

Committee on Regulated Industries

CS/CS/SB 1966 — Department of Business and Professional Regulation

by Appropriations Committee; Regulated Industries Committee; and Senators Diaz and Garcia

The bill revises provisions relating to the licensing and regulation of cosmetics manufacturers, construction contractors, tobacco products, alcoholic beverages, pugilistic events, condominium associations, and public food and lodging establishments by the Department of Business and Professional Regulation (DBPR).

Relating to reporting requirements for tobacco product wholesalers, the bill:

- Requires tax and sales reports to be filed with the Division of Alcoholic Beverages and Tobacco through the agency's electronic system; and
- Revises the reporting requirements.

Relating to construction contracting, the bill deletes the deadline for registered contractors to apply for a statewide certified contractors' license if they otherwise meet the local licensure, examination, experience, discipline, and financial requirements.

Relating to construction and electrical contractors, the bill repeals the \$4 fee all certificate holders and registrants must pay to the DBPR at the time of application or renewal, to fund projects relating to the building construction industry or continuing education programs offered to building construction industry workers in Florida.

Relating to cosmetic manufacturers, the bill:

- Creates an exemption from the cosmetic manufacturing permit requirements for a person who manufactures limited cosmetic products, such as soaps, and has annual gross sales of \$25,000 or less;
- Requires each unit of an exempted cosmetic product to a statement indicating that the product is made by a manufacturer exempt from Florida's cosmetic manufacturing permit requirements;
- Authorizes a temporary permit for 90 calendar days to allow continued operation of a cosmetics establishment when there is a change of ownership, controlling interest, or location; and
- Authorizes the DBPR to issue remedial, non-disciplinary citations for violations that do not pose a substantial threat to the public health, safety, or welfare.

Relating to regulation of pugilistic events, the bill:

- Changes the name of the Florida State Boxing Commission to the Florida Athletic Commission (commission);
- Authorizes the commission to establish the need for gloves and the weight of any gloves used in pugilistic matches by rule; and
- Deletes the requirement for all participants in pugilistic matches to wear gloves.

Relating to alcoholic beverage regulations, the bill:

- Deletes the definition for the obsolete “carrier permit.”
- Requires applicants for an alcoholic beverage license to submit fingerprints to the DBPR electronically, provide proof of the applicant’s right of occupancy for the entire premises they are seeking to license, and maintain a current electronic mailing address with the DBPR;
- Authorizes the use of a lottery drawing for a quota license that has been cancelled;
- Requires licensees to submit alcohol sales reports through the DBPR’s electronic system;
- Requires notices related to a vendor’s delinquent payment to a distributor be provided by the DBPR through electronic mail;
- Revises the compliance audit timeframes for special restaurant licensees;
- Removes “grains of paradise” from the list of prohibited ingredients in liquor under the crime of “adulterating liquor;” and
- Prohibits alcoholic beverage vendors from storing or keeping alcoholic beverages in any building or room that is not the licensed premises; any building or room approved by the Division of Alcoholic Beverages and Tobacco that is located in the county where the vendor is licensed; or a building or room approved by the division and used only in conjunction with a catered event operated by an entity licensed to sell beer, wine, and liquor only sealed containers for off-premises consumption (a package store) or on-premises consumption.

Relating to condominium and cooperative associations, the bill:

- Requires a proposed annual budget to be provided to members of the association and adopted by its board of directors no later than 14 days before the beginning of the fiscal year; and
- Provides the board’s failure to timely adopt the annual budget a second time is a minor violation and the prior year’s budget will continue in effect until a new budget is adopted.

Relating to condominium associations, the bill:

- Provides that a person is delinquent in a payment due to the association if the payment is not made by the due date identified in the association’s governing documents, or the first day of the assessment period if no due date is specifically identified in the governing documents;
- Deletes the requirement that the condominium ombudsman keep his or her principal office in Leon County; and
- Authorizes the DBPR to adopt rules for submitting complaints against condominium associations.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 117-0