

By Senator Pruitt

27-319A-02

1 A bill to be entitled
2 An act relating to fee equity measures;
3 creating s. 216.1718, F.S.; providing a process
4 for annually establishing service or regulatory
5 fees by state agencies; requiring state
6 agencies to examine whether specified services
7 and regulatory oversight should be provided by
8 the state or the private sector; requiring the
9 Legislative Budget Commission to annually
10 review the fees for services and regulatory
11 oversight; amending ss. 11.045, 17.076,
12 24.1153, 25.383, 28.101, 39.407, 44.106, 61.21,
13 110.1228, 112.0455, 112.3215, 113.01, 117.01,
14 117.05, 117.103, 118.10, 118.12, 119.07,
15 159.811, 161.0535, 161.56, 186.801, 189.427,
16 195.002, 206.02, 206.9865, 206.9931, 206.9943,
17 210.15, 210.151, 210.40, 210.405, 212.05,
18 212.18, 215.555, 215.65, 215.655, 218.411,
19 231.263, 231.30, 240.3335, 240.4075, 240.633,
20 245.13, 246.093, 246.219, 252.85, 252.939,
21 253.03, 253.12, 253.86, 257.34, 257.35,
22 258.014, 258.501, 260.016, 267.074, 272.161,
23 287.042, 287.1345, 287.16, 288.774, 288.778,
24 288.8155, 310.121, 310.151, 314.08, 316.29545,
25 316.550, 316.610, 318.1451, 319.32, 319.323,
26 320.023, 320.03, 320.06, 320.0609, 320.0657,
27 320.08, 320.08048, 320.13, 320.27, 320.62,
28 320.77, 320.771, 320.781, 320.8225, 320.8249,
29 320.8255, 320.8285, 321.25, 322.051, 322.081,
30 322.12, 322.135, 322.17, 322.29, 322.292,
31 324.071, 325.223, 326.004, 328.73, 330.30,

1 334.30, 335.183, 339.0805, 341.325, 341.329,
2 341.369, 350.113, 364.335, 367.122, 367.145,
3 368.109, 370.03, 372.60, 373.088, 373.309,
4 373.329, 376.303, 376.30713, 376.3072,
5 376.30781, 376.323, 376.60, 377.24, 377.2408,
6 377.2425, 377.705, 381.004, 381.0066, 381.0062,
7 381.0064, 381.0072, 381.0075, 381.0084,
8 381.0086, 381.0098, 381.0101, 381.0202,
9 381.6024, 381.88, 381.89, 382.0255, 383.14,
10 383.305, 383.324, 390.014, 393.17, 394.877,
11 395.004, 395.0161, 395.0163, 395.0199,
12 395.10974, 397.407, 399.01, 399.061, 399.07,
13 400.062, 400.232, 400.407, 400.4178, 400.419,
14 400.452, 400.453, 400.471, 400.506, 400.509,
15 400.554, 400.555, 400.605, 400.606, 400.619,
16 400.6211, 400.801, 400.805, 400.905, 400.931,
17 400.967, 400.980, 401.2715, 401.321, 401.34,
18 401.45, 402.315, 402.33, 403.0625, 403.087,
19 403.0872, 403.0876, 403.311, 403.4154, 403.518,
20 403.5365, 403.7046, 403.717, 403.7186, 403.722,
21 403.754, 403.7842, 403.861, 403.8365, 403.871,
22 403.9329, 408.033, 408.038, 403.9421, 404.056,
23 404.131, 404.22, 408.038, 408.05, 440.05,
24 440.134, 440.491, 440.52, 445.008, 447.04,
25 450.30, 450.31, 455.203, 455.213, 455.2179,
26 455.218, 455.219, 455.2281, 456.004, 456.013,
27 456.015, 456.017, 456.022, 456.036, 456.0375,
28 456.065, 457.105, 457.107, 457.108, 458.311,
29 458.3124, 458.313, 458.3135, 458.314, 458.3145,
30 458.315, 458.316, 458.317, 458.319, 458.345,
31 458.347, 459.0077, 459.009, 459.0092, 459.021,

1 459.022, 460.406, 460.407, 460.4165, 460.4166,
2 461.006, 461.007, 461.008, 462.023, 462.08,
3 462.16, 462.19, 463.0057, 463.006, 463.007,
4 463.008, 464.008, 464.009, 464.012, 464.019,
5 465.007, 465.0075, 465.008, 465.012, 465.0125,
6 465.0126, 465.022, 465.0276, 466.006, 466.008,
7 466.013, 466.017, 466.032, 467.0125, 467.0135,
8 468.1145, 468.1695, 468.1705, 468.1715,
9 468.1735, 468.221, 468.303, 468.304, 468.305,
10 468.306, 468.3065, 468.309, 468.3095, 468.364,
11 468.3852, 468.393, 468.403, 468.404, 468.435,
12 468.453, 468.508, 468.524, 468.526, 468.530,
13 468.627, 468.709, 468.803, 468.805, 468.806,
14 469.008, 469.014, 470.006, 470.007, 470.0085,
15 470.009, 470.011, 470.012, 470.015, 470.017,
16 470.018, 470.021, 470.024, 470.025, 470.0301,
17 471.011, 472.011, 472.019, 472.023, 473.305,
18 473.313, 473.314, 474.2065, 474.215, 475.125,
19 475.24, 475.6147, 476.155, 476.184, 476.192,
20 477.0212, 477.0213, 477.026, 478.55, 479.04,
21 479.07, 479.106, 479.361, 480.043, 480.044,
22 481.207, 481.229, 481.307, 482.071, 482.111,
23 482.141, 482.151, 482.155, 482.156, 482.2267,
24 483.172, 483.291, 483.807, 483.901, 484.002,
25 484.007, 484.008, 484.009, 484.0447, 486.041,
26 486.061, 486.081, 486.085, 486.103, 486.106,
27 486.107, 486.108, 487.041, 487.045, 487.048,
28 487.071, 488.03, 488.04, 488.045, 488.05,
29 489.109, 489.509, 489.518, 489.5185, 489.557,
30 490.005, 490.0051, 490.007, 490.0085, 491.0045,
31 491.0046, 491.005, 491.007, 491.008, 491.0085,

1 491.0145, 492.104, 492.1101, 493.6105,
2 493.6107, 493.6111, 493.6115, 493.6202,
3 493.6302, 493.6304, 493.6402, 493.6406,
4 494.0029, 494.0031, 494.0032, 494.0033,
5 494.0036, 494.0042, 494.0061, 494.0062,
6 494.0064, 494.0065, 494.0066, 495.027, 495.031,
7 495.071, 495.081, 496.405, 496.409, 496.410,
8 497.003, 497.201, 497.205, 497.209, 497.213,
9 497.357, 497.361, 497.407, 497.439, 498.017,
10 499.01, 499.028, 499.04, 499.041, 499.62,
11 500.09, 500.12, 500.459, 501.015, 501.143,
12 501.605, 501.607, 501.913, 502.014, 502.032,
13 503.041, 504.28, 506.08, 509.032, 509.039,
14 509.251, 509.302, 513.045, 514.033, 515.31,
15 515.35, 516.03, 517.081, 517.082, 517.12,
16 517.1201, 520.03, 520.32, 520.52, 520.63,
17 526.51, 527.02, 527.021, 527.0605, 531.415,
18 534.48, 535.05, 537.004, 538.09, 538.25,
19 539.001, 548.025, 548.035, 550.105, 552.091,
20 552.092, 552.093, 553.37, 553.375, 553.381,
21 553.77, 553.995, 554.111, 559.545, 559.555,
22 559.802, 559.805, 559.904, 559.928, 559.9295,
23 560.205, 560.207, 560.208, 560.307, 560.308,
24 560.403, 561.01, 561.14, 561.19, 561.33,
25 561.331, 561.422, 561.68, 563.02, 563.045,
26 564.02, 564.045, 565.02, 565.03, 565.095,
27 569.003, 570.07, 570.382, 570.481, 571.06,
28 571.25, 574.03, 574.12, 576.021, 576.041,
29 576.045, 576.051, 578.08, 578.11, 578.26,
30 580.041, 580.065, 581.031, 581.083, 585.002,
31 585.61, 586.045, 589.011, 590.02, 597.004,

1 599.004, 601.59, 601.74, 604.19, 607.0122,
2 608.452, 609.02, 609.08, 616.15, 616.242,
3 617.0122, 618.04, 618.05, 620.182, 620.81055,
4 624.501, 626.9912, 626.9913, 626.9916, 627.733,
5 627.849, 633.061, 633.46, 633.524, 633.537,
6 634.071, 634.306, 634.403, 634.404, 634.407,
7 634.408, 634.416, 636.057, 641.29, 641.412,
8 641.49, 642.0301, 648.38, 651.015, 655.045,
9 657.065, 658.20, 658.73, 663.12, 718.501,
10 718.502, 718.608, 719.501, 719.502, 719.608,
11 721.03, 721.07, 721.111, 721.18, 721.27,
12 721.58, 723.007, 723.011, 741.327, 760.29,
13 790.06, 790.065, 791.015, 812.174, 828.055,
14 849.086, 865.10, 943.0582, 943.0585, 943.059,
15 943.1397, 946.525, 948.001, F.S.; conforming
16 those sections to the process for establishing
17 service or regulatory oversight fees; providing
18 an effective date.

19

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

21

22 Section 1. Section 216.1817, Florida Statutes, is
23 created to read:

24 216.1817 Approval of agency fees for service;
25 criteria.--

26 (1) It is the intent of the Legislature that all costs
27 of providing a service for which a fee is charged and of
28 regulating professionals shall be borne solely by those
29 receiving the service or regulation. It is also the intent of
30 the Legislature that fees should be reasonable and should take
31 into account differences between types of businesses being

1 regulated. Moreover, it is the intent of the Legislature that
2 state agencies operate as efficiently as possible and
3 regularly report to the Legislature additional methods by
4 which to streamline operational costs. Therefore, by October 1
5 of each year, state agencies shall examine the fees they
6 charge for services and for regulatory oversight. The annual
7 examination shall consider whether state government or the
8 private sector can better serve the public by providing the
9 service or regulatory oversight. If it is determined that the
10 public would be better served by state government providing
11 the service or regulatory oversight, then the fees charged
12 must be:

13 (a) Based on revenue projections prepared using
14 generally accepted governmental accounting procedures or
15 official estimates by the Revenue Estimating Conference, if
16 applicable.

17 (b) Adequate to cover both direct and indirect costs
18 of providing such service or regulatory oversight.

19 (c) Reasonable, and must take into account differences
20 between types of businesses being regulated.

21 (2) If it is determined by the agency that any of the
22 fees charged for services or regulatory oversight are not
23 adequate to cover costs, the agency shall present to the
24 Legislative Budget Commission at its October meeting a
25 proposed schedule of fee changes, except for fee increases
26 that do not exceed the statutory cap. The Legislative Budget
27 Commission may object to all or part of the proposed schedule
28 of fee changes. If the Legislative Budget Commission objects
29 to all or part of the proposed schedule of fees, then the part
30 of the proposal that is objected to shall be reviewed by the
31 Legislature at its next Regular Session. If the Legislative

1 Budget Commission does not object to the proposed schedule of
2 fees by December 31, then the agency shall, by rule, implement
3 the fee changes.

4 (3) If it is determined by the agency that the public
5 would be better served if the service or regulatory function
6 were provided by the private sector, then the agency shall
7 make a recommendation to the Legislature for privatization.

8 Section 2. Subsection (2) of section 11.045, Florida
9 Statutes, is amended to read:

10 11.045 Lobbyists; registration and reporting;
11 exemptions; penalties.--

12 (2) Each house of the Legislature shall provide by
13 rule, or may provide by a joint rule adopted by both houses,
14 for the registration of lobbyists who lobby the Legislature.
15 The rule shall ~~may~~ provide for the payment of a registration
16 fee pursuant to s. 216.1817. The rule may provide for
17 exemptions from registration or registration fees. The rule
18 shall provide that:

19 (a) Registration is required for each principal
20 represented.

21 (b) Registration shall include a statement signed by
22 the principal or principal's representative that the
23 registrant is authorized to represent the principal.

24 (c) A registrant shall promptly send a written
25 statement to the division canceling the registration for a
26 principal upon termination of the lobbyist's representation of
27 that principal. Notwithstanding this requirement, the division
28 may remove the name of a registrant from the list of
29 registered lobbyists if the principal notifies the office that
30 a person is no longer authorized to represent that principal.

31

1 (d) Every registrant shall be required to state the
2 extent of any direct business association or partnership with
3 any current member of the Legislature.

4 (e) Each lobbyist and each principal shall preserve
5 for a period of 4 years all accounts, bills, receipts,
6 computer records, books, papers, and other documents and
7 records necessary to substantiate lobbying expenditures. Any
8 documents and records retained pursuant to this section may be
9 inspected under reasonable circumstances by any authorized
10 representative of the Legislature. The right of inspection may
11 be enforced by appropriate writ issued by any court of
12 competent jurisdiction.

13 (f) All registrations shall be open to the public.

14 (g) Any person who is exempt from registration under
15 the rule shall not be considered a lobbyist for any purpose.

16 Section 3. Subsection (7) of section 17.076, Florida
17 Statutes, is amended to read:

18 17.076 Direct deposit of funds.--

19 (7) To cover the department's actual costs for
20 processing the direct deposit of funds other than salary or
21 retirement benefits, the department shall, pursuant to s.
22 216.1817,~~may~~ charge the beneficiary of the direct deposit a
23 reasonable fee. The department may collect the fee by direct
24 receipt from the beneficiary or by subtracting the amount of
25 the fee from the funds due the beneficiary. Such fees
26 collected by the department shall be deposited into the
27 Department of Banking and Finance Administrative Trust Fund.

28 Section 4. Subsection (15) of section 24.105, Florida
29 Statutes, is amended to read:

30 24.105 Powers and duties of department.--The
31 department shall:

1 (15) Have the authority to charge fees, pursuant to s.
2 216.1817, to persons applying for contracts as vendors or
3 retailers, which fees are reasonably calculated to cover the
4 costs of investigations and other activities related to the
5 processing of the application.

6 Section 5. Subsection (5) of section 24.1153, Florida
7 Statutes, is amended to read:

8 24.1153 Assignment of prizes payable in
9 installments.--

10 (5) Pursuant to s. 216.1817, the department may
11 establish a reasonable fee to defray any administrative
12 expenses associated with assignments made under this section,
13 including the cost to the department of any processing fee
14 that may be imposed by a private annuity provider. The fee
15 amount shall reflect the direct and indirect costs associated
16 with processing such assignments.

17 Section 6. Section 25.383, Florida Statutes, is
18 amended to read:

19 25.383 Standards for court reporters; procedures;
20 rules of professional conduct, discipline, and training;
21 fees.--The Supreme Court shall establish minimum standards and
22 procedures for qualifications, certification, discipline, and
23 training for court reporters. The Supreme Court is authorized
24 to set fees to be charged to applicants for certification and
25 renewal of certification. The revenues generated from such
26 fees shall be used to offset the costs of administration of
27 the certification process pursuant to s. 216.1817. The Supreme
28 Court may appoint or employ such personnel as are necessary to
29 assist the court in exercising its powers and performing its
30 duties under this section.

31

1 Section 7. Subsection (1) of section 28.101, Florida
2 Statutes, is amended to read:

3 28.101 Petitions and records of dissolution of
4 marriage; additional charges.--

5 (1) When a party petitions for a dissolution of
6 marriage, in addition to the filing charges in s. 28.241, the
7 clerk shall collect and receive:

8 (a) A charge of \$5 unless determined otherwise
9 pursuant to s. 216.1817. On a monthly basis, the clerk shall
10 transfer the moneys collected pursuant to this paragraph for
11 deposit in the Child Welfare Training Trust Fund created in s.
12 402.40.

13 (b) A charge of \$5 unless determined otherwise
14 pursuant to s. 216.1817. On a monthly basis, the clerk shall
15 transfer the moneys collected pursuant to this paragraph to
16 the State Treasury for deposit in the Displaced Homemaker
17 Trust Fund created in s. 446.50. If a petitioner does not have
18 sufficient funds with which to pay this fee and signs an
19 affidavit so stating, all or a portion of the fee shall be
20 waived subject to a subsequent order of the court relative to
21 the payment of the fee.

22 (c) A charge of \$18 unless determined otherwise
23 pursuant to s. 216.1817. On a monthly basis, the clerk shall
24 transfer the moneys collected pursuant to this paragraph to
25 the State Treasury for deposit in the Domestic Violence Trust
26 Fund. Such funds which are generated shall be directed to the
27 Department of Children and Family Services for the specific
28 purpose of funding domestic violence centers.

29 (d) A charge of \$32.50 unless determined otherwise
30 pursuant to s. 216.1817. On a monthly basis, the clerk shall
31

1 transfer the moneys collected pursuant to this paragraph as
2 follows:

3 1. Twenty-three percent ~~An amount of \$7.50~~ to the
4 State Treasury for deposit in the Displaced Homemaker Trust
5 Fund.

6 2. Seventy-seven percent ~~An amount of \$25~~ to the
7 Supreme Court for deposit in the Family Courts Trust Fund.

8 Section 8. Effective March 1, 2002, subsection (1) of
9 section 28.101, Florida Statutes, is amended to read:

10 28.101 Petitions and records of dissolution of
11 marriage; additional charges.--

12 (1) When a party petitions for a dissolution of
13 marriage, in addition to the filing charges in s. 28.241, the
14 clerk shall collect and receive:

15 (a) A charge of \$5 unless determined otherwise
16 pursuant to s. 216.1817. On a monthly basis, the clerk shall
17 transfer the moneys collected pursuant to this paragraph to
18 the Department of Revenue for deposit in the Child Welfare
19 Training Trust Fund created in s. 402.40.

20 (b) A charge of \$5 unless determined otherwise
21 pursuant to s. 216.1817. On a monthly basis, the clerk shall
22 transfer the moneys collected pursuant to this paragraph to
23 the Department of Revenue for deposit in the Displaced
24 Homemaker Trust Fund created in s. 446.50. If a petitioner
25 does not have sufficient funds with which to pay this fee and
26 signs an affidavit so stating, all or a portion of the fee
27 shall be waived subject to a subsequent order of the court
28 relative to the payment of the fee.

29 (c) A charge of \$18 unless determined otherwise
30 pursuant to s. 216.1817. On a monthly basis, the clerk shall
31 transfer the moneys collected pursuant to this paragraph to

1 the Department of Revenue for deposit in the Domestic Violence
2 Trust Fund. Such funds which are generated shall be directed
3 to the Department of Children and Family Services for the
4 specific purpose of funding domestic violence centers.

5 (d) A charge of \$32.50 unless determined otherwise
6 pursuant to s. 216.1817. On a monthly basis, the clerk shall
7 transfer the moneys collected pursuant to this paragraph as
8 follows:

9 1. Twenty-three percent ~~An amount of \$7.50~~ to the
10 Department of Revenue for deposit in the Displaced Homemaker
11 Trust Fund.

12 2. Seventy-seven percent ~~An amount of \$25~~ to the
13 Department of Revenue for deposit in the Family Courts Trust
14 Fund.

15 Section 9. Paragraph (i) of subsection (5) of section
16 39.407, Florida Statutes, is amended to read:

17 39.407 Medical, psychiatric, and psychological
18 examination and treatment of child; physical or mental
19 examination of parent or person requesting custody of child.--

20 (5) Children who are in the legal custody of the
21 department may be placed by the department in a residential
22 treatment center licensed under s. 394.875 or a hospital
23 licensed under chapter 395 for residential mental health
24 treatment only pursuant to this section or may be placed by
25 the court in accordance with an order of involuntary
26 examination or involuntary placement entered pursuant to s.
27 394.463 or s. 394.467. All children placed in a residential
28 treatment program under this subsection must have a guardian
29 ad litem appointed.

30 (i) The department must adopt rules for implementing
31 timeframes for the completion of suitability assessments by

1 qualified evaluators and a procedure that includes timeframes
2 for completing the 3-month independent review by the qualified
3 evaluators of the child's progress towards achieving the goals
4 and objectives of the treatment plan which review must be
5 submitted to the court. The Agency for Health Care
6 Administration must adopt rules for the registration of
7 qualified evaluators, the procedure for selecting the
8 evaluators to conduct the reviews required under this section,
9 and, pursuant to s. 216.1817, a reasonable, cost-efficient fee
10 schedule for qualified evaluators.

11 Section 10. Section 44.106, Florida Statutes, is
12 amended to read:

13 44.106 Standards and procedures for mediators and
14 arbitrators; fees.--The Supreme Court shall establish minimum
15 standards and procedures for qualifications, certification,
16 professional conduct, discipline, and training for mediators
17 and arbitrators who are appointed pursuant to this chapter.
18 The Supreme Court is authorized to set fees to be charged to
19 applicants for certification and renewal of certification.
20 The revenues generated from these fees shall be used to offset
21 the costs of administration of the certification process
22 pursuant to s. 216.1817. The Supreme Court may appoint or
23 employ such personnel as are necessary to assist the court in
24 exercising its powers and performing its duties under this
25 chapter.

26 Section 11. Subsection (7) of section 61.21, Florida
27 Statutes, is amended to read:

28 61.21 Parenting course authorized; fees; required
29 attendance authorized; contempt.--

30 (7) A ~~reasonable~~ fee shall ~~may~~ be charged to each
31 parent attending the course, pursuant to s. 216.1817.

1 Section 12. Subsection (2) of section 110.1228,
2 Florida Statutes, is amended to read:

3 110.1228 Participation by small counties, small
4 municipalities, and district school boards located in small
5 counties.--

6 (2) The governing body of a small county or small
7 municipality or a district school board may apply for
8 participation in the state group health insurance program
9 authorized in s. 110.123 and the prescription drug coverage
10 program authorized by s. 110.12315 by submitting an
11 application along with a~~\$500~~ nonrefundable fee to the
12 department. The fee is \$500 unless determined otherwise
13 pursuant to s. 216.1817.

14 Section 13. Subsection (17) of section 112.0455,
15 Florida Statutes, is amended to read:

16 112.0455 Drug-Free Workplace Act.--

17 (17) LICENSE FEE.--Fees from licensure of drug-testing
18 laboratories shall be sufficient to carry out the
19 responsibilities of the Agency for Health Care Administration
20 for the regulation of drug-testing laboratories. The Agency
21 for Health Care Administration shall collect fees for all
22 licenses issued under this part. Each nonrefundable fee shall
23 be due at the time of application and shall be payable to the
24 Agency for Health Care Administration to be deposited in a
25 trust fund administered by the Agency for Health Care
26 Administration and used only for the purposes of this section.
27 The fee schedule is as follows: For licensure as a
28 drug-testing laboratory, an annual fee of not less than \$8,000
29 or more than \$10,000 per fiscal year unless determined
30 otherwise pursuant to s. 216.1817; for late filing of an
31 application for renewal, an additional fee of \$500 per day

1 shall be charged unless determined otherwise pursuant to s.
2 216.1817.

3 Section 14. Subsection (4) of section 112.3215,
4 Florida Statutes, is amended to read:

5 112.3215 Lobbyists before the executive branch or the
6 Constitution Revision Commission; registration and reporting;
7 investigation by commission.--

8 (4) The annual lobbyist registration fee shall be set
9 by the commission by rule, not to exceed \$40 for each
10 principal represented unless determined otherwise pursuant to
11 s. 216.1817.

12 Section 15. Section 113.01, Florida Statutes, is
13 amended to read:

14 113.01 Fee for commissions issued by Governor.--Unless
15 determined otherwise pursuant to s. 216.1817,a fee of \$10 is
16 prescribed for the issuance of each commission issued by the
17 Governor of the state and attested by the Secretary of State
18 for an elected officer or a notary public.

19 Section 16. Subsection (2) of section 117.01, Florida
20 Statutes, is amended to read:

21 117.01 Appointment, application, suspension,
22 revocation, application fee, bond, and oath.--

23 (2) The application for appointment shall be signed
24 and sworn to by the applicant and shall be accompanied by a
25 fee of \$25, unless determined otherwise pursuant to s.
26 216.1817, together with the~~\$10~~ commission fee required by s.
27 113.01, and a surcharge of \$4, unless determined otherwise
28 pursuant to s. 216.1817, which surcharge~~\$4~~ is appropriated to
29 the Executive Office of the Governor to be used to educate and
30 assist notaries public. The Executive Office of the Governor
31 may contract with private vendors to provide the services set

1 | forth in this section. However, no commission fee shall be
2 | required for the issuance of a commission as a notary public
3 | to a veteran who served during a period of wartime service, as
4 | defined in s. 1.01(14), and who has been rated by the United
5 | States Government or the United States Department of Veterans
6 | Affairs or its predecessor to have a disability rating of 50
7 | percent or more; such a disability is subject to verification
8 | by the Secretary of State, who has authority to adopt
9 | reasonable procedures to implement this act. The oath of
10 | office and notary bond required by this section shall also
11 | accompany the application and shall be in a form prescribed by
12 | the Department of State which shall require, but not be
13 | limited to, the following information: full name, residence
14 | address and telephone number, business address and telephone
15 | number, date of birth, race, sex, social security number,
16 | citizenship status, driver's license number or the number of
17 | other official state-issued identification, affidavit of good
18 | character from someone unrelated to the applicant who has
19 | known the applicant for 1 year or more, a list of all
20 | professional licenses and commissions issued by the state
21 | during the previous 10 years and a statement as to whether or
22 | not the applicant has had such license or commission revoked
23 | or suspended, and a statement as to whether or not the
24 | applicant has been convicted of a felony, and, if there has
25 | been a conviction, a statement of the nature of the felony and
26 | restoration of civil rights. The applicant may not use a
27 | fictitious or assumed name other than a nickname on an
28 | application for commission. The application shall be
29 | maintained by the Department of State for the full term of a
30 | notary commission. A notary public shall notify, in writing,
31 | the Department of State of any change in his or her business

1 address, home telephone number, business telephone number,
2 home address, or criminal record within 60 days after such
3 change. The Governor may require any other information he or
4 she deems necessary for determining whether an applicant is
5 eligible for a notary public commission. Each applicant must
6 swear or affirm on the application that the information on the
7 application is true and correct.

8 Section 17. Paragraph (a) of subsection (2) of section
9 117.05, Florida Statutes, is amended to read:

10 117.05 Use of notary commission; unlawful use; notary
11 fee; seal; duties; employer liability; name change;
12 advertising; photocopies; penalties.--

13 (2)(a) The fee of a notary public may not exceed \$10
14 for any one notarial act, except as provided in s. 117.045 or
15 unless determined otherwise pursuant to s. 216.1817.

16 Section 18. Section 117.103, Florida Statutes, is
17 amended to read:

18 117.103 Certification of notary's authority by
19 Secretary of State.--A notary public is not required to record
20 his or her notary public commission in an office of a clerk of
21 the circuit court. If certification of the notary public's
22 commission is required, it must be obtained from the Secretary
23 of State. Upon the receipt of a written request and a fee ~~of~~
24 ~~\$10~~ payable to the Secretary of State, the Secretary of State
25 shall issue a certificate of notarial authority, in a form
26 prescribed by the Secretary of State, which shall include a
27 statement explaining the legal qualifications and authority of
28 a notary public in this state. The fee is \$10 unless
29 determined otherwise pursuant to s. 216.1817.

30 Section 19. Subsection (5) of section 118.10, Florida
31 Statutes, is amended to read:

1 118.10 Civil-law notary.--

2 (5) The Secretary of State may adopt rules
3 prescribing:

4 (a) The form and content of authentic acts, oaths,
5 acknowledgments, solemnizations, and signatures and seals or
6 their legal equivalents;

7 (b) Procedures for the permanent archiving of
8 authentic acts, maintaining records of acknowledgments, oaths
9 and solemnizations, and procedures for the administration of
10 oaths and taking of acknowledgments;

11 (c) The charging of reasonable fees pursuant to s.
12 216.1817 to be retained by the Secretary of State for the
13 purpose of administering this chapter;

14 (d) Educational requirements and procedures for
15 testing applicants' knowledge of all matters relevant to the
16 appointment, authority, duties or legal or ethical
17 responsibilities of a civil-law notary;

18 (e) Procedures for the disciplining of civil-law
19 notaries, including, but not limited to, the suspension and
20 revocation of appointments for failure to comply with the
21 requirements of this chapter or the rules of the Department of
22 State, or for misrepresentation or fraud regarding the
23 civil-law notary's authority, the effect of the civil-law
24 notary's authentic acts, or the identities or acts of the
25 parties to a transaction;

26 (f) Bonding or errors and omissions insurance
27 requirements, or both, for civil-law notaries; and

28 (g) Other matters necessary for administering this
29 section.

30 Section 20. Section 118.12, Florida Statutes, is
31 amended to read:

1 118.12 Certification of civil-law notary's authority;
2 apostilles.--If certification of a civil-law notary's
3 authority is necessary for a particular document or
4 transaction, it must be obtained from the Secretary of State.
5 Upon the receipt of a written request from a civil-law notary
6 and the fee prescribed by the Secretary of State, the
7 Secretary of State shall issue a certification of the
8 civil-law notary's authority, in a form prescribed by the
9 Secretary of State, which shall include a statement explaining
10 the legal qualifications and authority of a civil-law notary
11 in this state. The fee prescribed for the issuance of the
12 certification under this section or an apostille under s.
13 15.16 may not exceed \$10 per document unless determined
14 otherwise pursuant to s. 216.1817. The Department of State may
15 adopt rules to implement this section.

16 Section 21. Paragraph (b) of subsection (1) of section
17 119.07, Florida Statutes, is amended to read:

18 119.07 Inspection, examination, and duplication of
19 records; exemptions.--

20 (1)

21 (b) If the nature or volume of public records
22 requested to be inspected, examined, or copied pursuant to
23 this subsection is such as to require extensive use of
24 information technology resources or extensive clerical or
25 supervisory assistance by personnel of the agency involved, or
26 both, the agency shall ~~may~~ charge, in addition to the actual
27 cost of duplication, a special service charge pursuant to s.
28 216.1817, which shall be reasonable and shall be based on the
29 cost incurred for such extensive use of information technology
30 resources or the labor cost of the personnel providing the
31 service that is actually incurred by the agency or

1 attributable to the agency for the clerical and supervisory
2 assistance required, or both. "Information technology
3 resources" means data processing hardware and software and
4 services, communications, supplies, personnel, facility
5 resources, maintenance, and training.

6 Section 22. Subsection (1) of section 159.811, Florida
7 Statutes, is amended to read:

8 159.811 Fees; trust fund.--

9 (1) There shall be imposed a nonrefundable fee on each
10 notice of intent to issue a private activity bond filed with
11 the division pursuant to s. 159.805(1). No notice of intent
12 to issue a private activity bond shall be accepted by the
13 division unless and until the fee has been paid. The division
14 shall establish a fee which shall be an amount sufficient to
15 cover all expenses of maintaining the allocation system in
16 this part. In calculating the fee, any unexpended trust fund
17 balance remaining unexpended prior to setting the fee shall be
18 deducted from the amount appropriated. The amount of the fee
19 shall not exceed \$500, unless determined otherwise pursuant to
20 s. 216.1817, and may be adjusted no more than once every 6
21 months.

22 Section 23. Section 161.0535, Florida Statutes, is
23 amended to read:

24 161.0535 Permits; fees, costs.--The department shall
25 ~~may~~ establish by rule a fee schedule and shall ~~may~~ assess fees
26 for the filing, processing, and issuance of permits issued
27 under ss. 161.041 and 161.053. The fee schedule must contain
28 categories of permits based on the varying costs of evaluating
29 applications for different types of proposed construction.
30 Pursuant to s. 216.1817, the fee schedule must be based on the
31 actual costs of administering these permitting programs.

1 Moneys from fees assessed under this section must be deposited
2 into the Florida Permit Fee Trust Fund. The department may
3 also assess the applicant for the costs of public notice by
4 publication prior to the consideration of these permit
5 applications; alternatively, the department may require an
6 applicant to publish, at the applicant's expense, in a
7 newspaper of general circulation within the affected area, a
8 notice of receipt of the application and a notice of the
9 intended agency action.

10 Section 24. Subsection (2) of section 161.56, Florida
11 Statutes, is amended to read:

12 161.56 Establishment of local enforcement.--

13 (2) To assist local governments in the implementation
14 and enforcement of s. 161.55, the state land planning agency
15 shall develop and maintain a biennial coastal building zone
16 construction training program for the local enforcement
17 agencies specified in subsection (1). The state land planning
18 agency shall provide an initial training program not later
19 than April 1, 1987, and on a recurring biennial basis shall
20 provide a continuing education program beginning July 1, 1989.
21 Registration fees, as determined appropriate by the state land
22 planning agency pursuant to s. 216.1817, shall ~~may~~ be charged
23 to defray the cost of the program if general revenue funds are
24 not provided for this purpose.

25 Section 25. Subsection (3) of section 186.801, Florida
26 Statutes, is amended to read:

27 186.801 Ten-year site plans.--

28 (3) In order to enable it to carry out its duties
29 under this section, the commission may, after hearing,
30 establish a study fee which shall not exceed \$1,000 for each
31

1 proposed plan studied unless determined otherwise pursuant to
2 s. 216.1817.

3 Section 26. Section 189.427, Florida Statutes, is
4 amended to read:

5 189.427 Fee schedule; Operating Trust Fund.--The
6 Department of Community Affairs, by rule, shall establish a
7 schedule of fees to pay one-half of the costs incurred by the
8 department in administering this act, except that the fee may
9 not exceed \$175 per district per year unless determined
10 otherwise pursuant to s. 216.1817. The fees collected under
11 this section shall be deposited in the Operating Trust Fund,
12 which shall be administered by the Department of Community
13 Affairs. Any fee rule must consider factors such as the
14 dependent and independent status of the district and district
15 revenues for the most recent fiscal year as reported to the
16 Department of Banking and Finance. The department may assess
17 fines of not more than \$25, with an aggregate total not to
18 exceed \$50, as penalties against special districts that fail
19 to remit required fees to the department. It is the intent of
20 the Legislature that general revenue funds will be made
21 available to the department to pay one-half of the cost of
22 administering this act.

23 Section 27. Subsection (2) of section 195.002, Florida
24 Statutes, is amended to read:

25 195.002 Supervision by Department of Revenue.--

26 (2) In furtherance of its duty to conduct schools to
27 upgrade assessment skills and collection skills, the
28 department may establish by rule committees on admissions and
29 certification. Additionally, the department may incur
30 reasonable expenses for hiring instructors, travel, office
31 operations, certificates of completion, badges or awards, and

1 food service incidental to conducting such schools and for
2 administering any certification program under s. 145.10 or s.
3 145.11. The department shall ~~may~~ charge a tuition fee and an
4 examination fee to any person who attends such a school and
5 shall ~~may~~ charge a fee to certify or recertify any person
6 under such a program. Fees must be determined pursuant to s.
7 216.1817.The department shall deposit such fees into the
8 Certification Program Trust Fund which is created in the State
9 Treasury. There shall be separate school accounts and program
10 accounts in the trust fund for property appraisers and for tax
11 collectors. The department shall use money in the fund to pay
12 such expenses.

13 Section 28. Subsections (2), (3), and (4) of section
14 206.02, Florida Statutes, are amended to read:

15 206.02 Application for license; temporary license;
16 terminal suppliers, importers, exporters, blenders, and
17 wholesalers.--

18 (2) To procure a terminal supplier license, a person
19 shall file with the department an application under oath, and
20 in such form as the department may prescribe, setting forth:

21 (a) The name under which the person will transact
22 business within the state and that person's registration
23 number under s. 4101 of the Internal Revenue Code.

24 (b) The location, with street number address, of his
25 or her principal office or place of business and the location
26 where records will be made available for inspection.

27 (c) The name and complete residence address of the
28 owner or the names and addresses of the partners, if such
29 person is a partnership, or of the principal officers, if such
30 person is a corporation or association; and, if such person is
31 a corporation organized under the laws of another state,

1 territory, or country, he or she shall also file with the
2 application a certified copy of the certificate or license
3 issued by the Department of State showing that such
4 corporation is authorized to transact business in the state.

5
6 The application shall require a~~\$30~~ license tax of \$30 unless
7 determined otherwise pursuant to s. 216.1817. Each license
8 shall be renewed annually through application, including an
9 annual~~\$30~~ license tax of \$30, unless determined otherwise
10 pursuant to s. 216.1817.

11 (3) To procure an importer, exporter, or blender of
12 motor fuels license, a person shall file with the department
13 an application under oath, and in such form as the department
14 may prescribe, setting forth:

15 (a) The name under which the person will transact
16 business within the state.

17 (b) The location, with street number address, of his
18 or her principal office or place of business and the location
19 where records will be made available for inspection.

20 (c) The name and complete residence address of the
21 owner or the names and addresses of the partners, if such
22 person is a partnership, or of the principal officers, if such
23 person is a corporation or association; and, if such person is
24 a corporation organized under the laws of another state,
25 territory, or country, he or she shall also file with the
26 application a certified copy of the certificate or license
27 issued by the Department of State showing that such
28 corporation is authorized to transact business in the state.

29
30 The application shall require a~~\$30~~ license tax of \$30 unless
31 determined otherwise pursuant to s. 216.1817. Each license

1 shall be renewed annually through application, including an
2 annual~~\$30~~ license tax of \$30, unless determined otherwise
3 pursuant to s. 216.1817.

4 (4) To procure a wholesaler of motor fuel license, a
5 person shall file with the department an application under
6 oath and in such form as the department may prescribe, setting
7 forth:

8 (a) The name under which the person will transact
9 business within the state.

10 (b) The location, with street number address, of his
11 or her principal office or place of business within this state
12 and the location where records will be made available for
13 inspection.

14 (c) The name and complete residence address of the
15 owner or the names and addresses of the partners, if such
16 person is a partnership, or of the principal officers, if such
17 person is a corporation or association; and, if such person is
18 a corporation organized under the laws of another state,
19 territory, or country, he or she shall also file with the
20 application a certified copy of the certificate or license
21 issued by the Department of State showing that such
22 corporation is authorized to transact business in the state.

23
24 The application shall require a~~\$30~~ license tax of \$30 unless
25 determined otherwise pursuant to s. 216.1817. Each license
26 shall be renewed annually through application, including an
27 annual~~\$30~~ license fee of \$30, unless determined otherwise
28 pursuant to s. 216.1817.

29 Section 29. Subsection (3) of section 206.9865,
30 Florida Statutes, is amended to read:

31

1 206.9865 Commercial air carriers; registration;
2 reporting.--

3 (3) The application must be renewed annually and the
4 fee for application or renewal is \$30 unless determined
5 otherwise pursuant to s. 216.1817.

6 Section 30. Subsection (1) of section 206.9931,
7 Florida Statutes, is amended to read:

8 206.9931 Administrative provisions.--

9 (1) Any person producing in, importing into, or
10 causing to be imported into this state taxable pollutants for
11 sale, use, or otherwise and who is not registered or licensed
12 pursuant to other parts of this chapter is hereby required to
13 register and become licensed for the purposes of this part.
14 Such person shall register as either a producer or importer of
15 pollutants and shall be subject to all applicable registration
16 and licensing provisions of this chapter, as if fully set out
17 in this part and made expressly applicable to the taxes
18 imposed herein, including, but not limited to, ss. 206.02,
19 206.021, 206.022, 206.025, 206.03, 206.04, and 206.05. For
20 the purposes of this section, registrations required
21 exclusively for this part shall be made within 90 days of July
22 1, 1986, for existing businesses, or prior to the first
23 production or importation of pollutants for businesses created
24 after July 1, 1986. The fee for registration ~~is shall be~~ \$30
25 unless determined otherwise pursuant to s. 216.1817. Failure
26 to timely register is a misdemeanor of the first degree,
27 punishable as provided in s. 775.082 or s. 775.083.

28 Section 31. Subsection (3) of section 206.9943,
29 Florida Statutes, is amended to read:

30 206.9943 Pollutant tax license.--

31

1 (3) The license must be renewed annually, and the fee
2 for original application or renewal is \$30 unless determined
3 otherwise pursuant to s. 216.1817.

4 Section 32. Paragraph (a) of subsection (1) of section
5 210.15, Florida Statutes, is amended to read:

6 210.15 Permits.--

7 (1)(a) Every person, firm, or corporation desiring to
8 deal in cigarettes as a distributing agent, wholesale dealer,
9 or exporter within this state shall file an application for a
10 cigarette permit for each place of business with the Division
11 of Alcoholic Beverages and Tobacco. Every application for a
12 cigarette permit shall be made on forms furnished by the
13 division and shall set forth the name under which the
14 applicant transacts or intends to transact business, the
15 location of the applicant's place of business within the
16 state, and such other information as the division may require.
17 If the applicant has or intends to have more than one place of
18 business dealing in cigarettes within this state, the
19 application shall state the location of each place of
20 business. If the applicant is an association, the application
21 shall set forth the names and addresses of the persons
22 constituting the association, and if a corporation, the names
23 and addresses of the principal officers thereof and any other
24 information prescribed by the division for the purpose of
25 identification. The application shall be signed and verified
26 by oath or affirmation by the owner, if a natural person, and
27 in the case of an association or partnership, members or
28 partners thereof, and in the case of a corporation, by an
29 executive officer thereof or by any person specifically
30 authorized by the corporation to sign the application, to
31 which shall be attached the written evidence of this

1 authority. The cigarette permit for a distributing agent
2 shall be issued annually for which an annual fee of ~~\$5~~ shall
3 be charged. The annual fee is \$5 unless determined otherwise
4 pursuant to s. 216.1817.

5 Section 33. Subsection (3) of section 210.151, Florida
6 Statutes, is amended to read:

7 210.151 Initial temporary cigarette permits.--When a
8 person has filed a completed application which does not on its
9 face disclose any reason for denying a cigarette permit under
10 s. 210.15, the Division of Alcoholic Beverages and Tobacco of
11 the Department of Business and Professional Regulation shall
12 issue a temporary initial permit of the same type and series
13 for which the application has been submitted, which is valid
14 for all purposes under this chapter.

15 (3) Each applicant seeking a temporary initial
16 cigarette permit shall pay to the division for such permit a
17 fee of \$100 unless determined otherwise pursuant to s.
18 216.1817.

19 Section 34. Section 210.40, Florida Statutes, is
20 amended to read:

21 210.40 License fees; surety bond; application for each
22 place of business.--Each application for a distributor's
23 license shall be accompanied by a fee of \$25 unless determined
24 otherwise pursuant to s. 216.1817. The application shall also
25 be accompanied by a corporate surety bond issued by a surety
26 company authorized to do business in this state, conditioned
27 for the payment when due of all taxes, penalties, and accrued
28 interest which may be due the state. The bond shall be in the
29 sum of \$1,000 and in a form prescribed by the division.
30 Whenever it is the opinion of the division that the bond given
31 by a licensee is inadequate in amount to fully protect the

1 state, the division shall require an additional bond in such
2 amount as is deemed sufficient. A separate application for a
3 license shall be made for each place of business at which a
4 distributor proposes to engage in business as a distributor
5 under this part, but an applicant may provide one bond in an
6 amount determined by the division for all applications made by
7 the distributor.

8 Section 35. Subsection (3) of section 210.405, Florida
9 Statutes, is amended to read:

10 210.405 Initial temporary permits for other tobacco
11 products.--When a person has filed a completed application
12 which does not on its face disclose any reason for denying a
13 permit for other tobacco products under s. 210.40, the
14 Division of Alcoholic Beverages and Tobacco of the Department
15 of Business and Professional Regulation shall issue a
16 temporary initial permit of the same type and series for which
17 the application has been submitted, which is valid for all
18 purposes under this chapter.

19 (3) Each applicant seeking a temporary initial permit
20 for other tobacco products shall pay to the division for such
21 permit a fee of \$25 unless determined otherwise pursuant to s.
22 216.1817.

23 Section 36. Paragraphs (a) and (i) of subsection (1)
24 of section 212.05, Florida Statutes, are amended to read:

25 212.05 Sales, storage, use tax.--It is hereby declared
26 to be the legislative intent that every person is exercising a
27 taxable privilege who engages in the business of selling
28 tangible personal property at retail in this state, including
29 the business of making mail order sales, or who rents or
30 furnishes any of the things or services taxable under this
31 chapter, or who stores for use or consumption in this state

1 any item or article of tangible personal property as defined
2 herein and who leases or rents such property within the state.

3 (1) For the exercise of such privilege, a tax is
4 levied on each taxable transaction or incident, which tax is
5 due and payable as follows:

6 (a)1.

7 a. At the rate of 6 percent of the sales price of each
8 item or article of tangible personal property when sold at
9 retail in this state, computed on each taxable sale for the
10 purpose of remitting the amount of tax due the state, and
11 including each and every retail sale.

12 b. Each occasional or isolated sale of an aircraft,
13 boat, mobile home, or motor vehicle of a class or type which
14 is required to be registered, licensed, titled, or documented
15 in this state or by the United States Government shall be
16 subject to tax at the rate provided in this paragraph. The
17 department shall by rule adopt any nationally recognized
18 publication for valuation of used motor vehicles as the
19 reference price list for any used motor vehicle which is
20 required to be licensed pursuant to s. 320.08(1), (2), (3)(a),
21 (b), (c), or (e), or (9). If any party to an occasional or
22 isolated sale of such a vehicle reports to the tax collector a
23 sales price which is less than 80 percent of the average loan
24 price for the specified model and year of such vehicle as
25 listed in the most recent reference price list, the tax levied
26 under this paragraph shall be computed by the department on
27 such average loan price unless the parties to the sale have
28 provided to the tax collector an affidavit signed by each
29 party, or other substantial proof, stating the actual sales
30 price. Any party to such sale who reports a sales price less
31 than the actual sales price is guilty of a misdemeanor of the

1 first degree, punishable as provided in s. 775.082 or s.
2 775.083. The department shall collect or attempt to collect
3 from such party any delinquent sales taxes. In addition, such
4 party shall pay any tax due and any penalty and interest
5 assessed plus a penalty equal to twice the amount of the
6 additional tax owed. Notwithstanding any other provision of
7 law, the Department of Revenue may waive or compromise any
8 penalty imposed pursuant to this subparagraph.

9 2. This paragraph does not apply to the sale of a boat
10 or airplane by or through a registered dealer under this
11 chapter to a purchaser who, at the time of taking delivery, is
12 a nonresident of this state, does not make his or her
13 permanent place of abode in this state, and is not engaged in
14 carrying on in this state any employment, trade, business, or
15 profession in which the boat will be used in this state, or is
16 a corporation none of the officers or directors of which is a
17 resident of, or makes his or her permanent place of abode in,
18 this state, or is a noncorporate entity that has no individual
19 vested with authority to participate in the management,
20 direction, or control of the entity's affairs who is a
21 resident of, or makes his or her permanent abode in, this
22 state. For purposes of this exemption, either a registered
23 dealer acting on his or her own behalf as seller, a registered
24 dealer acting as broker on behalf of a seller, or a registered
25 dealer acting as broker on behalf of the purchaser may be
26 deemed to be the selling dealer. This exemption shall not be
27 allowed unless:

28 a. The purchaser removes a qualifying boat, as
29 described in sub-subparagraph f., from the state within 90
30 days after the date of purchase or the purchaser removes a
31 nonqualifying boat or an airplane from this state within 10

1 days after the date of purchase or, when the boat or airplane
2 is repaired or altered, within 20 days after completion of the
3 repairs or alterations;

4 b. The purchaser, within 30 days from the date of
5 departure, shall provide the department with written proof
6 that the purchaser licensed, registered, titled, or documented
7 the boat or airplane outside the state. If such written proof
8 is unavailable, within 30 days the purchaser shall provide
9 proof that the purchaser applied for such license, title,
10 registration, or documentation. The purchaser shall forward
11 to the department proof of title, license, registration, or
12 documentation upon receipt.

13 c. The purchaser, within 10 days of removing the boat
14 or airplane from Florida, shall furnish the department with
15 proof of removal in the form of receipts for fuel, dockage,
16 slippage, tie-down, or hangaring from outside of Florida. The
17 information so provided must clearly and specifically identify
18 the boat or aircraft;

19 d. The selling dealer, within 5 days of the date of
20 sale, shall provide to the department a copy of the sales
21 invoice, closing statement, bills of sale, and the original
22 affidavit signed by the purchaser attesting that he or she has
23 read the provisions of this section;

24 e. The seller makes a copy of the affidavit a part of
25 his or her record for as long as required by s. 213.35; and

26 f. Unless the nonresident purchaser of a boat of 5 net
27 tons of admeasurement or larger intends to remove the boat
28 from this state within 10 days after the date of purchase or
29 when the boat is repaired or altered, within 20 days after
30 completion of the repairs or alterations, the nonresident
31 purchaser shall apply to the selling dealer for a decal which

1 authorizes 90 days after the date of purchase for removal of
2 the boat. The department is authorized to issue decals in
3 advance to dealers. The number of decals issued in advance to
4 a dealer shall be consistent with the volume of the dealer's
5 past sales of boats which qualify under this sub-subparagraph.
6 The selling dealer or his or her agent shall mark and affix
7 the decals to qualifying boats in the manner prescribed by the
8 department, prior to delivery of the boat.

9 (I) Pursuant to s. 216.1817, the department is hereby
10 authorized to charge dealers a fee sufficient to recover the
11 costs of decals issued.

12 (II) The proceeds from the sale of decals will be
13 deposited into the administrative trust fund.

14 (III) Decals shall display information to identify the
15 boat as a qualifying boat under this sub-subparagraph,
16 including, but not limited to, the decal's date of expiration.

17 (IV) The department is authorized to require dealers
18 who purchase decals to file reports with the department and
19 may prescribe all necessary records by rule. All such records
20 are subject to inspection by the department.

21 (V) Any dealer or his or her agent who issues a decal
22 falsely, fails to affix a decal, mismarks the expiration date
23 of a decal, or fails to properly account for decals will be
24 considered prima facie to have committed a fraudulent act to
25 evade the tax and will be liable for payment of the tax plus a
26 mandatory penalty of 200 percent of the tax, and shall be
27 liable for fine and punishment as provided by law for a
28 conviction of a misdemeanor of the first degree, as provided
29 in s. 775.082 or s. 775.083.

30 (VI) Any nonresident purchaser of a boat who removes a
31 decal prior to permanently removing the boat from the state,

1 or defaces, changes, modifies, or alters a decal in a manner
2 affecting its expiration date prior to its expiration, or who
3 causes or allows the same to be done by another, will be
4 considered prima facie to have committed a fraudulent act to
5 evade the tax and will be liable for payment of the tax plus a
6 mandatory penalty of 200 percent of the tax, and shall be
7 liable for fine and punishment as provided by law for a
8 conviction of a misdemeanor of the first degree, as provided
9 in s. 775.082 or s. 775.083.

10 (VII) The department is authorized to adopt rules
11 necessary to administer and enforce this subparagraph and to
12 publish the necessary forms and instructions.

13 (VIII) The department is hereby authorized to adopt
14 emergency rules pursuant to s. 120.54(4) to administer and
15 enforce the provisions of this subparagraph.

16
17 If the purchaser fails to remove the qualifying boat from this
18 state within 90 days after purchase or a nonqualifying boat or
19 an airplane from this state within 10 days after purchase or,
20 when the boat or airplane is repaired or altered, within 20
21 days after completion of such repairs or alterations, or
22 permits the boat or airplane to return to this state within 6
23 months from the date of departure, or if the purchaser fails
24 to furnish the department with any of the documentation
25 required by this subparagraph within the prescribed time
26 period, the purchaser shall be liable for use tax on the cost
27 price of the boat or airplane and, in addition thereto,
28 payment of a penalty to the Department of Revenue equal to the
29 tax payable. This penalty shall be in lieu of the penalty
30 imposed by s. 212.12(2) and is mandatory and shall not be
31 waived by the department. The 90-day period following the

1 sale of a qualifying boat tax exempt to a nonresident may not
2 be tolled for any reason. Notwithstanding other provisions of
3 this paragraph to the contrary, an aircraft purchased in this
4 state under the provisions of this paragraph may be returned
5 to this state for repairs within 6 months after the date of
6 its departure without being in violation of the law and
7 without incurring liability for the payment of tax or penalty
8 on the purchase price of the aircraft if the aircraft is
9 removed from this state within 20 days after the completion of
10 the repairs and if such removal can be demonstrated by
11 invoices for fuel, tie-down, hangar charges issued by
12 out-of-state vendors or suppliers, or similar documentation.

13 (i)1. Beginning January 1, 1995, a tax is imposed at
14 the rate of 4 percent on the charges for the use of
15 coin-operated amusement machines. The tax shall be calculated
16 by dividing the gross receipts from such charges for the
17 applicable reporting period by a divisor, determined as
18 provided in this subparagraph, to compute gross taxable sales,
19 and then subtracting gross taxable sales from gross receipts
20 to arrive at the amount of tax due. The divisor is equal to
21 1.04, except that for counties with a 6.5 percent sales tax
22 rate the divisor shall be equal to 1.045, and for counties
23 with a 7.0 percent sales tax rate the divisor shall be equal
24 to 1.050. When a machine is activated by a slug, token,
25 coupon, or any similar device which has been purchased, the
26 tax is on the price paid by the user of the device for such
27 device.

28 2. As used in this paragraph, the term "operator"
29 means any person who possesses a coin-operated amusement
30 machine for the purpose of generating sales through that
31

1 machine and who is responsible for removing the receipts from
2 the machine.

3 a. If the owner of the machine is also the operator of
4 it, he or she shall be liable for payment of the tax without
5 any deduction for rent or a license fee paid to a location
6 owner for the use of any real property on which the machine is
7 located.

8 b. If the owner or lessee of the machine is also its
9 operator, he or she shall be liable for payment of the tax on
10 the purchase or lease of the machine, as well as the tax on
11 sales generated through the machine.

12 c. If the proprietor of the business where the machine
13 is located does not own the machine, he or she shall be deemed
14 to be the lessee and operator of the machine and is
15 responsible for the payment of the tax on sales, unless such
16 responsibility is otherwise provided for in a written
17 agreement between him or her and the machine owner.

18 3.a. An operator of a coin-operated amusement machine
19 may not operate or cause to be operated in this state any such
20 machine until the operator has registered with the department
21 and has conspicuously displayed an identifying certificate
22 issued by the department. The identifying certificate shall
23 be issued by the department upon application from the
24 operator. The identifying certificate shall include a unique
25 number, and the certificate shall be permanently marked with
26 the operator's name, the operator's sales tax number, and the
27 maximum number of machines to be operated under the
28 certificate. An identifying certificate shall not be
29 transferred from one operator to another. The identifying
30 certificate must be conspicuously displayed on the premises
31 where the coin-operated amusement machines are being operated.

1 b. The operator of the machine must obtain an
2 identifying certificate before the machine is first operated
3 in the state and by July 1 of each year thereafter. The annual
4 fee for each certificate shall be based on the number of
5 machines identified on the application times \$30, unless
6 determined otherwise pursuant to s. 216.1817, and is due and
7 payable upon application for the identifying device. The
8 application shall contain the operator's name, sales tax
9 number, business address where the machines are being
10 operated, and the number of machines in operation at that
11 place of business by the operator. No operator may operate
12 more machines than are listed on the certificate. A new
13 certificate is required if more machines are being operated at
14 that location than are listed on the certificate. The fee for
15 the new certificate shall be based on the number of additional
16 machines identified on the application form times \$30, unless
17 determined otherwise pursuant to s. 216.1817.

18 c. A penalty of \$250 per machine is imposed on the
19 operator for failing to properly obtain and display the
20 required identifying certificate. A penalty of \$250 is imposed
21 on the lessee of any machine placed in a place of business
22 without a proper current identifying certificate. Such
23 penalties shall apply in addition to all other applicable
24 taxes, interest, and penalties.

25 d. Operators of coin-operated amusement machines must
26 obtain a separate sales and use tax certificate of
27 registration for each county in which such machines are
28 located. One sales and use tax certificate of registration is
29 sufficient for all of the operator's machines within a single
30 county.

31

1 4. The provisions of this paragraph do not apply to
2 coin-operated amusement machines owned and operated by
3 churches or synagogues.

4 5. In addition to any other penalties imposed by this
5 chapter, a person who knowingly and willfully violates any
6 provision of this paragraph commits a misdemeanor of the
7 second degree, punishable as provided in s. 775.082 or s.
8 775.083.

9 6. The department may adopt rules necessary to
10 administer the provisions of this paragraph.

11 Section 37. Paragraph (a) of subsection (3) of section
12 212.18, Florida Statutes, is amended to read:

13 212.18 Administration of law; registration of dealers;
14 rules.--

15 (3)(a) Every person desiring to engage in or conduct
16 business in this state as a dealer, as defined in this
17 chapter, or to lease, rent, or let or grant licenses in living
18 quarters or sleeping or housekeeping accommodations in hotels,
19 apartment houses, roominghouses, or tourist or trailer camps
20 that are subject to tax under s. 212.03, or to lease, rent, or
21 let or grant licenses in real property, as defined in this
22 chapter, and every person who sells or receives anything of
23 value by way of admissions, must file with the department an
24 application for a certificate of registration for each place
25 of business, showing the names of the persons who have
26 interests in such business and their residences, the address
27 of the business, and such other data as the department may
28 reasonably require. However, owners and operators of vending
29 machines or newspaper rack machines are required to obtain
30 only one certificate of registration for each county in which
31 such machines are located. The department, by rule, may

1 authorize a dealer that uses independent sellers to sell its
2 merchandise to remit tax on the retail sales price charged to
3 the ultimate consumer in lieu of having the independent seller
4 register as a dealer and remit the tax. The department may
5 appoint the county tax collector as the department's agent to
6 accept applications for registrations. The application must be
7 made to the department before the person, firm, copartnership,
8 or corporation may engage in such business, and it must be
9 accompanied by a registration fee ~~of \$5~~. The registration fee
10 is \$5 unless determined otherwise pursuant to s. 216.1817.
11 However, a registration fee is not required to accompany an
12 application to engage in or conduct business to make mail
13 order sales.

14 Section 38. Paragraph (e) of subsection (7) of section
15 215.555, Florida Statutes, is amended to read:

16 215.555 Florida Hurricane Catastrophe Fund.--

17 (7) ADDITIONAL POWERS AND DUTIES.--

18 (e) In order to assure the equitable operation of the
19 fund, the board may, pursuant to s. 216.1817, impose a
20 reasonable fee on an insurer to recover costs involved in
21 reprocessing inaccurate, incomplete, or untimely exposure data
22 submitted by the insurer.

23 Section 39. Subsection (3) of section 215.65, Florida
24 Statutes, is amended to read:

25 215.65 Bond Fee Trust Fund, expenditures; schedule of
26 fees.--

27 (3) The division shall adopt by resolution a schedule
28 of fees and expenses, which shall ~~may~~ be revised pursuant to
29 s. 216.1817 ~~from time to time~~ as conditions warrant, designed
30 so that the Bond Fee Trust Fund will be reimbursed for general
31 administrative expenses of the division as well as all direct

1 out-of-pocket expenses. The fees charged to and all expenses
2 paid for and on behalf of each bond issue shall be paid and
3 reimbursed to the Bond Fee Trust Fund from the proceeds of the
4 sale of the bonds, if such bonds are sold, or from such other
5 source as may be agreed to by the state agency requesting the
6 services of the division, if for any reason the bonds are not
7 sold.

8 Section 40. Subsection (2) of section 215.655, Florida
9 Statutes, is amended to read:

10 215.655 Arbitrage Compliance Program, expenditures;
11 schedule of fees.--

12 (2) The division shall adopt by resolution a schedule
13 of fees and expenses, to be paid by the governmental agency
14 for which services were provided, which shall ~~may~~ be revised
15 pursuant to s. 216.1817 ~~from time to time~~ as conditions
16 warrant, designed so that the Arbitrage Compliance Program
17 will be reimbursed for general administrative expenses of the
18 division as well as direct out-of-pocket expenses.

19 Section 41. Subsection (2) of section 218.411, Florida
20 Statutes, is amended to read:

21 218.411 Authorization for state technical and advisory
22 assistance.--

23 (2) The State Board of Administration shall ~~may~~
24 establish fees pursuant to s. 216.1817 to cover the cost of
25 such services, which shall be paid by the unit of local
26 government requesting such service. Such fees shall be
27 deposited to the credit of the appropriation or appropriations
28 from which the costs of providing the services have been paid
29 or are to be charged.

