



TOM GRADY
COMMISSIONER

101 EAST GAINES STREET, TALLAHASSEE, FLORIDA • (850) 410-9601 • FAX (850) 410-9663
MAILING ADDRESS: 200 EAST GAINES STREET, TALLAHASSEE, FLORIDA 32399-0370
VISIT US ON THE WEB: WWW.FLOFR.COM • TOLL FREE: (800) 848-3792

December 1, 2011

Senator Mike Haridopolos, President
The Florida Senate
The Capitol, Suite 409
Tallahassee, Florida 32399-1100

The Honorable Dean Cannon
Speaker of the House of Representatives
The Capitol, Suite 420
Tallahassee, Florida 32399-1300

The Honorable Ellyn Bogdanoff, Chair
The Honorable Lake Ray, Vice Chair
Joint Administrative Procedures Committee
Room 680 Pepper Building
111 W. Madison Street
Tallahassee, Florida 32399-1400
Attention: Ken Plante, Coordinator

Senator Garrett Richter, Chair
Committee on Banking and Insurance
320 Knott Building
Tallahassee, Florida 32399-1100
Attention: Steve Burgess, Staff Director

The Honorable Bryan Nelson, Chair
House Subcommittee on Insurance and Banking
204 House Office Building
Tallahassee, Florida 32399-1300
Attention: Tom Cooper, Policy Chief

RE: Certification of Compliance with Florida Statutes §§ 120.74 and 120.745

Dear President Haridopolos, Speaker Cannon, Chairs Bogdanoff, Lake, Richter and Nelson:

Please accept this letter as certification that the Office of Financial Regulation has completed the enhanced biennial report for all rules of the agency as required by Fla. Stat. §120.745. The report is posted on the Office's website at www.flofr.com.

In summary, out of the agency's 339 existing rules, we identified 29 rules for repeal, 27 rules for amendment, 114 data collection rules, and 70 revenue rules. Five rules have been identified as having an economic impact. Three of these rules have been placed in Group 1 for economic review

FINANCIAL SERVICES COMMISSION

RICK SCOTT
GOVERNOR

PAM BONDI
ATTORNEY
GENERAL

JEFF ATWATER
CHIEF FINANCIAL
OFFICER

ADAM PUTNAM
COMMISSIONER OF
AGRICULTURE

December 1, 2011

Page 2

and two have been placed in Group 2. In accordance with §120.745, Group 1 rules will be reviewed and reported on by May 1, 2012, and Group 2 rules will be reviewed and reported on by May 1, 2013.

This letter will also serve as certification that the Office of Financial Regulation has complied with the requirements of Fla. Stat. §120.74, including the biennial rule review. The resulting report identifies rules that have been created, amended, or repealed as the result of our last review, and contains recommendations for rule amendments and repeals in the future.

From October 1, 2009, to November 30, 2011, 36 rules were repealed (approximately 10% of the agency's rules), 58 were amended and 17 were created to implement new statutory requirements. Four rule amendments reduce regulatory burden on small business. The report also summarizes legislation the agency pursued in 2010 and 2011 to promote efficiency, reduce paperwork, and decrease costs to government and the private sector. In 2012, the agency will again support legislation to further these goals.

In addition to the above statutory requirements, we have undertaken our own initiative to cleanse our books of inefficient and costly rules. We sent over 50 letters to industry representatives requesting their comments and assistance in identifying such rules and we are reviewing the comments. We anticipate proposing additional amendments or repeals for consideration by the legislature or the Financial Services Commission.

As a result of the mandatory rule review and this agency's own initiatives, we have identified agencies with concurrent or overlapping jurisdiction that may be able to coordinate their rules with ours in order to promote efficiency, reduce paperwork and decrease costs to government and the private sector. We are likely to recommend statutory changes to reduce those costs without impacting benefits, including changes prompted by our review of the Consumer Financial Protection Bureau created pursuant to the Dodd-Frank Wall Street Reform Act. The Consumer Financial Protection Bureau will soon become a primary regulator, educator and enforcer of much of what is currently within this agency's jurisdiction and more (including bank accounts, credit counseling agencies, debt collection, stored value cards, mortgage foreclosure issues, investments, financial planning for service members, seniors, students and more), and offers an opportunity for cost savings in this agency.

Regulatory coordination and the elimination of redundancy is a top priority in our agency. To promote it, we will independently reach out to those agencies with concurrent or overlapping jurisdiction as we continue to research the impact of the CFPB on our agency. Of course, I would be happy to share with you additional details at your request.

Best wishes for the holiday season.

Respectfully,

Tom Grady
Commissioner