

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

|   | <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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Representative(s) Baxley offered the following:

**Amendment (with title amendment)**

On page 37, between lines 20 and 21

and insert:

Section 25. Effective July 1, 2003, section 372.574, Florida Statutes, is amended to read:

372.574 Appointment of subagents for the sale of hunting, fishing, and trapping licenses and permits.--

~~(1) A county tax collector who elects to sell licenses and permits may appoint any person as a subagent for the sale of fishing, hunting, and trapping licenses and permits that the tax collector is allowed to sell. The following are requirements for subagents:~~

~~(a) Each subagent must serve at the pleasure of the county tax collector.~~

~~(b) Neither an employee of the county tax collector nor her or his relative or next of kin, by blood or otherwise, may be appointed as a subagent.~~

~~(c) The tax collector may require each subagent to~~

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

1 ~~post an appropriate bond as determined by the tax collector,~~  
2 ~~using an insurance company acceptable to the tax collector.~~  
3 ~~In lieu of such bond, the tax collector may purchase blanket~~  
4 ~~bonds covering all or selected subagents or may allow a~~  
5 ~~subagent to post such other security as is required by the tax~~  
6 ~~collector.~~

7 ~~(d) A subagent may sell licenses and permits as are~~  
8 ~~determined by the tax collector at such specific locations~~  
9 ~~within the county and in states contiguous to Florida as will~~  
10 ~~best serve the public interest and convenience in obtaining~~  
11 ~~licenses and permits. The commission may uniformly prohibit~~  
12 ~~subagents from selling certain licenses or permits.~~

13 ~~(e) It is unlawful for any person to handle licenses~~  
14 ~~or permits for a fee or compensation of any kind unless she or~~  
15 ~~he has been appointed as a subagent.~~

16 ~~(f) Any person who willfully violates any of the~~  
17 ~~provisions of this law is guilty of a misdemeanor of the~~  
18 ~~second degree, punishable as provided in s. 775.082 or s.~~  
19 ~~775.083.~~

20 ~~(g) A subagent may charge and receive as her or his~~  
21 ~~compensation 50 cents for each license or permit sold. This~~  
22 ~~charge is in addition to the sum required by law to be~~  
23 ~~collected for the sale and issuance of each license or permit.~~

24 ~~(h) A subagent shall weekly submit payment for and~~  
25 ~~report the sale of licenses and permits.~~

26 ~~(i) Subagents shall submit an activity report for~~  
27 ~~sales made during the reporting period on forms prescribed or~~  
28 ~~approved by the commission. Periodic audits may be performed~~  
29 ~~at the discretion of the commission.~~

30 ~~(1)(2) If a tax collector elects not to appoint~~  
31 ~~subagents, the commission may appoint subagents within that~~

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

1 ~~county.~~Subagents shall serve at the pleasure of the  
2 commission. The commission may establish, by rule, procedures  
3 for the selection and appointment of subagents. The following  
4 are requirements for subagents so appointed:

5 (a) The commission may require each subagent to post  
6 an appropriate bond as determined by the commission, using an  
7 insurance company acceptable to the commission. In lieu of  
8 the bond, the commission may purchase blanket bonds covering  
9 all or selected subagents or may allow a subagent to post  
10 other security as required by the commission.

11 (b) A subagent may sell licenses and permits as  
12 authorized by the commission at specific locations within the  
13 county and in states as will best serve the public interest  
14 and convenience in obtaining licenses and permits. The  
15 commission may prohibit subagents from selling certain  
16 licenses or permits.

17 (c) It is unlawful for any person to handle licenses  
18 or permits for a fee or compensation of any kind unless he or  
19 she has been appointed as a subagent.

20 (d) Any person who willfully violates any of the  
21 provisions of this section commits a misdemeanor of the second  
22 degree, punishable as provided in s. 775.082 or s. 775.083.

23 (e) A subagent may charge and receive as his or her  
24 compensation 50 cents for each license or permit sold. This  
25 charge is in addition to the sum required by law to be  
26 collected for the sale and issuance of each license or permit.

27 (f) A subagent shall submit payment for and report the  
28 sale of licenses and permits to the commission as prescribed  
29 by the commission.

30 ~~(g) Subagents shall maintain records of all licenses~~  
31 ~~and permits sold, voided, stolen, or lost. Subagents are~~

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

1 ~~responsible to the commission for the fees for all licenses~~  
2 ~~and permits sold and for the value of all licenses and permits~~  
3 ~~reported as lost. Subagents must report all stolen licenses~~  
4 ~~and permits to the appropriate law enforcement agency. The~~  
5 ~~subagent shall submit a written report and a copy of the law~~  
6 ~~enforcement agency's report to the commission within 5 days~~  
7 ~~after discovering the theft.~~

8 ~~(h) Subagents shall submit an activity report for~~  
9 ~~sales made during the reporting period on forms prescribed or~~  
10 ~~approved by the commission. Periodic audits may be performed~~  
11 ~~at the discretion of the commission.~~

12 ~~(i) By July 15 of each year, each subagent shall~~  
13 ~~submit to the commission all unissued stamps for the previous~~  
14 ~~year along with a written audit report, on forms prescribed or~~  
15 ~~approved by the commission, on the numbers of the unissued~~  
16 ~~stamps.~~

17 ~~(2)(3) The Fish and Wildlife Conservation Commission~~  
18 ~~or any other law enforcement agency may carry out any~~  
19 ~~investigation necessary to secure information required to~~  
20 ~~carry out and enforce this section.~~

21 ~~(3)(4) All social security numbers that are provided~~  
22 ~~pursuant to ss. 372.561 and 372.57 and are contained in~~  
23 ~~records of any subagent appointed under this section are~~  
24 ~~confidential as provided in those sections.~~

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27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 On page 3, line 10  
30 remove: all of said line

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

1 and insert:  
2 requirements; amending s. 372.574, F.S.;  
3 effective July 1, 2003; repealing tax  
4 collectors' authority to appoint subagents;  
5 clarifying the authority of the Fish and  
6 Wildlife Conservation Commission to select and  
7 appoint subagents; amending s. 372.661, F.S.;  
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