30 Section 42. Subsection (12) of section 231.263,
31 Florida Statutes, is amended to read:

1 231.263 Recovery network program for educators.--

2 (12) FEES.--Pursuant to s. 216.1817,the State Board
3 of Education shall include in the fees established pursuant to
4 s. 231.30 an amount sufficient to implement the provisions of
5 this section. The state board shall by rule establish
6 procedures and additional standards for:

7 (a) Approving treatment providers, including
8 appropriate qualifications and experience, amount of
9 reasonable fees and charges, and quality and effectiveness of
10 treatment programs provided.

11 (b) Admitting eligible persons to the program.

12 (c) Evaluating impaired persons by the recovery
13 network program.

14 Section 43. Subsection (1) of section 231.30, Florida
15 Statutes, is amended to read:

16 231.30 Certification fees.--

17 (1) The State Board of Education, by rule, shall
18 establish separate fees for applications, examinations,
19 certification, certification renewal, late renewal,
20 recordmaking, and recordkeeping, and may establish procedures
21 for scheduling and administering an examination upon an
22 applicant's request. Pursuant to s. 216.1817,each fee shall
23 be based on department estimates of the revenue required to
24 implement the provisions of law with respect to certification
25 of school personnel. The application fee shall be
26 nonrefundable. Each examination fee shall be sufficient to
27 cover the actual cost of developing and administering the
28 examination, but shall not exceed \$100 for an examination
29 unless determined otherwise pursuant to s. 216.1817.

30 Section 44. Subsection (8) of section 240.3335,
31 Florida Statutes, is amended to read:

1 240.3335 Centers of technology innovation.--

2 (8) Each center shall establish a schedule of fees or
3 rates pursuant to s. 216.1817, to be charged to all who use
4 the facilities of the center. In addition, each center may
5 negotiate user contracts with governmental users, industrial
6 users, researchers, public or private educational
7 institutions, or individuals for use of the facilities. It is
8 the intent of the Legislature that the centers of technology
9 innovation established pursuant to this act shall not seek any
10 additional state funding. Centers may solicit and accept
11 grants and donations, including, but not limited to, federal
12 and state grants to assist companies in converting
13 defense-related technologies to other technologies.

14 Section 45. Subsection (6) of section 240.4075,
15 Florida Statutes, is amended to read:

16 240.4075 Nursing Student Loan Forgiveness Program.--

17 (6) In addition to licensing fees imposed under part I
18 of chapter 464, there is hereby levied and imposed an
19 additional fee ~~of \$5~~, which fee shall be paid upon licensure
20 or renewal of nursing licensure. The fee is \$5 unless
21 determined otherwise pursuant to s. 216.1817. Revenues
22 collected from the fee imposed in this subsection shall be
23 deposited in the Nursing Student Loan Forgiveness Trust Fund
24 of the Department of Health and will be used solely for the
25 purpose of carrying out the provisions of this section and s.
26 240.4076. Up to 50 percent of the revenues appropriated to
27 implement this subsection may be used for the nursing
28 scholarship program established pursuant to s. 240.4076.

29 Section 46. Subsection (5) of section 240.633, Florida
30 Statutes, is amended to read:

31

1 240.633 Powers and duties.--The institute shall have
2 the following powers and duties:

3 (5) To charge and collect subscription and other
4 participation costs and fees for its services, pursuant to s.
5 216.1817, including publications and courses of study.

6 Section 47. Subsection (1) of section 245.13, Florida
7 Statutes, is amended to read:

8 245.13 Fees; authority to accept additional funds;
9 annual audit.--

10 (1) The anatomical board is empowered to prescribe a
11 schedule of fees pursuant to s. 216.1817, to be collected from
12 the institution or association to which the bodies, as
13 described in this chapter, are distributed or loaned to defray
14 the costs of obtaining and preparing such bodies.

15 Section 48. Subsection (1) of section 246.093, Florida
16 Statutes, is amended to read:

17 246.093 Permission to operate.--

18 (1) An out-of-state college seeking to have a minimal
19 presence in this state for the purpose of maintaining a
20 business office, providing an occasional seminar that carries
21 college credit, or arranging an occasional clinical clerkship
22 for a medical student or for the purpose of other operations
23 not involving a regular, continuous, credit-bearing
24 educational program in this state must apply to the board for
25 permission to operate. The board has authority to adopt rules
26 and fees for this status pursuant to s. 216.1817.

27 Section 49. Section 246.219, Florida Statutes, is
28 amended to read:

29 246.219 License fees.--

30 (1) Each initial application for a license to operate
31 a nonpublic postsecondary career school shall be accompanied

1 by a license fee of not less than \$500, and each application
2 for the renewal of such license shall be accompanied by an
3 annual license fee of at least \$300, provided that the fee for
4 a biennial license shall be at least \$600. A fee shall be
5 charged for a supplementary application for the approval of
6 any additional field or course of instruction. Such fees
7 shall be delineated, by rule, by the board and shall be
8 determined pursuant to s. 216.1817.

9 (2) Fees for agents representing schools shall be at
10 least \$50 for the initial license and at least \$25 for renewal
11 of the license, excluding the cost of obtaining criminal
12 justice information. Applicants shall bear the cost of
13 obtaining such information. Such fees shall be determined
14 pursuant to s. 216.1817.

15 (3) The board shall adopt rules establishing a charge
16 of at least \$250 for a delinquent application for license
17 renewal unless determined otherwise pursuant to s. 216.1817.

18 (4) All license fees shall be transmitted by the board
19 through the Department of Education to be deposited in the
20 Institutional Assessment Trust Fund created by s. 246.31.

21 Section 50. Subsections (1), (2), and (3) of section
22 252.85, Florida Statutes, are amended to read:

23 252.85 Fees.--

24 (1) Any owner or operator of a facility required under
25 s. 302 or s. 312 of EPCRA, or by s. 252.87, to submit a
26 notification or an annual inventory form to the commission
27 shall be required to pay an annual registration fee. The fee
28 for any company, including all facilities under common
29 ownership or control, shall not be less than \$25 nor more than
30 \$2,000 unless determined otherwise pursuant to s. 216.1817.

31 The department shall establish a reduced fee, of not less than

1 \$25 nor more than \$500, unless determined otherwise pursuant
2 to s. 216.1817, applicable to any owner or operator regulated
3 under part I of chapter 368, chapter 527, or s. 376.303, which
4 does not have present any extremely hazardous substance, as
5 defined by EPCRA, in excess of a threshold planning quantity,
6 as established by EPCRA. The department shall establish a
7 reduced fee of not less than \$25 nor more than \$1,000 unless
8 determined otherwise pursuant to s. 216.1817, applicable to
9 any owner or operator of a facility with a Standard Industrial
10 Classification Code of 01, 02, or 07, which is eligible for
11 the "routine agricultural use" exemption provided in ss. 311
12 and 312 of EPCRA. The fee under this subsection shall be
13 based, in part, on the number of employees employed within the
14 state at facilities under the common ownership or control of
15 such owner or operator, which number shall be determined, to
16 the extent possible, in accordance with data supplied by the
17 Department of Labor and Employment Security. In order to avoid
18 the duplicative reporting of seasonal and temporary
19 agricultural employees, fees applicable to owners or operators
20 of agricultural facilities, which are eligible for the
21 "routine agricultural use" reporting exemption provided in ss.
22 311 and 312 of EPCRA, shall be based, in part, on employee
23 data which most closely reflects such owner or operator's
24 permanent nonseasonal workforce. The department shall
25 establish by rule the date by which the fee is to be paid, as
26 well as a formula for or method of determining the applicable
27 fee under this subsection and s. 216.1817 without regard to
28 the number of facilities under common ownership or control.
29 The department may require owners or operators of multiple
30 facilities to demonstrate common ownership or control for
31 purposes of this subsection.

1 (2) Any owner or operator of a facility required to
2 notify or who has notified the commission under s. 302 of
3 EPCRA shall pay a one-time filing fee of ~~\$50~~. The filing fee
4 is \$50 unless determined otherwise pursuant to s. 216.1817.
5 Such fee shall be due at the time of initial notification. The
6 fee under this subsection shall not be required for any
7 agricultural facilities with a Standard Industrial
8 Classification Code of 01, 02, or 07 subject to the
9 notification or annual inventory form requirement solely
10 because of the presence of EPCRA listed substances in
11 temporary or portable storage units located at the facility
12 for less than 48 consecutive hours.

13 (3) Any owner or operator of a facility that is
14 required to submit a report or filing under s. 313 of EPCRA
15 shall pay an annual reporting fee not to exceed \$150, unless
16 determined otherwise pursuant to s. 216.1817, for those s. 313
17 EPCRA listed substances in effect on January 1, 1998. The
18 department shall establish by rule the date by which the fee
19 is to be paid, as well as a formula for or method of
20 determining the applicable fee under this subsection and s.
21 216.1817.

22 Section 51. Subsection (1) of section 252.939, Florida
23 Statutes, is amended to read:

24 252.939 Fees.--

25 (1)(a) Any owner or operator of a specified stationary
26 source in the state which must submit a Risk Management Plan
27 to the United States Environmental Protection Agency under s.
28 112(r)(7) shall pay an annual registration fee determined
29 pursuant to s. 216.1817 for each specified stationary source
30 to the department. The annual registration fee is due to the
31 department upon initial submission of a stationary source's

1 Risk Management Plan to the United States Environmental
2 Protection Agency, and every April 1 thereafter.

3 (b) Prior individual written notice shall be provided
4 by United States mail by the department to owners or operators
5 of specified stationary sources in the state subject to the
6 requirements under s. 112(r)(7) to submit Risk Management
7 Plans and corresponding state registration fees. This notice
8 must include the requirements of the state fee schedule and
9 must be mailed at least 90 days before the due date for the
10 specified stationary source's initial registration and Risk
11 Management Plan submission year and at least 30 days before
12 the registration fee due date for subsequent years.

13 (c) The department shall establish a fee schedule by
14 rule for the specified stationary sources, upon the advice and
15 consent of the commission. The annual registration fee must be
16 based, in part, on a stationary source's highest program
17 level, as determined under the federal implementing
18 regulations for s. 112(r)(7), and may not exceed the following
19 unless determined otherwise pursuant to s. 216.1817:

20 1. Program 1 Stationary Sources \$100. Multiple Program
21 1 stationary sources which are under common ownership and
22 which have the same single chemical process, shall pay a full
23 fee for the first stationary source location and a 50 percent
24 fee for subsequent locations with no owner of such multiple
25 stationary sources paying more than \$1,000. To be eligible for
26 this multiple stationary source fee provision, one single fee
27 payment must be submitted by the owner of the eligible
28 multiple stationary source locations with a listing of the
29 multiple stationary source locations and the single chemical
30 process.

31

1 2. Program 2 Stationary Sources \$200. Multiple Program
2 2 stationary sources which are under common ownership and
3 which have the same single chemical process, shall pay a full
4 fee for the first three stationary source locations and a 50
5 percent fee for subsequent locations with no owner of such
6 multiple stationary sources paying more than \$2,000. Multiple
7 Program 2 stationary sources which are under common ownership
8 and which are classified under one of the following Standard
9 Industrial Classification group numbers 01, 02, or 07 shall
10 pay a full fee, not to exceed \$100 for the first stationary
11 source location and a 50 percent fee for subsequent locations
12 with no owner of such multiple stationary sources paying more
13 than \$800. To be eligible for these multiple stationary source
14 fee provisions, one single fee payment must be submitted by
15 the owner of the eligible multiple stationary source locations
16 with a listing of the multiple stationary source locations and
17 the chemical process.

18 3. Program 3 Stationary Sources \$1,000.

19 (d) Annual registration fees under this section are
20 not required until after the department receives final
21 delegation approval from the United States Environmental
22 Protection Agency to administer the s. 112(r)(7) Accidental
23 Release Prevention Program for the specified stationary
24 sources.

25 Section 52. Subsections (2) and (11) of section
26 253.03, Florida Statutes, are amended to read:

27 253.03 Board of trustees to administer state lands;
28 lands enumerated.--

29 (2) It is the intent of the Legislature that the Board
30 of Trustees of the Internal Improvement Trust Fund continue to
31 receive proceeds from the sale or disposition of the products

1 of lands and the sale of lands of which the use and possession
2 are not subsequently transferred by appropriate lease or
3 similar instrument from the board of trustees to the proper
4 using agency. Such using agency shall be entitled to the
5 proceeds from the sale of products on, under, growing out of,
6 or connected with lands which such using agency holds under
7 lease or similar instrument from the board of trustees. The
8 Board of Trustees of the Internal Improvement Trust Fund is
9 directed and authorized to enter into leases or similar
10 instruments for the use, benefit, and possession of public
11 lands by agencies which may properly use and possess them for
12 the benefit of the state. Pursuant to s. 216.1817, the board
13 of trustees shall adopt by rule an annual administrative fee
14 for all existing and future leases or similar instruments, to
15 be charged agencies that are leasing land from it. This
16 annual administrative fee assessed for all leases or similar
17 instruments is to compensate the board for costs incurred in
18 the administration and management of such leases or similar
19 instruments.

20 (11) The Board of Trustees of the Internal Improvement
21 Trust Fund may adopt rules to provide for the assessment and
22 collection of reasonable fees pursuant to s. 216.1817,
23 commensurate with the actual cost to the board, for
24 disclaimers, easements, exchanges, gifts, leases, releases, or
25 sales of any interest in lands or any applications therefor
26 and for reproduction of documents. All revenues received from
27 the application fees charged by a water management district to
28 process applications that include a request to use state lands
29 are to be retained by the water management district.

30 Section 53. Subsection (9) of section 253.12, Florida
31 Statutes, is amended to read:

1 253.12 Title to tidal lands vested in state.--
2 (9) All of the state's right, title, and interest to
3 all tidally influenced land or tidally influenced islands
4 bordering or being on sovereignty land, which have been
5 permanently extended, filled, added to existing lands, or
6 created before July 1, 1975, by fill, and might be owned by
7 the state, is hereby granted to the landowner having record or
8 other title to all or a portion thereof or to the lands
9 immediately upland thereof and its successors in interest.
10 Thereafter, such lands shall be considered private property,
11 and the state, its political subdivisions, agencies, and all
12 persons claiming by, through, or under any of them, shall be
13 barred from asserting that any such lands are publicly owned
14 sovereignty lands. The foregoing provisions shall act to
15 transfer title only to so much of such extended or added land
16 as was permanently exposed, extended, or added to before July
17 1, 1975. A showing of dates by which certain lands were
18 filled or added to may be made by aerial photograph or other
19 reasonable method. Upon request of the landowner and
20 submission of a proposed legal description and aerial
21 photographs or other evidence accompanied by a fee set by the
22 board pursuant to s. 216.1817, and reflecting the actual
23 administrative cost of processing, the board shall provide an
24 appropriate legal description of the waterward boundary line
25 as of July 1, 1975, in a recordable document. The Legislature
26 specifically finds and declares these grants to be in the
27 public interest. The boundary between state-owned sovereignty
28 lands and privately owned uplands is ambulatory and will move
29 as a result of nonavulsive changes. This subsection shall not
30 grant or vest title to any filled, formerly submerged
31 state-owned lands in any person who, as of January 1, 1993, is

1 the record titleholder of the filled or adjacent upland
2 property and who filled or caused to be filled the state-owned
3 lands.

4 Section 54. Subsection (1) of section 253.86, Florida
5 Statutes, is amended to read:

6 253.86 Management and use of state-owned or other
7 uplands; rulemaking authority.--

8 (1) The Office of Coastal and Aquatic Managed Areas of
9 the Department of Environmental Protection shall have the
10 authority to promulgate rules to govern the management and use
11 of state-owned or other uplands assigned to it for management.
12 Such rules may include, but shall not be limited to,
13 establishing prohibited activities or restrictions on
14 activities, consistent with the purposes for which the lands
15 were acquired, designated, or dedicated, and charging fees
16 pursuant to s. 216.1817 for use of lands. All fees collected
17 shall be used for the management of uplands managed by the
18 office.

19 Section 55. Subsection (5) of section 257.34, Florida
20 Statutes, is amended to read:

21 257.34 Florida International Archive and Repository.--

22 (5) The division shall ~~may~~ establish and maintain a
23 schedule of fees, pursuant to s. 216.1817, for services that
24 may include, but need not be limited to, restoration of
25 materials, storage of materials, special research services,
26 and publications.

27 Section 56. Subsection (5) of section 257.35, Florida
28 Statutes, is amended to read:

29 257.35 Florida State Archives.--

30 (5) The division shall ~~may~~ establish and maintain a
31 schedule of fees, pursuant to s. 216.1817, for services which

1 shall include, but not be limited to, restoration of archival
2 materials, storage of archival materials, special research
3 services, and publications.

4 Section 57. Subsection (1) of section 258.014, Florida
5 Statutes, is amended to read:

6 258.014 Fees for use of state parks.--

7 (1) The Division of Recreation and Parks shall have
8 the power to charge reasonable fees, rentals or charges
9 pursuant to s. 216.1817 for the use or operation of facilities
10 and concessions in state parks, and all such fees, rentals,
11 and charges so collected shall be deposited in the State
12 Treasury to the credit of "State Park Trust Fund," which is
13 hereby created, the continuing balance of which fund is hereby
14 appropriated to be expended by said division for the
15 administration, improvement and maintenance of state parks and
16 for the acquisition and development of lands hereafter
17 acquired for state park purposes. The appropriation of said
18 fund shall be continuing, and shall not revert to the General
19 Revenue Fund at the end of any fiscal year or at any other
20 time but shall, until expended, be continually available to
21 said division for the uses and purposes set forth.

22 Section 58. Paragraph (c) of subsection (10) of
23 section 258.501, Florida Statutes, is amended to read:

24 258.501 Myakka River; wild and scenic segment.--

25 (10) PERMITTING AUTHORITY.--

26 (c) The department may adopt an application fee
27 schedule pursuant to s. 216.1817 providing for payment of
28 reasonable fees to defray the cost of processing applications.

29 Section 59. Paragraphs (c) and (g) of subsection (1)
30 of section 260.016, Florida Statutes, are amended to read:

31 260.016 General powers of the department.--

1 (1) The department may:

2 (c) Adopt appropriate rules to implement or interpret
3 this act and portions of chapter 253 relating to greenways and
4 trails, which may include, but are not limited to, rules for
5 the following:

6 1. Establishing a designation process.

7 2. Negotiating and executing agreements with private
8 landowners.

9 3. Establishing prohibited activities or restrictions
10 on activities to protect the health, safety, and welfare of
11 the public.

12 4. Charging fees for use pursuant to s. 216.1817.

13 5. Providing public access.

14 6. Providing for maintenance.

15 7. Any matter necessary to the evaluation, selection,
16 operation, and maintenance of greenways and trails.

17

18 Any person who violates or otherwise fails to comply with the
19 rules adopted pursuant to subparagraph 3. commits a
20 noncriminal infraction for which a fine of up to \$500 may be
21 imposed.

22 (g) Charge reasonable fees or rentals pursuant to s.
23 216.1817 for the use or operation of facilities and
24 concessions. All such fees, rentals, or other charges
25 collected shall be deposited in the account or trust fund of
26 the managing entity.

27 Section 60. Subsection (7) of section 267.074, Florida
28 Statutes, is amended to read:

29 267.074 State Historical Marker Program.--The division
30 shall coordinate and direct the State Historical Marker
31 Program, which shall be a program of popular history and

1 heritage designed to inform the general public about persons,
2 events, structures, and other topics relating to the history
3 and culture of the state; encourage interest in preserving the
4 historical resources of the state and its localities; promote
5 a sense of community and place among Florida citizens; and
6 provide for the enjoyment and edification of tourists.

7 (7) The division shall ~~may~~ establish a reasonable fee,
8 pursuant to s. 216.1817, to recover its costs arising from
9 review of a proposal for a historical marker, monument,
10 plaque, medallion, or similar device. Any fee established
11 shall be payable by the applicant for the marker, monument,
12 plaque, medallion, or similar device.

13 Section 61. Subsection (5) of section 272.161, Florida
14 Statutes, is amended to read:

15 272.161 Rental of reserved parking spaces.--

16 (5) The Department of Management Services shall
17 establish fees, pursuant to s. 216.1817, on all state-owned
18 reserved parking spaces, except those assigned to qualified
19 state employee car pools, under the jurisdiction of the
20 department. The department shall also issue loading zone
21 permits and scramble parking permits for a fee sufficient to
22 cover the cost of administering the permits and maintaining
23 the parking areas.

24 Section 62. Paragraphs (f) and (g) of subsection (1)
25 of section 287.042, Florida Statutes, are amended to read:

26 287.042 Powers, duties, and functions.--The department
27 shall have the following powers, duties, and functions:

28 (1)

29 (f) The corporation may submit products and services
30 to the department for testing, analysis, and review relating
31 to the quality and cost comparability. If, after review and

1 testing, the department approves of the products and services,
2 the department shall give written notice thereof to the
3 corporation. The corporation shall pay a reasonable fee
4 charged for testing its products by the Department of
5 Agriculture and Consumer Services. The fee shall be determined
6 pursuant to s. 216.1817.

7 (g) The department may collect fees for the use of its
8 electronic information services. The fees may be imposed on an
9 individual transaction basis or as a fixed subscription for a
10 designated period of time. ~~At a minimum,~~The fees shall be
11 determined pursuant to s. 216.1817 in an amount sufficient to
12 cover the department's projected costs of such services,
13 including overhead in accordance with the policies of the
14 Department of Management Services for computing its
15 administrative assessment. All fees collected pursuant to
16 this paragraph shall be deposited in the Grants and Donations
17 Trust Fund for disbursement as provided by law.

18 Section 63. Section 287.1345, Florida Statutes, is
19 amended to read:

20 287.1345 Surcharge on users of state term contracts;
21 deposit of proceeds collected.--The Department of Management
22 Services shall ~~may~~ impose a surcharge pursuant to s. 216.1817
23 upon users of state term contracts in order to fund the costs,
24 including overhead, of its procurement function. The
25 department may provide for the state term contract vendor to
26 collect the surcharge or directly collect the fee from the
27 public agency involved. For the purpose of compensating
28 vendors for expenses incurred in collecting such fees, the
29 department may authorize a vendor to retain a portion of the
30 fees. The vendor may withhold the portion retained from the
31 amount of fees to be remitted to the department. The

1 department may negotiate the retainage as a percentage of such
2 fees charged to users, as a flat amount, or as any other
3 method the department deems feasible. Vendors shall maintain
4 accurate sales summaries for purchases made from state term
5 contracts and shall provide the summaries to the department on
6 a quarterly basis. Any contract remedies relating to the
7 collection of such fees from users through vendors are
8 enforceable, including, but not limited to, liquidated
9 damages, late fees, and the costs of collection, including
10 attorney's fees. The fees collected pursuant to this section
11 shall be deposited into the Grants and Donations Trust Fund of
12 the department and are subject to appropriation as provided by
13 law. The Executive Office of the Governor may exempt
14 transactions from the payment of the surcharge if payment of
15 such surcharge would cause the state, a political subdivision,
16 or unit of local government to lose federal funds or in other
17 cases where such exemption is in the public interest. The
18 fees collected pursuant to this section and interest income on
19 such fees shall not be deemed to be income of a revenue nature
20 for purposes of chapter 215.

21 Section 64. Subsection (5) of section 287.16, Florida
22 Statutes, is amended to read:

23 287.16 Powers and duties of department.--The
24 Department of Management Services shall have the following
25 powers, duties, and responsibilities:

26 (5) To allocate and charge fees, pursuant to s.
27 216.1817, to the state agencies to which aircraft or motor
28 vehicles are furnished, based upon any reasonable criteria.

29 Section 65. Subsection (1) of section 288.774, Florida
30 Statutes, is amended to read:

31 288.774 Powers and limitations.--

1 (1) The corporation may charge fees to help defray the
2 operating expenses of its programs. The amount of fees shall
3 be determined by the board pursuant to s. 216.1817.

4 Section 66. Section 288.778, Florida Statutes, is
5 amended to read:

6 288.778 Department of Banking and Finance.--The
7 Department of Banking and Finance shall review the
8 corporation's activities once every 24 months to determine
9 compliance with this part and other related laws and rules and
10 to evaluate the corporation's operations. The department
11 shall prepare a report based on its review and evaluation with
12 recommendation for any corrective action. The president shall
13 submit to the department regular reports on the corporation's
14 activities. The content and frequency of such reports shall
15 be determined by the department. Pursuant to s. 216.1817,the
16 department shall charge a fee for conducting the review and
17 evaluation and preparing the related report, which fee shall
18 not be in excess of the examination fee paid by financial
19 institutions chartered or licensed under the financial
20 institutions code of this state.

21 Section 67. Paragraph (g) of subsection (2) of section
22 288.8155, Florida Statutes, is amended to read:

23 288.8155 International Trade Data Resource and
24 Research Center.--Enterprise Florida, Inc., and the Florida
25 Seaport Transportation and Economic Development Council shall
26 establish a comprehensive trade data resource and research
27 center to be known as the "International Trade Data Resource
28 and Research Center." The center shall be incorporated as a
29 private nonprofit corporation operated in compliance with
30 chapter 617, and shall not be a unit or entity of state
31 government.

1 (2) In addition to all powers authorized pursuant to
2 chapter 617, the center shall have the power to:

3 (g) Charge fees pursuant to s. 216.1817, for services,
4 programs, and activities developed pursuant to this section
5 and for published materials.

6 Section 68. Section 310.121, Florida Statutes, is
7 amended to read:

8 310.121 Application, examination, and biennial fees.--

9 (1) The department shall, in accordance with rules set
10 by the board, assess and collect the following fees:

11 (a) A fee not to exceed \$300, unless determined
12 otherwise pursuant to s. 216.1817, for each application for
13 licensure as a state pilot or certification as a deputy pilot.
14 This fee shall be nonrefundable.

15 (b) A fee not to exceed \$300, unless determined
16 otherwise pursuant to s. 216.1817, for each examination for
17 licensure as a state pilot or certification as a deputy pilot.

18 (c) A fee not to exceed \$300, unless determined
19 otherwise pursuant to s. 216.1817, for each examination
20 review.

21 (2) The department shall assess and collect biennially
22 from each licensed state pilot and each certificated deputy
23 pilot a fee, not to exceed \$200 in the case of a licensed
24 state pilot, unless determined otherwise pursuant to s.
25 216.1817, or \$100 in the case of a certificated deputy pilot,
26 unless determined otherwise pursuant to s. 216.1817, such fees
27 to be set by the board.

28 Section 69. Subsection (2) of section 310.151, Florida
29 Statutes, is amended to read:

30 310.151 Rates of pilotage; Pilotage Rate Review
31 Board.--

1 (2) Any pilot, group of pilots, or other person or
2 group of persons whose substantial interests are directly
3 affected by the rates established by the board may apply to
4 the board for a change in rates. However, an application for a
5 change in rates shall not be considered for any port for which
6 rates have been changed by this board in the 18 months
7 preceding the filing of the application. All applications for
8 changes in rates shall be made to the board, in writing,
9 pursuant to rules prescribed by the board. In the case of an
10 application for a rate change on behalf of a pilot or group of
11 pilots, the application shall be accompanied by a consolidated
12 financial statement, statement of profit or loss, and balance
13 sheet prepared by a certified public accountant of the pilot
14 or group of pilots and all relevant information, fiscal and
15 otherwise, on the piloting activities within the affected port
16 area, including financial information on all entities owned or
17 partially owned by the pilot or group of pilots which provide
18 pilot-related services in the affected port area. In the case
19 of an application for a rate change filed on behalf of persons
20 other than a pilot or group of pilots, information regarding
21 the financial state of interested parties other than pilots
22 shall be required only to the extent that such financial
23 information is made relevant by the application or subsequent
24 argument before the board. The board shall have the authority
25 to set, by rule, a rate review application fee of up to
26 \$1,000, unless determined otherwise pursuant to s. 216.1817,
27 which must be submitted to the board upon the filing of the
28 application for a rate change.

29 Section 70. Section 314.08, Florida Statutes, is
30 amended to read:

31

1 314.08 Fees.--Such harbormaster shall receive from the
2 master, owner or consignee of vessels coming into the port for
3 which he or she is appointed under this chapter, for the
4 services rendered by the harbormaster or deputy, under the
5 provisions of this chapter, a fee not exceeding the sum of
6 \$20, unless determined otherwise pursuant to s. 216.1817,
7 according to the amount and value of the services rendered.

8 Section 71. Subsection (3) of section 316.29545,
9 Florida Statutes, is amended to read:

10 316.29545 Window sunscreening exclusions; medical
11 exemption; certain law enforcement vehicles exempt.--

12 (3) The department shall ~~may~~ charge a fee pursuant to
13 s. 216.1817, in an amount sufficient to defray the expenses of
14 issuing a medical exemption certificate as described in
15 subsection (1).

16 Section 72. Subsection (5) of section 316.550, Florida
17 Statutes, is amended to read:

18 316.550 Operations not in conformity with law; special
19 permits.--

20 (5) The Department of Transportation or such local
21 authority is authorized to promulgate rules and regulations
22 concerning the issuance of such permits and to charge a fee
23 pursuant to s. 216.1817, for the issuance thereof, which
24 rules, regulations, and fees shall have the force and effect
25 of law. The minimum fee for issuing any such permit shall be
26 \$5. The Department of Transportation may issue blanket
27 permits for not more than 36 months. The department may
28 charge an annualized fee for blanket permits not to exceed
29 \$500 unless determined otherwise pursuant to s. 216.1817.

30 Section 73. Subsection (3) of section 316.610, Florida
31 Statutes, is amended to read:

1 316.610 Safety of vehicle; inspection.--It is a
2 violation of this chapter for any person to drive or move, or
3 for the owner or his or her duly authorized representative to
4 cause or knowingly permit to be driven or moved, on any
5 highway any vehicle or combination of vehicles which is in
6 such unsafe condition as to endanger any person or property,
7 or which does not contain those parts or is not at all times
8 equipped with such lamps and other equipment in proper
9 condition and adjustment as required in this chapter, or which
10 is equipped in any manner in violation of this chapter, or for
11 any person to do any act forbidden or fail to perform any act
12 required under this chapter.

13 (3) Any person, firm, or corporation owning or
14 operating a commercial motor vehicle registered in this state,
15 which vehicle is engaged in interstate commerce and subject to
16 United States Department of Transportation safety regulations,
17 may request that such vehicle be inspected by the Department
18 of Transportation. If such vehicle is found to comply with
19 the safety equipment requirements of this chapter, the
20 Department of Transportation shall issue a safety inspection
21 certificate valid for 6 months. The Department of
22 Transportation shall charge a fee ~~of \$25~~ for each such
23 inspection that it performs. The fee is \$25 unless determined
24 otherwise pursuant to s. 216.1817.The Department of
25 Transportation may designate any person, firm, or corporation
26 owning or operating at least five vehicles as a self-inspector
27 for the purpose of inspecting the safety equipment of the
28 vehicles.

29 Section 74. Subsection (4) of section 318.1451,
30 Florida Statutes, is amended to read:

31 318.1451 Driver improvement schools.--

1 (4) In addition to a regular course fee, an assessment
2 fee in the amount of \$2.50, unless determined otherwise
3 pursuant to s. 216.1817, shall be collected by the school from
4 each person who elects to attend a course, as it relates to
5 ss. 318.14(9), 322.0261, 322.291, and 627.06501, which shall
6 be remitted to the Department of Highway Safety and Motor
7 Vehicles and deposited in the Highway Safety Operating Trust
8 Fund to administer this program and to fund the general
9 operations of the department.

10 Section 75. Subsection (1) of section 319.32, Florida
11 Statutes, is amended to read:

12 319.32 Fees; service charges; disposition.--

13 (1) The department shall charge a fee of \$24 for each
14 original certificate of title except for a certificate of
15 title for a motor vehicle for hire registered under s.
16 320.08(6), for which the title fee shall be \$3, \$24 for each
17 duplicate copy of a certificate of title except for a
18 certificate of title for a motor vehicle for hire registered
19 under s. 320.08(6), for which the title fee shall be \$3, \$2
20 for each salvage certificate of title, and \$3 for each
21 assignment by a lienholder. It shall also charge a fee of \$2
22 for noting a lien on a title certificate, which fee shall
23 include the services for the subsequent issuance of a
24 corrected certificate or cancellation of lien when that lien
25 is satisfied. If an application for a certificate of title is
26 for a rebuilt vehicle, the department shall charge an
27 additional fee of \$40 for conducting a physical examination of
28 the vehicle to assure its identity, unless determined
29 otherwise pursuant to s. 216.1817. In addition to all other
30 fees charged, a sum of \$1 shall be paid for the issuance of an
31

1 original or duplicate certificate of title to cover the cost
2 of materials used for security purposes.

3 Section 76. Section 319.323, Florida Statutes, is
4 amended to read:

5 319.323 Expedited service; applications; fees.--The
6 department shall establish a separate title office which may
7 be utilized by private citizens and licensed motor vehicle
8 dealers to receive expedited service on title transfers, title
9 issuances, duplicate titles, and recordation of liens, and
10 certificates of repossession. A fee ~~of \$7~~ shall be charged for
11 this service, which fee is in addition to the fees imposed by
12 s. 319.32. The fee is \$7 unless determined otherwise by s.
13 216.1817.Application for such expedited service may be made
14 by mail or in person. The department shall issue each title
15 applied for pursuant to this section within 5 working days
16 after receipt of the application except for an application for
17 a duplicate title certificate covered by s. 319.23(4), in
18 which case the title must be issued within 5 working days
19 after compliance with the department's verification
20 requirements.

21 Section 77. Paragraph (b) of subsection (1) of section
22 320.023, Florida Statutes, is amended to read:

23 320.023 Requests to establish voluntary checkoff on
24 motor vehicle registration application.--

25 (1) An organization that seeks authorization to
26 establish a voluntary contribution on a motor vehicle
27 registration application must submit to the department:

28 (b) An application fee, not to exceed \$10,000 unless
29 determined otherwise pursuant to s. 216.1817,to defray the
30 department's cost for reviewing the application and developing
31

1 the voluntary contribution checkoff, if authorized. State
2 funds may not be used to pay the application fee.

3
4 The information required under this subsection must be
5 submitted to the department at least 90 days before the
6 convening of the next regular session of the Legislature.

7 Section 78. Subsections (5), (6), and (9) of section
8 320.03, Florida Statutes, are amended to read:

9 320.03 Registration; duties of tax collectors;
10 International Registration Plan.--

11 (5) A fee ~~of 50 cents~~ shall be charged, in addition to
12 the fees required under s. 320.08, on every license
13 registration sold to cover the costs of the Florida Real Time
14 Vehicle Information System. The fee is 50 cents unless
15 determined otherwise pursuant to s. 216.1817.The fees
16 collected hereunder shall be distributed as follows: 50
17 percent of the fee ~~25 cents~~ into the Highway Safety Operating
18 Trust Fund shall be used to fund the Florida Real Time Vehicle
19 Information System and may be used to fund the general
20 operations of the department and 50 percent of the fee ~~25~~
21 ~~cents~~ into the Highway Safety Operating Trust Fund to be used
22 exclusively to fund the Florida Real Time Vehicle Information
23 System. The only use of this latter portion of the fee shall
24 be to fund the Florida Real Time Vehicle Information System
25 equipment, software, and networks used in the offices of the
26 county tax collectors as agents of the department and the
27 ancillary technology necessary to integrate the Florida Real
28 Time Vehicle Information System with other tax collection
29 systems. The department shall administer this program upon
30 consultation with the Florida Tax Collectors, Inc., to ensure
31 that each county tax collector's office will be

1 | technologically equipped and functional for the operation of
2 | the Florida Real Time Vehicle Information System. Any of the
3 | designated revenue collected to support functions of the
4 | county tax collectors and not used in a given year will remain
5 | exclusively in the trust fund as a carryover to the following
6 | year.

7 | (6) A nonrefundable fee of ~~\$1~~ shall be charged on
8 | every license registration sold, transferred, or replaced. The
9 | fee is \$1 unless determined otherwise pursuant to s. 216.1817.
10 | This fee must be deposited in the Air Pollution Control Trust
11 | Fund established in the Department of Environmental Protection
12 | and used only for purposes of air pollution control pursuant
13 | to chapter 403, except that, if any county has an approved
14 | local air pollution control program as provided in s. 403.182,
15 | 50 percent cents of the fee from each license registration
16 | sold in the county must be returned to that county for deposit
17 | into a local air pollution control program trust fund, which
18 | must be established by the county and used only for air
19 | pollution control programs relating to the control of
20 | emissions from mobile sources and toxic and odor emissions,
21 | air quality monitoring, and facility inspections pursuant to
22 | chapter 403 or any similar local ordinance. Any county that
23 | has a ~~Department of Environmental Protection approved~~ local
24 | air pollution control program approved by the Department of
25 | Environmental Protection shall receive 75 percent cents of the
26 | fee from each license registration sold, transferred, or
27 | replaced in the county. However, if the approved local air
28 | pollution control program trust fund has an unencumbered
29 | balance at the end of the preceding fiscal year of more than
30 | 50 percent of the preceding year's allocation from the fees
31 | authorized in this subsection, the department may, after

1 consultation with the approved local air pollution control
2 program, retain any amount above 50 percent ~~cents~~ of the fees
3 from each license registration sold, transferred, or replaced
4 in the county for the following fiscal year. The Department of
5 Environmental Protection is authorized to adopt rules
6 necessary to implement this subsection.

7 (9) A nonrefundable fee of ~~\$1.50~~ shall be charged on
8 the initial and renewal registration of each automobile for
9 private use, and on the initial and renewal registration of
10 each truck having a net weight of 5,000 pounds or less. The
11 fee is \$1.50 unless determined otherwise pursuant to s.
12 216.1817.Such fees shall be deposited in the Transportation
13 Disadvantaged Trust Fund created in part I of chapter 427 and
14 shall be used as provided therein, except that priority shall
15 be given to the transportation needs of those who, because of
16 age or physical and mental disability, are unable to transport
17 themselves and are dependent upon others to obtain access to
18 health care, employment, education, shopping, or other
19 life-sustaining activities.

20 Section 79. Paragraph (b) of subsection (1) of section
21 320.06, Florida Statutes, is amended to read:

22 320.06 Registration certificates, license plates, and
23 validation stickers generally.--

24 (b) Registration license plates bearing a graphic
25 symbol and the alphanumeric system of identification shall be
26 issued for a 5-year period. At the end of said 5-year period,
27 upon renewal, the plate shall be replaced. Unless determined
28 otherwise pursuant to s. 216.1817,the fee for such
29 replacement shall be \$10, 20 percent~~\$2~~ of which shall be paid
30 each year before the plate is replaced, to be credited towards
31 the next~~\$10~~ replacement fee. The fees shall be deposited into

1 the Highway Safety Operating Trust Fund. A credit or refund
2 shall not be given for any prior years' payments of such
3 prorated replacement fee when the plate is replaced or
4 surrendered before the end of the 5-year period. With each
5 license plate, there shall be issued a validation sticker
6 showing the owner's birth month or the appropriate renewal
7 period if the owner is not a natural person. This validation
8 sticker shall be placed on the upper left corner of the
9 license plate and shall be issued one time during the life of
10 the license plate, or upon request when it has been damaged or
11 destroyed. There shall also be issued with each license plate
12 a serially numbered validation sticker showing the year of
13 expiration, which sticker shall be placed on the upper right
14 corner of the license plate. Such license plate and validation
15 stickers shall be issued based on the applicant's appropriate
16 renewal period. The registration period shall be a period of
17 12 months, and all expirations shall occur based on the
18 applicant's appropriate registration period. A vehicle with
19 an apportioned registration shall be issued an annual license
20 plate and a cab card that denote the declared gross vehicle
21 weight for each apportioned jurisdiction in which the vehicle
22 is authorized to operate.

23 Section 80. Paragraph (a) of subsection (2) and
24 paragraph (a) of subsection (5) of section 320.0609, Florida
25 Statutes, are amended to read:

26 320.0609 Transfer and exchange of registration license
27 plates; transfer fee.--

28 (2)(a) Upon a sale, trade, transfer, or other
29 disposition of a motor vehicle, the owner shall remove the
30 registration license plate therefrom and either return it or
31 transfer it to a replacement motor vehicle. No registration

1 license plate shall be temporarily or permanently attached to
2 any new or used replacement or substitute vehicle without
3 filing an application for transfer of such registration
4 license plate and paying the transfer fee ~~of \$4.50~~ to the
5 department. The transfer fee is \$4.50 unless determined
6 otherwise pursuant to s. 216.1817.

7 (5) For a transfer or exchange other than one
8 specified in paragraph (2)(b), the following provisions apply:

9 (a) If the replacement motor vehicle requires the same
10 amount of license tax under s. 320.08 as the original vehicle
11 to be replaced, no additional tax other than the transfer fee
12 provided for in subsection (2) of \$4.50, accompanied by an
13 application for transfer on a form supplied by the department,
14 is required to transfer or exchange a registration license
15 plate for use on a replacement vehicle for the duration of a
16 current registration period and to issue a new certificate of
17 registration.

18 Section 81. Paragraph (c) of subsection (2) of section
19 320.0657, Florida Statutes, is amended to read:

20 320.0657 Permanent registration; fleet license
21 plates.--

22 (2)

23 (c) In addition to the license tax prescribed by s.
24 320.08(2), (3), (4), (5)(a) and (b), (6)(a), (7), and (8), an
25 annual fleet management fee ~~of \$2~~ shall be charged. The fee is
26 \$2 unless determined otherwise pursuant to s. 216.1817.A

27 one-time license plate manufacturing fee of \$1.50 shall be
28 charged for plates issued for the established number of
29 vehicles in the fleet. If the size of the fleet is increased,
30 an issuance fee ~~of \$10 per vehicle~~ will be charged to include
31 the license plate manufacturing fee. The issuance fee is \$10

1 per vehicle, unless determined otherwise pursuant to s.
2 216.1817.If the license plate manufacturing cost increases,
3 the department shall increase the license plate manufacturing
4 fee to recoup its cost. Fees collected shall be deposited into
5 the Highway Safety Operating Trust Fund. Payment of
6 registration license tax and fees shall be made annually and
7 be evidenced only by the issuance of a single receipt by the
8 department. The provisions of s. 320.0605 do not apply to
9 vehicles registered in accordance with this section, and no
10 annual validation sticker is required.

11 Section 82. Paragraph (c) of subsection (1) of section
12 320.08, Florida Statutes, is amended to read:

13 320.08 License taxes.--Except as otherwise provided
14 herein, there are hereby levied and imposed annual license
15 taxes for the operation of motor vehicles, mopeds, motorized
16 bicycles as defined in s. 316.003(2), and mobile homes, as
17 defined in s. 320.01, which shall be paid to and collected by
18 the department or its agent upon the registration or renewal
19 of registration of the following:

20 (1) MOTORCYCLES and MOPEDS.--

21 (c) Upon registration of any motorcycle, motor-driven
22 cycle, or moped there shall be paid, in addition to the
23 license taxes specified in this subsection, a nonrefundable
24 motorcycle safety education fee in the amount of \$2.50 unless
25 determined otherwise pursuant to s. 216.1817. The proceeds of
26 such additional fee shall be deposited in the Highway Safety
27 Operating Trust Fund and be used exclusively to fund a
28 motorcycle driver improvement program implemented pursuant to
29 s. 322.025 or the Florida Motorcycle Safety Education Program
30 established in s. 322.0255.

31

1 Section 83. Subsection (1) of section 320.08048,
2 Florida Statutes, is amended to read:

3 320.08048 Sample license plates.--

4 (1) The department is authorized, upon application and
5 payment of a per-plate fee~~\$10 fee per plate~~, to provide one
6 or more sample regular issuance license plates or specialty
7 license plates based upon availability. The fee is \$10 unless
8 determined otherwise pursuant to s. 216.1817.

9 Section 84. Subsection (3) of section 320.13, Florida
10 Statutes, is amended to read:

11 320.13 Dealer and manufacturer license plates and
12 alternative method of registration.--

13 (3) When a licensed dealer or a marine boat trailer
14 dealer chooses to register any motor vehicle or boat trailer
15 he or she owns and has for sale and secure a regular motor
16 vehicle license plate therefor, the dealer may, upon sale
17 thereof, submit to the department a transfer fee ~~of \$4.50~~ and
18 an application for transfer of the license plate to a
19 comparable motor vehicle or boat trailer owned by the dealer
20 of the same weight series as set forth under s. 320.08. The
21 transfer fee is \$4.50 unless determined otherwise pursuant to
22 s. 216.1817.

23 Section 85. Subsections (3), (4), and (5) of section
24 320.27, Florida Statutes, are amended to read:

25 320.27 Motor vehicle dealers.--

26 (3) APPLICATION AND FEE.--The application for the
27 license shall be in such form as may be prescribed by the
28 department and shall be subject to such rules with respect
29 thereto as may be so prescribed by it. Such application shall
30 be verified by oath or affirmation and shall contain a full
31 statement of the name and birth date of the person or persons

1 applying therefor; the name of the firm or copartnership, with
2 the names and places of residence of all members thereof, if
3 such applicant is a firm or copartnership; the names and
4 places of residence of the principal officers, if the
5 applicant is a body corporate or other artificial body; the
6 name of the state under whose laws the corporation is
7 organized; the present and former place or places of residence
8 of the applicant; and prior business in which the applicant
9 has been engaged and the location thereof. Such application
10 shall describe the exact location of the place of business and
11 shall state whether the place of business is owned by the
12 applicant and when acquired, or, if leased, a true copy of the
13 lease shall be attached to the application. The applicant
14 shall certify that the location provides an adequately
15 equipped office and is not a residence; that the location
16 affords sufficient unoccupied space upon and within which
17 adequately to store all motor vehicles offered and displayed
18 for sale; and that the location is a suitable place where the
19 applicant can in good faith carry on such business and keep
20 and maintain books, records, and files necessary to conduct
21 such business, which will be available at all reasonable hours
22 to inspection by the department or any of its inspectors or
23 other employees. The applicant shall certify that the
24 business of a motor vehicle dealer is the principal business
25 which shall be conducted at that location. Such application
26 shall contain a statement that the applicant is either
27 franchised by a manufacturer of motor vehicles, in which case
28 the name of each motor vehicle that the applicant is
29 franchised to sell shall be included, or an independent
30 (nonfranchised) motor vehicle dealer. Such application shall
31 contain such other relevant information as may be required by

1 the department, including evidence that the applicant is
2 insured under a garage liability insurance policy, which shall
3 include, at a minimum, \$25,000 combined single-limit liability
4 coverage including bodily injury and property damage
5 protection and \$10,000 personal injury protection. Such policy
6 shall be for the license period, and evidence of a new or
7 continued policy shall be delivered to the department at the
8 beginning of each license period. Upon making such initial
9 application, the person applying therefor shall pay to the
10 department a fee of \$300, unless determined otherwise pursuant
11 to s. 216.1817, in addition to any other fees now required by
12 law; upon making a subsequent renewal application, the person
13 applying therefor shall pay to the department a fee of \$75,
14 unless determined otherwise pursuant to s. 216.1817, in
15 addition to any other fees now required by law. Upon making
16 an application for a change of location, the person shall pay
17 a fee of \$50, unless determined otherwise pursuant to s.
18 216.1817, in addition to any other fees now required by law.
19 The department shall, in the case of every application for
20 initial licensure, verify whether certain facts set forth in
21 the application are true. Each applicant, general partner in
22 the case of a partnership, or corporate officer and director
23 in the case of a corporate applicant, must file a set of
24 fingerprints with the department for the purpose of
25 determining any prior criminal record or any outstanding
26 warrants. The department shall submit the fingerprints to the
27 Department of Law Enforcement for state processing and
28 forwarding to the Federal Bureau of Investigation for federal
29 processing. The actual cost of such state and federal
30 processing shall be borne by the applicant and is to be in
31 addition to the fee for licensure. The department may issue a

1 license to an applicant pending the results of the fingerprint
2 investigation, which license is fully revocable if the
3 department subsequently determines that any facts set forth in
4 the application are not true or correctly represented.

5 (4) LICENSE CERTIFICATE.--

6 (a) A license certificate shall be issued by the
7 department in accordance with such application when the
8 application is regular in form and in compliance with the
9 provisions of this section. The license certificate may be in
10 the form of a document or a computerized card as determined by
11 the department. The actual cost of each original, additional,
12 or replacement computerized card shall be borne by the
13 licensee and is in addition to the fee for licensure. Such
14 license, when so issued, entitles the licensee to carry on and
15 conduct the business of a motor vehicle dealer. Each license
16 issued to a franchise motor vehicle dealer expires annually on
17 December 31 unless revoked or suspended prior to that date.
18 Each license issued to an independent or wholesale dealer or
19 auction expires annually on April 30 unless revoked or
20 suspended prior to that date. Not less than 60 days prior to
21 the license expiration date, the department shall deliver or
22 mail to each licensee the necessary renewal forms. Any
23 licensee who does not file his or her application and fees and
24 any other requisite documents, as required by law, with the
25 department at least 30 days prior to the license expiration
26 date shall cease to engage in business as a motor vehicle
27 dealer on the license expiration date. A renewal filed with
28 the department within 45 days after the expiration date shall
29 be accompanied by a delinquent fee of \$100 unless determined
30 otherwise pursuant to s. 216.1817. Thereafter, a new
31 application is required, accompanied by the initial license

1 fee. A license certificate duly issued by the department may
2 be modified by endorsement to show a change in the name of the
3 licensee, provided, as shown by affidavit of the licensee, the
4 majority ownership interest of the licensee has not changed or
5 the name of the person appearing as franchisee on the sales
6 and service agreement has not changed. Modification of a
7 license certificate to show any name change as herein provided
8 shall not require initial licensure or reissuance of dealer
9 tags; however, any dealer obtaining a name change shall
10 transact all business in and be properly identified by that
11 name. All documents relative to licensure shall reflect the
12 new name. In the case of a franchise dealer, the name change
13 shall be approved by the manufacturer, distributor, or
14 importer. A licensee applying for a name change endorsement
15 shall pay a fee of \$25 unless determined otherwise pursuant to
16 s. 216.1817, which fee shall apply to the change in the name
17 of a main location and all additional locations licensed under
18 the provisions of subsection (5). Each initial license
19 application received by the department shall be accompanied by
20 verification that, within the preceding 6 months, the
21 applicant, or one or more of his or her designated employees,
22 has attended a training and information seminar conducted by
23 the department. Such seminar shall include, but is not limited
24 to, statutory dealer requirements, which requirements include
25 required bookkeeping and recordkeeping procedures,
26 requirements for the collection of sales and use taxes, and
27 such other information that in the opinion of the department
28 will promote good business practices. No seminar may exceed 8
29 hours in length.

30 (b) Each initial license application received by the
31 department for licensure under subparagraph (1)(c)2. must be

1 accompanied by verification that, within the preceding 6
2 months, the applicant (owner, partner, officer of the
3 corporation, or director) has successfully completed training
4 conducted by a licensed motor vehicle dealer training school.
5 Such training must include training in titling and
6 registration of motor vehicles, laws relating to unfair and
7 deceptive trade practices, laws relating to financing with
8 regard to buy-here, pay-here operations, and such other
9 information that in the opinion of the department will promote
10 good business practices. Successful completion of this
11 training shall be determined by examination administered at
12 the end of the course and attendance of no less than 90
13 percent of the total hours required by such school. Any
14 applicant who had held a valid motor vehicle dealer's license
15 within the past 2 years and who remains in good standing with
16 the department is exempt from the requirements of this
17 paragraph. In the case of nonresident applicants, the
18 requirement to attend such training shall be placed on any
19 employee of the licensee who holds a responsible
20 management-level position and who is employed full-time at the
21 motor vehicle dealership. The department shall have the
22 authority to adopt any rule necessary for establishing the
23 training curriculum; length of training, which shall not
24 exceed 8 hours for required department topics and shall not
25 exceed an additional 24 hours for topics related to other
26 regulatory agencies' instructor qualifications; and any other
27 requirements under this section. The curriculum for other
28 subjects shall be approved by any and all other regulatory
29 agencies having jurisdiction over specific subject matters;
30 however, the overall administration of the licensing of these
31 dealer schools and their instructors shall remain with the

1 department. Such schools are authorized to charge a fee.
2 This privatized method for training applicants for dealer
3 licensing pursuant to subparagraph (1)(c)2. is a pilot program
4 that shall be evaluated by the department after it has been in
5 operation for a period of 2 years.

6 (5) SUPPLEMENTAL LICENSE.--Any person licensed
7 hereunder shall obtain a supplemental license for each
8 permanent additional place or places of business not
9 contiguous to the premises for which the original license is
10 issued, on a form to be furnished by the department, and upon
11 payment of a fee of \$50 for each such additional location
12 unless determined otherwise pursuant to s. 216.1817. Upon
13 making renewal applications for such supplemental licenses,
14 such applicant shall pay \$50 for each additional location
15 unless determined otherwise pursuant to s. 216.1817. A
16 supplemental license authorizing off-premises sales shall be
17 issued, at no charge to the dealer, for a period not to exceed
18 10 consecutive calendar days. To obtain such a temporary
19 supplemental license for off-premises sales, the applicant
20 must be a licensed dealer; must notify the applicable local
21 department office of the specific dates and location for which
22 such license is requested, display a sign at the licensed
23 location clearly identifying the dealer, and provide staff to
24 work at the temporary location for the duration of the
25 off-premises sale; must meet any local government permitting
26 requirements; and must have permission of the property owner
27 to sell at that location. In the case of an off-premises sale
28 by a motor vehicle dealer licensed under subparagraph (1)(c)1.
29 for the sale of new motor vehicles, the applicant must also
30 include documentation notifying the applicable licensee
31 licensed under s. 320.61 of the intent to engage in an

1 off-premises sale 5 working days prior to the date of the
2 off-premises sale. The licensee shall either approve or
3 disapprove of the off-premises sale within 2 working days
4 after receiving notice; otherwise, it will be deemed approved.
5 This section does not apply to a nonselling motor vehicle show
6 or public display of new motor vehicles.

7 Section 86. Section 320.62, Florida Statutes, is
8 amended to read:

9 320.62 Licenses; amount; disposition of proceeds.--The
10 initial license for each manufacturer, distributor, or
11 importer shall be \$300 unless determined otherwise pursuant to
12 s. 216.1817, and shall be in addition to all other licenses or
13 taxes now or hereafter levied, assessed, or required of the
14 applicant or licensee. The annual renewal license fee shall
15 be \$100 unless determined otherwise pursuant to s. 216.1817.
16 The proceeds from all licenses under ss. 320.60-320.70 shall
17 be paid into the State Treasury to the credit of the General
18 Revenue Fund. All licenses shall be payable on or before
19 October 1 of each year and shall expire, unless sooner revoked
20 or suspended, on the following September 30.

21 Section 87. Subsection (4) of section 320.77, Florida
22 Statutes, is amended to read:

23 320.77 License required of mobile home dealers.--

24 (4) FEES.--Upon making initial application, the
25 applicant shall pay to the department a fee of \$300 unless
26 determined otherwise pursuant to s. 216.1817, in addition to
27 any other fees now required by law. The fee for renewal
28 application shall be \$100 unless determined otherwise pursuant
29 to s. 216.1817. The fee for application for change of location
30 shall be \$25 unless determined otherwise pursuant to s.
31 216.1817. Any applicant for renewal who has failed to submit

1 his or her renewal application by October 1 shall pay a
2 renewal application fee equal to the original application fee.
3 No fee is refundable. All fees shall be deposited into the
4 General Revenue Fund.

5 Section 88. Subsection (4) of section 320.771, Florida
6 Statutes, is amended to read:

7 320.771 License required of recreational vehicle
8 dealers.--

9 (4) FEES.--Upon making initial application, the
10 applicant shall pay to the department a fee of \$300 unless
11 determined otherwise pursuant to s. 216.1817, in addition to
12 any other fees now required by law. The fee for renewal
13 application shall be \$100 unless determined otherwise pursuant
14 to s. 216.1817. The fee for application for change of location
15 shall be \$25 unless determined otherwise pursuant to s.
16 216.1817. Any applicant for renewal who has failed to submit
17 his or her renewal application by October 1 shall pay a
18 renewal application fee equal to the original application fee.
19 No fee is refundable. All fees shall be deposited into the
20 General Revenue Fund.

21 Section 89. Subsection (2) of section 320.781, Florida
22 Statutes, is amended to read:

23 320.781 Mobile Home and Recreational Vehicle
24 Protection Trust Fund.--

25 (2) Beginning October 1, 1990, the department shall
26 charge and collect an additional fee of \$1, unless determined
27 otherwise pursuant to s. 216.1817, for each new mobile home
28 and new recreational vehicle title transaction for which it
29 charges a fee. This additional fee shall be deposited into
30 the trust fund. The Department of Highway Safety and Motor
31 Vehicles shall charge a fee of \$40, unless determined

1 otherwise pursuant to s. 216.1817,per annual dealer and
2 manufacturer license and license renewal, which shall be
3 deposited into the trust fund. The sums deposited in the trust
4 fund shall be used exclusively for carrying out the purposes
5 of this section. These sums may be invested and reinvested by
6 the Treasurer under the same limitations as apply to
7 investment of other state funds, with all interest from these
8 investments deposited to the credit of the trust fund.

9 Section 90. Subsection (3) of section 320.8225,
10 Florida Statutes, is amended to read:

11 320.8225 Mobile home and recreational vehicle
12 manufacturer's license.--

13 (3) FEES.--Upon making initial application, the
14 applicant shall pay to the department a fee of \$300 unless
15 determined otherwise pursuant to s. 216.1817. Upon making
16 renewal application, the applicant shall pay to the department
17 a fee of \$100 unless determined otherwise pursuant to s.
18 216.1817. Any applicant for renewal who has failed to submit
19 his or her renewal application by October 1 shall pay a
20 renewal application fee equal to the original application fee.
21 No fee is refundable. All fees shall be deposited into the
22 General Revenue Fund.

23 Section 91. Subsections (1), (2), and (3) of section
24 320.8249, Florida Statutes, are amended to read:

25 320.8249 Mobile home installers license.--

26 (1) Any person who engages in mobile home installation
27 shall obtain a mobile home installers license from the Bureau
28 of Mobile Home and Recreational Vehicle Construction of the
29 Department of Highway Safety and Motor Vehicles pursuant to
30 this section. Said license shall be renewed annually, and
31

1 each licensee shall pay a fee of \$150 unless determined
2 otherwise pursuant to s. 216.1817.

3 (2) The Department of Highway Safety and Motor
4 Vehicles shall issue a license as a mobile home installer to
5 any person who applies to the department, pays the appropriate
6 application fee, not to exceed \$100, as set by department
7 rule, unless determined otherwise pursuant to s. 216.1817, and
8 complies with subsection (3).

9 (3) In order to obtain licensure as a mobile home
10 installer, the applicant must be at least 18 years old, must
11 hold a valid performance bond in an amount set by department
12 rule, not to exceed \$5,000, conditioned upon proper
13 performance of mobile home installation and weather-sealing
14 duties for a period of 1 year, must carry liability insurance
15 in an amount determined by department rule, not to exceed
16 \$100,000, must complete a minimum 8-hour training course
17 approved by the department, and must pass a
18 department-approved examination designed to test the skills
19 necessary to properly and competently perform mobile home
20 installation and to ascertain that the applicant has adequate
21 knowledge of federal, state, and local laws applicable to
22 mobile home installation contracting. The department may
23 charge an examination fee sufficient to defray the costs of
24 developing or obtaining and providing the examination, not to
25 exceed \$100 unless determined otherwise pursuant to s.
26 216.1817. Any licensed dealer or licensed manufacturer who has
27 subcontracted with an installer for installation and who
28 remedies any faulty installation performed by said installer
29 shall have recourse against said installer's performance bond.

30 Section 92. Subsections (3) and (4) of section
31 320.8255, Florida Statutes, are amended to read:

1 320.8255 Mobile home inspection.--

2 (3) Mobile home manufacturers and dealers shall be
3 charged a fee pursuant to s. 216.1817 for special inspections,
4 including, but not limited to, plant approvals, 100 percent
5 plant inspections, increased frequency inspections,
6 reinspections, and special consumer complaint investigations
7 as requested by a manufacturer or dealer or as may be deemed
8 necessary by the department.

9 (4) The department shall determine fees pursuant to s.
10 216.1817 for special inspections and for the label authorized
11 under s. 320.827 which are sufficient to cover the cost of
12 inspection and administration under this section. Fees
13 collected shall be deposited into the General Revenue Fund.

