may require, and payment of the statutory fees required by Sections 517.12(10) ~~517.12(9)~~ and 517.131, F.S. The application shall be deemed received by the Office on the “payment date” reflected on the CRD “disbursement detail” report. Every application or amendment filed pursuant to this rule shall constitute a “written application” within the meaning of Section 517.12(5), F.S.

(b) An application shall include the following:

1. No change.

2. Statutory fee in the amount required by Section 517.12(10) ~~517.12(9)~~, F.S.,

3. through 4. No change.

5. Proof of effective registration with the Securities and Exchange Commission (SEC). Where required by Section 517.12(16) ~~517.12(15)~~, F.S., applicants shall also provide the Office with proof of insurance coverage by the Securities Investor Protection Corporation. Evidence of current membership as a dealer with the FINRA shall satisfy this requirement,

6. Any natural person who is required to submit fingerprints pursuant to Section 517.12(7), F.S., and direct or indirect owner or control person required to be reported on Form BD, pursuant to Section 517.12(6), F.S., who is not currently registered with the firm they are seeking to join or act as ~~an a direct or indirect owner or control person~~ shall comply with the fingerprinting requirements in accordance with subsection (7) of this rule; and,

7. No change.

(2) through (3) No change.

(4) Obligations Related to Acts of Associated Persons. A dealer shall be responsible for the acts, practices, and conduct of their registered associated persons in connection with the purchase and sale of securities or in connection with the rendering of investment advice until such time as they have been properly terminated as provided in this rule; and such dealer may be subject to assessment under Section 517.12(11) ~~517.12(10)~~, F.S., for such associated persons as have been terminated but for whom the appropriate termination notices have not been filed at date of license renewal.

(5) Requirement to Maintain Principal.

(a) through (b) No change..

(c) Any applicant or registrant dealer may elect to register more than one person as principal; there is no limitation as to the number of associated persons that may be registered as principal as long as such persons meet the qualification standards as prescribed in subsection (6) of this rule, and the appropriate fees as specified in Section 517.12(10) ~~517.12(9)~~, F.S., have been paid.

(6) No change.

(7) Fingerprint Requirements.

(a) Fingerprints filed in accordance with Section 517.12(7) ~~517.12(6)~~, F.S., shall be submitted to the Office through a live scan vendor approved by the Florida Department of Law Enforcement (FDLE) and published on FDLE’s website for submission to FDLE and the Federal Bureau of

Investigation (FBI) for a state criminal background check and a federal criminal background check. The cost of fingerprint processing shall be borne by the applicant and paid directly to the live scan vendor.

(b) Notwithstanding any exemptions found in SEC Rule 17f-2 (17 C.F.R. §240.17f-2), which is incorporated by reference in Rule 69W-200.002, F.A.C., any natural person who is required to submit fingerprints pursuant to Section 517.12(7), F.S., and ~~direct owner, principal, or indirect owner that is required to be reported on Form BD, pursuant to Section 517.12(6), F.S.,~~ who is not currently registered in Florida with the firm they are seeking to join or act as an a direct owner, ~~principal, or indirect~~ owner shall submit fingerprints to the Office through a live scan vendor approved by FDLE and published on FDLE's website for submission to FDLE and the FBI for a state criminal background check and a federal criminal background check. The cost of fingerprint processing shall be borne by the applicant and paid directly to the live scan vendor.

(c) The requirement to submit fingerprints is waived for any natural person who is required to submit fingerprints pursuant to Section 517.12(7), F.S., ~~direct owner, principal, or indirect owner that is required to be reported on Form BD, pursuant to Section 517.12(6), F.S.,~~ if fingerprints have been submitted and processed by FINRA on behalf of the member firm with which the natural person owner or principal is affiliated, pursuant to the provisions of SEC Rule 17f-2 (17 C.F.R. §240.17f-2).

(8) Renewal Requirement.

(a) No change.

(b) In addition to verifying registration or notice-filings as provided in paragraph (8)(a), to renew its registration and the registrations of its associated persons and branch office notice-filings, each dealer shall pay all renewal fees as required by Sections 517.12(11) ~~517.12(10)~~ and 517.1202(3), F.S.

(c) No change.

(d) For FINRA members, failure to submit the requisite amount of fees as provided for in paragraph (8)(b), by December 31 of the year of expiration of the registration shall result in the firm registration, agent registration or branch office notice-filing not being renewed. If December 31 falls on a Saturday, Sunday or legal holiday pursuant to Section 110.117, F.S., the renewals received on the next business day shall be considered timely received. However, an expired registration or notice-filing may be reinstated in accordance with the provisions of Section 517.12(11) ~~517.12(10)~~ or 517.1202(3), F.S., provided that all requisite information and fees are date stamped by the cashier's office of the Department of Financial Services on or before January 31 of the year following the year of expiration. Failure to submit the requisite amount of fees necessary to reinstate registration or notice-filing by January 31 of the year following the year of expiration shall result in such registration or notice-filing not being reinstated. If January 31 falls on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S., the reinstatement received on the next business day shall be considered timely received. In the event that the renewal or reinstatement is withdrawn or not granted, any fees filed to renew or reinstate registration or notice-filing shall become the revenue of the state pursuant to the provisions of Section 517.12(10) ~~517.12(9)~~ or 517.1202(8), F.S., and shall not be returnable.

(9) through (11) No change.

*Rulemaking Authority 517.03(1), 517.12, 517.121(1) FS. Law Implemented 517.12 FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-600.01, Amended 7-29-90, 8-1-91, 6-16-92, 1-11-93, 11-14-93, 4-30-96, 6-22-98, 5-10-00, 9-19-00, 7-31-02, Formerly 3E-600.001, Amended 3-16-06, 5-15-07, 11-22-10, 10-29-12, 11-11-13, 12-29-15, 11-26-19, 1-18-21, 2-14-23, 3-21-24,\_\_\_\_\_.*

**69W-600.0011 Effect of Law Enforcement Records on Applications for Registration as Dealer, Intermediary, or Investment Adviser.**

(1) General Procedure Regarding Law Enforcement Records. For purposes of this rule, an “applicant” is any Dealer, Intermediary, or Investment Adviser seeking registration in Florida. Any natural person who is required to submit fingerprints pursuant to Section 517.12(7), F.S., ~~member, principal, or director of the applicant or any person having similar status or performing similar functions; any person directly or indirectly controlling the applicant; direct owners, principals, or indirect owners that are required to be reported on behalf of the applicant on Form BD or Form ADV pursuant to Section 517.12(15) ~~517.12(14)~~, F.S.~~ shall be referred to collectively as “relevant persons”. As part of the application review process for each Dealer, Intermediary, or Investment Adviser, submitted on Form BD, Form FLO-INT (10/2024) ~~Form FL-INT (10/15)~~, or Form ADV, the Office is required to consider all relevant persons’ respective law enforcement records when deciding whether to approve an application for registration. When conducting this review, the Office reviews the criminal history information derived from the fingerprint check, any responses made by the applicant or a relevant person, and information from other resources such as the Financial Industry Regulatory Authority. In the event of a question regarding a relevant person’s criminal history, the Office may request additional information from the applicant to determine the status of a criminal event, the specific facts and circumstances surrounding a criminal event, or to address other issues determined relevant to the review of the law enforcement record. The Office will notify the applicant of any specific documents that it requires in order to complete its review of a relevant person’s law enforcement record. Documentation that is typically requested includes:

- (a) through (e) No change.
- (2) through (17) No change.

