

1 A bill to be entitled

2 An act relating to the Department of Agriculture and  
3 Consumer Services; amending s. 472.007, F.S.; revising  
4 the composition of the Board of Professional Surveyors  
5 and Mappers; amending s. 472.015, F.S.; requiring the  
6 Department of Agriculture and Consumer Services to  
7 waive the initial land surveying and mapping license  
8 fee for certain veterans, the spouses of such  
9 veterans, or certain business entities that have a  
10 majority ownership held by such veterans or spouses;  
11 amending s. 493.6105, F.S.; waiving the initial  
12 application fee for veterans for certain private  
13 investigative, private security, and repossession  
14 service licenses; revising certain fees for initial  
15 license applications; revising the submission  
16 requirements for a Class "K" license; amending s.  
17 493.6106, F.S.; deleting a provision requiring that  
18 certain applicants submit additional documentation  
19 establishing state residency; amending s. 493.6107,  
20 F.S.; waiving the initial license fees for veterans  
21 for certain private investigative, private security,  
22 and repossession service licenses; amending s.  
23 493.6108, F.S.; requiring the Department of Law  
24 Enforcement to retain fingerprints submitted for  
25 private investigative, private security, and  
26 repossession service licenses, to enter such

27 fingerprints into the statewide automated biometric  
28 identification system and the Federal Bureau of  
29 Investigation's national retained print arrest  
30 notification program, and to report any arrest record  
31 information to the Department of Agriculture and  
32 Consumer Services; requiring the department to provide  
33 information about an arrest of a licensee for certain  
34 crime within the state to the agency that employs the  
35 licensee; amending s. 493.6113, F.S.; clarifying the  
36 renewal requirements for Class "K" licenses; requiring  
37 a person holding a private investigative, private  
38 security, or repossession service license issued  
39 before a certain date to submit, upon first renewal of  
40 the license, a full set of fingerprints and a  
41 fingerprint processing fee; amending ss. 493.6202,  
42 493.6302, and 493.6402, F.S.; waiving initial license  
43 fees for veterans for certain private investigative,  
44 private security, and repossession service licenses;  
45 amending s. 501.0125, F.S.; revising the definition of  
46 the term "health studio"; defining the term "personal  
47 trainer"; amending s. 501.015, F.S.; requiring the  
48 department to waive the initial health studio  
49 registration fee for certain veterans, the spouses of  
50 such veterans, or certain business entities that have  
51 a majority ownership held by such veterans or spouses;  
52 amending s. 501.605, F.S.; prohibiting the use of a

53 mail drop as a street address for the principal  
54 location of a commercial telephone seller; requiring  
55 the department to waive the initial commercial  
56 telephone seller license fee for certain veterans, the  
57 spouses of such veterans, or certain business entities  
58 that have a majority ownership held by such veterans  
59 or spouses; amending s. 501.607, F.S.; requiring the  
60 department to waive the initial telephone salesperson  
61 license fees for certain veterans, the spouses of such  
62 veterans, or certain business entities that have a  
63 majority ownership held by such veterans or spouses;  
64 amending s. 507.03, F.S.; requiring the department to  
65 waive the initial registration fee for an intrastate  
66 mover for certain veterans, the spouses of such  
67 veterans, or certain business entities that have a  
68 majority ownership held by such veterans or spouses;  
69 amending s. 527.02, F.S.; requiring the department to  
70 waive the original liquefied petroleum gas license fee  
71 for certain veterans, the spouses of such veterans, or  
72 certain business entities that have a majority  
73 ownership held by such veterans or spouses; amending  
74 s. 527.021, F.S.; deleting a provision requiring a fee  
75 for registering transport vehicles; amending s.  
76 531.37, F.S.; revising the definition of the term  
77 "weights and measures"; amending s. 531.415, F.S.;

78 revising the fees for actual metrology laboratory

79 calibration and testing services; amending s. 531.60,  
80 F.S.; clarifying the applicability of permits for  
81 commercially operated or tested weights or measures  
82 instruments or devices; requiring a new permit  
83 application if a new owner acquires and moves an  
84 instrument or a device; requiring a business to notify  
85 the department of certain information under certain  
86 circumstances; deleting a provision authorizing the  
87 department to test weights and measures instruments or  
88 devices under certain circumstances; amending s.  
89 531.61, F.S.; clarifying provisions exempting certain  
90 instruments or devices from specified requirements;  
91 amending s. 531.62, F.S.; specifying that the  
92 commercial use permit fee is based upon the number and  
93 types of instruments or devices permitted; revising  
94 the expiration date of the commercial use permit;  
95 requiring annual and biennial commercial use permit  
96 renewals to meet the same requirements; amending s.  
97 531.63, F.S.; revising the commercial use permit fees  
98 and fee structures; amending s. 531.65, F.S.;  
99 clarifying that the department may use one or more of  
100 the prescribed penalties for the unauthorized use of a  
101 weights and measures instrument or device; amending s.  
102 539.001, F.S.; requiring the department to waive the  
103 initial pawnbroker license fee for certain veterans,  
104 the spouses of such veterans, or certain business

105 entities that have a majority ownership held by such  
106 veterans or spouses; amending s. 559.904, F.S.;  
107 requiring the department to waive the initial motor  
108 vehicle repair shop registration fee for certain  
109 veterans, the spouses of such veterans, or certain  
110 business entities that have a majority ownership held  
111 by such veterans or spouses; amending s. 559.927,  
112 F.S.; revising definitions; amending s. 559.928, F.S.;  
113 revising the registration requirements for sellers of  
114 travel; requiring the department to waive the initial  
115 seller of travel registration fee for certain  
116 veterans, the spouses of such veterans, or certain  
117 business entities that have a majority ownership held  
118 by such veterans or spouses; requiring each  
119 advertisement, each certificate, or any other travel  
120 document to include a specified phrase; deleting a  
121 provision requiring an advertisement to include a  
122 specified phrase; revising the circumstances under  
123 which the department may deny or refuse to renew a  
124 registration; authorizing the department to revoke the  
125 registration of a seller of travel under certain  
126 circumstances; amending s. 559.929, F.S.; revising  
127 certain security requirements; amending s. 559.9295,  
128 F.S.; revising the requirements that certain sellers  
129 of travel submit and disclose to the department;  
130 deleting provisions relating to the duties of the

131 department; amending s. 559.932, F.S.; requiring a  
132 specified typeface point size for certain disclosures;  
133 requiring the department to review copies of certain  
134 certificates and contracts for compliance with  
135 disclosure requirements; amending s. 559.933, F.S.;  
136 making technical changes; amending s. 559.9335, F.S.;  
137 revising violations relating to the sale of travel;  
138 amending s. 559.935, F.S.; deleting a provision  
139 requiring an affidavit of exemption to obtain a seller  
140 of travel affiliate exemption; adding embezzlement as  
141 a crime for which the department may revoke certain  
142 exemptions; amending s. 559.936, F.S.; conforming  
143 cross-references; amending s. 616.242, F.S.; exempting  
144 water-related amusement rides operated by lodging and  
145 food service establishments and membership  
146 campgrounds, amusement rides at private, membership-  
147 only facilities, and nonprofit permanent facilities  
148 from certain safety standards; authorizing owners or  
149 managers of amusement rides to use alternative forms  
150 to record ride inspections and employee training;  
151 amending s. 790.06, F.S.; revising the requirements  
152 for issuance of a concealed weapon or firearm license;  
153 requiring directions for expedited processing requests  
154 in the license application form; revising the initial  
155 and renewal fees for a concealed weapon or firearm  
156 license; providing a process for expediting

157 applications for servicemembers and veterans;  
158 requiring that notice of the suspension or revocation  
159 of a concealed weapon or firearm license or the  
160 suspension of the processing of an application for  
161 such license be given by personal delivery or first-  
162 class mail; specifying deadlines for requests for a  
163 hearing for suspensions or revocations; specifying  
164 standards of proof for notice of suspensions or  
165 revocations; requiring concealed weapon or firearm  
166 license renewals to include an affidavit submitted  
167 under oath and under penalty of perjury, rather than a  
168 notarized affidavit; amending s. 790.0625, F.S.;  
169 authorizing certain tax collector offices, upon  
170 approval and confirmation of license issuance by the  
171 department, to print and deliver concealed weapon or  
172 firearm licenses; amending ss. 559.9285 and 559.937,  
173 F.S.; conforming terminology; providing effective  
174 dates.

175

176 Be It Enacted by the Legislature of the State of Florida:

177

178 Section 1. Subsection (1) of section 472.007, Florida  
179 Statutes, is amended to read:

180 472.007 Board of Professional Surveyors and Mappers.—There  
181 is created in the Department of Agriculture and Consumer  
182 Services the Board of Professional Surveyors and Mappers.

183 (1) The board shall consist of nine members, seven ~~six~~ of  
 184 whom shall be registered surveyors and mappers primarily engaged  
 185 in the practice of surveying and mapping, ~~one of whom shall be a~~  
 186 ~~registered surveyor and mapper with the designation of~~  
 187 ~~photogrammetrist,~~ and two of whom shall be laypersons who are  
 188 not and have never been surveyors and mappers or members of any  
 189 closely related profession or occupation.

190 Section 2. Subsection (3) of section 472.015, Florida  
 191 Statutes, is amended to read:

192 472.015 Licensure.—

193 (3) (a) Before the issuance of any license, the department  
 194 may charge an initial license fee as determined by rule of the  
 195 board. Upon receipt of the appropriate license fee, except as  
 196 provided in subsection (6), the department shall issue a license  
 197 to any person certified by the board, or its designee, as having  
 198 met the applicable requirements imposed by law or rule. However,  
 199 an applicant who is not otherwise qualified for licensure is not  
 200 entitled to licensure solely based on a passing score on a  
 201 required examination.

202 (b) The department shall waive the initial license fee for  
 203 an honorably discharged veteran of the United States Armed  
 204 Forces, the spouse of such a veteran, or a business entity that  
 205 has a majority ownership held by such a veteran or spouse if the  
 206 department receives an application, in a format prescribed by  
 207 the department, within 60 months after the date of the veteran's  
 208 discharge from any branch of the United States Armed Forces. To



209 qualify for the waiver, a veteran must provide to the department  
210 a copy of his or her DD Form 214, as issued by the United States  
211 Department of Defense, or another acceptable form of  
212 identification as specified by the Department of Veterans'  
213 Affairs; the spouse of a veteran must provide to the department  
214 a copy of the veteran's DD Form 214, as issued by the United  
215 States Department of Defense, or another acceptable form of  
216 identification as specified by the Department of Veterans'  
217 Affairs, and a copy of a valid marriage license or certificate  
218 verifying that he or she was lawfully married to the veteran at  
219 the time of discharge; or a business entity must provide to the  
220 department proof that a veteran or the spouse of a veteran holds  
221 a majority ownership in the business, a copy of the veteran's DD  
222 Form 214, as issued by the United States Department of Defense,  
223 or another acceptable form of identification as specified by the  
224 Department of Veterans' Affairs, and, if applicable, a copy of a  
225 valid marriage license or certificate verifying that the spouse  
226 of the veteran was lawfully married to the veteran at the time  
227 of discharge.

228 Section 3. Paragraph (c) is added to subsection (1) of  
229 section 493.6105, Florida Statutes, and paragraph (j) of  
230 subsection (3) and paragraph (a) of subsection (6) of that  
231 section are amended, to read:

232 493.6105 Initial application for license.—

233 (1) Each individual, partner, or principal officer in a  
234 corporation, shall file with the department a complete

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235 application accompanied by an application fee not to exceed \$60,  
236 except that the applicant for a Class "D" or Class "G" license  
237 is not required to submit an application fee. The application  
238 fee is not refundable.

239 (c) The initial application fee for a veteran, as defined  
240 in s. 1.01, if he or she applies for a Class "C," Class "CC,"  
241 Class "DI," Class "E," Class "EE," Class "K," Class "M," Class  
242 "MA," Class "MB," Class "MR," or Class "RI" license within 24  
243 months after being discharged from a branch of the United States  
244 Armed Forces shall be waived. An eligible veteran must include a  
245 copy of his or her DD Form 214, as issued by the United States  
246 Department of Defense, or another acceptable form of  
247 identification as specified by the Department of Veterans'  
248 Affairs with his or her application in order to obtain a waiver.

249 (3) The application must contain the following information  
250 concerning the individual signing the application:

251 (j) A full set of fingerprints, a fingerprint processing  
252 fee, and a fingerprint retention fee. The fingerprint processing  
253 and retention fees shall ~~to~~ be established by rule of the  
254 department based upon costs determined by state and federal  
255 agency charges and department processing costs, which must  
256 include the cost of retaining the fingerprints in the statewide  
257 automated biometric identification system established in s.  
258 943.05(2)(b) and the cost of enrolling the fingerprints in the  
259 national retained print arrest notification program as required  
260 under s. 493.6108. An applicant who has, within the immediately

261 preceding 6 months, submitted such fingerprints and ~~fees~~ fee for  
 262 licensing purposes under this chapter and who still holds a  
 263 valid license is not required to submit another set of  
 264 fingerprints or another fingerprint processing fee. An applicant  
 265 who holds multiple licenses issued under this chapter is  
 266 required to pay only a single fingerprint retention fee.

267 (6) In addition to the requirements under subsection (3),  
 268 an applicant for a Class "K" license must:

269 (a) Submit one of the following:

270 1. The Florida Criminal Justice Standards and Training  
 271 Commission Instructor Certificate and written confirmation by  
 272 the commission that the applicant possesses an active firearms  
 273 certification.

274 2. The National Rifle Association Private Security Firearm  
 275 Instructor Certificate.

