

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; amending s. 493.6106, F.S.;
16 deleting a provision requiring that certain applicants
17 submit additional documentation establishing state
18 residency; amending s. 493.6107, F.S.; waiving the
19 initial license fees for veterans for certain private
20 investigative, private security, and repossession
21 service licenses; amending s. 493.6108, F.S.;
22 requiring the Department of Law Enforcement to retain
23 fingerprints submitted for private investigative,
24 private security, and repossession service licenses,
25 to enter such fingerprints into the statewide
26 automated biometric identification system and the

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

53 commercial telephone seller; requiring the department
54 to waive the initial commercial telephone seller
55 license fee for certain veterans, the spouses of such
56 veterans, or certain business entities that have a
57 majority ownership held by such veterans or spouses;
58 amending s. 501.607, F.S.; requiring the department to
59 waive the initial telephone salesperson license fees
60 for certain veterans, the spouses of such veterans, or
61 certain business entities that have a majority
62 ownership held by such veterans or spouses; amending
63 s. 507.03, F.S.; requiring the department to waive the
64 initial registration fee for an intrastate mover for
65 certain veterans, the spouses of such veterans, or
66 certain business entities that have a majority
67 ownership held by such veterans or spouses; amending
68 s. 527.02, F.S.; requiring the department to waive the
69 original liquefied petroleum gas license fee for
70 certain veterans, the spouses of such veterans, or
71 certain business entities that have a majority
72 ownership held by such veterans or spouses; amending
73 s. 527.021, F.S.; deleting a provision requiring a fee
74 for registering transport vehicles; amending s.
75 531.37, F.S.; revising the definition of the term
76 "weights and measures"; amending s. 531.415, F.S.;
77 revising the fees for actual metrology laboratory
78 calibration and testing services; amending s. 531.60,

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

105 veterans or spouses; amending s. 559.904, F.S.;

106 requiring the department to waive the initial motor

107 vehicle repair shop registration fee for certain

108 veterans, the spouses of such veterans, or certain

109 business entities that have a majority ownership held

110 by such veterans or spouses; amending s. 559.927,

111 F.S.; revising definitions; amending s. 559.928, F.S.;

112 requiring the department to waive the initial seller

113 of travel registration fee for certain veterans, the

114 spouses of such veterans, or certain business entities

115 that have a majority ownership held by such veterans

116 or spouses; requiring each advertisement, each

117 certificate, or any other travel document to include a

118 specified phrase; deleting a provision requiring an

119 advertisement to include a specified phrase; revising

120 the circumstances under which the department may deny

121 or refuse to renew a registration; authorizing the

122 department to revoke the registration of a seller of

123 travel under certain circumstances; amending s.

124 559.929, F.S.; revising certain security requirements;

125 amending s. 559.9295, F.S.; revising the requirements

126 that certain sellers of travel submit and disclose to

127 the department; deleting provisions relating to the

128 duties of the department; amending s. 559.932, F.S.;

129 requiring a specified typeface point size for certain

130 disclosures; requiring the department to review copies

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

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

172

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

174

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

177 472.007 Board of Professional Surveyors and Mappers.—There
 178 is created in the Department of Agriculture and Consumer
 179 Services the Board of Professional Surveyors and Mappers.

180 (1) The board shall consist of nine members, seven ~~six~~ of
 181 whom shall be registered surveyors and mappers primarily engaged
 182 in the practice of surveying and mapping, ~~one of whom shall be a~~

183 ~~registered surveyor and mapper with the designation of~~
184 ~~photogrammetrist,~~ and two of whom shall be laypersons who are
185 not and have never been surveyors and mappers or members of any
186 closely related profession or occupation.

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

189 472.015 Licensure.—

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

199 (b) The department shall waive the initial license fee for
200 an honorably discharged veteran of the United States Armed
201 Forces, the spouse of such a veteran, or a business entity that
202 has a majority ownership held by such a veteran or spouse if the
203 department receives an application, in a format prescribed by
204 the department, within 60 months after the date of the veteran's
205 discharge from any branch of the United States Armed Forces. To
206 qualify for the waiver, a veteran must provide to the department
207 a copy of his or her DD Form 214, as issued by the United States
208 Department of Defense, or another acceptable form of

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

225 Section 3. Paragraph (c) is added to subsection (1) of
 226 section 493.6105, Florida Statutes, and paragraph (j) of
 227 subsection (3) of that section is amended, to read:

228 493.6105 Initial application for license.—

229 (1) Each individual, partner, or principal officer in a
 230 corporation, shall file with the department a complete
 231 application accompanied by an application fee not to exceed \$60,
 232 except that the applicant for a Class "D" or Class "G" license
 233 is not required to submit an application fee. The application
 234 fee is not refundable.

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

245 (3) The application must contain the following information
246 concerning the individual signing the application:

247 (j) A full set of fingerprints, a fingerprint processing
248 fee, and a fingerprint retention fee. The fingerprint processing
249 and retention fees shall ~~to~~ be established by rule of the
250 department based upon costs determined by state and federal
251 agency charges and department processing costs, which must
252 include the cost of retaining the fingerprints in the statewide
253 automated biometric identification system established in s.
254 943.05(2)(b) and the cost of enrolling the fingerprints in the
255 national retained print arrest notification program as required
256 under s. 493.6108. An applicant who has, within the immediately
257 preceding 6 months, submitted such fingerprints and ~~fees~~ ~~fee~~ for
258 licensing purposes under this chapter and who still holds a
259 valid license is not required to submit another set of
260 fingerprints or another fingerprint processing fee. An applicant

261 who holds multiple licenses issued under this chapter is
 262 required to pay only a single fingerprint retention fee.

263 Section 4. Paragraph (f) of subsection (1) of section
 264 493.6106, Florida Statutes, is amended to read:

265 493.6106 License requirements; posting.—

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

267 (f) Be a citizen or permanent legal resident alien of the
 268 United States or have appropriate authorization issued by the
 269 United States Citizenship and Immigration Services of the United
 270 States Department of Homeland Security.

271 1. An applicant for a Class "C," Class "CC," Class "D,"
 272 Class "DI," Class "E," Class "EE," Class "M," Class "MA," Class
 273 "MB," Class "MR," or Class "RI" license who is not a United
 274 States citizen must submit proof of current employment
 275 authorization issued by the United States Citizenship and
 276 Immigration Services or proof that she or he is deemed a
 277 permanent legal resident alien by the United States Citizenship
 278 and Immigration Services.

279 2. An applicant for a Class "G" or Class "K" license who
 280 is not a United States citizen must submit proof that she or he
 281 is deemed a permanent legal resident alien by the United States
 282 Citizenship and Immigration Services, ~~together with additional~~
 283 ~~documentation establishing that she or he has resided in the~~
 284 ~~state of residence shown on the application for at least 90~~
 285 ~~consecutive days before the date that the application is~~
 286 ~~submitted.~~

287 3. An applicant for an agency or school license who is not
 288 a United States citizen or permanent legal resident alien must
 289 submit documentation issued by the United States Citizenship and
 290 Immigration Services stating that she or he is lawfully in the
 291 United States and is authorized to own and operate the type of
 292 agency or school for which she or he is applying. An employment
 293 authorization card issued by the United States Citizenship and
 294 Immigration Services is not sufficient documentation.

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

297 493.6107 Fees.—

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

307 Section 6. Subsections (4) and (5) are added to section
 308 493.6108, Florida Statutes, to read:

309 493.6108 Investigation of applicants by Department of
 310 Agriculture and Consumer Services.—

311 (4) Effective January 1, 2017, the Department of Law
 312 Enforcement shall:

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

317 (b) When the Department of Law Enforcement begins
318 participation in the Federal Bureau of Investigation's national
319 retained print arrest notification program, enroll such
320 fingerprints in the program. The fingerprints must thereafter be
321 available for arrest notifications and all purposes and uses
322 authorized for arrest fingerprint submissions entered into the
323 statewide automated biometric identification system established
324 in s. 943.05(2) (b).

325 (c) Search all arrest fingerprints against fingerprints
326 retained.

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

330 (5) If the department receives information about an arrest
331 within the state of a person who holds a valid license issued
332 under this chapter for a crime that could potentially disqualify
333 the person from holding such a license, the department must
334 provide the arrest information to the agency that employs the
335 licensee.

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

338 493.6113 Renewal application for licensure.—

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

343 (3) Each licensee is responsible for renewing his or her
 344 license on or before its expiration by filing with the
 345 department an application for renewal accompanied by payment of
 346 the renewal fee and the fingerprint retention fee to cover the
 347 cost of ongoing retention in the statewide automated biometric
 348 identification system established in s. 943.05(2)(b). A person
 349 holding a valid license issued under this chapter before January
 350 1, 2017, must submit, upon first renewal of the license, a full
 351 set of fingerprints and a fingerprint processing fee to cover
 352 the cost of entering the fingerprints into the statewide
 353 automated biometric identification system under s.
 354 493.6108(4)(a) and the cost of enrollment in the Federal Bureau
 355 of Investigation's national retained print arrest notification
 356 program. Subsequent renewals may be completed without submission
 357 of a set of fingerprints ~~prescribed license fee.~~

358 (a) Each Class "B" licensee shall additionally submit on a
 359 form prescribed by the department a certification of insurance
 360 that evidences that the licensee maintains coverage as required
 361 under s. 493.6110.

362 (b) Each Class "G" licensee shall additionally submit
 363 proof that he or she has received during each year of the
 364 license period a minimum of 4 hours of firearms recertification

365 training taught by a Class "K" licensee and has complied with
366 such other health and training requirements that the department
367 shall adopt by rule. Proof of completion of firearms
368 recertification training shall be submitted to the department
369 upon completion of the training. If the licensee fails to
370 complete the required 4 hours of annual training during the
371 first year of the 2-year term of the license, the license shall
372 be automatically suspended. The licensee must complete the
373 minimum number of hours of range and classroom training required
374 at the time of initial licensure and submit proof of completion
375 of such training to the department before the license may be
376 reinstated. If the licensee fails to complete the required 4
377 hours of annual training during the second year of the 2-year
378 term of the license, the licensee must complete the minimum
379 number of hours of range and classroom training required at the
380 time of initial licensure and submit proof of completion of such
381 training to the department before the license may be renewed.
382 The department may waive the firearms training requirement if:
383 1. The applicant provides proof that he or she is
384 currently certified as a law enforcement officer or correctional
385 officer under the Criminal Justice Standards and Training
386 Commission and has completed law enforcement firearms
387 requalification training annually during the previous 2 years of
388 the licensure period;
389 2. The applicant provides proof that he or she is
390 currently certified as a federal law enforcement officer and has

391 received law enforcement firearms training administered by a
 392 federal law enforcement agency annually during the previous 2
 393 years of the licensure period; or

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

398 (c) Each Class "DS" or Class "RS" licensee shall
 399 additionally submit the current curriculum, examination, and
 400 list of instructors.

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

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

406 493.6202 Fees.—

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

416 Section 9. Subsection (4) is added to section 493.6302,

417 Florida Statutes, to read:

418 493.6302 Fees.—

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

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

430 493.6402 Fees.—

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

440 Section 11. Subsection (1) of section 501.0125, Florida
441 Statutes, is amended, and subsection (6) is added to that
442 section, to read:

443 501.0125 Health studios; definitions.—For purposes of ss.
 444 501.012-501.019, the following terms shall have the following
 445 meanings:

446 (1) "Health studio" means any person who is engaged in the
 447 sale of services for instruction, training, or assistance in a
 448 program of physical exercise or in the sale of services for the
 449 right or privilege to use equipment or facilities in furtherance
 450 of a program of physical exercise. The term does not include an
 451 individual acting as a personal trainer.