14 Section 93. Subsection (4) of section 320.8285,
15 Florida Statutes, is amended to read:

16 320.8285 Onsite inspection.--

17 (4) Fees for onsite inspections and certificates of
18 occupancy of mobile homes shall be reasonable for the services
19 performed. A guideline for fee schedules pursuant to s.
20 216.1817 shall be issued by the department.

21 Section 94. Section 321.25, Florida Statutes, is
22 amended to read:

23 321.25 Training provided at patrol schools.--The
24 Department of Highway Safety and Motor Vehicles is authorized
25 to provide for the training of law enforcement officials and
26 individuals in matters relating to the duties, functions, and
27 powers of the Florida Highway Patrol in the schools
28 established by the department for the training of highway
29 patrol candidates and officers. The Department of Highway
30 Safety and Motor Vehicles is authorized to charge a fee
31 pursuant to s. 216.1817, for providing the training authorized

1 by this section. The fee shall be charged to persons attending
2 the training. The fee shall be based on the Department of
3 Highway Safety and Motor Vehicles' costs for providing the
4 training, and such costs may include, but are not limited to,
5 tuition, lodging, and meals. Revenues from the fees shall be
6 used to offset the Department of Highway Safety and Motor
7 Vehicles' costs for providing the training. The cost of
8 training local enforcement officers shall be paid for by their
9 respective offices, counties or municipalities, as the case
10 may be. Such cost shall be deemed a proper county or municipal
11 expense or a proper expenditure of the office of sheriff.

12 Section 95. Paragraph (b) of subsection (1) of section
13 322.051, and subsections (2) and (3) of that section, are
14 amended to read:

15 322.051 Identification cards.--

16 (1) Any person who is 12 years of age or older, or any
17 person who has a disability, regardless of age, who applies
18 for a disabled parking permit under s. 320.0848, may be issued
19 an identification card by the department upon completion of an
20 application and payment of an application fee.

21 (b) An application for an identification card must be
22 signed and verified by the applicant in a format designated by
23 the department before a person authorized to administer oaths.
24 The fee for an identification card is \$3 unless determined
25 otherwise pursuant to s. 216.1817, including payment for the
26 color photograph or digital image of the applicant.

27 (2) Every identification card shall expire, unless
28 canceled earlier, on the fourth birthday of the applicant
29 following the date of original issue. However, if an
30 individual is 60 years of age or older, and has an
31 identification card issued under this section, the card shall

1 not expire unless done so by cancellation by the department or
2 by the death of the cardholder. Renewal of any identification
3 card shall be made for a term which shall expire on the fourth
4 birthday of the applicant following expiration of the
5 identification card renewed, unless surrendered earlier. Any
6 application for renewal received later than 90 days after
7 expiration of the identification card shall be considered the
8 same as an application for an original identification card.
9 Unless determined otherwise pursuant to s. 216.1817,the
10 renewal fee for an identification card shall be \$3. The
11 department shall, at the end of 4 years and 6 months after the
12 issuance or renewal of an identification card, destroy any
13 record of the card if it has expired and has not been renewed,
14 unless the cardholder is 60 years of age or older.

15 (3) In the event an identification card issued under
16 this section is lost, destroyed, or mutilated or a new name is
17 acquired, the person to whom it was issued may obtain a
18 duplicate upon furnishing satisfactory proof of such fact to
19 the department and upon payment of a fee of \$2.50 for such
20 duplicate unless determined otherwise pursuant to s. 216.1817,
21 which shall include payment for the color photograph or
22 digital image of the applicant. Any person who loses an
23 identification card and who, after obtaining a duplicate,
24 finds the original card shall immediately surrender the
25 original card to the department. The same documentary
26 evidence shall be furnished for a duplicate as for an original
27 identification card.

28 Section 96. Paragraph (b) of subsection (1) of section
29 322.081, Florida Statutes, is amended to read:

30 322.081 Requests to establish voluntary check-off on
31 driver's license application.--

1 (1) An organization that seeks authorization to
2 establish a voluntary contribution on a driver's license
3 application must submit to the department:

4 (b) An application fee, not to exceed \$10,000 unless
5 determined otherwise pursuant to s. 216.1817, to defray the
6 department's cost for reviewing the application and developing
7 the voluntary contribution checkoff, if authorized. State
8 funds may not be used to pay the application fee.

9
10 The information required under this subsection must be
11 submitted to the department at least 90 days before the
12 convening of the next regular session of the Legislature.

13 Section 97. Subsection (2) of section 322.12, Florida
14 Statutes, is amended to read:

15 322.12 Examination of applicants.--

16 (2) The department shall examine every applicant for a
17 driver's license, including an applicant who is licensed in
18 another state or country, except as otherwise provided in this
19 chapter. A person who holds a learner's driver's license as
20 provided for in s. 322.1615 is not required to pay a fee for
21 successfully completing the examination showing his or her
22 ability to operate a motor vehicle as provided for herein and
23 need not pay the fee for a replacement license as provided in
24 s. 322.17(2). Any person who applies for reinstatement
25 following the suspension or revocation of his or her driver's
26 license shall pay a service fee of \$25 following a suspension,
27 unless determined otherwise pursuant to s. 216.1817, and \$50
28 following a revocation, unless determined otherwise pursuant
29 to s. 216.1817, which is in addition to the fee for a license.
30 Any person who applies for reinstatement of a commercial
31 driver's license following the disqualification of his or her

1 privilege to operate a commercial motor vehicle shall pay a
2 service fee of \$50 unless determined otherwise pursuant to s.
3 216.1817, which is in addition to the fee for a license. The
4 department shall collect all of these fees at the time of
5 reinstatement. The department shall issue proper receipts for
6 such fees and shall promptly transmit all funds received by it
7 as follows:

8 (a) Of the ~~\$25~~ fee received from a licensee for
9 reinstatement following a suspension, the department shall
10 deposit 60 percent ~~\$15~~ in the General Revenue Fund and the
11 remaining 40 percent ~~\$10~~ in the Highway Safety Operating Trust
12 Fund.

13 (b) Of the ~~\$50~~ fee received from a licensee for
14 reinstatement following a revocation or disqualification, the
15 department shall deposit 70 percent ~~\$35~~ in the General Revenue
16 Fund and the remaining 30 percent ~~\$15~~ in the Highway Safety
17 Operating Trust Fund.

18
19 If the revocation or suspension of the driver's license was
20 for a violation of s. 316.193, or for refusal to submit to a
21 lawful breath, blood, or urine test, an additional fee of \$105
22 must be charged. However, only one such \$105 fee is to be
23 collected from one person convicted of such violations arising
24 out of the same incident. The department shall collect the
25 \$105 fee and deposit it into the Highway Safety Operating
26 Trust Fund at the time of reinstatement of the person's
27 driver's license, but the fee must not be collected if the
28 suspension or revocation was overturned.

29 Section 98. Paragraph (c) of subsection (1) of section
30 322.135, Florida Statutes, is amended to read:

31 322.135 Driver's license agents.--

1 (1) The department may, upon application, authorize
2 any or all of the tax collectors in the several counties of
3 the state, subject to the requirements of law, in accordance
4 with rules of the department, to serve as its agent for the
5 provision of specified driver's license services.

6 (c) Unless determined otherwise pursuant to s.
7 216.1817, a fee of \$5.25 is to be charged, in addition to the
8 fees set forth in this chapter, for any driver's license
9 issued or renewed by a tax collector. One dollar of the ~~\$5.25~~
10 fee must be deposited into the Highway Safety Operating Trust
11 Fund.

12 Section 99. Paragraph (a) of subsection (1) and
13 subsection (2) of section 322.17, Florida Statutes, are
14 amended to read:

15 322.17 Duplicate and replacement certificates.--

16 (1)(a) In the event that an instruction permit or
17 driver's license issued under the provisions of this chapter
18 is lost or destroyed, the person to whom the same was issued
19 may, upon payment of a fee \$10, obtain a duplicate, or
20 substitute thereof, upon furnishing proof satisfactory to the
21 department that such permit or license has been lost or
22 destroyed, and further furnishing the full name, date of
23 birth, sex, residence and mailing address, proof of birth
24 satisfactory to the department, and proof of identity
25 satisfactory to the department. The fee is \$10 unless
26 determined otherwise pursuant to s. 216.1817. Fifty percent

27 ~~Five dollars~~ of the fee levied in this paragraph shall go to
28 the Highway Safety Operating Trust Fund of the department.

29 (2) Upon the surrender of the original license and the
30 payment of a ~~\$10~~ replacement fee, the department shall issue a
31 replacement license to make a change in name, address, or

1 restrictions. The replacement fee is \$10 unless determined
2 otherwise pursuant to s. 216.1817. Upon written request by the
3 licensee and notification of a change in address, and the
4 payment of a ~~\$10~~ fee, the department shall issue an address
5 sticker which shall be affixed to the back of the license by
6 the licensee. The fee is \$10 unless determined otherwise
7 pursuant to s. 216.1817. Ninety percent ~~Nine dollars~~ of the
8 fee levied in this subsection shall go to the Highway Safety
9 Operating Trust Fund of the department.

10 Section 100. Subsection (2) of section 322.29, Florida
11 Statutes, is amended to read:

12 322.29 Surrender and return of license.--

13 (2) The provisions of subsection (1) to the contrary
14 notwithstanding, no examination is required for the return of
15 a license suspended under s. 318.15 or s. 322.245 unless an
16 examination is otherwise required by this chapter. Every
17 person applying for the return of a license suspended under s.
18 318.15 or s. 322.245 shall present to the department
19 certification from the court that he or she has complied with
20 all obligations and penalties imposed on him or her pursuant
21 to s. 318.15 or, in the case of a suspension pursuant to s.
22 322.245, that he or she has complied with all directives of
23 the court and the requirements of s. 322.245 and shall pay to
24 the department a nonrefundable service fee of \$25 unless
25 determined otherwise pursuant to s. 216.1817. However, the
26 service fee is not required if the person is required to pay a
27 \$25 fee or \$50 fee under the provisions of s. 322.12(2).

28 Section 101. Paragraphs (c) and (d) of subsection (2)
29 of section 322.292, Florida Statutes, are amended to read:

30 322.292 DUI programs supervision; powers and duties of
31 the department.--

1 (2) The department shall adopt rules to implement its
2 supervisory authority over DUI programs in accordance with the
3 procedures of chapter 120, including the establishment of
4 uniform standards of operation for DUI programs and the method
5 for setting and approving fees, as follows:

6 (c) Implement procedures for the granting and revoking
7 of licenses for DUI programs, including:

8 1. A uniform application fee not to exceed \$1,000
9 unless determined otherwise pursuant to s. 216.1817. The fee
10 shall be ~~but~~ in an amount sufficient to cover the department's
11 administrative costs in processing and evaluating DUI program
12 license applications. The application fee shall not apply to
13 programs that apply for licensure to serve a county that does
14 not have a currently licensed DUI program or where the
15 currently licensed program has relinquished its license.

16 2. In considering an application for approval of a DUI
17 program, the department shall determine whether improvements
18 in service may be derived from the operation of the DUI
19 program and the number of clients currently served in the
20 circuit. The department shall apply the following criteria:

21 a. The increased frequency of classes and availability
22 of locations of services offered by the applicant DUI program.

23 b. Services and fees offered by the applicant DUI
24 program and any existing DUI program.

25 c. The number of DUI clients currently served and
26 historical trends in the number of clients served in the
27 circuit.

28 d. The availability, accessibility, and service
29 history of any existing DUI program services.

30 e. The applicant DUI program's service history.

31

1 f. The availability of resources, including personnel,
2 demonstrated management capability, and capital and operating
3 expenditures of the applicant DUI program.

4 g. Improved services to minority and special needs
5 clients.

6 3. Authority for competing applicants and currently
7 licensed DUI programs serving the same geographic area to
8 request an administrative hearing under chapter 120 to contest
9 the department's determination of need for an additional
10 licensed DUI program in that area.

11 4. A requirement that the department revoke the
12 license of any DUI program that does not provide the services
13 specified in its application within 45 days after licensure
14 and notify the chief judge of that circuit of such revocation.

15 5. A requirement that all applicants for initial
16 licensure as a DUI program in a particular circuit on and
17 after the effective date of this act must, at a minimum,
18 satisfy each of the following criteria:

19 a. Maintain a primary business office in the circuit
20 which is located in a permanent structure that is readily
21 accessible by public transportation, if public transportation
22 is available. The primary business office must be adequately
23 staffed and equipped to provide all DUI program support
24 services, including registration and a file for each person
25 who registers for the program.

26 b. Have a satellite office for registration of DUI
27 offenders in each county in the circuit which is located in a
28 permanent structure that is readily accessible by public
29 transportation, if public transportation is available. A
30 satellite office is not required in any county where the total
31

1 number of DUI convictions in the most recent calendar year is
2 less than 200.

3 c. Have a classroom in each county in the circuit
4 which is located in a permanent structure that is readily
5 accessible by public transportation, if public transportation
6 is available. A classroom is not required in any county where
7 the total number of DUI convictions in the most recent
8 calendar year is less than 100. A classroom may not be located
9 within 250 feet of any business that sells alcoholic
10 beverages. However, a classroom shall not be required to be
11 relocated when a business selling alcoholic beverages locates
12 to within 250 feet of the classroom.

13 d. Have a plan for conducting all DUI education
14 courses, evaluation services, and other services required by
15 the department. The level I DUI education course must be
16 taught in four segments, with no more than 6 hours of
17 classroom instruction provided to any offender each day.

18 e. Employ at least 1 full-time certified addiction
19 professional for the program at all times.

20 f. Document support from community agencies involved
21 in DUI education and substance abuse treatment in the circuit.

22 g. Have a volunteer board of directors and advisory
23 committee made up of citizens who reside in the circuit in
24 which licensure is sought.

25 h. Submit documentation of compliance with all
26 applicable federal, state, and local laws, including, but not
27 limited to, the Americans with Disabilities Act.

28 (d) Pursuant to s. 216.1817, establish a fee structure
29 for the various programs offered by the DUI programs, based
30 only on the reasonable and necessary costs for operating the
31

1 programs throughout the state. The department shall approve,
2 modify, or reduce fees as necessary.

3 Section 102. Section 324.071, Florida Statutes, is
4 amended to read:

5 324.071 Reinstatement; renewal of license;
6 reinstatement fee.--Any operator or owner whose license or
7 registration has been suspended pursuant to s. 324.051(2), s.
8 324.072, s. 324.081, or s. 324.121 may effect its
9 reinstatement upon compliance with the provisions of s.
10 324.051(2)(a)3. or 4., or s. 324.081(2) and (3), as the case
11 may be, and with one of the provisions of s. 324.031 and upon
12 payment to the department of a nonrefundable reinstatement fee
13 of \$15. The reinstatement fee is \$15 unless determined
14 otherwise pursuant to s. 216.1817.Only one such fee shall be
15 paid by any one person irrespective of the number of licenses
16 and registrations to be then reinstated or issued to such
17 person. All such fees shall be deposited to a department trust
18 fund. When the reinstatement of any license or registration
19 is effected by compliance with s. 324.051(2)(a)3. or 4., the
20 department shall not renew the license or registration within
21 a period of 3 years from such reinstatement, nor shall any
22 other license or registration be issued in the name of such
23 person, unless the operator is continuing to comply with one
24 of the provisions of s. 324.031.

25 Section 103. Subsection (7) of section 325.223,
26 Florida Statutes, is amended to read:

27 325.223 Training and certification requirements; sale
28 of refrigerants; penalties.--

29 (7) The department shall establish appropriate fees
30 for the issuance and annual or biennial renewal of
31 certificates of compliance. In setting these fees, the

1 department shall take into consideration the cost to the
2 department of administering and enforcing this section,
3 provided that such fees shall not exceed \$50 per annum unless
4 determined otherwise pursuant to s. 216.1817.

5 Section 104. Subsections (5) and (13) of section
6 326.004, Florida Statutes, are amended to read:

7 326.004 Licensing.--

8 (5) The division by rule shall establish fees for
9 application, initial licensing, biennial renewal, and
10 reinstatement of licenses in an amount not to exceed \$500
11 unless determined otherwise pursuant to s. 216.1817. The fees
12 must be set in an amount that is adequate to proportionately
13 fund the expenses of the division in ss. 326.001-326.006.

14 (13) Each broker must maintain a principal place of
15 business in this state and may establish branch offices in the
16 state. A separate license must be maintained for each branch
17 office. The division shall establish by rule a fee not to
18 exceed \$100 for each branch office license unless determined
19 otherwise pursuant to s. 216.1817.

20 Section 105. Subsection (3) of section 328.73, Florida
21 Statutes, is amended to read:

22 328.73 Registration; duties of tax collectors.--

23 (3) Unless determined otherwise pursuant to s.
24 216.1817, a fee of 50 cents shall be charged in addition to
25 the fees required under s. 328.72 on every vessel decal
26 registration sold to cover the cost of the Florida Real Time
27 Vehicle Information System. The fees collected under this
28 section shall be deposited into the Highway Safety Operating
29 Trust Fund and shall be used to fund that system and may be
30 used to fund the general operations of the department.

31

1 Section 106. Paragraph (a) of subsection (1) and
2 paragraphs (a) and (d) of subsection (2) of section 330.30,
3 Florida Statutes, are amended to read:

4 330.30 Approval of airport sites and licensing of
5 airports; fees.--

6 (1) SITE APPROVALS; REQUIREMENTS, FEES, EFFECTIVE
7 PERIOD, REVOCATION.--

8 (a) Except as provided in subsection (3), the owner or
9 lessee of any proposed airport shall, prior to the acquisition
10 of the site or prior to the construction or establishment of
11 the proposed airport, obtain approval of the airport site from
12 the department. Applications for approval of a site and for
13 an original license shall be jointly made on a form prescribed
14 by the department and shall be accompanied by a site approval
15 fee of \$100 unless determined otherwise pursuant to s.
16 216.1817. The department, after inspection of the airport
17 site, shall grant the site approval if it is satisfied:

18 1. That the site is adequate for the proposed airport;

19 2. That the proposed airport, if constructed or
20 established, will conform to minimum standards of safety and
21 will comply with applicable county or municipal zoning
22 requirements;

23 3. That all nearby airports, municipalities, and
24 property owners have been notified and any comments submitted
25 by them have been given adequate consideration; and

26 4. That safe air-traffic patterns can be worked out
27 for the proposed airport and for all existing airports and
28 approved airport sites in its vicinity.

29 (2) LICENSES; REQUIREMENTS, FEES, RENEWAL,
30 REVOCATION.--

31

1 (a) Except as provided in subsection (3), the owner or
2 lessee of an airport in this state must obtain a license prior
3 to the operation of aircraft on the airport. An application
4 for such license shall be made on a form prescribed by the
5 department and shall be accomplished jointly with an
6 application for site approval. Upon granting site approval,
7 making a favorable final airport inspection report indicating
8 compliance with all license requirements, and receiving the
9 appropriate license fee, the department shall issue a license
10 to the applicant, subject to any reasonable conditions that
11 the department may deem necessary to protect the public
12 health, safety, or welfare. The license fee shall be
13 determined pursuant to s. 216.1817.

14 (d) Unless determined otherwise pursuant to s.
15 216.1817, the license fees for the four categories of airport
16 licenses are:

- 17 1. Public airport: \$100.
- 18 2. Private airport: \$70.
- 19 3. Limited airport: \$50.
- 20 4. Temporary airport: \$25.

21
22 Airports owned or operated by the state, a county, or a
23 municipality and emergency helistops operated by licensed
24 hospitals are required to be licensed but are exempt from the
25 payment of site approval fees and annual license fees.

26 Section 107. Subsection (1) of section 334.30, Florida
27 Statutes, is amended to read:

28 334.30 Private transportation facilities.--The
29 Legislature hereby finds and declares that there is a public
30 need for rapid construction of safe and efficient
31 transportation facilities for the purpose of travel within the

1 state, and that it is in the public's interest to provide for
2 the construction of additional safe, convenient, and
3 economical transportation facilities.

4 (1) The department may receive or solicit proposals
5 and, with legislative approval by a separate bill for each
6 facility, enter into agreements with private entities, or
7 consortia thereof, for the building, operation, ownership, or
8 financing of transportation facilities. Pursuant to s.

9 216.1817, the department shall by rule establish an
10 application fee for the submission of proposals under this
11 section. The fee must be sufficient to pay the costs of
12 evaluating the proposals. The department may engage the
13 services of private consultants to assist in the evaluation.
14 Before seeking legislative approval, the department must
15 determine that the proposed project:

16 (a) Is in the public's best interest;

17 (b) Would not require state funds to be used unless
18 there is an overriding state interest; and

19 (c) Would have adequate safeguards in place to ensure
20 that no additional costs or service disruptions would be
21 realized by the traveling public and citizens of the state in
22 the event of default or cancellation of the agreement by the
23 department.

24
25 The department shall ensure that all reasonable costs to the
26 state and substantially affected local governments and
27 utilities, related to the private transportation facility, are
28 borne by the private entity.

29 Section 108. Section 335.183, Florida Statutes, is
30 amended to read:

31

1 335.183 Permit application fee.--The department shall
2 establish, by rule, a graduated schedule of fees for permit
3 applications made to the department. Such fees shall be
4 nonrefundable and shall be used to offset the costs of
5 administering the access permit review process and the costs
6 associated with administering the provisions of this act. In
7 no event shall a fee be more than \$5,000 unless determined
8 otherwise pursuant to s. 216.1817.

9 Section 109. Subsection (3) of section 339.0805,
10 Florida Statutes, is amended to read:

11 339.0805 Funds to be expended with certified
12 disadvantaged business enterprises; specified percentage to be
13 expended; construction management development program; bond
14 guarantee program.--It is the policy of the state to
15 meaningfully assist socially and economically disadvantaged
16 business enterprises through a program that will provide for
17 the development of skills through construction and business
18 management training, as well as by providing contracting
19 opportunities and financial assistance in the form of bond
20 guarantees, to primarily remedy the effects of past economic
21 disparity.

22 (3) The head of the department is authorized to expend
23 up to 6 percent of the funds specified in subsection (1) which
24 are designated to be expended on small business firms owned
25 and controlled by socially and economically disadvantaged
26 individuals to conduct, by contract or otherwise, a
27 construction management development program. Participation in
28 the program will be limited to those firms which are certified
29 under the provisions of subsection (1) by the department or
30 the federal Small Business Administration or to any firm which
31 has annual gross receipts not exceeding \$2 million averaged

1 over a 3-year period. The program will consist of classroom
2 instruction and on-the-job instruction. To the extent
3 feasible, pursuant to s. 216.1817, the registration fee shall
4 be set to cover the cost of instruction and overhead. No
5 salary will be paid to any participant.

6 (a) Classroom instruction will consist of, but is not
7 limited to, project planning methods for identifying
8 personnel, equipment, and financial resource needs;
9 bookkeeping; state bidding and bonding requirements; state and
10 federal tax requirements; and strategies for obtaining loans,
11 bonding, and joint venture agreements.

12 (b) On-the-job instruction will consist of, but is not
13 limited to, setting up the job site; cash-flow methods;
14 project scheduling; quantity takeoffs; estimating; reading
15 plans and specifications; department procedures on billing and
16 payments; quality assessment and control methods; and bid
17 preparation methods.

18 (c) Contractors who have demonstrated satisfactory
19 project performance, as defined by the department, can be
20 exempted from the provisions of paragraphs (a) and (b) and be
21 validated as meeting the minimum curriculum standards of
22 proficiency, in the same manner as participants who
23 successfully complete the construction management development
24 program only if they intend to apply for funds provided for in
25 subsection (4).

26 (d) The department shall develop, under contract with
27 the State University System, the community college system, a
28 school district in behalf of its vocational-technical center,
29 or a private consulting firm, a curriculum for instruction in
30 the courses that will lead to a certification of proficiency
31 in the construction management development program.

1 Section 110. Subsection (4) of section 341.325,
2 Florida Statutes, is amended to read:

3 341.325 Special powers and duties of the
4 department.--The department is empowered to perform any or all
5 of the following special powers and duties:

6 (4) To assess a reasonable application fee for each
7 application for a franchise pursuant to s. 216.1817.

8 Section 111. Subsection (3) of section 341.329,
9 Florida Statutes, is amended to read:

10 341.329 Bonds; project financing.--

11 (3) The department may determine the high-speed rail
12 transportation facilities to be financed under this section
13 and may assess reasonable application fees or other fees
14 pursuant to s. 216.1817, to reimburse administrative costs
15 incurred in processing applications for financing.

16 Section 112. Section 341.369, Florida Statutes, is
17 amended to read:

18 341.369 Fees; disposition.--The department shall
19 charge each applicant the following fees:

20 (1) An initial nonrefundable franchise application fee
21 of \$25,000 unless determined otherwise pursuant to s.
22 216.1817, to be submitted to the department.

23 (2)(a) A certification application fee of \$2,000
24 unless determined otherwise pursuant to s. 216.1817 for each
25 mile of proposed high-speed rail transportation system
26 corridor, to be paid to the department upon the filing of the
27 certification application. A minimum fee of \$60,000 is
28 required for each application.

29 1. The certification application fee shall be used
30 first to pay those expenses associated with the costs of the
31 preparation and conduct of the hearings, the recording and

1 transcription of the proceedings, and agency travel and per
2 diem.

3 2. If any sums remain after the payment of such
4 expenses, the fee shall be applied pro rata to reimburse all
5 reasonable expenses pursuant to ss. 341.3201-341.386 incurred
6 by the agencies that prepared and filed reports pursuant to s.
7 341.348. Any sums remaining after the payment of all
8 authorized costs shall be refunded to the applicant within 90
9 days after the issuance or denial of the certification or the
10 withdrawal of the application. The applicant shall be provided
11 with an itemized accounting of the expenditures.

12 (b) If a corridor alignment change is proposed by the
13 applicant, an application amendment fee pursuant to s.
14 216.1817 is required. The minimum amount of the fee is \$3,000
15 plus \$2,000 for each mile of realignment. An additional fee
16 may not be required if a corridor alignment change is not
17 proposed.

18 (c) A certification modification fee, to be submitted
19 to the department upon notification by the applicant that
20 modification pursuant to s. 341.368(2) and (3) is sought, and
21 to be used, disbursed, and accounted for in the same manner as
22 the certification application fee. If a corridor alignment
23 change is not proposed, the certification modification fee is
24 \$3,000 unless determined otherwise pursuant to s. 216.1817. If
25 a corridor alignment change is proposed by the applicant, the
26 certification modification fee is \$3,000 plus \$2,000 for each
27 mile of realignment unless determined otherwise pursuant to s.
28 216.1817.

29 Section 113. Subsection (3) of section 350.113,
30 Florida Statutes, is amended to read:

31

1 350.113 Florida Public Service Regulatory Trust Fund;
2 moneys to be deposited therein.--

3 (3) Each regulated company under the jurisdiction of
4 the commission, which company was in operation for the
5 preceding 6-month period, shall pay to the commission within
6 30 days following the end of each 6-month period, commencing
7 June 30, 1977, a fee based upon the gross operating revenues
8 for such period subject to the limitations of this subsection.
9 The fees shall, to the extent practicable, be related to the
10 cost of regulating such type of regulated company and shall in
11 no event be greater than:

12 (a) For each railroad operating under chapter 351,
13 one-eighth of 1 percent of its gross operating revenues
14 derived from intrastate business unless determined otherwise
15 pursuant to s. 216.1817.

16 (b) For each telephone company licensed or operating
17 under chapter 364, one-eighth of 1 percent of its gross
18 operating revenues derived from intrastate business unless
19 determined otherwise pursuant to s. 216.1817.

20 (c) For each "public utility" as defined in s. 366.02,
21 one-eighth of 1 percent of its gross operating revenues
22 derived from intrastate business, excluding sales for resale
23 between public utilities, municipal electric utilities, and
24 rural electric cooperatives, or any combination thereof unless
25 determined otherwise pursuant to s. 216.1817.

26 (d) For each municipal electric utility and rural
27 electric cooperative, one sixty-fourth of 1 percent of its
28 gross operating revenues derived from intrastate business,
29 excluding sales for resale between public utilities, municipal
30 electric utilities, and rural electric cooperatives, or any

31

1 combination thereof unless determined otherwise pursuant to s.
2 216.1817.

3 (e) For each regulated company licensed under chapter
4 367, 2.5 percent of its gross revenues derived from intrastate
5 business unless determined otherwise pursuant to s. 216.1817.
6

7 Differences, if any, between the amount paid in any 6-month
8 period and the amount actually determined by the commission to
9 be due shall, upon notification by the commission, be
10 immediately paid or refunded. Each regulated company which is
11 subject to the jurisdiction of the commission, but which did
12 not operate under the commission's jurisdiction during the
13 entire preceding 6-month period, shall, within 30 days after
14 the close of the first 6-month period during which it
15 commenced operations under, or became subject to, the
16 jurisdiction of the commission, pay to the commission the
17 prescribed fee based upon its gross operating revenues derived
18 from intrastate business during those months or parts of
19 months in which the regulated company did operate during such
20 6-month period. In no event shall payments under this section
21 be less than \$25 annually.

22 Section 114. Paragraph (c) of subsection (1) of
23 section 364.335, Florida Statutes, is amended to read:

24 364.335 Application for certificate.--

25 (1) Each applicant for a certificate shall:

26 (c) File the application fee required by the
27 commission in an amount not to exceed \$250 unless determined
28 otherwise pursuant to s. 216.1817. Such fees shall be
29 deposited in accordance with s. 350.113.

30 Section 115. Subsection (3) of section 367.122,
31 Florida Statutes, is amended to read:

1 367.122 Examination and testing of meters.--

2 (3) The commission shall establish reasonable fees
3 pursuant to s. 216.1817, to be paid for testing such meters on
4 the request of the customers. Current utility customers or
5 users may, at their discretion, pay the fee fixed by the
6 commission at the time of the request or have the utility
7 include the fee with their next regularly scheduled statement.
8 However, the fee shall be paid by the utility and repaid to
9 the customer or user if the meter is found defective or
10 incorrect to the disadvantage of the customer or user in
11 excess of the degree or amount of tolerance customarily
12 allowed for such meters, or as may be provided for in rules
13 and regulations of the commission. No fee may be charged for
14 any such testing done by the commission or its
15 representatives.

16 Section 116. Subsections (1) and (2) of section
17 367.145, Florida Statutes, are amended to read:

18 367.145 Regulatory assessment and application fees.--

19 (1) The commission shall set by rule a regulatory
20 assessment fee that each utility must pay once a year in
21 conjunction with filing its annual financial report required
22 by commission rule. Unless determined otherwise pursuant to s.
23 216.1817 and notwithstanding any provision of law to the
24 contrary, the amount of the regulatory assessment fee shall
25 not exceed 4.5 percent of the gross revenues of the utility
26 derived from intrastate business, excluding sales for resale
27 made to a regulated company.

28 (a) A governmental authority to which ownership or
29 control of a utility is transferred is not liable for any fees
30 owed the commission by the utility as of the date of transfer.
31 However, whenever a purchase at wholesale is made of any water

1 or wastewater service and a fee is paid or payable thereon by
2 the selling utility and the utility purchasing such water or
3 wastewater service resells the same directly to customers, the
4 purchasing utility is entitled to, and must receive, credit on
5 such fees as may be due by it under this section to the extent
6 of the fee paid or payable upon such water or wastewater
7 service by the utility from which such purchase was made. All
8 such fee payments and penalties must be deposited in
9 accordance with s. 350.113.

10 (b) In addition to the penalties and interest
11 otherwise provided, the commission may impose a penalty upon a
12 utility for failure to pay regulatory assessment fees in a
13 timely manner in accordance with s. 367.161.

14 (2) Each utility shall pay an application fee,
15 established by the commission, for an original certificate of
16 authorization; an amendment to an existing certificate of
17 authorization; a request for rate relief in accordance with s.
18 367.081 or s. 367.0814; a proceeding pursuant to s. 367.0822;
19 service availability charges filed in accordance with s.
20 367.101; and when this chapter becomes applicable to a county
21 in accordance with s. 367.171. The amount of the application
22 fee determined by the commission may not exceed \$4,500 unless
23 determined otherwise pursuant to s. 216.1817 and must be based
24 upon the existing or proposed capacity of the system,
25 extension, or deletion. All such fee payments must be
26 deposited in accordance with s. 350.113.

27 Section 117. Section 368.109, Florida Statutes, is
28 amended to read:

29 368.109 Regulatory assessment fees.--Unless determined
30 otherwise pursuant to s. 216.1817, each natural gas
31 transmission company operating under ss. 368.101-368.112, for

1 all or any part of the preceding 6-month period, shall pay to
2 the commission, within 30 days following the end of each
3 6-month period, a fee that may not exceed 0.25 percent
4 annually of its gross operating revenues derived from
5 intrastate business excluding sales for resales to natural gas
6 transmission companies, public utilities that supply gas,
7 municipal gas utilities, and gas districts. The fee shall, to
8 the extent practicable, be related to the cost of regulating
9 such natural gas transmission companies.

10 Section 118. Subsection (3) of section 370.03, Florida
11 Statutes, is amended to read:

12 370.03 Water bottoms.--

13 (3) FEES FOR BOTTOM LEASES, ETC.--Unless determined
14 otherwise pursuant to s. 216.1817,the department shall charge
15 and receive a fee of \$2 for each lease granted, and in all
16 other cases, not specifically provided by this chapter, the
17 same fees as are allowed clerks of the circuit court for like
18 services. All fees shall be paid by the party served.

19 Section 119. Section 372.60, Florida Statutes, is
20 amended to read:

21 372.60 Issuing of replacement license or permit.--A
22 license or permit to replace a lost or destroyed license may
23 be obtained by submitting an application requesting
24 replacement. Unless determined otherwise pursuant to s.
25 216.1817,the fee is \$10 for each application for a
26 replacement of a lifetime license and \$2 for each application
27 for replacement for any other license or permit, which shall
28 be for the purpose of, and the source from which is
29 subtracted, all administrative costs of issuing the license or
30 permit, including, but not limited to, printing, distribution,
31 and credit card fees. The office of the tax collector may

1 retain \$1 for each application for a replacement license. Fees
2 collected from the issuance of replacement lifetime licenses
3 and 5-year licenses shall be deposited into the Dedicated
4 License Trust Fund and shall be available for appropriation.

5 Section 120. Section 373.088, Florida Statutes, is
6 amended to read:

7 373.088 Application fees for certain real estate
8 transactions.--Pursuant to s. 216.1817,the governing board
9 may adopt rules to provide for the assessment and collection
10 of reasonable fees for the processing of applications for
11 sale, easement, lease, exchange, release, nonuse commitment,
12 disclaimer, quitclaim deed, or reissuance or correction of
13 deed with respect to any interest in lands, such fees to be
14 commensurate with the actual cost of processing such
15 applications.

16 Section 121. Paragraph (e) of subsection (1) of
17 section 373.309, Florida Statutes, is amended to read:

18 373.309 Authority to adopt rules and procedures.--

19 (1) The department shall adopt, and may from time to
20 time amend, rules governing the location, construction,
21 repair, and abandonment of water wells and shall be
22 responsible for the administration of this part. With respect
23 thereto, the department shall:

24 (e) Encourage prevention of potable water well
25 contamination and promote cost-effective remediation of
26 contaminated potable water supplies by use of the Water
27 Quality Assurance Trust Fund as provided in s. 376.307(1)(e)
28 and establish by rule:

29 1. Delineation of areas of groundwater contamination
30 for implementation of well location and construction, testing,
31 permitting, and clearance requirements as set forth in

1 subparagraphs 2., 3., 4., 5., and 6. The department shall make
2 available to water management districts, regional planning
3 councils, the Department of Health, and county building and
4 zoning departments, maps or other information on areas of
5 contamination, including areas of ethylene dibromide
6 contamination. Such maps or other information shall be made
7 available to property owners, realtors, real estate
8 associations, property appraisers, and other interested
9 persons upon request and upon payment of appropriate costs.

10 2. Requirements for testing for suspected
11 contamination in areas of known contamination, as a
12 prerequisite for clearance of a water well for drinking
13 purposes. The department is authorized to establish criteria
14 for acceptance of water quality testing results from the
15 Department of Health and laboratories certified by the
16 Department of Health, and is authorized to establish
17 requirements for sample collection quality assurance.

18 3. Requirements for mandatory connection to available
19 potable water systems in areas of known contamination, wherein
20 the department may prohibit the permitting and construction of
21 new potable water wells.

22 4. Location and construction standards for public and
23 all other potable water wells permitted in areas of
24 contamination. Such standards shall be designed to minimize
25 the effects of such contamination.

26 5. A procedure for permitting all potable water wells
27 in areas of known contamination. Any new water well that is to
28 be used for drinking water purposes and that does not meet
29 construction standards pursuant to subparagraph 4. must be
30 abandoned and plugged by the owner. Water management districts
31 shall implement, through delegation from the department, the

1 | permitting and enforcement responsibilities of this
2 | subparagraph.

3 | 6. A procedure for clearing for use all potable water
4 | wells, except wells that serve a public water supply system,
5 | in areas of known contamination. If contaminants are found
6 | upon testing pursuant to subparagraph 2., a well may not be
7 | cleared for use without a filter or other means of preventing
8 | the users of the well from being exposed to deleterious
9 | amounts of contaminants. The Department of Health shall
10 | implement the responsibilities of this subparagraph.

11 | 7. Fees to be paid for well construction permits and
12 | clearance for use. The fees shall be based on the actual costs
13 | incurred by the water management districts, the Department of
14 | Health, or other political subdivisions in carrying out the
15 | responsibilities related to potable water well permitting and
16 | clearance for use. Unless determined otherwise pursuant to s.
17 | 216.1817,the fees shall provide revenue to cover all such
18 | costs and shall be set according to the following schedule:

19 | a. The well construction permit fee may not exceed
20 | \$500.

21 | b. The clearance fee may not exceed \$50.

22 | 8. Procedures for implementing well-location,
23 | construction, testing, permitting, and clearance requirements
24 | as set forth in subparagraphs 2.-6. within areas that research
25 | or monitoring data indicate are vulnerable to contamination
26 | with nitrate, or areas in which the department provides a
27 | subsidy for restoration or replacement of contaminated
28 | drinking water supplies through extending existing water lines
29 | or developing new water supply systems pursuant to s.
30 | 376.307(1)(e). The department shall consult with the Florida
31 |

1 Ground Water Association in the process of developing rules
2 pursuant to this subparagraph.

3

4 All fees and funds collected by each delegated entity pursuant
5 to this part shall be deposited in the appropriate operating
6 account of that entity.

7 Section 122. Section 373.329, Florida Statutes, is
8 amended to read:

9 373.329 Fees for licensure.--The department by rule
10 shall establish fees to be paid for application for licensure,
11 application for license renewal, and the penalty fee for
12 renewal of a license which has been inactive for 1 year or
13 less. The fees shall be based on the actual costs incurred by
14 the water management districts in carrying out the
15 responsibilities related to licensure of water well
16 contractors as derived from estimates provided by the water
17 management districts of the revenue required to implement this
18 part, but shall not exceed the following amounts unless
19 determined otherwise pursuant to s. 216.1817:

- 20 (1) Application for initial licensure, \$150.
21 (2) Biennial license renewal, \$50.
22 (3) Penalty for renewal of a license which has been
23 inactive for 1 year or less, \$75.

24

25 All fees and other moneys collected by a water management
26 district pursuant to this part shall be deposited in the
27 general operating fund of the water management district.

28 Section 123. Paragraphs (b), (c), and (d) of
29 subsection (1) of section 376.303, Florida Statutes, are
30 amended to read:

31

1 376.303 Powers and duties of the Department of
2 Environmental Protection.--

3 (1) The department has the power and the duty to:

4 (b) Establish by rule a registration fee schedule for
5 all storage systems regulated under this act sufficient to
6 cover all costs associated with registration.

7 1. Revenues derived from fees imposed upon petroleum
8 storage systems shall be deposited in the Inland Protection
9 Trust Fund. All other revenues derived from such fees shall be
10 deposited into the Water Quality Assurance Trust Fund.

11 2. Unless determined otherwise pursuant to s.
12 216.1817, the fee schedule shall provide as follows:

13 a. For new facilities, an initial registration fee of
14 \$50 per tank is due and payable within 30 days after receipt
15 of notification by the department.

16 b. For facilities at which tanks are replaced, a tank
17 replacement fee of \$25 per tank is due and payable within 30
18 days after receipt of notification by the department.

19 c. An annual renewal fee of \$25 per tank is due and
20 payable by July 1 of each year, except that stationary tanks
21 of 110 gallons or less at nonresidential locations and
22 agricultural tanks of 550 gallons or less shall not be
23 assessed the fee.

24 d. Any payment made more than 30 days after the date
25 it is due is delinquent and the registrant must pay an
26 additional fee of \$20 for each tank with respect to which any
27 payment is delinquent.

28 e. Bulk product facilities shall be assessed a
29 registration fee and an annual renewal fee not to exceed
30 \$1,000 per tank.

31

1 3. The department may also assess fees retroactively
2 against late registrants for tanks for which a registration
3 fee should have been paid beginning on or after July 1, 1986.
4 Annual registration fees for all regulated tanks shall
5 continue to accrue forward from the date of registration until
6 tank removal or closure. Payment is due within 30 days of
7 receipt of notification by the department.

8 4. The department shall notify each registrant of the
9 annual fee requirement no later than June 1 of each year. Fees
10 are due and payable by July 1. For each regulated facility
11 registered with the department under this section, a
12 registration placard shall be issued to the tank's owner
13 listing the number of tanks registered and the amount of
14 registration fees paid, to be displayed in plain view at the
15 office, kiosk, or other suitable location at the facility
16 where the tanks are located.

17 (c) Establish a registration program for aboveground
18 hazardous substance tanks and compression vessels.

19 1. Owners or operators shall register their tanks and
20 vessels with the department by December 31, 1992, pay initial
21 registration fees by July 1, 1993, and pay annual renewal
22 registration fees by July 1, 1994, in accordance with the
23 requirements of this subsection. Flow-through process tanks,
24 liquefied petroleum gas tanks, hydraulic lift tanks,
25 electrical equipment tanks, storage tanks containing sodium
26 hypochlorite, storage tanks containing hazardous wastes as
27 defined under Subtitle C of the Resource Recovery and
28 Conservation Act, stormwater tanks, wastewater collection or
29 discharge systems, or storage tanks located entirely within a
30 building or portion of a building with an impervious floor
31 that contains no valves or drains that would allow a discharge

1 from the system are not required to register. Pollutant tanks
2 required to be registered under paragraph (b) or s. 376.323
3 shall not be required to be registered under this paragraph.
4 The department shall, whenever possible, accept electronically
5 transmitted registration data.

6 2. Unless determined otherwise pursuant to s.
7 216.1817, registration fees are as follows:-

8 a. Owners of tanks or vessels shall submit to the
9 department an initial registration fee of \$50 per tank or
10 vessel. The fee shall be paid within 30 days after receipt of
11 billing by the department.

12 b. Owners of tanks or vessels shall submit an annual
13 renewal registration fee of \$25 per tank or vessel within 30
14 days after receipt of billing from the department.

15 c. Total annual registration fees for initial fees or
16 renewals shall not exceed \$2,500 per facility.

17 d. Revenues derived from such fees shall be deposited
18 into the Water Quality Assurance Trust Fund.

19 (d) Establish a registration program for drycleaning
20 facilities and wholesale supply facilities.

21 1. Owners or operators of drycleaning facilities and
22 wholesale supply facilities and real property owners shall
23 jointly register each facility owned and in operation with the
24 department by June 30, 1995, pay initial registration fees by
25 December 31, 1995, and pay annual renewal registration fees by
26 December 31, 1996, and each year thereafter, in accordance
27 with this subsection. If the registration form cannot be
28 jointly submitted, then the applicant shall provide notice of
29 the registration to other interested parties. The department
30 shall establish reasonable requirements for the registration
31 of such facilities. The department shall use reasonable

1 efforts to identify and notify drycleaning facilities and
2 wholesale supply facilities of the registration requirements
3 by certified mail, return receipt requested. The department
4 shall provide to the Department of Revenue a copy of each
5 applicant's registration materials, within 30 working days of
6 the receipt of the materials. This copy may be in such
7 electronic format as the two agencies mutually designate.

8 2.a. The department shall issue an invoice for annual
9 registration fees to each registered drycleaning facility or
10 wholesale supply facility by December 31 of each year. Unless
11 determined otherwise pursuant to s. 216.1817, owners of
12 drycleaning facilities and wholesale supply facilities shall
13 submit to the department an initial fee of \$100 and an annual
14 renewal registration fee of \$100 for each drycleaning facility
15 or wholesale supply facility owned and in operation. The fee
16 shall be paid within 30 days after receipt of billing by the
17 department. Facilities that fail to pay their renewal fee
18 within 30 days after receipt of billing are subject to a late
19 fee of \$75.

20 b. Revenues derived from registration, renewal, and
21 late fees shall be deposited into the Water Quality Assurance
22 Trust Fund to be used as provided in s. 376.3078.

23 Section 124. Paragraph (a) of subsection (2) of
24 section 376.30713, Florida Statutes, is amended to read:

25 376.30713 Preapproved advanced cleanup.--

26 (2) The department is authorized to approve an
27 application for preapproved advanced cleanup at eligible
28 sites, prior to funding based on the site's priority ranking
29 established pursuant to s. 376.3071(5)(a), in accordance with
30 the provisions of this section. Persons who qualify as an
31 applicant under the provisions of this section shall only

1 include the facility owner or operator or the person otherwise
2 responsible for site rehabilitation.

3 (a) Preapproved advanced cleanup applications may be
4 submitted between May 1 and June 30 and between November 1 and
5 December 31 of each fiscal year. Applications submitted
6 between May 1 and June 30 shall be for the fiscal year
7 beginning July 1. An application shall consist of:

8 1. A commitment to pay no less than 25 percent of the
9 total cleanup cost deemed recoverable under the provisions of
10 this section along with proof of the ability to pay the cost
11 share.

12 2. Unless determined otherwise pursuant to s.
13 216.1817,a nonrefundable review fee of \$250 to cover the
14 administrative costs associated with the department's review
15 of the application.

16 3. A limited contamination assessment report.

17 4. A proposed course of action.

18
19 The limited contamination assessment report shall be
20 sufficient to support the proposed course of action and to
21 estimate the cost of the proposed course of action. Any costs
22 incurred related to conducting the limited contamination
23 assessment report are not refundable from the Inland
24 Protection Trust Fund. Site eligibility under this subsection,
25 or any other provision of this section, shall not constitute
26 an entitlement to preapproved advanced cleanup or continued
27 restoration funding. The applicant shall certify to the
28 department that the applicant has the prerequisite authority
29 to enter into a preapproved advanced cleanup contract with the
30 department. This certification shall be submitted with the
31 application.

1 Section 125. Paragraph (b) of subsection (2) of
2 section 376.3072, Florida Statutes, is amended to read:

3 376.3072 Florida Petroleum Liability and Restoration
4 Insurance Program.--

5 (2)

6 (b)1. To be eligible to be certified as an insured
7 facility, for discharges reported after January 1, 1989, the
8 owner or operator shall file an affidavit upon enrollment in
9 the program. The affidavit shall state that the owner or
10 operator has read and is familiar with this chapter and the
11 rules relating to petroleum storage systems and petroleum
12 contamination site cleanup adopted pursuant to ss. 376.303 and
13 376.3071 and that the facility is in compliance with this
14 chapter and applicable rules adopted pursuant to s. 376.303.
15 Thereafter, the facility's annual inspection report shall
16 serve as evidence of the facility's compliance with department
17 rules. The facility's certificate as an insured facility may
18 be revoked only if the insured fails to correct a violation
19 identified in an inspection report before a discharge occurs.
20 The facility's certification may be restored when the
21 violation is corrected as verified by a reinspection.

22 2. Except as provided in paragraph (a), to be eligible
23 to be certified as an insured facility, the applicant must
24 demonstrate to the department that the applicant has financial
25 responsibility for third-party claims and excess coverage, as
26 required by this section and 40 C.F.R. s. 280.97(h) and that
27 the applicant maintains such insurance during the applicant's
28 participation as an insured facility.

29 3. Should a reinspection of the facility be necessary
30 to demonstrate compliance, the insured shall pay an inspection
31 fee not to exceed \$500 per facility unless determined

1 otherwise pursuant to s. 216.1817,to be deposited in the
2 Inland Protection Trust Fund.

3 4. Upon report of a discharge, the department shall
4 issue an order stating that the site is eligible for
5 restoration coverage unless the insured has intentionally
6 caused or concealed a discharge or disabled leak detection
7 equipment, has misrepresented facts in the affidavit filed
8 pursuant to subparagraph 1., or cannot demonstrate that he or
9 she has obtained and maintained the financial responsibility
10 for third-party claims and excess coverage as required in
11 subparagraph 2.

12
13 Nothing contained herein shall prevent the department from
14 assessing civil penalties for noncompliance as provided
15 herein.

16 Section 126. Paragraph (a) of subsection (5) of
17 section 376.30781, Florida Statutes, is amended to read:

18 376.30781 Partial tax credits for rehabilitation of
19 drycleaning-solvent-contaminated sites and brownfield sites in
20 designated brownfield areas; application process; rulemaking
21 authority; revocation authority.--

22 (5) To obtain the tax credit certificate, an applicant
23 must annually file an application for certification, which
24 must be received by the Department of Environmental Protection
25 by December 31. The applicant must provide all pertinent
26 information requested on the tax credit application form,
27 including, at a minimum, the name and address of the applicant
28 and the address and tracking identification number of the
29 eligible site. Along with the application form, the applicant
30 must submit the following:

31

1 (a) Unless determined otherwise pursuant to s.
2 216.1817, a nonrefundable review fee of \$250 made payable to
3 the Water Quality Assurance Trust Fund to cover the
4 administrative costs associated with the department's review
5 of the tax credit application;

6 Section 127. Section 376.323, Florida Statutes, is
7 amended to read:

8 376.323 Registration.--All tanks shall be registered
9 no later than July 1, 1992. Registrations shall be renewed
10 annually. Registration fees shall not exceed \$2,500 per
11 facility unless determined otherwise pursuant to s. 216.1817.

12 The department shall issue to the tank owner or operator one
13 registration placard per facility, covering all tanks at that
14 facility which have been properly registered, as evidence of
15 the completion of the registration requirement. The
16 department shall develop by rule a fee schedule sufficient to
17 cover the costs associated with registration, inspection,
18 surveillance, and other activities associated with ss.

19 376.320-376.326. Revenues from such fees collected shall be
20 deposited into the Water Quality Assurance Trust Fund, and
21 shall be used to implement the provisions of ss.

22 376.320-376.326.

23 Section 128. Section 376.60, Florida Statutes, is
24 amended to read:

25 376.60 Asbestos removal program inspection and
26 notification fee.--The Department of Environmental Protection
27 shall charge an inspection and notification fee. Unless
28 determined otherwise pursuant to s. 216.1817, the fee may not
29 ~~not to~~ exceed \$300 for a small business as defined in s.
30 288.703(1), or \$1,000 for any other project, for any asbestos
31 removal project. The department may establish a fee schedule

1 by rule. Schools, colleges, universities, residential
2 dwellings, and those persons otherwise exempted from licensure
3 under s. 469.002(4) are exempt from the fees. Any fee
4 collected must be deposited in the asbestos program account in
5 the Air Pollution Control Trust Fund to be used by the
6 department to administer its asbestos removal program.

7 (1) In those counties with approved local air
8 pollution control programs, the department shall return 80
9 percent of the asbestos removal program inspection and
10 notification fees collected in that county to the local
11 government quarterly, if the county requests it.

12 (2) The fees returned to a county under subsection (1)
13 must be used only for asbestos-related program activities.

14 (3) A county may not levy any additional fees for
15 asbestos removal activity while it receives fees under
16 subsection (1).

17 (4) If a county has requested reimbursement under
18 subsection (1), the department shall reimburse the approved
19 local air pollution control program with 80 percent of the
20 fees collected in the county retroactive to July 1, 1994, for
21 asbestos-related program activities.

22 (5) If an approved local air pollution control program
23 that is providing asbestos notification and inspection
24 services according to 40 C.F.R. part 61, subpart M, and is
25 collecting fees sufficient to support the requirements of 40
26 C.F.R. part 61, subpart M, opts not to receive the
27 state-generated asbestos notification fees, the state may
28 discontinue collection of the state asbestos notification fees
29 in that county.

30 Section 129. Subsection (1) of section 377.24, Florida
31 Statutes, is amended to read:

1 377.24 Notice of intention to drill well; permits;
2 abandoned wells and dry holes.--

3 (1) Before any well may ~~in search of oil or gas shall~~
4 be drilled in search of oil or gas, the person seeking
5 ~~desiring~~ to drill the well must ~~same shall~~ notify the division
6 upon such form as it may prescribe and must ~~shall~~ pay a
7 reasonable fee pursuant to s. 216.1817 and set by rule of the
8 department not to exceed the actual cost of processing and
9 inspecting for each well. The drilling of any well is hereby
10 prohibited until such notice is given and such fee has been
11 paid and permit granted.

12 Section 130. Subsection (1) of section 377.2408,
13 Florida Statutes, is amended to read:

14 377.2408 Application to conduct geophysical
15 operations.--

16 (1) Before any geophysical operation in search of oil,
17 gas, or minerals may ~~shall~~ be conducted, the person desiring
18 to conduct the such operation must ~~shall~~ make application to
19 the department upon such forms as it may prescribe and must
20 ~~shall~~ pay, pursuant to s. 216.1817, a reasonable fee for
21 processing.

22 Section 131. Paragraph (b) of subsection (1) of
23 section 377.2425, Florida Statutes, is amended to read:

24 377.2425 Manner of providing security for geophysical
25 exploration, drilling, and production.--

26 (1) Prior to granting a permit to conduct geophysical
27 operations; drilling of exploratory, injection, or production
28 wells; producing oil and gas from a wellhead; or transporting
29 oil and gas through a field-gathering system, the department
30 shall require the applicant or operator to provide surety that
31

1 | these operations will be conducted in a safe and
2 | environmentally compatible manner.

3 | (b) An applicant for a drilling, production, or
4 | injection well permit, or a permittee who intends to continue
5 | participating in long-term production activities of such
6 | wells, has the option to provide surety to the department by
7 | paying an annual fee to the Minerals Trust Fund. For an
8 | applicant or permittee choosing this option, the following
9 | shall apply unless determined otherwise pursuant to s.
10 | 216.1817:

11 | 1. For the first year, or part of a year, of a
12 | drilling, production, or injection well permit, or change of
13 | operator, the fee is \$4,000 per permitted well.

14 | 2. For each subsequent year, or part of a year, the
15 | fee is \$1,500 per permitted well.

16 | 3. The maximum fee that an applicant or permittee may
17 | be required to pay into the trust fund is \$30,000 per calendar
18 | year, regardless of the number of permits applied for or in
19 | effect.

20 | 4. The fees set forth in subparagraphs 1., 2., and 3.
21 | shall be reviewed by the department on a biennial basis and
22 | adjusted for the cost of inflation. The department shall
23 | establish by rule a suitable index for implementing such fee
24 | revisions.

25 | Section 132. Paragraph (c) of subsection (4) of
26 | section 377.705, Florida Statutes, is amended to read:

27 | 377.705 Solar Energy Center; development of solar
28 | energy standards.--

29 | (4) FLORIDA SOLAR ENERGY CENTER TO SET STANDARDS,
30 | REQUIRE DISCLOSURE, SET TESTING FEES.--

31 |

1 (c) Pursuant to s. 216.1817,the center shall be
2 entitled to receive a testing fee sufficient to cover the
3 costs of such testing. All testing fees shall be transmitted
4 by the center to the State Treasurer to be deposited in the
5 Solar Energy Center Testing Trust Fund, which is hereby
6 created in the State Treasury, and disbursed for the payment
7 of expenses incurred in testing solar energy systems.

8 Section 133. Subsection (9) of section 381.004,
9 Florida Statutes, is amended to read:

10 381.004 HIV testing.--

11 (9) FEES.--

12 (a) Each person or private organization registered as
13 an AIDS or HIV testing site shall pay the department a fee
14 which shall be set by rule of the department.

15 (b) Fees established pursuant to paragraph (a) shall
16 be an amount sufficient to meet all costs incurred by the
17 department in carrying out its registration, data collection,
18 complaint monitoring, and administrative responsibilities
19 under this section,for all private AIDS or HIV testing sites,
20 but shall not exceed \$100 unless determined otherwise pursuant
21 to s. 216.1817.

22 (c) No other fees shall be charged by other
23 governmental agencies for these purposes.

24 Section 134. Subsection (2) of section 381.0066,
25 Florida Statutes, is amended to read:

26 381.0066 Onsite sewage treatment and disposal systems;
27 fees.--

28 (2) The minimum fees in the following fee schedule
29 apply until changed by rule by the department within the
30 following limits:

31

1 (a) Application review, permit issuance, or system
2 inspection, including repair of a subsurface, mound, filled,
3 or other alternative system or permitting of an abandoned
4 system: a fee of not less than \$25, or more than \$125, unless
5 determined otherwise pursuant to s. 216.1817.

6 (b) Site evaluation, site reevaluation, evaluation of
7 a system previously in use, or a per annum septage disposal
8 site evaluation: a fee of not less than \$40, or more than
9 \$115, unless determined otherwise pursuant to s. 216.1817.

10 (c) Biennial Operating permit for aerobic treatment
11 units or performance-based treatment systems: a fee of not
12 more than \$100 unless determined otherwise pursuant to s.
13 216.1817.

14 (d) Annual operating permit for systems located in
15 areas zoned for industrial manufacturing or equivalent uses or
16 where the system is expected to receive wastewater which is
17 not domestic in nature: a fee of not less than \$150, or more
18 than \$300, unless determined otherwise pursuant to s.
19 216.1817.

20 (e) Innovative technology: a fee not to exceed
21 \$25,000 unless determined otherwise pursuant to s. 216.1817.

22 (f) Septage disposal service, septage stabilization
23 facility, portable or temporary toilet service, tank
24 manufacturer inspection: a fee of not less than \$25, or more
25 than \$200, per year unless determined otherwise pursuant to s.
26 216.1817.

27 (g) Application for variance: a fee of not less than
28 \$150, or more than \$300, unless determined otherwise pursuant
29 to s. 216.1817.

30 (h) Annual operating permit for waterless,
31 incinerating, or organic waste composting toilets: a fee of

1 not less than \$50, or more than \$150, unless determined
2 otherwise pursuant to s. 216.1817.

3 (i) Aerobic treatment unit or performance-based
4 treatment system maintenance entity permit: a fee of not less
5 than \$25, or more than \$150, per year, unless determined
6 otherwise pursuant to s. 216.1817.

7 (j) Reinspection fee per visit for site inspection
8 after system construction approval or for noncompliant system
9 installation per site visit: a fee of not less than \$25, or
10 more than \$100, unless determined otherwise pursuant to s.
11 216.1817.

12 (k) Research: An additional \$5 fee shall be added to
13 each new system construction permit issued during fiscal years
14 1996-2002 to be used for onsite sewage treatment and disposal
15 system research, demonstration, and training projects. Five
16 dollars from any repair permit fee collected under this
17 section shall be used for funding the hands-on training
18 centers described in s. 381.0065(3)(j).

19 (l) Annual operating permit, including annual
20 inspection and any required sampling and laboratory analysis
21 of effluent, for an engineer-designed performance-based
22 system: a fee of not less than \$150, or more than \$300,
23 unless determined otherwise pursuant to s. 216.1817.

24
25 The funds collected pursuant to this subsection must be
26 deposited in a trust fund administered by the department, to
27 be used for the purposes stated in this section and ss.
28 381.0065 and 381.00655.

29 Section 135. Paragraphs (d), (e), (f), and (k) of
30 subsection (3) of section 381.0062, Florida Statutes, are
31 amended to read:

1 381.0062 Supervision; private and certain public water
2 systems.--

3 (3) SUPERVISION.--The department and its agents shall
4 have general supervision and control over all private water
5 systems, multifamily water systems, and public water systems
6 not covered or included in the Florida Safe Drinking Water Act
7 (part VI of chapter 403), and over those aspects of the public
8 water supply program for which it has the duties and
9 responsibilities provided for in part VI of chapter 403. The
10 department shall:

11 (d) Require ~~a fee~~ from the supplier of water in an
12 amount sufficient to cover the costs of reviewing and acting
13 upon any application for the construction, modification, or
14 operation of a limited use community and limited use
15 commercial public water system, a fee of not less than \$10, or
16 more than \$90, annually, unless determined otherwise pursuant
17 to s. 216.1817.