276 3. A firearms instructor certificate issued by a federal  
 277 law enforcement agency.

278 4. An International Association of Law Enforcement  
 279 Firearms Instructors certification.

280 5. A Second Amendment Foundation Training Division  
 281 Firearms Instructors certification.

282 Section 4. Paragraph (f) of subsection (1) of section  
 283 493.6106, Florida Statutes, is amended to read:

284 493.6106 License requirements; posting.—

285 (1) Each individual licensed by the department must:

286 (f) Be a citizen or permanent legal resident alien of the

287 United States or have appropriate authorization issued by the  
288 United States Citizenship and Immigration Services of the United  
289 States Department of Homeland Security.

290 1. An applicant for a Class "C," Class "CC," Class "D,"  
291 Class "DI," Class "E," Class "EE," Class "M," Class "MA," Class  
292 "MB," Class "MR," or Class "RI" license who is not a United  
293 States citizen must submit proof of current employment  
294 authorization issued by the United States Citizenship and  
295 Immigration Services or proof that she or he is deemed a  
296 permanent legal resident alien by the United States Citizenship  
297 and Immigration Services.

298 2. An applicant for a Class "G" or Class "K" license who  
299 is not a United States citizen must submit proof that she or he  
300 is deemed a permanent legal resident alien by the United States  
301 Citizenship and Immigration Services, ~~together with additional~~  
302 ~~documentation establishing that she or he has resided in the~~  
303 ~~state of residence shown on the application for at least 90~~  
304 ~~consecutive days before the date that the application is~~  
305 ~~submitted.~~

306 3. An applicant for an agency or school license who is not  
307 a United States citizen or permanent legal resident alien must  
308 submit documentation issued by the United States Citizenship and  
309 Immigration Services stating that she or he is lawfully in the  
310 United States and is authorized to own and operate the type of  
311 agency or school for which she or he is applying. An employment  
312 authorization card issued by the United States Citizenship and

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313 Immigration Services is not sufficient documentation.

314 Section 5. Subsection (6) is added to section 493.6107,  
315 Florida Statutes, to read:

316 493.6107 Fees.—

317 (6) The initial license fee for a veteran, as defined in  
318 s. 1.01, shall be waived if he or she applies for a Class "M" or  
319 Class "K" license within 24 months after being discharged from  
320 any branch of the United States Armed Forces. An eligible  
321 veteran must include a copy of his or her DD Form 214, as issued  
322 by the United States Department of Defense, or another  
323 acceptable form of identification as specified by the Department  
324 of Veterans' Affairs with his or her application in order to  
325 obtain a waiver.

326 Section 6. Subsections (4) and (5) are added to section  
327 493.6108, Florida Statutes, to read:

328 493.6108 Investigation of applicants by Department of  
329 Agriculture and Consumer Services.—

330 (4) The Department of Law Enforcement shall:

331 (a) Retain and enter into the statewide automated  
332 biometric identification system established in s. 943.05(2)(b)  
333 all fingerprints submitted to the Department of Agriculture and  
334 Consumer Services pursuant to this chapter.

335 (b) When the Department of Law Enforcement begins  
336 participation in the Federal Bureau of Investigation's national  
337 retained print arrest notification program, enroll such  
338 fingerprints in the program. The fingerprints must thereafter be

339 available for arrest notifications and all purposes and uses  
340 authorized for arrest fingerprint submissions entered into the  
341 statewide automated biometric identification system established  
342 in s. 943.05(2) (b).

343 (c) Search all arrest fingerprints against fingerprints  
344 retained.

345 (d) Report to the Department of Agriculture and Consumer  
346 Services any arrest record that it identifies or that is  
347 identified by the Federal Bureau of Investigation.

348 (5) If the department receives information about an arrest  
349 within the state of a person who holds a valid license issued  
350 under this chapter for a crime that could potentially disqualify  
351 the person from holding such a license, the department must  
352 provide the arrest information to the agency that employs the  
353 licensee.

354 Section 7. Subsections (1) and (3) of section 493.6113,  
355 Florida Statutes, are amended to read:

356 493.6113 Renewal application for licensure.—

357 (1) A license granted under the provisions of this chapter  
358 shall be renewed biennially by the department, except for Class  
359 "A," Class "B," Class "AB," Class "K," Class "R," and branch  
360 agency licenses, which shall be renewed every 3 years.

361 (3) Each licensee is responsible for renewing his or her  
362 license on or before its expiration by filing with the  
363 department an application for renewal accompanied by payment of  
364 the renewal fee and the fingerprint retention fee to cover the

365 cost of ongoing retention in the statewide automated biometric  
366 identification system established in s. 943.05(2) (b) ~~prescribed~~  
367 ~~license fee.~~ A person holding a valid license issued under this  
368 chapter before January 1, 2017, must submit, upon first renewal  
369 of the license, a full set of fingerprints and a fingerprint  
370 processing fee to cover the cost of entering the fingerprints  
371 into the statewide automated biometric identification system  
372 under s. 493.6108(4) (a). Subsequent renewals may be completed  
373 without submission of a set of fingerprints.

374 (a) Each Class "B" licensee shall additionally submit on a  
375 form prescribed by the department a certification of insurance  
376 that evidences that the licensee maintains coverage as required  
377 under s. 493.6110.

378 (b) Each Class "G" licensee shall additionally submit  
379 proof that he or she has received during each year of the  
380 license period a minimum of 4 hours of firearms recertification  
381 training taught by a Class "K" licensee and has complied with  
382 such other health and training requirements that the department  
383 shall adopt by rule. Proof of completion of firearms  
384 recertification training shall be submitted to the department  
385 upon completion of the training. If the licensee fails to  
386 complete the required 4 hours of annual training during the  
387 first year of the 2-year term of the license, the license shall  
388 be automatically suspended. The licensee must complete the  
389 minimum number of hours of range and classroom training required  
390 at the time of initial licensure and submit proof of completion

391 of such training to the department before the license may be  
392 reinstated. If the licensee fails to complete the required 4  
393 hours of annual training during the second year of the 2-year  
394 term of the license, the licensee must complete the minimum  
395 number of hours of range and classroom training required at the  
396 time of initial licensure and submit proof of completion of such  
397 training to the department before the license may be renewed.

398 The department may waive the firearms training requirement if:

399 1. The applicant provides proof that he or she is  
400 currently certified as a law enforcement officer or correctional  
401 officer under the Criminal Justice Standards and Training  
402 Commission and has completed law enforcement firearms  
403 requalification training annually during the previous 2 years of  
404 the licensure period;

405 2. The applicant provides proof that he or she is  
406 currently certified as a federal law enforcement officer and has  
407 received law enforcement firearms training administered by a  
408 federal law enforcement agency annually during the previous 2  
409 years of the licensure period; or

410 3. The applicant submits a valid firearm certificate among  
411 those specified in s. 493.6105(6)(a) and provides proof of  
412 having completed requalification training during the previous 2  
413 years of the licensure period.

414 (c) Each Class "DS" or Class "RS" licensee shall  
415 additionally submit the current curriculum, examination, and  
416 list of instructors.



417 (d) Each Class "K" licensee shall additionally submit one  
 418 of the certificates specified under s. 493.6105(6) as proof that  
 419 he or she remains certified to provide firearms instruction.

420 Section 8. Subsection (4) is added to section 493.6202,  
 421 Florida Statutes, to read:

422 493.6202 Fees.—

423 (4) The initial license fee for a veteran, as defined in  
 424 s. 1.01, shall be waived if he or she applies for a Class "C,"  
 425 Class "CC," or Class "MA" license within 24 months after being  
 426 discharged from any branch of the United States Armed Forces. An  
 427 eligible veteran must include a copy of his or her DD Form 214,  
 428 as issued by the United States Department of Defense, or another  
 429 acceptable form of identification as specified by the Department  
 430 of Veterans' Affairs with his or her application in order to  
 431 obtain a waiver.

432 Section 9. Subsection (4) is added to section 493.6302,  
 433 Florida Statutes, to read:

434 493.6302 Fees.—

435 (4) The initial license fee for a veteran, as defined in  
 436 s. 1.01, shall be waived if he or she applies for a Class "D,"  
 437 Class "DI," or Class "MB" license within 24 months after being  
 438 discharged from any branch of the United States Armed Forces. An  
 439 eligible veteran must include a copy of his or her DD Form 214,  
 440 as issued by the United States Department of Defense, or another  
 441 acceptable form of identification as specified by the Department  
 442 of Veterans' Affairs with his or her application in order to

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443 obtain a waiver.

444 Section 10. Subsection (4) is added to section 493.6402,  
445 Florida Statutes, to read:

446 493.6402 Fees.—

447 (4) The initial license fee for a veteran, as defined in  
448 s. 1.01, shall be waived if he or she applies for a Class "E,"  
449 Class "EE," Class "MR," or Class "RI" license within 24 months  
450 after being discharged from any branch of the United States  
451 Armed Forces. An eligible veteran must include a copy of his or  
452 her DD Form 214, as issued by the United States Department of  
453 Defense, or another acceptable form of identification as  
454 specified by the Department of Veterans' Affairs with his or her  
455 application in order to obtain a waiver.

456 Section 11. Subsection (1) of section 501.0125, Florida  
457 Statutes, is amended, and subsection (6) is added to that  
458 section, to read:

459 501.0125 Health studios; definitions.—For purposes of ss.  
460 501.012-501.019, the following terms shall have the following  
461 meanings:

462 (1) "Health studio" means any person who is engaged in the  
463 sale of services for instruction, training, or assistance in a  
464 program of physical exercise or in the sale of services for the  
465 right or privilege to use equipment or facilities in furtherance  
466 of a program of physical exercise. The term does not include an  
467 individual acting as a personal trainer.

468 (6) "Personal trainer" means an individual:

469 (a) Who does not have an established place of business for  
470 the primary purpose of the conducting of physical exercise;

471 (b) Whose provision of exercise equipment is incidental to  
472 the instruction provided; and

473 (c) Who does not accept payment for services that are to  
474 be rendered more than 30 days after the date of payment.

475 Section 12. Subsection (2) of section 501.015, Florida  
476 Statutes, is amended to read:

477 501.015 Health studios; registration requirements and  
478 fees.—Each health studio shall:

479 (2) Remit an annual registration fee of \$300 to the  
480 department at the time of registration for each of the health  
481 studio's business locations. The department shall waive the  
482 initial license fee for an honorably discharged veteran of the  
483 United States Armed Forces, the spouse of such a veteran, or a  
484 business entity that has a majority ownership held by such a  
485 veteran or spouse if the department receives an application, in  
486 a format prescribed by the department, within 60 months after  
487 the date of the veteran's discharge from any branch of the  
488 United States Armed Forces. To qualify for the waiver, a veteran  
489 must provide to the department a copy of his or her DD Form 214,  
490 as issued by the United States Department of Defense, or another  
491 acceptable form of identification as specified by the Department  
492 of Veterans' Affairs; the spouse of a veteran must provide to  
493 the department a copy of the veteran's DD Form 214, as issued by  
494 the United States Department of Defense, or another acceptable

495 form of identification as specified by the Department of  
496 Veterans' Affairs, and a copy of a valid marriage license or  
497 certificate verifying that he or she was lawfully married to the  
498 veteran at the time of discharge; or a business entity must  
499 provide to the department proof that a veteran or the spouse of  
500 a veteran holds a majority ownership in the business, a copy of  
501 the veteran's DD Form 214, as issued by the United States  
502 Department of Defense, or another acceptable form of  
503 identification as specified by the Department of Veterans'  
504 Affairs, and, if applicable, a copy of a valid marriage license  
505 or certificate verifying that the spouse of the veteran was  
506 lawfully married to the veteran at the time of discharge.

507 Section 13. Paragraph (j) of subsection (2) and paragraph  
508 (b) of subsection (5) of section 501.605, Florida Statutes, are  
509 amended to read:

510 501.605 Licensure of commercial telephone sellers.—

511 (2) An applicant for a license as a commercial telephone  
512 seller must submit to the department, in such form as it  
513 prescribes, a written application for the license. The  
514 application must set forth the following information:

515 (j) The complete street address of each location,  
516 designating the principal location, from which the applicant  
517 will be doing business. The street address may not be ~~If any~~  
518 ~~location is a mail drop, this shall be disclosed as such.~~

519  
520 The application shall be accompanied by a copy of any: Script,

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521 outline, or presentation the applicant will require or suggest a  
522 salesperson to use when soliciting, or, if no such document is  
523 used, a statement to that effect; sales information or  
524 literature to be provided by the applicant to a salesperson; and  
525 sales information or literature to be provided by the applicant  
526 to a purchaser in connection with any solicitation.

527 (5) An application filed pursuant to this part must be  
528 verified and accompanied by:

529 (b) A fee for licensing in the amount of \$1,500. The fee  
530 shall be deposited into the General Inspection Trust Fund. The  
531 department shall waive the initial license fee for an honorably  
532 discharged veteran of the United States Armed Forces, the spouse  
533 of such a veteran, or a business entity that has a majority  
534 ownership held by such a veteran or spouse if the department  
535 receives an application, in a format prescribed by the  
536 department, within 60 months after the date of the veteran's  
537 discharge from any branch of the United States Armed Forces. To  
538 qualify for the waiver, a veteran must provide to the department  
539 a copy of his or her DD Form 214, as issued by the United States  
540 Department of Defense, or another acceptable form of  
541 identification as specified by the Department of Veterans'  
542 Affairs; the spouse of a veteran must provide to the department  
543 a copy of the veteran's DD Form 214, as issued by the United  
544 States Department of Defense, or another acceptable form of  
545 identification as specified by the Department of Veterans'  
546 Affairs, and a copy of a valid marriage license or certificate

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547 verifying that he or she was lawfully married to the veteran at  
548 the time of discharge; or a business entity must provide to the  
549 department proof that a veteran or the spouse of a veteran holds  
550 a majority ownership in the business, a copy of the veteran's DD  
551 Form 214, as issued by the United States Department of Defense,  
552 or another acceptable form of identification as specified by the  
553 Department of Veterans' Affairs, and, if applicable, a copy of a  
554 valid marriage license or certificate verifying that the spouse  
555 of the veteran was lawfully married to the veteran at the time  
556 of discharge.

