

By Senator Bronson

18-990B-98

1                                   A bill to be entitled  
2           An act relating to rulemaking authority with  
3           respect to the regulation of the citrus  
4           industry; creating s. 601.9918, F.S.;  
5           authorizing the Florida Citrus Commission to  
6           refer to national or state requirements in  
7           rules relating to issuance and use of symbols,  
8           certification marks, service marks, and  
9           trademarks; amending s. 601.10, F.S.;  
10          authorizing the Department of Citrus to adopt a  
11          rule listing forms to be used in conducting its  
12          business; providing an effective date.

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

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16           Section 1. Section 601.9918, Florida Statutes, is  
17 created to read:

18           601.9918 Rules related to issuance and use of  
19 symbols.--In rules related to the issuance and voluntary use  
20 of symbols, certification marks, service marks, or trademarks,  
21 the commission may make general references to national or  
22 state requirements that the license applicant would be  
23 compelled to meet regardless of the department's issuance of  
24 the license applied for.

25           Section 2. Subsection (15) is added to section 601.10,  
26 Florida Statutes, to read:

27           601.10 Powers of the Department of Citrus.--The  
28 Department of Citrus shall have and shall exercise such  
29 general and specific powers as are delegated to it by this  
30 chapter and other statutes of the state, which powers shall  
31 include, but shall not be confined to, the following:

1           (15) To provide by rule a list of forms used in  
2 conducting its business. The adoption of such rule  
3 constitutes sufficient notice to the public of the existence  
4 of the forms and negates the need to place specific citation  
5 to such list throughout the related chapters of the Florida  
6 Administrative Code.

7           Section 3. This act shall take effect upon becoming a  
8 law.

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11                                   SENATE SUMMARY

12       Authorizes the Florida Citrus Commission to make general  
13       reference to national or state requirements in its rules  
14       relating to issuance and use of symbols, certification  
15       marks, service marks, and trademarks if a license  
16       applicant would be required to comply with those  
17       requirements regardless of the Department of Citrus'  
18       action with respect to issuance of the license applied  
19       for. Authorizes the Department of Citrus to adopt a rule  
20       listing the forms used in conducting its business, which  
21       rule constitutes sufficient notice of the forms'  
22       existence without further cross-reference in other rules.