*Rulemaking Authority 517.1611(2) FS. Law Implemented 517.12, 517.161 FS. History—New 9-2-10, Amended 12-5-19, 2-14-23, 3-21-24,\_\_\_\_\_.*

**69W-600.0012 Application for Registration as a Dealer (Non-FINRA).**

(1) New Applications.

(a) Applicants for initial registration of dealers that are not members of the Financial Industry Regulatory Authority (FINRA) shall file the Uniform Application for Broker-Dealer Registration (Form BD) electronically on the Office of Financial Regulation’s website at <https://real.flofr.com> through the Regulatory Enforcement and Licensing System (REAL) System as prescribed by the Financial Services Commission (Commission). The application shall include all information required by such form, any other information the Office may require, and payment of the statutory fees required by Sections 517.12(10) ~~517.12(9)~~ and 517.131, F.S. The application shall be deemed received on the date the Office issues a confirmation of submission and payment to the applicant via the Office’s website. Every application or amendment filed pursuant to this rule shall constitute a “written application” within the meaning of Section 517.12(5), F.S.

(b) An application shall include the following:

- 1. No Change.
- 2. Statutory fee in the amount required by Section 517.12(10) ~~517.12(9)~~, F.S.;
- 3. through 4. No change.
- 5. Proof of effective registration with the Securities and Exchange Commission (SEC). Where required by Section 517.12(16) ~~517.12(15)~~, F.S., applicants shall also provide the Office with proof of insurance coverage by the Securities Investor Protection Corporation. Evidence of current membership as a dealer with the SEC shall satisfy this requirement;

6. Any natural person who is required to submit fingerprints pursuant to Section 517.12(7), F.S., and who is not currently registered in Florida with the firm they are seeking to join or act as an direct or indirect owner or control person required to be reported on Form BD, pursuant to Section 517.12(6), F.S., shall comply with the fingerprinting requirements in accordance with subsection (7) of this rule; and,

7. No change.

(2) through (3) No change.

(4) Obligations Related to Acts of Associated Persons. A dealer shall be responsible for the acts, practices, and conduct of their registered associated persons in connection with the purchase and sale of securities or in connection with the rendering of investment advice until such time as they have been properly terminated as provided in this rule; and such dealer may be subject to assessment under Section 517.12(11) ~~517.12(10)~~, F.S., for such associated persons as have been terminated but for whom the appropriate termination notices have not been filed at date of license renewal.

(5) Requirement to Maintain Principal.

(a) through (b) No change.

(c) Any applicant or registrant dealer may elect to register more than one person as principal; there is no limitation as to the number of associated persons that may be registered as principal as long as such persons meet the qualification standards as prescribed in subsection (6) of this rule, and the appropriate fees as specified in Section 517.12(10) ~~517.12(9)~~, F.S., have been paid.

(6) No change.

(7) Fingerprint Requirements.

(a) Fingerprints filed in accordance with Section 517.12(7) ~~517.12(6)~~, F.S., shall be submitted to the Office through a live scan vendor approved by the Florida Department of Law Enforcement (FDLE) and published on FDLE's website for submission to FDLE and the Federal Bureau of Investigation (FBI) for a state criminal background check and a federal criminal background check. The cost of fingerprint processing shall be borne by the applicant and paid directly to the live scan vendor.

(b) Notwithstanding any exemptions found in SEC rule 17f-2 (17 C.F.R. §240.17f-2) which is incorporated by reference in Rule 69W-200.002, F.A.C., any natural person who is required to submit fingerprints pursuant to Section 517.12(7), F.S., and ~~direct owner, principal, or indirect owner that is required to be reported on Form BD, pursuant to Section 517.12(6), F.S.,~~ who is not currently registered in Florida with the firm they are seeking to join or act as an ~~a direct owner, principal, or indirect~~ owner shall submit fingerprints to the Office through a live scan vendor approved by FDLE and published on FDLE's website for submission to FDLE and the FBI for a state criminal background check and a federal criminal background check. The cost of fingerprint processing shall be borne by the applicant and paid directly to the live scan vendor.

(8) Renewal Requirement.

(a) No change.

(b) In addition to verifying registration or notice-filings as provided in paragraph (8)(a), to renew its registration and the registrations of its associated persons and branch office notice-filings, each dealer shall pay all renewal fees as required by Sections 517.12(11) ~~517.12(10)~~ and 517.1202(3), F.S.

(c) No change.

(d) For dealers that are not members of FINRA, failure to submit the requisite amount of fees as provided for in paragraph (8)(b), by December 31 of the year of expiration of the registration, shall result in the firm registration, agent registration, or notice-filing not being renewed. If December 31 falls on a Saturday, Sunday or legal holiday pursuant to Section 110.117, F.S., the renewals

received on the next business day shall be considered timely received. However, an expired registration or notice-filing may be reinstated in accordance with Section 517.12(10) or 517.1202(3), F.S., provided that all requisite information and fees are filed electronically on the Office's website at <https://real.flofr.com> through the REAL System on or before January 31 of the year following the year of expiration. Failure to submit the requisite amount of fees necessary to reinstate registration by January 31 of the year following the year of expiration shall result in such registration or notice-filing not being reinstated. If January 31 falls on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S., the reinstatement received on the next business day shall be considered timely received. If the renewal or reinstatement is withdrawn or not granted, any fees filed to renew or reinstate registration or notice-filing shall become the revenue of the state pursuant to the provisions of Section 517.12(10) ~~517.12(9)~~ or 517.1202(8), F.S., and shall not be returnable.

(9) through (11) No change.