557 Section 14. Paragraph (b) of subsection (2) of section  
558 501.607, Florida Statutes, is amended to read:

559 501.607 Licensure of salespersons.—

560 (2) An application filed pursuant to this section must be  
561 verified and be accompanied by:

562 (b) A fee for licensing in the amount of \$50 per  
563 salesperson. The fee shall be deposited into the General  
564 Inspection Trust Fund. The fee for licensing may be paid after  
565 the application is filed, but must be paid within 14 days after  
566 the applicant begins work as a salesperson. The department shall  
567 wave the initial license fee for an honorably discharged  
568 veteran of the United States Armed Forces, the spouse of such a  
569 veteran, or a business entity that has a majority ownership held  
570 by such a veteran or spouse if the department receives an  
571 application, in a format prescribed by the department, within 60  
572 months after the date of the veteran's discharge from any branch

573 of the United States Armed Forces. To qualify for the waiver, a  
574 veteran must provide to the department a copy of his or her DD  
575 Form 214, as issued by the United States Department of Defense,  
576 or another acceptable form of identification as specified by the  
577 Department of Veterans' Affairs; the spouse of a veteran must  
578 provide to the department a copy of the veteran's DD Form 214,  
579 as issued by the United States Department of Defense, or another  
580 acceptable form of identification as specified by the Department  
581 of Veterans' Affairs, and a copy of a valid marriage license or  
582 certificate verifying that he or she was lawfully married to the  
583 veteran at the time of discharge; or a business entity must  
584 provide to the department proof that a veteran or the spouse of  
585 a veteran holds a majority ownership in the business, a copy of  
586 the veteran's DD Form 214, as issued by the United States  
587 Department of Defense, or another acceptable form of  
588 identification as specified by the Department of Veterans'  
589 Affairs, and, if applicable, a copy of a valid marriage license  
590 or certificate verifying that the spouse of the veteran was  
591 lawfully married to the veteran at the time of discharge.

592 Section 15. Subsection (3) of section 507.03, Florida  
593 Statutes, is amended to read:

594 507.03 Registration.—

595 (3) (a) Registration fees shall be calculated at the rate  
596 of \$300 per year per mover or moving broker. All amounts  
597 collected shall be deposited by the Chief Financial Officer to  
598 the credit of the General Inspection Trust Fund of the

599 department for the sole purpose of administration of this  
600 chapter.

601 (b) The department shall waive the initial license fee for  
602 an honorably discharged veteran of the United States Armed  
603 Forces, the spouse of such a veteran, or a business entity that  
604 has a majority ownership held by such a veteran or spouse if the  
605 department receives an application, in a format prescribed by  
606 the department, within 60 months after the date of the veteran's  
607 discharge from any branch of the United States Armed Forces. To  
608 qualify for the waiver, a veteran must provide to the department  
609 a copy of his or her DD Form 214, as issued by the United States  
610 Department of Defense, or another acceptable form of  
611 identification as specified by the Department of Veterans'  
612 Affairs; the spouse of a veteran must provide to the department  
613 a copy of the veteran's DD Form 214, as issued by the United  
614 States Department of Defense, or another acceptable form of  
615 identification as specified by the Department of Veterans'  
616 Affairs, and a copy of a valid marriage license or certificate  
617 verifying that he or she was lawfully married to the veteran at  
618 the time of discharge; or a business entity must provide to the  
619 department proof that a veteran or the spouse of a veteran holds  
620 a majority ownership in the business, a copy of the veteran's DD  
621 Form 214, as issued by the United States Department of Defense,  
622 or another acceptable form of identification as specified by the  
623 Department of Veterans' Affairs, and, if applicable, a copy of a  
624 valid marriage license or certificate verifying that the spouse



625 of the veteran was lawfully married to the veteran at the time  
626 of discharge.

627 Section 16. Subsection (3) of section 527.02, Florida  
628 Statutes, is amended to read:

629 527.02 License; penalty; fees.—

630 (3) (a) An ~~Any~~ applicant for an original license who  
631 submits an ~~whose~~ application ~~is submitted~~ during the last 6  
632 months of the license year may have the original license fee  
633 reduced by one-half for the 6-month period. This provision  
634 applies ~~shall apply~~ only to those companies applying for an  
635 original license and may ~~shall~~ not be applied to licensees who  
636 held a license during the previous license year and failed to  
637 renew the license. The department may refuse to issue an initial  
638 license to an ~~any~~ applicant who is under investigation in any  
639 jurisdiction for an action that would constitute a violation of  
640 this chapter until such time as the investigation is complete.

641 (b) The department shall waive the initial license fee for  
642 an honorably discharged veteran of the United States Armed  
643 Forces, the spouse of such a veteran, or a business entity that  
644 has a majority ownership held by such a veteran or spouse if the  
645 department receives an application, in a format prescribed by  
646 the department, within 60 months after the date of the veteran's  
647 discharge from any branch of the United States Armed Forces. To  
648 qualify for the waiver, a veteran must provide to the department  
649 a copy of his or her DD Form 214, as issued by the United States  
650 Department of Defense or another acceptable form of

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651 identification as specified by the Department of Veterans'  
652 Affairs; the spouse of a veteran must provide to the department  
653 a copy of the veteran's DD Form 214, as issued by the United  
654 States Department of Defense, or another acceptable form of  
655 identification as specified by the Department of Veterans'  
656 Affairs, and a copy of a valid marriage license or certificate  
657 verifying that he or she was lawfully married to the veteran at  
658 the time of discharge; or a business entity must provide to the  
659 department proof that a veteran or the spouse of a veteran holds  
660 a majority ownership in the business, a copy of the veteran's DD  
661 Form 214, as issued by the United States Department of Defense,  
662 or another acceptable form of identification as specified by the  
663 Department of Veterans' Affairs, and, if applicable, a copy of a  
664 valid marriage license or certificate verifying that the spouse  
665 of the veteran was lawfully married to the veteran at the time  
666 of discharge.

667 Section 17. Subsection (4) of section 527.021, Florida  
668 Statutes, is amended to read:

669 527.021 Registration of transport vehicles.—

670 ~~(4) An inspection fee of \$50 shall be assessed for each~~  
671 ~~registered vehicle inspected by the department pursuant to s.~~  
672 ~~527.061. All inspection fees collected in connection with this~~  
673 ~~section shall be deposited in the General Inspection Trust Fund~~  
674 ~~for the purpose of administering the provisions of this chapter.~~

675 Section 18. Subsection (1) of section 531.37, Florida  
676 Statutes, is amended to read:

677 531.37 Definitions.—As used in this chapter:

678 (1) "Weights and measures" means all weights and measures  
 679 of every kind, instruments, and devices for weighing and  
 680 measuring, and any appliance and accessories associated with any  
 681 or all such instruments and devices, excluding those weights and  
 682 measures used for the purpose of inspecting the accuracy of  
 683 devices used in conjunction with aviation fuel.

684 Section 19. Subsections (1) and (2) of section 531.415,  
 685 Florida Statutes, are amended to read:

686 531.415 Fees.—

687 (1) The department shall charge and collect fees of not  
 688 more than the following ~~fees~~ for actual metrology laboratory  
 689 calibration and testing services rendered:

690 (a) For each mass standard that is tested or certified to  
 691 meet tolerances less stringent than American National Standards  
 692 Institute/American Society for Testing and Materials (ANSI/ASTM)  
 693 Standard E617 Class 4, ~~the department shall charge a fee of not~~  
 694 ~~more than:~~

695 Weight	695 Fee/Unit
696 0 - 2 lb.	\$6
697 3 - 10 lb.	\$8
698 11 - 50 lb.	\$12
699 51 - 500 lb.	\$20
700 501 - 1000 lb.	\$30
701 1001 - 2500 lb.	\$40
702 2501 - 5000 lb.	\$50

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703 (b) For each mass standard that is tested or certified to  
 704 meet ANSI/ASTM Standard Class 4 or National Institute of  
 705 Standards and Technology Class P tolerances, ~~the department~~  
 706 ~~shall charge a fee of not more than:~~

Weight	Fee/Unit
708 0 - 10 lb.	\$20
709 11 - 50 lb.	\$30
710 51 - 500 lb.	\$40
711 501 - 1000 lb.	\$50
712 1001 - 2500 lb.	\$60
713 2501 - 5000 lb.	\$75

714 (c) For each mass standard that is calibrated to determine  
 715 actual mass or apparent mass values, ~~the department shall charge~~  
 716 ~~a fee of not more than:~~

Weight	Fee/Unit
718 0 - 20 lb.	\$40
719 21 - 50 lb.	\$50
720 51 - 1000 lb.	\$70
721 1001 - 2500 lb.	\$150
722 2501 - 5000 lb.	\$250

723 (d) For each volumetric flask, ~~graduate, or test measure,~~  
 724 ~~the department shall charge a fee of not more than:~~

Vessel	Fee/Test Point
726 0 - 5 gal.	\$35
727 Over 5 gal.	Plus \$0.75 for each additional gallon

728 ~~(e) For each linear measure that is tested or certified,~~

729 ~~the department shall charge a fee of not more than \$75.~~

730 (e)-(f) For each linear measure test ~~that is calibrated to~~  
731 ~~determine actual values, the department shall charge a fee of~~  
732 \$75 not more than \$100.

733 ~~(g) For each liquid in glass or electronic thermometer~~  
734 ~~that is tested or certified, the department shall charge a fee~~  
735 ~~of not more than \$50.~~

736 (f)-(h) For each temperature measuring device, ~~liquid in-~~  
737 ~~glass or electronic thermometer that is calibrated to determine~~  
738 ~~actual values, the department shall charge a fee of \$50 not more~~  
739 ~~than \$100.~~

740 (g)-(i) For each special test or special preparation, ~~the~~  
741 ~~department shall charge a fee of not more than \$50 per hour.~~

742 (2) Each fee is payable to the department at the time the  
743 testing is done, regardless of whether the item tested is  
744 certified. The department may refuse to accept for testing any  
745 item deemed by the department to be unsuitable for its intended  
746 use or not to be in a condition ready for testing. The  
747 department shall deposit all fees collected under this section  
748 into the General Inspection Trust Fund.

749 Section 20. Section 531.60, Florida Statutes, is amended  
750 to read:

751 531.60 Permit for commercially operated or tested weights  
752 or measures instrument or devices.—

753 (1) A weights and measures instrument or device may not  
754 operate or be used for commercial purposes, as defined by

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755 department rule, within this state without first being permitted  
756 through a valid commercial use permit issued by the department  
757 to the person who owns the weights and measures device, unless  
758 exempted as provided in s. 531.61. Such permit applies only to  
759 the specific location and instrument types or device types  
760 listed on ~~for which~~ the permit ~~was issued~~. However, the  
761 department may allow such permit to be applicable to a  
762 replacement for the original instrument or device.

763 (2) If ownership of a business ~~an instrument or device~~ for  
764 which a permit has been issued changes and the instruments or  
765 devices affected by the permit ~~instrument or device~~:

766 (a) Remain ~~Remains~~ in the same location, the permit  
767 transfers to the new owner and remains in effect until its  
768 original expiration date. Within 30 days after the change in  
769 ownership, the new owner shall notify the department of the  
770 change and provide the pertinent information regarding the  
771 change in ownership and an updated replacement permit shall be  
772 issued if needed.

773 (b) Move ~~Moves~~ to a new location, the permit automatically  
774 expires and a new permit must be applied for by the new owner of  
775 the instruments or devices ~~issued which will expire 1 year~~  
776 ~~following the date of issuance~~.

777 (3) A person who holds a permit that has been issued under  
778 this section must notify the department within 30 days after a  
779 change in permit status or if a permit will not be renewed due  
780 to the termination in use or removal of all weighing and

781 measuring instruments or devices from the permitted location  
 782 ~~Weights and measures instruments or devices that are not used~~  
 783 ~~commercially may be tested by the department under this chapter~~  
 784 ~~only if they are permitted and appropriate fees paid as~~  
 785 ~~prescribed by this section and adopted rules.~~

786 Section 21. Section 531.61, Florida Statutes, is amended  
 787 to read:

788 531.61 Exemptions from permit requirement.—Commercial  
 789 weights or measures instruments or devices are exempt from the  
 790 ~~permit~~ requirements of ss. 531.60-531.66 if:

791 (1) The device is a taximeter that is licensed, permitted,  
 792 or registered by a municipality, county, or other local  
 793 government and is tested for accuracy and compliance with state  
 794 standards by the local government in cooperation with the state  
 795 as authorized in s. 531.421.

796 (2) The device is used exclusively for weighing railroad  
 797 cars and is tested for accuracy and compliance with state  
 798 standards by a private testing agency.

799 (3) The device is used exclusively for measuring aviation  
 800 fuel or petroleum products inspected under chapter 525.

801 Section 22. Subsections (1), (2), and (4) of section  
 802 531.62, Florida Statutes, are amended to read:

803 531.62 Permit application and renewal.—

804 (1) An application for a ~~weights and measures~~ commercial  
 805 use permit shall be submitted to the department on a form  
 806 prescribed and furnished by the department and must contain such

807 information as the department may require by rule.

