

By the Committees on Community Affairs; and Commerce and
Tourism; and Senator Wise

578-04244-11

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1 A bill to be entitled
2 An act relating to household moving services; amending
3 s. 507.01, F.S.; redefining the term "storage";
4 amending s. 507.03, F.S.; providing for the biennial
5 renewal of mover and moving broker registrations;
6 authorizing the Department of Agriculture and Consumer
7 Services to extend registration expiration dates in
8 order to establish staggered dates; requiring the
9 calculation of biennial registration fees based on an
10 annual rate; deleting a provision requiring certain
11 movers and moving brokers to obtain a local license or
12 registration and pay the state registration fee;
13 amending s. 507.07, F.S.; prohibiting a mover or
14 moving broker from conducting business without being
15 registered with the department; providing penalties;
16 amending s. 507.13, F.S.; preempting local ordinances
17 and regulations except in certain counties;
18 restricting the levy or collection of local
19 registration fees and taxes of movers and moving
20 brokers; providing for local registration and bonding;
21 exempting local business taxes from preemption;
22 providing for retroactive application; providing an
23 effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Subsection (13) of section 507.01, Florida
28 Statutes, is amended to read:

29 507.01 Definitions.—As used in this chapter, the term:

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30 (13) "Storage" means the temporary warehousing of a
31 shipper's goods while under the care, custody, and control of
32 the mover.

33 Section 2. Subsections (1), (3), and (4) of section 507.03,
34 Florida Statutes, are amended to read:

35 507.03 Registration.—

36 (1) Each mover and moving broker must ~~annually~~ register
37 with the department, providing its legal business and trade
38 name, mailing address, and business locations; the full names,
39 addresses, and telephone numbers of its owners or corporate
40 officers and directors and the Florida agent of the corporation;
41 a statement whether it is a domestic or foreign corporation, its
42 state and date of incorporation, its charter number, and, if a
43 foreign corporation, the date it registered with the Department
44 of State; the date on which the mover or broker registered its
45 fictitious name if the mover or broker is operating under a
46 fictitious or trade name; the name of all other corporations,
47 business entities, and trade names through which each owner of
48 the mover or broker operated, was known, or did business as a
49 mover or moving broker within the preceding 5 years; and proof
50 of the insurance or alternative coverages required under s.
51 507.04.

52 (3) Registration fees shall be calculated at the rate of
53 \$300 per year per mover or moving broker. All amounts collected
54 shall be deposited by the Chief Financial Officer to the credit
55 of the General Inspection Trust Fund of the department for the
56 sole purpose of administration of this chapter.

57 (4) A registration must be renewed biennially on or before
58 its expiration date. In order to establish staggered expiration

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59 dates, the department may extend the expiration date of a
60 registration for a period not to exceed 12 months. ~~Any mover or~~
61 ~~moving broker whose principal place of business is located in a~~
62 ~~county or municipality that requires, by local ordinance, a~~
63 ~~local license or registration to engage in the business of~~
64 ~~moving and storage of household goods must obtain the license or~~
65 ~~registration from the county or municipality. A mover or broker~~
66 ~~that obtains a local license or registration must also pay the~~
67 ~~state registration fee under subsection (3).~~

68 Section 3. Subsection (1) of section 507.07, Florida
69 Statutes, is amended to read:

70 507.07 Violations.—It is a violation of this chapter to:

71 (1) Conduct business as a mover or moving broker, or
72 advertise to engage in the business of moving or offering to
73 move, without ~~first~~ being registered ~~annually~~ with the
74 department.

75 Section 4. Subsection (1) of section 507.13, Florida
76 Statutes, is amended to read:

77 507.13 Local regulation.—

78 (1) (a) Except as provided in paragraphs (b) and (c), this
79 chapter preempts a ~~does not preempt~~ local ordinance ~~ordinances~~
80 or regulation ~~regulations~~ of a county or municipality which
81 regulates ~~regulate~~ transactions relating to movers of household
82 goods or moving brokers.

83 (b) This chapter does not preempt an ordinance or
84 regulation originally enacted by a county before January 1,
85 2011, or a subsequent amendment to such an ordinance or
86 regulation. However, registration fees required by such an
87 ordinance or regulation must be reasonable and may not exceed

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88 the cost of administering the ordinance or regulation. In
89 addition, registration and bonding may be required only of a
90 mover or moving broker whose principal place of business is
91 located within that county's jurisdiction.

92 (c) This section does not preempt a local government's
93 authority to levy a local business tax pursuant to chapter 205.
94 ~~As provided in s. 507.03(4), counties and municipalities may~~
95 ~~require , levy, or collect any registration fee or tax or~~
96 ~~require the registration or bonding in any manner of any mover~~
97 ~~or moving broker.~~

98 Section 5. This act shall take effect July 1, 2011, and
99 shall apply retroactively to local ordinances or regulations
100 adopted on or after January 1, 2011.