*Rulemaking Authority 517.03(1), 517.12, 517.121(1) FS. Law Implemented 517.12 FS. History—New 12-29-15, Amended 11-26-19, 1-18-21, 2-14-23, 3-21-24,\_\_\_\_\_.*

#### **69W-600.0015 Canadian Dealer Notice-Filing.**

(1) New Notice-Filings.

(a) The notice-filing for a Canadian dealer shall be filed electronically on the Office of Financial Regulation's website at <https://real.flofr.com> through the Regulatory Enforcement and Licensing System (REAL) System using the OFR Form CAN, Canadian Dealer Notification (OFR Form CAN). The notice-filing shall include all information required by such form, any other information the Office of Financial Regulation (Office) may require, and payment of the statutory fees required by Section 517.12(17)(a) ~~517.12(16)(a)~~, F.S. The notice-filing shall be deemed received on the date the Office issues a confirmation of submission and payment to the notice-filer via the Office's website.

(b) A notice-filing shall include the following:

1. No change.
2. Statutory fee in the amount required by Section 517.12(17)(a) ~~517.12(16)(a)~~, F.S.;
3. through 4. No change.

(2) through (3) No change.

(4) Renewal Requirement.

(a) No change.

(b) For Canadian dealers, failure to submit the requisite amount of fees by December 31 of the year of expiration of the notice-filing shall result in such notice-filing not being renewed. If December 31 falls on a Saturday, Sunday or legal holiday pursuant to Section 110.117, F.S., the renewals received on the next business day shall be considered timely received. However, an expired notice-filing may be reinstated in accordance with Section 517.12(17) ~~517.12(16)~~, F.S., provided that all requisite information and fees are filed electronically on the Office's website at <https://real.flofr.com> through the REAL System on or before January 31 of the year following the year of expiration. Failure to submit the requisite amount of fees necessary to reinstate the notice-filing by January 31 of the year following the year of expiration shall result in such notice-filing not being reinstated. If January 31 falls on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S., the reinstatement received on the next business day shall be considered timely received. If the renewal or reinstatement is withdrawn or not granted, any fees filed to renew or reinstate the notice-filing shall become the revenue of the state pursuant to the provisions of Section 517.12(17) ~~517.12(16)~~, F.S., and shall not be returnable.

(5) through (6) No change.

**69W-600.0016 Application for Registration as an Investment Adviser (State Registered).**

(1) New Applications.

(a) Applicants for initial registration of an investment adviser shall file the Uniform Application for Investment Adviser Registration (Form ADV) electronically through the Investment Adviser Registration Depository (IARD) of the Financial Industry Regulatory Authority (FINRA) as prescribed by the Financial Services Commission (Commission). The application shall include all information required by such form, any other information the Office may require, and payment of the statutory fees required by Sections 517.12(10) ~~517.12(9)~~ and 517.131, F.S. The application shall be deemed received by the Office on the “payment date” reflected on the CRD “disbursement detail” report. Every application or amendment filed pursuant to this rule shall constitute a “written application” within the meaning of Section 517.12(5), F.S.

(b) An application shall include the following:

1. No change;

2. Statutory fee in the amount required by Section 517.12(10) ~~517.12(9)~~, F.S.;

3. through 4. No change.

5. Any natural person who is required to submit fingerprints pursuant to Section 517.12(7), F.S., and ~~direct or indirect owner or control person required to be reported on Form ADV, pursuant to Section 517.12(6), F.S.,~~ who is not currently registered in Florida with the firm they are seeking to join or act as ~~a direct or indirect an owner or control person~~ an owner or control person shall comply with the fingerprinting requirements in accordance with subsection (7) of this rule; and,

6. No change.

(2) through (3) No change.

(4) Obligations Related to Acts of Associated Persons. An investment adviser shall be responsible for the acts, practices, and conduct of their registered associated persons in connection with the purchase and sale of securities or in connection with the rendering of investment advice until such time as they have been properly terminated as provided in this rule; and such adviser may be subject to assessment under Section 517.12(11) ~~517.12(10)~~, F.S., for such associated persons as have been terminated but for whom the appropriate termination notices have not been filed at date of license renewal.

(5) Requirement to Maintain Principal.

(a) through (b) No change.

(c) Any applicant or registrant investment adviser may elect to designate more than one person as principal; there is no limitation as to the number of associated persons that may be designated as principal as long as such persons meet the qualification standards as prescribed in subsection (6) of this rule, and the appropriate fees as specified in Section 517.12(10) ~~517.12(9)~~, F.S., have been paid.

(6) No change.

(7) Fingerprint Requirements.

(a) Fingerprints filed in accordance with Section 517.12(7) ~~517.12(6)~~, F.S., shall be submitted to the Office through a live scan vendor approved by the Florida Department of Law Enforcement (FDLE) and published on FDLE’s website for submission to FDLE and the Federal Bureau of Investigation (FBI) for a state criminal background check and a federal criminal background check. The cost of fingerprint processing shall be borne by the applicant and paid directly to the live scan vendor.



(b) Notwithstanding any exemptions found in SEC rule 17f-2 (17 C.F.R. §240.17f-2), which is incorporated by reference in Rule 69W-200.002, F.A.C., any natural person who is required to submit fingerprints pursuant to Section 517.12(7), F.S., and ~~direct owner, principal, or indirect owner that is required to be reported on Form ADV pursuant to Section 517.12(6), F.S.,~~ who is not currently registered in Florida with the firm they are seeking to join or act as an ~~a direct owner, principal, or indirect~~ owner shall submit fingerprints to the Office through a live scan vendor approved by FDLE and published on FDLE's website for submission to FDLE and the FBI for a state criminal background check and a federal criminal background check. The cost of fingerprint processing shall be borne by the applicant and paid directly to the live scan vendor.

(c) The requirement to submit fingerprints is waived for any natural person who is required to submit fingerprints pursuant to Section 517.12(7), F.S., ~~direct owner, principal, or indirect owner that is required to be reported on Form ADV pursuant to Section 517.12(6), F.S.,~~ if fingerprints have been submitted and processed by FINRA on behalf of the member firm with which the natural person ~~owner or principal~~ is affiliated, pursuant to the provisions of SEC Rule 17f-2 (17 C.F.R. §240.17f-2).

(8) Renewal Requirement.

(a) No change.

(b) In addition to verifying registration or notice-filings as provided in paragraph (8)(a), to renew its registration and the registrations of its associated persons and branch office notice-filings, each investment adviser shall pay all renewal fees as required by Sections 517.12(11) ~~517.12(10)~~ and 517.1202(3), F.S.

