

Amendment No. 2 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

Representative(s) Ogles offered the following:

Amendment

On page 4, line 17 through page 6, line 29
remove from the bill: all of said lines

and insert in lieu thereof:

Section 1. Paragraph (a) of subsection (1) of section
475.01, Florida Statutes, is amended to read:

475.01 Definitions.--

(1) As used in this part:

(a) "Broker" means a person who, for another, and for
a compensation or valuable consideration directly or
indirectly paid or promised, expressly or impliedly, or with
an intent to collect or receive a compensation or valuable
consideration therefor, appraises, auctions, sells, exchanges,
buys, rents, or offers, attempts or agrees to appraise,
auction, or negotiate the sale, exchange, purchase, or rental
of business enterprises or business opportunities or any real
property or any interest in or concerning the same, including
mineral rights or leases, or who advertises or holds out to

Amendment No. 2 (for drafter's use only)

1 the public by any oral or printed solicitation or
2 representation that she or he is engaged in the business of
3 appraising, auctioning, buying, selling, exchanging, leasing,
4 or renting business enterprises or business opportunities or
5 real property of others or interests therein, including
6 mineral rights, or who takes any part in the procuring of
7 sellers, purchasers, lessors, or lessees of business
8 enterprises or business opportunities or the real property of
9 another, or leases, or interest therein, including mineral
10 rights, or who directs or assists in the procuring of
11 prospects or in the negotiation or closing of any transaction
12 which does, or is calculated to, result in a sale, exchange,
13 or leasing thereof, and who receives, expects, or is promised
14 any compensation or valuable consideration, directly or
15 indirectly therefor; and all persons who advertise rental
16 property information or lists. A broker renders a
17 professional service and is a professional within the meaning
18 of s. 95.11(4)(a). Where the term "appraise" or "appraising"
19 appears in the definition of the term "broker," it
20 specifically excludes those appraisal services which must be
21 performed only by a state-licensed or state-certified
22 appraiser, and those appraisal services which may be performed
23 by a registered assistant appraiser as defined in part II.
24 The term "broker" also includes any person who is a general
25 partner, officer, or director of a partnership or corporation
26 which acts as a broker. The term "broker" also includes any
27 person or entity who undertakes to list or sell one or more
28 timeshare periods per year in one or more timeshare plans on
29 behalf of any number of persons, except as provided in ss.
30 475.011 and 721.20.
31