18 (e) Require ~~a fee~~ from the supplier of water in an
19 amount sufficient to cover the costs of reviewing and acting
20 upon any application for the construction or change of
21 ownership of a multifamily water system, a fee of not less
22 than \$10, or more than \$90, unless determined otherwise
23 pursuant to s. 216.1817.

24 (f) Require a fee from the supplier of water in an
25 amount sufficient to cover the costs of sample collection,
26 review of analytical results, health-risk interpretations, and
27 coordination with other agencies when such work is not
28 included in paragraphs (b) and (c) and is requested by the
29 supplier of water, of not less than \$10, or more than \$90,
30 unless determined otherwise pursuant to s. 216.1817.

31

1 (k) Require a fee to cover the cost of reinspection of
2 any system regulated under this section, which may not be less
3 than \$25, or more than \$40, unless determined otherwise
4 pursuant to s. 216.1817.

5 Section 136. Subsection (1) of section 381.0064,
6 Florida Statutes, is amended to read:

7 381.0064 Continuing education courses for persons
8 installing or servicing septic tanks.--

9 (1) The Department of Health shall establish a program
10 for continuing education which meets the purposes of ss.
11 381.0101 and 489.554 regarding the public health and
12 environmental effects of onsite sewage treatment and disposal
13 systems and any other matters the department determines
14 desirable for the safe installation and use of onsite sewage
15 treatment and disposal systems. Pursuant to s. 216.1817, the
16 department shall ~~may~~ charge a fee to cover the cost of such
17 program.

18 Section 137. Paragraph (d) of subsection (2) of
19 section 381.0072, Florida Statutes, and paragraph (b) of
20 subsection (4) of that section are amended to read:

21 381.0072 Food service protection.--It shall be the
22 duty of the Department of Health to adopt and enforce
23 sanitation rules consistent with law to ensure the protection
24 of the public from food-borne illness. These rules shall
25 provide the standards and requirements for the storage,
26 preparation, serving, or display of food in food service
27 establishments as defined in this section and which are not
28 permitted or licensed under chapter 500 or chapter 509.

29 (2) DUTIES.--

30 (d) The department or other appropriate regulatory
31 entity may inspect theaters exempted in subsection (1) to

1 ensure compliance with applicable laws and rules pertaining to
2 minimum sanitation standards. A fee for inspection shall be
3 prescribed by rule, but the aggregate amount charged per year
4 per theater establishment shall not exceed \$300, regardless of
5 the entity providing the inspection, unless determined
6 otherwise pursuant to s. 216.1817.

7 (4) LICENSE; INSPECTION; FEES.--

8 (b) The fee schedule for food service establishments
9 licensed under this section shall be prescribed by rule, but
10 the aggregate license fee per establishment shall not exceed
11 \$300 unless determined otherwise pursuant to s. 216.1817.

12 Section 138. Paragraph (d) of subsection (6) of
13 section 381.0075, Florida Statutes, is amended to read:

14 381.0075 Regulation of body-piercing salons.--

15 (6) FEES.--

16 (d) The fees assessed under this section are, unless
17 prorated, as follows:

18 1. The annual license fee, or license renewal fee, for
19 a body-piercing salon is \$150 unless determined otherwise
20 pursuant to s. 216.1817.

21 2. Each late fee is \$100 unless determined otherwise
22 pursuant to s. 216.1817.

23 3. The fee for a temporary establishment license is
24 \$75 unless determined otherwise pursuant to s. 216.1817.

25 Section 139. Subsection (1) of section 381.0084,
26 Florida Statutes, is amended to read:

27 381.0084 Application fees for migrant labor camps and
28 residential migrant housing.--

29 (1) Each migrant labor camp operator or owner of
30 residential migrant housing who is subject to s. 381.0081
31

1 shall pay to the department the following annual application
2 fees:

3 (a) Camps or residential migrant housing that have
4 capacity for 5 to 50 occupants: \$125 unless determined
5 otherwise pursuant to s. 216.1817.

6 (b) Camps or residential migrant housing that have
7 capacity for 51 to 100 occupants: \$225 unless determined
8 otherwise pursuant to s. 216.1817.

9 (c) Camps or residential migrant housing that have
10 capacity for 101 or more occupants: \$500 unless determined
11 otherwise pursuant to s. 216.1817.

12 Section 140. Subsection (2) of section 381.0086,
13 Florida Statutes, is amended to read:

14 381.0086 Rules; variances; penalties.--

15 (2) An owner or operator may apply for a permanent
16 structural variance from the department's rules by filing a
17 written application and paying a fee set by the department,
18 not to exceed \$100 unless determined otherwise pursuant to s.
19 216.1817. This application must:

20 (a) Clearly specify the standard from which the
21 variance is desired;

22 (b) Provide adequate justification that the variance
23 is necessary to obtain a beneficial use of an existing
24 facility and to prevent a practical difficulty or unnecessary
25 hardship; and

26 (c) Clearly set forth the specific alternative
27 measures that the owner or operator has taken to protect the
28 health and safety of occupants and adequately show that the
29 alternative measures have achieved the same result as the
30 standard from which the variance is sought.

31

1 Section 141. Paragraph (e) of subsection (4) of
2 section 381.0098, Florida Statutes, is amended to read:

3 381.0098 Biomedical waste.--

4 (4) PERMITS AND FEES.--

5 (e) The department shall establish a schedule of fees
6 for such permits. Fees assessed under this section shall be in
7 an amount sufficient to meet the costs of carrying out the
8 provisions of this section and rules adopted under this
9 section. The fee schedule shall not be less than \$50, or more
10 than \$400, for each year the permit is valid, unless
11 determined otherwise pursuant to s. 216.1817. Fees may be
12 prorated on a quarterly basis when a facility will be in
13 operation for 6 months or less before the annual renewal date.
14 The department shall assess the minimum fees provided in this
15 subsection until a fee schedule is adopted by rule of the
16 department. Facilities owned and operated by the state shall
17 be exempt from the payment of any fees.

18 Section 142. Subsection (7) of section 381.0101,
19 Florida Statutes, is amended to read:

20 381.0101 Environmental health professionals.--

21 (7) FEES.--The department shall charge fees in amounts
22 necessary to meet the cost of providing certification. Fees
23 for certification shall be not less than \$10, or more than
24 \$300, unless determined otherwise pursuant to s. 216.1817, and
25 shall be set by rule. Application, examination, and
26 certification costs shall be included in this fee. Fees for
27 renewal of a certificate shall be no less than \$25, nor more
28 than \$150, per biennium, unless determined otherwise pursuant
29 to s. 216.1817.

30 Section 143. Subsection (3) of section 381.0202,
31 Florida Statutes, is amended to read:

1 381.0202 Laboratory services.--

2 (3) Pursuant to s. 216.1817,the department is
3 authorized to establish and collect reasonable fees and
4 charges for laboratory services provided. Such fees and
5 charges shall be deposited in a trust fund administered by the
6 department and shall be used solely for this purpose.

7 Section 144. Subsections (1) and (2) of section
8 381.6024, Florida Statutes, is amended to read:

9 381.6024 Fees; Florida Organ and Tissue Donor
10 Education and Procurement Trust Fund.--

11 (1) The Agency for Health Care Administration shall
12 collect an initial application fee of \$1,000, unless
13 determined otherwise pursuant to s. 216.1817,from organ
14 procurement organizations and tissue banks,and \$500, unless
15 determined otherwise pursuant to s. 216.1817,from eye banks.
16 The fee must be submitted with each application for initial
17 certification and is nonrefundable.

18 (2) The Agency for Health Care Administration shall
19 assess annual fees to be used, in the following order of
20 priority, for the certification program, the advisory board,
21 maintenance of the organ and tissue donor registry, and the
22 organ and tissue donor education program in the following
23 amounts, which may not exceed \$35,000 per organization:

24 (a) Unless determined otherwise pursuant to s.
25 216.1817,each general organ procurement organization shall
26 pay the greater of \$1,000 or 0.25 percent of its total
27 revenues produced from procurement activity in this state by
28 the certificateholder during its most recently completed
29 fiscal year or operational year.

30 (b) Unless determined otherwise pursuant to s.
31 216.1817,each bone and tissue procurement agency or bone and

1 tissue bank shall pay the greater of \$1,000 or 0.25 percent of
2 its total revenues from procurement and processing activity in
3 this state by the certificateholder during its most recently
4 completed fiscal year or operational year.

5 (c) Unless determined otherwise pursuant to s.
6 216.1817,each eye bank shall pay the greater of \$500 or 0.25
7 percent of its total revenues produced from procurement
8 activity in this state by the certificateholder during its
9 most recently completed fiscal year or operational year.

10 Section 145. Subsection (6) of section 381.88, Florida
11 Statutes, is amended to read:

12 381.88 Insect sting emergency treatment.--

13 (6) A person who successfully completes an educational
14 training program may obtain a certificate upon payment of an
15 application fee of \$25 unless determined otherwise pursuant to
16 s. 216.1817.

17 Section 146. Paragraph (b) of subsection (3) of
18 section 381.89, Florida Statutes, is amended to read:

19 381.89 Regulation of tanning facilities.--

20 (3)

21 (b) The department shall establish procedures for the
22 issuance and annual renewal of licenses and shall establish
23 annual license and renewal fees in an amount necessary to
24 cover the expenses of administering this section. Annual
25 license and renewal fees shall be not less than \$125, nor more
26 than \$250, per tanning device, unless determined otherwise
27 pursuant to s. 216.1817. Effective October 1, 1991, the fee
28 amount shall be the minimum fee proscribed in this paragraph
29 and such fee amount shall remain in effect until the effective
30 date of a fee schedule adopted by the department.

31

1 Section 147. Subsection (3) of section 382.0255,
2 Florida Statutes, is amended to read:

3 382.0255 Fees.--

4 (3) Notwithstanding subsections (1) and (2), fees
5 shall be established by rule pursuant to s. 216.1817.

6 ~~However, until rules are adopted, the fees assessed pursuant~~
7 ~~to this section shall be the minimum fees cited.~~The fees
8 established by rule must be sufficient to meet the cost of
9 providing the service. All fees shall be paid by the person
10 requesting the record, are due and payable at the time
11 services are requested, and are nonrefundable, except that,
12 when a search is conducted and no vital record is found, any
13 fees paid for additional certified copies shall be refunded.
14 The department may waive all or part of the fees required
15 under this section for any government entity.

16 Section 148. Paragraph (g) of subsection (3) of
17 section 383.14, Florida Statutes, is amended to read:

18 383.14 Screening for metabolic disorders, other
19 hereditary and congenital disorders, and environmental risk
20 factors.--

21 (3) DEPARTMENT OF HEALTH; POWERS AND DUTIES.--The
22 department shall administer and provide certain services to
23 implement the provisions of this section and shall:

24 (g) Have the authority to charge and collect fees for
25 screenings authorized in this section, as follows:

26 1. Unless determined otherwise pursuant to s.
27 216.1817, a fee of \$20 will be charged for each live birth, as
28 recorded by the Office of Vital Statistics, occurring in a
29 hospital licensed under part I of chapter 395 or a birth
30 center licensed under s. 383.305, up to 3,000 live births per
31 licensed hospital per year or over 60 births per birth center

1 per year. The department shall calculate the annual
2 assessment for each hospital and birth center, and this
3 assessment must be paid in equal amounts quarterly. Quarterly,
4 the department shall generate and mail to each hospital and
5 birth center a statement of the amount due.

6 2. As part of the department's legislative budget
7 request prepared pursuant to chapter 216, the department shall
8 submit a certification by the department's inspector general,
9 or the director of auditing within the inspector general's
10 office, of the annual costs of the uniform testing and
11 reporting procedures of the infant screening program. In
12 certifying the annual costs, the department's inspector
13 general or the director of auditing within the inspector
14 general's office shall calculate the direct costs of the
15 uniform testing and reporting procedures, including applicable
16 administrative costs. Administrative costs shall be limited to
17 those department costs which are reasonably and directly
18 associated with the administration of the uniform testing and
19 reporting procedures of the infant screening program.

20
21 All provisions of this subsection must be coordinated with the
22 provisions and plans established under this chapter, chapter
23 411, and Pub. L. No. 99-457.

24 Section 149. Subsection (3) of section 383.305,
25 Florida Statutes, is amended to read:

26 383.305 Licensure; issuance, renewal, denial,
27 suspension, revocation; fees; background screening.--

28 (3)(a) Each application for a birth center license, or
29 renewal thereof, shall be accompanied by a license fee. Fees
30 shall be established by rule of the agency pursuant to s.
31 216.1817. Such fees are payable to the agency and shall be

1 deposited in a trust fund administered by the agency, to be
2 used for the sole purpose of carrying out the provisions of
3 ss. 383.30-383.335.

4 (b) The fees established pursuant to ss.
5 383.30-383.335 shall be based on actual costs incurred by the
6 agency in the administration of its duties under such
7 sections.

8 Section 150. Subsection (2) of section 383.324,
9 Florida Statutes, is amended to read:

10 383.324 Inspections and investigations; inspection
11 fees.--

12 (2) Each facility licensed under s. 383.305 shall pay
13 to the agency, at the time of inspection, an inspection fee
14 established by rule of the agency pursuant to s. 216.1817.

15 Section 151. Subsection (3) of section 390.014,
16 Florida Statutes, is amended to read:

17 390.014 Licenses; fees, display, etc.--

18 (3) The annual license fee required for a clinic shall
19 be nonrefundable and shall be reasonably calculated to cover
20 the cost of regulation under this chapter, but may not be less
21 than \$35, nor more than \$250, unless determined otherwise
22 pursuant to s. 216.1817.

23 Section 152. Section 393.17, Florida Statutes, is
24 amended to read:

25 393.17 Behavioral programs; certification of behavior
26 analysts; fees.--The department shall by rule implement a
27 certification program to ensure that qualified persons oversee
28 the design and implementation of behavioral programs for
29 persons who are developmentally disabled. Certification and
30 recertification minimum standards must comply with
31 departmental rules and must include, for initial

1 certification, examination of competencies in applying
2 behavior analysis with persons who are developmentally
3 disabled within established competency clusters. These
4 competency clusters shall include, but not be limited to,
5 behavioral assessments, observation and recording, behavioral
6 program development and monitoring, and other areas as
7 determined by professional practitioners of behavior analysis.
8 Pursuant to s. 216.1817, fees shall be charged for
9 certification not to exceed the cost of development and
10 administration of the examination and periodic renewal of
11 certification. The department shall establish by rule the
12 procedures for certification and certification renewal.

13 Section 153. Subsection (1) of section 394.877,
14 Florida Statutes, is amended to read:

15 394.877 Fees.--

16 (1) Each application for licensure or renewal must be
17 accompanied by a fee set by the department pursuant to s.
18 216.1817, in consultation with the agency, by rule. Such fees
19 shall be reasonably calculated to cover only the cost of
20 regulation under this chapter.

21 Section 154. Paragraph (a) of subsection (2) of
22 section 395.004, Florida Statutes, is amended to read:

23 395.004 Application for license, disposition of fees;
24 expenses.--

25 (2) Each application for a general hospital license,
26 specialty hospital license, ambulatory surgical center
27 license, or mobile surgical facility license, or renewal
28 thereof, shall be accompanied by a license fee, in accordance
29 with the following schedule:

30 (a) The biennial license, provisional license, and
31 license renewal fee required of a facility licensed under this

1 part shall be reasonably calculated to cover the cost of
2 regulation under this part and shall, unless determined
3 otherwise pursuant to s. 216.1817, be established by rule at
4 the rate of not less than \$9.50 per hospital bed, nor more
5 than \$30 per hospital bed, except that the minimum license fee
6 shall be \$1,500 and the total fees collected from all licensed
7 facilities may not exceed the cost of properly carrying out
8 the provisions of this part.

9 Section 155. Subsection (3) of section 395.0161,
10 Florida Statutes, is amended to read:

11 395.0161 Licensure inspection.--

12 (3) With the exception of state-operated licensed
13 facilities, each facility licensed under this part shall pay
14 to the agency, at the time of inspection, the following fees:

15 (a) Inspection for licensure.--Unless determined
16 otherwise pursuant to s. 216.1817, a fee shall be paid which
17 is not less than \$8 per hospital bed, nor more than \$12 per
18 hospital bed, except that the minimum fee shall be \$400 per
19 facility.

20 (b) Inspection for lifesafety only.--Unless determined
21 otherwise pursuant to s. 216.1817, a fee shall be paid which
22 is not less than 75 cents per hospital bed, nor more than
23 \$1.50 per hospital bed, except that the minimum fee shall be
24 \$40 per facility.

25 Section 156. Paragraph (a) of subsection (2) of
26 section 395.0163, Florida Statutes, is amended to read:

27 395.0163 Construction inspections; plan submission and
28 approval; fees.--

29 (2)(a) Unless determined otherwise pursuant to s.
30 216.1817, the agency is authorized to charge an initial fee of
31 \$2,000 for review of plans and construction on all projects,

1 no part of which is refundable. The agency may also collect a
2 fee, not to exceed 1 percent unless determined otherwise
3 pursuant to s. 216.1817, of the estimated construction cost or
4 the actual cost of review, whichever is less, for the portion
5 of the review which encompasses initial review through the
6 initial revised construction document review. The agency is
7 further authorized to collect its actual costs on all
8 subsequent portions of the review and construction
9 inspections. The initial fee payment shall accompany the
10 initial submission of plans and specifications. Any
11 subsequent payment that is due is payable upon receipt of the
12 invoice from the agency.

13 Section 157. Subsection (3) of section 395.0199,
14 Florida Statutes, is amended to read:

15 395.0199 Private utilization review.--

16 (3) Registration shall be made annually with the
17 agency on forms furnished by the agency and shall be
18 accompanied by the appropriate registration fee as set by the
19 agency. The fee shall be sufficient to pay for the
20 administrative costs of registering the agent, but shall not
21 exceed \$250 unless determined otherwise pursuant to s.
22 216.1817. The agency may also charge reasonable fees,
23 reflecting actual costs, to persons requesting copies of
24 registration.

25 Section 158. Subsection (3) of section 395.10974,
26 Florida Statutes, is amended to read:

27 395.10974 Qualifications for health care risk
28 managers.--

29 (3) The agency shall issue a license to practice
30 health care risk management to any applicant who qualifies
31 under this section and submits an application fee of not more

1 than \$75 unless determined otherwise pursuant to s. 216.1817,
2 a fingerprinting fee of not more than \$75 unless determined
3 otherwise pursuant to s. 216.1817, and a license fee of not
4 more than \$100 unless determined otherwise pursuant to s.
5 216.1817. The agency shall by rule establish fees and
6 procedures for the issuance and cancellation of licenses.

7 Section 159. Subsection (1) of section 397.407,
8 Florida Statutes, is amended to read:

9 397.407 Licensure fees.--

10 (1) The department shall establish licensure fees by
11 rule. The rule must prescribe a fee range that is based, at
12 least in part, on the number and complexity of programs listed
13 in s. 397.311(19) which are operated by a licensee. ~~The fee~~
14 ~~range must be implemented over a 5-year period. The fee~~
15 ~~schedule for licensure of service components must be increased~~
16 ~~annually in substantially equal increments so that, by July 1,~~
17 ~~1998, the fees from the licensure of service components are~~
18 ~~sufficient to cover at least 50 percent of the costs of~~
19 ~~regulating the service components. Pursuant to s. 216.1817,~~
20 the department shall specify by rule a fee range ~~and phase-in~~
21 ~~plan~~ for privately funded licensed service providers and a fee
22 range ~~and phase-in plan~~ for publicly funded licensed service
23 providers. Fees for privately funded licensed service
24 providers must exceed the fees for publicly funded licensed
25 service providers. ~~The first year phase-in licensure fees~~
26 ~~must be at least \$150 per initial license.~~The rule must
27 provide for a reduction in licensure fees for licensed service
28 providers who hold more than one license.

29 Section 160. Subsection (19) of section 399.01,
30 Florida Statutes, is amended to read:

31

1 399.01 Definitions.--As used in this chapter, the
2 term:

3 (19) "Elevator certificate of competency" means a
4 credential issued by the division to any individual natural
5 person successfully completing an examination as prescribed by
6 rule and paying a fee of \$50 unless determined otherwise
7 pursuant to s. 216.1817. Such credential shall be valid for
8 and expire at the end of 1 year, and may be renewed by the
9 division when the division receives proof of the elevator
10 certificate of competency holder's completion of 8 hours of
11 continuing education and a renewal fee of \$50 unless
12 determined otherwise pursuant to s. 216.1817.

13
14 All other building transportation terms are defined in the
15 current Florida Building Code.

16 Section 161. Subsection (2) of section 399.061,
17 Florida Statutes, is amended to read:

18 399.061 Inspections; correction of deficiencies.--

19 (2) The division may employ state elevator inspectors
20 to conduct the inspections as required by subsection (1) and
21 shall ~~may~~ charge an inspection fee for each inspection
22 pursuant to s. 216.1817, in an amount sufficient to cover the
23 costs of that inspection, as provided by rule. Each state
24 elevator inspector shall hold a certificate of competency
25 issued by the division.

26 Section 162. Paragraphs (b) and (d) of subsection (1)
27 and paragraph (d) of subsection (2) of section 399.07, Florida
28 Statutes, are amended to read:

29 399.07 Certificates of operation; temporary operation
30 permits; fees.--

31 (1)

1 (b) The certificate of operation is valid for a period
2 of 1 year unless sooner suspended or revoked. Pursuant to s.
3 216.1817, the department shall by rule adopt a fee schedule
4 for the renewal of certificates of operation. The renewal
5 period commences on August 1 of each year.

6 (d) Pursuant to s. 216.1817, the department shall
7 charge an annual fee for issuance of a certificate of
8 operation in an amount to be set by rule. However, a renewal
9 application for a certificate of operation filed with the
10 department after expiration date of the certificate must be
11 accompanied by a delinquency fee of \$50 in addition to the
12 annual renewal fee and any other fees required by law. The
13 fees must be deposited into the Hotel and Restaurant Trust
14 Fund.

15 (2)

16 (d) The department shall charge a fee, set by rule in
17 an amount not greater than \$100, unless determined otherwise
18 pursuant to s. 216.1817, for each temporary operation permit.
19 The fee must be deposited in the Hotel and Restaurant Trust
20 Fund.

21 Section 163. Subsection (3) of section 400.062,
22 Florida Statutes, is amended to read:

23 400.062 License required; fee; disposition; display;
24 transfer.--

25 (3) The annual license fee required for each license
26 issued under this part shall be comprised of two parts. Part
27 I of the license fee shall be the basic license fee. The rate
28 per bed for the basic license fee shall be established
29 annually and shall be \$50 per bed unless determined otherwise
30 pursuant to s. 216.1817. The agency may adjust the per bed
31 licensure fees by the Consumer Price Index based on the 12

1 months immediately preceding the increase to cover the cost of
2 regulation under this part. Part II of the license fee shall
3 be the resident protection fee, which shall be at the rate of
4 not less than 25 cents per bed unless determined otherwise
5 pursuant to s. 216.1817. The rate per bed shall be the minimum
6 rate per bed, and such rate shall remain in effect until the
7 effective date of a rate per bed adopted by rule by the agency
8 pursuant to this part. At such time as the amount on deposit
9 in the Resident Protection Trust Fund is less than \$1 million,
10 the agency may adopt rules to establish a rate that ~~which~~ may
11 not exceed \$10 per bed unless determined otherwise pursuant to
12 s. 216.1817. The rate per bed shall revert back to the
13 minimum rate per bed when the amount on deposit in the
14 Resident Protection Trust Fund reaches \$1 million, except that
15 any rate established by rule shall remain in effect until such
16 time as the rate has been equally required for each license
17 issued under this part. Any amount in the fund in excess of
18 \$2 million shall revert to the Health Care Trust Fund and may
19 not be expended without prior approval of the Legislature.
20 The agency may prorate the annual license fee for those
21 licenses which it issues under this part for less than 1 year.
22 Funds generated by license fees collected in accordance with
23 this section shall be deposited in the following manner:
24 (a) The basic license fee collected shall be deposited
25 in the Health Care Trust Fund, established for the sole
26 purpose of carrying out this part. When the balance of the
27 account established in the Health Care Trust Fund for the
28 deposit of fees collected as authorized under this section
29 exceeds one-third of the annual cost of regulation under this
30 part, the excess shall be used to reduce the licensure fees in
31 the next year.

1 (b) The resident protection fee collected shall be
2 deposited in the Resident Protection Trust Fund for the sole
3 purpose of paying, in accordance with the provisions of s.
4 400.063, for the appropriate alternate placement, care, and
5 treatment of a resident removed from a nursing home facility
6 on a temporary, emergency basis or for the maintenance and
7 care of residents in a nursing home facility pending removal
8 and alternate placement.

9 Section 164. Subsection (2) of section 400.232,
10 Florida Statutes, is amended to read:

11 400.232 Review and approval of plans; fees and
12 costs.--The design, construction, erection, alteration,
13 modification, repair, and demolition of all public and private
14 health care facilities are governed by the Florida Building
15 Code and the Florida Fire Prevention Code under ss. 553.73 and
16 633.022. In addition to the requirements of ss. 553.79 and
17 553.80, the agency shall review the facility plans and survey
18 the construction of facilities licensed under this chapter.

19 (2) The agency is authorized to charge an initial fee
20 of \$2,000, unless determined otherwise pursuant to s.
21 216.1817, for review of plans and construction on all
22 projects, no part of which is refundable. The agency may also
23 collect a fee, not to exceed 1 percent of the estimated
24 construction cost or the actual cost of review, whichever is
25 less, for the portion of the review which encompasses initial
26 review through the initial revised construction document
27 review. The agency is further authorized to collect its
28 actual costs on all subsequent portions of the review and
29 construction inspections. Initial fee payment shall accompany
30 the initial submission of plans and specifications. Any
31 subsequent payment that is due is payable upon receipt of the

1 invoice from the agency. Notwithstanding any other provisions
2 of law to the contrary, all money received by the agency
3 pursuant to the provisions of this section shall be deemed to
4 be trust funds, to be held and applied solely for the
5 operations required under this section.

6 Section 165. Subsection (4) of section 400.407,
7 Florida Statutes, is amended to read:

8 400.407 License required; fee, display.--

9 (4)(a) Unless determined otherwise pursuant to s.
10 216.1817, the biennial license fee required of a facility is
11 \$300 per license, with an additional fee of \$50 per resident
12 based on the total licensed resident capacity of the facility,
13 except that no additional fee will be assessed for beds
14 designated for recipients of optional state supplementation
15 payments provided for in s. 409.212. The total fee may not
16 exceed \$10,000 unless determined otherwise pursuant to s.
17 216.1817, no part of which shall be returned to the facility.
18 The agency shall adjust the per bed license fee and the total
19 licensure fee annually by not more than the change in the
20 consumer price index based on the 12 months immediately
21 preceding the increase.

22 (b) In addition to the total fee assessed under
23 paragraph (a), the agency shall require facilities that are
24 licensed to provide extended congregate care services under
25 this part to pay an additional fee per licensed facility. The
26 amount of the biennial fee shall be \$400 per license unless
27 determined otherwise pursuant to s. 216.1817, with an
28 additional fee of \$10 per resident based on the total licensed
29 resident capacity of the facility. No part of this fee shall
30 be returned to the facility. The agency may adjust the per bed
31 license fee and the annual license fee once each year by not

1 more than the average rate of inflation for the 12 months
2 immediately preceding the increase.

3 (c) In addition to the total fee assessed under
4 paragraph (a), the agency shall require facilities that are
5 licensed to provide limited nursing services under this part
6 to pay an additional fee per licensed facility. Unless
7 determined otherwise pursuant to s. 216.1817, the amount of
8 the biennial fee shall be \$250 per license, with an additional
9 fee of \$10 per resident based on the total licensed resident
10 capacity of the facility. No part of this fee shall be
11 returned to the facility. The agency may adjust the per bed
12 license fee and the biennial license fee once each year by not
13 more than the average rate of inflation for the 12 months
14 immediately preceding the increase.

15 Section 166. Subsection (7) of section 400.4178,
16 Florida Statutes, is amended to read:

17 400.4178 Special care for persons with Alzheimer's
18 disease or other related disorders.--

19 (7) Any facility more than 90 percent of whose
20 residents receive monthly optional supplementation payments is
21 not required to pay for the training and education programs
22 required under this section. A facility that has one or more
23 such residents shall pay a reduced fee that is proportional to
24 the percentage of such residents in the facility. A facility
25 that does not have any residents who receive monthly optional
26 supplementation payments must pay a reasonable fee, as
27 established by the department pursuant to s. 216.1817, for
28 such training and education programs.

29 Section 167. Subsection (9) of section 400.419,
30 Florida Statutes, is amended to read:

31 400.419 Violations; administrative fines.--

1 (9) In addition to any administrative fines imposed,
2 the agency may assess a survey fee, equal to the lesser of one
3 half of the facility's biennial license and bed fee or \$500,
4 unless determined otherwise pursuant to s. 216.1817, to cover
5 the cost of conducting initial complaint investigations that
6 result in the finding of a violation that was the subject of
7 the complaint or monitoring visits conducted under s.
8 400.428(3)(c) to verify the correction of the violations.

9 Section 168. Subsection (7) of section 400.452,
10 Florida Statutes, is amended to read:

11 400.452 Staff training and educational programs; core
12 educational requirement.--

13 (7) A facility that does not have any residents who
14 receive monthly optional supplementation payments must pay a
15 reasonable fee pursuant to s. 216.1817 for such training and
16 education programs. A facility that has one or more such
17 residents shall pay a reduced fee that is proportional to the
18 percentage of such residents in the facility. Any facility
19 more than 90 percent of whose residents receive monthly
20 optional state supplementation payments is not required to pay
21 for the training and continuing education programs required
22 under this section.

23 Section 169. Subsection (3) of section 400.453,
24 Florida Statutes, is amended to read:

25 400.453 Consultation by the agency.--

26 (3) Pursuant to s. 216.1817, the agency shall ~~may~~
27 charge a fee commensurate with the cost of providing
28 consultation under this section.

29 Section 170. Subsection (8) of subsection 400.471,
30 Florida Statutes, is amended to read:

31

1 400.471 Application for license; fee; provisional
2 license; temporary permit.--

3 (8) The license fee and annual renewal fee required of
4 a home health agency are nonrefundable. The agency shall set
5 the fees in an amount that is sufficient to cover its costs in
6 carrying out its responsibilities under this part, but not to
7 exceed \$1,000 unless determined otherwise pursuant to s.
8 216.1817. However, state, county, or municipal governments
9 applying for licenses under this part are exempt from the
10 payment of license fees. All fees collected under this part
11 must be deposited in the Health Care Trust Fund for the
12 administration of this part.

13 Section 171. Subsection (3) of section 400.506,
14 Florida Statutes, is amended to read:

15 400.506 Licensure of nurse registries; requirements;
16 penalties.--

17 (3) Application for license must be made to the Agency
18 for Health Care Administration on forms furnished by it and
19 must be accompanied by the appropriate licensure fee, as
20 established by rule and not to exceed the cost of regulation
21 under this part. The licensure fee for nurse registries may
22 not exceed \$1,000 unless determined otherwise pursuant to s.
23 216.1817, and must be deposited in the Health Care Trust Fund.

24 Section 172. Subsection (3) of section 400.509,
25 Florida Statutes, is amended to read:

26 400.509 Registration of particular service providers
27 exempt from licensure; certificate of registration; regulation
28 of registrants.--

29 (3) The agency shall charge a registration fee of \$25
30 unless determined otherwise pursuant to s. 216.1817, to be
31 submitted with the information required under subsection (2).

1 Section 173. Subsection (3) of section 400.554,
2 Florida Statutes, is amended to read:

3 400.554 License requirement; fee; exemption;
4 display.--

5 (3) The biennial license fee required of a center
6 shall be determined by the department, but may not exceed \$150
7 unless determined otherwise pursuant to s. 216.1817.

8 Section 174. Subsection (1) of section 400.555,
9 Florida Statutes, is amended to read:

10 400.555 Application for license.--

11 (1) An application for a license to operate an adult
12 day care center must be made to the agency on forms furnished
13 by the agency and must be accompanied by the appropriate
14 license fee pursuant to s. 216.1817, unless the applicant is
15 exempt from payment of the fee as provided in s. 400.554(4).

16 Section 175. Paragraph (b) of subsection (2) of
17 section 400.605, Florida Statutes, is amended to read:

18 400.605 Administration; forms; fees; rules;
19 inspections; fines.--

20 (2) The agency shall:

21 (b) Collect from the applicant at the time of filing
22 an application for a license or at the time of renewal of a
23 license a fee that ~~which~~ must be reasonably calculated to
24 cover the cost of regulation under this part, but that may not
25 exceed \$600 per program unless determined otherwise pursuant
26 to s. 216.1817. All fees collected under this part shall be
27 deposited in the Health Care Trust Fund for the administration
28 of this part.

29 Section 176. Subsection (1) of section 400.606,
30 Florida Statutes, is amended to read:

31

1 400.606 License; application; renewal; conditional
2 license or permit; certificate of need.--

3 (1) A license application must be filed on a form
4 provided by the agency and must be accompanied by the
5 appropriate license fee pursuant to s. 216.1817, as well as by
6 satisfactory proof that the hospice is in compliance with this
7 part and any rules adopted by the department and proof of
8 financial ability to operate and conduct the hospice in
9 accordance with the requirements of this part. The initial
10 application must be accompanied by a plan for the delivery of
11 home, residential, and homelike inpatient hospice services to
12 terminally ill persons and their families. Such plan must
13 contain, but need not be limited to:

14 (a) The estimated average number of terminally ill
15 persons to be served monthly.

16 (b) The geographic area in which hospice services will
17 be available.

18 (c) A listing of services which are or will be
19 provided, either directly by the applicant or through
20 contractual arrangements with existing providers.

21 (d) Provisions for the implementation of hospice home
22 care within 3 months after licensure.

23 (e) Provisions for the implementation of hospice
24 homelike inpatient care within 12 months after licensure.

25 (f) The number and disciplines of professional staff
26 to be employed.

27 (g) The name and qualifications of any existing or
28 potential contractee.

29 (h) A plan for attracting and training volunteers.

30 (i) The projected annual operating cost of the
31 hospice.

1 (j) A statement of financial resources and personnel
2 available to the applicant to deliver hospice care.

3
4 If the applicant is an existing health care provider, the
5 application must be accompanied by a copy of the most recent
6 profit-loss statement and, if applicable, the most recent
7 licensure inspection report.

8 Section 177. Subsection (3) of section 400.619,
9 Florida Statutes, is amended to read:

10 400.619 Licensure application and renewal.--

11 (3) Application for a license or annual license
12 renewal must be made on a form provided by the agency, must be
13 signed under oath, and must be accompanied by a licensing fee
14 of \$100 per year, unless determined otherwise pursuant to s.
15 216.1817.

16 Section 178. Subsection (5) of section 400.6211,
17 Florida Statutes, is amended to read:

18 400.6211 Training and education programs.--

19 (5) The department shall specify by rule training and
20 education programs, training requirements and the assignment
21 of training responsibilities for staff, training procedures,
22 and training fees pursuant to s. 216.1817,as necessary to
23 administer this section.

24 Section 179. Subsection (3) of section 400.801,
25 Florida Statutes, is amended to read:

26 400.801 Homes for special services.--

27 (3) The application for a license under this section
28 must be made on a form provided by the agency. Unless
29 determined otherwise pursuant to s. 216.1817,a nonrefundable
30 license fee of not more than \$1,000 must be submitted with the
31 license application.

1 Section 180. Paragraph (b) of subsection (2) of
2 section 400.805, Florida Statutes, is amended to read:

3 400.805 Transitional living facilities.--

4 (2)

5 (b) The application for a license must be made on a
6 form provided by the agency. Unless determined otherwise
7 pursuant to s. 216.1817, a nonrefundable license fee of \$2,000
8 and a fee of up to \$39.25 per bed must be submitted with the
9 license application.

10 Section 181. Subsection (3) of section 400.905,
11 Florida Statutes, is amended to read:

12 400.905 License required; fee; exemption; display.--

13 (3) The annual license fee required of a PPEC center
14 shall be in an amount determined by the agency to be
15 sufficient to cover the agency's costs in carrying out its
16 responsibilities under this part, but shall not be less than
17 \$500, or more than \$1,500, unless determined otherwise
18 pursuant to s. 216.1817.

19 Section 182. Subsections (11) and (12) of section
20 400.931, Florida Statutes, are amended to read:

21 400.931 Application for license; fee; provisional
22 license; temporary permit.--

23 (11) All licensure fees required of a home medical
24 equipment provider are nonrefundable. Pursuant to s. 216.1817,
25 the agency shall set the fees in an amount that is sufficient
26 to cover its costs in carrying out its responsibilities under
27 this part. However, state, county, or municipal governments
28 applying for licenses under this part are exempt from the
29 payment of license fees. All fees collected under this part
30 must be deposited in the Health Care Trust Fund for the
31 administration of this part.

1 (12) An applicant for initial licensure, renewal, or
2 change of ownership shall pay a license processing fee not to
3 exceed \$300 unless determined otherwise pursuant to s.
4 216.1817, to be paid by all applicants, and an inspection fee
5 not to exceed \$400 unless determined otherwise pursuant to s.
6 216.1817, to be paid by all applicants except those not
7 subject to licensure inspection by the agency as described in
8 s. 400.933(2).

9 Section 183. Subsection (6) of section 400.967,
10 Florida Statutes, is amended to read:

11 400.967 Rules and classification of deficiencies.--

12 (6) Unless determined otherwise pursuant to s.
13 216.1817, the agency shall ~~may~~ charge an initial fee of \$2,000
14 for review of plans and construction on all projects, no part
15 of which is refundable. The agency may also collect a fee, not
16 to exceed 1 percent of the estimated construction cost or the
17 actual cost of review, whichever is less, for the portion of
18 the review which encompasses initial review through the
19 initial revised construction document review. The agency may
20 collect its actual costs on all subsequent portions of the
21 review and construction inspections. Initial fee payment must
22 accompany the initial submission of plans and specifications.
23 Any subsequent payment that is due is payable upon receipt of
24 the invoice from the agency. Notwithstanding any other
25 provision of law, all money received by the agency under this
26 section shall be deemed to be trust funds, to be held and
27 applied solely for the operations required under this section.

28 Section 184. Subsection (2) of section 400.980,
29 Florida Statutes, is amended to read:

30 400.980 Health care services pools.--

31

1 (2) Each person who operates a health care services
2 pool must register each separate business location with the
3 agency. The agency shall adopt rules and provide forms
4 required for such registration and shall impose a registration
5 fee pursuant to s. 216.1817 in an amount sufficient to cover
6 the cost of administering this section. In addition, the
7 registrant must provide the agency with any change of
8 information contained on the original registration application
9 within 14 days prior to the change. The agency may inspect the
10 offices of any health care services pool at any reasonable
11 time for the purpose of determining compliance with this
12 section or the rules adopted under this section.

13 Section 185. Subsection (2) of section 401.2715,
14 Florida Statutes, is amended to read:

15 401.2715 Recertification training of emergency medical
16 technicians and paramedics.--

17 (2) Any individual, institution, school, corporation,
18 or governmental entity may conduct emergency medical
19 technician or paramedic recertification training upon
20 application to the department and payment of a nonrefundable
21 fee, as determined pursuant to s. 216.1817, to be deposited
22 into the Emergency Medical Services Trust Fund. Institutions
23 conducting department-approved educational programs as
24 provided in this chapter and licensed ambulance services are
25 exempt from the application process and payment of fees. The
26 department shall adopt rules for the application and payment
27 of a fee not to exceed the actual cost of administering this
28 approval process.

29 Section 186. Subsection (2) of section 401.321,
30 Florida Statutes, is amended to read:

31

1 401.321 Transferability of license; effect of sale,
2 transfer, assignment, or lease of service.--

3 (2) A license will automatically expire when a
4 licensee changes his or her service location or service name
5 as registered with the department. The expired license must be
6 surrendered by the licensee, and the department shall issue a
7 new license for the balance of the term under the expired
8 license upon receipt of a completed application and a fee of
9 \$30 unless determined otherwise pursuant to s. 216.1817.

10 Section 187. Subsections (1), (4), (6) and (7) of
11 section 401.34, Florida Statutes, are amended to read:

12 401.34 Fees.--

13 (1) Each organization or person subject to this part
14 must pay to the department the following nonrefundable fees:

15 (a) Basic life support service license application:
16 \$660 unless determined otherwise pursuant to s. 216.1817, to
17 be paid biennially.

18 (b) Advanced life support service license application:
19 \$1,375 unless determined otherwise pursuant to s. 216.1817, to
20 be paid biennially.

21 (c) Original or renewal vehicle permit application for
22 basic or advanced life support: \$25 unless determined
23 otherwise pursuant to s. 216.1817, to be paid biennially.

24 (d) Emergency medical technician certification
25 examination application: \$40 unless determined otherwise
26 pursuant to s. 216.1817.

27 (e) Emergency medical technician original certificate
28 application: \$35 unless determined otherwise pursuant to s.
29 216.1817.

30
31

1 (f) Emergency medical technician renewal certificate
2 application: \$20 unless determined otherwise pursuant to s.
3 216.1817, to be paid biennially.

4 (g) Paramedic certification examination application:
5 \$40 unless determined otherwise pursuant to s. 216.1817.

6 (h) Paramedic original certificate application: \$45
7 unless determined otherwise pursuant to s. 216.1817.

8 (i) Paramedic renewal certificate application: \$45
9 unless determined otherwise pursuant to s. 216.1817, to be
10 paid biennially.

11 (j) Air ambulance service application: \$1,375 unless
12 determined otherwise pursuant to s. 216.1817, to be paid
13 biennially.

14 (k) Original or renewal aircraft permit application
15 for air ambulance: \$25 unless determined otherwise pursuant
16 to s. 216.1817, to be paid biennially.

17 (4)(a) If a certificate, license, or permit issued
18 under this part is lost or destroyed, the person or entity to
19 whom the certificate, license, or permit was issued may, upon
20 payment of a fee ~~to be~~ set by the department, not to exceed
21 \$10 unless determined otherwise pursuant to s. 216.1817,
22 obtain a duplicate, ~~or~~ substitute thereof.

23 (b) Upon surrender of the original emergency medical
24 technician or paramedic certificate and receipt of a
25 replacement fee ~~to be~~ set by the department, not to exceed \$10
26 unless determined otherwise pursuant to s. 216.1817, the
27 department shall issue a replacement certificate to make a
28 change in name.

29 (6) The department may by rule offer walk-in
30 eligibility determination and examination to applicants for
31 emergency medical technician or paramedic certification who

1 pay to the department a nonrefundable fee ~~to be~~ set by the
2 department, not to exceed \$65 unless determined otherwise
3 pursuant to s. 216.1817. The fee is in addition to the
4 certification fee and examination fee. The department must
5 establish locations and times for eligibility determination
6 and examination.

7 (7) The cost of emergency medical technician or
8 paramedic certification examination review may not exceed \$50
9 unless determined otherwise pursuant to s. 216.1817.

10 Section 188. Paragraph (c) of subsection (3) of
11 section 401.45, Florida Statutes, is amended to read:

12 401.45 Denial of emergency treatment; civil
13 liability.--

14 (3)

15 (c) The department, in consultation with the
16 Department of Elderly Affairs and the Agency for Health Care
17 Administration, shall develop a standardized
18 do-not-resuscitate identification system with devices that
19 signify, when carried or worn, that the possessor is a patient
20 for whom a physician has issued an order not to administer
21 cardiopulmonary resuscitation. The department may charge a
22 reasonable fee pursuant to s. 216.1817 to cover the cost of
23 producing and distributing such identification devices. Use of
24 such devices shall be voluntary.

25 Section 189. Subsection (3) of section 402.315,
26 Florida Statutes, is amended to read:

27 402.315 Funding; license fees.--

28 (3) The department shall collect a fee for any license
29 it issues for a child care facility pursuant to s. 402.308.
30 Unless determined otherwise pursuant to s. 216.1817, such fee

31

1 shall be \$1 per child, except that the minimum fee shall be
2 \$25 per center and the maximum fee shall be \$100 per center.

3 Section 190. Subsection (2) of section 402.33, Florida
4 Statutes, is amended to read:

5 402.33 Department authority to charge fees for
6 services provided.--

7 (2) Pursuant to s. 216.1817,the department, in
8 accordance with rules established by it, shall either charge,
9 assess, or collect, or cause to be charged, assessed, or
10 collected, fees for any service it provides to its clients
11 either directly or through its agencies or contractors, except
12 for:

13 (a) Diagnosis and evaluation procedures necessary to
14 determine the client's eligibility and need for services
15 provided by the department;

16 (b) Customary and routine information and referral
17 services;

18 (c) Educational services provided in lieu of public
19 education;

20 (d) Specific services exempted by law from fee
21 assessment;

22 (e) Emergency shelter or emergency detention care and
23 custody prior to a detention hearing under chapter 39;

24 (f) Specific classes or types of services provided in
25 programs funded by grants, donations, or contracts that
26 prohibit charging fees;

27 (g) Developmental services provided under chapter 393
28 to any person who is determined to be eligible for such
29 services by the department and whose earned income falls below
30 the federal Health and Human Services Poverty Guidelines,
31

1 unless such fees are collected from third-party benefits and
2 benefit payments; or

3 (h) Any type of service for which the department
4 determines that the net estimated revenue from such fees after
5 deducting any loss of funds from federal grants occasioned by
6 such fees will be less than the estimated cost to charge and
7 collect such fees.

8
9 Fees, other than third-party benefits and benefit payments,
10 may not be charged for services provided to indigents whose
11 only sources of income are from state and federal aid. In
12 addition, fees may not be charged parents of a minor client
13 for services requested by the minor without parental consent
14 or for services provided a minor client who has been
15 permanently committed to the care and custody of the
16 department with parental rights permanently severed. However,
17 lack of parental consent does not preclude the charging of
18 fees established under chapter 39. The department may not
19 require a client who is receiving wages which are below the
20 minimum wage under the federal Fair Labor Standards Act to pay
21 fees from such wages. Voluntary payments for services must be
22 encouraged.

23 Section 191. Subsection (1) of section 403.0625,
24 Florida Statutes, is amended to read:

25 403.0625 Environmental laboratory certification; water
26 quality tests conducted by a certified laboratory.--

27 (1) To assure the acceptable quality, reliability, and
28 validity of testing results, the department and the Department
29 of Health shall jointly establish criteria for certification
30 of laboratories that perform analyses of environmental samples
31 that are not covered by the provisions in s. 403.863. The

1 Department of Health shall have the responsibility for the
2 operation and implementation of such laboratory certification.
3 The Department of Health may charge and collect fees for the
4 certification of such laboratories. The fee schedule shall be
5 based on the number of analytical functions for which
6 certification is sought. Pursuant to s. 216.1817, such fees
7 shall be sufficient to meet the costs incurred by the
8 Department of Health in administering this program in
9 coordination with the department. All fees collected pursuant
10 to this section shall be deposited in a trust fund to be
11 administered by the Department of Health and shall be used
12 only for the purposes of this section.

13 Section 192. Subsection (6) of section 403.087,
14 Florida Statutes, is amended to read:

15 403.087 Permits; general issuance; denial; revocation;
16 prohibition; penalty.--

17 (6)(a) The department shall require a processing fee
18 in an amount sufficient, to the greatest extent possible, to
19 cover the costs of reviewing and acting upon any application
20 for a permit or request for site-specific alternative criteria
21 or for an exemption from water quality criteria and to cover
22 the costs of surveillance and other field services and related
23 support activities associated with any permit or plan approval
24 issued pursuant to this chapter. However, when an application
25 is received without the required fee, the department shall
26 acknowledge receipt of the application and shall immediately
27 return the unprocessed application to the applicant and shall
28 take no further action until the application is received with
29 the appropriate fee. The department shall adopt a schedule of
30 fees by rule, subject to the following limitations:

31

- 1 1. The fee for any of the following may not exceed
2 \$32,500 unless determined otherwise pursuant to s. 216.1817:
3 a. Hazardous waste, construction permit.
4 b. Hazardous waste, operation permit.
5 c. Hazardous waste, postclosure permit, or clean
6 closure plan approval.
- 7 2. The permit fee for a Class I injection well
8 construction permit may not exceed \$12,500 unless determined
9 otherwise pursuant to s. 216.1817.
- 10 3. The permit fee for any of the following permits may
11 not exceed \$10,000 unless determined otherwise pursuant to s.
12 216.1817:
13 a. Solid waste, construction permit.
14 b. Solid waste, operation permit.
15 c. Class I injection well, operation permit.
- 16 4. The permit fee for any of the following permits may
17 not exceed \$7,500 unless determined otherwise pursuant to s.
18 216.1817:
19 a. Air pollution, construction permit.
20 b. Solid waste, closure permit.
21 c. Drinking water, construction or operation permit.
22 d. Domestic waste residuals, construction or operation
23 permit.
24 e. Industrial waste, operation permit.
25 f. Industrial waste, construction permit.
- 26 5. The permit fee for any of the following permits may
27 not exceed \$5,000 unless determined otherwise pursuant to s.
28 216.1817:
29 a. Domestic waste, operation permit.
30 b. Domestic waste, construction permit.
31

1 6. The permit fee for any of the following permits may
2 not exceed \$4,000 unless determined otherwise pursuant to s.
3 216.1817:

4 a. Wetlands resource management--(dredge and fill),
5 standard form permit.

6 b. Hazardous waste, research and development permit.

7 c. Air pollution, operation permit, for sources not
8 subject to s. 403.0872.

9 d. Class III injection well, construction, operation,
10 or abandonment permits.

11 7. The permit fee for Class V injection wells,
12 construction, operation, and abandonment permits may not
13 exceed \$750 unless determined otherwise pursuant to s.
14 216.1817.

15 8. The permit fee for any of the following permits may
16 not exceed \$500 unless determined otherwise pursuant to s.
17 216.1817:

18 a. Domestic waste, collection system permits.

19 b. Wetlands resource management--(dredge and fill and
20 mangrove alterations), short permit form.

21 c. Drinking water, distribution system permit.

22 9. The permit fee for stormwater operation permits may
23 not exceed \$100 unless determined otherwise pursuant to s.
24 216.1817.

25 10. The general permit fees for permits that require
26 certification by a registered professional engineer or
27 professional geologist may not exceed \$500 unless determined
28 otherwise pursuant to s. 216.1817. The general permit fee for
29 other permit types may not exceed \$100 unless determined
30 otherwise pursuant to s. 216.1817.

31

1 11. The fee for a permit issued pursuant to s. 403.816
2 is \$5,000 unless determined otherwise pursuant to s. 216.1817,
3 and the fee for any modification of such permit requested by
4 the applicant is \$1,000 unless determined otherwise pursuant
5 to s. 216.1817.

6 12. The regulatory program and surveillance fees for
7 facilities permitted pursuant to s. 403.088 or s. 403.0885, or
8 for facilities permitted pursuant to s. 402 of the Clean Water
9 Act, as amended, 33 U.S.C. ss. 1251 et seq., and for which the
10 department has been granted administrative authority, shall be
11 limited as follows:

12 a. The fees for domestic wastewater facilities shall
13 not exceed \$7,500 annually unless determined otherwise
14 pursuant to s. 216.1817. The department shall establish a
15 sliding scale of fees based on the permitted capacity and
16 shall ensure smaller domestic waste dischargers do not bear an
17 inordinate share of costs of the program.

18 b. The annual fees for industrial waste facilities
19 shall not exceed \$11,500 unless determined otherwise pursuant
20 to s. 216.1817. The department shall establish a sliding scale
21 of fees based upon the volume, concentration, or nature of the
22 industrial waste discharge and shall ensure smaller industrial
23 waste dischargers do not bear an inordinate share of costs of
24 the program.

25 c. The department may establish a fee, not to exceed
26 the amounts in subparagraphs 4. and 5. unless determined
27 otherwise pursuant to s. 216.1817, to cover additional costs
28 of review required for permit modification or construction
29 engineering plans.

30 (b) If substantially similar air pollution sources are
31 to be constructed or modified at the same facility, the

1 applicant may submit a single application and permit fee for
2 construction or modification of the sources at that facility.
3 If substantially similar air pollution sources located at the
4 same facility do not constitute a major source of air
5 pollution subject to permitting under s. 403.0872, the
6 applicant may submit a single application and permit fee for
7 the operation of those sources. The department may develop,
8 by rule, criteria for determining what constitutes
9 substantially similar sources.

10 (c) The fee schedule shall be adopted by rule pursuant
11 to s. 216.1817. The amount of each fee shall be reasonably
12 related to the costs of permitting, field services, and
13 related support activities for the particular permitting
14 activity taking into consideration consistently applied
15 standard cost-accounting principles and economies of scale.
16 If the department requires, by rule or by permit condition,
17 that a permit be renewed more frequently than once every 5
18 years, the permit fee shall be prorated based upon the permit
19 fee schedule in effect at the time of permit renewal.

20 (d) Nothing in this subsection authorizes the
21 construction or expansion of any stationary installation
22 except to the extent specifically authorized by department
23 permit or rule.

24 (e) For all domestic waste collection system permits
25 and drinking water distribution system permits, the department
26 shall adopt a fee schedule, by rule, based on a sliding scale
27 relating to pipe diameter, length of the proposed main, or
28 equivalent dwelling units, or any combination of these
29 factors. The department shall require a separate permit
30 application and fee for each noncontiguous project within the
31 system.

1 Section 193. Subsection (11) of section 403.0872,
2 Florida Statutes, is amended to read:

3 403.0872 Operation permits for major sources of air
4 pollution; annual operation license fee.--

5 (11) Each major source of air pollution permitted to
6 operate in this state must pay between January 15 and March 1
7 of each year, upon written notice from the department, an
8 annual operation license fee in an amount determined by
9 department rule pursuant to s. 216.1817. The annual operation
10 license fee shall be terminated immediately in the event the
11 United States Environmental Protection Agency imposes annual
12 fees solely to implement and administer the major source
13 air-operation permit program in Florida under 40 C.F.R. s.
14 70.10(d).

15 (a) The annual fee must be assessed based upon the
16 source's previous year's emissions and must be calculated by
17 multiplying the applicable annual operation license fee factor
18 times the tons of each regulated air pollutant (except carbon
19 monoxide) allowed to be emitted per hour by specific condition
20 of the source's most recent construction or operation permit,
21 times the annual hours of operation allowed by permit
22 condition; provided, however, that:

23 1. The license fee factor is \$25 or another amount
24 determined by department rule pursuant to s. 216.1817, which
25 ensures that the revenue provided by each year's operation
26 license fees is sufficient to cover all reasonable direct and
27 indirect costs of the major stationary source air-operation
28 permit program established by this section. The license fee
29 factor may be increased beyond \$25 only if the secretary of
30 the department affirmatively finds that a shortage of revenue
31 for support of the major stationary source air-operation

1 permit program will occur in the absence of a fee factor
2 adjustment. The annual license fee factor may never exceed \$35
3 unless determined otherwise pursuant to s. 216.1817.

4 2. For any source that operates for fewer hours during
5 the calendar year than allowed under its permit, the annual
6 fee calculation must be based upon actual hours of operation
7 rather than allowable hours if the owner or operator of the
8 source documents the source's actual hours of operation for
9 the calendar year. For any source that has an emissions limit
10 that is dependent upon the type of fuel burned, the annual fee
11 calculation must be based on the emissions limit applicable
12 during actual hours of operation.

13 3. For any source whose allowable emission limitation
14 is specified by permit per units of material input or heat
15 input or product output, the applicable input or production
16 amount may be used to calculate the allowable emissions if the
17 owner or operator of the source documents the actual input or
18 production amount. If the input or production amount is not
19 documented, the maximum allowable input or production amount
20 specified in the permit must be used to calculate the
21 allowable emissions.

22 4. For any new source that does not receive its first
23 operation permit until after the beginning of a calendar year,
24 the annual fee for the year must be reduced pro rata to
25 reflect the period during which the source was not allowed to
26 operate.

27 5. For any source that emits less of any regulated air
28 pollutant than allowed by permit condition, the annual fee
29 calculation for such pollutant must be based upon actual
30 emissions rather than allowable emissions if the owner or
31 operator documents the source's actual emissions by means of

1 data from a department-approved certified continuous emissions
2 monitor or from an emissions monitoring method which has been
3 approved by the United States Environmental Protection Agency
4 under the regulations implementing 42 U.S.C. ss. 7651 et seq.,
5 or from a method approved by the department for purposes of
6 this section.

7 6. The amount of each regulated air pollutant in
8 excess of 4,000 tons per year allowed to be emitted by any
9 source, or group of sources belonging to the same Major Group
10 as described in the Standard Industrial Classification Manual,
11 1987, may not be included in the calculation of the fee. Any
12 source, or group of sources, which does not emit any regulated
13 air pollutant in excess of 4,000 tons per year, is allowed a
14 one-time credit not to exceed 25 percent of the first annual
15 licensing fee for the prorated portion of existing
16 air-operation permit application fees remaining upon
17 commencement of the annual licensing fees.

18 7. If the department has not received the fee by
19 February 15 of the calendar year, the permittee must be sent a
20 written warning of the consequences for failing to pay the fee
21 by March 1. If the fee is not postmarked by March 1 of the
22 calendar year, the department shall impose, in addition to the
23 fee, a penalty of 50 percent of the amount of the fee, plus
24 interest on such amount computed in accordance with s.
25 220.807. The department may not impose such penalty or
26 interest on any amount underpaid, provided that the permittee
27 has timely remitted payment of at least 90 percent of the
28 amount determined to be due and remits full payment within 60
29 days after receipt of notice of the amount underpaid. The
30 department may waive the collection of underpayment and shall
31 not be required to refund overpayment of the fee, if the

1 amount due is less than 1 percent of the fee, up to \$50. The
2 department may revoke any major air pollution source operation
3 permit if it finds that the permit holder has failed to timely
4 pay any required annual operation license fee, penalty, or
5 interest.

6 8. Notwithstanding the computational provisions of
7 this subsection, the annual operation license fee for any
8 source subject to this section shall not be less than \$250,
9 except that the annual operation license fee for sources
10 permitted solely through general permits issued under s.
11 403.814 shall not exceed \$50 per year unless determined
12 otherwise pursuant to s. 216.1817.

13 9. Notwithstanding the provisions of s.
14 403.087(6)(a)4.a., authorizing air pollution construction
15 permit fees, the department may not require such fees for
16 changes or additions to a major source of air pollution
17 permitted pursuant to this section, unless the activity
18 triggers permitting requirements under Title I, Part C or Part
19 D, of the federal Clean Air Act, 42 U.S.C. ss. 7470-7514a.
20 Costs to issue and administer such permits shall be considered
21 direct and indirect costs of the major stationary source
22 air-operation permit program under s. 403.0873. The department
23 shall, however, require fees pursuant to the provisions of s.
24 403.087(6)(a)4.a. for the construction of a new major source
25 of air pollution that will be subject to the permitting
26 requirements of this section once constructed and for
27 activities triggering permitting requirements under Title I,
28 Part C or Part D, of the federal Clean Air Act, 42 U.S.C. ss.
29 7470-7514a.

30 (b) Annual operation license fees collected by the
31 department must be sufficient to cover all reasonable direct

1 and indirect costs required to develop and administer the
2 major stationary source air-operation permit program, which
3 shall consist of the following elements to the extent that
4 they are reasonably related to the regulation of major
5 stationary air pollution sources, in accordance with United
6 States Environmental Protection Agency regulations and
7 guidelines:

- 8 1. Reviewing and acting upon any application for such
9 a permit.
- 10 2. Implementing and enforcing the terms and conditions
11 of any such permit, excluding court costs or other costs
12 associated with any enforcement action.
- 13 3. Emissions and ambient monitoring.
- 14 4. Preparing generally applicable regulations or
15 guidance.
- 16 5. Modeling, analyses, and demonstrations.
- 17 6. Preparing inventories and tracking emissions.
- 18 7. Implementing the Small Business Stationary Source
19 Technical and Environmental Compliance Assistance Program.
- 20 8. Any audits conducted under paragraph (c).

21 (c) An audit of the major stationary source
22 air-operation permit program must be conducted 2 years after
23 the United States Environmental Protection Agency has given
24 full approval of the program to ascertain whether the annual
25 operation license fees collected by the department are used
26 solely to support any reasonable direct and indirect costs as
27 listed in paragraph (b). A program audit must be performed
28 biennially after the first audit.