(c) No change.

(d) Failure to submit the requisite amount of fees as provided for in paragraph (8)(b), by December 31 of the year of expiration of the registration shall result in the firm registration, associated person registration, or branch office notice-filing not being renewed. If December 31 falls on a Saturday, Sunday or legal holiday pursuant to Section 110.117, F.S., the renewals received on the next business day shall be considered timely received. However, an expired registration or notice-filing may be reinstated in accordance with the provisions of Section 517.12(11) ~~517.12(10)~~ or 517.1202(3), F.S., provided that all requisite information and fees are date stamped by the cashier's office of the Department of Financial Services on or before January 31 of the year following the year of expiration. Failure to submit the requisite amount of fees necessary to reinstate registration or notice-filing by January 31 of the year following the year of expiration shall result in such registration or notice-filing not being reinstated. If January 31 falls on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S., the reinstatement received on the next business day shall be considered timely received. In the event that the renewal or reinstatement is withdrawn or not granted, any fees filed to renew or reinstate registration or notice-filing shall become the revenue of the state pursuant to the provisions of Section 517.12(10) ~~517.12(9)~~ or 517.1202(8), F.S., and shall not be returnable.

(9) through (12) No change.

*Rulemaking Authority 517.03(1), 517.12, 517.121(1) FS. Law Implemented 517.12 FS. History—New 12-29-15, Amended 11-26-19, 1-18-21, 2-14-23, 3-21-24, 10-1-24,\_\_\_\_\_.*

#### **69W-600.0017 Notice-Filing for Federal Covered Advisers.**

(1) No change.

(2) Registration of Associated Persons. All federal covered advisers who notice-file in this state and who request initial registration or amendment of an associated person of the federal covered adviser shall file the Uniform Application for Securities Industry Registration or Transfer (Form

U4) and the assessment fee required by Section 517.12(10) ~~517.12(9)~~ or ~~(11)~~ ~~(10)~~, F.S., with the CRD in accordance with Rule 69W-600.0024, F.A.C. However, responses to requests by the Office for additional information shall be filed directly with the Office. Form U4 (05/2009) is hereby incorporated by reference and a sample form is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-12555>.

(3) Renewal Requirement.

(a) No change.

(b) In addition to verifying registrations as provided in paragraph (3)(a), to renew its notice-filing and the registrations of its associated persons, each investment adviser shall pay all renewal fees as required by Sections 517.12(11) ~~517.12(10)~~ and 517.1201, F.S.

(c) No change.

(d) For federal covered advisers, failure to submit the requisite amount of fees as provided for in paragraph (4)(b), by December 31 of the year of expiration of the notice-filing shall result in the firm notice-filing or agent registration not being renewed. If December 31 falls on a Saturday, Sunday or legal holiday pursuant to Section 110.117, F.S., the renewals received on the next business day shall be considered timely received. However, an expired registration or notice-filing may be reinstated in accordance with the provisions of Section 517.12(11) ~~517.12(10)~~ or 517.1201, F.S., provided that all requisite information and fees are date stamped by the cashier's office of the Department of Financial Services on or before January 31 of the year following the year of expiration. Failure to submit the requisite amount of fees necessary to reinstate registration or notice-filing by January 31 of the year following the year of expiration shall result in such registration or notice-filing not being reinstated. If January 31 falls on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S., the reinstatement received on the next business day shall be considered timely received. In the event that the renewal or reinstatement is withdrawn or not granted, any fees filed to renew or reinstate registration or notice-filing shall become the revenue of the state pursuant to the provisions of Section 517.12(10) ~~517.12(9)~~ or 517.1201, F.S., and shall not be returnable.

(4) No change.

*Rulemaking Authority 517.03(1), 517.1201 FS. Law Implemented 517.1201 FS. History—New 12-29-15, Amended 11-26-19, 1-18-21, 3-21-24,\_\_\_\_\_.*

**69W-600.0018 Notice-Filing and Requirements for Florida Limited Offering Exemption ~~Intrastate Crowdfunding~~ Issuers.**

(1) Notice-filing.

(a) An issuer intending to conduct an offering of securities under the Florida Limited Offering ~~Intrastate Crowdfunding~~ Exemption, Section 517.0611, F.S., shall file at least ten (10) days before the issuer commences an offering of securities or the offering is displayed on a website of an intermediary the Notice of Florida Limited Offering Exemption Crowdfunding Issuer Offering (Form FLO FL-CI) electronically on the Office of Financial Regulation's ~~(Office)~~'s website at <https://real.flofr.com> through the Regulatory Enforcement and Licensing (REAL) System. The notice-filing shall include all information required by such form and payment of the statutory fees required by Section 517.0611(5), F.S. The notice-filing shall be deemed received on the date the Office issues a confirmation of submission and payment to the issuer via the Office's website.

(b) A notice-filing shall include the following:

1. Notice of Florida Limited Offering Pursuant to Section 517.0611, Florida Statutes, Form FLO, effective XX/XXXX ~~Form FL-CI (10/15)~~. A sample form ~~(which includes its instructions, which define certain terms in Section 517.0611, F.S.)~~ is hereby incorporated by reference and

available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> <http://www.flrules.org/Gateway/reference.asp?No=Ref-06073> or from the Office at <https://flofr.gov/XXXXX> <https://flofr.gov/sitePages/documents/FormFL-CI.pdf>.

2. ~~Documentation required to be uploaded in PDF form to the REAL System as part of the notice filing, including:~~

a. ~~Verification of the issuer's organization under the laws of Florida, pursuant to Section 517.0611(5)(g), F.S.;~~

b. ~~A copy of the issuer's escrow agreement with a financial institution, pursuant to Section 517.0611(8), F.S.; and,~~

e. A copy of the issuer's disclosure statement, pursuant to Section 517.0611(8) ~~517.0611(7)~~, F.S.

3. Statutory fee in the amount required by Section 517.0611(5), F.S.

(2) Amendment of notice-filing. If there are any material changes to the information contained in the Form FLO FL-CI ~~becomes inaccurate for any reason~~, the issuer shall amend the information by filing an amended Form FLO FL-CI with the Office within ten (10) ~~thirty (30)~~ days of the material change. Issuers shall amend information by filing the Form FLO FL-CI electronically with the Office through the REAL System. Failure to file amendments shall be considered a violation of Section 517.0611(6), F.S.

(3) Termination of notice-filing. Where an issuer cancels or terminates its notice-filing for any reason, notice of such fact shall be filed electronically with the Office on the Form FLO FL-CI through the REAL System within ten (10) ~~thirty (30)~~ calendar days of the date of cancellation or termination.

