

Notice of Meeting/Workshop Hearing

DEPARTMENT OF FINANCIAL SERVICES

Securities

RULE NO: RULE TITLE

69W-600.0021: Effect of Law Enforcement Records on Applications for Registration as Associated Persons

The Financial Services Commission, Office of Financial Regulation announces a hearing to which all persons are invited.

DATE AND TIME: January 26, 2010, 9:00 a.m., during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed Rule 69W-600.0021, F.A.C., published on October 23, 2009, in Vol. 35, No. 42 of the Florida Administrative Weekly. A notice of change for this rule is published in the January 8, 2010, Vol. 36, No. 01, edition of the Florida Administrative Weekly. The proposed rule sets forth the policies of the Office of Financial Regulation with respect to processing registration applications for persons who have been found guilty of, or who have pled guilty or nolo contendere to, certain crimes. The rule makes a general classification of crimes into two classes: Class A and Class B. Class A crimes address felonies involving fraud, dishonesty or any other act of moral turpitude; and Class B crimes address misdemeanors involving those same issues. Under the proposed rule, the disqualification period for a Class A crime is 15 years. For Class B crimes, the disqualification period is 5 years. The rule provides that the disqualification period will be extended if the applicant has multiple Class A or B crimes, and it provides that mitigating factors may be considered to reduce disqualifying periods. The disqualifying periods established in the rule do not give an applicant a right to registration after any set period of time. Regardless of the expiration of any disqualifying period imposed by the rule, the burden to prove entitlement to registration remains on the applicant. Other factors related to the consideration of the applicant's criminal history are also addressed.

A copy of the agenda may be obtained by contacting: Governor and Cabinet website at: <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Andrea Moreland, Office of Financial Regulation, at (850)410-9601, andrea.moreland@flofr.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Andrea Moreland, Office of Financial Regulation, at (850)410-9601, andrea.moreland@flofr.com.