

Committee on Commerce and Tourism

CS/CS/HB 7051 — Department of Agriculture and Consumer Services

by Regulatory Affairs Committee; Agriculture and Natural Resources Appropriations Subcommittee; Business and Professional Regulation Subcommittee; and Rep. La Rosa (CS/CS/SB 1018 by Appropriations Committee; Commerce and Tourism Committee; and Senator Detert)

This bill modifies several regulatory programs and activities under the jurisdiction of the Florida Department of Agriculture and Consumer Services (department). Specifically, the bill:

- Expands the Board of Professional Surveying and Mapping's rulemaking authority by requiring it to adopt rules establishing "standards of practice" for surveyors and mappers.
- Eliminates the requirement that a private investigative, private security, or recovery service applicant obtain a letter from a fingerprinting technician or physician when a legible set of fingerprints cannot be obtained after two attempts.
- Revises recertification training requirements for Class "G" firearms licensees.
- Permits a Class "G" licensee to carry a .40 caliber handgun or a .45 caliber automatic colt pistol (ACP) handgun while on duty.
- Permits a Class "D" private security guard holding a Class "G" license to carry a concealed weapon while in plain clothes under certain circumstances.
- Permits the Division of Licensing within the department to access sealed criminal histories for applicants of a concealed weapon license to determine eligibility (effective January 1, 2015).
- Standardizes regulations and procedures by which a consumer can pursue a claim against the bond or other security of a health studio, telemarketer, pawnbroker, or seller of travel.
- Prohibits a person soliciting contributions on behalf of a charity from calling donors who have previously communicated to them that they do not wish to receive any more calls.
- Prohibits a telemarketer from accepting novelty payments, such as remotely created checks or payment orders, cash-to-cash money transfers, and cash reload mechanisms.
- Provides that antifreeze and brake fluid registrations expire one year from the date of issuance.
- Clarifies inconsistent language regarding administrative fines for noncompliant petroleum products.
- Requires the department to adopt quality standards and labeling requirements for motor oils.

For Fiscal Year 2014-15, the bill appropriates \$35,745 in nonrecurring funds from the department's Division of Licensing Trust Fund to the Florida Department of Law Enforcement for costs associated with providing access to sealed criminal history records.

If approved by the Governor, these provisions take effect July 1, 2014, except where otherwise provided.

Vote: Senate 39-0; House 117-0