29 Section 194. Paragraph (a) of subsection (3) of
30 section 403.0876, Florida Statutes, is amended to read:

31 403.0876 Permits; processing.--

1 (3)(a) The department shall establish a special unit
2 for permit coordination and processing to provide expeditious
3 processing of department permits which the district offices
4 are unable to process expeditiously and to provide accelerated
5 processing of certain permits or renewals for economic and
6 operating stability. The ability of the department to process
7 applications pursuant to this subsection in a more timely
8 manner than allowed by subsections (1) and (2) is dependent
9 upon the timely exchange of information between the applicant
10 and the department and the intervention of outside parties as
11 allowed by law. An applicant may request the processing of
12 its permit application by the special unit if the application
13 is from an area of high unemployment or low per capita income,
14 is from a business or industry that is the primary employer
15 within an area's labor market, or is in an industry with
16 respect to which the complexities involved in the review of
17 the application require special skills uniquely available in
18 the headquarters office. The department may require the
19 applicant to waive the 90-day time limitation for department
20 issuance or denial of the permit once for a period not to
21 exceed 90 days. The department may require a special fee to
22 cover the direct cost of processing special applications in
23 addition to normal permit fees and costs. The special fee may
24 not exceed \$10,000 per permit required unless determined
25 otherwise pursuant to s. 216.1817. Applications for renewal
26 permits, but not applications for initial permits, required
27 for facilities pursuant to the Electrical Power Plant Siting
28 Act or the Transmission Line Siting Act may be processed under
29 this subsection. Personnel staffing the special unit shall
30 have lengthy experience in permit processing.

31

1 Section 195. Subsection (2) of section 403.311,
2 Florida Statutes, is amended to read:

3 403.311 Application for weather modification
4 licensing; fee.--

5 (2) Each application shall be accompanied by a filing
6 fee in the sum of \$1,000 unless determined otherwise pursuant
7 to s. 216.1817 and by proof of financial responsibility as
8 required by s. 403.321.

9 Section 196. Paragraph (a) of subsection (4) of
10 section 403.4154, Florida Statutes, is amended to read:

11 403.4154 Phosphogypsum management program.--

12 (4) REGISTRATION FEES.--

13 (a)1. The owner or operator of each existing
14 phosphogypsum stack who has not provided a performance bond,
15 letter of credit, trust fund agreement, or closure insurance
16 to demonstrate financial responsibility for closure and
17 long-term care shall pay to the department a fee as set forth
18 in this paragraph. All fees shall be deposited in the
19 Nonmandatory Land Reclamation Trust Fund.

20 2. Unless determined otherwise pursuant to s.
21 216.1817, the amount of the fee for each existing stack shall
22 be \$75,000 for each of the five 12-month periods following
23 July 1, 2001.

24 3. Unless determined otherwise pursuant to s.
25 216.1817, the amount of the fee for any new stack for which
26 the owner or operator has not provided a performance bond,
27 letter of credit, trust fund agreement, or closure insurance
28 to demonstrate financial responsibility for closure and
29 long-term care shall be \$75,000 for each of the five 12-month
30 periods following the issuance by the department of a
31 construction permit for that stack.

1 4. Within 30 days after a phosphogypsum stack has been
2 certified as closed pursuant to rule 62-673.620(2) and (3),
3 Florida Administrative Code, the department shall refund to
4 the owner of the closed phosphogypsum stack an amount from the
5 Nonmandatory Land Reclamation Trust Fund equal to the total
6 amount of fee payments made by the owner or operator to the
7 fund in connection with the closed phosphogypsum stack, except
8 that any refund becoming payable prior to July 1, 2009, shall
9 be paid to the owner on or after that date.

10 Section 197. Subsection (1) of section 403.518,
11 Florida Statutes, is amended to read:

12 403.518 Fees; disposition.--

13 (1) The department shall charge the applicant the
14 following fees, as appropriate, which shall be paid into the
15 Florida Permit Fee Trust Fund:

16 (a) A fee for a notice of intent pursuant to s.
17 403.5063, in the amount of \$2,500 unless determined otherwise
18 pursuant to s. 216.1817, to be submitted to the department at
19 the time of filing of a notice of intent. The notice-of-intent
20 fee shall be used and disbursed in the same manner as the
21 application fee.

22 (b) An application fee, which shall not exceed
23 \$200,000 unless determined otherwise pursuant to s. 216.1817.
24 The fee shall be fixed by rule on a sliding scale related to
25 the size, type, ultimate site capacity, increase in generating
26 capacity proposed by the application, or the number and size
27 of local governments in whose jurisdiction the electrical
28 power plant is located.

29 1. Sixty percent of the fee shall go to the department
30 to cover any costs associated with reviewing and acting upon
31 the application, to cover any field services associated with

1 monitoring construction and operation of the facility, and to
2 cover the costs of the public notices published by the
3 department.

4 2. Twenty percent of the fee or \$25,000, whichever is
5 greater, shall be transferred to the Administrative Trust Fund
6 of the Division of Administrative Hearings of the Department
7 of Management Services.

8 3. Upon written request with proper itemized
9 accounting within 90 days after final agency action by the
10 board or withdrawal of the application, the department shall
11 reimburse the Department of Community Affairs, the Fish and
12 Wildlife Conservation Commission, and any water management
13 district created pursuant to chapter 373, regional planning
14 council, and local government in the jurisdiction of which the
15 proposed electrical power plant is to be located, and any
16 other agency from which the department requests special
17 studies pursuant to s. 403.507(2)(a)7. Such reimbursement
18 shall be authorized for the preparation of any studies
19 required of the agencies by this act, and for agency travel
20 and per diem to attend any hearing held pursuant to this act,
21 and for local governments to participate in the proceedings.
22 In the event the amount available for allocation is
23 insufficient to provide for complete reimbursement to the
24 agencies, reimbursement shall be on a prorated basis.

25 4. If any sums are remaining, the department shall
26 retain them for its use in the same manner as is otherwise
27 authorized by this act; provided, however, that if the
28 certification application is withdrawn, the remaining sums
29 shall be refunded to the applicant within 90 days after
30 withdrawal.

31

1 (c) A certification modification fee, which shall not
2 exceed \$30,000 unless determined otherwise pursuant to s.
3 216.1817. The fee shall be submitted to the department with a
4 formal petition for modification to the department pursuant to
5 s. 403.516. This fee shall be established, disbursed, and
6 processed in the same manner as the application fee in
7 paragraph (b), except that the Division of Administrative
8 Hearings shall not receive a portion of the fee unless the
9 petition for certification modification is referred to the
10 Division of Administrative Hearings for hearing. If the
11 petition is so referred, only \$10,000 of the fee shall be
12 transferred to the Administrative Trust Fund of the Division
13 of Administrative Hearings of the Department of Management
14 Services. The fee for a modification by agreement filed
15 pursuant to s. 403.516(1)(b) shall be \$10,000 unless
16 determined otherwise pursuant to s. 216.1817, to be paid upon
17 the filing of the request for modification. Any sums
18 remaining after payment of authorized costs shall be refunded
19 to the applicant within 90 days of issuance or denial of the
20 modification or withdrawal of the request for modification.

21 (d) A supplemental application fee, not to exceed
22 \$75,000 unless determined otherwise pursuant to s. 216.1817,
23 to cover all reasonable expenses and costs of the review,
24 processing, and proceedings of a supplemental application.
25 This fee shall be established, disbursed, and processed in the
26 same manner as the certification application fee in paragraph
27 (b), except that only \$20,000 of the fee shall be transferred
28 to the Administrative Trust Fund of the Division of
29 Administrative Hearings of the Department of Management
30 Services.

31

1 (e) An existing site certification application fee,
2 not to exceed \$200,000 unless determined otherwise pursuant to
3 s. 216.1817, to cover all reasonable costs and expenses of the
4 review processing and proceedings for certification of an
5 existing power plant site under s. 403.5175. This fee must be
6 established, disbursed, and processed in the same manner as
7 the certification application fee in paragraph (b).

8 Section 198. Section 403.5365, Florida Statutes, is
9 amended to read:

10 403.5365 Fees; disposition.--The department shall
11 charge the applicant the following fees, as appropriate, which
12 shall be paid into the Florida Permit Fee Trust Fund:

13 (1) Unless determined otherwise pursuant to s.
14 216.1817, an application fee of \$100,000, plus \$750 per mile
15 for each mile of corridor in which the transmission line
16 right-of-way is proposed to be located within an existing
17 electrical transmission line right-of-way or within any
18 existing right-of-way for any road, highway, railroad, or
19 other aboveground linear facility, or \$1,000 per mile for each
20 mile of transmission line corridor proposed to be located
21 outside such existing right-of-way.

22 (a) Sixty percent of the fee shall go to the
23 department to cover any costs associated with reviewing and
24 acting upon the application and any costs for field services
25 associated with monitoring construction and operation of the
26 facility.

27 (b) Twenty percent of the fees specified under this
28 section, except postcertification fees, shall be transferred
29 to the Administrative Trust Fund of the Division of
30 Administrative Hearings of the Department of Management
31 Services.

1 (c) Upon written request with proper itemized
2 accounting within 90 days after final agency action by the
3 board or withdrawal of the application, the department shall
4 reimburse the expenses and costs of the Department of
5 Community Affairs, the Fish and Wildlife Conservation
6 Commission, the water management district, regional planning
7 council, and local government in the jurisdiction of which the
8 transmission line is to be located. Such reimbursement shall
9 be authorized for the preparation of any studies required of
10 the agencies by this act, and for agency travel and per diem
11 to attend any hearing held pursuant to this act, and for the
12 local government to participate in the proceedings. In the
13 event the amount available for allocation is insufficient to
14 provide for complete reimbursement to the agencies,
15 reimbursement shall be on a prorated basis.

16 (d) If any sums are remaining, the department shall
17 retain them for its use in the same manner as is otherwise
18 authorized by this section; provided, however, that if the
19 certification application is withdrawn, the remaining sums
20 shall be refunded to the applicant within 90 days after
21 withdrawal.

22 (2) An amendment fee.

23 (a) If no corridor alignment change is proposed by the
24 amendment, no amendment fee shall be charged.

25 (b) If a corridor alignment change is proposed by the
26 applicant, an additional fee of a minimum of \$2,000 and \$750
27 per mile unless determined otherwise pursuant to s. 216.1817
28 shall be submitted to the department for use in accordance
29 with this act.

30 (c) If an amendment is required to address issues,
31 including alternate corridors pursuant to s. 403.5271, raised

1 by the department or other parties, no fee for such amendment
2 shall be charged.

3 (3) A certification modification fee.

4 (a) If no corridor alignment change is proposed by the
5 applicant, the modification fee shall be \$4,000 unless
6 determined otherwise pursuant to s. 216.1817.

7 (b) If a corridor alignment change is proposed by the
8 applicant, the fee shall be \$1,000 for each mile of
9 realignment plus an amount not to exceed \$10,000 unless
10 determined otherwise pursuant to s. 216.1817, to be fixed by
11 rule on a sliding scale based on the load-carrying capability
12 and configuration of the transmission line, for use in
13 accordance with subsection (2).

14 Section 199. Subsection (1) of section 403.7046,
15 Florida Statutes, is amended to read:

16 403.7046 Regulation of recovered materials.--

17 (1) Any person who handles, purchases, receives,
18 recovers, sells, or is an end user of recovered materials
19 shall annually certify to the department on forms provided by
20 the department. The department may by rule exempt from this
21 requirement generators of recovered materials; persons who
22 handle or sell recovered materials as an activity which is
23 incidental to the normal primary business activities of that
24 person; or persons who handle, purchase, receive, recover,
25 sell, or are end users of recovered materials in small
26 quantities as defined by the department. The department shall
27 adopt rules for the certification of and reporting by such
28 persons and shall establish criteria for revocation of such
29 certification. Prior to the adoption of such rules, the
30 department shall appoint a technical advisory committee of no
31 more than nine persons, including, at a minimum,

1 representatives of the Florida Association of Counties, the
2 Florida League of Cities, the Florida Recyclers Association,
3 and the Florida Chapter of the National Solid Waste Management
4 Association, to aid in the development of such rules. Such
5 rules shall be designed to elicit, at a minimum, the amount
6 and types of recovered materials handled by registrants, and
7 the amount and disposal site, or name of person with whom such
8 disposal was arranged, of any solid waste generated by such
9 facility. Such rules may provide for the department to
10 conduct periodic inspections. The department shall ~~may~~ charge
11 a fee of up to \$50 for each registration, unless determined
12 otherwise pursuant to s. 216.1817, which shall be deposited
13 into the Solid Waste Management Trust Fund for implementation
14 of the program.

15 Section 200. Subsection (4) of section 403.717,
16 Florida Statutes, is amended to read:

17 403.717 Waste tire and lead-acid battery
18 requirements.--

19 (4) The department shall adopt rules to carry out the
20 provisions of this section and ss. 403.718 and 403.719. Such
21 rules shall:

22 (a) Provide for the administration or revocation of
23 waste tire processing facility permits, including mobile
24 processor permits;

25 (b) Provide for the administration or revocation of
26 waste tire collector registrations, the fees for which may not
27 exceed \$50 per vehicle registered annually unless determined
28 otherwise pursuant to s. 216.1817;

29 (c) Provide for the administration or revocation of
30 waste tire collection center permits, the fee for which may
31

1 not exceed \$250 annually unless determined otherwise pursuant
2 to s. 216.1817.

3 (d) Set standards, including financial assurance
4 standards, for waste tire processing facilities and associated
5 waste tire sites, waste tire collection centers, waste tire
6 collectors, and for the storage of waste tires and processed
7 tires, including storage indoors;

8 (e) The department may by rule exempt not-for-hire
9 waste tire collectors and processing facilities from financial
10 assurance requirements.

11 (f) Establish procedures for administering the waste
12 tire grants program and issuing grants;

13 (g) Authorize the final disposal of waste tires at a
14 permitted solid waste disposal facility provided the tires
15 have been cut into sufficiently small parts to assure their
16 proper disposal; and

17 (h) Allow waste tire material which has been cut into
18 sufficiently small parts to be used as daily cover material
19 for a landfill.

20 Section 201. Paragraph (a) of subsection (6) of
21 section 403.7186, Florida Statutes, is amended to read:

22 403.7186 Environmentally sound management of
23 mercury-containing devices and lamps.--

24 (6) DEPARTMENT RULES.--The department shall adopt
25 rules to carry out the provisions of this section. Such rules
26 shall:

27 (a) Provide the criteria and procedures for obtaining
28 a reclamation facility permit, the fee for which may not
29 exceed \$2,000 annually unless determined otherwise pursuant to
30 s. 216.1817.

31

1 Section 202. Subsection (8) of section 403.722,
2 Florida Statutes, is amended to read:

3 403.722 Permits; hazardous waste disposal, storage,
4 and treatment facilities.--

5 (8) For permits required by this section, pursuant to
6 s. 216.1817 the department shall ~~may~~ require that a fee be
7 paid and may establish, by rule, a fee schedule based on the
8 degree of hazard and the amount and type of hazardous waste
9 disposed of, stored, or treated at the facility.

10 Section 203. Subsection (4) of section 403.754,
11 Florida Statutes, is amended to read:

12 403.754 Registration of persons transporting,
13 processing, burning, or marketing used oil; fees; reports and
14 records.--

15 (4) Pursuant to s. 216.1817,the department shall ~~may~~
16 prescribe a fee for the registration required by this section
17 in an amount which is sufficient to cover the cost of
18 processing applications.

19 Section 204. Section 403.7842, Florida Statutes, is
20 amended to read:

21 403.7842 Fees.--

22 (1) The applicant shall submit to the department with
23 a certification application a filing fee of \$75,000 unless
24 determined otherwise pursuant to s. 216.1817. The department
25 may reject any application for failure to timely file the
26 application fee.

27 (2) Any amendment to the application initiated by and
28 filed by the applicant involving a substantial change in the
29 size, location, or method of operation of the facility or
30 requiring additional studies by governmental agencies shall be
31

1 accompanied by an application amendment fee of \$5,000 unless
2 determined otherwise pursuant to s. 216.1817.

3 (3) Reasonable expenses and costs of the processing of
4 the application by the department, and other governmental
5 agencies required to prepare reports on the application, shall
6 be paid, in an amount as determined by the department, from
7 the application or application amendment fees.

8 (4) As a condition of certification, the board shall
9 ~~may~~ impose, pursuant to s. 216.1817, an annual inspection and
10 monitoring fee in an amount not to exceed actual annual costs
11 of the department for those activities related to the project.

12 Section 205. Subsections (8) and (15) of section
13 403.861, Florida Statutes, are amended to read:

14 403.861 Department; powers and duties.--The department
15 shall have the power and the duty to carry out the provisions
16 and purposes of this act and, for this purpose, to:

17 (8) Require a fee in an amount sufficient to cover the
18 costs of viewing and acting upon any application for the
19 construction and operation of a public water supply system and
20 the costs of surveillance and other field services associated
21 with any permit issued, but the amount ~~in no case~~ shall not
22 exceed \$7,500 unless determined otherwise pursuant to s.
23 216.1817. The fee schedule shall be adopted by rule based on
24 a sliding scale relating to the size, type of treatment, or
25 population served by the system that is proposed by the
26 applicant.

27 (15) Establish and collect fees pursuant to s.
28 216.1817 for conducting state laboratory analyses as may be
29 necessary, to be collected and used by either the department
30 or the Department of Health in conducting its public water
31 supply laboratory functions.

1 Section 206. Subsection (3) of section 403.8635,
2 Florida Statutes, is amended to read:

3 403.8635 State drinking water sample laboratory
4 certification program.--

5 (3) The Department of Health is authorized to charge
6 and collect fees pursuant to s. 216.1817 for the evaluation
7 and certification of laboratories pursuant to this part. The
8 fee schedule shall be based on the number of analytical
9 functions for which certification is sought. Such fees shall
10 be sufficient to meet the costs incurred by the Department of
11 Health in the administration and operation of this program.
12 All fees shall be deposited in a trust fund administered by
13 the Department of Health to be used for the sole purpose of
14 this section.

15 Section 207. Subsections (1) and (2) of section
16 403.871, Florida Statutes, is amended to read:

17 403.871 Fees.--The department shall, by rule,
18 establish fees to be paid by persons seeking licensure or
19 license renewal to cover the entire cost to the department of
20 administering ss. 403.865-403.876, including, but not limited
21 to, the costs associated with application review and
22 examination, reexamination, licensing and renewal, renewal of
23 an inactive license, reactivation of an inactive license,
24 recordmaking, and recordkeeping, and the costs of ensuring
25 compliance with ss. 403.865-403.876. The fees for license
26 application and license renewal shall be nonrefundable. The
27 department shall establish fees adequate to administer and
28 implement ss. 403.865-403.876.

29 (1) The application fee may not exceed \$100 unless
30 determined otherwise pursuant to s. 216.1817, and the fee is
31 not refundable.

1 (2) The renewal fee may not exceed \$100 unless
2 determined otherwise pursuant to s. 216.1817, and the fee is
3 not refundable.

4 Section 208. Paragraph (b) of subsection (7) of
5 section 403.9329, Florida Statutes, is amended to read:

6 403.9329 Professional mangrove trimmers.--

7 (7)

8 (b) A delegated local government may require that any
9 person qualifying as a professional mangrove trimmer within
10 the jurisdiction of the local government:

11 1. Be registered with the local government.

12 2. Pay an annual registration fee that may not exceed
13 \$500 unless determined otherwise pursuant to s. 216.1817.

14 3. Provide prior written notice to the delegated local
15 government before conducting the trimming activities
16 authorized under the exemptions provided by s. 403.9326.

17 4. Be onsite when mangrove-trimming activities are
18 performed.

19 Section 209. Paragraphs (b) and (c) of subsection (2)
20 of section 408.033, Florida Statutes, are amended to read:

21 408.033 Local and state health planning.--

22 (2) FUNDING.--

23 (b)1. A hospital licensed under chapter 395, a nursing
24 home licensed under chapter 400, and an assisted living
25 facility licensed under chapter 400 shall be assessed,
26 pursuant to s. 216.1817, an annual fee based on number of
27 beds.

28 2. All other facilities and organizations listed in
29 paragraph (a) shall each be assessed an annual fee of \$150
30 unless determined otherwise pursuant to s. 216.1817.

31

1 3. Facilities operated by the Department of Children
2 and Family Services, the Department of Health, or the
3 Department of Corrections and any hospital which meets the
4 definition of rural hospital pursuant to s. 395.602 are exempt
5 from the assessment required in this subsection.

6 (c)1. The agency shall, by rule, establish fees for
7 hospitals and nursing homes based on an assessment of \$2 per
8 bed. However, no such facility shall be assessed more than a
9 total of \$500, unless determined otherwise pursuant to s.
10 216.1817,under this subsection.

11 2. The agency shall, by rule, establish fees for
12 assisted living facilities based on an assessment of \$1 per
13 bed. However, no such facility shall be assessed more than a
14 total of \$150, unless determined otherwise pursuant to s.
15 216.1817,under this subsection.

16 3. The agency shall, by rule, establish an annual fee
17 of \$150, unless determined otherwise pursuant to s. 216.1817,
18 for all other facilities and organizations listed in paragraph
19 (a).

20 Section 210. Section 408.038, Florida Statutes, is
21 amended to read:

22 408.038 Fees.--The agency shall assess fees on
23 certificate-of-need applications. Such fees shall be for the
24 purpose of funding the functions of the local health councils
25 and the activities of the agency and shall be allocated as
26 provided in s. 408.033. Unless determined otherwise pursuant
27 to s. 216.1817,the fee shall be determined as follows:

28 (1) A minimum base fee of \$5,000.

29 (2) In addition to the base fee of \$5,000, 0.015 of
30 each dollar of proposed expenditure, except that a fee may not
31 exceed \$22,000.

1 Section 211. Subsections (1), (2), (3), and (4) of
2 section 403.9421, Florida Statutes, is amended to read:

3 403.9421 Fees; disposition.--The department shall
4 charge the applicant the following fees, as appropriate, which
5 shall be paid into the Florida Permit Fee Trust Fund:

6 (1) An application fee of \$240,000, plus \$500 per mile
7 for each mile of natural gas transmission pipeline corridor
8 proposed to be located in an existing electrical transmission
9 line right-of-way or in existing rights-of-way for roads,
10 highways, railroads, gas, water, oil, sewer, or any other
11 public purpose, and \$1,000 per mile for each mile of natural
12 gas transmission pipeline proposed to be located outside
13 existing rights-of-way, not to exceed a total fee of \$890,000
14 unless determined otherwise pursuant to s. 216.1817.

15 (2) A postcertification fee determined as follows:

16 (a) For pipelines of 50 miles or less in total length,
17 the fee shall be \$75,000 unless determined otherwise pursuant
18 to s. 216.1817.

19 (b) For pipelines of between 50 and 150 miles in total
20 length, the fee shall be \$125,000 unless determined otherwise
21 pursuant to s. 216.1817.

22 (c) For pipelines of a total length greater than 150
23 miles, the fee shall be \$175,000 unless determined otherwise
24 pursuant to s. 216.1817.

25 (3) An application amendment fee which shall apply
26 only when a corridor alignment change is proposed by an
27 applicant prior to the issuance of the department's written
28 analysis as to a proposed corridor.

29 (a) The fee shall be \$5,000 plus \$500 for each mile of
30 natural gas transmission pipeline corridor proposed to be
31 located in an existing electrical transmission line

1 right-of-way or in existing rights-of-way for roads, highways,
2 railroads, gas, water, oil, sewer, or any other public
3 purpose, and \$1,000 per mile for each mile of natural gas
4 transmission pipeline proposed to be located outside existing
5 rights-of-way unless determined otherwise pursuant to s.
6 216.1817.

7 (b) No fee shall be required if an applicant adopts an
8 alternate corridor alignment which is timely proposed under s.
9 403.9412.

10 (4) A certification modification fee determined as
11 follows:

12 (a) If no corridor alignment change is involved, the
13 fee shall be \$10,000 unless determined otherwise pursuant to
14 s. 216.1817.

15 (b) If a corridor alignment change is proposed, the
16 fee shall be \$10,000 plus \$500 for each mile of natural gas
17 transmission pipeline corridor proposed to be located in an
18 existing electrical transmission line right-of-way or in
19 existing rights-of-way for roads, highways, railroads, gas,
20 water, oil, sewer, or any other public purpose, and \$1,000 per
21 mile for each mile of natural gas transmission pipeline
22 proposed to be located outside existing rights-of-way unless
23 determined otherwise pursuant to s. 216.1817.

24 Section 212. Paragraph (f) of subsection (2) of
25 section 404.056, Florida Statutes, is amended to read:

26 404.056 Environmental radiation standards and
27 programs; radon protection.--

28 (2) CERTIFICATION.--

29 (f) The department shall ~~may~~ charge and collect
30 nonrefundable fees for the certification and annual
31 recertification of persons who perform radon gas or radon

1 progeny measurements or who perform mitigation of buildings
2 for radon gas or radon progeny. The amount of the initial
3 application fee and certification shall be not less than \$200
4 or more than \$900 unless determined otherwise pursuant to s.
5 216.1817. The amount of the annual recertification fee shall
6 be not less than \$200 or more than \$900 unless determined
7 otherwise pursuant to s. 216.1817. The fee amounts shall be
8 the minimum fee prescribed in this paragraph, and such fee
9 amounts shall remain in effect until the effective date of a
10 fee schedule promulgated by rule by the department. The fees
11 collected shall be deposited in the Radiation Protection Trust
12 Fund and shall be used only to implement the provisions of
13 this section. The surcharge established pursuant to s.
14 553.721 may be used to supplement the fees established in this
15 paragraph in carrying out the provisions of this subsection.

16 Section 213. Subsections (1), (3), (4), and (5) of s.
17 404.131, Florida Statutes, are amended to read:

18 404.131 Fees.--

19 (1) The department is authorized to charge and collect
20 reasonable fees for specific and general licenses and for the
21 registration of radiation machines. The fees, as determined
22 pursuant to s. 216.1817, shall not exceed the estimated costs
23 to the department of performing licensing, registration,
24 inspection, and other regulatory duties. Unless otherwise
25 provided by law, such fees shall be deposited to the credit of
26 the Radiation Protection Trust Fund, to be held and applied
27 solely for salaries and expenses of the department incurred in
28 implementing and enforcing the provisions of this chapter.

29 (3)(a) The department is authorized to charge and
30 collect reasonable fees from department licensees and nuclear
31 power plant licensees of the United States Nuclear Regulatory

1 Commission who ship low-level radioactive waste to commercial
2 low-level radioactive waste management facilities. Such fees
3 shall be levied according to the cubic foot amount of
4 low-level radioactive waste shipped quarterly by each
5 department licensee and nuclear power plant licensee of the
6 United States Nuclear Regulatory Commission and shall be set
7 by the department pursuant to s. 216.1817 to provide an amount
8 no greater than the costs to the department of surveying the
9 external radiation levels of a vehicle carrying low-level
10 radioactive waste, inspection of the package bracing of a
11 vehicle carrying low-level radioactive waste, verification of
12 required marking and placarding of a vehicle carrying
13 low-level radioactive waste, examination of required shipping
14 papers, routing of low-level radioactive waste shipments to
15 their final destinations, and ensuring compliance with the
16 provisions of the Southeast Interstate Low-Level Radioactive
17 Waste Compact. Fees shall be \$1.25 per cubic foot for the
18 first year and shall be determined by department rule for
19 succeeding years.

20 (b) All moneys collected by the department shall be
21 deposited in the Radiation Protection Trust Fund.

22 (4)(a) The department is authorized to charge and
23 collect reasonable fees pursuant to s. 216.1817 in an amount
24 no greater than the costs to the department of issuing a
25 permit to a person to transport low-level radioactive waste
26 into or through the borders of the state which is destined to
27 a commercial low-level radioactive waste management facility.

28 (b) All moneys collected by the department shall be
29 deposited in the Radiation Protection Trust Fund.

30 (5)(a) The department is authorized to collect
31 reasonable fees pursuant to s. 216.1817 from industries

1 extracting solid minerals as defined in s. 211.30(1),
2 licensees, and nuclear power plants to meet the actual costs
3 of surveillance activities performed for the purpose of
4 monitoring the radiological environmental impact of activities
5 conducted by such solid mineral extraction industries,
6 licensees, and nuclear power plants.

7 (b) All moneys collected by the department shall be
8 deposited into the Radiation Protection Trust Fund and used
9 for environmental surveillance activities.

10 Section 214. Subsection (5) of section 404.22, Florida
11 Statutes, is amended to read:

12 404.22 Radiation machines and components;
13 inspection.--

14 (5)(a) The department shall ~~may~~ charge and collect
15 reasonable fees annually for the registration and inspection
16 of radiation machines pursuant to this section. Such fees
17 shall include the registration fee provided in s. 404.131 and
18 shall be deposited into the Radiation Protection Trust Fund.
19 Registration shall be on an annual basis. Registration shall
20 consist of having the registrant file, on forms prescribed and
21 furnished by the department, information which includes, but
22 is not limited to: type and number of radiation machines,
23 location of radiation machines, and changes in ownership.
24 Pursuant to s. 216.1817, the department shall establish by
25 rule a fee schedule based upon the actual costs incurred by
26 the department in carrying out its registration and inspection
27 responsibilities, including the salaries, expenses, and
28 equipment of inspectors, but excluding costs of supervision
29 and program administration. The fee schedule shall reflect
30 differences in the frequency and complexity of inspections
31 necessary to ensure that the radiation machines are

1 functioning in accordance with the applicable standards
2 developed pursuant to this chapter and rules adopted pursuant
3 hereto.

4 (b) The fee schedule and frequency of inspections
5 shall be determined as follows:

6 1. Radiation machines which are used in the practice
7 of medicine, chiropractic medicine, osteopathic medicine, or
8 naturopathic medicine shall be inspected at least once every 2
9 years, but not more than annually, for an annual fee which is
10 not less than \$83 or more than \$145 for the first radiation
11 machine within an office or facility and not less than \$36 or
12 more than \$85 for each additional radiation machine therein
13 unless determined otherwise pursuant to s. 216.1817.

14 2. Radiation machines which are used in the practice
15 of veterinary medicine shall be inspected at least once every
16 3 years for an annual fee which is not less than \$28 or more
17 than \$50 for the first radiation machine within an office or
18 facility and not less than \$19 or more than \$34 for each
19 additional radiation machine therein unless determined
20 otherwise pursuant to s. 216.1817,.

21 3. Radiation machines which are used for educational
22 or industrial purposes shall be inspected at least once every
23 3 years for an annual fee which is not less than \$26 or more
24 than \$47 for the first radiation machine within an office or
25 facility and not less than \$12 or more than \$23 for each
26 additional radiation machine therein unless determined
27 otherwise pursuant to s. 216.1817.

28 4. Radiation machines which are used in the practice
29 of dentistry or podiatric medicine shall be inspected at least
30 once every 5 years but not more often than once every 4 years
31 for an annual fee which is not less than \$16 or more than \$31

1 for the first radiation machine within an office or facility
2 and not less than \$5 or more than \$11 for each additional
3 radiation machine therein unless determined otherwise pursuant
4 to s. 216.1817.

5 5. Radiation machines which accelerate particles and
6 are used in the healing arts shall be inspected at least
7 annually for an annual fee which is not less than \$153 or more
8 than \$258 for the first radiation machine within an office or
9 facility and not less than \$87 or more than \$148 for each
10 additional radiation machine therein unless determined
11 otherwise pursuant to s. 216.1817.

12 6. Radiation machines which accelerate particles and
13 are used for educational or industrial purposes shall be
14 inspected at least once every 2 years for an annual fee which
15 is not less than \$46 or more than \$81 for the first radiation
16 machine within an office or facility and not less than \$26 or
17 more than \$48 for each additional radiation machine therein
18 unless determined otherwise pursuant to s. 216.1817.

19 7. If a radiation machine fails to meet the applicable
20 standards upon initial inspection, the department may
21 reinspect the radiation machine and charge a reinspection fee
22 in accordance with the same schedule of fees as in
23 subparagraphs 1.-6.

24 Section 215. Section 408.038, Florida Statutes, is
25 amended to read:

26 408.038 Fees.--The agency shall assess fees on
27 certificate-of-need applications. Such fees shall be for the
28 purpose of funding the functions of the local health councils
29 and the activities of the agency and shall be allocated as
30 provided in s. 408.033. The fee shall be determined as
31 follows:

1 (1) A minimum base fee of \$5,000 unless determined
2 otherwise pursuant to s. 216.1817.

3 (2) In addition to the base fee of \$5,000, 0.015 of
4 each dollar of proposed expenditure, except that a fee may not
5 exceed \$22,000 unless determined otherwise pursuant to s.
6 216.1817.

7 Section 216. Paragraph (c) of subsection (7) of
8 section 408.05, Florida Statutes, is amended to read:

9 408.05 State Center for Health Statistics.--

10 (7) BUDGET; FEES; TRUST FUND.--

11 (c) Pursuant to s. 216.1817,the center may charge
12 such reasonable fees for services as the agency prescribes by
13 rule. The established fees may not exceed the reasonable cost
14 for such services. Fees collected may not be used to offset
15 annual appropriations from the General Revenue Fund.

16 Section 217. Subsection (8) of section 440.05, Florida
17 Statutes, is amended to read:

18 440.05 Election of exemption; revocation of election;
19 notice; certification.--

20 (8)(a) Unless determined otherwise pursuant to s.
21 216.1817,the division must assess a fee of \$50 with each
22 request for a construction industry certificate of election to
23 be exempt or renewal of election to be exempt under this
24 section.

25 (b) The funds collected by the division shall be used
26 to administer this section, to audit the businesses that pay
27 the fee for compliance with any requirements of this chapter,
28 and to enforce compliance with the provisions of this chapter.

29 Section 218. Paragraph (b) of subsection (2) of
30 section 440.134, Florida Statutes, is amended to read:

31

1 440.134 Workers' compensation managed care
2 arrangement.--

3 (2)

4 (b) The agency shall authorize an insurer to offer or
5 utilize a workers' compensation managed care arrangement after
6 the insurer files a completed application along with the
7 payment of an ~~a \$1,000~~ application fee, and upon the agency's
8 being satisfied that the applicant has the ability to provide
9 quality of care consistent with the prevailing professional
10 standards of care and the insurer and its workers'
11 compensation managed care arrangement otherwise meets the
12 requirements of this section. Unless determined otherwise
13 pursuant to s. 216.1817, the application fee is \$1,000.No
14 insurer may offer or utilize a managed care arrangement
15 without such authorization. The authorization, unless sooner
16 suspended or revoked, shall automatically expire 2 years after
17 the date of issuance unless renewed by the insurer. The
18 authorization shall be renewed upon application for renewal
19 and payment of a renewal fee ~~of \$1,000~~, provided that the
20 insurer is in compliance with the requirements of this section
21 and any rules adopted hereunder. Unless determined otherwise
22 pursuant to s. 216.1817, the renewal fee shall be \$1,000.An
23 application for renewal of the authorization shall be made 90
24 days prior to expiration of the authorization, on forms
25 provided by the agency. The renewal application shall not
26 require the resubmission of any documents previously filed
27 with the agency if such documents have remained valid and
28 unchanged since their original filing.

29 Section 219. Paragraph (b) of subsection (7) of
30 section 440.491, Florida Statutes, is amended to read:

31

1 440.491 Reemployment of injured workers;
2 rehabilitation.--

3 (7) PROVIDER QUALIFICATIONS.--

4 (b) Unless determined otherwise pursuant to s.
5 216.1817, the division shall impose a biennial application fee
6 of \$25 for each listing in the directory, and all such fees
7 must be deposited in the Workers' Compensation Administration
8 Trust Fund.

9 Section 220. Subsection (1) of section 440.52, Florida
10 Statutes, is amended to read:

11 440.52 Registration of insurance carriers; notice of
12 cancellation or expiration of policy; suspension or revocation
13 of authority.--

14 (1) Each insurance carrier who desires to write such
15 compensation insurance in compliance with this chapter shall
16 be required, before writing such insurance, to register with
17 the division and pay a registration fee ~~of \$100~~. Unless
18 determined otherwise pursuant to s. 216.1817, the registration
19 fee is \$100. This shall be deposited by the division in the
20 fund created by s. 440.50.

21 Section 221. Subsection (2) of section 445.008,
22 Florida Statutes, is amended to read:

23 445.008 Workforce Training Institute.--

24 (2) Workforce Florida, Inc., may enter into a contract
25 for the provision of administrative support services for the
26 institute. Workforce Florida, Inc., shall adopt policies for
27 the administration and operation of the institute and
28 establish, pursuant to s. 216.1817, admission fees in an
29 amount that ~~which~~, in the aggregate, does not exceed the cost
30 of the program. Workforce Florida, Inc., may accept donations
31

1 or grants of any type for any function or purpose of the
2 institute.

3 Section 222. Paragraph (a) of subsection (2) of
4 section 447.04, Florida Statutes, is amended to read:

5 447.04 Business agents; licenses, permits.--

6 (2)(a) Every person desiring to act as a business
7 agent in this state shall, before doing so, obtain a license
8 or permit by filing an application under oath therefor with
9 the department, accompanied by a fee ~~of \$25~~ and a full set of
10 fingerprints of the applicant taken by a law enforcement
11 agency qualified to take fingerprints. Unless determined
12 otherwise pursuant to s. 216.1817, the fee is \$25. There shall
13 accompany the application a statement signed by the president
14 and the secretary of the labor organization for which he or
15 she proposes to act as agent, showing his or her authority to
16 do so. The department shall hold such application on file for
17 a period of 30 days, during which time any person may file
18 objections to the issuing of such license or permit.

19 Section 223. Subsection (7) of section 450.30, Florida
20 Statutes, is amended to read:

21 450.30 Requirement of certificate of registration;
22 education and examination program.--

23 (7) The department shall charge each applicant a \$35
24 fee for the education and examination program unless
25 determined otherwise pursuant to s. 216.1817. Such fees shall
26 be deposited in the Crew Chief Registration Trust Fund.

27 Section 224. Paragraph (c) of subsection (1) of
28 section 450.31, Florida Statutes, is amended to read:

29 450.31 Issuance, revocation, and suspension of, and
30 refusal to issue or renew, certificate of registration.--

31

1 (1) The department shall not issue to any person a
2 certificate of registration as a farm labor contractor, nor
3 shall it renew such certificate, until:

4 (c) Such person pays to the department, in cash or by,
5 certified check, or money order, a nonrefundable application
6 fee of \$75 unless determined otherwise pursuant to s.
7 216.1817. Fees collected by the department under this
8 subsection shall be deposited in the State Treasury into the
9 Crew Chief Registration Trust Fund, which is hereby created,
10 and shall be utilized for administration of this part.

11 Section 225. Subsection (1) of section 455.203,
12 Florida Statutes, is amended to read:

13 455.203 Department; powers and duties.--The
14 department, for the boards under its jurisdiction, shall:

15 (1) Adopt rules establishing a procedure for the
16 biennial renewal of licenses; however, the department may
17 issue up to a 4-year license to selected licensees
18 notwithstanding any other provisions of law to the contrary.
19 Fees for such renewal shall not exceed the fee caps for
20 individual professions on an annualized basis as authorized by
21 law unless determined otherwise pursuant to s. 216.1817.

22 Section 226. Subsection (2) of section 455.213,
23 Florida Statutes, is amended to read:

24 455.213 General licensing provisions.--

25 (2) Before the issuance of any license, the department
26 ~~shall~~ may charge an initial license fee as determined pursuant
27 to s. 216.1817 by rule of the applicable board or, if no such
28 board exists, by rule of the department. Upon receipt of the
29 appropriate license fee, except as provided in subsection (3),
30 the department shall issue a license to any person certified
31 by the appropriate board, or its designee, or the department

1 when there is no board, as having met the applicable
2 requirements imposed by law or rule. However, an applicant
3 who is not otherwise qualified for licensure is not entitled
4 to licensure solely based on a passing score on a required
5 examination.

6 Section 227. Subsection (3) of section 455.2179,
7 Florida Statutes, is amended to read:

8 455.2179 Continuing education provider approval; cease
9 and desist orders.--

10 (3) Each board authorized to approve continuing
11 education providers, or the department if there is no board,
12 shall ~~may~~ establish, by rule, a fee not to exceed \$250, unless
13 determined otherwise pursuant to s. 216.1817,for anyone
14 seeking approval to provide continuing education courses, and
15 shall ~~may~~ establish, by rule, a biennial fee not to exceed
16 \$250, unless determined otherwise pursuant to s. 216.1817,for
17 the renewal of providership of such courses. The Florida Real
18 Estate Commission, authorized under the provisions of chapter
19 475 to approve prelicensure, precertification, and
20 postlicensure education providers, shall ~~may~~ establish, by
21 rule, an application fee not to exceed \$250, unless determined
22 otherwise pursuant to s. 216.1817,for anyone seeking approval
23 to offer prelicensure, precertification, or postlicensure
24 education courses and shall ~~may~~ establish, by rule, a biennial
25 fee not to exceed \$250, unless determined otherwise pursuant
26 to s. 216.1817,for the renewal of such courses.

27 Section 228. Subsection (3) of section 455.218,
28 Florida Statutes, is amended to read:

29 455.218 Foreign-trained professionals; special
30 examination and license provisions.--

31

1 (3) The fees charged for the examinations offered
2 under subsection (2) shall be established by the department
3 pursuant to s. 216.1817, for its boards, by rule and shall be
4 sufficient to develop or to contract for the development of
5 the examination and its administration, grading, and grade
6 reviews.

7 Section 229. Subsection (1) of section 455.219,
8 Florida Statutes, is amended to read:

9 455.219 Fees; receipts; disposition; periodic
10 management reports.--

11 (1) Each board within the department shall determine
12 by rule, pursuant to s. 216.1817, the amount of license fees
13 for its profession, based upon department-prepared long-range
14 estimates of the revenue required to implement all provisions
15 of law relating to the regulation of professions by the
16 department and any board; however, when the department has
17 determined, based on the long-range estimates of such revenue,
18 that a profession's trust fund moneys are in excess of the
19 amount required to cover the necessary functions of the board,
20 or the department when there is no board, the department may
21 adopt rules to implement a waiver of license renewal fees for
22 that profession for a period not to exceed 2 years, as
23 determined by the department. Each board, or the department
24 when there is no board, shall ensure license fees are adequate
25 to cover all anticipated costs and to maintain a reasonable
26 cash balance, as determined by rule of the department, with
27 advice of the applicable board. If sufficient action is not
28 taken by a board within 1 year of notification by the
29 department that license fees are projected to be inadequate,
30 the department shall set license fees pursuant to s. 216.1817
31 on behalf of the applicable board to cover anticipated costs

1 and to maintain the required cash balance. ~~The department~~
2 ~~shall include recommended fee cap increases in its annual~~
3 ~~report to the Legislature.~~ Further, it is legislative intent
4 that no regulated profession operate with a negative cash
5 balance. The department may provide by rule for the
6 advancement of sufficient funds to any profession or the
7 Florida State Boxing Commission operating with a negative cash
8 balance. Such advancement may be for a period not to exceed 2
9 consecutive years and shall require interest to be paid by the
10 regulated profession. Interest shall be calculated at the
11 current rate earned on Professional Regulation Trust Fund
12 investments. Interest earned shall be allocated to the various
13 funds in accordance with the allocation of investment earnings
14 during the period of the advance.

15 Section 230. Section 455.2281, Florida Statutes, is
16 amended to read:

17 455.2281 Unlicensed activities; fees; disposition.--In
18 order to protect the public and to ensure a consumer-oriented
19 department, it is the intent of the Legislature that vigorous
20 enforcement of regulation for all professional activities is a
21 state priority. All enforcement costs should be covered by
22 professions regulated by the department. Therefore, the
23 department shall impose, upon initial licensure and each
24 renewal thereof, a special fee ~~of \$5 per licensee~~. Such fee
25 shall be \$5 per license, unless determined otherwise pursuant
26 to s. 216.1817, and shall be in addition to all other fees
27 collected from each licensee and shall fund efforts to combat
28 unlicensed activity. Any profession regulated by the
29 department which offers services that are not subject to
30 regulation when provided by an unlicensed person may use funds
31 in its unlicensed activity account to inform the public of

1 such situation. The board with concurrence of the department,
2 or the department when there is no board, may earmark \$5 of
3 the current licensure fee for this purpose, if such board, or
4 profession regulated by the department, is not in a deficit
5 and has a reasonable cash balance. A board or profession
6 regulated by the department may authorize the transfer of
7 funds from the operating fund account to the unlicensed
8 activity account of that profession if the operating fund
9 account is not in a deficit and has a reasonable cash balance.
10 The department shall make direct charges to this fund by
11 profession and shall not allocate indirect overhead. The
12 department shall seek board advice regarding enforcement
13 methods and strategies prior to expenditure of funds; however,
14 the department may, without board advice, allocate funds to
15 cover the costs of continuing education compliance monitoring
16 under s. 455.2177. The department shall directly credit, by
17 profession, revenues received from the department's efforts to
18 enforce licensure provisions, including revenues received from
19 fines collected under s. 455.2177. The department shall
20 include all financial and statistical data resulting from
21 unlicensed activity enforcement and from continuing education
22 compliance monitoring as separate categories in the quarterly
23 management report provided for in s. 455.219. The department
24 shall not charge the account of any profession for the costs
25 incurred on behalf of any other profession. For an unlicensed
26 activity account, a balance which remains at the end of a
27 renewal cycle may, with concurrence of the applicable board
28 and the department, be transferred to the operating fund
29 account of that profession.

30 Section 231. Subsections (1) and (10) of section
31 456.004, Florida Statutes, are amended to read:

1 456.004 Department; powers and duties.--The
2 department, for the professions under its jurisdiction, shall:

3 (1) Adopt rules establishing a procedure for the
4 biennial renewal of licenses; however, the department may
5 issue up to a 4-year license to selected licensees
6 notwithstanding any other provisions of law to the contrary.
7 The rules shall specify the expiration dates of licenses and
8 the process for tracking compliance with continuing education
9 requirements, financial responsibility requirements, and any
10 other conditions of renewal set forth in statute or rule. Fees
11 for such renewal shall not exceed the fee caps for individual
12 professions on an annualized basis as authorized by law unless
13 determined otherwise pursuant to s. 216.1817.

14 (10) Pursuant to s. 216.1817, set an examination fee
15 that includes all costs to develop, purchase, validate,
16 administer, and defend the examination and is an amount
17 certain to cover all administrative costs plus the actual
18 per-applicant cost of the examination.

19 Section 232. Subsection (2) of section 456.013,
20 Florida Statutes, is amended to read:

21 456.013 Department; general licensing provisions.--

22 (2) Before the issuance of any license, the department
23 shall charge an initial license fee as determined pursuant to
24 s. 216.1817 by the applicable board or, if no such board
25 exists, by rule of the department. Upon receipt of the
26 appropriate license fee, the department shall issue a license
27 to any person certified by the appropriate board, or its
28 designee, as having met the licensure requirements imposed by
29 law or rule. The license shall consist of a wallet-size
30 identification card and a wall card measuring 6 1/2 inches by
31 5 inches. In addition to the two-part license, the department,

1 at the time of initial licensure, shall issue a wall
2 certificate suitable for conspicuous display, which shall be
3 no smaller than 8 1/2 inches by 14 inches. The licensee shall
4 surrender to the department the wallet-size identification
5 card, the wall card, and the wall certificate, if one has been
6 issued by the department, if the licensee's license is
7 revoked.

8 Section 233. Subsection (2) of section 456.015,
9 Florida Statutes, is amended to read:

10 456.015 Limited licenses.--

11 (2) Any person desiring to obtain a limited license,
12 when permitted by rule, shall submit to the board, or the
13 department when there is no board, an application and fee, not
14 to exceed \$300 unless determined otherwise pursuant to s.
15 216.1817, and an affidavit stating that the applicant has been
16 licensed to practice in any jurisdiction in the United States
17 for at least 10 years in the profession for which the
18 applicant seeks a limited license. The affidavit shall also
19 state that the applicant has retired or intends to retire from
20 the practice of that profession and intends to practice only
21 pursuant to the restrictions of the limited license granted
22 pursuant to this section. If the applicant for a limited
23 license submits a notarized statement from the employer
24 stating that the applicant will not receive monetary
25 compensation for any service involving the practice of her or
26 his profession, the application and all licensure fees shall
27 be waived.

28 Section 234. Paragraph (b) of subsection (1) of
29 section 456.017, Florida Statutes, is amended to read:

30 456.017 Examinations.--

31 (1)

1 (b) For each examination developed by the department
2 or contracted vendor, to the extent not otherwise specified by
3 statute, the board, or the department when there is no board,
4 shall by rule specify the general areas of competency to be
5 covered by each examination, the relative weight to be
6 assigned in grading each area tested, and the score necessary
7 to achieve a passing grade. Pursuant to s. 216.1817, the
8 department shall assess fees to cover the actual cost for any
9 purchase, development, validation, administration, and defense
10 of required examinations. This subsection does not apply to
11 national examinations approved and administered pursuant to
12 paragraph (c). If a practical examination is deemed to be
13 necessary, the rules shall specify the criteria by which
14 examiners are to be selected, the grading criteria to be used
15 by the examiner, the relative weight to be assigned in grading
16 each criterion, and the score necessary to achieve a passing
17 grade. When a mandatory standardization exercise for a
18 practical examination is required by law, the board, or the
19 department when there is no board, may conduct such exercise.
20 Therefore, board members, or employees of the department when
21 there is no board, may serve as examiners at a practical
22 examination with the consent of the board or department, as
23 appropriate.

24 Section 235. Subsection (3) of section 456.022,
25 Florida Statutes, is amended to read:

26 456.022 Foreign-trained professionals; special
27 examination and license provisions.--

28 (3) The fees charged for the examinations offered
29 under subsection (2) shall be established by the department
30 pursuant to s. 216.1817, for its boards, by rule, and shall be
31 sufficient to develop or to contract for the development of

1 the examination and its administration, grading, and grade
2 reviews.

3 Section 236. Subsection (3) of section 456.036,
4 Florida Statutes, is amended to read:

5 456.036 Licenses; active and inactive status;
6 delinquency.--

7 (3) Pursuant to s. 216.1817, each board, or the
8 department if there is no board, shall by rule impose a fee
9 for renewal of an active or inactive status license. The
10 renewal fee for an inactive status license may not exceed the
11 fee for an active status license.

12 Section 237. Paragraph (b) of subsection (2) of
13 section 456.0375, Florida Statutes, is amended to read:

14 456.0375 Registration of certain clinics;
15 requirements; discipline; exemptions.--

16 (2)

17 (b) The department shall adopt rules necessary to
18 implement the registration program, including rules
19 establishing the specific registration procedures, forms, and
20 fees. Pursuant to s. 216.1817, registration fees must be
21 reasonably calculated to cover the cost of registration and
22 must be of such amount that the total fees collected do not
23 exceed the cost of administering and enforcing compliance with
24 this section. Registration may be conducted electronically.
25 The registration program must require:

26 1. The clinic to file the registration form with the
27 department within 60 days after the effective date of this
28 section or prior to the inception of operation. The
29 registration expires automatically 2 years after its date of
30 issuance and must be renewed biennially.

31

1 2. The registration form to contain the name,
2 residence and business address, phone number, and license
3 number of the medical director or clinical director for the
4 clinic.

5 3. The clinic to display the registration certificate
6 in a conspicuous location within the clinic readily visible to
7 all patients.

8 Section 238. Subsection (3) of section 456.065,
9 Florida Statutes, is amended to read:

10 456.065 Unlicensed practice of a health care
11 profession; intent; cease and desist notice; penalties;
12 enforcement; citations; fees; allocation and disposition of
13 moneys collected.--

14 (3) Because all enforcement costs should be covered by
15 professions regulated by the department, the department shall
16 impose, upon initial licensure and each licensure renewal, a
17 special fee of \$5 per licensee unless determined otherwise
18 pursuant to s. 216.1817,to fund efforts to combat unlicensed
19 activity. Such fee shall be in addition to all other fees
20 collected from each licensee. The department shall make direct
21 charges to the Medical Quality Assurance Trust Fund by
22 profession. The department shall seek board advice regarding
23 enforcement methods and strategies. The department shall
24 directly credit the Medical Quality Assurance Trust Fund, by
25 profession, with the revenues received from the department's
26 efforts to enforce licensure provisions. The department shall
27 include all financial and statistical data resulting from
28 unlicensed activity enforcement as a separate category in the
29 quarterly management report provided for in s. 456.025. For an
30 unlicensed activity account, a balance which remains at the
31 end of a renewal cycle may, with concurrence of the applicable

1 board and the department, be transferred to the operating fund
2 account of that profession. The department shall also use
3 these funds to inform and educate consumers generally on the
4 importance of using licensed health care practitioners.

5 Section 239. Paragraph (d) of subsection (2) of
6 section 457.105, Florida Statutes, is amended to read:

7 457.105 Licensure qualifications and fees.--

8 (2) A person may become licensed to practice
9 acupuncture if the person applies to the department and:

10 (d) Pays the required fees set by the board by rule,
11 not to exceed the following amounts unless determined
12 otherwise pursuant to s. 216.1817:

13 1. Examination fee: \$500 plus the actual per applicant
14 cost to the department for purchase of the written and
15 practical portions of the examination from a national
16 organization approved by the board.

17 2. Application fee: \$300.

18 3. Reexamination fee: \$500 plus the actual per
19 applicant cost to the department for purchase of the written
20 and practical portions of the examination from a national
21 organization approved by the board.

22 4. Initial biennial licensure fee: \$400, if licensed
23 in the first half of the biennium, and \$200, if licensed in
24 the second half of the biennium.

25 Section 240. Subsections (1) and (3) of section
26 457.107, Florida Statutes, are amended to read:

27 457.107 Renewal of licenses; continuing education.--

28 (1) The department shall renew a license upon receipt
29 of the renewal application and the required fee set by the
30 board by rule, not to exceed \$500 unless determined otherwise
31 pursuant to s. 216.1817.

1 (3) The board shall by rule prescribe continuing
2 education requirements, not to exceed 30 hours biennially, as
3 a condition for renewal of a license. All education programs
4 that contribute to the advancement, extension, or enhancement
5 of professional skills and knowledge related to the practice
6 of acupuncture, whether conducted by a nonprofit or
7 profitmaking entity, are eligible for approval. The continuing
8 professional education requirements must be in acupuncture or
9 oriental medicine subjects, including, but not limited to,
10 anatomy, biological sciences, adjunctive therapies, sanitation
11 and sterilization, emergency protocols, and diseases. The
12 board shall have the authority to set a fee, not to exceed
13 \$100 unless determined otherwise pursuant to s. 216.1817, for
14 each continuing education provider. The licensee shall retain
15 in his or her records the certificates of completion of
16 continuing professional education requirements to prove
17 compliance with this subsection. The board may request such
18 documentation without cause from applicants who are selected
19 at random. All national and state acupuncture and oriental
20 medicine organizations and acupuncture and oriental medicine
21 schools are approved to provide continuing professional
22 education in accordance with this subsection.

23 Section 241. Subsection (2) of section 457.108,
24 Florida Statutes, is amended to read:

25 457.108 Inactive status; expiration; reactivation of
26 licenses.--

27 (2) The board shall adopt rules relating to
28 application procedures for inactive status, renewal of
29 inactive licenses, and reactivation of licenses. The board
30 shall prescribe by rule an application fee for inactive
31 status, a renewal fee for inactive status, a delinquency fee,

1 and a fee for the reactivation of a license. None of these
2 fees may exceed the biennial renewal fee established by the
3 board for an active license unless determined otherwise
4 pursuant to s. 216.1817.

5 Section 242. Paragraph (a) of subsection (1) of
6 section 458.311, Florida Statutes, is amended to read:

7 458.311 Licensure by examination; requirements;
8 fees.--

9 (1) Any person desiring to be licensed as a physician,
10 who does not hold a valid license in any state, shall apply to
11 the department on forms furnished by the department. The
12 department shall license each applicant who the board
13 certifies:

14 (a) Has completed the application form and remitted a
15 nonrefundable application fee not to exceed \$500 unless
16 determined otherwise pursuant to s. 216.1817.

17 Section 243. Subsection (2) of section 458.3124,
18 Florida Statutes, is amended to read:

19 458.3124 Restricted license; certain experienced
20 foreign-trained physicians.--

21 (2) A person applying for licensure under this section
22 must submit to the Department of Health on or before December
23 31, 2000:

24 (a) A completed application and documentation required
25 by the Board of Medicine to prove compliance with subsection
26 (1); and

27 (b) Unless determined otherwise pursuant to s.
28 216.1817, a nonrefundable application fee not to exceed \$500
29 and a nonrefundable examination fee not to exceed \$300 plus
30 the actual cost to purchase and administer the examination.

31

1 Section 244. Subsection (1) of section 458.313,
2 Florida Statutes, is amended to read:

3 458.313 Licensure by endorsement; requirements;
4 fees.--

5 (1) The department shall issue a license by
6 endorsement to any applicant who, upon applying to the
7 department on forms furnished by the department and remitting
8 a fee, set by the board, not to exceed \$500, unless determined
9 otherwise pursuant to s. 216.1817, the board certifies:

10 (a) Has met the qualifications for licensure in s.
11 458.311(1)(b)-(g) or in s. 458.311(1)(b)-(e) and (g) and (3);

12 (b) Prior to January 1, 2000, has obtained a passing
13 score, as established by rule of the board, on the licensure
14 examination of the Federation of State Medical Boards of the
15 United States, Inc. (FLEX), on the United States Medical
16 Licensing Examination (USMLE), or on the examination of the
17 National Board of Medical Examiners, or on a combination
18 thereof, and on or after January 1, 2000, has obtained a
19 passing score on the United States Medical Licensing
20 Examination (USMLE); and

21 (c) Has submitted evidence of the active licensed
22 practice of medicine in another jurisdiction, for at least 2
23 of the immediately preceding 4 years, or evidence of
24 successful completion of either a board-approved postgraduate
25 training program within 2 years preceding filing of an
26 application or a board-approved clinical competency
27 examination within the year preceding the filing of an
28 application for licensure. For purposes of this paragraph,
29 "active licensed practice of medicine" means that practice of
30 medicine by physicians, including those employed by any
31 governmental entity in community or public health, as defined

1 by this chapter, medical directors under s. 641.495(11) who
2 are practicing medicine, and those on the active teaching
3 faculty of an accredited medical school.

4 Section 245. Paragraph (c) of subsection (2) of
5 section 458.3135, Florida Statutes, is amended to read:

6 458.3135 Temporary certificate for visiting physicians
7 to practice in approved cancer centers.--

8 (2) A temporary certificate for practice in an
9 approved cancer center may be issued without examination to an
10 individual who:

11 (c) Has completed the application form adopted by the
12 board and remitted a nonrefundable application fee not to
13 exceed \$300 unless determined otherwise pursuant to s.
14 216.1817;

15 Section 246. Subsection (6) and (7) of section
16 458.314, Florida Statutes, are amended to read:

17 458.314 Certification of foreign educational
18 institutions.--

19 (6) Unless determined otherwise pursuant to s.
20 216.1817, a school shall pay a registration fee established by
21 rule of the department, not to exceed \$1,000, at the time of
22 application for certification and shall pay all reasonable
23 costs and expenses the department expects to incur, in an
24 amount not to exceed \$40,000, for the conduct of the
25 certification survey.

26 (7) The department shall renew a certification upon
27 receipt of a renewal application from an institution and a fee
28 not to exceed \$500 unless determined otherwise pursuant to s.
29 216.1817. Each fully certified institution shall provide a
30 renewal application every 7 years. Any certification which is
31 not renewed shall expire.

1 Section 247. Subsections (1) and (6) of section
2 458.3145, Florida Statutes, are amended to read:

3 458.3145 Medical faculty certificate.--

4 (1) A medical faculty certificate may be issued
5 without examination to an individual who:

6 (a) Is a graduate of an accredited medical school or
7 its equivalent, or is a graduate of a foreign medical school
8 listed with the World Health Organization;

9 (b) Holds a valid, current license to practice
10 medicine in another jurisdiction;

11 (c) Has completed the application form and remitted a
12 nonrefundable application fee not to exceed \$500 unless
13 determined otherwise pursuant to s. 216.1817;

14 (d) Has completed an approved residency or fellowship
15 of at least 1 year or has received training which has been
16 determined by the board to be equivalent to the 1-year
17 residency requirement;

18 (e) Is at least 21 years of age;

19 (f) Is of good moral character;

20 (g) Has not committed any act in this or any other
21 jurisdiction which would constitute the basis for disciplining
22 a physician under s. 458.331;

23 (h) For any applicant who has graduated from medical
24 school after October 1, 1992, has completed, before entering
25 medical school, the equivalent of 2 academic years of
26 preprofessional, postsecondary education, as determined by
27 rule of the board, which must include, at a minimum, courses
28 in such fields as anatomy, biology, and chemistry; and

29 (i) Has been offered and has accepted a full-time
30 faculty appointment to teach in a program of medicine at:

31 1. The University of Florida,

1 2. The University of Miami,
2 3. The University of South Florida,
3 4. The Florida State University, or
4 5. The Mayo Medical School at the Mayo Clinic in
5 Jacksonville, Florida.