(4) Financial statements. For purposes of subparagraphs 517.0611(8)(k)2. and 3. ~~517.0611(7)(h)2. and 3.~~, F.S.:

(a) through (b) No change.

(5) Disclosure statement. Certain terms used in Section 517.0611(8) ~~517.0611(7)~~, F.S., regarding the disclosure statement required to be provided by the issuer, are defined in Preparing a Disclosure Statement for a Florida Limited Intrastate Crowdfunding Offering Pursuant to Section 517.0611, F.S., (Supplement FLO, effective XX/XXXX CI). A sample form Supplement CI (10/15) is hereby incorporated by reference as part of this rule and is available at <http://www.flrules.org/Ref-XXXXX> <http://www.flrules.org/Gateway/reference.asp?No=Ref-06075>, or from the Office at <https://flofr.gov/XXXXX> <https://flofr.gov/sitePages/documents/SupplementCI.pdf>.

*Rulemaking Authority 517.03(1), 517.0611 FS. Law Implemented 517.0611 FS. History—New 12-29-15, Amended \_\_\_\_\_.*

### **69W-600.0019 Registration of Florida Limited Offering Intermediaries.**

(1) New Applications.

(a) Applicants for initial registration of intermediaries shall file the Registration of Crowdfunding Intermediary Application (Form FLO-INT ~~Form FL-INT~~) electronically on the Office of Financial Regulation's website at <https://real.flofr.com> through the Regulatory Enforcement and Licensing (REAL) System. The application shall include all information required by such form, any other information the Office may require, and payment of the statutory fees required by Section 517.12(20) ~~517.12(19)~~, F.S. The application shall be deemed received on the date the Office issues a confirmation to the applicant of submission and payment via the Office's website. Every application or amendment filed pursuant to this rule shall constitute a "written application" within the meaning of Section 517.12(20) ~~517.12(19)~~, F.S.

(b) An application shall include the following:

1. Registration of Florida Limited Offering Intermediary Application, FLO-INT (10/24), effective 10/2024. A sample form (which includes its instructions, which define certain terms in Section 517.12(20) ~~517.12(19)~~, F.S.) is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-16982>, or from the Office at <https://flofr.gov/sitePages/MaterialsDS.htm>;

2. Statutory fee in the amount required by Section 517.12(20) ~~517.12(19)~~, F.S.;

3. Documentation required to be uploaded in PDF form to the REAL System as part of the application, including a copy of the applicant's articles of incorporation, if a corporation, articles of organization, if a limited liability company, or partnership agreement, if a partnership, pursuant to Section 517.12(20)(a)2. ~~517.12(19)(a)2.~~, F.S.;

4. Any natural person who is required to submit fingerprints pursuant to Section 517.12(20)(c), F.S., ~~direct or indirect owner or principal required to be reported on the Form FL-INT~~ shall comply with the fingerprinting requirements as set forth in subsection (4) of this rule, ~~pursuant to Section 517.12(19)(b), F.S.~~

(2) No change.

(3) Amendment of Application. Pursuant to Section 517.12(20)(c) ~~517.12(19)(c)~~, F.S. if the information contained in any application for registration as an intermediary or in any amendment thereto, becomes inaccurate for any reason, the intermediary shall file an amendment on the Form FLO-INT ~~Form FL-INT~~, correcting such information within 30 days. An applicant may amend the application as to those factors generally within the control or selection of the applicant once, as a matter of course, at any time within thirty (30) days from its receipt for filing. Otherwise, the application may be amended only with prior permission from the Office. Applicants and registrants shall file such amendments directly with the Office electronically through the REAL System. If an amendment requires additional review by the Office, and the Office's additional review cannot be completed before the 90-day time period of Section 120.60(1), F.S., the application shall be subject to denial, and a new application, accompanied by the appropriate filing fee, may be required.

(4) Fingerprint Requirements. Fingerprints filed in accordance with Section 517.12(20) ~~517.12(19)~~, F.S., shall be submitted to the Office through a live scan vendor approved by the Florida Department of Law Enforcement (FDLE) and published on FDLE's website for submission to FDLE and the Federal Bureau of Investigation (FBI) for a state criminal background check and a federal criminal background check. The cost of fingerprint processing shall be borne by the applicant and paid directly to the live scan vendor.

(5) Annual Renewal Requirements.

(a) Each intermediary renewing its registration shall pay all renewal fees as required by Section 517.12(20)(e) ~~517.12(19)(e)~~, F.S. Renewal fees for intermediaries shall be filed electronically on the Office's website at [www.flofr.gov](http://www.flofr.gov) through the REAL System and shall be deemed received on the date the Office issues a confirmation of submission and payment to the applicant via the Office's website. All renewal fees must be received by the Office by December 31 of the year the registration expires.

(b) Failure to submit the requisite amount of fees as provided for in paragraph (5)(a), by December 31 of the year of expiration of the registration shall result in the intermediary's registration not being renewed. If December 31 falls on a Saturday, Sunday or legal holiday pursuant to Section 110.117, F.S., the renewals received on the next business day shall be considered timely received. However, an expired registration may be reinstated in accordance with Section 517.12(20)(e) ~~517.12(19)(e)~~, F.S., provided that all requisite information and fees are filed electronically on the Office's website at [www.flofr.gov](http://www.flofr.gov) through the REAL System on or before January 31 of the year following the year of expiration. Failure to submit the requisite amount of

fees necessary to reinstate registration by January 31 of the year following the year of expiration shall result in such registration not being reinstated. If January 31 falls on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S., the reinstatement received on the next business day shall be considered timely received. If the renewal or reinstatement is withdrawn or not granted, any fees filed to renew or reinstate registration or notice-filing shall be deposited into the Regulatory Trust Fund of the office and shall not be returnable.

(6) Termination of Registration as Intermediary.

(a) Where a registrant withdraws, cancels, or otherwise terminates registration, or is terminated for any reason, notice of such fact shall be electronically filed with the Office through the REAL System using the Form FLO-INT ~~Form FL-INT~~ within thirty (30) calendar days of the date of termination.

(b) No change.

(7) No change.

*Rulemaking Authority 517.03(1), 517.12(20) ~~517.12(19)~~, 517.121(1), 517.1611 FS. Law Implemented 517.12(20) ~~517.12(19)~~, 517.1611 FS. History—New 12-29-15, Amended 1-18-21, 3-21-24, 10-1-24,\_\_\_\_\_.*

#### **69W-600.002 Application for Registration as Associated Person (FINRA Dealer).**

(1) New Applications.