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

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

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

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

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

461 501.015 Health studios; registration requirements and
 462 fees.—Each health studio shall:

463 (2) Remit an annual registration fee of \$300 to the
 464 department at the time of registration for each of the health
 465 studio's business locations. The department shall waive the
 466 initial registration fee for an honorably discharged veteran of
 467 the United States Armed Forces, the spouse of such a veteran, or
 468 a business entity that has a majority ownership held by such a

469 veteran or spouse if the department receives an application, in
470 a format prescribed by the department, within 60 months after
471 the date of the veteran's discharge from any branch of the
472 United States Armed Forces. To qualify for the waiver, a veteran
473 must provide to the department a copy of his or her DD Form 214,
474 as issued by the United States Department of Defense, or another
475 acceptable form of identification as specified by the Department
476 of Veterans' Affairs; the spouse of a veteran must provide to
477 the department a copy of the veteran's DD Form 214, as issued by
478 the United States Department of Defense, or another acceptable
479 form of identification as specified by the Department of
480 Veterans' Affairs, and a copy of a valid marriage license or
481 certificate verifying that he or she was lawfully married to the
482 veteran at the time of discharge; or a business entity must
483 provide to the department proof that a veteran or the spouse of
484 a veteran holds a majority ownership in the business, a copy of
485 the veteran's DD Form 214, as issued by the United States
486 Department of Defense, or another acceptable form of
487 identification as specified by the Department of Veterans'
488 Affairs, and, if applicable, a copy of a valid marriage license
489 or certificate verifying that the spouse of the veteran was
490 lawfully married to the veteran at the time of discharge.

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

494 501.605 Licensure of commercial telephone sellers.—

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

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

503
 504 The application shall be accompanied by a copy of any: Script,
 505 outline, or presentation the applicant will require or suggest a
 506 salesperson to use when soliciting, or, if no such document is
 507 used, a statement to that effect; sales information or
 508 literature to be provided by the applicant to a salesperson; and
 509 sales information or literature to be provided by the applicant
 510 to a purchaser in connection with any solicitation.

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

513 (b) A fee for licensing in the amount of \$1,500. The fee
 514 shall be deposited into the General Inspection Trust Fund. The
 515 department shall waive the initial license fee for an honorably
 516 discharged veteran of the United States Armed Forces, the spouse
 517 of such a veteran, or a business entity that has a majority
 518 ownership held by such a veteran or spouse if the department
 519 receives an application, in a format prescribed by the
 520 department, within 60 months after the date of the veteran's

521 discharge from any branch of the United States Armed Forces. To
522 qualify for the waiver, a veteran must provide to the department
523 a copy of his or her DD Form 214, as issued by the United States
524 Department of Defense, or another acceptable form of
525 identification as specified by the Department of Veterans'
526 Affairs; the spouse of a veteran must provide to the department
527 a copy of the veteran's DD Form 214, as issued by the United
528 States Department of Defense, or another acceptable form of
529 identification as specified by the Department of Veterans'
530 Affairs, and a copy of a valid marriage license or certificate
531 verifying that he or she was lawfully married to the veteran at
532 the time of discharge; or a business entity must provide to the
533 department proof that a veteran or the spouse of a veteran holds
534 a majority ownership in the business, a copy of the veteran's DD
535 Form 214, as issued by the United States Department of Defense,
536 or another acceptable form of identification as specified by the
537 Department of Veterans' Affairs, and, if applicable, a copy of a
538 valid marriage license or certificate verifying that the spouse
539 of the veteran was lawfully married to the veteran at the time
540 of discharge.

541 Section 14. Paragraph (b) of subsection (2) of section
542 501.607, Florida Statutes, is amended to read:

543 501.607 Licensure of salespersons.—

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

546 (b) A fee for licensing in the amount of \$50 per

547 salesperson. The fee shall be deposited into the General
548 Inspection Trust Fund. The fee for licensing may be paid after
549 the application is filed, but must be paid within 14 days after
550 the applicant begins work as a salesperson. The department shall
551 waive the initial license fee for an honorably discharged
552 veteran of the United States Armed Forces, the spouse of such a
553 veteran, or a business entity that has a majority ownership held
554 by such a veteran or spouse if the department receives an
555 application, in a format prescribed by the department, within 60
556 months after the date of the veteran's discharge from any branch
557 of the United States Armed Forces. To qualify for the waiver, a
558 veteran must provide to the department a copy of his or her DD
559 Form 214, as issued by the United States Department of Defense,
560 or another acceptable form of identification as specified by the
561 Department of Veterans' Affairs; the spouse of a veteran must
562 provide to the department a copy of the veteran's DD Form 214,
563 as issued by the United States Department of Defense, or another
564 acceptable form of identification as specified by the Department
565 of Veterans' Affairs, and a copy of a valid marriage license or
566 certificate verifying that he or she was lawfully married to the
567 veteran at the time of discharge; or a business entity must
568 provide to the department proof that a veteran or the spouse of
569 a veteran holds a majority ownership in the business, a copy of
570 the veteran's DD Form 214, as issued by the United States
571 Department of Defense, or another acceptable form of
572 identification as specified by the Department of Veterans'

573 Affairs, and, if applicable, a copy of a valid marriage license
574 or certificate verifying that the spouse of the veteran was
575 lawfully married to the veteran at the time of discharge.

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

578 507.03 Registration.—

579 (3)(a) Registration fees shall be calculated at the rate
580 of \$300 per year per mover or moving broker. All amounts
581 collected shall be deposited by the Chief Financial Officer to
582 the credit of the General Inspection Trust Fund of the
583 department for the sole purpose of administration of this
584 chapter.

585 (b) The department shall waive the initial registration
586 fee for an honorably discharged veteran of the United States
587 Armed Forces, the spouse of such a veteran, or a business entity
588 that has a majority ownership held by such a veteran or spouse
589 if the department receives an application, in a format
590 prescribed by the department, within 60 months after the date of
591 the veteran's discharge from any branch of the United States
592 Armed Forces. To qualify for the waiver, a veteran must provide
593 to the department a copy of his or her DD Form 214, as issued by
594 the United States Department of Defense, or another acceptable
595 form of identification as specified by the Department of
596 Veterans' Affairs; the spouse of a veteran must provide to the
597 department a copy of the veteran's DD Form 214, as issued by the
598 United States Department of Defense, or another acceptable form

599 of identification as specified by the Department of Veterans'
 600 Affairs, and a copy of a valid marriage license or certificate
 601 verifying that he or she was lawfully married to the veteran at
 602 the time of discharge; or a business entity must provide to the
 603 department proof that a veteran or the spouse of a veteran holds
 604 a majority ownership in the business, a copy of the veteran's DD
 605 Form 214, as issued by the United States Department of Defense,
 606 or another acceptable form of identification as specified by the
 607 Department of Veterans' Affairs, and, if applicable, a copy of a
 608 valid marriage license or certificate verifying that the spouse
 609 of the veteran was lawfully married to the veteran at the time
 610 of discharge.

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

613 527.02 License; penalty; fees.—

614 (3)(a) An ~~Any~~ applicant for an original license who
 615 submits an ~~whose application is submitted~~ during the last 6
 616 months of the license year may have the original license fee
 617 reduced by one-half for the 6-month period. This provision
 618 applies ~~shall apply~~ only to those companies applying for an
 619 original license and may ~~shall~~ not be applied to licensees who
 620 held a license during the previous license year and failed to
 621 renew the license. The department may refuse to issue an initial
 622 license to an ~~any~~ applicant who is under investigation in any
 623 jurisdiction for an action that would constitute a violation of
 624 this chapter until such time as the investigation is complete.

625 (b) The department shall waive the initial license fee for
626 an honorably discharged veteran of the United States Armed
627 Forces, the spouse of such a veteran, or a business entity that
628 has a majority ownership held by such a veteran or spouse if the
629 department receives an application, in a format prescribed by
630 the department, within 60 months after the date of the veteran's
631 discharge from any branch of the United States Armed Forces. To
632 qualify for the waiver, a veteran must provide to the department
633 a copy of his or her DD Form 214, as issued by the United States
634 Department of Defense or another acceptable form of
635 identification as specified by the Department of Veterans'
636 Affairs; the spouse of a veteran must provide to the department
637 a copy of the veteran's DD Form 214, as issued by the United
638 States Department of Defense, or another acceptable form of
639 identification as specified by the Department of Veterans'
640 Affairs, and a copy of a valid marriage license or certificate
641 verifying that he or she was lawfully married to the veteran at
642 the time of discharge; or a business entity must provide to the
643 department proof that a veteran or the spouse of a veteran holds
644 a majority ownership in the business, a copy of the veteran's DD
645 Form 214, as issued by the United States Department of Defense,
646 or another acceptable form of identification as specified by the
647 Department of Veterans' Affairs, and, if applicable, a copy of a
648 valid marriage license or certificate verifying that the spouse
649 of the veteran was lawfully married to the veteran at the time
650 of discharge.

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

653 527.021 Registration of transport vehicles.—

654 ~~(4) An inspection fee of \$50 shall be assessed for each~~
 655 ~~registered vehicle inspected by the department pursuant to s.~~
 656 ~~527.061. All inspection fees collected in connection with this~~
 657 ~~section shall be deposited in the General Inspection Trust Fund~~
 658 ~~for the purpose of administering the provisions of this chapter.~~

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

661 531.37 Definitions.—As used in this chapter:

662 (1) "Weights and measures" means all weights and measures
 663 of every kind, instruments, and devices for weighing and
 664 measuring, and any appliance and accessories associated with any
 665 or all such instruments and devices, excluding those weights and
 666 measures used for the purpose of inspecting the accuracy of
 667 devices used in conjunction with aviation fuel.

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

670 531.415 Fees.—

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

674 (a) For each mass standard that is tested or certified to
 675 meet tolerances less stringent than American National Standards
 676 Institute/American Society for Testing and Materials (ANSI/ASTM)

677 Standard E617 Class 4, ~~the department shall charge a fee of not~~
 678 ~~more than:~~

679 Weight	Fee/Unit
680 0 - 2 lb.	\$6
681 3 - 10 lb.	\$8
682 11 - 50 lb.	\$12
683 51 - 500 lb.	\$20
684 501 - 1000 lb.	\$30
685 1001 - 2500 lb.	\$40
686 2501 - 5000 lb.	\$50

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

691 Weight	Fee/Unit
692 0 - 10 lb.	\$20
693 11 - 50 lb.	\$30
694 51 - 500 lb.	\$40
695 501 - 1000 lb.	\$50
696 1001 - 2500 lb.	\$60
697 2501 - 5000 lb.	\$75

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

701 Weight	Fee/Unit
702 0 - 20 lb.	\$40

703	21 - 50 lb.	\$50
704	51 - 1000 lb.	\$70
705	1001 - 2500 lb.	\$150
706	2501 - 5000 lb.	\$250

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

709	Vessel	Fee/Test Point
710	0 - 5 gal.	\$35
711	Over 5 gal.	Plus \$0.75 for each additional gallon

712 ~~(e) For each linear measure that is tested or certified,~~
 713 ~~the department shall charge a fee of not more than \$75.~~

714 ~~(e)-(f) For each linear measure test that is calibrated to~~
 715 ~~determine actual values, the department shall charge a fee of~~
 716 ~~\$75 not more than \$100.~~

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

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

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

726 (2) Each fee is payable to the department at the time the
 727 testing is done, regardless of whether the item tested is
 728 certified. The department may refuse to accept for testing any

729 item deemed by the department to be unsuitable for its intended
730 use or not to be in a condition ready for testing. The
731 department shall deposit all fees collected under this section
732 into the General Inspection Trust Fund.

