

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Commerce and Tourism

CS/HB 1307 — Department of Agriculture and Consumer Services

by Criminal Justice Subcommittee and Rep. McClure and others (CS/SB 1150 by Appropriations Committee on Agriculture, Environment, and General Government and Senators Ingoglia and Hutson)

The bill addresses various issues related to the Division of Licensing and the Division of Consumer Services within the Department of Agriculture and Consumer Services (department). Specifically, the bill:

- Allows a Class “K” initial applicant to provide military experience as a firearms instructor, or a valid firearms instructor certificate issued by a federal law enforcement agency within the last three years, in lieu of having to obtain other firearms training through certain certifications;
- Allows a Class “K” licensee renewing the license to demonstrate continued firearms qualifications by teaching at least six classes during the three-year licensure period in lieu of having to obtain certain firearm training;
- Allows a Class “G” licensee to provide proof of annual training under the Law Enforcement Officers’ Safety Act to be used in lieu of four hours of annual training;
- Allows the Division of Licensing to set or waive license renewal late fees by administrative rule;
- Authorizes the department to post online licensure newsletters and pamphlets in lieu of using a paper format;
- Authorizes electronic verification, instead of verification under oath, for certain recovery agent and security guard applications for licensure;
- Reduces the charitable organization registration fees from \$75 per year to \$10 per year for certain charities receiving \$50,000 or less in contributions, as well as exempts from registration certain charities receiving \$50,000 or less in total annual revenues; and
- Clarifies the definition for a “Category I liquefied petroleum gas dealer” to provide that a dealer is any person who designs the apparatus, piping, tubing, appliances, and equipment for the use of liquefied petroleum or natural gas.

The bill creates criminal penalties for the possession, installation, use, or aiding in the use of contaminant devices inserted into retail fuel dispensers for the purpose of altering, manipulating, or interrupting the normal function of a retail fuel dispenser. Additionally, the bill creates criminal penalties for modifying a vehicle’s factory installed fuel tank or possessing any item used to hold fuel which was not fitted to a vehicle or conveyance at the time of manufacture with intent to use such fuel tank or item to hold or transport fuel obtained by violating any provision relating to retail fuel theft. Finally, the bill provides for the forfeiture of conveyances, vehicles, fuel tanks, and other equipment associated with retail fuel theft, and requires any person convicted of retail fuel theft to be responsible for the reasonable costs incurred by the investigating law enforcement agency and payment to the party for the retail value of the fuel.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2023.

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Vote: Senate 37-0; House 115-0