6 (6) Notwithstanding subsection (1), any physician,
7 when providing medical care or treatment in connection with
8 the education of students, residents, or faculty at the
9 request of the dean of an accredited medical school within
10 this state or at the request of the medical director of a
11 statutory teaching hospital as defined in s. 408.07, may do so
12 upon registration with the board and demonstration of
13 financial responsibility pursuant to s. 458.320(1) or (2)
14 unless such physician is exempt under s. 458.320(5)(a). The
15 performance of such medical care or treatment must be limited
16 to a single period of time, which may not exceed 180
17 consecutive days, and must be rendered within a facility
18 registered under subsection (2) or within a statutory teaching
19 hospital as defined in s. 408.07. Unless determined otherwise
20 pursuant to s. 216.1817,a registration fee not to exceed
21 \$300, as set by the board, is required of each physician
22 registered under this subsection. However, no more than three
23 physicians per year per institution may be registered under
24 this subsection, and an exemption under this subsection may
25 not be granted to a physician more than once in any given
26 5-year period.

27 Section 248. Section 458.315, Florida Statutes, is
28 amended to read:

29 458.315 Temporary certificate for practice in areas of
30 critical need.--Any physician who is licensed to practice in
31 any other state, whose license is currently valid, and who

1 pays an application fee shall ~~of \$300~~ may be issued a
2 temporary certificate to practice in communities of Florida
3 where there is a critical need for physicians. Unless
4 determined otherwise pursuant to s. 216.1817, the application
5 fee is \$300.A certificate may be issued to a physician who
6 will be employed by a county health department, correctional
7 facility, community health center funded by s. 329, s. 330, or
8 s. 340 of the United States Public Health Services Act, or
9 other entity that provides health care to indigents and that
10 is approved by the State Health Officer. The Board of
11 Medicine may issue this temporary certificate with the
12 following restrictions:

13 (1) The board shall determine the areas of critical
14 need, and the physician so certified may practice in any of
15 those areas for a time to be determined by the board. Such
16 areas shall include, but not be limited to, health
17 professional shortage areas designated by the United States
18 Department of Health and Human Services.

19 (a) A recipient of a temporary certificate for
20 practice in areas of critical need may use the license to work
21 for any approved employer in any area of critical need
22 approved by the board.

23 (b) The recipient of a temporary certificate for
24 practice in areas of critical need shall, within 30 days after
25 accepting employment, notify the board of all approved
26 institutions in which the licensee practices and of all
27 approved institutions where practice privileges have been
28 denied.

29 (2) The board may administer an abbreviated oral
30 examination to determine the physician's competency, but no
31 written regular examination is necessary. Within 60 days after

1 receipt of an application for a temporary certificate, the
2 board shall review the application and issue the temporary
3 certificate or notify the applicant of denial.

4 (3) Any certificate issued under this section shall be
5 valid only so long as the area for which it is issued remains
6 an area of critical need. The Board of Medicine shall review
7 the service within said area not less than annually to
8 ascertain that the minimum requirements of the Medical
9 Practice Act and the rules and regulations promulgated
10 thereunder are being complied with. If it is determined that
11 such minimum requirements are not being met, the board shall
12 forthwith revoke such certificate.

13 (4) The board shall not issue a temporary certificate
14 for practice in an area of critical need to any physician who
15 is under investigation in another state for an act which would
16 constitute a violation of this chapter until such time as the
17 investigation is complete, at which time the provisions of s.
18 458.331 shall apply.

19 (5) The application fee and all licensure fees,
20 including neurological injury compensation assessments, shall
21 be waived for those persons obtaining a temporary certificate
22 to practice in areas of critical need for the purpose of
23 providing volunteer, uncompensated care for low-income
24 Floridians. The applicant must submit an affidavit from the
25 employing agency or institution stating that the physician
26 will not receive any compensation for any service involving
27 the practice of medicine.

28 Section 249. Subsection (1) of section 458.316,
29 Florida Statutes, is amended to read:

30 458.316 Public health certificate.--

31

1 (1) Any person desiring to obtain a public health
2 certificate shall submit an application fee not to exceed \$300
3 unless determined otherwise pursuant to s. 216.1817, and shall
4 demonstrate to the board that he or she is a graduate of an
5 accredited medical school and holds a master of public health
6 degree or is board eligible or certified in public health or
7 preventive medicine, or is licensed to practice medicine
8 without restriction in another jurisdiction in the United
9 States and holds a master of public health degree or is board
10 eligible or certified in public health or preventive medicine,
11 and shall meet the requirements in s. 458.311(1)(a)-(g) and
12 (5).

13 Section 250. Paragraph (a) of subsection (1) of
14 section 458.317, Florida Statutes, is amended to read:

15 458.317 Limited licenses.--

16 (1)(a) Any person desiring to obtain a limited license
17 shall:

18 1. Submit to the board, with an application and fee
19 not to exceed \$300 unless determined otherwise pursuant to s.
20 216.1817, an affidavit stating that he or she has been
21 licensed to practice medicine in any jurisdiction in the
22 United States for at least 10 years and intends to practice
23 only pursuant to the restrictions of a limited license granted
24 pursuant to this section. However, a physician who is not
25 fully retired in all jurisdictions may use a limited license
26 only for noncompensated practice. If the person applying for a
27 limited license submits a notarized statement from the
28 employing agency or institution stating that he or she will
29 not receive compensation for any service involving the
30 practice of medicine, the application fee and all licensure
31 fees shall be waived. However, any person who receives a

1 waiver of fees for a limited license shall pay such fees if
2 the person receives compensation for the practice of medicine.

3 2. Meet the requirements in s. 458.311(1)(b)-(g) and
4 (5). If the applicant graduated from medical school prior to
5 1946, the board or its appropriate committee may accept
6 military medical training or medical experience as a
7 substitute for the approved 1-year residency requirement in s.
8 458.311(1)(f).

9
10 Nothing herein limits in any way any policy by the board,
11 otherwise authorized by law, to grant licenses to physicians
12 duly licensed in other states under conditions less
13 restrictive than the requirements of this section.
14 Notwithstanding the other provisions of this section, the
15 board may refuse to authorize a physician otherwise qualified
16 to practice in the employ of any agency or institution
17 otherwise qualified if the agency or institution has caused or
18 permitted violations of the provisions of this chapter which
19 it knew or should have known were occurring.

20 Section 251. Subsection (1) and paragraph (b) of
21 subsection (5) of section 458.319, Florida Statutes, are
22 amended to read:

23 458.319 Renewal of license.--

24 (1) The department shall renew a license upon receipt
25 of the renewal application, evidence that the applicant has
26 actively practiced medicine or has been on the active teaching
27 faculty of an accredited medical school for at least 2 years
28 of the immediately preceding 4 years, and a fee not to exceed
29 \$500 unless determined otherwise pursuant to s. 216.1817;
30 ~~provided, however, that~~ if the licensee is either a resident
31 physician, assistant resident physician, fellow, house

1 physician, or intern in an approved postgraduate training
2 program, as defined by the board by rule, the fee shall not
3 exceed \$100 per annum unless determined otherwise pursuant to
4 s. 216.1817. If the licensee has not actively practiced
5 medicine for at least 2 years of the immediately preceding 4
6 years, the board shall require that the licensee successfully
7 complete a board-approved clinical competency examination
8 prior to renewal of the license. "Actively practiced medicine"
9 means that practice of medicine by physicians, including those
10 employed by any governmental entity in community or public
11 health, as defined by this chapter, including physicians
12 practicing administrative medicine. An applicant for a renewed
13 license must also submit the information required under s.
14 456.039 to the department on a form and under procedures
15 specified by the department, along with payment in an amount
16 equal to the costs incurred by the Department of Health for
17 the statewide criminal background check of the applicant. The
18 applicant must submit a set of fingerprints to the Department
19 of Health on a form and under procedures specified by the
20 department, along with payment in an amount equal to the costs
21 incurred by the department for a national criminal background
22 check of the applicant for the initial renewal of his or her
23 license after January 1, 2000. If the applicant fails to
24 submit either the information required under s. 456.039 or a
25 set of fingerprints to the department as required by this
26 section, the department shall issue a notice of noncompliance,
27 and the applicant will be given 30 additional days to comply.
28 If the applicant fails to comply within 30 days after the
29 notice of noncompliance is issued, the department or board, as
30 appropriate, may issue a citation to the applicant and may
31 fine the applicant up to \$50 for each day that the applicant

1 is not in compliance with the requirements of s. 456.039. The
2 citation must clearly state that the applicant may choose, in
3 lieu of accepting the citation, to follow the procedure under
4 s. 456.073. If the applicant disputes the matter in the
5 citation, the procedures set forth in s. 456.073 must be
6 followed. However, if the applicant does not dispute the
7 matter in the citation with the department within 30 days
8 after the citation is served, the citation becomes a final
9 order and constitutes discipline. Service of a citation may be
10 made by personal service or certified mail, restricted
11 delivery, to the subject at the applicant's last known
12 address. If an applicant has submitted fingerprints to the
13 department for a national criminal history check upon initial
14 licensure and is renewing his or her license for the first
15 time, then the applicant need only submit the information and
16 fee required for a statewide criminal history check.

17 (5)

18 (b) At any time during the licensee's legislative term
19 of office and during the period of 60 days after the licensee
20 ceases to be a member of the Legislature, the licensee may
21 file a completed renewal application that shall consist solely
22 of:

23 1. Unless determined otherwise pursuant to s.
24 216.1817, a license renewal fee of \$250 for each year the
25 licensee's license renewal has been continued and extended
26 pursuant to the terms of this subsection since the last
27 otherwise regularly scheduled biennial renewal year and each
28 year during which the renewed license shall be effective until
29 the next regularly scheduled biennial renewal date;

30 2. Documentation of the completion by the licensee of
31 10 hours of continuing medical education credits for each year

1 from the effective date of the last renewed license for the
2 licensee until the year in which the application is filed;

3 3. The information from the licensee expressly
4 required in s. 456.039(1)(a)1.-8. and (b), and (4)(a), (b),
5 and (c).

6 Section 252. Subsections (1) and (4) of section
7 458.345, Florida Statutes, are amended to read:

8 458.345 Registration of resident physicians, interns,
9 and fellows; list of hospital employees; prescribing of
10 medicinal drugs; penalty.--

11 (1) Any person desiring to practice as a resident
12 physician, assistant resident physician, house physician,
13 intern, or fellow in fellowship training that ~~which~~ leads to
14 subspecialty board certification in this state, or any person
15 desiring to practice as a resident physician, assistant
16 resident physician, house physician, intern, or fellow in
17 fellowship training in a teaching hospital in this state, as
18 defined in s. 408.07(44) or s. 395.805(2), who does not hold a
19 valid, active license issued under this chapter shall apply to
20 the department to be registered and shall remit a fee not to
21 exceed \$300 as set by the board unless determined otherwise
22 pursuant to s. 216.1817. The department shall register any
23 applicant the board certifies has met the following
24 requirements:

25 (a) Is at least 21 years of age.

26 (b) Has not committed any act or offense within or
27 without the state which would constitute the basis for refusal
28 to certify an application for licensure pursuant to s.
29 458.331.

30 (c) Is a graduate of a medical school or college as
31 specified in s. 458.311(1)(f).

1 (4) Registration under this section shall
2 automatically expire after 2 years without further action by
3 the board or the department unless an application for renewal
4 is approved by the board. No person registered under this
5 section may be employed or utilized as a house physician or
6 act as a resident physician, an assistant resident physician,
7 an intern, or a fellow in fellowship training in a hospital or
8 teaching hospital of this state for more than 2 years without
9 a valid, active license or renewal of registration under this
10 section. Requirements for renewal of registration shall be
11 established by rule of the board. Unless determined otherwise
12 pursuant to s. 216.1817, an application fee not to exceed \$300
13 as set by the board shall accompany the application for
14 renewal, except that resident physicians, assistant resident
15 physicians, interns, and fellows in fellowship training
16 registered under this section shall be exempt from payment of
17 any renewal fees.

18 Section 253. Paragraph (f) of subsection (4) and
19 paragraphs (a), (b), and (c) of subsection (7) of section
20 458.347, Florida Statutes, are amended to read:

21 458.347 Physician assistants.--

22 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.--

23 (f)1. The council shall establish a formulary of
24 medicinal drugs that a fully licensed physician assistant,
25 licensed under this section or s. 459.022, may not prescribe.
26 The formulary must include controlled substances as defined in
27 chapter 893, antipsychotics, general anesthetics and
28 radiographic contrast materials, and all parenteral
29 preparations except insulin and epinephrine.

30 2. In establishing the formulary, the council shall
31 consult with a pharmacist licensed under chapter 465, but not

1 licensed under this chapter or chapter 459, who shall be
2 selected by the Secretary of Health.

3 3. Only the council shall add to, delete from, or
4 modify the formulary. Any person who requests an addition,
5 deletion, or modification of a medicinal drug listed on such
6 formulary has the burden of proof to show cause why such
7 addition, deletion, or modification should be made.

8 4. The boards shall adopt the formulary required by
9 this paragraph, and each addition, deletion, or modification
10 to the formulary, by rule. Notwithstanding any provision of
11 chapter 120 to the contrary, the formulary rule shall be
12 effective 60 days after the date it is filed with the
13 Secretary of State. Upon adoption of the formulary, the
14 department shall mail a copy of such formulary to each fully
15 licensed physician assistant, licensed under this section or
16 s. 459.022, and to each pharmacy licensed by the state. Unless
17 determined otherwise pursuant to s. 216.1817, the boards shall
18 establish, by rule, a fee not to exceed \$200 to fund the
19 provisions of this paragraph and paragraph (e).

20 (7) PHYSICIAN ASSISTANT LICENSURE.--

21 (a) Any person desiring to be licensed as a physician
22 assistant must apply to the department. The department shall
23 issue a license to any person certified by the council as
24 having met the following requirements:

25 1. Is at least 18 years of age.

26 2. Has satisfactorily passed a proficiency examination
27 by an acceptable score established by the National Commission
28 on Certification of Physician Assistants. If an applicant
29 does not hold a current certificate issued by the National
30 Commission on Certification of Physician Assistants and has
31 not actively practiced as a physician assistant within the

1 immediately preceding 4 years, the applicant must retake and
2 successfully complete the entry-level examination of the
3 National Commission on Certification of Physician Assistants
4 to be eligible for licensure.

5 3. Has completed the application form and remitted an
6 application fee not to exceed \$300 as set by the boards unless
7 determined otherwise pursuant to s. 216.1817. An application
8 for licensure made by a physician assistant must include:

9 a. A certificate of completion of a physician
10 assistant training program specified in subsection (6).

11 b. A sworn statement of any prior felony convictions.

12 c. A sworn statement of any previous revocation or
13 denial of licensure or certification in any state.

14 d. Two letters of recommendation.

15 (b)1. Notwithstanding subparagraph (a)2. and
16 sub-subparagraph (a)3.a., the department shall examine each
17 applicant who the Board of Medicine certifies:

18 a. Has completed the application form and remitted a
19 nonrefundable application fee ~~not to exceed \$500~~ and an
20 examination fee ~~not to exceed \$300~~, plus the actual cost to
21 the department to provide the examination. Unless determined
22 otherwise pursuant to s. 216.1817, the application fee may not
23 exceed \$500 and the examination fee may not exceed \$300.The
24 examination fee is refundable if the applicant is found to be
25 ineligible to take the examination. The department shall not
26 require the applicant to pass a separate practical component
27 of the examination. For examinations given after July 1, 1998,
28 competencies measured through practical examinations shall be
29 incorporated into the written examination through a
30 multiple-choice format. The department shall translate the
31 examination into the native language of any applicant who

1 requests and agrees to pay all costs of such translation,
2 provided that the translation request is filed with the board
3 office no later than 9 months before the scheduled examination
4 and the applicant remits translation fees as specified by the
5 department no later than 6 months before the scheduled
6 examination, and provided that the applicant demonstrates to
7 the department the ability to communicate orally in basic
8 English. If the applicant is unable to pay translation costs,
9 the applicant may take the next available examination in
10 English if the applicant submits a request in writing by the
11 application deadline and if the applicant is otherwise
12 eligible under this section. To demonstrate the ability to
13 communicate orally in basic English, a passing score or grade
14 is required, as determined by the department or organization
15 that developed it, on the test for spoken English (TSE) by the
16 Educational Testing Service (ETS), the test of English as a
17 foreign language (TOEFL) by ETS, a high school or college
18 level English course, or the English examination for
19 citizenship, Immigration and Naturalization Service. A
20 notarized copy of an Educational Commission for Foreign
21 Medical Graduates (ECFMG) certificate may also be used to
22 demonstrate the ability to communicate in basic English; and

23 b.(I) Is an unlicensed physician who graduated from a
24 foreign medical school listed with the World Health
25 Organization who has not previously taken and failed the
26 examination of the National Commission on Certification of
27 Physician Assistants and who has been certified by the Board
28 of Medicine as having met the requirements for licensure as a
29 medical doctor by examination as set forth in s. 458.311(1),
30 (3), (4), and (5), with the exception that the applicant is
31 not required to have completed an approved residency of at

1 least 1 year and the applicant is not required to have passed
2 the licensing examination specified under s. 458.311 or hold a
3 valid, active certificate issued by the Educational Commission
4 for Foreign Medical Graduates; was eligible and made initial
5 application for certification as a physician assistant in this
6 state between July 1, 1990, and June 30, 1991; and was a
7 resident of this state on July 1, 1990, or was licensed or
8 certified in any state in the United States as a physician
9 assistant on July 1, 1990; or

10 (II) Completed all coursework requirements of the
11 Master of Medical Science Physician Assistant Program offered
12 through the Florida College of Physician's Assistants prior to
13 its closure in August of 1996. Prior to taking the
14 examination, such applicant must successfully complete any
15 clinical rotations that were not completed under such program
16 prior to its termination and any additional clinical rotations
17 with an appropriate physician assistant preceptor, not to
18 exceed 6 months, that are determined necessary by the council.
19 The boards shall determine, based on recommendations from the
20 council, the facilities under which such incomplete or
21 additional clinical rotations may be completed and shall also
22 determine what constitutes successful completion thereof,
23 provided such requirements are comparable to those established
24 by accredited physician assistant programs. This
25 sub-sub-subparagraph is repealed July 1, 2001.

26 2. The department may grant temporary licensure to an
27 applicant who meets the requirements of subparagraph 1.
28 Between meetings of the council, the department may grant
29 temporary licensure to practice based on the completion of all
30 temporary licensure requirements. All such administratively
31 issued licenses shall be reviewed and acted on at the next

1 regular meeting of the council. A temporary license expires 30
2 days after receipt and notice of scores to the licenseholder
3 from the first available examination specified in subparagraph
4 1. following licensure by the department. An applicant who
5 fails the proficiency examination is no longer temporarily
6 licensed, but may apply for a one-time extension of temporary
7 licensure after reapplying for the next available examination.
8 Extended licensure shall expire upon failure of the
9 licenseholder to sit for the next available examination or
10 upon receipt and notice of scores to the licenseholder from
11 such examination.

12 3. Notwithstanding any other provision of law, the
13 examination specified pursuant to subparagraph 1. shall be
14 administered by the department only five times. Applicants
15 certified by the board for examination shall receive at least
16 6 months' notice of eligibility prior to the administration of
17 the initial examination. Subsequent examinations shall be
18 administered at 1-year intervals following the reporting of
19 the scores of the first and subsequent examinations. For the
20 purposes of this paragraph, the department may develop,
21 contract for the development of, purchase, or approve an
22 examination that adequately measures an applicant's ability to
23 practice with reasonable skill and safety. The minimum passing
24 score on the examination shall be established by the
25 department, with the advice of the board. Those applicants
26 failing to pass that examination or any subsequent examination
27 shall receive notice of the administration of the next
28 examination with the notice of scores following such
29 examination. Any applicant who passes the examination and
30 meets the requirements of this section shall be licensed as a
31 physician assistant with all rights defined thereby.

1 (c) The license must be renewed biennially. Each
2 renewal must include:

3 1. Unless determined otherwise pursuant to s.
4 216.1817, a renewal fee not to exceed \$500 as set by the
5 boards.

6 2. A sworn statement of no felony convictions in the
7 previous 2 years.

8 Section 254. Subsection (1) of section 459.0077,
9 Florida Statutes, is amended to read:

10 459.0077 Osteopathic faculty certificate.--

11 (1) The department may issue an osteopathic faculty
12 certificate without examination to an individual who remits an
13 application fee, as set by the board pursuant to s. 216.1817,
14 who demonstrates to the board that she or he is currently
15 licensed to practice osteopathic medicine in another
16 jurisdiction in the United States and who demonstrates to the
17 board that she or he is a graduate of an accredited school of
18 osteopathic medicine and has completed the requirements of s.
19 459.0055. The certificate shall authorize the holder to
20 practice only in conjunction with her or his teaching duties
21 at an accredited school of osteopathic medicine or in its
22 affiliated teaching hospitals or clinics.

23 Section 255. Paragraph (b) of subsection (3) of
24 section 459.009, Florida Statutes, is amended to read:

25 459.009 Inactive status.--

26 (3)

27 (b) Pursuant to s. 216.1817, the board shall prescribe
28 by rule an application fee for inactive status, a biennial
29 renewal fee for inactive status, a delinquency fee, and a fee
30 for the reactivation of a license or certificate. None of
31

1 these fees may exceed the biennial renewal fee established by
2 the board for an active license or certificate.

3 Section 256. Section 459.0092, Florida Statutes, is
4 amended to read:

5 459.0092 Fees.--The board shall set fees according to
6 the following schedule:

7 (1) The fee for application or certification pursuant
8 to ss. 459.007, 459.0075, and 459.0077 shall not exceed \$500
9 unless determined otherwise pursuant to s. 216.1817.

10 (2) The fee for application and examination pursuant
11 to s. 459.006 shall not exceed \$175 plus the actual per
12 applicant cost to the department for purchase of the
13 examination from the National Board of Osteopathic Medical
14 Examiners or a similar national organization, unless
15 determined otherwise pursuant to s. 216.1817.

16 (3) The fee for biennial renewal of licensure or
17 certification shall not exceed \$500 unless determined
18 otherwise pursuant to s. 216.1817.

19 Section 257. Subsection (1) of section 459.021,
20 Florida Statutes, is amended to read:

21 459.021 Registration of resident physicians, interns,
22 and fellows; list of hospital employees; penalty.--

23 (1) Any person who holds a degree of Doctor of
24 Osteopathic Medicine from a college of osteopathic medicine
25 recognized and approved by the American Osteopathic
26 Association who desires to practice as a resident physician,
27 assistant resident physician, house physician, intern, or
28 fellow in fellowship training which leads to subspecialty
29 board certification in this state, or any person desiring to
30 practice as a resident physician, assistant resident
31 physician, house physician, intern, or fellow in fellowship

1 training in a teaching hospital in this state as defined in s.
2 408.07(44) or s. 395.805(2), who does not hold an active
3 license issued under this chapter shall apply to the
4 department to be registered, on an application provided by the
5 department, within 30 days of commencing such a training
6 program and shall remit a fee not to exceed \$300 as set by the
7 board unless determined otherwise pursuant to s. 216.1817.

8 Section 258. Paragraphs (a) and (b) of subsection (7)
9 of section 459.022, Florida Statutes, are amended to read:

10 459.022 Physician assistants.--

11 (7) PHYSICIAN ASSISTANT LICENSURE.--

12 (a) Any person desiring to be licensed as a physician
13 assistant must apply to the department. The department shall
14 issue a license to any person certified by the council as
15 having met the following requirements:

16 1. Is at least 18 years of age.

17 2. Has satisfactorily passed a proficiency examination
18 by an acceptable score established by the National Commission
19 on Certification of Physician Assistants. If an applicant
20 does not hold a current certificate issued by the National
21 Commission on Certification of Physician Assistants and has
22 not actively practiced as a physician assistant within the
23 immediately preceding 4 years, the applicant must retake and
24 successfully complete the entry-level examination of the
25 National Commission on Certification of Physician Assistants
26 to be eligible for licensure.

27 3. Has completed the application form and remitted an
28 application fee not to exceed \$300 as set by the boards unless
29 determined otherwise pursuant to s. 216.1817. An application
30 for licensure made by a physician assistant must include:
31

1 a. A certificate of completion of a physician
2 assistant training program specified in subsection (6).

3 b. A sworn statement of any prior felony convictions.

4 c. A sworn statement of any previous revocation or
5 denial of licensure or certification in any state.

6 d. Two letters of recommendation.

7 (b) The licensure must be renewed biennially. Each
8 renewal must include:

9 1. A renewal fee not to exceed \$500 as set by the
10 boards unless determined otherwise pursuant to s. 216.1817.

11 2. A sworn statement of no felony convictions in the
12 previous 2 years.

13 Section 259. Subsection (1) of section 460.406,
14 Florida Statutes, is amended to read:

15 460.406 Licensure by examination.--

16 (1) Any person desiring to be licensed as a
17 chiropractic physician shall apply to the department to take
18 the licensure examination. There shall be an application fee
19 set by the board not to exceed \$100 unless determined
20 otherwise pursuant to s. 216.1817, which shall be
21 nonrefundable. There shall also be an examination fee not to
22 exceed \$500 unless determined otherwise pursuant to s.

23 216.1817 plus the actual per applicant cost to the department
24 for purchase of portions of the examination from the National
25 Board of Chiropractic Examiners or a similar national
26 organization, which may be refundable if the applicant is
27 found ineligible to take the examination. The department
28 shall examine each applicant who the board certifies has:

29 (a) Completed the application form and remitted the
30 appropriate fee.

31

1 (b) Submitted proof satisfactory to the department
2 that he or she is not less than 18 years of age.

3 (c) Submitted proof satisfactory to the department
4 that he or she is a graduate of a chiropractic college which
5 is accredited by or has status with the Council on
6 Chiropractic Education or its predecessor agency. However, any
7 applicant who is a graduate of a chiropractic college that was
8 initially accredited by the Council on Chiropractic Education
9 in 1995, who graduated from such college within the 4 years
10 immediately preceding such accreditation, and who is otherwise
11 qualified shall be eligible to take the examination. No
12 application for a license to practice chiropractic medicine
13 shall be denied solely because the applicant is a graduate of
14 a chiropractic college that subscribes to one philosophy of
15 chiropractic medicine as distinguished from another.

16 (d)1. For an applicant who has matriculated in a
17 chiropractic college prior to July 2, 1990, completed at least
18 2 years of residence college work, consisting of a minimum of
19 one-half the work acceptable for a bachelor's degree granted
20 on the basis of a 4-year period of study, in a college or
21 university accredited by an accrediting agency recognized and
22 approved by the United States Department of Education.
23 However, prior to being certified by the board to sit for the
24 examination, each applicant who has matriculated in a
25 chiropractic college after July 1, 1990, shall have been
26 granted a bachelor's degree, based upon 4 academic years of
27 study, by a college or university accredited by a regional
28 accrediting agency which is a member of the Commission on
29 Recognition of Postsecondary Accreditation.

30 2. Effective July 1, 2000, completed, prior to
31 matriculation in a chiropractic college, at least 3 years of

1 residence college work, consisting of a minimum of 90 semester
2 hours leading to a bachelor's degree in a liberal arts college
3 or university accredited by an accrediting agency recognized
4 and approved by the United States Department of Education.
5 However, prior to being certified by the board to sit for the
6 examination, each applicant who has matriculated in a
7 chiropractic college after July 1, 2000, shall have been
8 granted a bachelor's degree from an institution holding
9 accreditation for that degree from a regional accrediting
10 agency which is recognized by the United States Department of
11 Education. The applicant's chiropractic degree must consist
12 of credits earned in the chiropractic program and may not
13 include academic credit for courses from the bachelor's
14 degree.

15 (e) Successfully completed the National Board of
16 Chiropractic Examiners certification examination in parts I
17 and II and clinical competency, with a score approved by the
18 board, within 10 years immediately preceding application to
19 the department for licensure.

20 (f) Submitted to the department a set of fingerprints
21 on a form and under procedures specified by the department,
22 along with payment in an amount equal to the costs incurred by
23 the Department of Health for the criminal background check of
24 the applicant.

25 Section 260. Subsection (1) of section 460.407,
26 Florida Statutes, is amended to read:

27 460.407 Renewal of license.--

28 (1) The department shall renew a license upon receipt
29 of the renewal application and the fee set by the board, not
30 to exceed \$500 unless determined otherwise pursuant to s.
31 216.1817. An applicant for a renewed license must also submit

1 the information required under s. 456.039 to the department on
2 a form and under procedures specified by the department, along
3 with payment in an amount equal to the costs incurred by the
4 Department of Health for the statewide criminal background
5 check of the applicant. The applicant must submit a set of
6 fingerprints to the Department of Health on a form and under
7 procedures specified by the department, along with payment in
8 an amount equal to the costs incurred by the department for a
9 national criminal background check of the applicant for the
10 initial renewal of his or her license after January 1, 2000.
11 If the applicant fails to submit either the information
12 required under s. 456.039 or a set of fingerprints to the
13 department as required by this section, the department shall
14 issue a notice of noncompliance, and the applicant will be
15 given 30 additional days to comply. If the applicant fails to
16 comply within 30 days after the notice of noncompliance is
17 issued, the department or board, as appropriate, may issue a
18 citation to the applicant and may fine the applicant up to \$50
19 for each day that the applicant is not in compliance with the
20 requirements of s. 456.039. The citation must clearly state
21 that the applicant may choose, in lieu of accepting the
22 citation, to follow the procedure under s. 456.073. If the
23 applicant disputes the matter in the citation, the procedures
24 set forth in s. 456.073 must be followed. However, if the
25 applicant does not dispute the matter in the citation with the
26 department within 30 days after the citation is served, the
27 citation becomes a final order and constitutes discipline.
28 Service of a citation may be made by personal service or
29 certified mail, restricted delivery, to the subject at the
30 applicant's last known address. If an applicant has submitted
31 fingerprints to the department for a national criminal history

1 check upon initial licensure and is renewing his or her
2 license for the first time, then the applicant need only
3 submit the information and fee required for a statewide
4 criminal history check.

5 (2) The department shall adopt rules establishing a
6 procedure for the biennial renewal of licenses.

7 Section 261. Subsection (9) of section 460.4165,
8 Florida Statutes, is amended to read:

9 460.4165 Certified chiropractic physician's
10 assistants.--

11 (9) FEES.--

12 (a) Unless determined otherwise pursuant to s.
13 216.1817,a fee not to exceed \$100 set by the board shall
14 accompany the application by a chiropractic physician for
15 authorization to supervise a certified chiropractic
16 physician's assistant.

17 (b) Upon approval of an application for certification
18 of a certified chiropractic physician's assistant in a
19 specialty area, the applicant shall be charged an initial
20 certification fee for the first biennium,not to exceed \$250
21 unless determined otherwise pursuant to s. 216.1817,and a
22 biennial renewal fee not to exceed \$250 shall accompany each
23 application for renewal of the certified chiropractic
24 physician's assistant certificate unless determined otherwise
25 pursuant to s. 216.1817.

26 Section 262. Subsection (3) of section 460.4166,
27 Florida Statutes, is amended to read:

28 460.4166 Registered chiropractic assistants.--

29 (3) REGISTRATION.--Registered chiropractic assistants
30 may be registered by the board for a biennial fee not to

31

1 exceed \$25 unless determined otherwise pursuant to s.
2 216.1817.

3 Section 263. Paragraph (a) of subsection (1) of
4 section 461.006, Florida Statutes, is amended to read:

5 461.006 Licensure by examination.--

6 (1) Any person desiring to be licensed as a podiatric
7 physician shall apply to the department to take the licensure
8 examination. The department shall examine each applicant who
9 the board certifies:

10 (a) Has completed the application form and remitted a
11 nonrefundable application fee set by the board ~~not to exceed~~
12 ~~\$100~~ and an examination fee set by the board ~~not to exceed~~
13 ~~\$350~~. Unless determined otherwise pursuant to s. 216.1817, the
14 application fee may not exceed \$100 and the examination fee
15 may not exceed \$350.

16 Section 264. Subsection (1) of section 461.007,
17 Florida Statutes, is amended to read:

18 461.007 Renewal of license.--

19 (1) The department shall renew a license upon receipt
20 of the renewal application, and a fee not to exceed \$350 set
21 by the board unless determined otherwise pursuant to s.
22 216.1817, and evidence that the applicant has actively
23 practiced podiatric medicine or has been on the active
24 teaching faculty of an accredited school of podiatric medicine
25 for at least 2 years of the immediately preceding 4 years. If
26 the licensee has not actively practiced podiatric medicine for
27 at least 2 years of the immediately preceding 4 years, the
28 board shall require that the licensee successfully complete a
29 board-approved course prior to renewal of the license. For
30 purposes of this subsection, "actively practiced podiatric
31 medicine" means the licensed practice of podiatric medicine as

1 defined in s. 461.003(5) by podiatric physicians, including
2 podiatric physicians employed by any governmental entity, on
3 the active teaching faculty of an accredited school of
4 podiatric medicine, or practicing administrative podiatric
5 medicine. An applicant for a renewed license must also submit
6 the information required under s. 456.039 to the department on
7 a form and under procedures specified by the department, along
8 with payment in an amount equal to the costs incurred by the
9 Department of Health for the statewide criminal background
10 check of the applicant. The applicant must submit a set of
11 fingerprints to the Department of Health on a form and under
12 procedures specified by the department, along with payment in
13 an amount equal to the costs incurred by the department for a
14 national criminal background check of the applicant for the
15 initial renewal of his or her license after January 1, 2000.
16 If the applicant fails to submit either the information
17 required under s. 456.039 or a set of fingerprints to the
18 department as required by this section, the department shall
19 issue a notice of noncompliance, and the applicant will be
20 given 30 additional days to comply. If the applicant fails to
21 comply within 30 days after the notice of noncompliance is
22 issued, the department or board, as appropriate, may issue a
23 citation to the applicant and may fine the applicant up to \$50
24 for each day that the applicant is not in compliance with the
25 requirements of s. 456.039. The citation must clearly state
26 that the applicant may choose, in lieu of accepting the
27 citation, to follow the procedure under s. 456.073. If the
28 applicant disputes the matter in the citation, the procedures
29 set forth in s. 456.073 must be followed. However, if the
30 applicant does not dispute the matter in the citation with the
31 department within 30 days after the citation is served, the

1 citation becomes a final order and constitutes discipline.
2 Service of a citation may be made by personal service or
3 certified mail, restricted delivery, to the subject at the
4 applicant's last known address. If an applicant has submitted
5 fingerprints to the department for a national criminal history
6 check upon initial licensure and is renewing his or her
7 license for the first time, then the applicant need only
8 submit the information and fee required for a statewide
9 criminal history check.

10 Section 265. Subsection (1) of section 461.008,
11 Florida Statutes, is amended to read:

12 461.008 Inactive status.--

13 (1) The board shall adopt rules relating to
14 application procedures for inactive status, to the renewal of
15 inactive licenses, and to the reactivation of licenses. The
16 board shall prescribe by rule an application fee for inactive
17 status, a renewal fee for inactive status, a delinquency fee,
18 and a fee for the reactivation of a license. Unless determined
19 otherwise pursuant to s. 216.1817, none of these fees may
20 exceed the biennial renewal fee established by the board for
21 an active license.

22 Section 266. Section 462.023, Florida Statutes, is
23 amended to read:

24 462.023 Powers and duties of the department.--The
25 department may adopt such rules as are necessary to carry out
26 the purposes of this chapter, may initiate disciplinary action
27 as provided by this chapter, and shall establish fees based on
28 its estimates of the revenue required to administer this
29 chapter but shall not exceed the fee amounts provided in this
30 chapter unless determined otherwise pursuant to s. 216.1817.

31 The department shall not adopt any rules that ~~which~~ would

1 cause any person who was not licensed in accordance with this
2 chapter on July 1, 1959, and had not been a resident of the
3 state for 2 years prior to such date, to become licensed.

4 Section 267. Section 462.08, Florida Statutes, is
5 amended to read:

6 462.08 Renewal of license to practice
7 naturopathy.--Each licenseholder shall biennially renew her or
8 his license to practice naturopathy. The applicant must
9 furnish to the department such evidence as it requires of the
10 applicant's compliance with s. 462.18, relating to educational
11 requirements. The biennial renewal fee, the amount of which
12 shall be determined by the department but which may not exceed
13 \$1,000 unless determined otherwise pursuant to s. 216.1817,
14 must be paid at the time the application for renewal of the
15 license is filed.

16 Section 268. Section 462.16, Florida Statutes, is
17 amended to read:

18 462.16 Reissue of license.--Any person who shall
19 practice naturopathy after her or his license has been revoked
20 and registration annulled shall be deemed to have practiced
21 naturopathy without a license; provided, however, at any time
22 after 6 months after the date of said conviction, the
23 department may grant a license to the person affected,
24 restoring to her or him all the rights and privileges of and
25 pertaining to the practice of naturopathy as defined and
26 regulated by this chapter. Unless determined otherwise
27 pursuant to s. 216.1817,the fee therefor shall not exceed
28 \$250.

29 Section 269. Subsection (3) of section 462.19, Florida
30 Statutes, is amended to read:

31 462.19 Renewal of license; inactive status.--

1 (3) A licensee may request that her or his license be
2 placed in an inactive status by making application to the
3 department and paying a fee in an amount set by the department
4 not to exceed \$50 unless determined otherwise pursuant to s.
5 216.1817.

6 Section 270. Subsection (1) of section 463.0057,
7 Florida Statutes, is amended to read:

8 463.0057 Optometric faculty certificate.--

9 (1) The department may issue an optometric faculty
10 certificate without examination to an individual who remits a
11 nonrefundable application fee, not to exceed \$100 unless
12 determined otherwise pursuant to s. 216.1817, plus the actual
13 per-applicant ~~per applicant~~ cost to the department, and who
14 demonstrates to the board that she or he meets the following
15 requirements:

16 (a) Is a graduate of an accredited school or college
17 of optometry approved by an accrediting agency recognized by
18 the United States Office of Education.

19 (b) Holds a valid current license to practice
20 optometry in another jurisdiction in the United States.

21 (c) Is at least 21 years of age and of good moral
22 character.

23 (d) Has not committed any act or offense in any
24 jurisdiction which would constitute the basis for disciplining
25 an optometrist.

26 (e) Has been offered and has accepted a full-time
27 faculty appointment to teach in a program of optometry at a
28 Florida-based college of optometry.

29 (f) Provides a certification from the dean of the
30 college that she or he has accepted the offer of the full-time
31

1 faculty appointment to teach at the Florida-based college of
2 optometry.

3 Section 271. Paragraph (a) of subsection (1) of
4 section 463.006, Florida Statutes, is amended to read:

5 463.006 Licensure and certification by examination.--

6 (1) Any person desiring to be a licensed practitioner
7 pursuant to this chapter shall apply to the department to take
8 the licensure and certification examinations. The department
9 shall examine each applicant who the board determines has:

10 (a) Completed the application forms as required by the
11 board, remitted an application fee for certification not to
12 exceed \$250 unless determined otherwise pursuant to s.
13 216.1817, remitted an examination fee for certification not to
14 exceed \$250 unless determined otherwise pursuant to s.
15 216.1817, and remitted an examination fee for licensure not to
16 exceed \$325 unless determined otherwise pursuant to s.
17 216.1817, all as set by the board.

18 Section 272. Subsection (1) of section 463.007,
19 Florida Statutes, is amended to read:

20 463.007 Renewal of license; continuing education.--

21 (1) The department shall renew a license upon receipt
22 of the renewal application and the fee set by the board, not
23 to exceed \$300 unless determined otherwise pursuant to s.
24 216.1817.

25 Section 273. Subsection (1) of section 463.008,
26 Florida Statutes, is amended to read:

27 463.008 Inactive status.--

28 (1) The board shall adopt rules relating to
29 application procedures for inactive status, for the biennial
30 renewal of inactive licenses, and for the reactivation of
31 licenses. The board shall prescribe by rule an application fee

1 for inactive status, a renewal fee for inactive status, a
2 delinquency fee, and a fee for the reactivation of a license.
3 Unless determined otherwise pursuant to s. 216.1817, none of
4 these fees may exceed the biennial renewal fee established by
5 the board for an active license.

6 Section 274. Paragraph (a) of subsection (1) of
7 section 464.008, Florida Statutes, is amended to read:

8 464.008 Licensure by examination.--

9 (1) Any person desiring to be licensed as a registered
10 nurse or licensed practical nurse shall apply to the
11 department to take the licensure examination. The department
12 shall examine each applicant who:

13 (a) Has completed the application form and remitted a
14 fee set by the board not to exceed \$150 unless determined
15 otherwise pursuant to s. 216.1817, and has remitted an
16 examination fee set by the board not to exceed \$75 unless
17 determined otherwise pursuant to s. 216.1817, plus the actual
18 per applicant cost to the department for purchase of the
19 examination from the National Council of State Boards of
20 Nursing or a similar national organization.

21 Section 275. Subsection (1) of section 464.009,
22 Florida Statutes, is amended to read:

23 464.009 Licensure by endorsement.--

24 (1) The department shall issue the appropriate license
25 by endorsement to practice professional or practical nursing
26 to an applicant who, upon applying to the department and
27 remitting a fee set by the board not to exceed \$100 unless
28 determined otherwise pursuant to s. 216.1817, demonstrates to
29 the board that he or she:

30 (a) Holds a valid license to practice professional or
31 practical nursing in another state of the United States,

1 provided that, when the applicant secured his or her original
2 license, the requirements for licensure were substantially
3 equivalent to or more stringent than those existing in Florida
4 at that time; or

5 (b) Meets the qualifications for licensure in s.
6 464.008 and has successfully completed a state, regional, or
7 national examination which is substantially equivalent to or
8 more stringent than the examination given by the department.

9 Section 276. Subsection (5) of section 464.012,
10 Florida Statutes, is amended to read:

11 464.012 Certification of advanced registered nurse
12 practitioners; fees.--

13 (5) The board shall certify, and the department shall
14 issue a certificate to, any nurse meeting the qualifications
15 in this section. Unless determined otherwise pursuant to s.
16 216.1817,the board shall establish an application fee not to
17 exceed \$100 and a biennial renewal fee not to exceed \$50. The
18 board is authorized to adopt such other rules as are necessary
19 to implement the provisions of this section.

20 Section 277. Subsection (1) of section 464.019,
21 Florida Statutes, is amended to read:

22 464.019 Approval of nursing programs.--

23 (1) An institution desiring to conduct an approved
24 program for the education of professional or practical nurses
25 shall apply to the department and submit such evidence as may
26 be required to show that it complies with the provisions of
27 this part and with the rules of the board. The application
28 shall include a program review fee, as set by the board, not
29 to exceed \$1,000 unless determined otherwise pursuant to s.
30 216.1817.

31

1 Section 278. Paragraph (a) of subsection (1) of
2 section 465.007, Florida Statutes, is amended to read:

3 465.007 Licensure by examination.--

4 (1) Any person desiring to be licensed as a pharmacist
5 shall apply to the department to take the licensure
6 examination. The department shall examine each applicant who
7 the board certifies has:

8 (a) Completed the application form and remitted an
9 examination fee set by the board not to exceed \$100 unless
10 determined otherwise pursuant to s. 216.1817, plus the actual
11 per applicant cost to the department for purchase of portions
12 of the examination from the National Association of Boards of
13 Pharmacy or a similar national organization. The fees
14 authorized under this section shall be established in
15 sufficient amounts to cover administrative costs.

16 Section 279. Subsection (1) of section 465.0075,
17 Florida Statutes, is amended to read:

18 465.0075 Licensure by endorsement; requirements;
19 fee.--

20 (1) The department shall issue a license by
21 endorsement to any applicant who applies to the department and
22 remits a nonrefundable fee of not more than \$100 unless
23 determined otherwise pursuant to s. 216.1817, as set by the
24 board, and whom the board certifies:

25 (a) Has met the qualifications for licensure in s.
26 465.007(1)(b) and (c);

27 (b) Has obtained a passing score, as established by
28 rule of the board, on the licensure examination of the
29 National Association of Boards of Pharmacy or a similar
30 nationally recognized examination, if the board certifies that

31

1 the applicant has taken the required examination not more than
2 12 years prior to application;

3 (c)1. Has submitted evidence of the active licensed
4 practice of pharmacy, including practice in community or
5 public health by persons employed by a governmental entity, in
6 another jurisdiction for at least 2 of the immediately
7 preceding 5 years or evidence of successful completion of
8 board-approved postgraduate training or a board-approved
9 clinical competency examination within the year immediately
10 preceding application for licensure; or

11 2. Has completed an internship meeting the
12 requirements of s. 465.007(1)(c) within the 2 years
13 immediately preceding application; and

14 (d) Has obtained a passing score on the pharmacy
15 jurisprudence portions of the licensure examination, as
16 required by board rule.

17 Section 280. Subsection (1) of section 465.008,
18 Florida Statutes, is amended to read:

19 465.008 Renewal of license.--

20 (1) The department shall renew a license upon receipt
21 of the renewal application, verification of compliance with s.
22 465.009, and receipt of a fee set by the board not to exceed
23 \$250 unless determined otherwise pursuant to s. 216.1817.

24 Section 281. Subsection (2) of section 465.012,
25 Florida Statutes, is amended to read:

26 465.012 Reactivation of license; continuing
27 education.--

28 (2) The board shall adopt rules relating to
29 application procedures for inactive status, to the biennial
30 renewal of inactive licenses, and to the reactivation of
31 licenses. The board shall prescribe by rule an application fee

1 for inactive status, a renewal fee for inactive status, a
2 delinquency fee, and a fee for the reactivation of a license.
3 None of these fees may exceed the biennial renewal fee
4 established by the board for an active license unless
5 determined otherwise pursuant to s. 216.1817. The department
6 may not reactivate a license unless the inactive or delinquent
7 licensee has paid any applicable biennial renewal or
8 delinquency fee, or both, and a reactivation fee.

9 Section 282. Subsection (1) of section 465.0125,
10 Florida Statutes, is amended to read:

11 465.0125 Consultant pharmacist license; application,
12 renewal, fees; responsibilities; rules.--

13 (1) The department shall issue or renew a consultant
14 pharmacist license upon receipt of an initial or renewal
15 application that ~~which~~ conforms to the requirements for
16 consultant pharmacist initial licensure or renewal as
17 promulgated by the board by rule and a fee set by the board
18 not to exceed \$250 unless determined otherwise pursuant to s.
19 216.1817. The consultant pharmacist shall be responsible for
20 maintaining all drug records required by law and for
21 establishing drug handling procedures for the safe handling
22 and storage of drugs. The consultant pharmacist may also be
23 responsible for ordering and evaluating any laboratory or
24 clinical testing when, in the judgment of the consultant
25 pharmacist, such activity is necessary for the proper
26 performance of the consultant pharmacist's responsibilities.
27 Such laboratory or clinical testing may be ordered only with
28 regard to patients residing in a nursing home facility, and
29 then only when authorized by the medical director of the
30 nursing home facility. The consultant pharmacist must have
31 completed such additional training and demonstrate such

1 additional qualifications in the practice of institutional
2 pharmacy as shall be required by the board in addition to
3 licensure as a registered pharmacist.

4 Section 283. Section 465.0126, Florida Statutes, is
5 amended to read:

6 465.0126 Nuclear pharmacist license; application,
7 renewal, fees.--The department shall issue or renew a nuclear
8 pharmacist license upon receipt of an initial or renewal
9 application that ~~which~~ conforms to the requirements for
10 nuclear pharmacist initial licensure or biennial renewal as
11 established by the board by rule and receipt of a fee
12 established by the board by rule not to exceed \$250 unless
13 determined otherwise pursuant to s. 216.1817, which fee shall
14 be in addition to the initial licensure or biennial renewal
15 fee for pharmacists. The nuclear pharmacist shall be
16 responsible for the compounding and the dispensing of nuclear
17 pharmaceuticals, for maintaining all drug records required by
18 law, for establishing drug handling procedures for the safe
19 handling and storage of radiopharmaceuticals and medicinal
20 drugs, for providing the security of the prescription
21 department, and for complying with such other rules as relate
22 to the practice of the profession of pharmacy. The nuclear
23 pharmacist must have completed such additional training and
24 must demonstrate such additional qualifications in the
25 practice of nuclear pharmacy as is required by the board by
26 rule in addition to licensure as a registered pharmacist. The
27 board shall adopt rules necessary to implement and administer
28 this section. The requirements of this section do not apply
29 to hospitals licensed under chapter 395 or the nuclear
30 medicine facilities of such hospitals.

31

1 Section 284. Subsection (8) of section 465.022,
2 Florida Statutes, is amended to read:

3 465.022 Pharmacies; general requirements; fees.--

4 (8) The board shall set the fees for the following:

5 (a) Initial permit fee not to exceed \$250 unless
6 determined otherwise pursuant to s. 216.1817.

7 (b) Biennial permit renewal not to exceed \$250 unless
8 determined otherwise pursuant to s. 216.1817.

9 (c) Delinquent fee not to exceed \$100 unless
10 determined otherwise pursuant to s. 216.1817.

11 (d) Change of location fee not to exceed \$100 unless
12 determined otherwise pursuant to s. 216.1817.

13 Section 285. Paragraph (a) of subsection (2) of
14 section 465.0276, Florida Statutes, is amended to read:

15 465.0276 Dispensing practitioner.--

16 (2) A practitioner who dispenses medicinal drugs for
17 human consumption for fee or remuneration of any kind, whether
18 direct or indirect, must:

19 (a) Register with her or his professional licensing
20 board as a dispensing practitioner and pay a fee not to exceed
21 \$100 at the time of such registration, unless determined
22 otherwise pursuant to s. 216.1817, and upon each renewal of
23 her or his license. Each appropriate board shall establish
24 such fee by rule pursuant to s. 216.1817.

25 Section 286. Subsection (1) of section 466.006,
26 Florida Statutes, is amended to read:

27 466.006 Examination of dentists.--

28 (1) Any person desiring to be licensed as a dentist
29 shall apply to the department to take the licensure
30 examinations and shall verify the information required on the
31 application by oath. The application shall include two recent

1 photographs. There shall be an application fee set by the
2 board not to exceed \$100 unless determined otherwise pursuant
3 to s. 216.1817, which shall be nonrefundable. There shall
4 also be an examination fee set by the board, which shall not
5 exceed \$425, unless determined otherwise pursuant to s.
6 216.1817, plus the actual per applicant cost to the department
7 for purchase of portions of the examination from the Northeast
8 Regional Board of Dental Examiners or a similar national
9 organization, which may be refundable if the applicant is
10 found ineligible to take the examinations.

11

12 The department shall require a mandatory standardization
13 exercise for all examiners prior to each practical or clinical
14 examination and shall retain for employment only those
15 dentists who have substantially adhered to the standard of
16 grading established at such exercise.

17 Section 287. Subsections (6) and (7) of section
18 466.008, Florida Statutes, are amended to read:

19 466.008 Certification of foreign educational
20 institutions.--

21 (6) Unless determined otherwise pursuant to s.
22 216.1817, a school shall pay a registration fee established by
23 rule of the department, not to exceed \$1,000, at the time of
24 application for certification and shall pay all reasonable
25 costs and expenses the department expects to incur, in an
26 amount not to exceed \$40,000, for the conduct of the
27 certification survey.

28 (7) The department shall renew a certification upon
29 receipt of a renewal application, accompanied by a fee not to
30 exceed \$500 unless determined otherwise pursuant to s.
31 216.1817. Each fully certified institution shall submit a

1 renewal application every 7 years. Any certification which is
2 not renewed shall automatically expire.

3 Section 288. Subsection (1) of section 466.013,
4 Florida Statutes, is amended to read:

5 466.013 Renewal of license.--

6 (1) The department shall renew a license upon receipt
7 of the renewal application and the fee set by the board, not
8 to exceed \$300 unless determined otherwise pursuant to s.
9 216.1817.

10 Section 289. Paragraph (e) of subsection (3) and
11 subsection (5) of section 466.017, Florida Statutes, are
12 amended to read:

13 466.017 Prescription of drugs; anesthesia.--

14 (3) The board shall adopt rules which:

15 (e) Establish an administrative mechanism enabling the
16 board to verify compliance with training, education,
17 experience, equipment, or certification requirements of
18 dentists, dental hygienists, and dental assistants adopted
19 pursuant to this subsection. Pursuant to s. 216.1817, the
20 board shall ~~may~~ charge a fee to defray the cost of verifying
21 compliance with requirements adopted pursuant to this
22 paragraph.

23 (5) A licensed dentist may utilize an X-ray machine,
24 expose dental X-ray films, and interpret or read such films.
25 The provisions of part IV of chapter 468 to the contrary
26 notwithstanding, a licensed dentist may authorize or direct a
27 dental assistant to operate such equipment and expose such
28 films under her or his direction and supervision, pursuant to
29 rules adopted by the board in accordance with s. 466.024 which
30 ensure that said assistant is competent by reason of training
31 and experience to operate said equipment in a safe and

1 efficient manner. Unless determined otherwise pursuant to s.
2 216.1817, the board may charge a fee not to exceed \$35 to
3 defray the cost of verifying compliance with requirements
4 adopted pursuant to this section.

5 Section 290. Subsection (1) of section 466.032,
6 Florida Statutes, is amended to read:

7 466.032 Registration.--

8 (1) Every person, firm, or corporation operating a
9 dental laboratory in this state shall register biennially with
10 the department on forms to be provided by the department and,
11 at the same time, pay to the department a registration fee not
12 to exceed \$300 unless determined otherwise pursuant to s.
13 216.1817, for which the department shall issue a registration
14 certificate entitling the holder to operate a dental
15 laboratory for a period of 2 years.

16 Section 291. Paragraph (f) of subsection (1) of
17 section 467.0125, Florida Statutes, is amended to read:

18 467.0125 Licensure by endorsement.--

19 (1) The department shall issue a license by
20 endorsement to practice midwifery to an applicant who, upon
21 applying to the department, demonstrates to the department
22 that she or he:

23 (f) Unless determined otherwise pursuant to s.
24 216.1817, the fee for a temporary certificate shall not exceed
25 \$50 and shall be in addition to the fee required for
26 licensure.

27 Section 292. Section 467.0135, Florida Statutes, is
28 amended to read:

29 467.0135 Fees.--The department shall establish fees
30 for application, examination, initial licensure, renewal of
31 licensure, licensure by endorsement, inactive status,

1 delinquent status, and reactivation of an inactive license.
2 The appropriate fee must be paid at the time of application
3 and is payable to the Department of Health, in accordance with
4 rules adopted by the department. Unless determined otherwise
5 pursuant to s. 216.1817, a fee is nonrefundable, unless
6 otherwise provided by rule. A fee may not exceed:
7 (1) Five hundred dollars for examination.
8 (2) Five hundred dollars for initial licensure.
9 (3) Five hundred dollars for renewal of licensure.
10 (4) Two hundred dollars for application, which fee is
11 nonrefundable.
12 (5) Five hundred dollars for reactivation of an
13 inactive license.
14 (6) Five hundred dollars for licensure by endorsement.

15
16 A fee for inactive status, reactivation of an inactive
17 license, or delinquency may not exceed the fee established by
18 the department for biennial renewal of an active license. All
19 fees collected under this section shall be deposited in the
20 Medical Quality Assurance Trust Fund.

21 Section 293. Subsections (2), (3), (4), (5), (6), (7),
22 (8), and (9) of section 468.1145, Florida Statutes, are
23 amended to read:

24 468.1145 Fees; establishment; disposition.--
25 (2) The application fee shall not exceed \$200 unless
26 determined otherwise pursuant to s. 216.1817 and shall be
27 nonrefundable.
28 (3) The examination fee shall be in an amount which
29 covers the costs of obtaining and administering the
30 examination and shall be refunded if the applicant is found
31 ineligible to sit for the examination. Unless determined

1 otherwise pursuant to s. 216.1817,the combined fees for
2 initial application and examination shall not exceed \$200 plus
3 the actual per applicant cost to the department for developing
4 or procuring the licensure examination.

5 (4) The initial license fee shall not exceed \$500
6 unless determined otherwise pursuant to s. 216.1817.

7 (5) The provisional license fee shall not exceed \$200
8 unless determined otherwise pursuant to s. 216.1817.

9 (6) The fee for licensure by endorsement shall not
10 exceed \$200 unless determined otherwise pursuant to s.
11 216.1817.

12 (7) The fee for certification as a speech-language
13 pathology assistant or an audiology assistant shall not exceed
14 \$50 unless determined otherwise pursuant to s. 216.1817.

15 (8) The biennial renewal fee shall not exceed \$500
16 unless determined otherwise pursuant to s. 216.1817.

17 (9) The fee for application for an inactive status
18 license or for reactivation of an inactive status license
19 shall not exceed \$100 unless determined otherwise pursuant to
20 s. 216.1817.

21 Section 294. Subsections (2) and (4) of section
22 468.1695, Florida Statutes, are amended to read:

23 468.1695 Licensure by examination.--

24 (2) The department shall examine each applicant who
25 the board certifies has completed the application form and
26 remitted an examination fee set by the board not to exceed
27 \$250, unless determined otherwise pursuant to s. 216.1817,and
28 who:

29 (a)1. Holds a baccalaureate degree from an accredited
30 college or university and majored in health care
31 administration or has credit for at least 60 semester hours in

1 subjects, as prescribed by rule of the board, which prepare
2 the applicant for total management of a nursing home; and

3 2. Has fulfilled the requirements of a
4 college-affiliated or university-affiliated internship in
5 nursing home administration or of a 1,000-hour nursing home
6 administrator-in-training program prescribed by the board; or

7 (b)1. Holds a baccalaureate degree from an accredited
8 college or university; and

9 2.a. Has fulfilled the requirements of a 2,000-hour
10 nursing home administrator-in-training program prescribed by
11 the board; or

12 b. Has 1 year of management experience allowing for
13 the application of executive duties and skills, including the
14 staffing, budgeting, and directing of resident care, dietary,
15 and bookkeeping departments within a skilled nursing facility,
16 hospital, hospice, assisted living facility with a minimum of
17 60 licensed beds, or geriatric residential treatment program
18 and, if such experience is not in a skilled nursing facility,
19 has fulfilled the requirements of a 1,000-hour nursing home
20 administrator-in-training program prescribed by the board.

21 (3) The department shall issue a license to practice
22 nursing home administration to any applicant who successfully
23 completes the examination in accordance with this section and
24 otherwise meets the requirements of this part. The department
25 shall not issue a license to any applicant who is under
26 investigation in this state or another jurisdiction for an
27 offense which would constitute a violation of s. 468.1745 or
28 s. 468.1755. Upon completion of the investigation, the
29 provisions of s. 468.1755 shall apply.

30 (4) The board shall ~~may~~ by rule establish a preceptor
31 certification and recertification fee not to exceed \$100

1 unless determined otherwise pursuant to s. 216.1817,which
2 shall be remitted by those individuals seeking board approval
3 to act as preceptors in administrator-in-training programs as
4 prescribed by the board. Said fee may be charged at the time
5 of application for initial certification and at the time of
6 application for recertification. The board shall ~~may~~ by rule
7 establish a trainee application fee not to exceed \$500 unless
8 determined otherwise pursuant to s. 216.1817,to defray the
9 costs of the board's supervision of the
10 administrator-in-training program, to be remitted by those
11 individuals seeking to undergo a board prescribed
12 administrator-in-training program.