808 (2) The application must be accompanied by a fee in an  
809 amount determined by the number and types of instruments or  
810 devices covered by the permit as provided by department rule.  
811 However, the fee for each instrument or device listed on the  
812 permit may not exceed the maximum limits set forth in s. 531.63.

813 (4) A permit expires 2 years ~~1 year~~ following its date of  
814 issue and must be renewed biennially ~~annually~~. If a complete an  
815 application package for renewal is not received by the  
816 department before the permit expires ~~within 30 days after its~~  
817 ~~due date~~, a late fee of up to \$100 must be paid in addition to  
818 the ~~annual~~ commercial use permit fee. However, a person may  
819 elect to renew a commercial use permit on an annual basis rather  
820 than a biennial basis. An annual renewal must meet the same  
821 requirements and conditions as a biennial renewal.

822 Section 23. Paragraph (a) of subsection (1) and subsection  
823 (2) of section 531.63, Florida Statutes, are amended to read:

824 531.63 Maximum permit fees.—The commercial use permit fees  
825 established for weights or measures instruments or devices shall  
826 be in an amount necessary to administer this chapter but may not  
827 exceed the amounts provided in this section.

828 (1) For weighing devices, the fees must be based on the  
829 manufacturer's rated capacity or the device's design and use and  
830 whether measuring by inch or pounds or the metric equivalent:

831 (a) For weighing devices of up to and including the 100-  
832 pound capacity which are used during any portion of the period



833 covered by the permit, the maximum annual fees per category of  
 834 device ~~retail establishment~~ may not exceed the following:

835	Number of devices	
836	in a single <u>category</u> <del>retail</del>	
837	<del>establishment</del>	Maximum Fee
838	1 to 5	\$60
839	6 to 10	\$150
840	11 to 30	\$200
841	More than 30	\$300

842 (2) For other measuring devices, the annual permit fees  
 843 per device may not exceed the following:

844 (a) Mass flow meters having a maximum flow rate of up to  
 845 150 pounds per minute.....\$100.

846 This includes all mass flow meters used to dispense compressed  
 847 and liquefied natural gas for retail sale.

848 (b) Mass flow meters having a maximum flow rate greater  
 849 than 150 pounds per minute.....\$500.

850 (c) Volumetric flow meters having a maximum flow rate of  
 851 up to 20 gallons per minute.....\$50.

852 This includes all devices used to dispense diesel exhaust fluid  
 853 for retail sale.

854 (d) Volumetric flow meters having a maximum flow rate  
 855 greater than 20 gallons per minute.....\$100.

856 (e) Tanks, under 500 gallons capacity, used as measure  
 857 containers, with or without gage rods or markers.....\$100.

858 (f) Tanks, 500 or more gallons capacity, used as measure

- 859 containers, with or without gage rods or markers.....\$200.
- 860 (g) Taximeters.....\$50.
- 861 ~~(h) Grain moisture meters.....\$25.~~
- 862 (h)(i) Multiple-dimension measuring
- 863 devices.....\$100.
- 864 (i) Liquefied petroleum gas bulk delivery vehicles with a
- 865 meter owned or leased by a liquefied petroleum gas licensee\$150.

866 Section 24. Section 531.65, Florida Statutes, is amended  
 867 to read:

868 531.65 Unauthorized use; penalties.—If a weights or  
 869 measures instrument or device is used commercially without a  
 870 valid commercial use permit, the department may do one or more  
 871 of the following:

872 (1) Prohibit the further commercial use of the unpermitted  
 873 instrument or device until the proper permit has been issued.†

874 (2) Employ and attach to the instrument or device such  
 875 form, notice, tag, or seal to prevent the continued unauthorized  
 876 use of the instrument or device.†

877 (3) In addition to the permit fees prescribed by rule for  
 878 the commercial use of a weights and measures instrument or  
 879 device, assess the late fee authorized under s. 531.62.† ~~or~~

880 (4) Impose penalties as prescribed in s. 531.50 in  
 881 addition to the payment of appropriate permit fees for the  
 882 commercial use of a weights and measures instrument or device.

883 Section 25. Paragraph (c) of subsection (3) of section  
 884 539.001, Florida Statutes, is amended to read:

885           539.001 The Florida Pawnbroking Act.—  
886           (3) LICENSE REQUIRED.—  
887           (c) Each license is valid for a period of 1 year unless it  
888 is earlier relinquished, suspended, or revoked. Each license  
889 shall be renewed annually, and each licensee shall, initially  
890 and annually thereafter, pay to the agency a license fee of \$300  
891 for each license held. The agency shall waive the initial  
892 license fee for an honorably discharged veteran of the United  
893 States Armed Forces, the spouse of such a veteran, or a business  
894 entity that has a majority ownership held by such a veteran or  
895 spouse if the agency receives an application, in a format  
896 prescribed by the agency, within 60 months after the date of the  
897 veteran's discharge from any branch of the United States Armed  
898 Forces. To qualify for the waiver, a veteran must provide to the  
899 agency a copy of his or her DD Form 214, as issued by the United  
900 States Department of Defense, or another acceptable form of  
901 identification as specified by the Department of Veterans'  
902 Affairs; the spouse of a veteran must provide to the agency a  
903 copy of the veteran's DD Form 214, as issued by the United  
904 States Department of Defense, or another acceptable form of  
905 identification as specified by the Department of Veterans'  
906 Affairs, and a copy of a valid marriage license or certificate  
907 verifying that he or she was lawfully married to the veteran at  
908 the time of discharge; or a business entity must provide to the  
909 agency proof that a veteran or the spouse of a veteran holds a  
910 majority ownership in the business, a copy of the veteran's DD

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911 Form 214, as issued by the United States Department of Defense,  
 912 or another acceptable form of identification as specified by the  
 913 Department of Veterans' Affairs, and, if applicable, a copy of a  
 914 valid marriage license or certificate verifying that the spouse  
 915 of the veteran was lawfully married to the veteran at the time  
 916 of discharge.

917 Section 26. Subsection (3) of section 559.904, Florida  
 918 Statutes, is amended to read:

919 559.904 Motor vehicle repair shop registration;  
 920 application; exemption.—

921 (3) (a) Each application for registration must be  
 922 accompanied by a registration fee calculated on a per-year basis  
 923 as follows:

924 1. (a) If the place of business has 1 to 5 employees: \$50.

925 2. (b) If the place of business has 6 to 10 employees:  
 926 \$150.

927 3. (c) If the place of business has 11 or more employees:  
 928 \$300.

929 (b) The department shall waive the initial registration  
 930 fee for an honorably discharged veteran of the United States  
 931 Armed Forces, the spouse of such a veteran, or a business entity  
 932 that has a majority ownership held by such a veteran or spouse  
 933 if the department receives an application, in a format  
 934 prescribed by the department, within 60 months after the date of  
 935 the veteran's discharge from any branch of the United States  
 936 Armed Forces. To qualify for the waiver, a veteran must provide

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937 to the department a copy of his or her DD Form 214, as issued by  
938 the United States Department of Defense, or another acceptable  
939 form of identification as specified by the Department of  
940 Veterans' Affairs; the spouse of a veteran must provide to the  
941 department a copy of the veteran's DD Form 214, as issued by the  
942 United States Department of Defense, or another acceptable form  
943 of identification as specified by the Department of Veterans'  
944 Affairs, and a copy of a valid marriage license or certificate  
945 verifying that he or she was lawfully married to the veteran at  
946 the time of discharge; or a business entity must provide to the  
947 department proof that a veteran or the spouse of a veteran holds  
948 a majority ownership in the business, a copy of the veteran's DD  
949 Form 214, as issued by the United States Department of Defense  
950 or another acceptable form of identification as specified by the  
951 Department of Veterans' Affairs, and, if applicable, a copy of a  
952 valid marriage license or certificate verifying that the spouse  
953 of the veteran was lawfully married to the veteran at the time  
954 of discharge.

955 Section 27. Subsections (1), (7), (8), (10), (11), and  
956 (13) of section 559.927, Florida Statutes, are amended to read:  
957 559.927 Definitions.—For the purposes of this part, the  
958 term:

959 (1) "Accommodations" means any hotel or motel room,  
960 condominium or cooperative unit, cabin, lodge, or apartment; any  
961 other commercial structure designed for occupancy by one or more  
962 individuals; or any lodging establishment as provided by law.

963 The term does not include long-term home rentals covered under a  
 964 lease pursuant to chapter 83.

965 (7) "Prearranged travel or~~7~~ tourist-related services, ~~or~~  
 966 ~~tour-guide services~~" includes, but is not limited to, car  
 967 rentals, lodging, transfers, ~~and sightseeing tours~~ and all other  
 968 such services that ~~which~~ are reasonably related to air, sea,  
 969 rail, motor coach, or other medium of transportation, or  
 970 accommodations for which a purchaser receives a premium or  
 971 contracts or pays before ~~prior to~~ or after departure. This term  
 972 ~~These terms~~ also includes ~~include~~ services for which a  
 973 purchaser, whose legal residence is outside the United States,  
 974 contracts or pays before ~~prior to~~ departure, and any arrangement  
 975 by which a purchaser prepays for, receives a reservation or any  
 976 other commitment to provide services before ~~prior to~~ departure  
 977 for, or otherwise arranges for travel directly to a terrorist  
 978 state and which originates in Florida.

979 (8) "Purchaser" means the purchaser of, or person  
 980 otherwise entitled to receive, prearranged travel or~~7~~ tourist-  
 981 related services, ~~or tour-guide services~~, for a fee or  
 982 commission, or who has acquired a vacation certificate for  
 983 personal use.

984 (10) "Satisfactory consumer complaint history" means no  
 985 unresolved complaints regarding prearranged travel or~~7~~ tourist-  
 986 related services, ~~or tour-guide services~~ are on file with the  
 987 department. A complaint is unresolved when a seller of travel  
 988 does not respond to the department's efforts to mediate the

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989 | complaint or a complaint where the department has determined  
 990 | that a violation of this part has occurred and the complainant  
 991 | ~~complaint~~ has not been satisfied by the seller of travel.

992 |       (11) "Seller of travel" means any ~~resident or nonresident~~  
 993 | person, firm, corporation, or business entity who offers for  
 994 | sale, directly or indirectly, at wholesale or retail,  
 995 | prearranged travel or, tourist-related services, ~~or tour-guide~~  
 996 | ~~services~~ for individuals or groups, including, but not limited  
 997 | to, vacation ~~or tour~~ packages, or vacation certificates in  
 998 | exchange for a fee, commission, or other valuable consideration.  
 999 | The term includes any business entity offering membership in a  
 1000 | travel club or travel services for an advance fee or payment,  
 1001 | even if no travel contracts or certificates or vacation or tour  
 1002 | packages are sold by the business entity.

1003 |       (13) "Vacation certificate" means any advance travel  
 1004 | purchase arrangement, ~~plan, program, or vacation package that~~  
 1005 | ~~promotes, discusses, or discloses a destination or itinerary or~~  
 1006 | ~~type of travel~~, whereby a purchaser ~~for consideration paid in~~  
 1007 | ~~advance~~ is entitled to the use of travel, accommodations, or  
 1008 | facilities for any number of days, whether certain or uncertain,  
 1009 | during the period in which the certificate can be exercised, and  
 1010 | no specific date or dates for its use are designated. A vacation  
 1011 | certificate does not include prearranged travel or, tourist-  
 1012 | related services, ~~or tour-guide services~~ when a seller of travel  
 1013 | remits full payment for the cost of such services to the  
 1014 | provider or supplier within 10 business days of the purchaser's

1015 initial payment to the seller of travel. The term does not  
 1016 include travel if exact travel dates are selected, guaranteed,  
 1017 and paid for at the time of the purchase.

1018 Section 28. Section 559.928, Florida Statutes, is amended  
 1019 to read:

1020 559.928 Registration.—

1021 (1) Each seller of travel shall annually register with the  
 1022 department, providing: its legal business or trade name, mailing  
 1023 address, and business locations; the full names, addresses, and  
 1024 telephone numbers of its owners or corporate officers and  
 1025 directors and the Florida agent of the corporation; a statement  
 1026 whether it is a domestic or foreign corporation, its state and  
 1027 date of incorporation, its charter number, and, if a foreign  
 1028 corporation, the date it registered with this state, and  
 1029 business tax receipt where applicable; ~~the date on which a~~  
 1030 ~~seller of travel registered its fictitious name if the seller of~~  
 1031 ~~travel is operating under a fictitious or trade name;~~ the name  
 1032 of all other corporations, business entities, and trade names  
 1033 through which each owner of the seller of travel operated, was  
 1034 known, or did business as a seller of travel within the  
 1035 preceding 5 years; a list of all authorized independent agents,  
 1036 including the agent's trade name, full name, mailing address,  
 1037 business address, and telephone numbers; the business location  
 1038 and address of each branch office and full name and address of  
 1039 the manager or supervisor; the certification required under s.  
 1040 559.9285; and proof of purchase of adequate bond as required in



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1041 this part. A certificate evidencing proof of registration shall  
 1042 be issued by the department and must be prominently displayed in  
 1043 the seller of travel's primary place of business.

1044 (2) (a) Registration fees shall be as follows:

1045 1. Three hundred dollars per year per registrant  
 1046 certifying its business activities under s. 559.9285(1) (a).

1047 2. One thousand dollars per year per registrant certifying  
 1048 its business activities under s. 559.9285(1) (b).

1049 3. Twenty-five hundred dollars per year per registrant  
 1050 certifying its business activities under s. 559.9285(1) (c).