(a) Applicants for initial registration as a principal or associated person of dealers who are members of the Financial Industry Regulatory Authority (FINRA) shall file the Uniform Application for Securities Industry Registration or Transfer (Form U4) electronically through the Central Registration Depository (CRD) of FINRA as prescribed by the Financial Services Commission (Commission). The application shall include all information required by such form, any other information the Office of Financial Regulation (Office) may require, and payment of the statutory fees required by Section 517.12(10) ~~517.12(9)~~, F.S. The application shall be deemed received by the Office on the date designated in the “Status Date” field on the line notated “FL” with a “Registration Status” of “pending” as indicated on the CRD “Registrations with Current Employers” screen. Every application or amendment filed pursuant to this rule shall constitute a “written application” within the meaning of Section 517.12(5), F.S.

(b) An application shall include the following:

1. No change.

2. Statutory fee, for each application, in the amount as required by Section 517.12(10) ~~517.12(9)~~, F.S.

3. Persons requesting a fee waiver as set forth in Section 517.12(10) ~~517.12(9)~~, F.S., shall submit Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001, effective 10/2024. A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-17050> or from the Office at <https://flofr.gov/sitePages/MaterialsDS.htm>. Form OFR-MIL-001 shall be submitted within one hundred eighty (180) days after receipt of the application.

4. No change.

5. Fingerprints shall be submitted in accordance with Section 517.12(7) ~~517.12(6)~~, F.S., and subsection (7) of this rule.

(2) through (6) No change.

(7) Fingerprint Requirements.

(a) Fingerprints filed in accordance with Section 517.12(7) ~~517.12(6)~~, F.S., shall be submitted to the Office through a live scan vendor approved by the Florida Department of Law Enforcement

(FDLE) and published on FDLE's website for submission to FDLE and the Federal Bureau of Investigation (FBI) for a state criminal background check and a federal criminal background check. The cost of fingerprint processing shall be borne by the applicant and paid directly to the live scan vendor.

(b) No change.

(8) Renewal Requirement.

(a) Renewal fees for associated persons of FINRA member firms shall be submitted by the firm through the CRD by December 31 of the year the registration expires as required by Section 517.12(11) ~~517.12(10)~~, F.S.

(b) For associated persons of FINRA members, failure of the firm to submit the requisite amount of fees by December 31 of the year of expiration of the registration shall result in such registration not being renewed. If December 31 falls on a Saturday, Sunday or legal holiday pursuant to Section 110.117, F.S., the renewals received on the next business day shall be considered timely received. However, an expired registration may be reinstated in accordance with the provisions of Section 517.12(11) ~~517.12(10)~~, F.S., provided that all requisite information and fees are date stamped by the cashier's office of the Department of Financial Services on or before January 31 of the year following the year of expiration. Failure to submit the requisite amount of fees necessary to reinstate registration by January 31 of the year following the year of expiration shall result in such registration not being reinstated. If January 31 falls on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S., the reinstatement received on the next business day shall be considered timely received. In the event that the renewal or reinstatement is withdrawn or not granted, any fees filed to renew or reinstate registration shall become the revenue of the state pursuant to Section 517.12(10) ~~517.12(9)~~, F.S., and shall not be returnable.

(c) Persons requesting a fee waiver as set forth in Section 517.12(11) ~~517.12(10)~~ F.S., shall submit Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001, effective 10/2024. A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-17050> or from the Office at <https://flofr.gov/sitePages/MaterialsDS.htm>. Form OFR-MIL-001 shall be submitted within one hundred eighty (180) days after receipt of the renewal fees.

(9) through (11) No change.

*Rulemaking Authority 517.03(1), 517.12, 517.121(1) FS. Law Implemented 517.12 FS. History—New 9-20-82, Formerly 3E-301.02, Amended 10-15-86, 10-4-88, 6-24-90, 7-29-90, 10-14-90, 8-1-91, 6-16-92, 6-28-93, 11-14-93, 3-13-94, 4-30-96, 12-29-96, 6-22-98, 5-10-00, 9-19-00, 7-31-02, 12-11-03, Formerly 3E-600.002, Amended 3-16-06, 5-15-07, 12-24-07, 12-25-08, 11-22-10, 5-29-12, 11-11-13, 12-29-15, 9-25-18, 11-26-19, 1-18-21, 2-14-23, 3-21-24, 10-1-24,\_\_\_\_\_.*

#### **69W-600.0022 Application for Registration as Associated Person (Non-FINRA Dealer).**

(1) New Applications.

(a) Applicants for initial registration as a principal or associated person of dealers who are not members of the Financial Industry Regulatory Authority (FINRA) shall file the Uniform Application for Securities Industry Registration or Transfer (Form U4) electronically on the Office of Financial Regulation's website at <https://real.flofr.com> through the Regulatory Enforcement and Licensing (REAL) System as prescribed by the Financial Services Commission (Commission). The application shall include all information required by such form, any other information the Office of Financial Regulation (Office) may require, and payment of the statutory fees required by Section 517.12(10) ~~517.12(9)~~, F.S. The application shall be deemed received on the date the Office issues a confirmation of submission and payment to the applicant via the Office's website. Every application

or amendment filed pursuant to this rule shall constitute a “written application” within the meaning of Section 517.12(5), F.S.

(b) An application shall include the following:

1. No change.

2. Statutory fee, for each application, in the amount as required by Section 517.12(10) ~~517.12(9)~~, F.S.

3. Persons requesting a fee waiver as set forth in Section 517.12(10) ~~517.12(9)~~, F.S., shall submit Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001, effective 10/2024. A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-17051> or from the Office at <https://flofr.gov/sitePages/MaterialsDS.htm>. Form OFR-MIL-001 shall be submitted within one hundred eighty (180) days after receipt of the application.

4. No change.

5. Fingerprints shall be submitted in accordance with Section 517.12(7) ~~517.12(6)~~, F.S., and subsection (7) of this rule.

(2) through (6) No change.

(7) Fingerprint Requirements. Fingerprints filed in accordance with Section 517.12(7) ~~517.12(6)~~, F.S., shall be submitted to the Office through a live scan vendor approved by the Florida Department of Law Enforcement (FDLE) and published on FDLE’s website for submission to FDLE and the Federal Bureau of Investigation (FBI) for a state criminal background check and a federal criminal background check. The cost of fingerprint processing shall be borne by the applicant and paid directly to the live scan vendor.

(8) Renewal Requirement.