13 Section 295. Subsection (1) and paragraph (a) of
14 subsection (4) of section 468.1705, Florida Statutes, are
15 amended to read:

16 468.1705 Licensure by endorsement; temporary
17 license.--

18 (1) The department shall issue a license by
19 endorsement to any applicant who, upon applying to the
20 department and remitting a fee set by the board, not to exceed
21 \$500 unless determined otherwise pursuant to s. 216.1817,
22 demonstrates to the board that he or she:

23 (a) Meets one of the following requirements:

24 1. Holds a valid active license to practice nursing
25 home administration in another state of the United States,
26 provided that the current requirements for licensure in that
27 state are substantially equivalent to, or more stringent than,
28 current requirements in this state; or

29 2. Meets the qualifications for licensure in s.
30 468.1695; and

31

1 (b)1. Has successfully completed a national
2 examination which is substantially equivalent to, or more
3 stringent than, the examination given by the department;

4 2. Has passed an examination on the laws and rules of
5 this state governing the administration of nursing homes; and

6 3. Has worked as a fully licensed nursing home
7 administrator for 2 years within the 5-year period immediately
8 preceding the application by endorsement.

9 (4) A temporary license may be issued one time only to
10 an applicant who has filed an application for licensure by
11 endorsement and has paid the fee for the next laws and rules
12 examination offered in this state, and who meets all of the
13 following requirements:

14 (a) Has filed an application for a temporary license
15 and paid a fee not to exceed \$750 unless determined otherwise
16 pursuant to s. 216.1817.

17
18 A temporary license shall be valid for the nursing home
19 administrator applicant only at the facility for which it is
20 issued and shall not be transferred to another facility or to
21 another applicant. An applicant shall not be eligible to
22 reapply for a temporary license or an extension of a temporary
23 license. The applicant must take and pass the next laws and
24 rules examination offered in this state following issuance of
25 a temporary license. The temporary license is valid until the
26 results of the examination are certified by the board and the
27 applicant is notified.

28 Section 296. Subsection (3) of section 468.1715,
29 Florida Statutes, is amended to read:

30 468.1715 Renewal of license.--

31

1 (3) The board may by rule prescribe continuing
2 education, not to exceed 40 hours biennially, as a condition
3 for renewal of a license or certificate. The board shall by
4 rule establish criteria for the approval of such programs or
5 courses. The programs or courses approved by the board shall
6 include correspondence courses that meet the criteria for
7 continuing education courses held in a classroom setting.
8 Unless determined otherwise pursuant to s. 216.1817, the board
9 shall ~~may~~ establish by rule an application fee not to exceed
10 \$100 for anyone seeking approval to provide continuing
11 education courses and shall ~~may~~ provide by rule a fee not to
12 exceed \$50 for renewal of providership.

13 Section 297. Section 468.1735, Florida Statutes, is
14 amended to read:

15 468.1735 Provisional license.--The board may establish
16 by rule requirements for issuance of a provisional license. A
17 provisional license shall be issued only to fill a position of
18 nursing home administrator that unexpectedly becomes vacant
19 due to illness, sudden death of the administrator, or
20 abandonment of position and shall be issued for one single
21 period as provided by rule not to exceed 6 months. The
22 department shall not issue a provisional license to any
23 applicant who is under investigation in this state or another
24 jurisdiction for an offense which would constitute a violation
25 of s. 468.1745 or s. 468.1755. Upon completion of the
26 investigation, the provisions of s. 468.1755 shall apply. The
27 provisional license may be issued to a person who does not
28 meet all of the licensing requirements established by this
29 part, but the board shall by rule establish minimal
30 requirements to ensure protection of the public health,
31 safety, and welfare. The provisional license shall be issued

1 to the person who is designated as the responsible person next
2 in command in the event of the administrator's departure.
3 Unless determined otherwise pursuant to s. 216.1817, the board
4 shall ~~may~~ set an application fee not to exceed \$500 for a
5 provisional license.

6 Section 298. Subsection (2) of section 468.221,
7 Florida Statutes, is amended to read:

8 468.221 Fees.--

9 (2) Pursuant to s. 216.1817, such fees shall be set in
10 such amounts as to reimburse the state, to the extent
11 feasible, for the cost of the services rendered.

12 Section 299. Section 468.303, Florida Statutes, is
13 amended to read:

14 468.303 Rules.--The department is authorized to make
15 such rules, not inconsistent with law, as may be necessary to
16 carry out the provisions of this part. The department is
17 authorized to establish by rule fees to be paid for
18 application, examination, reexamination, certification, and
19 renewal, and for recordmaking and recordkeeping, provided that
20 no fee shall exceed the amounts provided in this part unless
21 determined otherwise pursuant to s. 216.1817. Fees shall be
22 based on department estimates of the revenue required to
23 implement the provisions of this part. The department may,
24 based upon estimates of revenue required to implement this
25 part, establish separate fee schedules for application,
26 examination, reexamination, certification, and renewal for the
27 different categories of certification.

28 Section 300. Section 468.304, Florida Statutes, is
29 amended to read:

30 468.304 Certification examination; admission.--The
31 department shall admit to examination for certification any

1 applicant who pays to the department a nonrefundable fee not
2 to exceed \$100 unless determined otherwise pursuant to s.
3 216.1817, plus the actual per-applicant cost to the department
4 for purchasing the examination from a national organization
5 and submits satisfactory evidence, verified by oath or
6 affirmation, that she or he:

7 (1) Is at least 18 years of age at the time of
8 application;

9 (2) Is a high school graduate or has successfully
10 completed the requirements for a graduate equivalency diploma
11 (GED) or its equivalent;

12 (3) Is of good moral character; and

13 (4)(a) Has successfully completed an educational
14 program, which program may be established in a hospital
15 licensed pursuant to chapter 395 or in an accredited
16 postsecondary academic institution which is subject to
17 approval by the department as maintaining a satisfactory
18 standard; or

19 (b)1. With respect to an applicant for a basic X-ray
20 machine operator's certificate, has completed a course of
21 study approved by the department with appropriate study
22 material provided the applicant by the department;

23 2. With respect to an applicant for a basic X-ray
24 machine operator-podiatric medicine certificate, has completed
25 a course of study approved by the department, provided that
26 such course of study shall be limited to that information
27 necessary to perform radiographic procedures within the scope
28 of practice of a podiatric physician licensed pursuant to
29 chapter 461;

30 3. With respect only to an applicant for a general
31 radiographer's certificate who is a basic X-ray machine

1 operator certificateholder, has completed an educational
2 program or a 2-year training program that takes into account
3 the types of procedures and level of supervision usually and
4 customarily practiced in a hospital, which educational or
5 training program complies with the rules of the department; or
6 4. With respect only to an applicant for a nuclear
7 medicine technologist's certificate who is a general
8 radiographer certificateholder, has completed an educational
9 program or a 2-year training program that takes into account
10 the types of procedures and level of supervision usually and
11 customarily practiced in a hospital, which educational or
12 training program complies with the rules of the department.

13

14 No application for a limited computed tomography certificate
15 shall be accepted. All persons holding valid computed
16 tomography certificates as of October 1, 1984, are subject to
17 the provisions of s. 468.309.

18 Section 301. Section 468.305, Florida Statutes, is
19 amended to read:

20 468.305 Certification; standards.--The department
21 shall develop standards for certification for the categories
22 of radiological personnel or procedures specified in s.
23 468.302. The certification standards shall be developed by
24 the department to provide for educational programs for persons
25 who are duly licensed or have a credential in a recognized
26 health care profession or who have other training that is
27 relevant to the program of study to be undertaken. All such
28 categories shall include a demonstration of safety procedure
29 competency; however, nothing in this part shall be construed
30 to require that all operators of radiation equipment be
31 registered radiologic technologists. Unless determined

1 otherwise pursuant to s. 216.1817,an application fee of not
2 more than \$350 shall be assessed those educational programs
3 seeking approval from the department. Application for
4 approval shall be made on forms provided by the department.
5 Once approved by the department, an educational program shall
6 be assessed an annual fee not to exceed \$150 unless determined
7 otherwise pursuant to s. 216.1817.

8 Section 302. Subsection (4) of section 468.306,
9 Florida Statutes, is amended to read:

10 468.306 Examinations.--All applicants, except those
11 certified pursuant to s. 468.3065, shall be required to pass
12 an examination. The department is authorized to develop or
13 use examinations for each type of certificate.

14 (4) Unless determined otherwise pursuant to s.
15 216.1817,a nonrefundable fee not to exceed \$75 plus the
16 actual per-applicant cost for purchasing the examination from
17 a national organization shall be charged for any subsequent
18 examination.

19 Section 303. Section 468.3065, Florida Statutes, is
20 amended to read:

21 468.3065 Certification by endorsement.--The department
22 may issue a certificate by endorsement to practice radiologic
23 technology to an applicant who, upon applying to the
24 department and remitting a fee not to exceed \$50 unless
25 determined otherwise pursuant to s. 216.1817, demonstrates to
26 the department that he or she holds a current certificate,
27 license, or registration to practice radiologic technology,
28 provided that the requirements for such certificate, license,
29 or registration are deemed by the department to be
30 substantially equivalent to those established under this part
31 and rules adopted hereunder.

1 Section 304. Paragraph (a) of subsection (1) of
2 section 468.309, Florida Statutes, is amended to read:

3 468.309 Certificate; duration; renewal; reversion to
4 inactive status; members of Armed Forces and spouses.--

5 (1)(a) A radiologic technologist's certificate issued
6 in accordance with this part expires as specified in rules
7 adopted by the department which establish a procedure for the
8 biennial renewal of certificates. A certificate shall be
9 renewed by the department for a period of 2 years upon payment
10 of a renewal fee in an amount not to exceed \$75, unless
11 determined otherwise pursuant to s. 216.1817, and upon
12 submission of a renewal application containing such
13 information as the department deems necessary to show that the
14 applicant for renewal is a radiologic technologist in good
15 standing and has completed any continuing education
16 requirements that the department establishes.

17 Section 305. Subsection (1) of section 468.3095,
18 Florida Statutes, is amended to read:

19 468.3095 Inactive status; reactivation; automatic
20 suspension; reinstatement.--

21 (1) A certificateholder may request that his or her
22 certificate be placed in an inactive status by making
23 application to the department and paying a fee in an amount
24 set by the department not to exceed \$50, unless determined
25 otherwise pursuant to s. 216.1817.

26 Section 306. Subsection (1) of section 468.364,
27 Florida Statutes, is amended to read:

28 468.364 Fees; establishment; disposition.--

29 (1) The board shall establish by rule fees for the
30 following purposes:

31

1 (a) Application, a fee not to exceed \$50 unless
2 determined otherwise pursuant to s. 216.1817.

3 (b) Initial licensure, a fee not to exceed \$200 unless
4 determined otherwise pursuant to s. 216.1817.

5 (c) Renewal of licensure, a fee not to exceed \$200
6 biennially unless determined otherwise pursuant to s.
7 216.1817.

8 (d) Renewal of inactive licensure, a fee not to exceed
9 \$50 unless determined otherwise pursuant to s. 216.1817.

10 (e) Reactivation, a fee not to exceed \$50 unless
11 determined otherwise pursuant to s. 216.1817.

12 Section 307. Section 468.3852, Florida Statutes, is
13 amended to read:

14 468.3852 Reactivation of license; fee.--The board
15 shall prescribe by rule a fee not to exceed \$250 for the
16 reactivation of an inactive license unless determined
17 otherwise pursuant to s. 216.1817. The fee shall be in
18 addition to the current biennial renewal fee.

19 Section 308. Subsection (1) of section 468.393,
20 Florida Statutes, is amended to read:

21 468.393 Surcharge to license fee; assessments.--

22 (1) At the time of licensure under s. 468.385, s.
23 468.3851, or s. 468.3852, each licensee shall pay, in addition
24 to an application and license fee, a surcharge in an amount to
25 be determined by the board, not to exceed \$300 unless
26 determined otherwise pursuant to s. 216.1817, which shall be
27 deposited in the Auctioneer Recovery Fund.

28 Section 309. Subsection (2) of section 468.403,
29 Florida Statutes, is amended to read:

30 468.403 License requirements.--

31

1 (2) Each application for a license must be accompanied
2 by an application fee set by the department not to exceed \$300
3 unless determined otherwise pursuant to s. 216.1817, plus the
4 actual cost for fingerprint analysis for each owner
5 application, to cover the costs of investigating the
6 applicant. Each application for a change of operator must be
7 accompanied by an application fee of \$150 unless determined
8 otherwise pursuant to s. 216.1817. These fees are not
9 refundable.

10 Section 310. Subsection (1) of section 468.404,
11 Florida Statutes, is amended to read:

12 468.404 License; fees; renewals.--

13 (1) The department by rule shall establish biennial
14 fees for initial licensing, renewal of license, and
15 reinstatement of license, none of which fees shall exceed \$400
16 unless determined otherwise pursuant to s. 216.1817. The
17 department may by rule establish a delinquency fee of no more
18 than \$50 unless determined otherwise pursuant to s. 216.1817.
19 The fees shall be adequate to proportionately fund the
20 expenses of the department which are allocated to the
21 regulation of talent agencies and shall be based on the
22 department's estimate of the revenue required to administer
23 this part.

24 Section 311. Subsection (1) of section 468.435,
25 Florida Statutes, is amended to read:

26 468.435 Fees; establishment; disposition.--

27 (1) The council shall, by rule, establish fees for the
28 described purposes and within the ranges specified in this
29 section:

30 (a) Application fee: not less than \$25, or more than
31 \$50 unless determined otherwise pursuant to s. 216.1817.

1 (b) Examination fee: not less than \$25, or more than
2 \$100 unless determined otherwise pursuant to s. 216.1817.

3 (c) Initial license fee: not less than \$25, or more
4 than \$100 unless determined otherwise pursuant to s. 216.1817.

5 (d) Renewal of license fee: not less than \$25, or
6 more than \$100 unless determined otherwise pursuant to s.
7 216.1817.

8 (e) Delinquent license fee: not less than \$25, or
9 more than \$50 unless determined otherwise pursuant to s.
10 216.1817.

11 (f) Inactive license fee: not less than \$10, or more
12 than \$25 unless determined otherwise pursuant to s. 216.1817.

13 Section 312. Paragraph (d) of subsection (2) of
14 section 468.453, Florida Statutes, is amended to read:

15 468.453 Licensure required; qualifications;
16 examination; bond; exception; license nontransferable.--

17 (2) A person shall be licensed as an athlete agent if
18 the applicant:

19 (d) Has completed the application form and remitted an
20 application fee not to exceed \$500 unless determined otherwise
21 pursuant to s. 216.1817, an examination fee not to exceed the
22 actual cost for the examination plus \$500 unless determined
23 otherwise pursuant to s. 216.1817, an active licensure fee not
24 to exceed \$2,000 unless determined otherwise pursuant to s.
25 216.1817, and all other applicable fees provided for in this
26 part or in chapter 455.

27 Section 313. Section 468.508, Florida Statutes, is
28 amended to read:

29 468.508 Fees.--The board shall, by rule, establish
30 fees to be paid for applications and examination,
31 reexamination, licensing and renewal, licensure by

1 endorsement, temporary permits, renewal, renewal of inactive
2 licenses, reactivation of inactive licenses, recordmaking, and
3 recordkeeping. The board shall establish fees which are
4 adequate to administer and implement the provisions of this
5 part.

6 (1) The application fee shall not exceed \$100 unless
7 determined otherwise pursuant to s. 216.1817,and shall not be
8 refundable.

9 (2) The examination fee shall not exceed \$500 unless
10 determined otherwise pursuant to s. 216.1817,and shall be
11 refundable if the applicant is found to be ineligible to take
12 the licensure examination.

13 (3) The initial licensure fee shall not exceed \$500
14 unless determined otherwise pursuant to s. 216.1817.

15 (4) The fee for reexamination shall not exceed \$250
16 unless determined otherwise pursuant to s. 216.1817.

17 (5) The biennial renewal fee shall not exceed \$500
18 unless determined otherwise pursuant to s. 216.1817.

19 (6) The fee for licensure by endorsement shall not
20 exceed \$350 unless determined otherwise pursuant to s.
21 216.1817.

22 (7) The fee for a temporary permit shall not exceed
23 \$200 unless determined otherwise pursuant to s. 216.1817.

24 (8) The fee for reactivation of an inactive license
25 shall not exceed \$50 unless determined otherwise pursuant to
26 s. 216.1817.

27 Section 314. Subsection (1) of section 468.524,
28 Florida Statutes, is amended to read:

29 468.524 Application for license.--

30 (1) Each employee leasing company and each controlling
31 person required to be licensed shall file with the department

1 a complete written application accompanied by a nonrefundable
2 application fee not to exceed \$250, unless determined
3 otherwise pursuant to s. 216.1817. Each employee leasing
4 company and employee leasing company group application must
5 list on the application each owner who has an interest of 10
6 percent or more in the company.

7 Section 315. Subsections (3) and (4) of section
8 468.526, Florida Statutes, are amended to read:

9 468.526 License required; fees.--

10 (3) Each employee leasing company and employee leasing
11 company group licensee shall pay to the department upon the
12 initial issuance of a license and upon each renewal thereafter
13 a license fee not to exceed \$2,500 unless determined otherwise
14 pursuant to s. 216.1817. Such license fee is to be established
15 by the board. In addition to the license fee, the board shall
16 establish an annual assessment for each employee leasing
17 company and each employee leasing company group sufficient to
18 cover all costs for regulation of the profession pursuant to
19 this chapter, chapter 455, and any other applicable provisions
20 of law. The annual assessment shall:

21 (a) Be due and payable upon initial licensure and
22 subsequent renewals thereof and 1 year before the expiration
23 of any licensure period; and

24 (b) Be based on a fixed percentage, variable classes,
25 or a combination of both, as determined by the board, of gross
26 Florida payroll for employees leased to clients by the
27 applicant or licensee during the period beginning five
28 quarters before and ending one quarter before each assessment.
29 It is the intent of the Legislature that the greater weight of
30 total fees for licensure and assessments should be on larger
31 companies and groups.

1 (4) The total licensure fee and annual assessments
2 during a licensure period shall not exceed:

3 (a) Ten thousand dollars for an employee leasing
4 company unless determined otherwise pursuant to s. 216.1817.

5 (b) Fourteen thousand dollars for an employee leasing
6 company group unless determined otherwise pursuant to s.
7 216.1817.

8 Section 316. Subsection (3) of section 468.530,
9 Florida Statutes, is amended to read:

10 468.530 License, contents; posting.--

11 (3) No license shall be valid for any person or entity
12 who engages in the business under any name other than that
13 specified in the license. A license issued under this part
14 shall not be assignable, and no licensee may conduct a
15 business under a fictitious name without prior written
16 authorization of the board to do so. The board may not
17 authorize the use of a name which is so similar to that of a
18 public officer or agency, or of that used by another licensee,
19 that the public may be confused or misled thereby. No licensee
20 shall be permitted to conduct business under more than one
21 name unless it has obtained a separate license. A licensee
22 desiring to change its licensed name at any time except upon
23 license renewal shall notify the board and pay a fee not to
24 exceed \$50, unless determined otherwise pursuant to s.
25 216.1817,for each authorized change of name.

26 Section 317. Subsections (2) and (3) of section
27 468.627, Florida Statutes, are amended to read:

28 468.627 Application; examination; renewal; fees.--

29 (2) The initial application fee may not exceed \$25
30 unless determined otherwise pursuant to s. 216.1817,for
31

1 building code administrators, plans examiners, or building
2 code inspectors.

3 (3) The initial examination fee may not exceed \$150
4 unless determined otherwise pursuant to s. 216.1817, for
5 building code administrators, plans examiners, or building
6 code inspectors.

7 Section 318. Section 468.709, Florida Statutes, is
8 amended to read:

9 468.709 Fees.--

10 (1) The board shall, by rule, establish fees for the
11 following purposes:

12 (a) An application fee, not to exceed \$100 unless
13 determined otherwise pursuant to s. 216.1817.

14 (b) An examination fee, not to exceed \$200 unless
15 determined otherwise pursuant to s. 216.1817.

16 (c) An initial licensure fee, not to exceed \$200
17 unless determined otherwise pursuant to s. 216.1817.

18 (d) A biennial renewal fee, not to exceed \$200 unless
19 determined otherwise pursuant to s. 216.1817.

20 (e) An inactive fee, not to exceed \$100 unless
21 determined otherwise pursuant to s. 216.1817.

22 (f) A delinquent fee, not to exceed \$100 unless
23 determined otherwise pursuant to s. 216.1817.

24 (g) A reactivation fee, not to exceed \$100 unless
25 determined otherwise pursuant to s. 216.1817.

26 (h) A voluntary inactive fee, not to exceed \$100
27 unless determined otherwise pursuant to s. 216.1817.

28 (2) The board shall establish fees at a level, not to
29 exceed the statutory fee cap unless determined otherwise
30 pursuant to s. 216.1817, that is adequate to ensure the
31 continued operation of the regulatory program under this part.

1 The board shall neither set nor maintain the fees at a level
2 that will substantially exceed this need.

3 Section 319. Subsection (2) of section 468.803,
4 Florida Statutes, is amended to read:

5 468.803 Licensure requirements.--

6 (2) An applicant for licensure must apply to the
7 department on a form prescribed by it in order to take the
8 appropriate licensure examination, including a practical
9 examination demonstrating clinical patient management, when
10 appropriate, and written examinations, one of which
11 demonstrates orthotic, prosthetic, or pedorthic
12 problem-solving skills. The board may accept the examination
13 results of a national orthotic, prosthetic, or pedorthic
14 standards organization in lieu of administering the state
15 examination. In such cases, the department shall set fees
16 appropriate to the level of practitioner and shall examine
17 each applicant who the board verifies:

18 (a) Has completed the application form and paid an
19 application fee, not to exceed \$500 unless determined
20 otherwise pursuant to s. 216.1817, which shall be
21 nonrefundable, an examination fee and the actual per applicant
22 costs to the department for purchase or development of the
23 examination, and a license fee not to exceed \$500 unless
24 determined otherwise pursuant to s. 216.1817;

25 (b) Is of good moral character;

26 (c) Is 18 years of age or older;

27 (d) Has completed the appropriate educational
28 preparation, including practical training requirements; and

29 (e) Has successfully completed an appropriate clinical
30 internship in the professional area for which the license is
31 sought.

1 Section 320. Subsection (4) of section 468.805,
2 Florida Statutes, is amended to read:

3 468.805 Grandfathering.--

4 (4) The board by rule shall establish the following
5 fees not to exceed \$500 each unless determined otherwise
6 pursuant to s. 216.1817:

7 (a) Application fee for licensure under subsection
8 (1).

9 (b) Application fee for provisional licensure under
10 subsection (2).

11 (c) Application fee for licensure following
12 provisional licensure under subsection (2).

13 (d) Initial licensure fee.

14 (e) Provisional licensure fee.

15 Section 321. Subsection (1) of section 468.806,
16 Florida Statutes, is amended to read:

17 468.806 Biennial renewal of license.--

18 (1) Unless determined otherwise pursuant to s.
19 216.1817, the department shall renew a license upon receipt of
20 the renewal application fee, not to exceed \$500, as set by the
21 board.

22 (2) The board shall adopt rules establishing a
23 procedure for the biennial license renewal.

24 (3) The board may by rule prescribe continuing
25 education requirements and approve course criteria, not to
26 exceed 30 hours biennially, as a condition for license
27 renewal. The board shall establish a procedure for approving
28 continuing education courses and providers and may set a fee
29 for continuing education course and provider approval.

30 Section 322. Section 469.008, Florida Statutes, is
31 amended to read:

1 469.008 Fees.--The department shall establish, by
2 rule, reasonable fees to be paid for applications,
3 examinations, licensing and renewal, recordmaking, and
4 recordkeeping. Fees for application, initial licensure,
5 renewal, or reactivation may not exceed \$500 per applicant,
6 unless determined otherwise pursuant to s. 216.1817. The
7 department may, by rule, establish late renewal penalty fees,
8 in an amount not to exceed the initial licensure fee.

9 Section 323. Subsection (4) of section 469.014,
10 Florida Statutes, is amended to read:

11 469.014 Approval of asbestos training courses and
12 providers.--

13 (4) Pursuant to s. 216.1817,the department shall, by
14 rule, establish reasonable fees in an amount not to exceed the
15 cost of evaluation, approval, and recordmaking and
16 recordkeeping of training courses and training-course
17 providers.

18 Section 324. Subsections (1) and (3) of section
19 470.006, Florida Statutes, are amended to read:

20 470.006 Licensure as an embalmer by examination;
21 provisional license.--

22 (1) Any person desiring to be licensed as an embalmer
23 shall apply to the department to take the licensure
24 examination. The department shall examine each applicant who
25 has remitted an examination fee set by the board not to exceed
26 \$200, unless determined otherwise pursuant to s. 216.1817,
27 plus the actual per applicant cost to the department for
28 portions of the examination and who the board certifies has:

29 (a) Completed the application form and remitted a
30 nonrefundable application fee set by the board not to exceed
31 \$50 unless determined otherwise pursuant to s. 216.1817.

1 (b) Submitted proof satisfactory to the board that the
2 applicant is at least 18 years of age and is a recipient of a
3 high school degree or equivalent.

4 (c) Had no conviction or finding of guilt, regardless
5 of adjudication, for a crime which directly relates to the
6 ability to practice embalming or the practice of embalming.

7 (d) Completed a course in mortuary science approved by
8 the board, which course embraces, at least, the following
9 subjects: theory and practice of embalming, restorative art,
10 pathology, anatomy, microbiology, chemistry, hygiene, and
11 public health and sanitation.

12 (e) Submitted proof of completion of a board-approved
13 course on communicable diseases.

14 (3) Any applicant who has completed the required
15 1-year internship and has been approved for examination as an
16 embalmer may qualify for a provisional license to work in a
17 licensed funeral establishment, under the direct supervision
18 of a licensed embalmer for a limited period of 6 months as
19 provided by rule of the board. The fee for provisional
20 licensure shall be set by the board, but may not exceed \$125,
21 unless determined otherwise pursuant to s. 216.1817, and shall
22 be nonrefundable and in addition to the fee required in
23 subsection (1). This provisional license may be renewed no
24 more than one time.

25 Section 325. Subsections (1) and (5) of section
26 470.007, Florida Statutes, are amended to read:

27 470.007 Licensure as an embalmer by endorsement;
28 registration of a temporary embalmer.--

29 (1) The department shall issue a license by
30 endorsement to practice embalming to an applicant who has
31 remitted an examination fee set by the board not to exceed

1 \$200, unless determined otherwise pursuant to s. 216.1817, and
2 who the board certifies:

3 (a) Has completed the application form and remitted a
4 nonrefundable application fee set by the board not to exceed
5 \$50 unless determined otherwise pursuant to s. 216.1817.

6 (b)1. Holds a valid license to practice embalming in
7 another state of the United States, provided that, when the
8 applicant secured his or her original license, the
9 requirements for licensure were substantially equivalent to or
10 more stringent than those existing in this state; or

11 2. Meets the qualifications for licensure in s.
12 470.006, except that the internship requirement shall be
13 deemed to have been satisfied by 1 year's practice as a
14 licensed embalmer in another state, and has, within 10 years
15 prior to the date of application, successfully completed a
16 state, regional, or national examination in mortuary science,
17 which, as determined by rule of the board, is substantially
18 equivalent to or more stringent than the examination given by
19 the department.

20 (c) Has submitted proof of completion of a
21 board-approved course on communicable diseases.

22 (5) The board may adopt rules authorizing an applicant
23 who has met the requirements of paragraphs (1)(b) and (c) and
24 who is awaiting an opportunity to take the examination
25 required by subsection (4) to register as a temporary
26 embalmer. A registered temporary embalmer may work as an
27 embalmer in a licensed funeral establishment under the general
28 supervision of a licensed embalmer. Such registration shall
29 expire 60 days after the date of the next available
30 examination required under subsection (4); however, the
31 temporary registration may be renewed one time under the same

1 conditions as initial issuance. The fee for registration or
2 renewal of registration as a temporary embalmer shall be set
3 by the board but may not exceed \$125, unless determined
4 otherwise pursuant to s. 216.1817. The fee required in this
5 subsection shall be nonrefundable and in addition to the fee
6 required in subsection (1).

7 Section 326. Section 470.0085, Florida Statutes, is
8 amended to read:

9 470.0085 Establishment of embalmer apprentice
10 program.--The board may adopt rules establishing an embalmer
11 apprentice program. An embalmer apprentice may perform only
12 those tasks, functions, and duties relating to embalming which
13 are performed under the direct supervision of a licensed
14 embalmer. An embalmer apprentice shall be eligible to serve
15 in an apprentice capacity for a period not to exceed 1 year as
16 may be determined by board rule or for a period not to exceed
17 3 years if the apprentice is enrolled in and attending a
18 course in mortuary science or funeral service education at any
19 mortuary college or funeral service education college or
20 school. An embalmer apprentice shall be registered with the
21 board upon payment of a registration fee not to exceed \$50,
22 unless determined otherwise pursuant to s. 216.1817.

23 Section 327. Subsections (1) and (3) of section
24 470.009, Florida Statutes, are amended to read:

25 470.009 Licensure as a funeral director by
26 examination; provisional license.--

27 (1) Any person desiring to be licensed as a funeral
28 director shall apply to the department to take the licensure
29 examination. The department shall examine each applicant who
30 has remitted an examination fee set by the board not to exceed
31 \$200, unless determined otherwise pursuant to s. 216.1817,

1 plus the actual per applicant cost to the department for
2 portions of the examination and who the board certifies has:

3 (a) Completed the application form and remitted a
4 nonrefundable application fee set by the board not to exceed
5 \$50, unless determined otherwise pursuant to s. 216.1817.

6 (b) Submitted proof satisfactory to the board that the
7 applicant is at least 18 years of age and is a recipient of a
8 high school degree or equivalent.

9 (c) Had no conviction or finding of guilt, regardless
10 of adjudication, for a crime which directly relates to the
11 ability to practice funeral directing or the practice of
12 funeral directing.

13 (d)1. Received an associate in arts degree, associate
14 in science degree, or an associate in applied science degree
15 in mortuary science approved by the board; or

16 2. Holds an associate degree or higher from a college
17 or university accredited by a regional association of colleges
18 and schools recognized by the United States Department of
19 Education and is a graduate of at least a 1-year course in
20 mortuary science approved by the board.

21 (e) Submitted proof of completion of a board-approved
22 course on communicable diseases.

23 (3) Any applicant who has completed the required
24 1-year internship and has been approved for examination as a
25 funeral director may qualify for a provisional license to work
26 in a licensed funeral establishment, under the direct
27 supervision of a licensed funeral director for a limited
28 period of 6 months as provided by rule of the board. The fee
29 for provisional licensure shall be set by the board but may
30 not exceed \$125, unless determined otherwise pursuant to s.
31 216.1817. The fee required in this subsection shall be

1 nonrefundable and in addition to the fee required by
2 subsection (1). This provisional license may be renewed no
3 more than one time.

4 Section 328. Subsections (1) and (5) of section
5 470.011, Florida Statutes, are amended to read:

6 470.011 Licensure as a funeral director by
7 endorsement; registration of a temporary funeral director.--

8 (1) The department shall issue a license by
9 endorsement to practice funeral directing to an applicant who
10 has remitted a fee set by the board not to exceed \$200, unless
11 determined otherwise pursuant to s. 216.1817, and who the
12 board certifies:

13 (a) Has completed the application form and remitted a
14 nonrefundable application fee set by the board not to exceed
15 \$50, unless determined otherwise pursuant to s. 216.1817.

16 (b)1. Holds a valid license to practice funeral
17 directing in another state of the United States, provided
18 that, when the applicant secured his or her original license,
19 the requirements for licensure were substantially equivalent
20 to or more stringent than those existing in this state; or

21 2. Meets the qualifications for licensure in s.
22 470.009 and has, within 10 years prior to the date of
23 application, successfully completed a state, regional, or
24 national examination in mortuary science, which, as determined
25 by rule of the board, is substantially equivalent to or more
26 stringent than the examination given by the department.

27 (c) Has submitted proof of completion of a
28 board-approved course on communicable diseases.

29 (5) The board may adopt rules authorizing an applicant
30 who has met the requirements of paragraphs (1)(b) and (c) and
31 who is awaiting an opportunity to take the examination

1 required by subsection (4) to register as a temporary funeral
2 director. A registered temporary funeral director may work as
3 a funeral director in a licensed funeral establishment under
4 the general supervision of a licensed funeral director. Such
5 registration shall expire 60 days after the date of the next
6 available examination required under subsection (4); however,
7 the temporary registration may be renewed one time under the
8 same conditions as initial issuance. The fee for registration
9 or renewal of registration as a temporary funeral director
10 shall be set by the board but may not exceed \$125, unless
11 determined otherwise pursuant to s. 216.1817. The fee required
12 in this subsection shall be nonrefundable and in addition to
13 the fee required in subsection (1).

14 Section 329. Subsection (1) of section 470.012,
15 Florida Statutes, is amended to read:

16 470.012 Registration of a funeral director intern.--

17 (1) Any person desiring to become a funeral director
18 intern shall make application to the department on forms
19 provided by the department, together with a nonrefundable fee
20 not to exceed \$100, unless determined otherwise pursuant to s.
21 216.1817. The application shall indicate the name and address
22 of the licensed funeral director under whose supervision the
23 intern will receive training and the name of the licensed
24 funeral establishment where such training is to be conducted.
25 The funeral director intern shall intern under the direct
26 supervision of a licensed funeral director who has an active,
27 valid license.

28 Section 330. Subsection (1) of section 470.015,
29 Florida Statutes, is amended to read:

30 470.015 Renewal of funeral director and embalmer
31 licenses.--

1 (1) The department shall renew a funeral director or
2 embalmer license upon receipt of the renewal application and
3 fee set by the board not to exceed \$250, unless determined
4 otherwise pursuant to s. 216.1817. The board may prescribe by
5 rule continuing education requirements of up to 12 classroom
6 hours and may by rule establish criteria for accepting
7 alternative nonclassroom continuing education on an
8 hour-for-hour basis, in addition to a board-approved course on
9 communicable diseases that includes the course on human
10 immunodeficiency virus and acquired immune deficiency syndrome
11 required by s. 455.2226, for the renewal of a funeral director
12 or embalmer license. The board may provide for the waiver of
13 continuing education requirements in circumstances that would
14 justify the waiver, such as hardship, disability, or illness.
15 The continuing education requirement is not required after
16 July 1, 1996, for a licensee who is over the age of 75 years
17 if the licensee does not qualify as the sole person in charge
18 of an establishment or facility.

19 Section 331. Subsection (2) of section 470.017,
20 Florida Statutes, is amended to read:

21 470.017 Registration as a direct disposer.--

22 (2) Any person who desires to be registered as a
23 direct disposer shall file an application with the department
24 on a form furnished by the department. The department shall
25 register each applicant who has remitted a registration fee
26 set by the department, not to exceed \$200, unless determined
27 otherwise pursuant to s. 216.1817; has completed the
28 application form and remitted a nonrefundable application fee
29 set by the department, not to exceed \$50; and meets the
30 following requirements:

31 (a) Is at least 18 years of age.

1 (b) Is a high school graduate or equivalent.

2 (c) Has no conviction or finding of guilt, and has
3 never entered a plea of nolo contendere, regardless of
4 adjudication, for a crime which directly relates to the
5 functions and duties of a direct disposer or the practice of
6 direct disposition.

7 (d) Has received a passing grade in a college credit
8 course in Florida mortuary law.

9 (e) Has completed a board-approved course on
10 communicable diseases.

11 (f) Has passed an examination prepared by the
12 department on the local, state, and federal laws and rules
13 relating to the disposition of dead human bodies.

14 Section 332. Subsection (1) of section 470.018,
15 Florida Statutes, is amended to read:

16 470.018 Renewal of registration of direct disposer.--

17 (1) The department shall renew a registration upon
18 receipt of the renewal application and fee set by the
19 department not to exceed \$250, unless determined otherwise
20 pursuant to s. 216.1817.

21 Section 333. Subsections (3) and (4) and paragraph (b)
22 of subsection (5) of section 470.021, Florida Statutes, are
23 amended to read:

24 470.021 Direct disposal establishment; standards and
25 location; registration.--

26 (3) An application for a direct disposal establishment
27 registration shall be made on a form furnished by the
28 department, shall include the name of the registered direct
29 disposer or licensed funeral director acting as a direct
30 disposer who is in charge of that establishment, and shall be
31 accompanied by a nonrefundable fee not to exceed \$300 as set

1 by the department, unless determined otherwise pursuant to s.
2 216.1817.

3 (4) A direct disposal establishment registration shall
4 be renewed biennially pursuant to procedures and upon payment
5 of a fee not to exceed \$300 as set by the board, unless
6 determined otherwise pursuant to s. 216.1817. The board may
7 also establish by rule a delinquency fee not to exceed \$50.
8 Any direct disposal establishment registration not renewed
9 within 30 days shall expire without further action by the
10 department or the board.

11 (5)

12 (b) Unless determined otherwise pursuant to s.
13 216.1817,the board shall set by rule an annual inspection fee
14 not to exceed \$100, payable upon application for registration
15 and upon each renewal of such registration.

16 Section 334. Subsections (4), (5), and (11) of section
17 470.024, Florida Statutes, are amended to read:

18 470.024 Funeral establishment; licensure.--

19 (4) Application for a funeral establishment license
20 shall be made on forms furnished by the department, shall be
21 accompanied by a nonrefundable fee not to exceed \$300 as set
22 by board rule, unless determined otherwise pursuant to s.
23 216.1817,and shall include the name of the licensed funeral
24 director who is in charge of that establishment.

25 (5) A funeral establishment license shall be renewable
26 biennially pursuant to procedures, and upon payment of a
27 nonrefundable fee not to exceed \$300, as set by board rule,
28 unless determined otherwise pursuant to s. 216.1817. The board
29 may also establish by rule a delinquency fee not to exceed
30 \$50.

31

1 (11) Unless determined otherwise pursuant to s.
2 216.1817, the board shall set by rule an annual inspection fee
3 not to exceed \$100, payable upon application for licensure and
4 upon each renewal of such license.

5 Section 335. Subsections (2) and (3) and paragraph (b)
6 of subsection (7) of section 470.025, Florida Statutes, are
7 amended to read:

8 470.025 Cinerator facility; licensure.--

9 (2) Application for licensure of cinerator facilities
10 shall be on a form furnished and prescribed by the department
11 and shall be accompanied by a nonrefundable license fee of up
12 to \$300 as set by board rule, unless determined otherwise
13 pursuant to s. 216.1817. No license may be issued unless the
14 cinerator facility has been inspected and approved as meeting
15 all requirements as set forth by the department, the
16 Department of Health, the Department of Environmental
17 Protection, or any local ordinance regulating the same. The
18 board shall establish by rule standards for cinerator
19 facilities, including, but not limited to, requirements for
20 refrigeration and storage of dead human bodies, use of forms
21 and contracts, and record retention.

22 (3) Licenses shall be renewed biennially in accordance
23 with a schedule established by the department. The
24 nonrefundable biennial renewal fee shall be up to \$300 as set
25 by board rule, unless determined otherwise pursuant to s.
26 216.1817. The board may also establish by rule a delinquency
27 fee not to exceed \$50. Any cinerator facility license not
28 renewed within 30 days shall expire without further action by
29 the department or the board.

30 (7)
31

1 (b) The board shall set by rule an annual inspection
2 fee not to exceed \$100, unless determined otherwise pursuant
3 to s. 216.1817, payable upon application for licensure and
4 upon each renewal of such license.

5 Section 336. Paragraphs (a) and (f) of subsection (1)
6 and paragraphs (f) and (g) of subsection (2) of section
7 470.0301, Florida Statutes, are amended to read:

8 470.0301 Removal services; refrigeration facilities;
9 centralized embalming facilities.--In order to ensure that the
10 removal, refrigeration, and embalming of all dead human bodies
11 is conducted in a manner that properly protects the public's
12 health and safety, the board shall adopt rules to provide for
13 the registration of removal services, refrigeration
14 facilities, and centralized embalming facilities operated
15 independently of funeral establishments, direct disposal
16 establishments, and cinerator facilities.

17 (1) REMOVAL SERVICES AND REFRIGERATION SERVICES.--

18 (a) Application for registration of a removal service
19 or a refrigeration service shall be made on forms furnished by
20 the department, shall be accompanied by a nonrefundable fee
21 not to exceed \$300 as set by board rule, unless determined
22 otherwise pursuant to s. 216.1817, and shall include the name
23 of the business owner, manager in charge, business address,
24 and copies of occupational and other local permits.

25 (f) The board shall set by rule an annual inspection
26 fee not to exceed \$100, unless determined otherwise pursuant
27 to s. 216.1817, payable upon application for registration and
28 upon each renewal of such registration.

29 (2) CENTRALIZED EMBALMING FACILITIES.--In order to
30 ensure that all funeral establishments have access to
31 embalming facilities that comply with all applicable health

1 and safety requirements, the board shall adopt rules to
2 provide for the registration and operation of centralized
3 embalming facilities and shall require, at a minimum, the
4 following:

5 (f) Application for registration of a centralized
6 embalming facility shall be made on forms furnished by the
7 department and shall be accompanied by a nonrefundable fee not
8 to exceed \$300 as set by board rule, unless determined
9 otherwise pursuant to s. 216.1817 and registration shall be
10 renewed biennially pursuant to procedures and upon payment of
11 a nonrefundable fee not to exceed \$300 as set by board rule,
12 unless determined otherwise pursuant to s. 216.1817. The board
13 may also establish by rule a late fee not to exceed \$50. Any
14 registration not renewed within 30 days after the renewal date
15 shall expire without further action by the department.

16 (g) The board shall set by rule an annual inspection
17 fee not to exceed \$100, unless determined otherwise pursuant
18 to s. 216.1817, payable upon application for registration and
19 upon renewal of such registration.

20 Section 337. Subsections (2), (3), (4), (5), (6), (7),
21 and (8) of section 471.011, Florida Statutes, are amended to
22 read:

23 471.011 Fees.--

24 (2) Unless determined otherwise pursuant to s.
25 216.1817, the initial application and examination fee shall
26 not exceed \$125 plus the actual per applicant cost to the
27 management corporation to purchase the examination from the
28 National Council of Examiners for Engineering and Surveying or
29 a similar national organization. The examination fee shall be
30 in an amount which covers the cost of obtaining and
31 administering the examination and shall be refunded if the

1 applicant is found ineligible to sit for the examination. The
2 application fee shall be nonrefundable.

3 (3) The initial license fee shall not exceed \$125,
4 unless determined otherwise pursuant to s. 216.1817.

5 (4) The fee for a certificate of authorization shall
6 not exceed \$125, unless determined otherwise pursuant to s.
7 216.1817.

8 (5) The biennial renewal fee shall not exceed \$125,
9 unless determined otherwise pursuant to s. 216.1817.

10 (6) The fee for a temporary registration or
11 certificate to practice engineering shall not exceed \$25 for
12 an individual or \$50 for a business firm, unless determined
13 otherwise pursuant to s. 216.1817.

14 (7) The fee for licensure by endorsement shall not
15 exceed \$150, unless determined otherwise pursuant to s.
16 216.1817.

17 (8) The fee for application for inactive status or for
18 reactivation of an inactive license shall not exceed \$150,
19 unless determined otherwise pursuant to s. 216.1817.

20 Section 338. Subsections (2), (3), (4), (5), (6), (7),
21 (8), and (9) of section 472.011, Florida Statutes, are amended
22 to read:

23 472.011 Fees.--

24 (2) Unless determined otherwise pursuant to s.
25 216.1817,the initial application and examination fee shall
26 not exceed \$125 plus the actual per applicant cost to the
27 department to purchase the examination from the National
28 Council of Engineering Examiners or a similar national
29 organization. The examination fee shall be in an amount which
30 covers the cost of obtaining and administering the examination
31 and shall be refunded if the applicant is found ineligible to

1 sit for the examination. The application fee shall be
2 nonrefundable.

3 (3) The initial license fee shall not exceed \$200
4 unless determined otherwise pursuant to s. 216.1817.

5 (4) The fee for a certificate of authorization shall
6 not exceed \$125 unless determined otherwise pursuant to s.
7 216.1817.

8 (5) The biennial renewal fee shall not exceed \$500
9 unless determined otherwise pursuant to s. 216.1817.

10 (6) The fee for a temporary registration or
11 certificate to practice surveying and mapping may not exceed
12 \$100 for an individual or \$200 for a business firm unless
13 determined otherwise pursuant to s. 216.1817.

14 (7) The fee for licensure by endorsement shall not
15 exceed \$200 unless determined otherwise pursuant to s.
16 216.1817.

17 (8) The fee for application for inactive status or for
18 reactivation of an inactive license shall not exceed \$150
19 unless determined otherwise pursuant to s. 216.1817.

20 (9) The fee for applications from providers of
21 continuing education may not exceed \$500 unless determined
22 otherwise pursuant to s. 216.1817.

23 Section 339. Subsection (2) of section 472.019,
24 Florida Statutes, is amended to read:

25 472.019 Reactivation; continuing education.--

26 (2) The board shall promulgate rules relating to
27 licenses which have become inactive and for the renewal of
28 inactive licenses. Unless determined otherwise pursuant to s.
29 216.1817, the board shall prescribe by rule a fee not to
30 exceed \$50 for the reactivation of an inactive license and a
31 fee not to exceed \$50 for the renewal of an inactive license.

1 Section 340. Subsections (1) and (2) of section
2 472.023, Florida Statutes, are amended to read:

3 472.023 Surveyors and mappers and firms of other
4 states; temporary certificates to practice in this state.--

5 (1) Upon approval by the board and payment of a fee
6 not to exceed \$25, unless determined otherwise pursuant to s.
7 216.1817, the department shall grant a temporary certificate
8 for work on one specified project in this state and for a
9 period not to exceed 1 year to a surveyor and mapper holding a
10 certificate to practice in another state, provided that
11 Florida registrants are similarly permitted to engage in work
12 in such state.

13 (2) Upon approval by the board and payment of a fee
14 not to exceed \$50, unless determined otherwise pursuant to s.
15 216.1817, the department shall grant a temporary certificate
16 of authorization for work on one specified project in this
17 state for a period not to exceed 1 year to an out-of-state
18 corporation, partnership, or firm, provided one of the
19 principal officers of the corporation, one of the partners of
20 the partnership, or one of the principals in the fictitiously
21 named firm has obtained a temporary certificate of
22 registration in accordance with subsection (1).

23 Section 341. Section 473.305, Florida Statutes, is
24 amended to read:

25 473.305 Fees.--The board, by rule, may establish fees
26 to be paid for applications, examination, reexamination,
27 licensing and renewal, reinstatement, and recordmaking and
28 recordkeeping. The fee for the examination shall be
29 established at an amount that covers the costs for the
30 procurement or development, administration, grading, and
31 review of the examination. The fee for the examination is

1 refundable if the applicant is found to be ineligible to sit
2 for the examination. Unless determined otherwise pursuant to
3 s. 216.1817, the fee for initial application is nonrefundable,
4 and the combined fees for application and examination may not
5 exceed \$250 plus the actual per applicant cost to the
6 department for purchase of the examination from the American
7 Institute of Certified Public Accountants or a similar
8 national organization. The biennial renewal fee may not exceed
9 \$250, unless determined otherwise pursuant to s. 216.1817.
10 The board may also establish, by rule, a reactivation fee, a
11 late filing fee for the law and rules examination, and a
12 delinquency fee not to exceed \$50 unless determined otherwise
13 pursuant to s. 216.1817, for continuing professional education
14 reporting forms. The board shall establish fees which are
15 adequate to ensure the continued operation of the board and to
16 fund the proportionate expenses incurred by the department
17 which are allocated to the regulation of public accountants.
18 Fees shall be based on department estimates of the revenue
19 required to implement this chapter and the provisions of law
20 with respect to the regulation of certified public
21 accountants.

22 Section 342. Subsection (1) of section 473.313,
23 Florida Statutes, is amended to read:

24 473.313 Inactive status.--

25 (1) A licensee may request that her or his license be
26 placed in an inactive status by making application to the
27 department. Pursuant to s. 216.1817, the board shall ~~may~~
28 prescribe by rule fees for placing a license on inactive
29 status, renewal of inactive status, and reactivation of an
30 inactive license.

31

1 Section 343. Subsection (2) of section 473.314,
2 Florida Statutes, is amended to read:

3 473.314 Temporary license.--

4 (2) Each application for a temporary license shall
5 state the names of all persons who are to enter this state and
6 shall be accompanied by a fee in an amount established by the
7 board not to exceed \$400, unless determined otherwise pursuant
8 to s. 216.1817.

9 Section 344. Section 474.2065, Florida Statutes, is
10 amended to read:

11 474.2065 Fees.--The board, by rule, shall establish
12 fees for application and examination, reexamination, license
13 renewal, inactive status, renewal of inactive status, license
14 reactivation, periodic inspection of veterinary
15 establishments, and duplicate copies of licenses,
16 certificates, and permits. Unless determined otherwise
17 pursuant to s. 216.1817,the fee for the initial application
18 and examination may not exceed \$650 plus the actual per
19 applicant cost to the department for purchase of portions of
20 the examination from the Professional Examination Service for
21 the American Veterinary Medical Association or a similar
22 national organization. Unless determined otherwise pursuant to
23 s. 216.1817,the fee for licensure by endorsement may not
24 exceed \$500. Unless determined otherwise pursuant to s.
25 216.1817,the fee for temporary licensure may not exceed \$200.
26 The board shall establish fees that are adequate to ensure its
27 continued operation and to fund the proportionate expenses
28 incurred by the department which are allocated to the
29 regulation of veterinarians. Fees shall be based on
30 departmental estimates of the revenue required to administer
31

1 | this chapter and the provisions relating to the regulation of
2 | veterinarians.

3 | Section 345. Subsection (1) and paragraph (a) of
4 | subsection (7) of section 474.215, Florida Statutes, are
5 | amended to read:

6 | 474.215 Premises permits.--

7 | (1) Any establishment, permanent or mobile, where a
8 | licensed veterinarian practices must have a premises permit
9 | issued by the department. Upon application and payment of a
10 | fee not to exceed \$250, as set by rule of the board, unless
11 | determined otherwise pursuant to s. 216.1817, the department
12 | shall cause such establishment to be inspected. A premises
13 | permit shall be issued if the establishment meets minimum
14 | standards, to be adopted by rule of the board, as to sanitary
15 | conditions, recordkeeping, equipment, radiation monitoring,
16 | services required, and physical plant.

17 | (7) The board by rule shall establish minimum
18 | standards for the operation of limited service veterinary
19 | medical practices. Such rules shall not restrict limited
20 | service veterinary medical practices and shall be consistent
21 | with the type of limited veterinary medical service provided.

22 | (a) Any person that offers or provides limited service
23 | veterinary medical practice shall obtain a biennial permit
24 | from the board the cost of which shall not exceed \$250, unless
25 | determined otherwise pursuant to s. 216.1817. The limited
26 | service permittee shall register each location where a limited
27 | service clinic is held and shall pay a fee set by rule not to
28 | exceed \$25 to register each such location unless determined
29 | otherwise pursuant to s. 216.1817.

30 | Section 346. Subsection (1) of section 475.125,
31 | Florida Statutes, is amended to read:

1 475.125 Fees.--

2 (1) The commission by rule may establish fees to be
3 paid for application, examination, reexamination, licensing
4 and renewal, certification and recertification, reinstatement,
5 and recordmaking and recordkeeping. Unless determined
6 otherwise pursuant to s. 216.1817,the fee for initial
7 application and examination may not exceed \$100. Unless
8 determined otherwise pursuant to s. 216.1817,the initial
9 license fee and the license renewal fee may not exceed \$50 for
10 each year of the duration of the license. The commission may
11 also establish by rule a late renewal penalty. The commission
12 shall establish fees which are adequate to ensure its
13 continued operation. Fees shall be based on estimates made by
14 the department of the revenue required to implement this
15 chapter and other provisions of law relating to the regulation
16 of real estate practitioners.

17 Section 347. Section 475.24, Florida Statutes, is
18 amended to read:

19 475.24 Branch office; fees.--Whenever any licensee
20 desires to conduct business at some other location, either in
21 the same or a different municipality or county than that in
22 which she or he is licensed, such other place of business
23 shall be registered as a branch office, and an annual
24 registration fee prescribed by the commission, in an amount
25 not exceeding \$50, unless determined otherwise pursuant to s.
26 216.1817, shall be paid for each such office. It shall be
27 necessary to maintain and register a branch office whenever,
28 in the judgment of the commission, the business conducted at a
29 place other than the principal office is of such a nature that
30 the public interest requires registration of the branch
31 office. Any office shall be deemed to be a branch office if

1 the name or advertising of a broker having a principal office
2 located elsewhere is displayed in such a manner as to
3 reasonably lead the public to believe that such office is
4 owned or operated by such broker.

5 Section 348. Subsection (1) of section 475.6147,
6 Florida Statutes, is amended to read:

7 475.6147 Fees.--

8 (1) The board by rule may establish fees to be paid
9 for application, licensing and renewal, certification and
10 recertification, reinstatement, and recordmaking and
11 recordkeeping. Unless determined otherwise pursuant to s.
12 216.1817, the fee for initial application may not exceed \$150,
13 and the combined cost of the application and examination may
14 not exceed \$300. Unless determined otherwise pursuant to s.
15 216.1817, the initial license fee and the license renewal fee
16 may not exceed \$150 for each year of the duration of the
17 license. The board may also establish by rule a late renewal
18 penalty. The board shall establish fees which are adequate to
19 ensure its continued operation. Fees shall be based on
20 estimates made by the department of the revenue required to
21 implement this part and other provisions of law relating to
22 the regulation of real estate appraisers.

23 Section 349. Subsection (2) of section 476.155,
24 Florida Statutes, is amended to read:

25 476.155 Inactive status; reactivation of inactive
26 license.--

27 (2) The board shall promulgate rules relating to
28 licenses which have become inactive and for the renewal of
29 inactive licenses. Unless determined otherwise pursuant to s.
30 216.1817, the board shall prescribe by rule a fee not to
31

1 exceed \$100 for the reactivation of an inactive license and a
2 fee not to exceed \$50 for the renewal of an inactive license.

3 Section 350. Subsection (7) of section 476.184,
4 Florida Statutes, is amended to read:

5 476.184 Barbershop licensure; requirements; fee;
6 inspection; license display.--

7 (7) No license for operation of a barbershop may be
8 transferred from the name of the original licensee to another.
9 It may be transferred from one location to another only after
10 inspection and approval by the department, which approval
11 shall not be unreasonably withheld, and payment of a ~~\$125~~
12 transfer fee. Unless determined otherwise pursuant to s.
13 216.1817, the transfer fee is \$125.

14 Section 351. Subsection (1) of section 476.192,
15 Florida Statutes, is amended to read:

16 476.192 Fees; disposition.--

17 (1) The board shall set by rule fees according to the
18 following schedule:

19 (a) For barbers, fees for original licensing, license
20 renewal, and delinquent renewal shall not exceed \$100, unless
21 determined otherwise pursuant to s. 216.1817.

22 (b) For barbers, fees for endorsement application,
23 examination, and reexamination shall not exceed \$150, unless
24 determined otherwise pursuant to s. 216.1817.

25 (c) For barbershops, fees for license application,
26 original licensing, license renewal, and delinquent renewal
27 shall not exceed \$150, unless determined otherwise pursuant to
28 s. 216.1817.

29 (d) For duplicate licenses and certificates, fees
30 shall not exceed \$25, unless determined otherwise pursuant to
31 s. 216.1817.

1 Section 352. Subsection (2) of section 477.0212,
2 Florida Statutes, is amended to read:

3 477.0212 Inactive status.--

4 (2) The board shall promulgate rules relating to
5 licenses which have become inactive and for the renewal of
6 inactive licenses. Unless determined otherwise pursuant to s.
7 216.1817,the board shall prescribe by rule a fee not to
8 exceed \$50 for the reactivation of an inactive license and a
9 fee not to exceed \$50 for the renewal of an inactive license.

10 Section 353. Section 477.0213, Florida Statutes, is
11 amended to read:

12 477.0213 Cosmetology graduates of Florida School for
13 the Deaf and the Blind; licenses.--The department shall
14 license candidates upon graduation from the Cosmetology
15 Division of the Florida School for the Deaf and the Blind.
16 Pursuant to s. 216.1817,the department shall, by rule,
17 provide fees for licenses issued to candidates from the
18 Cosmetology Division of the Florida School for the Deaf and
19 the Blind and shall also provide, by rule, for the type of
20 licenses to be issued and for any required applications.

21 Section 354. Subsection (1) of section 477.026,
22 Florida Statutes, is amended to read:

23 477.026 Fees; disposition.--

24 (1) The board shall set fees according to the
25 following schedule:

26 (a) For cosmetologists, fees for original licensing,
27 license renewal, and delinquent renewal shall not exceed \$25,
28 unless determined otherwise pursuant to s. 216.1817.

29 (b) For cosmetologists, fees for endorsement
30 application, examination, and reexamination shall not exceed
31 \$50, unless determined otherwise pursuant to s. 216.1817.

1 (c) For cosmetology and specialty salons, fees for
2 license application, original licensing, license renewal, and
3 delinquent renewal shall not exceed \$50, unless determined
4 otherwise pursuant to s. 216.1817.

5 (d) For specialists, fees for application and
6 endorsement registration shall not exceed \$30, unless
7 determined otherwise pursuant to s. 216.1817.

8 (e) For specialists, fees for initial registration,
9 registration renewal, and delinquent renewal shall not exceed
10 \$50, unless determined otherwise pursuant to s. 216.1817.

11 (f) For hair braiders, hair wrappers, and body
12 wrappers, fees for registration shall not exceed \$25, unless
13 determined otherwise pursuant to s. 216.1817.

14 Section 355. Subsection (1) of section 478.55, Florida
15 Statutes, is amended to read:

16 478.55 Fees; facility; disposition.--

17 (1) The board shall establish by rule the collection
18 of fees for the following purposes:

19 (a) License application fee: a fee not to exceed
20 \$100, unless determined otherwise pursuant to s. 216.1817.

21 (b) Examination fee: a fee not to exceed \$300, unless
22 determined otherwise pursuant to s. 216.1817.

23 (c) Initial licensure fee: a fee not to exceed \$100,
24 unless determined otherwise pursuant to s. 216.1817.

25 (d) Renewal fee: a fee not to exceed \$100 biennially,
26 unless determined otherwise pursuant to s. 216.1817.

27 (e) Reactivation fee: a fee not to exceed \$100,
28 unless determined otherwise pursuant to s. 216.1817.

29 (f) Inspection fee for facility: a fee not to exceed
30 \$100 biennially, unless determined otherwise pursuant to s.
31 216.1817.

1 Section 356. Subsection (1) of section 479.04, Florida
2 Statutes, is amended to read:

3 479.04 Business of outdoor advertising; license
4 requirement; renewal; fees.--

5 (1) No person shall engage in the business of outdoor
6 advertising in this state without first obtaining a license
7 therefor from the department. Such license shall be renewed
8 annually. Unless determined otherwise pursuant to s. 216.1817,
9 the fee for such license, and for each annual renewal, is
10 \$300. License renewal fees shall be payable as provided for in
11 s. 479.07.

12 Section 357. Paragraph (c) of subsection (3),
13 subsection (6), and paragraph (b) of subsection (8) of section
14 479.07, Florida Statutes, are amended to read:

15 479.07 Sign permits.--

16 (3)

17 (c) The annual permit fee for each sign facing shall
18 be established by the department by rule in an amount
19 sufficient to offset the total cost to the department for the
20 program, but shall not exceed \$100 unless determined otherwise
21 pursuant to s. 216.1817. A fee may not be prorated for a
22 period less than the remainder of the permit year to
23 accommodate short-term publicity features; however, a
24 first-year fee may be prorated by payment of an amount equal
25 to one-fourth of the annual fee for each remaining whole
26 quarter or partial quarter of the permit year. Applications
27 received after the end of the third quarter of the permit year
28 must include fees for the last quarter of the current year and
29 fees for the succeeding year.

30 (6) A permit is valid only for the location specified
31 in the permit. Valid permits may be transferred from one sign

1 owner to another upon written acknowledgment from the current
2 permittee and submittal of a transfer fee ~~of \$5~~ for each
3 permit to be transferred. The transfer fee is \$5, unless
4 determined otherwise pursuant to s. 216.1817. However, the
5 maximum transfer fee for any multiple transfer between two
6 outdoor advertisers in a single transaction is \$100 unless
7 determined otherwise pursuant to s. 216.1817.