733 Section 20. Section 531.60, Florida Statutes, is amended
734 to read:

735 531.60 Permit for commercially operated or tested weights
736 or measures instrument or devices.—

737 (1) A weights and measures instrument or device may not
738 operate or be used for commercial purposes, as defined by
739 department rule, within this state without first being permitted
740 through a valid commercial use permit issued by the department
741 to the person who owns the weights and measures device, unless
742 exempted as provided in s. 531.61. Such permit applies only to
743 the specific location and instrument types or device types
744 listed on ~~for which the permit was issued~~. However, the
745 department may allow such permit to be applicable to a
746 replacement for the original instrument or device.

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

750 (a) Remain ~~Remains~~ in the same location, the permit
751 transfers to the new owner and remains in effect until its
752 original expiration date. Within 30 days after the change in
753 ownership, the new owner shall notify the department of the
754 change and provide the pertinent information regarding the

755 change in ownership and an updated replacement permit shall be
756 issued if needed.

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

761 (3) A person who holds a permit that has been issued under
762 this section must notify the department within 30 days after a
763 change in permit status or if a permit will not be renewed due
764 to the termination in use or removal of all weighing and
765 measuring instruments or devices from the permitted location
766 ~~Weights and measures instruments or devices that are not used~~
767 ~~commercially may be tested by the department under this chapter~~
768 ~~only if they are permitted and appropriate fees paid as~~
769 ~~prescribed by this section and adopted rules.~~

770 Section 21. Section 531.61, Florida Statutes, is amended
771 to read:

772 531.61 Exemptions from permit requirement.—Commercial
773 weights or measures instruments or devices are exempt from the
774 ~~permit~~ requirements of ss. 531.60-531.66 if:

775 (1) The device is a taximeter that is licensed, permitted,
776 or registered by a municipality, county, or other local
777 government and is tested for accuracy and compliance with state
778 standards by the local government in cooperation with the state
779 as authorized in s. 531.421.

780 (2) The device is used exclusively for weighing railroad

781 cars and is tested for accuracy and compliance with state
782 standards by a private testing agency.

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

785 Section 22. Subsections (1), (2), and (4) of section
786 531.62, Florida Statutes, are amended to read:

787 531.62 Permit application and renewal.—

788 (1) An application for a ~~weights and measures~~ commercial
789 use permit shall be submitted to the department on a form
790 prescribed and furnished by the department and must contain such
791 information as the department may require by rule.

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

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

806 Section 23. Paragraph (a) of subsection (1) and subsection

807 (2) of section 531.63, Florida Statutes, are amended to read:

808 531.63 Maximum permit fees.—The commercial use permit fees
 809 established for weights or measures instruments or devices shall
 810 be in an amount necessary to administer this chapter but may not
 811 exceed the amounts provided in this section.

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

815 (a) For weighing devices of up to and including the 100-
 816 pound capacity which are used during any portion of the period
 817 covered by the permit, the maximum annual fees per category of
 818 device ~~retail establishment~~ may not exceed the following:

819 Number of devices	
820 in a single <u>category</u> retail	
821 establishment	Maximum Fee
822 1 to 5	\$60
823 6 to 10	\$150
824 11 to 30	\$200
825 More than 30	\$300

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

828 (a) Mass flow meters having a maximum flow rate of up to
 829 150 pounds per minute.....\$100.

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

832 (b) Mass flow meters having a maximum flow rate greater

833 than 150 pounds per minute.....\$500.

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

836 This includes all devices used to dispense diesel exhaust fluid
837 for retail sale.

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

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

842 (f) Tanks, 500 or more gallons capacity, used as measure
843 containers, with or without gage rods or markers.....\$200.

844 (g) Taximeters.....\$50.

845 ~~(h) Grain moisture meters.....\$25.~~

846 (h)(i) Multiple-dimension measuring
847 devices.....\$100.

848 (i) Liquefied petroleum gas bulk delivery vehicles with a
849 meter owned or leased by a liquefied petroleum gas licensee\$150.

850 Section 24. Section 531.65, Florida Statutes, is amended
851 to read:

852 531.65 Unauthorized use; penalties.—If a weights or
853 measures instrument or device is used commercially without a
854 valid commercial use permit, the department may do one or more
855 of the following:

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

858 (2) Employ and attach to the instrument or device such

859 form, notice, tag, or seal to prevent the continued unauthorized
860 use of the instrument or device.~~†~~

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

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

867 Section 25. Paragraph (c) of subsection (3) of section
868 539.001, Florida Statutes, is amended to read:

869 539.001 The Florida Pawnbroking Act.—

870 (3) LICENSE REQUIRED.—

871 (c) Each license is valid for a period of 1 year unless it
872 is earlier relinquished, suspended, or revoked. Each license
873 shall be renewed annually, and each licensee shall, initially
874 and annually thereafter, pay to the agency a license fee of \$300
875 for each license held. The agency shall waive the initial
876 license fee for an honorably discharged veteran of the United
877 States Armed Forces, the spouse of such a veteran, or a business
878 entity that has a majority ownership held by such a veteran or
879 spouse if the agency receives an application, in a format
880 prescribed by the agency, within 60 months after the date of the
881 veteran's discharge from any branch of the United States Armed
882 Forces. To qualify for the waiver, a veteran must provide to the
883 agency a copy of his or her DD Form 214, as issued by the United
884 States Department of Defense, or another acceptable form of

885 identification as specified by the Department of Veterans'
886 Affairs; the spouse of a veteran must provide to the agency a
887 copy of the veteran's DD Form 214, as issued by the United
888 States Department of Defense, or another acceptable form of
889 identification as specified by the Department of Veterans'
890 Affairs, and a copy of a valid marriage license or certificate
891 verifying that he or she was lawfully married to the veteran at
892 the time of discharge; or a business entity must provide to the
893 agency proof that a veteran or the spouse of a veteran holds a
894 majority ownership in the business, a copy of the veteran's DD
895 Form 214, as issued by the United States Department of Defense,
896 or another acceptable form of identification as specified by the
897 Department of Veterans' Affairs, and, if applicable, a copy of a
898 valid marriage license or certificate verifying that the spouse
899 of the veteran was lawfully married to the veteran at the time
900 of discharge.

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

903 559.904 Motor vehicle repair shop registration;
904 application; exemption.—

905 (3) (a) Each application for registration must be
906 accompanied by a registration fee calculated on a per-year basis
907 as follows:

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

909 2.-(b) If the place of business has 6 to 10 employees:

910 \$150.

911 3.~~(e)~~ If the place of business has 11 or more employees:
912 \$300.

913 (b) The department shall waive the initial registration
914 fee for an honorably discharged veteran of the United States
915 Armed Forces, the spouse of such a veteran, or a business entity
916 that has a majority ownership held by such a veteran or spouse
917 if the department receives an application, in a format
918 prescribed by the department, within 60 months after the date of
919 the veteran's discharge from any branch of the United States
920 Armed Forces. To qualify for the waiver, a veteran must provide
921 to the department a copy of his or her DD Form 214, as issued by
922 the United States Department of Defense, or another acceptable
923 form of identification as specified by the Department of
924 Veterans' Affairs; the spouse of a veteran must provide to the
925 department a copy of the veteran's DD Form 214, as issued by the
926 United States Department of Defense, or another acceptable form
927 of identification as specified by the Department of Veterans'
928 Affairs, and a copy of a valid marriage license or certificate
929 verifying that he or she was lawfully married to the veteran at
930 the time of discharge; or a business entity must provide to the
931 department proof that a veteran or the spouse of a veteran holds
932 a majority ownership in the business, a copy of the veteran's DD
933 Form 214, as issued by the United States Department of Defense
934 or another acceptable form of identification as specified by the
935 Department of Veterans' Affairs, and, if applicable, a copy of a
936 valid marriage license or certificate verifying that the spouse

937 of the veteran was lawfully married to the veteran at the time
938 of discharge.

939 Section 27. Subsections (1), (7), (8), (10), (11), and
940 (13) of section 559.927, Florida Statutes, are amended to read:

941 559.927 Definitions.—For the purposes of this part, the
942 term:

943 (1) "Accommodations" means any hotel or motel room,
944 condominium or cooperative unit, cabin, lodge, or apartment; any
945 other commercial structure designed for occupancy by one or more
946 individuals; or any lodging establishment as provided by law.
947 The term does not include long-term home rentals covered under a
948 lease pursuant to chapter 83.

949 (7) "Prearranged travel or, tourist-related services, ~~or~~
950 ~~tour-guide services~~" includes, but is not limited to, car
951 rentals, lodging, transfers, ~~and sightseeing tours~~ and all other
952 such services that ~~which~~ are reasonably related to air, sea,
953 rail, motor coach, or other medium of transportation, or
954 accommodations for which a purchaser receives a premium or
955 contracts or pays before ~~prior to~~ or after departure. This term
956 ~~These terms~~ also includes ~~include~~ services for which a
957 purchaser, whose legal residence is outside the United States,
958 contracts or pays before ~~prior to~~ departure, and any arrangement
959 by which a purchaser prepays for, receives a reservation or any
960 other commitment to provide services before ~~prior to~~ departure
961 for, or otherwise arranges for travel directly to a terrorist
962 state and which originates in Florida.

963 (8) "Purchaser" means the purchaser of, or person
 964 otherwise entitled to receive, prearranged travel or tourist-
 965 related services, ~~or tour guide services~~, for a fee or
 966 commission, or who has acquired a vacation certificate for
 967 personal use.

968 (10) "Satisfactory consumer complaint history" means no
 969 unresolved complaints regarding prearranged travel or tourist-
 970 related services, ~~or tour guide services~~ are on file with the
 971 department. A complaint is unresolved when a seller of travel
 972 does not respond to the department's efforts to mediate the
 973 complaint or a complaint where the department has determined
 974 that a violation of this part has occurred and the complaint has
 975 not been satisfied by the seller of travel.

976 (11) "Seller of travel" means any resident or nonresident
 977 person, firm, corporation, or business entity that who offers
 978 ~~for sale, directly or indirectly, at wholesale or retail,~~
 979 prearranged travel or tourist-related services, ~~or tour guide~~
 980 ~~services~~ for individuals or groups, including, but not limited
 981 to, vacation ~~or tour~~ packages, or vacation certificates in
 982 exchange for a fee, commission, or other valuable consideration.
 983 The term includes such person, firm, corporation, or business
 984 entity who sells a vacation certificate to third-party merchants
 985 for a fee, or in exchange for a commission, or who offers such
 986 certificates to consumers in exchange for attendance at sales
 987 presentations. The term also includes any business entity
 988 offering membership in a travel club or travel services for an

989 advance fee or payment, even if no travel contracts or
990 certificates or vacation or tour packages are sold by the
991 business entity. The term does not include a third party who may
992 offer prearranged travel or tourist-related services but does
993 not participate in travel fulfillment or vacation certificate
994 redemption.

995 (13) "Vacation certificate" means any arrangement, plan,
996 program, ~~or~~ vacation package, or advance travel purchase that
997 promotes, discusses, or discloses a destination or itinerary or
998 type of travel, whereby a purchaser ~~for consideration paid in~~
999 ~~advance~~ is entitled to the use of travel, accommodations, or
1000 facilities for any number of days, whether certain or uncertain,
1001 during the period in which the certificate can be exercised, and
1002 no specific date or dates for its use are designated. A vacation
1003 certificate does not include prearranged travel or, tourist-
1004 related services, ~~or tour guide services~~ when a seller of travel
1005 remits full payment for the cost of such services to the
1006 provider or supplier within 10 business days of the purchaser's
1007 initial payment to the seller of travel. The term does not
1008 include travel if exact travel dates are selected, guaranteed,
1009 and paid for at the time of the purchase.

