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FOR MORE INFORMATION:  
Suellen Wilkins, Communications Director  
850-701-3509  
[swilkins@floridabankers.com](mailto:swilkins@floridabankers.com)

**FBA Files Petition Seeking Invalidation of Proposed OFR Rules**  
*Filing details how OFR's expanded debanking rules are not authorized under state laws*

TALLAHASSEE, Fla.— This afternoon, the Florida Bankers Association (FBA) filed a petition with the Division of Administrative Hearings (DOAH) asking an administrative law judge to invalidate the Florida Office of Financial Regulation (OFR)'s recent proposed expansion of debanking rules.

The FBA was forced to take this action after determining the proposed rules far exceed the statutory authority granted to OFR under the state's debanking laws, and after concluding the proposed rules will impose a substantial cost on financial institutions, consumers, and small businesses across Florida.

The FBA petition also details how the proposed rules will lead to a flood of frivolous complaints, investigations, and litigation even if banks demonstrate compliance with the state's debanking rules.

"This is not a decision we made lightly, and we regret having to take this action," FBA President & CEO Kathy Kraninger said. "But Florida law makes clear that a state agency can't write rules that exceed the scope of a statute. These new rules go far beyond what state lawmakers approved and will bring significant harm to Florida financial institutions and the customers and communities they serve. We were left with no option but to seek their invalidation."

Under long-established Florida law, an agency may not adopt rules that enlarge, modify, or contravene the scope of an existing statute.

The filing details how the proposed debanking rules exceed state law in several areas including:

- Extending the ability to lodge a complaint to *any* person when they suspect a financial institution has violated *any* part of the debanking statute, even if that individual is not a customer or prospective customer;
- Enlarging the interpretation of the terms "customer," "prospective customer" and "social credit score" well beyond their plain meanings;
- Requiring an "executive officer" to sign an Attestation of Compliance, instead of the current requirement to have an "authorized officer" sign; and,
- Requiring a financial institution claiming any action or inaction was due to suspicious activity to provide "sufficient information to substantiate such claim," potentially undermining the confidentiality of SARs and violating federal law.

“Florida banks are in the business of banking as many individual and business customers as they can. While we may disagree with the need for the state’s debanking laws, our industry has worked hard to comply with them,” Kraninger said. “Moreover, President Trump is actively taking steps to prohibit debanking and strengthened consumer protection through Executive Order 14331, which guarantees fair access to banking for Floridians and all Americans. In doing so, the President provided the necessary protections for consumers. This proposed expansion, however, moves the goalposts in ways the Florida Legislature never authorized, and in ways that will impose unreasonable burdens on banks and ultimately will hurt consumers. We need to prevent that from happening.”

**[The FBA petition can be found here.](#)**

**[A letter from FBA-Chair Elect/Former Senator Garrett Richter to OFR Commissioner Russell Weigel, expressing concern regarding the proposed expansion, can be found here.](#)**

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*Through advocacy, education and engagement, the Florida Bankers Association (FBA) supports Florida bankers in better serving their customers and communities. Established in 1888, FBA today represents more than 150 banks of all sizes, and their dedicated 134,000+ employees, operating in the state of Florida.*