1051 (b) All amounts collected shall be deposited by the Chief  
 1052 Financial Officer to the credit of the General Inspection Trust  
 1053 Fund of the Department of Agriculture and Consumer Services  
 1054 pursuant to s. 570.20, for the sole purpose of administration of  
 1055 this part.

1056 (c) The department shall waive the initial registration  
 1057 fee for an honorably discharged veteran of the United States  
 1058 Armed Forces, the spouse of such a veteran, or a business entity  
 1059 that has a majority ownership held by such a veteran or spouse  
 1060 if the department receives an application, in a format  
 1061 prescribed by the department, within 60 months after the date of  
 1062 the veteran's discharge from any branch of the United States  
 1063 Armed Forces. To qualify for the waiver, a veteran must provide  
 1064 to the department a copy of his or her DD Form 214, as issued by  
 1065 the United States Department of Defense, or another acceptable  
 1066 form of identification as specified by the Department of

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1067 Veterans' Affairs; the spouse of a veteran must provide to the  
1068 department a copy of the veteran's DD Form 214, as issued by the  
1069 United States Department of Defense, or another acceptable form  
1070 of identification as specified by the Department of Veterans'  
1071 Affairs, and a copy of a valid marriage license or certificate  
1072 verifying that he or she was lawfully married to the veteran at  
1073 the time of discharge; or a business entity must provide to the  
1074 department proof that a veteran or the spouse of a veteran holds  
1075 a majority ownership in the business, a copy of the veteran's DD  
1076 Form 214, as issued by the United States Department of Defense,  
1077 or another acceptable form of identification as specified by the  
1078 Department of Veterans' Affairs, and, if applicable, a copy of a  
1079 valid marriage license or certificate verifying that the spouse  
1080 of the veteran was lawfully married to the veteran at the time  
1081 of discharge.

1082 (3) Each independent agent shall annually file an  
1083 affidavit with the department before ~~prior to~~ engaging in  
1084 business in this state. This affidavit must include the  
1085 independent agent's full name, legal business or trade name,  
1086 mailing address, business address, telephone number, and the  
1087 name and address of each seller of travel represented by the  
1088 independent agent. A letter evidencing proof of filing must be  
1089 issued by the department and must be prominently displayed in  
1090 the independent agent's primary place of business. Each  
1091 independent agent must also submit an annual registration fee of  
1092 \$50. All moneys collected pursuant to the imposition of the fee

1093 shall be deposited by the Chief Financial Officer into the  
 1094 General Inspection Trust Fund of the Department of Agriculture  
 1095 and Consumer Services for the sole purpose of administrating  
 1096 this part. As used in this subsection, the term "independent  
 1097 agent" means a person who represents a seller of travel by  
 1098 soliciting persons on its behalf; who has a written contract  
 1099 with a seller of travel which is operating in compliance with  
 1100 this part and any rules adopted thereunder; who does not receive  
 1101 a fee, commission, or other valuable consideration directly from  
 1102 the purchaser for the seller of travel; who does not at any time  
 1103 have any unissued ticket stock or travel documents in his or her  
 1104 possession; and who does not have the ability to issue tickets,  
 1105 vacation certificates, or any other travel document. The term  
 1106 "independent agent" does not include an affiliate of the seller  
 1107 of travel, as that term is used in s. 559.935(3), or the  
 1108 employees of the seller of travel or of such affiliates.

1109 (4) Any person applying for or renewing a local business  
 1110 tax receipt to engage in business as a seller of travel must  
 1111 exhibit a current registration certificate from the department  
 1112 before the local business tax receipt may be issued or reissued.

1113 (5) Each contract, advertisement, or certificate, or any  
 1114 other travel document, of a seller of travel must include the  
 1115 phrase "... (NAME OF FIRM) ... is registered with the State of  
 1116 Florida as a Seller of Travel. Registration No....."

1117 ~~(6) Each advertisement of a seller of travel must include~~  
 1118 ~~the phrase "Fla. Seller of Travel Reg. No....."~~

1119        (6)~~(7)~~ A ~~No~~ registration is not ~~shall be~~ valid for any  
 1120 seller of travel transacting business at any place other than  
 1121 that designated in its application, unless the department is  
 1122 first notified in writing in advance of any change of location.  
 1123 A ~~Nor shall the~~ registration is not ~~be~~ valid for an affiliate of  
 1124 the seller of travel who engages in the prearranged travel and  
 1125 tourist business. A registration issued under this part may  
 1126 ~~shall~~ not be assignable, and the seller of travel may ~~shall~~ not  
 1127 be permitted to conduct business under more than one name except  
 1128 as registered. A seller of travel desiring to change its  
 1129 registered name or location or designated agent for service of  
 1130 process at a time other than upon renewal of registration shall  
 1131 notify the department of such change.

1132        (7)~~(8)~~ Applications under this section are ~~shall be~~  
 1133 subject to ~~the provisions of~~ s. 120.60.

1134        (8)~~(9)~~ The department may deny, ~~or~~ refuse to renew, or  
 1135 revoke the registration of any seller of travel based upon a  
 1136 determination that the seller of travel, or any of its  
 1137 directors, officers, owners, or general partners:

1138            (a) Has failed to meet the requirements for registration  
 1139 as provided in this part;

1140            (b) Has been convicted of a crime involving fraud, theft,  
 1141 embezzlement, dishonest dealing, or any other act of moral  
 1142 turpitude or any other act arising out of conduct as a seller of  
 1143 travel;

1144            (c) Has not satisfied a civil fine or penalty arising out

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1145 of any administrative or enforcement action brought by any  
1146 governmental agency or private person based upon conduct  
1147 involving fraud, theft, embezzlement, dishonest dealing, or any  
1148 violation of this part;

1149 (d) Has pending against her or him any criminal,  
1150 administrative, or enforcement proceedings in any jurisdiction,  
1151 based upon conduct involving fraud, theft, embezzlement,  
1152 dishonest dealing, or any other act of moral turpitude or any  
1153 other act arising out of conduct as a seller of travel; or

1154 (e) Has had a judgment entered against her or him in any  
1155 action brought by the department or the Department of Legal  
1156 Affairs pursuant to ss. 501.201-501.213 or this act ~~part~~.

1157 Section 29. Subsections (2) and (6) of section 559.929,  
1158 Florida Statutes, are amended to read:

1159 559.929 Security requirements.—

1160 (2) The bond must be filed with the department on a form  
1161 adopted by department rule and must be in favor of the  
1162 department for the use and benefit of a traveler who is injured  
1163 by the fraud, misrepresentation, breach of contract, or  
1164 financial failure, or any other violation of this part by the  
1165 seller of travel. Such liability may be enforced by proceeding  
1166 in an administrative action as specified in subsection (3) or by  
1167 filing a civil action. However, in such civil action the bond  
1168 posted with the department may ~~shall~~ not be amenable or subject  
1169 to a judgment or other legal process issuing out of or from such  
1170 court in connection with such civil action, but such bond shall

1171 be amenable to and enforceable only by and through  
 1172 administrative proceedings before the department. It is the  
 1173 intent of the Legislature that such bond be applicable and  
 1174 liable only for the payment of claims duly adjudicated by order  
 1175 of the department. The bond must be open to successive claims,  
 1176 but the aggregate amount awarded may not exceed the amount of  
 1177 the bond. In addition to the foregoing, a bond provided by a  
 1178 registrant or applicant for registration which certifies its  
 1179 business activities under s. 559.9285(1)(b) or (c) must be in  
 1180 favor of the department, with payment in the following order of  
 1181 priority:

1182 (a) The expenses for prosecuting the registrant or  
 1183 applicant in an administrative or civil action under this part,  
 1184 including attorney fees and fees for other professionals, court  
 1185 costs or other costs of the proceedings, and all other expenses  
 1186 incidental to the action.

1187 (b) The costs and expenses of investigation before the  
 1188 commencement of an administrative or civil action under this  
 1189 part.

1190 (c) An unpaid administrative fine imposed by final order  
 1191 or an unpaid civil penalty imposed by final judgment under this  
 1192 part.

1193 (d) Damages or compensation for a traveler injured as  
 1194 provided in this subsection.

1195 (6) The department may waive the bond requirement on an  
 1196 annual basis if the seller of travel has had 5 or more

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1197 consecutive years of experience as a seller of travel in this  
 1198 state in compliance with this part, has not had a civil,  
 1199 criminal, or administrative action instituted against the seller  
 1200 of travel in the vacation and travel business by a governmental  
 1201 agency or an action involving fraud, theft, misappropriation of  
 1202 property, violation of a statute pertaining to business or  
 1203 commerce with a terrorist state, ~~or~~ moral turpitude, or other  
 1204 violation of this part and has a satisfactory consumer complaint  
 1205 history with the department, and certifies its business  
 1206 activities under s. 559.9285. Such waiver may be revoked if the  
 1207 seller of travel violates this part. A seller of travel which  
 1208 certifies its business activities under s. 559.9285(1)(b) or (c)  
 1209 is not entitled to the waiver provided in this subsection.

1210 Section 30. Subsections (10), (14), and (17) of section  
 1211 559.9295, Florida Statutes, are amended to read:

1212 559.9295 Submission of vacation certificate documents.—  
 1213 Sellers of travel who offer vacation certificates must submit  
 1214 and disclose to the department with the application for  
 1215 registration, and any time such document is changed, but prior  
 1216 to the sale of any vacation certificate, the following  
 1217 materials:

1218 ~~(10) A statement of the number of certificates to be~~  
 1219 ~~issued and the date of their expiration.~~

1220 (13)~~(14)~~ A listing of the full name, address, and  
 1221 telephone number of each person through which the distribution  
 1222 and sale of vacation certificates is to be carried out.

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1223 ~~including the number of vacation certificates allocated or sold~~  
1224 ~~to each such person~~ and the name and address of a Florida  
1225 registered agent for service of process.

1226 ~~(17) Within 10 working days after receipt of any materials~~  
1227 ~~submitted subsequent to filing an initial registration~~  
1228 ~~application or any annual renewal thereof, the department shall~~  
1229 ~~determine whether such materials are adequate to meet the~~  
1230 ~~requirements of this section. The department shall notify the~~  
1231 ~~seller of travel that materials submitted are in substantial~~  
1232 ~~compliance, or shall notify the seller of travel of any specific~~  
1233 ~~deficiencies. If the department fails to notify the seller of~~  
1234 ~~travel of its determination within the period specified in this~~  
1235 ~~subsection, the materials shall be deemed in compliance;~~  
1236 ~~however, the failure of the department to send notification in~~  
1237 ~~either case will not relieve the seller of travel from the duty~~  
1238 ~~of complying with this section. Neither the submission of these~~  
1239 ~~materials nor the department's response implies approval,~~  
1240 ~~recommendation, or endorsement by the department or that the~~  
1241 ~~contents of said materials have been verified by the department.~~

1242 Section 31. Section 559.932, Florida Statutes, is amended  
1243 to read:

1244 559.932 Vacation certificate disclosure.—

1245 (1) A ~~It shall be unlawful for any~~ seller of travel must  
1246 ~~to fail to~~ provide each person solicited with a contract that  
1247 includes which shall include the following in a 10-point font,  
1248 unless otherwise specified:



1249 (a) A space for the date, name, address, and signature of  
 1250 the purchaser.

1251 (b) The expiration date of the vacation certificate and  
 1252 the terms and conditions of its extension or renewal, if  
 1253 available.

1254 (c) The name and business address of any seller of travel  
 1255 who may solicit vacation certificate purchasers for further  
 1256 purchases, and a full and complete statement as to the nature  
 1257 and method of that solicitation.

1258 (d) The total financial obligation of the purchaser which  
 1259 shall include the initial purchase price and any additional  
 1260 charges to which the purchaser may be subject, including, but  
 1261 not limited to, any per diem, seasonal, reservation, or  
 1262 recreational charge.

1263 (e) The name and street address of any person who has the  
 1264 right to alter, amend, or add to the charges to which the  
 1265 purchaser may be subject and the terms and conditions under  
 1266 which such charges may be imposed.

1267 (f) If any accommodation or facility which a purchaser  
 1268 acquires the right to use pursuant to the vacation certificate  
 1269 is not completed at the time the certificate is offered for  
 1270 sale, the date of availability of each component of the  
 1271 accommodation or facility.

1272 (g) By means of a section entitled "terms and conditions":

1273 1. All eligibility requirements for use of the vacation  
 1274 certificate, including, but not limited to, age, sex, marital

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1275 status, group association, residency, or geographic limitations.

1276 2. All eligibility requirements for use of any discount or  
1277 complimentary coupon or ticket.

1278 3. A statement as to whether transportation and meals are  
1279 provided pursuant to use of the certificate.

1280 4. Any room deposit requirement, including all conditions  
1281 for its return or refund.

1282 5. The manner in which reservation requests are to be made  
1283 and the method by which they are to be confirmed.

1284 6. Any identification, credential, or other means by which  
1285 a purchaser must establish her or his entitlement to the rights,  
1286 benefits, or privileges of the vacation certificate.

1287 7. Any restriction or limitation upon transfer of the  
1288 vacation certificate or any right, benefit, or privilege  
1289 thereunder.

1290 8. Any other term, limitation, condition, or requirement  
1291 material to use of the vacation certificate or any right,  
1292 benefit, or privilege thereunder.

1293 (h) In immediate proximity to the space reserved in the  
1294 contract for the date and the name, address, and signature of  
1295 the purchaser, the following statement in boldfaced type of a  
1296 size of 10 points:

1297  
1298 "YOU MAY CANCEL THIS CONTRACT WITHOUT ANY PENALTY OR  
1299 OBLIGATION WITHIN 30 DAYS FROM THE DATE OF PURCHASE OR RECEIPT  
1300 OF THE VACATION CERTIFICATE, WHICHEVER OCCURS LATER."