1010 Section 28. Present subsections (2) through (9) of section
1011 559.928, Florida Statutes, are amended, and a new subsection (9)
1012 is added to that section, to read:

1013 559.928 Registration.—

1014 (2) (a) Registration fees shall be as follows:

1015 1. Three hundred dollars per year per registrant
 1016 certifying its business activities under s. 559.9285(1)(a).

1017 2. One thousand dollars per year per registrant certifying
 1018 its business activities under s. 559.9285(1)(b).

1019 3. Twenty-five hundred dollars per year per registrant
 1020 certifying its business activities under s. 559.9285(1)(c).

1021 (b) All amounts collected shall be deposited by the Chief
 1022 Financial Officer to the credit of the General Inspection Trust
 1023 Fund of the Department of Agriculture and Consumer Services
 1024 pursuant to s. 570.20, for the sole purpose of administration of
 1025 this part.

1026 (c) The department shall waive the initial registration
 1027 fee for an honorably discharged veteran of the United States
 1028 Armed Forces, the spouse of such a veteran, or a business entity
 1029 that has a majority ownership held by such a veteran or spouse
 1030 if the department receives an application, in a format
 1031 prescribed by the department, within 60 months after the date of
 1032 the veteran's discharge from any branch of the United States
 1033 Armed Forces. To qualify for the waiver, a veteran must provide
 1034 to the department a copy of his or her DD Form 214, as issued by
 1035 the United States Department of Defense, or another acceptable
 1036 form of identification as specified by the Department of
 1037 Veterans' Affairs; the spouse of a veteran must provide to the
 1038 department a copy of the veteran's DD Form 214, as issued by the
 1039 United States Department of Defense, or another acceptable form
 1040 of identification as specified by the Department of Veterans'

1041 Affairs, and a copy of a valid marriage license or certificate
 1042 verifying that he or she was lawfully married to the veteran at
 1043 the time of discharge; or a business entity must provide to the
 1044 department proof that a veteran or the spouse of a veteran holds
 1045 a majority ownership in the business, a copy of the veteran's DD
 1046 Form 214, as issued by the United States Department of Defense,
 1047 or another acceptable form of identification as specified by the
 1048 Department of Veterans' Affairs, and, if applicable, a copy of a
 1049 valid marriage license or certificate verifying that the spouse
 1050 of the veteran was lawfully married to the veteran at the time
 1051 of discharge.

1052 (3) Each independent agent shall annually file an
 1053 application ~~affidavit~~ with the department before ~~prior to~~
 1054 engaging in business in this state. This application ~~affidavit~~
 1055 must include the independent agent's full name, legal business
 1056 or trade name, mailing address, business address, telephone
 1057 number, and the name and address of each seller of travel
 1058 represented by the independent agent. A letter evidencing proof
 1059 of filing must be issued by the department and must be
 1060 prominently displayed in the independent agent's primary place
 1061 of business. Each independent agent must also submit an annual
 1062 registration fee of \$50. All moneys collected pursuant to the
 1063 imposition of the fee shall be deposited by the Chief Financial
 1064 Officer into the General Inspection Trust Fund of the Department
 1065 of Agriculture and Consumer Services for the sole purpose of
 1066 administrating this part. As used in this subsection, the term

1067 "independent agent" means a person who represents a seller of
 1068 travel by soliciting persons on its behalf; who has a written
 1069 contract with a seller of travel which is operating in
 1070 compliance with this part and any rules adopted thereunder; who
 1071 does not receive a fee, commission, or other valuable
 1072 consideration directly from the purchaser for the seller of
 1073 travel; who does not at any time have any unissued ticket stock
 1074 or travel documents in his or her possession; and who does not
 1075 have the ability to issue tickets, vacation certificates, or any
 1076 other travel document. The term "independent agent" does not
 1077 include an affiliate of the seller of travel, as that term is
 1078 used in s. 559.935(3), or the employees of the seller of travel
 1079 or of such affiliates.

1080 (4) A ~~Any~~ person applying for or renewing a local business
 1081 tax receipt to engage in business as a seller of travel must
 1082 exhibit a current registration certificate from the department
 1083 before the local business tax receipt may be issued or reissued.

1084 (5) Each contract, advertisement, certificate, or travel
 1085 document, of a seller of travel must include the phrase
 1086 "... (NAME OF FIRM)... is registered with the State of Florida as
 1087 a Seller of Travel. Registration No....."

1088 ~~(6) Each advertisement of a seller of travel must include~~
 1089 ~~the phrase "Fla. Seller of Travel Reg. No....."~~

1090 (6)(7) A ~~No~~ registration is not ~~shall be~~ valid for any
 1091 seller of travel transacting business at any place other than
 1092 that designated in its application, unless the department is

1093 first notified in writing in advance of any change of location.
 1094 ~~A Nor shall the~~ registration is not ~~be~~ valid for an affiliate of
 1095 the seller of travel who engages in the prearranged travel and
 1096 tourist business. A registration issued under this part may
 1097 ~~shall~~ not be assignable, and the seller of travel may ~~shall~~ not
 1098 be permitted to conduct business under more than one name except
 1099 as registered. A seller of travel desiring to change its
 1100 registered name or location or designated agent for service of
 1101 process at a time other than upon renewal of registration shall
 1102 notify the department of such change.

1103 ~~(7)-(8)~~ Applications under this section are ~~shall be~~
 1104 subject to ~~the provisions of~~ s. 120.60.

1105 ~~(8)-(9)~~ The department may deny, ~~or~~ refuse to renew, or
 1106 revoke the registration of any seller of travel based upon a
 1107 determination that the seller of travel, or any of its
 1108 directors, officers, owners, or general partners while acting on
 1109 behalf of the seller of travel:

1110 (a) Has failed to meet the requirements for registration
 1111 as provided in this part;

1112 (b) Has been convicted of a crime involving fraud, theft,
 1113 embezzlement, dishonest dealing, or any other act of moral
 1114 turpitude or any other act arising out of conduct as a seller of
 1115 travel;

1116 (c) Has not satisfied a civil fine or penalty arising out
 1117 of any administrative or enforcement action brought by any
 1118 governmental agency or private person based upon conduct

1119 involving fraud, theft, embezzlement, dishonest dealing, or any
 1120 violation of this part; or

1121 ~~(d) Has pending against her or him any criminal,~~
 1122 ~~administrative, or enforcement proceedings in any jurisdiction,~~
 1123 ~~based upon conduct involving fraud, dishonest dealing, or any~~
 1124 ~~other act of moral turpitude; or~~

1125 (d)-(e) Has had a judgment entered against her or him in
 1126 any action brought by the department or the Department of Legal
 1127 Affairs pursuant to ss. 501.201-501.213 or this act part.

1128 (9) The department may deny or refuse to renew the
 1129 registration of any seller of travel based upon a determination
 1130 by the department that the seller of travel, or any of its
 1131 directors, officers, owners, or general partners while acting on
 1132 behalf of the seller of travel has pending against him or her
 1133 any criminal, administrative, or enforcement proceedings in any
 1134 jurisdiction, based upon conduct involving fraud, theft,
 1135 embezzlement, dishonest dealing, or any other act of moral
 1136 turpitude.

1137 Section 29. Present subsections (2) through (6) of section
 1138 559.929, Florida Statutes, are amended, and a new subsection (4)
 1139 is added to that section, to read:

1140 559.929 Security requirements.—

1141 (2) The bond must be filed with the department on a form
 1142 adopted by department rule and must be in favor of the
 1143 department for the use and benefit of a consumer ~~traveler~~ who is
 1144 injured by the fraud, misrepresentation, breach of contract, or

1145 financial failure, or any other violation of this part by the
1146 seller of travel. Such liability may be enforced by proceeding
1147 in an administrative action as specified in subsection (3) or by
1148 filing a civil action. ~~However, in such civil action the bond~~
1149 ~~posted with the department shall not be amenable or subject to a~~
1150 ~~judgment or other legal process issuing out of or from such~~
1151 ~~court in connection with such civil action, but such bond shall~~
1152 ~~be amenable to and enforceable only by and through~~
1153 ~~administrative proceedings before the department. It is the~~
1154 ~~intent of the Legislature that such bond be applicable and~~
1155 ~~liable only for the payment of claims duly adjudicated by order~~
1156 ~~of the department.~~ The bond must be open to successive claims,
1157 but the aggregate amount awarded may not exceed the amount of
1158 the bond. In addition to the foregoing, a bond provided by a
1159 registrant or applicant for registration which certifies its
1160 business activities under s. 559.9285(1)(b) or (c) must be in
1161 favor of the department, with payment in the following order of
1162 priority:

1163 (a) The expenses for prosecuting the registrant or
1164 applicant in an administrative or civil action under this part,
1165 including attorney fees and fees for other professionals, court
1166 costs or other costs of the proceedings, and all other expenses
1167 incidental to the action.

1168 (b) The costs and expenses of investigation before the
1169 commencement of an administrative or civil action under this
1170 part.

1171 (c) An unpaid administrative fine imposed by final order
 1172 or an unpaid civil penalty imposed by final judgment under this
 1173 part.

1174 (d) Damages or compensation for a consumer ~~traveler~~
 1175 injured as provided in this subsection.

1176 (3) A consumer ~~traveler~~ may file a claim against the bond.
 1177 Such claim, which must be submitted in writing on an affidavit
 1178 form adopted by department rule, must be submitted to the
 1179 department within 120 days after an alleged injury has occurred
 1180 or is discovered to have occurred or a judgment has been
 1181 entered. The proceedings shall be conducted pursuant to chapter
 1182 120. For proceedings conducted pursuant to ss. 120.569 and
 1183 120.57, the agency shall act only as a nominal party.

1184 (4) A consumer who is injured by the seller of travel, or
 1185 the department or another governmental agency acting on behalf
 1186 of the injured consumer, may bring and maintain an action to
 1187 recover against the bond.

1188 (5)~~(4)~~ Any indebtedness determined by final order of the
 1189 department shall be paid by the seller of travel to the
 1190 department within 30 days after the order is entered for
 1191 disbursement to the consumer. If the seller of travel fails to
 1192 make payment within 30 days, the agency shall make a demand for
 1193 payment upon the surety which includes an institution issuing a
 1194 letter of credit or depository on a certificate of deposit. Upon
 1195 failure of a surety to comply with a demand for payment pursuant
 1196 to a final order, the department may file an action in circuit

1197 court to recover payment, up to the amount of the bond or other
 1198 form of security, pursuant to s. 120.69. If the department
 1199 prevails, the department may recover court costs and reasonable
 1200 attorney fees.

1201 (6)~~(5)~~ If the seller of travel is currently the subject of
 1202 an administrative, civil, or criminal action by the department,
 1203 the Department of Legal Affairs, or the state attorney relating
 1204 to compliance with this part, the right to proceed against the
 1205 bond as provided in subsection (3) is suspended until any
 1206 enforcement action becomes final.

1207 (7)~~(6)~~ The department may waive the bond requirement on an
 1208 annual basis if the seller of travel has had 5 or more
 1209 consecutive years of experience as a seller of travel in this
 1210 state in compliance with this part, has not had a civil,
 1211 criminal, or administrative action instituted against the seller
 1212 of travel in the vacation and travel business by a governmental
 1213 agency or an action involving fraud, theft, misappropriation of
 1214 property, violation of a statute pertaining to business or
 1215 commerce with a terrorist state, ~~or~~ moral turpitude, or other
 1216 violation of this part and has a satisfactory consumer complaint
 1217 history with the department, and certifies its business
 1218 activities under s. 559.9285. Such waiver may be revoked if the
 1219 seller of travel violates this part. A seller of travel which
 1220 certifies its business activities under s. 559.9285(1)(b) or (c)
 1221 is not entitled to the waiver provided in this subsection.