(a) Renewal fees for associated persons of non-FINRA member firms shall be filed by the firm electronically on the Office’s website at <https://real.flofr.com> through the REAL System and shall be deemed received on the date the Office issues a confirmation of submission and payment to the applicant via the Office’s website as required by Section 517.12(11) ~~517.12(10)~~, F.S. All renewal fees must be received by the Office by December 31 of the year the registration expires.

(b) For associated persons of dealers that are not members of FINRA, failure of the firm to submit the requisite amount of fees by December 31 of the year of expiration of the registration shall result in such registration not being renewed. If December 31 falls on a Saturday, Sunday or legal holiday pursuant to Section 110.117, F.S., the renewals received on the next business day shall be considered timely received. However, an expired registration may be reinstated in accordance with Section 517.12(11) ~~517.12(10)~~, F.S., provided that all requisite information and fees are filed electronically on the Office’s website at <https://real.flofr.com> through the REAL System on or before January 31 of the year following the year of expiration. Failure to submit the requisite amount of fees necessary to reinstate registration by January 31 of the year following the year of expiration shall result in such registration not being reinstated. If January 31 falls on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S., the reinstatement received on the next business day shall be considered timely received. If the renewal or reinstatement is withdrawn or not granted, any fees filed to renew or reinstate registration shall become the revenue of the state pursuant to Section 517.12(10) ~~517.12(9)~~, F.S., and shall not be returnable.

(c) Persons requesting a fee waiver as set forth in Section 517.12(11), ~~517.12(10)~~ F.S., shall submit Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001, effective 10/2024. A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-17051> or from the Office at <https://flofr.gov/sitePages/MaterialsDS.htm>. Form OFR-MIL-001 shall be submitted within one hundred eighty (180) days after receipt of the renewal fees.

(9) through (10) No change.

*Rulemaking Authority 517.03(1), 517.12, 517.121(1) FS. Law Implemented 517.12 FS. History—New 12-29-15, Amended 9-25-18, 11-26-19, 1-18-21, 2-14-23, 3-21-24, 10-1-24,\_\_\_\_\_.*

**69W-600.0024 Application for Registration as Associated Person (Investment Adviser and Federal Covered Adviser).**

(1) New Applications.

(a) Applicants for registration as an associated person of investment advisers and federal covered advisers shall file the Uniform Application for Securities Industry Registration or Transfer (Form U4) electronically through the Central Registration Depository (CRD) of the Financial Industry Regulatory Authority (FINRA) as prescribed by the Financial Services Commission (Commission). The application shall include all information required by such form, any other information the Office of Financial Regulation (Office) may require, and payment of the statutory fees required by Section 517.12(10) ~~517.12(9)~~, F.S. The application shall be deemed received by the Office on the date designated in the “Status Date” field on the line notated “FL” with a “Registration Status” of “pending” as indicated on the CRD “Registrations with Current Employers” screen. Every application or amendment filed pursuant to this rule shall constitute a “written application” within the meaning of Section 517.12(5), F.S.

(b) An application shall include the following:

1. No change.

2. Statutory fee, for each application, in the amount as required by Section 517.12(10) ~~517.12(9)~~, F.S.

3. Persons requesting a fee waiver as set forth in Section 517.12(10) ~~517.12(9)~~, F.S., shall submit Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001, effective 10/2024. A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-17052> or from the Office at <https://flofr.gov/sitePages/MaterialsDS.htm>. Form OFR-MIL-001 shall be submitted within one hundred eighty (180) days after receipt of the application.

4. No change.

5. Fingerprints shall be submitted in accordance with Section 517.12(7) ~~517.12(6)~~, F.S., and subsection (7) of this rule.

(2) through (6) No change.

(7) Fingerprint Requirements.

(a) Fingerprints filed in accordance with Section 517.12(7) ~~517.12(6)~~, F.S., shall be submitted to the Office through a live scan vendor approved by the Florida Department of Law Enforcement (FDLE) and published on FDLE’s website for submission to FDLE and the Federal Bureau of Investigation (FBI) for a state criminal background check and a federal criminal background check. The cost of fingerprint processing shall be borne by the applicant and paid directly to the live scan vendor.

(b) No change.

(8) Renewal Requirement.

(a) Renewal fees for associated persons shall be submitted by the firm through the CRD by December 31 of the year the registration expires as required by Section 517.12(11) ~~517.12(10)~~, F.S.

(b) Failure of the firm to submit the requisite amount of fees by December 31 of the year of expiration of the registration shall result in such registration not being renewed. If December 31 falls on a Saturday, Sunday or legal holiday pursuant to Section 110.117, F.S., the renewals received on the next business day shall be considered timely received. However, an expired



registration may be reinstated in accordance with the provisions of Section 517.12(11) ~~517.12(10)~~, F.S., provided that all requisite information and fees are date stamped by the cashier's office of the Department of Financial Services on or before January 31 of the year following the year of expiration. Failure to submit the requisite amount of fees necessary to reinstate registration by January 31 of the year following the year of expiration shall result in such registration not being reinstated. If January 31 falls on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S., the reinstatement received on the next business day shall be considered timely received. In the event that the renewal or reinstatement is withdrawn or not granted, any fees filed to renew or reinstate registration shall become the revenue of the state pursuant to Section 517.12(10) ~~517.12(9)~~, F.S., and shall not be returnable.

(c) Persons requesting a fee waiver as set forth in Section 517.12(11), ~~517.12(10)~~ F.S., shall submit Office of Financial Regulation Active Military Member/Veteran/Spouse Fee Waiver and Military Service Verification, Form OFR-MIL-001, effective 10/2024. A sample form is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-17052> or from the Office at <https://flofr.gov/sitePages/MaterialsDS.htm>. Form OFR-MIL-001 shall be submitted within one hundred eighty (180) days after receipt of the renewal fees.

(9) through (10) No change.

*Rulemaking Authority 517.03(1), 517.12, 517.121(1) FS. Law Implemented 517.12 FS. History—New 12-29-15, Amended 9-25-18, 11-26-19, 1-18-21, 2-14-23, 3-21-24, 10-1-24,\_\_\_\_\_.*

**69W-600.0031 Notice-Filing of Branch Office (FINRA Dealer).**

(1) through (6) No change.

*Rulemaking Authority 517.03(1), 517.1202 FS. Law Implemented 517.12(9) ~~517.12(8)~~, 517.1202 FS. History—New 12-29-15, Amended 11-26-19, 2-14-23,\_\_\_\_\_.*

**69W-600.0032 Notice-Filing of Branch Office (Non-FINRA Dealer).**

(1) through (6) No change.