1301 "YOU MAY ALSO CANCEL THIS CONTRACT IF ACCOMMODATIONS OR  
 1302 FACILITIES ARE NOT AVAILABLE PURSUANT TO A REQUEST FOR USE AS  
 1303 PROVIDED IN THE CONTRACT."

1304 "IF YOU DECIDE TO CANCEL, YOU MUST NOTIFY THE SELLER IN  
 1305 WRITING OF YOUR INTENT TO CANCEL BY RETURNING THE CERTIFICATE  
 1306 AND SENDING NOTICE TO: ...(NAME OF SELLER)... AT ...(SELLER'S  
 1307 ADDRESS)...."

1308  
 1309 (i) In immediate proximity to the statement required in  
 1310 paragraph (h), the following statement in boldfaced type of a  
 1311 size of 12 ~~10~~ points:

1312  
 1313 "NO PURCHASER SHOULD RELY UPON REPRESENTATIONS OTHER THAN  
 1314 THOSE INCLUDED IN THIS CONTRACT."

1315  
 1316 However, inclusion of this statement shall not impair any  
 1317 purchaser's right to bring legal action based on verbal  
 1318 statements.

1319 (j) In immediate proximity to the statement required in  
 1320 paragraph (i), the following statement:

1321 "This contract is for the purchase of a vacation  
 1322 certificate and puts all assignees on notice of the consumer's  
 1323 right to cancel under section 559.933, Florida Statutes."

1324 (2) If a sale or agreement to purchase a vacation  
 1325 certificate is completed over the telephone, the seller shall  
 1326 inform the purchaser over the telephone that:

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1327 (a) The purchaser may cancel the contract without any  
 1328 penalty or obligation within 30 days from the date of purchase  
 1329 or receipt of the vacation certificate, whichever occurs later.

1330 (b) The purchaser may also cancel the contract if  
 1331 accommodations or facilities are not available upon request for  
 1332 use as provided in the contract.

1333 (3) Upon receipt of a copy of a vacation certificate or  
 1334 contract required pursuant to s. 559.9295, the department must  
 1335 review the certificate or contract for compliance with the  
 1336 disclosures required under this section.

1337 Section 32. Section 559.933, Florida Statutes, is amended  
 1338 to read:

1339 559.933 Vacation certificate cancellation and refund  
 1340 provisions.—

1341 (1) A It shall be unlawful for any seller of travel or  
 1342 assignee must honor a purchaser's request to cancel a vacation  
 1343 certificate if such request is made:

1344 ~~(1) To fail or refuse to honor a purchaser's vacation~~  
 1345 ~~certificate request to cancel if such request is made:~~

1346 (a) Within 30 days after ~~from~~ the date of purchase or  
 1347 receipt of the vacation certificate, whichever occurs later; or

1348 (b) At any time accommodations or facilities are not  
 1349 available pursuant to a request for use as provided in the  
 1350 contract, provided that:

1351 1. The contract may ~~shall~~ not require notice greater than  
 1352 60 days in advance of the date requested for use;

1353           2. If acceptable to the purchaser, comparable alternate  
 1354 accommodations or facilities in a city, or reservations for a  
 1355 date different than that requested, may be provided.

1356           (2) A seller of travel or assignee must ~~To fail to~~ refund  
 1357 any and all payments made by the vacation certificate purchaser  
 1358 within 30 days after receipt of the certificate and notice of  
 1359 cancellation made pursuant to this section, if the purchaser has  
 1360 not received any benefits pursuant to the vacation certificate.

1361           (3) A seller of travel or assignee must, if the purchaser  
 1362 has received any benefits pursuant to the vacation certificate,  
 1363 ~~to fail to~~ refund within 30 days after receipt of the  
 1364 certificate and notice of cancellation made pursuant to this  
 1365 section any and all payments made by the purchaser which exceed  
 1366 a pro rata portion of the total price, representing the portion  
 1367 of any benefits actually received by the vacation certificate  
 1368 purchaser during the time preceding cancellation.

1369           (4) If where any purchaser has received confirmation of  
 1370 reservations in advance and is refused accommodations upon  
 1371 arrival, a seller of travel or assignee must ~~to fail to~~ procure  
 1372 comparable alternate accommodations for the purchaser in the  
 1373 same city at no expense to the purchaser, or ~~to fail to~~ fully  
 1374 compensate the purchaser for the room rate incurred in securing  
 1375 comparable alternate accommodations himself or herself.

1376           (5) A seller of travel or assignee may not ~~To~~ collect more  
 1377 than the full contract price from the purchaser.

1378           (6) A seller of travel or assignee may not ~~To~~ sell,

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1379 assign, or otherwise transfer any interest in a seller of travel  
1380 business, or ~~to~~ sell, assign, or otherwise transfer to a third  
1381 party any interest in any vacation certificate unless:

1382 (a) The third party agrees in writing to fully honor the  
1383 rights of vacation certificate purchasers to cancel and to  
1384 receive an appropriate refund or reimbursement as provided in  
1385 this section.

1386 (b) The third party agrees in writing to comply with all  
1387 other provisions of this part for as long as the third party  
1388 continues the sale of vacation certificates or for the duration  
1389 of the period of validity of outstanding vacation certificates,  
1390 whichever is longer in time.

1391 (c) The seller of travel agrees to be liable for and fully  
1392 indemnify a purchaser from any loss occasioned by the failure of  
1393 the third party to honor the purchaser's right to cancel and  
1394 failure to make prompt and complete refund to the purchaser of  
1395 all sums paid to the third party, or occasioned by the third  
1396 party's failure to comply with the provisions of this part.

1397 (7) A seller of travel or assignee must ~~To fail to~~ fulfill  
1398 the terms of a vacation certificate within 18 months after ~~of~~  
1399 the initial payment of any consideration by the purchaser to a  
1400 seller of travel or third party.

1401 Section 33. Section 559.9335, Florida Statutes, is amended  
1402 to read:

1403 559.9335 Violations.—It is a violation of this part for  
1404 any seller of travel, independent agent, or other person:

1405 (1) To conduct business as a seller of travel without  
 1406 registering annually with the department unless exempt pursuant  
 1407 to s. 559.935.

1408 (2) To conduct business as a seller of travel without an  
 1409 annual purchase of a performance bond in the amount set by the  
 1410 department unless exempt pursuant to s. 559.935.

1411 (3) Knowingly to make any false statement, representation,  
 1412 or certification in any application, document, or record  
 1413 required to be submitted or retained under this part or in any  
 1414 response to an inquiry or investigation conducted by the  
 1415 department or any other governmental agency.

1416 (4) Knowingly to sell or market any ~~number of~~ vacation  
 1417 certificates that exceed the accommodations available at the  
 1418 time of sale ~~the number disclosed to the department pursuant to~~  
 1419 ~~this section.~~

1420 (5) Knowingly to sell or market vacation certificates with  
 1421 an expiration date of more than 18 months from the date of  
 1422 issuance.

1423 ~~(6) Knowingly to require, request, encourage, or suggest,~~  
 1424 ~~directly or indirectly, that payment for the right to obtain a~~  
 1425 ~~travel contract, certificate, or vacation package must be by~~  
 1426 ~~credit card authorization or to otherwise announce a preference~~  
 1427 ~~for that method of payment over any other when no correct and~~  
 1428 ~~true explanation for such preference is likewise stated.~~

1429 (6) ~~(7)~~ Knowingly to state, represent, indicate, suggest,  
 1430 or imply, directly or indirectly, that the travel contract,

1431 certificate, or vacation package being offered by the seller of  
 1432 travel cannot be purchased at some later time or may not  
 1433 otherwise be available after the initial contact, or that  
 1434 callbacks by the prospective purchaser are not accepted, when no  
 1435 such restrictions or limitations in fact exist.

1436 (7)~~(8)~~ To misrepresent ~~in any manner~~ the purchaser's right  
 1437 to cancel and to receive an appropriate refund or reimbursement  
 1438 as provided by this part.

1439 (8)~~(9)~~ To sell any vacation certificate the duration of  
 1440 which exceeds the duration of any agreement between the seller  
 1441 and any business entity obligated thereby to provide  
 1442 accommodations or facilities pursuant to the vacation  
 1443 certificate.

1444 (9)~~(10)~~ To misrepresent or deceptively represent:

1445 (a) The amount of time or period of time accommodations or  
 1446 facilities will be available.

1447 (b) The location of accommodations or facilities offered.

1448 (c) The price, size, nature, extent, qualities, or  
 1449 characteristics of accommodations or facilities offered.

1450 (d) The nature or extent of other goods, services, or  
 1451 amenities offered.

1452 (e) A purchaser's rights, privileges, or benefits.

1453 (f) The conditions under which the purchaser may obtain a  
 1454 reservation for the use of offered accommodations or facilities.

1455 (g) That the recipient of an advertisement or promotional  
 1456 materials is a winner, or has been selected, or is otherwise



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1457 being involved in a select group for receipt, of a gift, award,  
1458 or prize, unless this fact is the truth.

1459 ~~(10)-(11)~~ To fail to inform a purchaser of a nonrefundable  
1460 cancellation policy before ~~prior to~~ the seller of travel  
1461 accepting any fee, commission, or other valuable consideration.

1462 ~~(12)~~ ~~To fail to include, when offering to sell a vacation~~  
1463 ~~certificate, in any advertisement or promotional material, the~~  
1464 ~~following statement: "This is an offer to sell travel."~~

1465 ~~(11)-(13)~~ To fail to honor and comply with all provisions  
1466 of the vacation certificate regarding the purchaser's rights,  
1467 benefits, and privileges thereunder.

1468 ~~(12)-(14)~~ (a) To include in any vacation certificate or  
1469 contract any provision purporting to waive or limit any right or  
1470 benefit provided to purchasers under this part; or

1471 (b) To seek or solicit such waiver or acceptance of  
1472 limitation from a purchaser concerning rights or benefits  
1473 provided under this part.

1474 ~~(13)-(15)~~ To offer vacation certificates for any  
1475 accommodation or facility for which there is no contract with  
1476 the owner of the accommodation or facility securing the  
1477 purchaser's right to occupancy and use, unless the seller is the  
1478 owner.

1479 ~~(16)~~ ~~To use a local mailing address, registration~~  
1480 ~~facility, drop box, or answering service in the promotion,~~  
1481 ~~advertising, solicitation, or sale of vacation certificates,~~  
1482 ~~unless the seller's fixed business address is clearly disclosed~~

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1483 ~~during any telephone solicitation and is prominently and~~  
 1484 ~~conspicuously disclosed on all solicitation materials and on the~~  
 1485 ~~contract.~~

1486 (14)~~(17)~~ To use any registered trademark, trade name, or  
 1487 trade logo in any promotional, advertising, or solicitation  
 1488 materials without written authorization from the holder of such  
 1489 trademark, trade name, or trade logo.

1490 (15)~~(18)~~ To represent, directly or by implication, any  
 1491 affiliation with, or endorsement by, any governmental,  
 1492 charitable, educational, medical, religious, fraternal, or civic  
 1493 organization or body, or any individual, in the promotion,  
 1494 advertisement, solicitation, or sale of vacation certificates  
 1495 without express written authorization.

1496 (16)~~(19)~~ To sell a vacation certificate to any purchaser  
 1497 who is ineligible for its use.

1498 ~~(20) To sell any number of vacation certificates exceeding~~  
 1499 ~~the number disclosed pursuant to this part.~~

1500 (17)~~(21)~~ During the period of a vacation certificate's  
 1501 validity, in the event, for any reason whatsoever, of lapse or  
 1502 breach of an agreement for the provision of accommodations or  
 1503 facilities to purchasers, to fail to procure similar agreement  
 1504 for the provision of comparable alternate accommodations or  
 1505 facilities in the same city or surrounding area.

1506 (18)~~(22)~~ To offer to sell, at wholesale or retail,  
 1507 prearranged travel or~~7~~ tourist-related services, ~~or tour-guide~~  
 1508 ~~services~~ for individuals or groups directly to any terrorist

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1509 state and which originate in Florida, without disclosing such  
1510 business activities in a certification filed under s.  
1511 559.9285(1) (b) or (c).

1512 ~~(19)-(23)~~ To violate any state or federal law restricting  
1513 or prohibiting commerce with terrorist states.

1514 ~~(20)-(24)~~ To engage in ~~do~~ any other fraudulent action that  
1515 ~~act which~~ constitutes fraud, misrepresentation, or failure to  
1516 disclose a material fact, or to commit any other violation of,  
1517 or fail to comply with, this part.

1518 ~~(21)-(25)~~ To refuse or fail, or for any of its principal  
1519 officers to refuse or fail, after notice, to produce any  
1520 document or record or disclose any information required to be  
1521 produced or disclosed.

1522 ~~(22)-(26)~~ Knowingly to make a material false statement in  
1523 response to any request or investigation by the department, the  
1524 Department of Legal Affairs, or the state attorney.

1525 Section 34. Subsections (3) and (4) of section 559.935,  
1526 Florida Statutes, are amended to read:

1527 559.935 Exemptions.—

1528 (3) Sections 559.928, 559.929, 559.9295, 559.931, and  
1529 559.932 ~~shall~~ also do not apply to a seller of travel that is an  
1530 affiliate of an entity exempt pursuant to subsection (2) subject  
1531 to the following conditions:

1532 (a) ~~If In the event~~ the department finds the affiliate  
1533 does not have a satisfactory consumer complaint history or the  
1534 affiliate fails to respond to a consumer complaint within 30

1535 days, the related seller of travel exempt pursuant to subsection  
1536 (2) is ~~shall be~~ liable for the actions of the affiliate, subject  
1537 to the remedies provided in ss. 559.9355 and 559.936.