1222 Section 30. Subsections (2) and (17) of section 559.9295,

1223 Florida Statutes, are amended to read:

1224 559.9295 Submission of vacation certificate documents.—
1225 Sellers of travel who offer vacation certificates must submit
1226 and disclose to the department with the application for
1227 registration, and any time such document is changed, but prior
1228 to the sale of any vacation certificate, the following
1229 materials:

1230 (2) A copy of each promotional brochure, pamphlet, form
1231 letter, registration form, or any other written material
1232 disseminated in connection with the advertising, promotion, or
1233 sale of any vacation certificate. Any such promotional materials
1234 that include terms such as "free," "awarded," "prize,"
1235 "absolutely without charge," and "free of charge," or similar
1236 words or phrases that might reasonably lead a person to believe
1237 that he or she may receive, or has been selected to receive,
1238 something of value without making full or partial compensation
1239 in any form from the recipient must:

1240 (a) Clearly and conspicuously display the following
1241 disclosure in at least 12-point type: "... (NAME OF FIRM) ... is
1242 registered with the State of Florida as a seller of travel,
1243 Registration No.... THIS IS NOT A FREE OFFER. SEE TERMS AND
1244 CONDITIONS VIA WWW. (OFFER WEBSITE).COM. RESPONSE TO THIS OFFER
1245 DOES NOT GUARANTEE TRAVEL." The offer website referred to in the
1246 disclosure must include, and clearly indicate, the terms and
1247 conditions for such a vacation certificate offer.

1248 (b) Disclose the number of individuals who actually

1249 traveled pursuant to the vacation certificate, as opposed to the
 1250 number of individuals who submitted or otherwise activated the
 1251 vacation certificate, in the 12 months preceding issuance of the
 1252 promotional material.

1253 ~~(17) Within 10 working days after receipt of any materials~~
 1254 ~~submitted subsequent to filing an initial registration~~
 1255 ~~application or any annual renewal thereof, the department shall~~
 1256 ~~determine whether such materials are adequate to meet the~~
 1257 ~~requirements of this section. The department shall notify the~~
 1258 ~~seller of travel that materials submitted are in substantial~~
 1259 ~~compliance, or shall notify the seller of travel of any specific~~
 1260 ~~deficiencies. If the department fails to notify the seller of~~
 1261 ~~travel of its determination within the period specified in this~~
 1262 ~~subsection, the materials shall be deemed in compliance;~~
 1263 ~~however, the failure of the department to send notification in~~
 1264 ~~either case will not relieve the seller of travel from the duty~~
 1265 ~~of complying with this section.~~

1266
 1267 Neither the submission of these materials nor the department's
 1268 response implies approval, recommendation, or endorsement by the
 1269 department or that the contents of said materials have been
 1270 verified by the department.

1271 Section 31. Section 559.932, Florida Statutes, is amended
 1272 to read:

1273 559.932 Vacation certificate disclosure.—

1274 (1) A ~~It shall be unlawful for any seller of travel must~~

1275 ~~to fail to~~ provide each person solicited with a contract that
1276 includes which shall include the following information, which
1277 must be in at least 12-point type, unless otherwise specified:

1278 (a) A space for the date, name, address, and signature of
1279 the purchaser.

1280 (b) The expiration date of the vacation certificate and
1281 the terms and conditions of its extension or renewal, if
1282 available.

1283 (c) The name and business address of any seller of travel
1284 who may solicit vacation certificate purchasers for further
1285 purchases, and a full and complete statement as to the nature
1286 and method of that solicitation.

1287 (d) The total financial obligation of the purchaser which
1288 shall include the initial purchase price and any additional
1289 charges to which the purchaser may be subject, including, but
1290 not limited to, any per diem, seasonal, reservation, or
1291 recreational charge.

1292 (e) The name and street address of any person who has the
1293 right to alter, amend, or add to the charges to which the
1294 purchaser may be subject and the terms and conditions under
1295 which such charges may be imposed.

1296 (f) If any accommodation or facility which a purchaser
1297 acquires the right to use pursuant to the vacation certificate
1298 is not completed at the time the certificate is offered for
1299 sale, the date of availability of each component of the
1300 accommodation or facility.

1301 (g) By means of a section entitled "terms and conditions":

1302 1. All eligibility requirements for use of the vacation
 1303 certificate, including, but not limited to, age, sex, marital
 1304 status, group association, residency, or geographic limitations.

1305 2. All eligibility requirements for use of any discount or
 1306 complimentary coupon or ticket.

1307 3. A statement as to whether transportation and meals are
 1308 provided pursuant to use of the certificate.

1309 4. Any room deposit requirement, including all conditions
 1310 for its return or refund.

1311 5. The manner in which reservation requests are to be made
 1312 and the method by which they are to be confirmed.

1313 6. Any identification, credential, or other means by which
 1314 a purchaser must establish her or his entitlement to the rights,
 1315 benefits, or privileges of the vacation certificate.

1316 7. Any restriction or limitation upon transfer of the
 1317 vacation certificate or any right, benefit, or privilege
 1318 thereunder.

1319 8. Any other term, limitation, condition, or requirement
 1320 material to use of the vacation certificate or any right,
 1321 benefit, or privilege thereunder.

1322 (h) In immediate proximity to the space reserved in the
 1323 contract for the date and the name, address, and signature of
 1324 the purchaser, the following statement in boldfaced type of a
 1325 size of 10 points:

1326

1327 "YOU MAY CANCEL THIS CONTRACT WITHOUT ANY PENALTY OR
 1328 OBLIGATION WITHIN 30 DAYS FROM THE DATE OF PURCHASE OR RECEIPT
 1329 OF THE VACATION CERTIFICATE, WHICHEVER OCCURS LATER."

1330 "YOU MAY ALSO CANCEL THIS CONTRACT IF ACCOMMODATIONS OR
 1331 FACILITIES ARE NOT AVAILABLE PURSUANT TO A REQUEST FOR USE AS
 1332 PROVIDED IN THE CONTRACT."

1333 "TO CANCEL THIS AGREEMENT, A SIGNED AND DATED COPY OF A
 1334 STATEMENT THAT YOU ARE CANCELING THE AGREEMENT SHOULD BE MAILED
 1335 AND POSTMARKED, OR DELIVERED TO ... (NAME) ... AT ... (ADDRESS) ...
 1336 NO LATER THAN MIDNIGHT OF (DATE)"

1337 ~~"IF YOU DECIDE TO CANCEL, YOU MUST NOTIFY THE SELLER IN~~
 1338 ~~WRITING OF YOUR INTENT TO CANCEL BY RETURNING THE CERTIFICATE~~
 1339 ~~AND SENDING NOTICE TO: ... (NAME OF SELLER) ... AT ... (SELLER'S~~
 1340 ~~ADDRESS)"~~

1341
 1342 (i) In immediate proximity to the statement required in
 1343 paragraph (h), the following statement in boldfaced type of a
 1344 size of 12 ~~10~~ points:

1345
 1346 "NO PURCHASER SHOULD RELY UPON REPRESENTATIONS OTHER THAN
 1347 THOSE INCLUDED IN THIS CONTRACT."

1348
 1349 However, inclusion of this statement shall not impair any
 1350 purchaser's right to bring legal action based on verbal
 1351 statements.

1352 (j) In immediate proximity to the statement required in

1353 paragraph (i), the following statement:

1354 "This contract is for the purchase of a vacation
 1355 certificate and puts all assignees on notice of the consumer's
 1356 right to cancel under section 559.933, Florida Statutes."

1357 (2) If a sale or agreement to purchase a vacation
 1358 certificate is completed over the telephone, the seller shall
 1359 inform the purchaser over the telephone that:

1360 (a) The purchaser may cancel the contract without any
 1361 penalty or obligation within 30 days from the date of purchase
 1362 or receipt of the vacation certificate, whichever occurs later.

1363 (b) The purchaser may also cancel the contract if
 1364 accommodations or facilities are not available upon request for
 1365 use as provided in the contract.

1366 (3) Upon receipt of a copy of a vacation certificate or
 1367 contract required pursuant to s. 559.9295, the department shall
 1368 review the certificate or contract for compliance with the
 1369 disclosures required under this section. The submission of the
 1370 certificate or contract, and the department's response, do not
 1371 imply approval, recommendation, or endorsement by the department
 1372 or that the contents of the certificate or contract have been
 1373 verified by the department.

1374 Section 32. Section 559.933, Florida Statutes, is amended
 1375 to read:

1376 559.933 Vacation certificate cancellation and refund
 1377 provisions.—

1378 (1) A ~~It shall be unlawful for any seller of travel or~~

1379 assignee must honor a purchaser's request to cancel a vacation
 1380 certificate if such request is made:

1381 ~~(1) To fail or refuse to honor a purchaser's vacation~~
 1382 ~~certificate request to cancel if such request is made:~~

1383 (a) Within 30 days after ~~from~~ the date of purchase or
 1384 receipt of the vacation certificate, whichever occurs later; or

1385 (b) At any time accommodations or facilities are not
 1386 available pursuant to a request for use as provided in the
 1387 contract, provided that:

1388 1. The contract may ~~shall~~ not require notice greater than
 1389 60 days in advance of the date requested for use;

1390 2. If acceptable to the purchaser, comparable alternate
 1391 accommodations or facilities in a city, or reservations for a
 1392 date different than that requested, may be provided.

1393 (2) A seller of travel or assignee must ~~To fail to~~ refund
 1394 any and all payments made by the vacation certificate purchaser
 1395 within 30 days after receipt of the certificate and notice of
 1396 cancellation made pursuant to this section, if the purchaser has
 1397 not received any benefits pursuant to the vacation certificate.

1398 (3) A seller of travel or assignee must, if the purchaser
 1399 has received any benefits pursuant to the vacation certificate,
 1400 ~~to fail to~~ refund within 30 days after receipt of the
 1401 certificate and notice of cancellation made pursuant to this
 1402 section any and all payments made by the purchaser which exceed
 1403 a pro rata portion of the total price, representing the portion
 1404 of any benefits actually received by the vacation certificate

1405 purchaser during the time preceding cancellation.

1406 (4) If ~~where~~ any purchaser has received confirmation of
1407 reservations in advance and is refused accommodations upon
1408 arrival, a seller of travel or assignee must ~~to fail to~~ procure
1409 comparable alternate accommodations for the purchaser in the
1410 same city at no expense to the purchaser, or ~~to fail to~~ fully
1411 compensate the purchaser for the room rate incurred in securing
1412 comparable alternate accommodations himself or herself.

1413 (5) A seller of travel or assignee may not ~~to~~ collect more
1414 than the full contract price from the purchaser.

1415 (6) A seller of travel or assignee may not ~~to~~ sell,
1416 assign, or otherwise transfer any interest in a seller of travel
1417 business, or ~~to~~ sell, assign, or otherwise transfer to a third
1418 party any interest in any vacation certificate unless:

1419 (a) The third party agrees in writing to fully honor the
1420 rights of vacation certificate purchasers to cancel and to
1421 receive an appropriate refund or reimbursement as provided in
1422 this section.

1423 (b) The third party agrees in writing to comply with all
1424 other provisions of this part for as long as the third party
1425 continues the sale of vacation certificates or for the duration
1426 of the period of validity of outstanding vacation certificates,
1427 whichever is longer in time.

1428 (c) The seller of travel agrees to be liable for and fully
1429 indemnify a purchaser from any loss occasioned by the failure of
1430 the third party to honor the purchaser's right to cancel and

1431 failure to make prompt and complete refund to the purchaser of
 1432 all sums paid to the third party, or occasioned by the third
 1433 party's failure to comply with the provisions of this part.

1434 (7) A seller of travel or assignee must ~~To fail to~~ fulfill
 1435 the terms of a vacation certificate within 18 months after ~~of~~
 1436 the initial payment of any consideration by the purchaser to a
 1437 seller of travel or third party.

