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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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04/30/2010 12:15 PM

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Senator Dean moved the following:

Senate Amendment (with title amendment)

Between lines 654 and 655

insert:

(v)~~(u)~~ In addition to the grounds for disciplinary action prescribed in paragraphs (a)-(u) ~~(a)-(t)~~, Class "R" recovery agencies, Class "E" recovery agents, and Class "EE" recovery agent interns are prohibited from committing the following acts:

1. Recovering a motor vehicle, mobile home, motorboat, aircraft, personal watercraft, all-terrain vehicle, farm equipment, or industrial equipment that has been sold under a conditional sales agreement or under the terms of a chattel mortgage before authorization has been received from the legal



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14 owner or mortgagee.

15 2. Charging for expenses not actually incurred in
16 connection with the recovery, transportation, storage, or
17 disposal of repossessed property or personal property obtained
18 in a repossession.

19 3. Using any repossessed property or personal property
20 obtained in a repossession for the personal benefit of a
21 licensee or an officer, director, partner, manager, or employee
22 of a licensee.

23 4. Selling property recovered under the provisions of this
24 chapter, except with written authorization from the legal owner
25 or the mortgagee thereof.

26 5. Failing to notify the police or sheriff's department of
27 the jurisdiction in which the repossessed property is recovered
28 within 2 hours after recovery.

29 6. Failing to remit moneys collected in lieu of recovery of
30 a motor vehicle, mobile home, motorboat, aircraft, personal
31 watercraft, all-terrain vehicle, farm equipment, or industrial
32 equipment to the client within 10 working days.

33 7. Failing to deliver to the client a negotiable instrument
34 that is payable to the client, within 10 working days after
35 receipt of such instrument.

36 8. Falsifying, altering, or failing to maintain any
37 required inventory or records regarding disposal of personal
38 property contained in or on repossessed property pursuant to s.
39 493.6404(1).

40 9. Carrying any weapon or firearm when he or she is on
41 private property and performing duties under his or her license
42 whether or not he or she is licensed pursuant to s. 790.06.



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43 10. Soliciting from the legal owner the recovery of
44 property subject to repossession after such property has been
45 seen or located on public or private property if the amount
46 charged or requested for such recovery is more than the amount
47 normally charged for such a recovery.

48 11. Wearing, presenting, or displaying a badge in the
49 course of performing a repossession regulated by this chapter.

50
51 ===== T I T L E A M E N D M E N T =====

52 And the title is amended as follows:

53 Delete line 65

54 and insert:

55 firearms; conforming a cross-reference; amending s.

56 493.6121, F.S.; deleting