1538 (b) ~~If In the event~~ the department is unable to locate an  
1539 affiliate, the related seller of travel exempt pursuant to  
1540 subsection (2) is ~~shall be~~ fully liable for the actions of the  
1541 affiliate, subject to the remedies provided in ss. 559.9355 and  
1542 559.936.

1543 ~~(c) In order to obtain an exemption under this subsection,~~  
1544 ~~the affiliate shall file an affidavit of exemption on a form~~  
1545 ~~prescribed by the department and shall certify its business~~  
1546 ~~activities under s. 559.9285(1)(a). The affidavit of exemption~~  
1547 ~~shall be executed by a person who exercises identical control~~  
1548 ~~over the seller of travel exempt pursuant to subsection (2) and~~  
1549 ~~the affiliate. Failure to file an affidavit of exemption or~~  
1550 ~~certification under s. 559.9285(1)(a) prior to engaging in~~  
1551 ~~seller of travel activities shall subject the affiliate to the~~  
1552 ~~remedies provided in ss. 559.9355 and 559.936.~~

1553 ~~(c)(d)~~ Revocation by the department of an exemption  
1554 provided to a seller of travel under subsection (2) shall  
1555 constitute automatic revocation by law of an exemption obtained  
1556 by an affiliate under the subsection.

1557 ~~(d)(e)~~ This subsection does ~~shall~~ not apply to:

1558 1. An affiliate that independently qualifies for another  
1559 exemption under this section.

1560 2. An affiliate that sells, or offers for sale, vacation

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1561 certificates.

1562 3. An affiliate that certifies its business activities  
1563 under s. 559.9285(1) (b) or (c).

1564 ~~(e)-(f)~~ For purposes of this section, the term an  
1565 "affiliate" means an entity that meets the following:

1566 1. The entity has the identical ownership as the seller of  
1567 travel that is exempt under subsection (2).

1568 2. The ownership controlling the seller of travel that is  
1569 exempt under subsection (2) also exercises identical control  
1570 over the entity.

1571 3. The owners of the affiliate hold the identical  
1572 percentage of voting shares as they hold in the seller of travel  
1573 that is exempt under subsection (2).

1574 (4) The department may revoke the exemption provided in  
1575 subsection (2) or subsection (3) if the department finds that  
1576 the seller of travel does not have a satisfactory consumer  
1577 complaint history, has been convicted of a crime involving  
1578 fraud, theft, embezzlement, misappropriation of property,  
1579 deceptive or unfair trade practices, or moral turpitude, or has  
1580 not complied with the terms of any order or settlement agreement  
1581 arising out of an administrative or enforcement action brought  
1582 by a governmental agency or private person based on conduct  
1583 involving fraud, theft, embezzlement, misappropriation of  
1584 property, deceptive or unfair trade practices, or moral  
1585 turpitude.

1586 Section 35. Subsection (3) of section 559.936, Florida

1587 Statutes, is amended to read:

1588 559.936 Civil penalties; remedies.—

1589 (3) The department may seek a civil penalty in the Class  
 1590 III category pursuant to s. 570.971 for each act or omission in  
 1591 violation of s. 559.9335(18) or (19) ~~s. 559.9335(22) or (23)~~.

1592 Section 36. Paragraph (b) of subsection (5), paragraph (a)  
 1593 of subsection (10), and subsections (15) and (16) of section  
 1594 616.242, Florida Statutes, are amended to read:

1595 616.242 Safety standards for amusement rides.—

1596 (5) ANNUAL PERMIT.—

1597 (b) To apply for an annual permit, a owner must submit to  
 1598 the department a written application on a form prescribed by  
 1599 rule of the department, which must include the following:

1600 1. The legal name, address, and primary place of business  
 1601 of the owner.

1602 2. A description, manufacturer's name, serial number,  
 1603 model number and, if previously assigned, the United States  
 1604 Amusement Identification Number of the amusement ride.

1605 3. A valid certificate of insurance ~~or bond~~ for each  
 1606 amusement ride.

1607 4. An affidavit of compliance that the amusement ride was  
 1608 inspected in person by the affiant and that the amusement ride  
 1609 is in general conformance with the requirements of this section  
 1610 and all applicable rules adopted by the department. The  
 1611 affidavit must be executed by a professional engineer or a  
 1612 qualified inspector no earlier than 60 days before, but not

1613 later than, the date of the filing of the application with the  
 1614 department. The owner shall request inspection and permitting of  
 1615 the amusement ride within 60 days of the date of filing the  
 1616 application with the department. The department shall inspect  
 1617 and permit the amusement ride within 60 days after filing the  
 1618 application with the department.

1619 5. If required by subsection (6), an affidavit of  
 1620 nondestructive testing dated and executed no earlier than 60  
 1621 days before ~~prior to~~, but not later than, the date of the filing  
 1622 of the application with the department. The owner shall request  
 1623 inspection and permitting of the amusement ride within 60 days  
 1624 of the date of filing the application with the department. The  
 1625 department shall inspect and permit the amusement ride within 60  
 1626 days after filing the application with the department.

1627 6. A request for inspection.

1628 7. Upon request, the owner shall, at no cost to the  
 1629 department, provide the department a copy of the manufacturer's  
 1630 current recommended operating instructions in the possession of  
 1631 the owner, the owner's operating fact sheet, and any written  
 1632 bulletins in the possession of the owner concerning the safety,  
 1633 operation, or maintenance of the amusement ride.

1634 (10) EXEMPTIONS.—

1635 (a) This section does not apply to:

1636 1. Permanent facilities that employ at least 1,000 full-  
 1637 time employees and that maintain full-time, in-house safety  
 1638 inspectors. Furthermore, the permanent facilities must file an

1639 affidavit of the annual inspection with the department, on a  
1640 form prescribed by rule of the department. Additionally, the  
1641 Department of Agriculture and Consumer Services may consult  
1642 annually with the permanent facilities regarding industry safety  
1643 programs.

1644 2. Any playground operated by a school, local government,  
1645 or business licensed under chapter 509, if the playground is an  
1646 incidental amenity and the operating entity is not primarily  
1647 engaged in providing amusement, pleasure, thrills, or  
1648 excitement.

1649 3. Museums or other institutions principally devoted to  
1650 the exhibition of products of agriculture, industry, education,  
1651 science, religion, or the arts.

1652 4. Conventions or trade shows for the sale or exhibit of  
1653 amusement rides if there are a minimum of 15 amusement rides on  
1654 display or exhibition, and if any operation of such amusement  
1655 rides is limited to the registered attendees of the convention  
1656 or trade show.

1657 5. Skating rinks, arcades, laser ~~lazer~~ or paint ball war  
1658 games, bowling alleys, miniature golf courses, mechanical bulls,  
1659 inflatable rides, trampolines, ball crawls, exercise equipment,  
1660 jet skis, paddle boats, airboats, helicopters, airplanes,  
1661 parasails, hot air or helium balloons whether tethered or  
1662 untethered, theatres, batting cages, stationary spring-mounted  
1663 fixtures, rider-propelled merry-go-rounds, games, side shows,  
1664 live animal rides, or live animal shows.



1665 6. Go-karts operated in competitive sporting events if  
1666 participation is not open to the public.

1667 7. Nonmotorized playground equipment that is not required  
1668 to have a manager.

1669 8. Coin-actuated amusement rides designed to be operated  
1670 by depositing coins, tokens, credit cards, debit cards, bills,  
1671 or other cash money and which are not required to have a  
1672 manager, and which have a capacity of six persons or less.

1673 9. Facilities described in s. 549.09(1)(a) when such  
1674 facilities are operating cars, trucks, or motorcycles only.

1675 10. Battery-powered cars or other vehicles that are  
1676 designed to be operated by children 7 years of age or under and  
1677 that cannot exceed a speed of 4 miles per hour.

1678 11. Mechanically driven vehicles that pull train cars,  
1679 carts, wagons, or other similar vehicles, that are not confined  
1680 to a metal track or confined to an area but are steered by an  
1681 operator and do not exceed a speed of 4 miles per hour.

1682 12. A water-related amusement ride operated by a business  
1683 licensed under chapter 509 if the water-related amusement ride  
1684 is an incidental amenity and the operating business is not  
1685 primarily engaged in providing amusement, pleasure, thrills, or  
1686 excitement and does not offer day rates.

1687 13. An amusement ride at a private, membership-only  
1688 facility if the amusement ride is an incidental amenity and the  
1689 facility is not open to the general public; is not primarily  
1690 engaged in providing amusement, pleasure, thrills, or

1691 excitement; and does not offer day rates.

1692 14. A nonprofit permanent facility registered under  
1693 chapter 496 which is not open to the general public.

1694 (15) INSPECTION BY OWNER OR MANAGER.—~~Before~~ ~~Prior to~~  
1695 opening on each day of operation and before ~~prior to~~ any  
1696 inspection by the department, the owner or manager of an  
1697 amusement ride must inspect and test the amusement ride to  
1698 ensure compliance with all requirements of this section. Each  
1699 inspection must be recorded on a form prescribed by rule of the  
1700 department and signed by the person who conducted the  
1701 inspection. In lieu of the form prescribed by rule of the  
1702 department, the owner or manager may request approval of an  
1703 alternative form if the alternative form includes, at a minimum,  
1704 the information required on the form prescribed by rule of the  
1705 department. Inspection records of the last 14 daily inspections  
1706 must be kept on site by the owner or manager and made  
1707 immediately available to the department upon request.

1708 (16) TRAINING OF EMPLOYEES.—The owner or manager of an ~~any~~  
1709 amusement ride shall maintain a record of employee training for  
1710 each employee authorized to operate, assemble, disassemble,  
1711 transport, or conduct maintenance on an amusement ride, ~~on a~~  
1712 form prescribed by rule of the department. In lieu of the form  
1713 prescribed by rule of the department, the owner or manager may  
1714 request approval of an alternative form if the alternative form  
1715 includes, at a minimum, the information required on the form  
1716 prescribed by rule of the department. The training record must

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1717 be kept on site by the owner or manager and made immediately  
1718 available to the department upon request. Training may not be  
1719 conducted when an amusement ride is open to the public unless  
1720 the training is conducted under the supervision of an employee  
1721 who is trained in the operation of that ride. The owner or  
1722 manager shall certify that each employee is trained, as required  
1723 by this section and any rules adopted thereunder, on the  
1724 amusement ride for which the employee is responsible.

1725 Section 37. Subsections (2), (4), and (5) of section  
1726 790.06, Florida Statutes, are amended, paragraph (f) is added to  
1727 subsection (6) of that section, and subsection (10) of that  
1728 section is amended, to read:

1729 790.06 License to carry concealed weapon or firearm.—

1730 (2) The Department of Agriculture and Consumer Services  
1731 shall issue a license if the applicant:

1732 (a) Is a resident of the United States and a citizen of  
1733 the United States or a permanent resident alien of the United  
1734 States, as determined by the United States Bureau of Citizenship  
1735 and Immigration Services, or is a consular security official of  
1736 a foreign government that maintains diplomatic relations and  
1737 treaties of commerce, friendship, and navigation with the United  
1738 States and is certified as such by the foreign government and by  
1739 the appropriate embassy in this country;

1740 (b) Is 21 years of age or older;

1741 (c) Does not suffer from a physical infirmity which  
1742 prevents the safe handling of a weapon or firearm;

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1743 (d) Is not ineligible to possess a firearm pursuant to s.  
1744 790.23 by virtue of having been convicted of a felony;

1745 (e) Has not been committed for the abuse of a controlled  
1746 substance or been found guilty of a crime under the provisions  
1747 of chapter 893 or similar laws of any other state relating to  
1748 controlled substances within a 3-year period immediately  
1749 preceding the date on which the application is submitted;

1750 (f) Does not chronically and habitually use alcoholic  
1751 beverages or other substances to the extent that his or her  
1752 normal faculties are impaired. It shall be presumed that an  
1753 applicant chronically and habitually uses alcoholic beverages or  
1754 other substances to the extent that his or her normal faculties  
1755 are impaired if the applicant has been committed under chapter  
1756 397 or under the provisions of former chapter 396 or has been  
1757 convicted under s. 790.151 or has been deemed a habitual  
1758 offender under s. 856.011(3), or has had two or more convictions  
1759 under s. 316.193 or similar laws of any other state, within the  
1760 3-year period immediately preceding the date on which the  
1761 application is submitted;

1762 (g) Desires a legal means to carry a concealed weapon or  
1763 firearm for lawful self-defense;

1764 (h) Demonstrates competence with a firearm by any one of  
1765 the following:

1766 1. Completion of any hunter education or hunter safety  
1767 course approved by the Fish and Wildlife Conservation Commission  
1768 or a similar agency of another state;

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1769           2. Completion of any National Rifle Association firearms  
1770 safety or training course;

1771           3. Completion of any firearms safety or training course or  
1772 class available to the general public offered by a law  
1773 enforcement agency, junior college, college, or private or  
1774 public institution or organization or firearms training school,  
1775 using ~~utilizing~~ instructors certified by the National Rifle  
1776 Association, Criminal Justice Standards and Training Commission,  
1777 or the Department of Agriculture and Consumer Services;

1778           4. Completion of any law enforcement firearms safety or  
1779 training course or class offered for security guards,  
1780 investigators, special deputies, or any division or subdivision  
1781 of a law enforcement agency or security enforcement;

1782           5. Presents evidence of equivalent experience with a  
1783 firearm through participation in organized shooting competition  
1784 or military service;