1438 Section 33. Section 559.9335, Florida Statutes, is amended
 1439 to read:

1440 559.9335 Violations.—It is a violation of this part for
 1441 any seller of travel, independent agent, assignee, or other
 1442 person:

1443 (1) To conduct business as a seller of travel without
 1444 registering annually with the department unless exempt pursuant
 1445 to s. 559.935.

1446 (2) To conduct business as a seller of travel without an
 1447 annual purchase of a performance bond in the amount set by the
 1448 department unless exempt pursuant to s. 559.935.

1449 (3) Knowingly to make any false statement, representation,
 1450 or certification in any application, document, or record
 1451 required to be submitted or retained under this part or in any
 1452 response to an inquiry or investigation conducted by the
 1453 department or any other governmental agency.

1454 (4) Knowingly to sell or market any ~~number of~~ vacation
 1455 certificates that exceed the number disclosed to the department
 1456 pursuant to this section.

1457 (5) Knowingly to sell or market vacation certificates with
 1458 an expiration date of more than 18 months from the date of
 1459 issuance.

1460 ~~(6) Knowingly to require, request, encourage, or suggest,~~
 1461 ~~directly or indirectly, that payment for the right to obtain a~~
 1462 ~~travel contract, certificate, or vacation package must be by~~
 1463 ~~credit card authorization or to otherwise announce a preference~~
 1464 ~~for that method of payment over any other when no correct and~~
 1465 ~~true explanation for such preference is likewise stated.~~

1466 (6)~~(7)~~ Knowingly to state, represent, indicate, suggest,
 1467 or imply, directly or indirectly, that the travel contract,
 1468 certificate, or vacation package being offered by the seller of
 1469 travel cannot be purchased at some later time or may not
 1470 otherwise be available after the initial contact, or that
 1471 callbacks by the prospective purchaser are not accepted, when no
 1472 such restrictions or limitations in fact exist.

1473 (7)~~(8)~~ To misrepresent ~~in any manner~~ the purchaser's right
 1474 to cancel and to receive an appropriate refund or reimbursement
 1475 as provided by this part.

1476 (8)~~(9)~~ To sell any vacation certificate the duration of
 1477 which exceeds the duration of any agreement between the seller
 1478 and any business entity obligated thereby to provide
 1479 accommodations or facilities pursuant to the vacation
 1480 certificate.

1481 (9)~~(10)~~ To misrepresent or deceptively represent:

1482 (a) The amount of time or period of time accommodations or

1483 facilities will be available.

1484 (b) The location of accommodations or facilities offered.

1485 (c) The price, size, nature, extent, qualities, or
1486 characteristics of accommodations or facilities offered.

1487 (d) The nature or extent of other goods, services, or
1488 amenities offered.

1489 (e) A purchaser's rights, privileges, or benefits.

1490 (f) The conditions under which the purchaser may obtain a
1491 reservation for the use of offered accommodations or facilities.

1492 (g) That the recipient of an advertisement or promotional
1493 materials is a winner, or has been selected, or is otherwise
1494 being involved in a select group for receipt, of a gift, award,
1495 or prize, unless this fact is the truth.

1496 (10)~~(11)~~ To fail to inform a purchaser of a nonrefundable
1497 cancellation policy before ~~prior to~~ the seller of travel
1498 accepting any fee, commission, or other valuable consideration.

1499 (11)~~(12)~~ To fail to include, when offering to sell a
1500 vacation certificate, in any advertisement or promotional
1501 material, the following statement: "This is an offer to sell
1502 travel."

1503 (12)~~(13)~~ To fail to honor and comply with all provisions
1504 of the vacation certificate regarding the purchaser's rights,
1505 benefits, and privileges thereunder.

1506 (13)~~(14)~~(a) To include in any vacation certificate or
1507 contract any provision purporting to waive or limit any right or
1508 benefit provided to purchasers under this part; or

1509 (b) To seek or solicit such waiver or acceptance of
1510 limitation from a purchaser concerning rights or benefits
1511 provided under this part.

1512 (14)~~(15)~~ To offer vacation certificates for any
1513 accommodation or facility for which there is no contract with
1514 the owner of the accommodation or facility securing the
1515 purchaser's right to occupancy and use, unless the seller is the
1516 owner.

1517 (15)~~(16)~~ To use a local mailing address, registration
1518 facility, drop box, or answering service in the promotion,
1519 advertising, solicitation, or sale of vacation certificates,
1520 unless the seller's fixed business address is clearly disclosed
1521 during any telephone solicitation and is prominently and
1522 conspicuously disclosed on all solicitation materials and on the
1523 contract.

1524 (16)~~(17)~~ To use any registered trademark, trade name, or
1525 trade logo in any promotional, advertising, or solicitation
1526 materials without written authorization from the holder of such
1527 trademark, trade name, or trade logo.

1528 (17)~~(18)~~ To represent, directly or by implication, any
1529 affiliation with, or endorsement by, any governmental,
1530 charitable, educational, medical, religious, fraternal, or civic
1531 organization or body, or any individual, in the promotion,
1532 advertisement, solicitation, or sale of vacation certificates
1533 without express written authorization.

1534 (18)~~(19)~~ To sell a vacation certificate to any purchaser

1535 who is ineligible for its use.

1536 (19)~~(20)~~ To sell any ~~number of~~ vacation certificates in
1537 excess of ~~exceeding~~ the number of available accommodations
1538 ~~disclosed pursuant to this part.~~

1539 (20)~~(21)~~ During the period of a vacation certificate's
1540 validity, in the event, for any reason whatsoever, of lapse or
1541 breach of an agreement for the provision of accommodations or
1542 facilities to purchasers, to fail to procure similar agreement
1543 for the provision of comparable alternate accommodations or
1544 facilities in the same city or surrounding area.

1545 (21)~~(22)~~ To offer to sell, at wholesale or retail,
1546 prearranged travel or~~, or~~ tourist-related services, ~~or tour-guide~~
1547 ~~services~~ for individuals or groups directly to any terrorist
1548 state and which originate in Florida, without disclosing such
1549 business activities in a certification filed under s.
1550 559.9285(1) (b) or (c).

1551 (22)~~(23)~~ To violate any state or federal law restricting
1552 or prohibiting commerce with terrorist states.

1553 (23)~~(24)~~ To engage in ~~do~~ any other action that ~~act which~~
1554 constitutes fraud, misrepresentation, or failure to disclose a
1555 material fact, or to commit any other violation of, or fail to
1556 comply with, this part.

1557 (24)~~(25)~~ To refuse or fail, or for any of its principal
1558 officers to refuse or fail, after notice, to produce any
1559 document or record or disclose any information required to be
1560 produced or disclosed.

1561 ~~(25)-(26)~~ Knowingly to make a material false statement in
 1562 response to any request or investigation by the department, the
 1563 Department of Legal Affairs, or the state attorney.

1564 Section 34. Subsections (3) and (4) of section 559.935,
 1565 Florida Statutes, are amended to read:

1566 559.935 Exemptions.—

1567 (3) Sections 559.928, 559.929, 559.9295, 559.931, and
 1568 559.932 ~~shall~~ also do not apply to a seller of travel that is an
 1569 affiliate of an entity exempt pursuant to subsection (2) subject
 1570 to the following conditions:

1571 (a) ~~If In the event~~ the department finds the affiliate
 1572 does not have a satisfactory consumer complaint history or the
 1573 affiliate fails to respond to a consumer complaint within 30
 1574 days, the related seller of travel exempt pursuant to subsection
 1575 (2) is ~~shall be~~ liable for the actions of the affiliate, subject
 1576 to the remedies provided in ss. 559.9355 and 559.936.

1577 (b) ~~If In the event~~ the department is unable to locate an
 1578 affiliate, the related seller of travel exempt pursuant to
 1579 subsection (2) is ~~shall be~~ fully liable for the actions of the
 1580 affiliate, subject to the remedies provided in ss. 559.9355 and
 1581 559.936.

1582 ~~(c) In order to obtain an exemption under this subsection,~~
 1583 ~~the affiliate shall file an affidavit of exemption on a form~~
 1584 ~~prescribed by the department and shall certify its business~~
 1585 ~~activities under s. 559.9285(1)(a). The affidavit of exemption~~
 1586 ~~shall be executed by a person who exercises identical control~~

1587 ~~over the seller of travel exempt pursuant to subsection (2) and~~
 1588 ~~the affiliate. Failure to file an affidavit of exemption or~~
 1589 ~~certification under s. 559.9285(1)(a) prior to engaging in~~
 1590 ~~seller of travel activities shall subject the affiliate to the~~
 1591 ~~remedies provided in ss. 559.9355 and 559.936.~~

1592 (c)~~(d)~~ Revocation by the department of an exemption
 1593 provided to a seller of travel under subsection (2) shall
 1594 constitute automatic revocation by law of an exemption obtained
 1595 by an affiliate under the subsection.

1596 (d)~~(e)~~ This subsection does ~~shall~~ not apply to:

1597 1. An affiliate that independently qualifies for another
 1598 exemption under this section.

1599 2. An affiliate that sells, or offers for sale, vacation
 1600 certificates.

1601 3. An affiliate that certifies its business activities
 1602 under s. 559.9285(1)(b) or (c).

1603 (e)~~(f)~~ For purposes of this section, the term an
 1604 "affiliate" means an entity that meets the following:

1605 1. The entity has the identical ownership as the seller of
 1606 travel that is exempt under subsection (2).

1607 2. The ownership controlling the seller of travel that is
 1608 exempt under subsection (2) also exercises identical control
 1609 over the entity.

1610 3. The owners of the affiliate hold the identical
 1611 percentage of voting shares as they hold in the seller of travel
 1612 that is exempt under subsection (2).

1613 (4) The department may revoke the exemption provided in
 1614 subsection (2) or subsection (3) if the department finds that
 1615 the seller of travel does not have a satisfactory consumer
 1616 complaint history, has been convicted of a crime involving
 1617 fraud, theft, embezzlement, misappropriation of property,
 1618 deceptive or unfair trade practices, or moral turpitude, or has
 1619 not complied with the terms of any order or settlement agreement
 1620 arising out of an administrative or enforcement action brought
 1621 by a governmental agency or private person based on conduct
 1622 involving fraud, theft, embezzlement, misappropriation of
 1623 property, deceptive or unfair trade practices, or moral
 1624 turpitude.

1625 Section 35. Subsection (3) of section 559.936, Florida
 1626 Statutes, is amended to read:

1627 559.936 Civil penalties; remedies.—

1628 (3) The department may seek a civil penalty in the Class
 1629 III category pursuant to s. 570.971 for each act or omission in
 1630 violation of s. 559.9335(21) or (22) ~~s. 559.9335(22) or (23)~~.

1631 Section 36. Paragraph (b) of subsection (5), paragraph (a)
 1632 of subsection (10), and subsections (15) and (16) of section
 1633 616.242, Florida Statutes, are amended to read:

1634 616.242 Safety standards for amusement rides.—

1635 (5) ANNUAL PERMIT.—

1636 (b) To apply for an annual permit, an owner must submit to
 1637 the department a written application on a form prescribed by
 1638 rule of the department, which must include the following:

1639 1. The legal name, address, and primary place of business
1640 of the owner.

1641 2. A description, manufacturer's name, serial number,
1642 model number and, if previously assigned, the United States
1643 Amusement Identification Number of the amusement ride.

1644 3. A valid certificate of insurance ~~or bond~~ for each
1645 amusement ride.

