



FLORIDA CHECK CASHING LAW 08/08/2023 UPDATE

What Happened?

On 07/01/2023, Florida House Bill 1185 (“HB 1185”) became law. HB 1185 created Section 560.309(11), Florida Statutes. Section 560.309(11) states as follows:

“A licensee may not cash **corporate checks** where the aggregate face amount of all corporate checks cashed for each payee exceeds 200 percent of the payee's workers' compensation policy payroll amount during the same dates as the workers' compensation policy coverage period.”

What is a corporate check?

According to the Florida Office of Financial Regulation’s Division of Consumer Finance (“OFR”), a corporate check is a corporate payment instrument. Section 560.103(11), Florida Statutes, defines a “corporate payment instrument” as a payment instrument on which the payee named on the instrument’s face is other than a natural person.

Does the new law limit a check cashing company’s ability to cash a leased employee’s payroll check from Southeast Personnel Leasing, Inc. (“SPLI”)?

No. First, OFR has assured the public that this statute **DOES NOT apply to payroll checks**. Secondly, the payee named on an SPLI payroll check is a leased employee. A leased employee is a natural person. As such, the payroll check is not a corporate payment instrument that is subject to the restrictions of Section 560.309(11).

For more information, please click on the following link:

<https://flofr.gov/sitePages/documents/CFCComplianceTips.pdf>