*Rulemaking Authority 517.03(1), 517.1202 FS. Law Implemented 517.12(9) ~~517.12(8)~~, 517.1202 FS. History—New 12-29-15, Amended 11-26-19,\_\_\_\_\_.*

**69W-600.0151 Net Capital and Financial Reporting Requirements for Dealers.**

(1) through (4) No change.

*Rulemaking Authority 517.03(1), 517.12(9) ~~517.12(8)~~, 517.121(2) FS. Law Implemented 517.12(9) ~~517.12(8)~~, 517.121(2), 517.161(1), 517.201 FS. History—New 5-6-15, Amended 11-26-19, 3-3-21, 2-14-23, 3-21-24,\_\_\_\_\_.*

**69W-600.0161 Net Capital and Financial Reporting Requirements for Investment Advisers.**

(1) through (3) No change.

*Rulemaking Authority 517.03(1), 517.12(9) ~~517.12(8)~~, 517.121(2) FS. Law Implemented 517.12(9) ~~517.12(8)~~, 517.121(2), 517.161(1), 517.201 FS. History—New 5-6-15, Amended 3-3-21, 2-14-23, 3-21-24,\_\_\_\_\_.*

**69W-600.017 Customer Protection Rule – Reserve Requirements and Custody of Customer Funds and Securities.**

All Dealer applicants and registrants subject to the net capital provisions of subsection 69W-600.0151(2), F.A.C., shall be required to prepare and maintain such records and accounts as specified in, and to comply in all other respects with, the provisions of SEC Rule 15c3-3 and Exhibit A (17 C.F.R. §240.15c3-3 and 240.15c3-3a), which are incorporated by reference in Rule 69W-200.002, F.A.C.

*Rulemaking Authority 517.03(1), 517.12(9) ~~517.12(8)~~, 517.121(2) FS. Law Implemented 517.12(9) ~~517.12(8)~~, 517.121(2) FS. History—New 12-5-79, Formerly 3E-600.17, Amended 6-16-92, Formerly 3E-600.017, Amended 11-22-10, 9-22-14, 11-26-19,\_\_\_\_\_.*

**69W-1000.001 Disciplinary Guidelines.**

(1) Pursuant to Section 517.1611, F.S., disciplinary guidelines applicable to each ground for which disciplinary action may be imposed by the Office against an individual or a firm under Chapter 517, F.S., are hereby adopted. The disciplinary guidelines are contained in the Office of Financial Regulation Disciplinary Guidelines for Chapter 517, Florida Statutes (F.S.) and Division 69W, Florida Administrative Code (F.A.C.) (effective XX-XX-10-24), which is hereby incorporated by reference and available at <https://www.flrules.org/gateway/reference.asp?NO=Ref-XXXXXX>. A copy of the disciplinary guidelines may be obtained by mail from the Florida Office of Financial Regulation, Division of Securities, 200 E. Gaines Street, Tallahassee, Florida 32399, or may be obtained electronically through the following website: <https://flofr.gov/XXXXX> ~~<https://www.flrules.org/gateway/reference.asp?NO=Ref 16988> or available from the Office at <https://flofr.gov/sitePages/documents/Matrix.pdf>.~~

(2) through (8) No change.

*Rulemaking Authority 517.1611(1) FS. Law Implemented 517.111, 517.1202, 517.121, 517.161, 517.1611(1), 517.191(4), (9), (10) FS. History—New 11-22-10, Amended 11-14-13, 5-6-15, 11-15-16, 12-10-19, 1-18-21, 3-21-24, 10-1-24,\_\_\_\_\_.*

**Material Incorporated by Reference:**

A copy of the incorporated material is attached hereto.

## ATTACHMENT 2

**FINANCIAL SERVICES COMMISSION  
OFFICE OF FINANCIAL REGULATION**

**AGENDA ITEM #\_2\_: REQUEST APPROVAL TO PUBLISH NOTICES OF PROPOSED RULE AND FILE  
FOR FINAL ADOPTION**

**Action Requested:**

The OFR respectfully requests approval to publish Notice of Proposed Rule and file for final adoption to:

1. Amend Rule 69U-100.045, Florida Administrative Code (F.A.C.).

**Summary and Justification of Rules:**

The OFR proposes to amend Rule 69U-100.045, F.A.C., to incorporate updated Examination Manuals and Referenced Standards for the purpose of conducting examinations of financial institutions to assess the performance and condition of such institutions.

**B. Procedural History of the Rules**

On November 21, 2024, a Notice of Rule Development was published in the *Florida Administrative Code* (FAR) for Rule 69U-100.045, F.A.C., Vol. 50, Number 229 edition of the FAR.

**Proposed Text of Rules:**

**69U-100.045 Examination Manuals and Referenced Standards.**

The OFR uses the examination manuals referenced by this rule in the implementation of its examination responsibilities. The OFR examiners use these manuals as reference guidelines when conducting safety and soundness examinations of financial institutions. The material incorporated by reference in this rule may also be obtained from the OFR's website at [www.flofr.gov](http://www.flofr.gov). The following manuals are hereby incorporated by reference into the body of printed materials that the OFR uses for the purposes of conducting examinations of financial institutions to assess the performance and condition of such institutions:

(1) Federal Financial Institutions Examination Council, Bank Secrecy Act/Anti-Money Laundering Examination Manual (effective as of 10/17/2024) ~~(4/2020)~~, accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-12617>~~.

(2) Federal Deposit Insurance Corporation, RMS Manual of Examination Policies (7/8/2024) ~~(8/2020)~~, accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-12618>~~.

(3) Federal Deposit Insurance Corporation, Trust Examination Manual (4/19/2024) ~~(2018)~~, accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>  
~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-09662>~~.

(4) National Credit Union Administration, Examiner's Guide (10/2024) ~~(5/2018)~~, accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-09670>~~.

(5) through (6) No change.

(7) Federal Financial Institutions Examination Council, Information Technology Examination Handbook, Information Security (8/2024) ~~(9/2016)~~, accessible at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-12619>~~.

(8) No change.

*Rulemaking Authority 655.012(2) FS. Law Implemented 655.045 FS. History—New 10-24-93, Formerly 3C-1.015, Amended 1-2-95, 6-4-95, 5-22-96, Formerly 3C-100.045, Amended 9-2-10, 7-27-15, 12-9-15, 9-11-18, 1-18-21,\_\_\_\_\_.*

**Material Incorporated by Reference:**

A copy of the incorporated material is attached hereto.