1646 4. An affidavit of compliance that the amusement ride was
1647 inspected in person by the affiant and that the amusement ride
1648 is in general conformance with the requirements of this section
1649 and all applicable rules adopted by the department. The
1650 affidavit must be executed by a professional engineer or a
1651 qualified inspector no earlier than 60 days before, but not
1652 later than, the date of the filing of the application with the
1653 department. The owner shall request inspection and permitting of
1654 the amusement ride within 60 days of the date of filing the
1655 application with the department. The department shall inspect
1656 and permit the amusement ride within 60 days after filing the
1657 application with the department.

1658 5. If required by subsection (6), an affidavit of
1659 nondestructive testing dated and executed no earlier than 60
1660 days before ~~prior to~~, but not later than, the date of the filing
1661 of the application with the department. The owner shall request
1662 inspection and permitting of the amusement ride within 60 days
1663 of the date of filing the application with the department. The
1664 department shall inspect and permit the amusement ride within 60

1665 days after filing the application with the department.

1666 6. A request for inspection.

1667 7. Upon request, the owner shall, at no cost to the
1668 department, provide the department a copy of the manufacturer's
1669 current recommended operating instructions in the possession of
1670 the owner, the owner's operating fact sheet, and any written
1671 bulletins in the possession of the owner concerning the safety,
1672 operation, or maintenance of the amusement ride.

1673 (10) EXEMPTIONS.—

1674 (a) This section does not apply to:

1675 1. Permanent facilities that employ at least 1,000 full-
1676 time employees and that maintain full-time, in-house safety
1677 inspectors. Furthermore, the permanent facilities must file an
1678 affidavit of the annual inspection with the department, on a
1679 form prescribed by rule of the department. Additionally, the
1680 Department of Agriculture and Consumer Services may consult
1681 annually with the permanent facilities regarding industry safety
1682 programs.

1683 2. Any playground operated by a school, local government,
1684 or business licensed under chapter 509, if the playground is an
1685 incidental amenity and the operating entity is not primarily
1686 engaged in providing amusement, pleasure, thrills, or
1687 excitement.

1688 3. Museums or other institutions principally devoted to
1689 the exhibition of products of agriculture, industry, education,
1690 science, religion, or the arts.

1691 4. Conventions or trade shows for the sale or exhibit of
 1692 amusement rides if there are a minimum of 15 amusement rides on
 1693 display or exhibition, and if any operation of such amusement
 1694 rides is limited to the registered attendees of the convention
 1695 or trade show.

1696 5. Skating rinks, arcades, laser ~~lazer~~ or paint ball war
 1697 games, bowling alleys, miniature golf courses, mechanical bulls,
 1698 inflatable rides, trampolines, ball crawls, exercise equipment,
 1699 jet skis, paddle boats, airboats, helicopters, airplanes,
 1700 parasails, hot air or helium balloons whether tethered or
 1701 untethered, theatres, batting cages, stationary spring-mounted
 1702 fixtures, rider-propelled merry-go-rounds, games, side shows,
 1703 live animal rides, or live animal shows.

1704 6. Go-karts operated in competitive sporting events if
 1705 participation is not open to the public.

1706 7. Nonmotorized playground equipment that is not required
 1707 to have a manager.

1708 8. Coin-actuated amusement rides designed to be operated
 1709 by depositing coins, tokens, credit cards, debit cards, bills,
 1710 or other cash money and which are not required to have a
 1711 manager, and which have a capacity of six persons or less.

1712 9. Facilities described in s. 549.09(1)(a) when such
 1713 facilities are operating cars, trucks, or motorcycles only.

1714 10. Battery-powered cars or other vehicles that are
 1715 designed to be operated by children 7 years of age or under and
 1716 that cannot exceed a speed of 4 miles per hour.

1717 11. Mechanically driven vehicles that pull train cars,
 1718 carts, wagons, or other similar vehicles, that are not confined
 1719 to a metal track or confined to an area but are steered by an
 1720 operator and do not exceed a speed of 4 miles per hour.

1721 12. A water-related amusement ride operated by a business
 1722 licensed under chapter 509 if the water-related amusement ride
 1723 is an incidental amenity and the operating business is not
 1724 primarily engaged in providing amusement, pleasure, thrills, or
 1725 excitement and does not offer day rates.

1726 13. An amusement ride at a private, membership-only
 1727 facility if the amusement ride is an incidental amenity and the
 1728 facility is not open to the general public; is not primarily
 1729 engaged in providing amusement, pleasure, thrills, or
 1730 excitement; and does not offer day rates.

1731 14. A nonprofit permanent facility registered under
 1732 chapter 496 which is not open to the general public.

1733 (15) INSPECTION BY OWNER OR MANAGER. ~~Before~~ ~~Prior~~ ~~to~~
 1734 opening on each day of operation and before ~~prior to~~ any
 1735 inspection by the department, the owner or manager of an
 1736 amusement ride must inspect and test the amusement ride to
 1737 ensure compliance with all requirements of this section. Each
 1738 inspection must be recorded on a form prescribed by rule of the
 1739 department and signed by the person who conducted the
 1740 inspection. In lieu of the form prescribed by rule of the
 1741 department, the owner or manager may request approval of an
 1742 alternative form if the alternative form includes, at a minimum,

1743 the information required on the form prescribed by rule of the
 1744 department. Inspection records of the last 14 daily inspections
 1745 must be kept on site by the owner or manager and made
 1746 immediately available to the department upon request.

1747 (16) TRAINING OF EMPLOYEES.—The owner or manager of an ~~any~~
 1748 amusement ride shall maintain a record of employee training for
 1749 each employee authorized to operate, assemble, disassemble,
 1750 transport, or conduct maintenance on an amusement ride, ~~on a~~
 1751 form prescribed by rule of the department. In lieu of the form
 1752 prescribed by rule of the department, the owner or manager may
 1753 request approval of an alternative form if the alternative form
 1754 includes, at a minimum, the information required on the form
 1755 prescribed by rule of the department. The training record must
 1756 be kept on site by the owner or manager and made immediately
 1757 available to the department upon request. Training may not be
 1758 conducted when an amusement ride is open to the public unless
 1759 the training is conducted under the supervision of an employee
 1760 who is trained in the operation of that ride. The owner or
 1761 manager shall certify that each employee is trained, as required
 1762 by this section and any rules adopted thereunder, on the
 1763 amusement ride for which the employee is responsible.

1764 Section 37. Subsections (2), (4), (5), and (10) of section
 1765 790.06, Florida Statutes, are amended, and paragraph (f) is
 1766 added to subsection (6) of that section, to read:

1767 790.06 License to carry concealed weapon or firearm.—

1768 (2) The Department of Agriculture and Consumer Services

1769 shall issue a license if the applicant:

1770 (a) Is a resident of the United States and a citizen of
 1771 the United States or a permanent resident alien of the United
 1772 States, as determined by the United States Bureau of Citizenship
 1773 and Immigration Services, or is a consular security official of
 1774 a foreign government that maintains diplomatic relations and
 1775 treaties of commerce, friendship, and navigation with the United
 1776 States and is certified as such by the foreign government and by
 1777 the appropriate embassy in this country;

1778 (b) Is 21 years of age or older;

1779 (c) Does not suffer from a physical infirmity which
 1780 prevents the safe handling of a weapon or firearm;

1781 (d) Is not ineligible to possess a firearm pursuant to s.
 1782 790.23 by virtue of having been convicted of a felony;

1783 (e) Has not been committed for the abuse of a controlled
 1784 substance or been found guilty of a crime under the provisions
 1785 of chapter 893 or similar laws of any other state relating to
 1786 controlled substances within a 3-year period immediately
 1787 preceding the date on which the application is submitted;

1788 (f) Does not chronically and habitually use alcoholic
 1789 beverages or other substances to the extent that his or her
 1790 normal faculties are impaired. It shall be presumed that an
 1791 applicant chronically and habitually uses alcoholic beverages or
 1792 other substances to the extent that his or her normal faculties
 1793 are impaired if the applicant has been committed under chapter
 1794 397 or under the provisions of former chapter 396 or has been

1795 convicted under s. 790.151 or has been deemed a habitual
 1796 offender under s. 856.011(3), or has had two or more convictions
 1797 under s. 316.193 or similar laws of any other state, within the
 1798 3-year period immediately preceding the date on which the
 1799 application is submitted;

1800 (g) Desires a legal means to carry a concealed weapon or
 1801 firearm for lawful self-defense;

1802 (h) Demonstrates competence with a firearm by any one of
 1803 the following:

1804 1. Completion of any hunter education or hunter safety
 1805 course approved by the Fish and Wildlife Conservation Commission
 1806 or a similar agency of another state;

1807 2. Completion of any National Rifle Association firearms
 1808 safety or training course;

1809 3. Completion of any firearms safety or training course or
 1810 class available to the general public offered by a law
 1811 enforcement agency, junior college, college, or private or
 1812 public institution or organization or firearms training school,
 1813 using ~~utilizing~~ instructors certified by the National Rifle
 1814 Association, Criminal Justice Standards and Training Commission,
 1815 or the Department of Agriculture and Consumer Services;

1816 4. Completion of any law enforcement firearms safety or
 1817 training course or class offered for security guards,
 1818 investigators, special deputies, or any division or subdivision
 1819 of a law enforcement agency or security enforcement;

1820 5. Presents evidence of equivalent experience with a

1821 | firearm through participation in organized shooting competition
 1822 | or military service;

1823 | 6. Is licensed or has been licensed to carry a firearm in
 1824 | this state or a county or municipality of this state, unless
 1825 | such license has been revoked for cause; or

1826 | 7. Completion of any firearms training or safety course or
 1827 | class conducted by a state-certified or National Rifle
 1828 | Association certified firearms instructor;

1829 |
 1830 | A photocopy of a certificate of completion of any of the courses
 1831 | or classes; ~~or~~ an affidavit from the instructor, school, club,
 1832 | organization, or group that conducted or taught such ~~said~~ course
 1833 | or class attesting to the completion of the course or class by
 1834 | the applicant; or a copy of any document that ~~which~~ shows
 1835 | completion of the course or class or evidences participation in
 1836 | firearms competition shall constitute evidence of qualification
 1837 | under this paragraph. A; ~~any~~ person who conducts a course
 1838 | pursuant to subparagraph 2., subparagraph 3., or subparagraph
 1839 | 7., or who, as an instructor, attests to the completion of such
 1840 | courses, must maintain records certifying that he or she
 1841 | observed the student safely handle and discharge the firearm in
 1842 | his or her physical presence and that the discharge of the
 1843 | firearm included live fire using a firearm and ammunition as
 1844 | defined in s. 790.001;

1845 | (i) Has not been adjudicated an incapacitated person under
 1846 | s. 744.331, or similar laws of any other state, unless 5 years

1847 have elapsed since the applicant's restoration to capacity by
 1848 court order;

1849 (j) Has not been committed to a mental institution under
 1850 chapter 394, or similar laws of any other state, unless the
 1851 applicant produces a certificate from a licensed psychiatrist
 1852 that he or she has not suffered from disability for at least 5
 1853 years before ~~prior to~~ the date of submission of the application;

1854 (k) Has not had adjudication of guilt withheld or
 1855 imposition of sentence suspended on any felony ~~or misdemeanor~~
 1856 ~~crime of domestic violence~~ unless 3 years have elapsed since
 1857 probation or any other conditions set by the court have been
 1858 fulfilled, or expunction has occurred ~~the record has been sealed~~
 1859 ~~or expunged~~;

1860 (l) Has not had adjudication of guilt withheld or
 1861 imposition of sentence suspended on any misdemeanor crime of
 1862 domestic violence unless 3 years have elapsed since probation or
 1863 any other conditions set by the court have been fulfilled, or
 1864 the record has been expunged;

1865 (m) ~~(l)~~ Has not been issued an injunction that is currently
 1866 in force and effect and that restrains the applicant from
 1867 committing acts of domestic violence or acts of repeat violence;
 1868 and

1869 (n) ~~(m)~~ Is not prohibited from purchasing or possessing a
 1870 firearm by any other provision of Florida or federal law.