1785           6. Is licensed or has been licensed to carry a firearm in  
1786 this state or a county or municipality of this state, unless  
1787 such license has been revoked for cause; or

1788           7. Completion of any firearms training or safety course or  
1789 class conducted by a state-certified or National Rifle  
1790 Association certified firearms instructor;

1791  
1792 A photocopy of a certificate of completion of any of the courses  
1793 or classes; ~~or~~ an affidavit from the instructor, school, club,  
1794 organization, or group that conducted or taught such ~~said~~ course

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1795 or class attesting to the completion of the course or class by  
1796 the applicant; or a copy of any document that ~~which~~ shows  
1797 completion of the course or class or evidences participation in  
1798 firearms competition shall constitute evidence of qualification  
1799 under this paragraph. ~~A; any~~ person who conducts a course  
1800 pursuant to subparagraph 2., subparagraph 3., or subparagraph  
1801 7., or who, as an instructor, attests to the completion of such  
1802 courses, must maintain records certifying that he or she  
1803 observed the student safely handle and discharge the firearm in  
1804 his or her physical presence and that the discharge of the  
1805 firearm included live fire using a firearm and ammunition as  
1806 defined in s. 790.001;

1807 (i) Has not been adjudicated an incapacitated person under  
1808 s. 744.331, or similar laws of any other state, unless 5 years  
1809 have elapsed since the applicant's restoration to capacity by  
1810 court order;

1811 (j) Has not been committed to a mental institution under  
1812 chapter 394, or similar laws of any other state, unless the  
1813 applicant produces a certificate from a licensed psychiatrist  
1814 that he or she has not suffered from disability for at least 5  
1815 years before ~~prior to~~ the date of submission of the application;

1816 (k) Has not had adjudication of guilt withheld or  
1817 imposition of sentence suspended on any felony ~~or misdemeanor~~  
1818 ~~crime of domestic violence~~ unless 3 years have elapsed since  
1819 probation or any other conditions set by the court have been  
1820 fulfilled, or expunction has occurred ~~the record has been sealed~~

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1821 ~~or expunged;~~

1822 (1) Has not had adjudication of guilt withheld or  
1823 imposition of sentence suspended on any misdemeanor crime of  
1824 domestic violence unless 3 years have elapsed since probation or  
1825 any other conditions set by the court have been fulfilled, or  
1826 the record has been sealed or expunged;

1827 (m)-(l) Has not been issued an injunction that is currently  
1828 in force and effect and that restrains the applicant from  
1829 committing acts of domestic violence or acts of repeat violence;  
1830 and

1831 (n)-(m) Is not prohibited from purchasing or possessing a  
1832 firearm by any other provision of Florida or federal law.

1833 (4) The application shall be completed, under oath, on a  
1834 form adopted ~~promulgated~~ by the Department of Agriculture and  
1835 Consumer Services and shall include:

1836 (a) The name, address, place of birth, ~~and~~ date of birth,  
1837 and race, ~~and occupation~~ of the applicant;

1838 (b) A statement that the applicant is in compliance with  
1839 criteria contained within subsections (2) and (3);

1840 (c) A statement that the applicant has been furnished a  
1841 copy of this chapter and is knowledgeable of its provisions;

1842 (d) A conspicuous warning that the application is executed  
1843 under oath and that a false answer to any question, or the  
1844 submission of any false document by the applicant, subjects the  
1845 applicant to criminal prosecution under s. 837.06; ~~and~~

1846 (e) A statement that the applicant desires a concealed

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1847 | weapon or firearms license as a means of lawful self-defense;  
1848 | and-

1849 |       (f) Directions for an applicant who is a servicemember, as  
1850 | defined in s. 250.01, or a veteran, as defined in s. 1.01, to  
1851 | request expedited processing of his or her application.

1852 |       (5) The applicant shall submit to the Department of  
1853 | Agriculture and Consumer Services or an approved tax collector  
1854 | pursuant to s. 790.0625:

1855 |       (a) A completed application as described in subsection  
1856 | (4).

1857 |       (b) A nonrefundable license fee of up to \$60 ~~\$70~~ if he or  
1858 | she has not previously been issued a statewide license or of up  
1859 | to \$50 ~~\$60~~ for renewal of a statewide license. The cost of  
1860 | processing fingerprints as required in paragraph (c) shall be  
1861 | borne by the applicant. However, an individual holding an active  
1862 | certification from the Criminal Justice Standards and Training  
1863 | Commission as a law enforcement officer, correctional officer,  
1864 | or correctional probation officer as defined in s. 943.10(1),  
1865 | (2), (3), (6), (7), (8), or (9) is exempt from the licensing  
1866 | requirements of this section. If such individual wishes to  
1867 | receive a concealed weapon ~~weapons~~ or firearm ~~firearms~~ license,  
1868 | he or she is exempt from the background investigation and all  
1869 | background investigation fees~~7~~, but must pay the current license  
1870 | fees regularly required to be paid by nonexempt applicants.  
1871 | Further, a law enforcement officer, a correctional officer, or a  
1872 | correctional probation officer as defined in s. 943.10(1), (2),



1873 or (3) is exempt from the required fees and background  
 1874 investigation for ~~a period of~~ 1 year after his or her  
 1875 retirement.

1876 (c) A full set of fingerprints of the applicant  
 1877 administered by a law enforcement agency or the Division of  
 1878 Licensing of the Department of Agriculture and Consumer Services  
 1879 or an approved tax collector pursuant to s. 790.0625 together  
 1880 with any personal identifying information required by federal  
 1881 law to process fingerprints.

1882 (d) A photocopy of a certificate, affidavit, or document  
 1883 as described in paragraph (2) (h).

1884 (e) A full frontal view color photograph of the applicant  
 1885 taken within the preceding 30 days, in which the head, including  
 1886 hair, measures 7/8 of an inch wide and 1 1/8 inches high.

1887 (f) For expedited processing of an application:

1888 1. A servicemember shall submit a copy of the Common  
 1889 Access Card, United States Uniformed Services Identification  
 1890 Card, or current deployment orders.

1891 2. A veteran shall submit a copy of the DD Form 214,  
 1892 issued by the United States Department of Defense, or another  
 1893 acceptable form of identification as specified by the Department  
 1894 of Veterans' Affairs.

(6)

1896 (f) The Department of Agriculture and Consumer Services  
 1897 shall, upon receipt of a completed application and the  
 1898 identifying information required under paragraph (5) (f),

1899 expedite the processing of a servicemember's or a veteran's  
 1900 concealed weapon or firearm license application.

1901 (10) A license issued under this section shall be  
 1902 suspended or revoked pursuant to chapter 120 if the licensee:

1903 (a) Is found to be ineligible under the criteria set forth  
 1904 in subsection (2);

1905 (b) Develops or sustains a physical infirmity which  
 1906 prevents the safe handling of a weapon or firearm;

1907 (c) Is convicted of a felony which would make the licensee  
 1908 ineligible to possess a firearm pursuant to s. 790.23;

1909 (d) Is found guilty of a crime under the provisions of  
 1910 chapter 893, or similar laws of any other state, relating to  
 1911 controlled substances;

1912 (e) Is committed as a substance abuser under chapter 397,  
 1913 or is deemed a habitual offender under s. 856.011(3), or similar  
 1914 laws of any other state;

1915 (f) Is convicted of a second violation of s. 316.193, or a  
 1916 similar law of another state, within 3 years after ~~of~~ a first  
 1917 ~~previous~~ conviction of such section, or similar law of another  
 1918 state, even though the first violation may have occurred before  
 1919 ~~prior to~~ the date on which the application was submitted;

1920 (g) Is adjudicated an incapacitated person under s.  
 1921 744.331, or similar laws of any other state; or

1922 (h) Is committed to a mental institution under chapter  
 1923 394, or similar laws of any other state.

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1925 Notwithstanding s. 120.60(5), notice by the Department of  
1926 Agriculture and Consumer Services of the suspension or  
1927 revocation of a concealed weapon or firearm license of this  
1928 state or the suspension of the processing of an application for  
1929 such license must be by personal delivery to the licensee or  
1930 applicant or by mail in an envelope, first class, postage  
1931 prepaid, addressed to the licensee or applicant at his or her  
1932 last known mailing address provided to the department. Such  
1933 mailing by the department constitutes notice, and any failure by  
1934 the person to receive the mailed notice does not stay the  
1935 effective date or term of the suspension or revocation. A  
1936 request for a hearing must be filed with the department within  
1937 21 days if notice was received by personal delivery, or within  
1938 26 days after the date the department deposited the notice in  
1939 the United States mail (21 days plus 5 days for mailing). Proof  
1940 of the giving of notice shall be made by entry in the records of  
1941 the department that such notice was given. The entry is  
1942 admissible in the courts of this state and constitutes  
1943 sufficient proof that notice was given.

1944 Section 38. Effective upon this act becoming a law,  
1945 paragraph (a) of subsection (11) of section 790.06, Florida  
1946 Statutes, is amended to read:

1947 790.06 License to carry concealed weapon or firearm.—

1948 (11) (a) At least ~~No less than~~ 90 days before the  
1949 expiration date of the license, the Department of Agriculture  
1950 and Consumer Services shall mail to each licensee a written

1951 notice of the expiration and a renewal form prescribed by the  
 1952 Department of Agriculture and Consumer Services. The licensee  
 1953 must renew his or her license on or before the expiration date  
 1954 by filing with the Department of Agriculture and Consumer  
 1955 Services the renewal form containing an ~~a notarized~~ affidavit  
 1956 submitted under oath and under penalty of perjury stating that  
 1957 the licensee remains qualified pursuant to the criteria  
 1958 specified in subsections (2) and (3), a color photograph as  
 1959 specified in paragraph (5)(e), and the required renewal fee.  
 1960 Out-of-state residents must also submit a complete set of  
 1961 fingerprints and fingerprint processing fee. The license shall  
 1962 be renewed upon receipt of the completed renewal form, color  
 1963 photograph, appropriate payment of fees, and, if applicable,  
 1964 fingerprints. Additionally, a licensee who fails to file a  
 1965 renewal application on or before its expiration date must renew  
 1966 his or her license by paying a late fee of \$15. A license may  
 1967 not be renewed 180 days or more after its expiration date, and  
 1968 such a license is deemed to be permanently expired. A person  
 1969 whose license has been permanently expired may reapply for  
 1970 licensure; however, an application for licensure and fees under  
 1971 subsection (5) must be submitted, and a background investigation  
 1972 shall be conducted pursuant to this section. A person who  
 1973 knowingly files false information under this subsection is  
 1974 subject to criminal prosecution under s. 837.06.

1975 Section 39. Subsection (8) is added to section 790.0625,  
 1976 Florida Statutes, to read:

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1977           790.0625 Appointment of tax collectors to accept  
 1978 applications for a concealed weapon or firearm license; fees;  
 1979 penalties.—

1980           (8) Upon receipt of a completed renewal application, a new  
 1981 color photograph, and appropriate payment of fees, a tax  
 1982 collector authorized to accept renewal applications for  
 1983 concealed weapon or firearm licenses under this section may,  
 1984 upon approval and confirmation of license issuance by the  
 1985 department, print and deliver a concealed weapon or firearm  
 1986 license to a licensee renewing his or her license at the tax  
 1987 collector's office.

1988           Section 40. Subsection (1) and paragraph (d) of subsection  
 1989 (3) of section 559.9285, Florida Statutes, are amended to read:  
 1990           559.9285 Certification of business activities.—

1991           (1) Each certifying party, as defined in s. 559.927(2):

1992           (a) Which does not offer for sale, at wholesale or retail,  
 1993 prearranged travel or, ~~tourist-related services, or tour-guide~~  
 1994 ~~services~~ for individuals or groups directly to any terrorist  
 1995 state and which originate in Florida;

1996           (b) Which offers for sale, at wholesale or retail, only  
 1997 prearranged travel or, ~~tourist-related services, or tour-guide~~  
 1998 ~~services~~ for individuals or groups directly to any terrorist  
 1999 state and which originate in Florida, but engages in no other  
 2000 business dealings or commerce with any terrorist state; or

2001           (c) Which offers for sale, at wholesale or retail,  
 2002 prearranged travel or, ~~tourist-related services, or tour-guide~~

2003 ~~services~~ for individuals or groups directly to any terrorist  
 2004 state and which originate in Florida, and also engages in any  
 2005 other business dealings or commerce with any terrorist state,  
 2006  
 2007 shall annually certify its business activities by filing a  
 2008 disclosure statement with the department which accurately  
 2009 represents the scope of the seller's business activities  
 2010 according to the criteria provided in paragraph (a), paragraph  
 2011 (b), or paragraph (c).

2012 (3) The department shall specify by rule the form of each  
 2013 certification under this section which shall include the  
 2014 following information:

2015 (d) The type of all prearranged travel or tourist-related  
 2016 ~~services, or tour-guide services~~ that the certifying party  
 2017 offers for sale to individuals or groups traveling directly to  
 2018 any terrorist state and that originate in Florida, and the  
 2019 frequency with which such services are offered.

2020 Section 41. Subsection (2) of section 559.937, Florida  
 2021 Statutes, is amended to read:

2022 559.937 Criminal penalties.—Any person or business that  
 2023 violates this part:

2024 (2) Which violation directly or indirectly pertains to an  
 2025 offer to sell, at wholesale or retail, prearranged travel or  
 2026 ~~tourist-related services, or tour-guide services~~ for individuals  
 2027 or groups directly to any terrorist state and which originate in  
 2028 Florida, commits a felony of the third degree, punishable as

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2029 | provided in s. 775.082 or s. 775.083.

2030 |       Section 42. Except as otherwise expressly provided in this

2031 | act, this act shall take effect July 1, 2016.