1871 (4) The application shall be completed, under oath, on a
 1872 form adopted ~~promulgated~~ by the Department of Agriculture and

1873 Consumer Services and shall include:

1874 (a) The name, address, place of birth, ~~and~~ date of birth,
1875 and race, ~~and occupation~~ of the applicant;

1876 (b) A statement that the applicant is in compliance with
1877 criteria contained within subsections (2) and (3);

1878 (c) A statement that the applicant has been furnished a
1879 copy of this chapter and is knowledgeable of its provisions;

1880 (d) A conspicuous warning that the application is executed
1881 under oath and that a false answer to any question, or the
1882 submission of any false document by the applicant, subjects the
1883 applicant to criminal prosecution under s. 837.06; ~~and~~

1884 (e) A statement that the applicant desires a concealed
1885 weapon or firearms license as a means of lawful self-defense;
1886 and.

1887 (f) Directions for an applicant who is a servicemember, as
1888 defined in s. 250.01, or a veteran, as defined in s. 1.01, to
1889 request expedited processing of his or her application.

1890 (5) The applicant shall submit to the Department of
1891 Agriculture and Consumer Services or an approved tax collector
1892 pursuant to s. 790.0625:

1893 (a) A completed application as described in subsection
1894 (4).

1895 (b) A nonrefundable license fee of up to \$60 ~~\$70~~ if he or
1896 she has not previously been issued a statewide license or of up
1897 to \$50 ~~\$60~~ for renewal of a statewide license. The cost of
1898 processing fingerprints as required in paragraph (c) shall be

1899 borne by the applicant. However, an individual holding an active
 1900 certification from the Criminal Justice Standards and Training
 1901 Commission as a law enforcement officer, correctional officer,
 1902 or correctional probation officer as defined in s. 943.10(1),
 1903 (2), (3), (6), (7), (8), or (9) is exempt from the licensing
 1904 requirements of this section. If such individual wishes to
 1905 receive a concealed weapon ~~weapons~~ or firearm ~~firearms~~ license,
 1906 he or she is exempt from the background investigation and all
 1907 background investigation fees, but must pay the current license
 1908 fees regularly required to be paid by nonexempt applicants.
 1909 Further, a law enforcement officer, a correctional officer, or a
 1910 correctional probation officer as defined in s. 943.10(1), (2),
 1911 or (3) is exempt from the required fees and background
 1912 investigation for ~~a period of~~ 1 year after his or her
 1913 retirement.

1914 (c) A full set of fingerprints of the applicant
 1915 administered by a law enforcement agency or the Division of
 1916 Licensing of the Department of Agriculture and Consumer Services
 1917 or an approved tax collector pursuant to s. 790.0625 together
 1918 with any personal identifying information required by federal
 1919 law to process fingerprints.

1920 (d) A photocopy of a certificate, affidavit, or document
 1921 as described in paragraph (2) (h).

1922 (e) A full frontal view color photograph of the applicant
 1923 taken within the preceding 30 days, in which the head, including
 1924 hair, measures 7/8 of an inch wide and 1 1/8 inches high.

1925 (f) For expedited processing of an application:
 1926 1. A servicemember shall submit a copy of the Common
 1927 Access Card, United States Uniformed Services Identification
 1928 Card, or current deployment orders.
 1929 2. A veteran shall submit a copy of the DD Form 214,
 1930 issued by the United States Department of Defense, or another
 1931 acceptable form of identification as specified by the Department
 1932 of Veterans' Affairs.
 1933 (6)
 1934 (f) The Department of Agriculture and Consumer Services
 1935 shall, upon receipt of a completed application and the
 1936 identifying information required under paragraph (5)(f),
 1937 expedite the processing of a servicemember's or a veteran's
 1938 concealed weapon or firearm license application.
 1939 (10) A license issued under this section shall be
 1940 suspended or revoked pursuant to chapter 120 if the licensee:
 1941 (a) Is found to be ineligible under the criteria set forth
 1942 in subsection (2);
 1943 (b) Develops or sustains a physical infirmity which
 1944 prevents the safe handling of a weapon or firearm;
 1945 (c) Is convicted of a felony which would make the licensee
 1946 ineligible to possess a firearm pursuant to s. 790.23;
 1947 (d) Is found guilty of a crime under the provisions of
 1948 chapter 893, or similar laws of any other state, relating to
 1949 controlled substances;
 1950 (e) Is committed as a substance abuser under chapter 397,

1951 or is deemed a habitual offender under s. 856.011(3), or similar
 1952 laws of any other state;

1953 (f) Is convicted of a second violation of s. 316.193, or a
 1954 similar law of another state, within 3 years after ~~of~~ a first
 1955 ~~previous~~ conviction of such section, or similar law of another
 1956 state, even though the first violation may have occurred before
 1957 ~~prior to~~ the date on which the application was submitted;

1958 (g) Is adjudicated an incapacitated person under s.
 1959 744.331, or similar laws of any other state; or

1960 (h) Is committed to a mental institution under chapter
 1961 394, or similar laws of any other state.

1962
 1963 Notwithstanding s. 120.60(5), service of a notice of the
 1964 suspension or revocation of a concealed weapon or firearm
 1965 license must be given by either certified mail, return receipt
 1966 requested, to the licensee at his or her last known mailing
 1967 address furnished to the Department of Agriculture and Consumer
 1968 Services, or by personal service. If a notice given by certified
 1969 mail is returned as undeliverable, a second attempt must be made
 1970 to provide notice to the licensee at that address, by either
 1971 first-class mail in an envelope, postage prepaid, addressed to
 1972 the licensee at his or her last known mailing address furnished
 1973 to the department, or, if the licensee has provided an e-mail
 1974 address to the department, by e-mail. Such mailing by the
 1975 department constitutes notice, and any failure by the licensee
 1976 to receive such notice does not stay the effective date or term

1977 of the suspension or revocation. A request for hearing must be
 1978 filed with the department within 21 days after notice is
 1979 received by personal delivery, or within 26 days after the date
 1980 the department deposits the notice in the United States mail (21
 1981 days plus 5 days for mailing). The department shall document its
 1982 attempts to provide notice and such documentation is admissible
 1983 in the courts of this state and constitutes sufficient proof
 1984 that notice was given.

1985 Section 38. Effective upon this act becoming a law,
 1986 paragraph (a) of subsection (11) of section 790.06, Florida
 1987 Statutes, is amended to read:

1988 790.06 License to carry concealed weapon or firearm.—

1989 (11) (a) At least ~~No less than~~ 90 days before the
 1990 expiration date of the license, the Department of Agriculture
 1991 and Consumer Services shall mail to each licensee a written
 1992 notice of the expiration and a renewal form prescribed by the
 1993 Department of Agriculture and Consumer Services. The licensee
 1994 must renew his or her license on or before the expiration date
 1995 by filing with the Department of Agriculture and Consumer
 1996 Services the renewal form containing an ~~a notarized~~ affidavit
 1997 submitted under oath and under penalty of perjury stating that
 1998 the licensee remains qualified pursuant to the criteria
 1999 specified in subsections (2) and (3), a color photograph as
 2000 specified in paragraph (5) (e), and the required renewal fee.
 2001 Out-of-state residents must also submit a complete set of
 2002 fingerprints and fingerprint processing fee. The license shall

2003 | be renewed upon receipt of the completed renewal form, color
 2004 | photograph, appropriate payment of fees, and, if applicable,
 2005 | fingerprints. Additionally, a licensee who fails to file a
 2006 | renewal application on or before its expiration date must renew
 2007 | his or her license by paying a late fee of \$15. A license may
 2008 | not be renewed 180 days or more after its expiration date, and
 2009 | such a license is deemed to be permanently expired. A person
 2010 | whose license has been permanently expired may reapply for
 2011 | licensure; however, an application for licensure and fees under
 2012 | subsection (5) must be submitted, and a background investigation
 2013 | shall be conducted pursuant to this section. A person who
 2014 | knowingly files false information under this subsection is
 2015 | subject to criminal prosecution under s. 837.06.

2016 | Section 39. Subsection (8) is added to section 790.0625,
 2017 | Florida Statutes, to read:

2018 | 790.0625 Appointment of tax collectors to accept
 2019 | applications for a concealed weapon or firearm license; fees;
 2020 | penalties.—

2021 | (8) Upon receipt of a completed renewal application, a new
 2022 | color photograph, and appropriate payment of fees, a tax
 2023 | collector authorized to accept renewal applications for
 2024 | concealed weapon or firearm licenses under this section may,
 2025 | upon approval and confirmation of license issuance by the
 2026 | department, print and deliver a concealed weapon or firearm
 2027 | license to a licensee renewing his or her license at the tax
 2028 | collector's office.

2029 Section 40. Subsection (1) and paragraph (d) of subsection
 2030 (3) of section 559.9285, Florida Statutes, are amended to read:
 2031 559.9285 Certification of business activities.—

2032 (1) Each certifying party, as defined in s. 559.927(2):

2033 (a) Which does not offer for sale, at wholesale or retail,
 2034 prearranged travel or, tourist-related services, ~~or tour-guide~~
 2035 ~~services~~ for individuals or groups directly to any terrorist
 2036 state and which originate in Florida;

2037 (b) Which offers for sale, at wholesale or retail, only
 2038 prearranged travel or, tourist-related services, ~~or tour-guide~~
 2039 ~~services~~ for individuals or groups directly to any terrorist
 2040 state and which originate in Florida, but engages in no other
 2041 business dealings or commerce with any terrorist state; or

2042 (c) Which offers for sale, at wholesale or retail,
 2043 prearranged travel or, tourist-related services, ~~or tour-guide~~
 2044 ~~services~~ for individuals or groups directly to any terrorist
 2045 state and which originate in Florida, and also engages in any
 2046 other business dealings or commerce with any terrorist state,

2047
 2048 shall annually certify its business activities by filing a
 2049 disclosure statement with the department which accurately
 2050 represents the scope of the seller's business activities
 2051 according to the criteria provided in paragraph (a), paragraph
 2052 (b), or paragraph (c).

2053 (3) The department shall specify by rule the form of each
 2054 certification under this section which shall include the

2055 following information:

2056 (d) The type of all prearranged travel or~~7~~ tourist-related
2057 services,~~or tour-guide services~~ that the certifying party
2058 offers for sale to individuals or groups traveling directly to
2059 any terrorist state and that originate in Florida, and the
2060 frequency with which such services are offered.

2061 Section 41. Subsection (2) of section 559.937, Florida
2062 Statutes, is amended to read:

2063 559.937 Criminal penalties.—Any person or business that
2064 violates this part:

2065 (2) Which violation directly or indirectly pertains to an
2066 offer to sell, at wholesale or retail, prearranged travel or~~7~~
2067 tourist-related services,~~or tour-guide services~~ for individuals
2068 or groups directly to any terrorist state and which originate in
2069 Florida, commits a felony of the third degree, punishable as
2070 provided in s. 775.082 or s. 775.083.

2071 Section 42. For the 2016-2017 fiscal year, the sum of
2072 \$1,305,097 in nonrecurring funds from the Division of Licensing
2073 Trust Fund is appropriated to the Department of Agriculture and
2074 Consumer Services for the purpose of implementing the amendments
2075 made by this act to s. 493.6108, Florida Statutes, relating to
2076 the collection of fingerprints and the subsequent payment of
2077 fingerprint processing and retention fees to the Department of
2078 Law Enforcement.

2079 Section 43. Except as otherwise expressly provided in this
2080 act, this act shall take effect July 1, 2016.