8 (8)

9 (b) If a permittee has not submitted his or her fee
10 payment by the expiration date of the licenses or permits, the
11 department shall send a notice of violation to the permittee
12 within 45 days after the expiration date, requiring the
13 payment of the permit fee within 30 days after the date of the
14 notice and payment of a delinquency fee equal to 10 percent of
15 the original amount due or, in the alternative to these
16 payments, requiring the filing of a request for an
17 administrative hearing to show cause why his or her sign
18 should not be subject to immediate removal due to expiration
19 of his or her license or permit. If the permittee submits
20 payment as required by the violation notice, his or her
21 license or permit will be automatically reinstated and such
22 reinstatement will be retroactive to the original expiration
23 date. If the permittee does not respond to the notice of
24 violation within the 30-day period, the department shall,
25 within 30 days, issue a final notice of sign removal and may,
26 following 90 days after the date of the department's final
27 notice of sign removal, remove the sign without incurring any
28 liability as a result of such removal. However, if at any time
29 before removal of the sign, the permittee demonstrates that a
30 good faith error on the part of the permittee resulted in

31

1 cancellation or nonrenewal of the permit, the department may
2 reinstate the permit if:

3 1. The permit reinstatement fee ~~of up to \$300~~ based on
4 the size of the sign which may not exceed \$300, unless
5 determined otherwise pursuant to s. 216.1817, is paid;

6 2. All other permit renewal and delinquent permit fees
7 due as of the reinstatement date are paid; and

8 3. The permittee reimburses the department for all
9 actual costs resulting from the permit cancellation or
10 nonrenewal.

11 Section 358. Subsection (4) of section 479.106,
12 Florida Statutes, is amended to read:

13 479.106 Vegetation management.--

14 (4) Unless determined otherwise pursuant to s.
15 216.1817, the department may establish an application fee not
16 to exceed \$25 for each individual application to defer the
17 costs of processing such application and a fee not to exceed
18 \$200 to defer the costs of processing an application for
19 multiple sites.

20 Section 359. Subsection (5) of section 479.261,
21 Florida Statutes, is amended to read:

22 479.261 Logo sign program.--

23 (5) Permit fees for businesses that participate in the
24 program must be established in an amount sufficient to offset
25 the total cost to the department for the program, including
26 contract costs. The department shall provide the services in
27 the most efficient and cost-effective manner through
28 department staff or by contracting for some or all of the
29 services. Such annual permit fee shall not exceed \$1,250,
30 unless determined otherwise pursuant to s. 216.1817.

31

1 Section 360. Paragraphs (b) and (c) of subsection (7)
2 of section 480.043, Florida Statutes, are amended to read:

3 480.043 Massage establishments; requisites; licensure;
4 inspection.--

5 (7)

6 (b) A license may be transferred from one location to
7 another only after inspection and approval by the board and
8 receipt of an application and inspection fee set by rule of
9 the board, not to exceed \$125, unless determined otherwise
10 pursuant to s. 216.1817.

11 (c) A license may be transferred from one business
12 name to another after approval by the board and receipt of an
13 application fee set by rule of the board, not to exceed \$25,
14 unless determined otherwise pursuant to s. 216.1817.

15 Section 361. Subsections (1), (2), and (3) of section
16 480.044, Florida Statutes, are amended to read:

17 480.044 Fees; disposition.--

18 (1) The board shall set fees according to the
19 following schedule:

20 (a) Massage therapist application and examination fee:
21 not to exceed \$250, unless determined otherwise pursuant to s.
22 216.1817.

23 (b) Massage therapist initial licensure fee: not to
24 exceed \$150, unless determined otherwise pursuant to s.
25 216.1817.

26 (c) Establishment application fee: not to exceed
27 \$200, unless determined otherwise pursuant to s. 216.1817.

28 (d) Establishment licensure fee: not to exceed \$150,
29 unless determined otherwise pursuant to s. 216.1817.

30 (e) Biennial establishment renewal fee: not to exceed
31 \$150, unless determined otherwise pursuant to s. 216.1817.

1 (f) Biennial massage therapist licensure renewal fee:
2 not to exceed \$200, unless determined otherwise pursuant to s.
3 216.1817.

4 (g) Massage therapist reexamination fee: not to
5 exceed \$250, unless determined otherwise pursuant to s.
6 216.1817.

7 (h) Fee for apprentice: not to exceed \$100, unless
8 determined otherwise pursuant to s. 216.1817.

9 (i) Colonics examination fee: not to exceed \$100,
10 unless determined otherwise pursuant to s. 216.1817.

11 (j) Colonics reexamination fee: not to exceed \$100,
12 unless determined otherwise pursuant to s. 216.1817.

13 (k) Application and reactivation for inactive status
14 of a massage therapist license fee: not to exceed \$250,
15 unless determined otherwise pursuant to s. 216.1817.

16 (1) Renewal fee for inactive status: not to exceed
17 \$250, unless determined otherwise pursuant to s. 216.1817.

18 (2) The department shall impose a late fee not to
19 exceed \$150 on a delinquent renewal of a massage establishment
20 license.

21 (3) The board may establish by rule an application fee
22 not to exceed \$100, unless determined otherwise pursuant to s.
23 216.1817 for anyone seeking approval to provide continuing
24 education courses and may provide by rule for a fee not to
25 exceed \$50, unless determined otherwise pursuant to s.
26 216.1817 for renewal of providership.

27 Section 362. Section 481.207, Florida Statutes, is
28 amended to read:

29 481.207 Fees.--The board, by rule, may establish
30 separate fees for architects and interior designers, to be
31 paid for applications, examination, reexamination, licensing

1 and renewal, delinquency, reinstatement, and recordmaking and
2 recordkeeping. The examination fee shall be in an amount that
3 covers the cost of obtaining and administering the examination
4 and shall be refunded if the applicant is found ineligible to
5 sit for the examination. The application fee is nonrefundable.
6 Unless determined otherwise pursuant to s. 216.1817, the fee
7 for initial application and examination for architects and
8 interior designers may not exceed \$775 plus the actual per
9 applicant cost to the department for purchase of the
10 examination from the National Council of Architectural
11 Registration Boards or the National Council of Interior Design
12 Qualifications, respectively, or similar national
13 organizations. The biennial renewal fee for architects may not
14 exceed \$200, unless determined otherwise pursuant to s.
15 216.1817. The biennial renewal fee for interior designers may
16 not exceed \$500, unless determined otherwise pursuant to s.
17 216.1817. The delinquency fee may not exceed the biennial
18 renewal fee established by the board for an active license.
19 The board shall establish fees that are adequate to ensure the
20 continued operation of the board and to fund the proportionate
21 expenses incurred by the department which are allocated to the
22 regulation of architects and interior designers. Fees shall be
23 based on department estimates of the revenue required to
24 implement this part and the provisions of law with respect to
25 the regulation of architects and interior designers.

26 Section 363. Paragraph (b) of subsection (5) of
27 section 481.229, Florida Statutes, is amended to read:

28 481.229 Exceptions; exemptions from licensure.--

29 (5)

30 (b) Notwithstanding any other provision of this part,
31 all persons licensed as architects under this part shall be

1 qualified for interior design licensure upon submission of a
2 completed application for such license and a fee not to exceed
3 \$30, unless determined otherwise pursuant to s. 216.1817. Such
4 persons shall be exempt from the requirements of s.
5 481.209(2). For architects licensed as interior designers,
6 satisfaction of the requirements for renewal of licensure as
7 an architect under s. 481.215 shall be deemed to satisfy the
8 requirements for renewal of licensure as an interior designer
9 under that section. Complaint processing, investigation, or
10 other discipline-related legal costs related to persons
11 licensed as interior designers under this paragraph shall be
12 assessed against the architects' account of the Regulatory
13 Trust Fund.

14 Section 364. Section 481.307, Florida Statutes, is
15 amended to read:

16 481.307 Fees.--The board, by rule, may establish fees
17 to be paid for applications, examination, reexamination,
18 licensing and renewal, delinquency, reinstatement, and
19 recordmaking and recordkeeping. The examination fee shall be
20 in an amount that covers the costs of obtaining and
21 administering the examination and shall be refunded if the
22 applicant is found ineligible to sit for the examination. The
23 application fee is nonrefundable. Unless determined otherwise
24 pursuant to s. 216.1817, the combined fees for initial
25 application and examination may not exceed \$800 plus the
26 actual per applicant cost to the department for purchase of
27 portions of the examination from the Council of Landscape
28 Architectural Registration Boards or a similar national
29 organization. The biennial renewal fee may not exceed \$600,
30 unless determined otherwise pursuant to s. 216.1817. The
31 delinquency fee may not exceed the biennial renewal fee

1 established by the board for an active license. The board
2 shall establish fees that are adequate to ensure the continued
3 operation of the board and to fund the proportionate expenses
4 incurred by the department which are allocated to the
5 regulation of landscape architects. Fees shall be based on
6 department estimates of the revenue required to implement this
7 part and the provisions of law with respect to the regulation
8 of landscape architects.

9 Section 365. Paragraphs (b) and (d) of subsection (2)
10 of section 482.071, Florida Statutes, are amended to read:

11 482.071 Licenses.--

12 (2)

13 (b) The department shall establish a fee for the
14 issuance of a license, which fee may not be more than \$300 or
15 less than \$75, unless determined otherwise pursuant to s.
16 216.1817 and a fee for the renewal of a license, which fee may
17 not be more than \$300 or less than \$75, unless determined
18 otherwise pursuant to s. 216.1817; however, until rules
19 setting these fees are adopted by the department, the issuance
20 fee and renewal fee shall each be \$75. After a grace period
21 not exceeding 30 calendar days following the anniversary
22 renewal date, the department shall assess a late renewal
23 charge of \$50, which must be paid in addition to the renewal
24 fee. The aggregate of the fees assessed pursuant to this
25 paragraph may not exceed 105 percent of the direct costs for
26 administering this chapter.

27 (d) A license automatically expires when a licensee
28 changes its business location address or its business name as
29 registered with the department. The department shall issue a
30 new license for the remainder of the term upon payment of a

31

1 fee of \$25, unless determined otherwise pursuant to s.
2 216.1817.

3 Section 366. Subsection (7) of section 482.111,
4 Florida Statutes, is amended to read:

5 482.111 Pest control operator's certificate.--

6 (7) The fee for issuance of an original certificate or
7 the renewal thereof shall be set by the department but may not
8 be more than \$150 or less than \$75, unless determined
9 otherwise pursuant to s. 216.1817; however, until rules
10 setting these fees are adopted by the department, the issuance
11 fee and the renewal fee shall each be \$75.

12 Section 367. Subsection (2) of section 482.141,
13 Florida Statutes, is amended to read:

14 482.141 Examinations.--

15 (2) An application for examination must be made in
16 accordance with the rules of the department. Each application
17 must be accompanied by a fee set by the department, in an
18 amount of not more than \$300 or less than \$150, unless
19 determined otherwise pursuant to s. 216.1817, for each
20 category in which the applicant desires to be examined;
21 however, until rules setting these fees are adopted by the
22 department, the examination fee for each category shall be
23 \$150. Any applicant who fails to pass one or more categories
24 may reapply for examination upon the payment of the applicable
25 fee for each category in which the applicant seeks
26 reexamination.

27 Section 368. Subsections (4), (5), and (6) of section
28 482.151, Florida Statutes, are amended to read:

29 482.151 Special identification card for performance of
30 fumigation.--

31

1 (4) The department, in its rules, shall provide for
2 such matters as required qualifications for applicants for
3 examination, written or practical phases or categories of
4 examinations, and time of examinations. The fee for an
5 examination shall be set by the department but may not be more
6 than \$200 or less than \$100 for each category, unless
7 determined otherwise pursuant to s. 216.1817; however, until
8 rules setting these fees are adopted by the department, the
9 fee for each category shall be \$100.

10 (5) An application must be made and the issuance fee
11 paid to the department for an original special identification
12 card within 60 days after the postmark date of written
13 notification of passing the examination. The fee for issuance
14 of an original special identification card shall be set by the
15 department but may not be more than \$100 or less than \$50,
16 unless determined otherwise pursuant to s. 216.1817; however,
17 until a rule setting this fee is adopted by the department,
18 the fee shall be \$50. During a period of 30 days following
19 expiration of the 60-day period, an original special
20 identification card may be issued; however, the department
21 shall assess a late issuance charge of \$25, which must be paid
22 in addition to the issuance fee. An original special
23 identification card may not be issued after expiration of the
24 30-day period, without reexamination.

25 (6) An application to the department for renewal of a
26 special identification card must be made on or before an
27 anniversary date set by the department. The fee for renewal
28 of a special identification card shall be set by the
29 department but may not be more than \$100 or less than \$50,
30 unless determined otherwise pursuant to s. 216.1817; however,
31 until a rule setting this fee is adopted by the department,

1 the renewal fee shall be \$50. After a grace period not
2 exceeding 30 calendar days following such renewal date, the
3 department shall assess a late renewal charge of \$25, which
4 must be paid in addition to the renewal fee.

5 Section 369. Paragraph (b) of subsection (1) of
6 section 482.155, Florida Statutes, is amended to read:

7 482.155 Limited certification for governmental
8 pesticide applicators or private applicators.--

9 (1)

10 (b) A person seeking limited certification under this
11 subsection must pass an examination given or approved by the
12 department. Each application for examination must be
13 accompanied by an examination fee set by the department, in an
14 amount of not more than \$150 or less than \$50, unless
15 determined otherwise pursuant to s. 216.1817; and a
16 recertification fee of \$25 every 4 years, unless determined
17 otherwise pursuant to s. 216.1817. Until rules setting these
18 fees are adopted by the department, the examination fee is
19 \$50. Application for recertification must be accompanied by
20 proof of having completed 4 classroom hours of acceptable
21 continuing education. The department shall provide the
22 appropriate reference material and make the examination
23 readily accessible and available to all applicants at least
24 quarterly or as necessary in each county.

25 Section 370. Paragraph (a) of subsection (1) and
26 subsection (3) of section 482.156, Florida Statutes, are
27 amended to read:

28 482.156 Limited certification for commercial landscape
29 maintenance personnel.--

30 (2)(a) A person seeking limited certification under
31 this section must pass an examination given by the department.

1 Each application for examination must be accompanied by an
2 examination fee set by the department, in an amount of not
3 more than \$150 or less than \$50, unless determined otherwise
4 pursuant to s. 216.1817; however, until a rule setting this
5 fee is adopted by the department, the examination fee is \$50.
6 Each person making application for certification under this
7 section must furnish proof of having a certificate of
8 insurance which states that the employer meets the
9 requirements for minimum financial responsibility for bodily
10 injury and property damage required by s. 482.071(4). To be
11 eligible to take the examination, an applicant must have
12 completed 8 classroom hours of plant bed and ornamental
13 continuing education training approved by the department and
14 provide sufficient proof, according to criteria established by
15 department rule, that the applicant has been in the landscape
16 maintenance business for at least 3 years.

17 (3) An application for recertification under this
18 section must be made annually and be accompanied by a
19 recertification fee set by the department, in an amount of not
20 more than \$75 or less than \$25, unless determined otherwise
21 pursuant to s. 216.1817; however, until a rule setting this
22 fee is adopted by the department, the fee for recertification
23 is \$25. The application must also be accompanied by proof of
24 having completed 4 classroom hours of acceptable continuing
25 education and the same proof of having a certificate of
26 insurance as is required for initial certification.

27 Section 371. Subsections (1) and (3) of section
28 482.2267, Florida Statutes, are amended to read:

29 482.2267 Registry of persons requiring prior
30 notification of the application of pesticides.--

31

1 (1) The department shall maintain a current registry
2 of persons requiring prior notification of the application of
3 pesticides. Upon request, the department shall register any
4 person who pays an initial registration fee of \$50, unless
5 determined otherwise pursuant to s. 216.1817, and submits to
6 the department a certificate signed by a physician licensed
7 pursuant to chapter 458, stating:

8 (a) That the physician has examined the person and
9 determined that the placement of the person on the registry
10 for prior notification of the application of a pesticide or
11 class of pesticides is necessary to protect that person's
12 health;

13 (b) Whether the physician is board certified by the
14 American Board of Medical Specialties in allergy, toxicology,
15 or occupational medicine;

16 (c) The distance surrounding the person's primary
17 residence for which the person requires prior notification of
18 the application of a pesticide or class of pesticides in order
19 to protect the person's health;

20 (d) The pesticide or class of pesticides for which the
21 physician has determined that prior notification to the person
22 is necessary to protect the person's health; and

23 (e) The license number of the physician.

24 (3) A person desiring to have his or her name continue
25 to appear on the registry from year to year must submit an
26 annual renewal fee of \$10, unless determined otherwise
27 pursuant to s. 216.1817, and an annual update of the
28 physician's certificate.

29 Section 372. Subsections (2) and (3) of section
30 483.172, Florida Statutes, are amended to read:

31 483.172 License fees.--

1 (2) Unless determined otherwise pursuant to s.
2 216.1817, the biennial license fee schedule is as follows:
3 (a) If a laboratory performs not more than 2,000 tests
4 annually, the fee is \$400.
5 (b) If a laboratory performs not more than 3
6 categories of procedures with a total annual volume of more
7 than 2,000 but no more than 10,000 tests, the license fee is
8 \$965.
9 (c) If a laboratory performs at least 4 categories of
10 procedures with a total annual volume of not more than 10,000
11 tests, the license fee is \$1,294.
12 (d) If a laboratory performs not more than 3
13 categories of procedures with a total annual volume of more
14 than 10,000 but not more than 25,000 tests, the license fee is
15 \$1,592.
16 (e) If a laboratory performs at least 4 categories of
17 procedures with a total annual volume of more than 10,000 but
18 not more than 25,000 tests, the license fee is \$2,103.
19 (f) If a laboratory performs a total of more than
20 25,000 but not more than 50,000 tests annually, the license
21 fee is \$2,364.
22 (g) If a laboratory performs a total of more than
23 50,000 but not more than 75,000 tests annually, the license
24 fee is \$2,625.
25 (h) If a laboratory performs a total of more than
26 75,000 but not more than 100,000 tests annually, the license
27 fee is \$2,886.
28 (i) If a laboratory performs a total of more than
29 100,000 but not more than 500,000 tests annually, the license
30 fee is \$3,397.
31

1 (j) If a laboratory performs a total of more than
2 500,000 but not more than 1 million tests annually, the
3 license fee is \$3,658.

4 (k) If a laboratory performs a total of more than 1
5 million tests annually, the license fee is \$3,919.

6 (3) Unless determined otherwise pursuant to s.
7 216.1817, the agency shall assess a biennial fee of \$100 for a
8 certificate of exemption and a \$100 license fee for facilities
9 surveyed by an approved accrediting organization.

10 Section 373. Paragraph (a) or subsection (2) of
11 section 483.291, Florida Statutes, is amended to read:

12 483.291 Powers and duties of the agency; rules.--The
13 agency shall adopt rules to implement this part, which rules
14 must include the following:

15 (2) FEES.--The agency shall establish annual fees,
16 which shall be reasonable in amount, for licensing of centers.
17 The fees must be sufficient in amount to cover the cost of
18 licensing and inspecting centers.

19 (a) The annual licensure fee is due at the time of
20 application and is payable to the agency to be deposited in
21 the Health Care Trust Fund administered by the agency. The
22 license fee must be not less than \$300 or more than \$1,000,
23 unless determined otherwise pursuant to s. 216.1817.

24 Section 374. Subsections (2), (3), (4), (5), (6), (7),
25 (8), and (9) of section 483.807, Florida Statutes, are amended
26 to read:

27 483.807 Fees; establishment; disposition.--

28 (2) Unless determined otherwise pursuant to s.
29 216.1817, the nonrefundable application fee may not exceed
30 \$200.

31

1 (3) The examination fee shall be in an amount which
2 covers the costs of obtaining and administering the
3 examination and shall be refunded if the applicant is found
4 ineligible to sit for the examination. Unless determined
5 otherwise pursuant to s. 216.1817,the combined fees for
6 initial application and examination may not exceed \$200 plus
7 the actual per applicant cost to the department for
8 developing, administering, or procuring the licensure
9 examination.

10 (4) The initial license fee may not exceed \$100,
11 unless determined otherwise pursuant to s. 216.1817.

12 (5) The fee for licensure by endorsement may not
13 exceed \$100, unless determined otherwise pursuant to s.
14 216.1817.

15 (6) The biennial renewal fee may not exceed \$150,
16 unless determined otherwise pursuant to s. 216.1817.

17 (7) The fee for application for an inactive status
18 license or for reactivation of an inactive status license may
19 not exceed \$50, unless determined otherwise pursuant to s.
20 216.1817.

21 (8) The initial application fee for registration of a
22 trainee shall not exceed \$20, unless determined otherwise
23 pursuant to s. 216.1817.

24 (9) The initial application and renewal fee for
25 approval as a laboratory training program may not exceed \$300,
26 unless determined otherwise pursuant to s. 216.1817. The fee
27 for late filing of a renewal application shall be \$50.

28 Section 375. Subsection (7) of section 483.901,
29 Florida Statutes, is amended to read:

30 483.901 Medical physicists; definitions; licensure.--
31

1 (7) FEES.--Unless determined otherwise pursuant to s.
2 216.1817,the fee for the initial license application shall be
3 \$500 and is nonrefundable. Unless determined otherwise
4 pursuant to s. 216.1817,the fee for license renewal may not
5 be more than \$500. These fees may cover only the costs
6 incurred by the department and the council to administer this
7 section. By July 1 each year, the department shall advise the
8 council if the fees are insufficient to administer this
9 section.

10 Section 376. Subsection (6) of section 484.002,
11 Florida Statutes, is amended to read:

12 484.002 Definitions.--As used in this part:

13 (6) "Board-certified optician" means an optician
14 licensed in this state who:

15 (a) Has passed the National Contact Lens Registry
16 Examination;

17 (b) Has successfully completed a board-approved course
18 of at least 20 contact hours covering the competencies
19 required in fitting, adapting, and dispensing of contact
20 lenses;

21 (c) Has met any other requirements established by the
22 board to assure competence in the fitting, adapting, and
23 dispensing of contact lenses;

24 (d) Has completed the application form and remitted a
25 nonrefundable application fee set by the board not to exceed
26 \$100, unless determined otherwise pursuant to s. 216.1817; and

27 (e) Has been issued a certificate by the department.

28 Section 377. Subsection (1) and paragraph (a) of
29 subsection (3) of section 484.007, Florida Statutes, are
30 amended to read:

31

1 484.007 Licensure of opticians; permitting of optical
2 establishments.--

3 (1) Any person desiring to practice opticianry shall
4 apply to the department, upon forms prescribed by it, to take
5 a licensure examination. The department shall examine each
6 applicant who the board certifies:

7 (a) Has completed the application form and remitted a
8 nonrefundable application fee set by the board, in the amount
9 of \$100 or less, unless determined otherwise pursuant to s.
10 216.1817, and an examination fee set by the board, in the
11 amount of \$325, unless determined otherwise pursuant to s.
12 216.1817 plus the actual per applicant cost to the department
13 for purchase of portions of the examination from the American
14 Board of Opticianry or a similar national organization, or
15 less, and refundable if the board finds the applicant
16 ineligible to take the examination;

17 (b) Is not less than 18 years of age;

18 (c) Is a graduate of an accredited high school or
19 possesses a certificate of equivalency of a high school
20 education; and

21 (d)1. Has received an associate degree, or its
22 equivalent, in opticianry from an educational institution the
23 curriculum of which is accredited by an accrediting agency
24 recognized and approved by the United States Department of
25 Education or the Council on Postsecondary Education or
26 approved by the board;

27 2. Is an individual licensed to practice the
28 profession of opticianry pursuant to a regulatory licensing
29 law of another state, territory, or jurisdiction of the United
30 States, who has actively practiced in such other state,
31 territory, or jurisdiction for more than 3 years immediately

1 preceding application, and who meets the examination
2 qualifications as provided in this subsection;

3 3. Is an individual who has actively practiced in
4 another state, territory, or jurisdiction of the United States
5 for more than 5 years immediately preceding application and
6 who provides tax or business records, affidavits, or other
7 satisfactory documentation of such practice and who meets the
8 examination qualifications as provided in this subsection; or

9 4. Has registered as an apprentice with the department
10 and paid a registration fee not to exceed \$60, unless
11 determined otherwise pursuant to s. 216.1817, as set by rule
12 of the board. The apprentice shall complete 6,240 hours of
13 training under the supervision of an optician licensed in this
14 state for at least 1 year or of a physician or optometrist
15 licensed under the laws of this state. These requirements must
16 be met within 5 years after the date of registration. However,
17 any time spent in a recognized school may be considered as
18 part of the apprenticeship program provided herein. The board
19 may establish administrative processing fees sufficient to
20 cover the cost of administering apprentice rules as
21 promulgated by the board.

22 (3) Any person desiring to operate an optical
23 establishment shall apply to the department, upon forms
24 prescribed by the department, for a permit. The department
25 shall issue a permit to each applicant who:

26 (a) Has completed the permit form and remitted a
27 nonrefundable application fee set by the department in an
28 amount not to exceed \$500, unless determined otherwise
29 pursuant to s. 216.1817.

30 Section 378. Subsections (1) and (3) of section
31 484.008, Florida Statutes, are amended to read:

1 484.008 Renewal of license.--

2 (1) The department shall renew a license upon receipt
3 of the renewal application and the fee set by the board not to
4 exceed \$350, unless determined otherwise pursuant to s.
5 216.1817.

6 (3) The board may by rule prescribe continuing
7 education, not to exceed 20 hours biennially, as a condition
8 for renewal of a license or certificate. The criteria for such
9 programs or courses shall be approved by the board. All
10 education programs which contribute to the advancement,
11 extension, or enhancement of professional skills and
12 knowledge, whether conducted by a nonprofit or a profitmaking
13 entity, are eligible for approval. Unless determined otherwise
14 pursuant to s. 216.1817,the board shall ~~may~~ establish by rule
15 an application fee not to exceed \$200 for anyone seeking
16 approval to provide continuing education courses and shall ~~may~~
17 provide by rule for a fee not to exceed \$200 for renewal of
18 providership.

19 Section 379. Subsection (2) of section 484.009,
20 Florida Statutes, is amended to read:

21 484.009 Inactive status.--

22 (2) The board shall promulgate rules relating to
23 licenses which have become inactive and for the renewal of
24 inactive licenses. Unless determined otherwise pursuant to s.
25 216.1817,the board shall prescribe by rule a fee not to
26 exceed \$200 for the reactivation of an inactive license and a
27 fee not to exceed \$50 for the renewal of an inactive license.

28 Section 380. Section 484.0447, Florida Statutes, is
29 amended to read:

30 484.0447 Fees.--The board shall by rule establish fees
31 to be paid as follows:

1 (1) Examination application fee, not to exceed \$150,
2 unless determined otherwise pursuant to s. 216.1817;

3 (2) Examination fee, not to exceed \$175, unless
4 determined otherwise pursuant to s. 216.1817, which is
5 refundable if the applicant is found to be ineligible to take
6 the examination;

7 (3) Reexamination fee, not to exceed \$175, unless
8 determined otherwise pursuant to s. 216.1817;

9 (4) Initial licensure fee, not to exceed \$600, unless
10 determined otherwise pursuant to s. 216.1817;

11 (5) Trainee registration fee, not to exceed \$100,
12 unless determined otherwise pursuant to s. 216.1817; and

13 (6) Biennial renewal fee, not to exceed \$600, unless
14 determined otherwise pursuant to s. 216.1817.

15 Section 381. Section 486.041, Florida Statutes, is
16 amended to read:

17 486.041 Physical therapist; application for license;
18 fee.--A person who desires to be licensed as a physical
19 therapist shall apply to the department in writing on a form
20 furnished by the department. She or he shall embody in that
21 application evidence under oath, satisfactory to the board, of
22 possession of the qualifications preliminary to examination
23 required by s. 486.031. Unless determined otherwise pursuant
24 to s. 216.1817,the applicant shall pay to the department at
25 the time of filing the application a fee not to exceed \$100,
26 as fixed by the board.

27 Section 382. Section 486.061, Florida Statutes, is
28 amended to read:

29 486.061 Physical therapist; issuance of license.--The
30 board shall cause a license to be issued through the
31 department to each applicant who successfully establishes

1 eligibility under the terms of this chapter and remits the
2 initial license fee set by the board, not to exceed \$150,
3 unless determined otherwise pursuant to s. 216.1817. Any
4 person who holds a license pursuant to this section may engage
5 in the practice of physical therapy and use the words
6 "physical therapist" or "physiotherapist," or the letters
7 "P.T.," in connection with her or his name or place of
8 business to denote her or his licensure hereunder.

9 Section 383. Subsection (2) of section 486.081,
10 Florida Statutes, is amended to read:

11 486.081 Physical therapist; issuance of license
12 without examination to person passing examination of another
13 authorized examining board; fee.--

14 (2) At the time of making application for licensure
15 without examination pursuant to the terms of this section, the
16 applicant shall pay to the department a fee not to exceed \$175
17 as fixed by the board, unless determined otherwise pursuant to
18 s. 216.1817, no part of which will be returned.

19 Section 384. Subsection (1) and paragraph (a) of
20 subsection (4) of section 486.085, Florida Statutes, are
21 amended to read:

22 486.085 Physical therapist; renewal of license;
23 inactive status; reactivation of license; fees.--

24 (1) The department shall renew a license upon receipt
25 of the renewal application and the fee set by the board not to
26 exceed \$200, unless determined otherwise pursuant to s.
27 216.1817.

28 (4)(a) The board shall adopt rules relating to
29 application procedures for inactive status, for renewal of
30 inactive licenses, and for the reactivation of licenses.
31 Pursuant to s. 216.1817, the board shall prescribe by rule an

1 application fee for inactive status, a renewal fee for
2 inactive status, a delinquency fee, and a fee for the
3 reactivation of a license. None of these fees may exceed the
4 biennial renewal fee established by the board for an active
5 license.

6 Section 385. Section 486.103, Florida Statutes, is
7 amended to read:

8 486.103 Physical therapist assistant; application for
9 license; fee.--A person who desires to be licensed as a
10 physical therapist assistant shall apply to the department in
11 writing on a form furnished by the department. She or he
12 shall embody in that application evidence under oath,
13 satisfactory to the board, of possession of the qualifications
14 preliminary to examination required by s. 486.104. Unless
15 determined otherwise pursuant to s. 216.1817,the applicant
16 shall pay to the department at the time of filing the
17 application a fee not to exceed \$100, as fixed by the board.

18 Section 386. Section 486.106, Florida Statutes, is
19 amended to read:

20 486.106 Physical therapist assistant; issuance of
21 license.--The board shall issue a license to each applicant
22 who successfully establishes eligibility under the terms of
23 this chapter and remits the initial license fee set by the
24 board, not to exceed \$100, unless determined otherwise
25 pursuant to s. 216.1817. Any person who holds a license
26 pursuant to this section may use the words "physical therapist
27 assistant," or the letters "P.T.A.," in connection with her or
28 his name to denote licensure hereunder.

29 Section 387. Subsection (2) of section 486.107,
30 Florida Statutes, is amended to read:

31

1 486.107 Physical therapist assistant; issuance of
2 license without examination to person licensed in another
3 jurisdiction; fee.--

4 (2) At the time of making application for licensing
5 without examination pursuant to the terms of this section, the
6 applicant shall pay to the department a fee not to exceed \$175
7 as fixed by the board, unless determined otherwise pursuant to
8 s. 216.1817, no part of which will be returned.

9 Section 388. Subsection (1) and paragraph (a) of
10 subsection (4) of section 486.108, Florida Statutes, are
11 amended to read:

12 486.108 Physical therapist assistant; renewal of
13 license; inactive status; reactivation of license; fees.--

14 (1) The department shall renew a license upon receipt
15 of the renewal application and the fee set by the board not to
16 exceed \$150, unless determined otherwise pursuant to s.
17 216.1817.

18 (4)(a) Pursuant to s. 216.1817, the board shall
19 prescribe by rule an application fee for inactive status, a
20 renewal fee for inactive status, a delinquency fee, and a fee
21 for the reactivation of a license. None of these fees may
22 exceed the biennial renewal fee established by the board for
23 an active license.

24 Section 389. Subsection (2) of section 487.041,
25 Florida Statutes, is amended to read:

26 487.041 Registration.--

27 (2) For the purpose of defraying expenses of the
28 department in connection with carrying out the provisions of
29 this chapter, each person shall pay an annual registration fee
30 of \$225 for each registered pesticide, unless determined
31 otherwise pursuant to s. 216.1817. The annual registration fee

1 for each special local need label and experimental use permit
2 shall be \$100, unless determined otherwise pursuant to s.
3 216.1817. All registrations expire on December 31 of each
4 year. Nothing in this section shall be construed as applying
5 to distributors or retail dealers selling pesticides when such
6 pesticides are registered by another person.

7 Section 390. Subsection (1) of section 487.045,
8 Florida Statutes, is amended to read:

9 487.045 Fees.--

10 (1) The department shall establish applicable fees by
11 rule. Unless determined otherwise pursuant to s. 216.1817, the
12 fees shall not exceed \$250 for commercial applicators or \$100
13 for private applicators and public applicators, for initial
14 licensing and for each subsequent license renewal. The fees
15 shall be determined annually and shall represent department
16 costs associated with enforcement of the provisions of this
17 chapter.

18 Section 391. Subsection (1) of section 487.048,
19 Florida Statutes, is amended to read:

20 487.048 Dealer's license; records.--

21 (1) Each person holding or offering for sale, selling,
22 or distributing restricted-use pesticides shall obtain a
23 dealer's license from the department. Application for the
24 license shall be made on a form prescribed by the department.
25 The license must be obtained before entering into business or
26 transferring ownership of a business. The department may
27 require examination or other proof of competency of
28 individuals to whom licenses are issued or of individuals
29 employed by persons to whom licenses are issued. Demonstration
30 of continued competency may be required for license renewal,
31 as set by rule. The license shall be renewed annually as

1 provided by rule. Unless determined otherwise pursuant to s.
2 216.1817, an annual license fee not exceeding \$250 shall be
3 established by rule. However, a user of a restricted-use
4 pesticide may distribute unopened containers of a properly
5 labeled pesticide to another user who is legally entitled to
6 use that restricted-use pesticide without obtaining a
7 pesticide dealer's license. The exclusive purpose of
8 distribution of the restricted-use pesticide is to keep it
9 from becoming a hazardous waste as defined in s. 403.703(21).

10 Section 392. Paragraph (b) of subsection (7) of
11 section 487.071, Florida Statutes, is amended to read:

12 487.071 Enforcement, inspection, sampling, and
13 analysis.--

14 (7)

15 (b) The department shall establish by rule a fee
16 schedule for pesticide samples analyzed upon request. The
17 fees shall be sufficient to cover the costs to the department
18 for taking the samples and performing the analysis. However,
19 no fee shall exceed \$400 per test, unless determined otherwise
20 pursuant to s. 216.1817.

21 Section 393. Section 488.03, Florida Statutes, is
22 amended to read:

23 488.03 License; application; expiration; renewal;
24 fees.--An application for a license shall be made in the form
25 prescribed by the Department of Highway Safety and Motor
26 Vehicles. Unless determined otherwise pursuant to s. 216.1817,
27 every application for an original license must be accompanied
28 by an application fee of \$50, which fee may not be refunded.
29 If the application is approved, a further fee of \$200 must be
30 paid before the license may be issued, unless determined
31 otherwise pursuant to s. 216.1817. The license shall be valid

1 for a period of 1 year from the date of issuance and is not
2 transferable. In the event of any change in ownership or
3 interest in the business, an application for a new license,
4 together with all instructors' certificates issued thereunder,
5 must be surrendered to the department before a license will be
6 issued to a new owner of the business. The fee for the annual
7 renewal of a license is \$100, unless determined otherwise
8 pursuant to s. 216.1817.

9 Section 394. Subsection (1) of section 488.04, Florida
10 Statutes, is amended to read:

11 488.04 Driver's training school instructors;
12 certificates; qualifications.--

13 (1) No person shall receive compensation for giving
14 instructions in the operation of motor vehicles or act in the
15 capacity of a professional driver's training school instructor
16 in this state without first obtaining an instructor's
17 certificate issued for such purpose by the Department of
18 Highway Safety and Motor Vehicles. An application for a
19 certificate shall be made in the form prescribed by the
20 department. Unless determined otherwise pursuant to s.
21 216.1817,the fee for the initial application is \$25, which is
22 not refundable. Unless determined otherwise pursuant to s.
23 216.1817,the fee for the annual renewal of a certificate is
24 \$10. A certificate is valid for use only in connection with
25 the business of the driver's school or schools listed on the
26 certificate by the department or in connection with a driver's
27 education course offered by a district school board. An
28 applicant for an instructor's certificate shall be required to
29 take special eye tests, written tests, and road tests and to
30 furnish proof of his or her qualifications and ability as an
31 instructor.

1 Section 395. Section 488.045, Florida Statutes, is
2 amended to read:

3 488.045 Agents for commercial driving school;
4 identification cards.--A person may not serve in the capacity
5 of an agent for a commercial driving school without first
6 obtaining an agent identification card issued for such purpose
7 by the Department of Highway Safety and Motor Vehicles. An
8 application for a card shall be made in the form prescribed by
9 the department. Unless determined otherwise pursuant to s.
10 216.1817,the fee for the initial application is \$25, which is
11 not refundable. Unless determined otherwise pursuant to s.
12 216.1817,the fee for the annual renewal of a card is \$10. A
13 card is valid for use only in connection with the business of
14 the driver's school or schools listed on the card by the
15 department.

16 Section 396. Section 488.05, Florida Statutes, is
17 amended to read:

18 488.05 Driver's school vehicle identification
19 certificates.--A motor vehicle owned or controlled by a
20 driver's school may not be used for the purpose of giving
21 driving instructions until the licensee has obtained a school
22 vehicle identification certificate from the Department of
23 Highway Safety and Motor Vehicles, which certificate shall be
24 carried in such vehicle at all times. Unless determined
25 otherwise pursuant to s. 216.1817,an application for an
26 initial certificate shall be accompanied by a fee of \$15,
27 which is not refundable. Unless determined otherwise pursuant
28 to s. 216.1817,the fee for the annual renewal of a
29 certificate is \$10. A school vehicle certificate will not be
30 issued by the department unless the vehicle is equipped in
31

1 accordance with safety requirements established by the
2 department.

3 Section 397. Paragraphs (a), (b), and (e) of
4 subsection (1) of section 489.109, Florida Statutes, are
5 amended to read:

6 489.109 Fees.--

7 (1) The board, by rule, shall establish reasonable
8 fees to be paid for applications, certification and renewal,
9 registration and renewal, and recordmaking and recordkeeping.
10 The fees shall be established as follows:

11 (a) With respect to an applicant for a certificate,
12 the initial application fee may not exceed \$150, unless
13 determined otherwise pursuant to s. 216.1817, and, if an
14 examination cost is included in the application fee, the
15 combined amount may not exceed \$350, unless determined
16 otherwise pursuant to s. 216.1817. The initial certification
17 fee and the renewal fee may not exceed \$200, unless determined
18 otherwise pursuant to s. 216.1817. However, any applicant who
19 seeks certification under this part by taking a practical
20 examination must pay as an examination fee the actual cost
21 incurred by the department in developing, preparing,
22 administering, scoring, score reporting, and evaluating the
23 examination, if the examination is conducted by the
24 department.

25 (b) With respect to an applicant for registration, the
26 initial application fee may not exceed \$100, unless determined
27 otherwise pursuant to s. 216.1817, and the initial
28 registration fee and the renewal fee may not exceed \$200,
29 unless determined otherwise pursuant to s. 216.1817.

30 (e) The board, by rule, shall impose a renewal fee for
31 an inactive status certificate or registration, not to exceed

1 the renewal fee for an active status certificate or
2 registration. Neither the inactive certification fee nor the
3 inactive registration fee may exceed \$50, unless determined
4 otherwise pursuant to s. 216.1817. The board, by rule, may
5 provide for a different fee for inactive status where such
6 status is sought by a building code administrator, plans
7 examiner, or inspector certified pursuant to part XII of
8 chapter 468 who is employed by a local government and is not
9 allowed by the terms of such employment to maintain a
10 certificate on active status issued pursuant to this part.

11 Section 398. Subsections (1) and (2) of section
12 489.509, Florida Statutes, are amended to read:

13 489.509 Fees.--

14 (1) The board, by rule, shall establish fees to be
15 paid for applications, examination, reexamination, transfers,
16 licensing and renewal, reinstatement, and recordmaking and
17 recordkeeping. The examination fee shall be in an amount that
18 covers the cost of obtaining and administering the examination
19 and shall be refunded if the applicant is found ineligible to
20 sit for the examination. The application fee is nonrefundable.
21 Unless determined otherwise pursuant to s. 216.1817, the fee
22 for initial application and examination for certification of
23 electrical contractors may not exceed \$400. Unless determined
24 otherwise pursuant to s. 216.1817, the initial application fee
25 for registration may not exceed \$150. Unless determined
26 otherwise pursuant to s. 216.1817, the biennial renewal fee
27 may not exceed \$400 for certificateholders and \$200 for
28 registrants. Unless determined otherwise pursuant to s.
29 216.1817, the fee for initial application and examination for
30 certification of alarm system contractors may not exceed \$400.
31 Unless determined otherwise pursuant to s. 216.1817, the

1 biennial renewal fee for certified alarm system contractors
2 may not exceed \$450. The board may establish a fee for a
3 temporary certificate as an alarm system contractor not to
4 exceed \$75, unless determined otherwise pursuant to s.
5 216.1817. The board may also establish by rule a delinquency
6 fee not to exceed \$50. The fee to transfer a certificate or
7 registration from one business organization to another may not
8 exceed \$200, unless determined otherwise pursuant to s.
9 216.1817. The fee for reactivation of an inactive license may
10 not exceed \$50, unless determined otherwise pursuant to s.
11 216.1817. The board shall establish fees that are adequate to
12 ensure the continued operation of the board. Fees shall be
13 based on department estimates of the revenue required to
14 implement this part and the provisions of law with respect to
15 the regulation of electrical contractors and alarm system
16 contractors.

17 (2) A person who is registered or holds a valid
18 certificate may go on inactive status during which time he or
19 she shall not engage in contracting, but may retain the
20 certificate or registration on an inactive basis, on payment
21 of a renewal fee during the inactive period, not to exceed \$50
22 per renewal period, unless determined otherwise pursuant to s.
23 216.1817.

24 Section 399. Paragraph (b) of subsection (1) of
25 section 489.518, Florida Statutes, is amended to read:

26 489.518 Alarm system agents.--

27 (1) A licensed electrical or alarm system contractor
28 may not employ a person to perform the duties of a burglar
29 alarm system agent unless the person:

30 (b) Has successfully completed a minimum of 12 hours
31 of training, to include basic alarm system electronics in

1 addition to related training including CCTV and access control
2 training. Such training shall be from a board-approved
3 provider, and the employee or applicant for employment shall
4 provide proof of successful completion to the licensed
5 employer. The board shall by rule establish criteria for the
6 approval of training courses and providers and may by rule
7 establish criteria for accepting alternative nonclassroom
8 education on an hour-for-hour basis. The board shall approve
9 providers that conduct training in other than the English
10 language. Unless determined otherwise pursuant to s. 216.1817,
11 the board shall establish a fee for the approval of training
12 providers or courses, not to exceed \$60. Qualified employers
13 may conduct training classes for their employees, with board
14 approval.

15 Section 400. Paragraph (b) of subsection (1) of
16 section 489.5185, Florida Statutes, is amended to read:

17 489.5185 Fire alarm system agents.--

18 (1) A certified unlimited electrical contractor or
19 licensed fire alarm contractor may not employ a person to
20 perform the duties of a fire alarm system agent unless the
21 person:

22 (b) Has successfully completed a minimum of 18 hours
23 of initial training, to include basic fire alarm system
24 technology in addition to related training in National Fire
25 Protection Association (NFPA) codes and standards and access
26 control training. Such training must be from a board-approved
27 provider, and the employee or applicant for employment must
28 provide proof of successful completion to the licensed
29 employer. The board, by rule, shall establish criteria for the
30 approval of training courses and providers. The board shall
31 approve qualified providers that conduct training in other

1 than the English language. Unless determined otherwise
2 pursuant to s. 216.1817, the board shall establish a fee for
3 the approval of training providers, not to exceed \$200, and a
4 fee for the approval of courses at \$25 per credit hour, not to
5 exceed \$100 per course.

6 Section 401. Subsection (1) of section 489.557,
7 Florida Statutes, is amended to read:

8 489.557 Fees, establishment.--

9 (1) The department shall, by rule, establish fees as
10 follows:

11 (a) For septic tank contractor registration:

12 1. Application and examination fee: not less than \$25
13 or more than \$75, unless determined otherwise pursuant to s.
14 216.1817.

15 2. Initial registration fee: not less than \$50 or more
16 than \$100, unless determined otherwise pursuant to s.
17 216.1817.

18 3. Renewal of registration fee: not less than \$50 or
19 more than \$100, unless determined otherwise pursuant to s.
20 216.1817.

21 (b) For master septic tank contractor registration:

22 1. Application and examination fee: not less than \$25
23 or more than \$75, unless determined otherwise pursuant to s.
24 216.1817.

25 2. Initial registration fee: not less than \$50 or more
26 than \$100, unless determined otherwise pursuant to s.
27 216.1817.

28 3. Renewal of registration fee: not less than \$50 or
29 more than \$100, unless determined otherwise pursuant to s.
30 216.1817.

31

1 (c) Certification of partnerships and corporations:
2 not less than \$100 or more than \$250, unless determined
3 otherwise pursuant to s. 216.1817.

4 Section 402. Paragraph (a) of subsection (1) and
5 paragraph (a) of subsection (2) of section 490.005, Florida
6 Statutes, are amended to read:

7 490.005 Licensure by examination.--

8 (1) Any person desiring to be licensed as a
9 psychologist shall apply to the department to take the
10 licensure examination. The department shall license each
11 applicant who the board certifies has:

12 (a) Completed the application form and remitted a
13 nonrefundable application fee not to exceed \$500, unless
14 determined otherwise pursuant to s. 216.1817,and an
15 examination fee set by the board sufficient to cover the
16 actual per applicant cost to the department for development,
17 purchase, and administration of the examination, but not to
18 exceed \$500 unless determined otherwise pursuant to s.
19 216.1817.

20 (2) Any person desiring to be licensed as a school
21 psychologist shall apply to the department to take the
22 licensure examination. The department shall license each
23 applicant who the department certifies has:

24 (a) Satisfactorily completed the application form and
25 submitted a nonrefundable application fee not to exceed \$250,
26 unless determined otherwise pursuant to s. 216.1817,and an
27 examination fee sufficient to cover the per applicant cost to
28 the department for development, purchase, and administration
29 of the examination, but not to exceed \$250 as set by
30 department rule, unless determined otherwise pursuant to s.
31 216.1817.

1 Section 403. Paragraph (a) of subsection (1) of
2 section 490.0051, Florida Statutes, is amended to read:

3 490.0051 Provisional licensure; requirements.--

4 (1) The department shall issue a provisional
5 psychology license to each applicant who the board certifies
6 has:

7 (a) Completed the application form and remitted a
8 nonrefundable application fee not to exceed \$250, as set by
9 board rule, unless determined otherwise pursuant to s.
10 216.1817.

11 Section 404. Subsection (1) of section 490.007,
12 Florida Statutes, is amended to read:

13 490.007 Renewal of license.--

14 (1) The department or, in the case of psychologists,
15 the board shall prescribe by rule a method for the biennial
16 renewal of a license at a fee set by rule, not to exceed \$500,
17 unless determined otherwise pursuant to s. 216.1817.

18 Section 405. Subsection (2) of section 490.0085,
19 Florida Statutes, is amended to read:

20 490.0085 Continuing education; approval of providers,
21 programs, and courses; proof of completion.--

22 (2) The department or, in the case of psychologists,
23 the board has the authority to set a fee not to exceed \$500
24 unless determined otherwise pursuant to s. 216.1817,for each
25 applicant who applies for or renews provider status. Such
26 fees shall be deposited into the Medical Quality Assurance
27 Trust Fund.

28 Section 406. Subsection (2) of section 491.0045,
29 Florida Statutes, is amended to read:

30 491.0045 Intern registration; requirements.--

31

1 (2) The department shall register as a clinical social
2 worker intern, marriage and family therapist intern, or mental
3 health counselor intern each applicant who the board certifies
4 has:

5 (a) Completed the application form and remitted a
6 nonrefundable application fee not to exceed \$200, as set by
7 board rule, unless determined otherwise pursuant to s.
8 216.1817;

9 (b)1. Completed the education requirements as
10 specified in s. 491.005(1)(c), (3)(c), or (4)(c) for the
11 profession for which he or she is applying for licensure, if
12 needed; and

13 2. Submitted an acceptable supervision plan, as
14 determined by the board, for meeting the practicum,
15 internship, or field work required for licensure that was not
16 satisfied in his or her graduate program.

17 (c) Identified a qualified supervisor.

18 Section 407. Subsection (2) of section 491.0046,
19 Florida Statutes, is amended to read:

20 491.0046 Provisional license; requirements.--

21 (2) The department shall issue a provisional clinical
22 social worker license, provisional marriage and family
23 therapist license, or provisional mental health counselor
24 license to each applicant who the board certifies has:

25 (a) Completed the application form and remitted a
26 nonrefundable application fee not to exceed \$100, as set by
27 board rule, unless determined otherwise pursuant to s.
28 216.1817; and

29 (b) Earned a graduate degree in social work, a
30 graduate degree with a major emphasis in marriage and family
31

1 therapy or a closely related field, or a graduate degree in a
2 major related to the practice of mental health counseling; and

3 (c) Has met the following minimum coursework
4 requirements:

5 1. For clinical social work, a minimum of 15 semester
6 hours or 22 quarter hours of the coursework required by s.
7 491.005(1)(b)2.b.

8 2. For marriage and family therapy, 10 of the courses
9 required by s. 491.005(3)(b)1.a.-c., as determined by the
10 board, and at least 6 semester hours or 9 quarter hours of the
11 course credits must have been completed in the area of
12 marriage and family systems, theories, or techniques.

13 3. For mental health counseling, a minimum of seven of
14 the courses required under s. 491.005(b)1.a.-c.

15 Section 408. Subsections (1), (3), and (4) of section
16 491.005, Florida Statutes, are amended to read:

17 491.005 Licensure by examination.--

18 (1) CLINICAL SOCIAL WORK.--Upon verification of
19 documentation and payment of a fee not to exceed \$200, unless
20 determined otherwise pursuant to s. 216.1817, as set by board
21 rule, plus the actual per applicant cost to the department for
22 purchase of the examination from the American Association of
23 State Social Worker's Boards or a similar national
24 organization, the department shall issue a license as a
25 clinical social worker to an applicant who the board
26 certifies:

27 (a) Has made application therefor and paid the
28 appropriate fee.

29 (b)1. Has received a doctoral degree in social work
30 from a graduate school of social work which at the time the
31 applicant graduated was accredited by an accrediting agency

1 recognized by the United States Department of Education or has
2 received a master's degree in social work from a graduate
3 school of social work which at the time the applicant
4 graduated:

5 a. Was accredited by the Council on Social Work
6 Education;

7 b. Was accredited by the Canadian Association of
8 Schools of Social Work; or

9 c. Has been determined to have been a program
10 equivalent to programs approved by the Council on Social Work
11 Education by the Foreign Equivalency Determination Service of
12 the Council on Social Work Education. An applicant who
13 graduated from a program at a university or college outside of
14 the United States or Canada must present documentation of the
15 equivalency determination from the council in order to
16 qualify.

17 2. The applicant's graduate program must have
18 emphasized direct clinical patient or client health care
19 services, including, but not limited to, coursework in
20 clinical social work, psychiatric social work, medical social
21 work, social casework, psychotherapy, or group therapy. The
22 applicant's graduate program must have included all of the
23 following coursework:

24 a. A supervised field placement which was part of the
25 applicant's advanced concentration in direct practice, during
26 which the applicant provided clinical services directly to
27 clients.

28 b. Completion of 24 semester hours or 32 quarter hours
29 in theory of human behavior and practice methods as courses in
30 clinically oriented services, including a minimum of one
31 course in psychopathology, and no more than one course in

1 research, taken in a school of social work accredited or
2 approved pursuant to subparagraph 1.

3 3. If the course title which appears on the
4 applicant's transcript does not clearly identify the content
5 of the coursework, the applicant shall be required to provide
6 additional documentation, including, but not limited to, a
7 syllabus or catalog description published for the course.

8 (c) Has had not less than 2 years of clinical social
9 work experience, which took place subsequent to completion of
10 a graduate degree in social work at an institution meeting the
11 accreditation requirements of this section, under the
12 supervision of a licensed clinical social worker or the
13 equivalent who is a qualified supervisor as determined by the
14 board. An individual who intends to practice in Florida to
15 satisfy clinical experience requirements must register
16 pursuant to s. 491.0045 prior to commencing practice. If the
17 applicant's graduate program was not a program which
18 emphasized direct clinical patient or client health care
19 services as described in subparagraph (b)2., the supervised
20 experience requirement must take place after the applicant has
21 completed a minimum of 15 semester hours or 22 quarter hours
22 of the coursework required. A doctoral internship may be
23 applied toward the clinical social work experience
24 requirement. The experience requirement may be met by work
25 performed on or off the premises of the supervising clinical
26 social worker or the equivalent, provided the off-premises
27 work is not the independent private practice rendering of
28 clinical social work that does not have a licensed mental
29 health professional, as determined by the board, on the
30 premises at the same time the intern is providing services.

31

1 (d) Has passed a theory and practice examination
2 provided by the department for this purpose.

3 (e) Has demonstrated, in a manner designated by rule
4 of the board, knowledge of the laws and rules governing the
5 practice of clinical social work, marriage and family therapy,
6 and mental health counseling.

7 (3) MARRIAGE AND FAMILY THERAPY.--Upon verification of
8 documentation and payment of a fee not to exceed \$200, unless
9 determined otherwise pursuant to s. 216.1817, as set by board
10 rule, plus the actual cost to the department for the purchase
11 of the examination from the Association of Marital and Family
12 Therapy Regulatory Board, or similar national organization,
13 the department shall issue a license as a marriage and family
14 therapist to an applicant who the board certifies:

15 (a) Has made application therefor and paid the
16 appropriate fee.

17 (b)1. Has a minimum of a master's degree with major
18 emphasis in marriage and family therapy, or a closely related
19 field, and has completed all of the following requirements:

20 a. Thirty-six semester hours or 48 quarter hours of
21 graduate coursework, which must include a minimum of 3
22 semester hours or 4 quarter hours of graduate-level course
23 credits in each of the following nine areas: dynamics of
24 marriage and family systems; marriage therapy and counseling
25 theory and techniques; family therapy and counseling theory
26 and techniques; individual human development theories
27 throughout the life cycle; personality theory or general
28 counseling theory and techniques; psychopathology; human
29 sexuality theory and counseling techniques; psychosocial
30 theory; and substance abuse theory and counseling techniques.
31 Courses in research, evaluation, appraisal, assessment, or

1 testing theories and procedures; thesis or dissertation work;
2 or practicums, internships, or fieldwork may not be applied
3 toward this requirement.

4 b. A minimum of one graduate-level course of 3
5 semester hours or 4 quarter hours in legal, ethical, and
6 professional standards issues in the practice of marriage and
7 family therapy or a course determined by the board to be
8 equivalent.

9 c. A minimum of one graduate-level course of 3
10 semester hours or 4 quarter hours in diagnosis, appraisal,
11 assessment, and testing for individual or interpersonal
12 disorder or dysfunction; and a minimum of one 3-semester-hour
13 or 4-quarter-hour graduate-level course in behavioral research
14 which focuses on the interpretation and application of
15 research data as it applies to clinical practice. Credit for
16 thesis or dissertation work, practicums, internships, or
17 fieldwork may not be applied toward this requirement.

18 d. A minimum of one supervised clinical practicum,
19 internship, or field experience in a marriage and family
20 counseling setting, during which the student provided 180
21 direct client contact hours of marriage and family therapy
22 services under the supervision of an individual who met the
23 requirements for supervision under paragraph (c). This
24 requirement may be met by a supervised practice experience
25 which took place outside the academic arena, but which is
26 certified as equivalent to a graduate-level practicum or
27 internship program which required a minimum of 180 direct
28 client contact hours of marriage and family therapy services
29 currently offered within an academic program of a college or
30 university accredited by an accrediting agency approved by the
31 United States Department of Education, or an institution which

1 is publicly recognized as a member in good standing with the
2 Association of Universities and Colleges of Canada or a
3 training institution accredited by the Commission on
4 Accreditation for Marriage and Family Therapy Education
5 recognized by the United States Department of Education.
6 Certification shall be required from an official of such
7 college, university, or training institution.

8 2. If the course title which appears on the
9 applicant's transcript does not clearly identify the content
10 of the coursework, the applicant shall be required to provide
11 additional documentation, including, but not limited to, a
12 syllabus or catalog description published for the course.

13

14 The required master's degree must have been received in an
15 institution of higher education which at the time the
16 applicant graduated was: fully accredited by a regional
17 accrediting body recognized by the Commission on Recognition
18 of Postsecondary Accreditation; publicly recognized as a
19 member in good standing with the Association of Universities
20 and Colleges of Canada; or an institution of higher education
21 located outside the United States and Canada, which at the
22 time the applicant was enrolled and at the time the applicant
23 graduated maintained a standard of training substantially
24 equivalent to the standards of training of those institutions
25 in the United States which are accredited by a regional
26 accrediting body recognized by the Commission on Recognition
27 of Postsecondary Accreditation. Such foreign education and
28 training must have been received in an institution or program
29 of higher education officially recognized by the government of
30 the country in which it is located as an institution or
31 program to train students to practice as professional marriage

1 and family therapists or psychotherapists. The burden of
2 establishing that the requirements of this provision have been
3 met shall be upon the applicant, and the board shall require
4 documentation, such as, but not limited to, an evaluation by a
5 foreign equivalency determination service, as evidence that
6 the applicant's graduate degree program and education were
7 equivalent to an accredited program in this country. An
8 applicant with a master's degree from a program which did not
9 emphasize marriage and family therapy may complete the
10 coursework requirement in a training institution fully
11 accredited by the Commission on Accreditation for Marriage and
12 Family Therapy Education recognized by the United States
13 Department of Education.

14 (c) Has had not less than 2 years of clinical
15 experience during which 50 percent of the applicant's clients
16 were receiving marriage and family therapy services, which
17 must be at the post-master's level under the supervision of a
18 licensed marriage and family therapist with at least 5 years
19 of experience, or the equivalent, who is a qualified
20 supervisor as determined by the board. An individual who
21 intends to practice in Florida to satisfy the clinical
22 experience requirements must register pursuant to s. 491.0045
23 prior to commencing practice. If a graduate has a master's
24 degree with a major emphasis in marriage and family therapy or
25 a closely related field that did not include all the
26 coursework required under sub-subparagraphs (b)1.a.-c., credit
27 for the post-master's level clinical experience shall not
28 commence until the applicant has completed a minimum of 10 of
29 the courses required under sub-subparagraphs (b)1.a.-c., as
30 determined by the board, and at least 6 semester hours or 9
31 quarter hours of the course credits must have been completed

1 in the area of marriage and family systems, theories, or
2 techniques. Within the 3 years of required experience, the
3 applicant shall provide direct individual, group, or family
4 therapy and counseling, to include the following categories of
5 cases: unmarried dyads, married couples, separating and
6 divorcing couples, and family groups including children. A
7 doctoral internship may be applied toward the clinical
8 experience requirement. The clinical experience requirement
9 may be met by work performed on or off the premises of the
10 supervising marriage and family therapist or the equivalent,
11 provided the off-premises work is not the independent private
12 practice rendering of marriage and family therapy services
13 that does not have a licensed mental health professional, as
14 determined by the board, on the premises at the same time the
15 intern is providing services.

16 (d) Has passed a theory and practice examination
17 provided by the department for this purpose.

18 (e) Has demonstrated, in a manner designated by rule
19 of the board, knowledge of the laws and rules governing the
20 practice of clinical social work, marriage and family therapy,
21 and mental health counseling.

22 (f) For the purposes of dual licensure, the department
23 shall license as a marriage and family therapist any person
24 who meets the requirements of s. 491.0057. Fees for dual
25 licensure shall not exceed those stated in this subsection.

26 (4) MENTAL HEALTH COUNSELING.--Upon verification of
27 documentation and payment of a fee not to exceed \$200, unless
28 determined otherwise pursuant to s. 216.1817, as set by board
29 rule, plus the actual per applicant cost to the department for
30 purchase of the examination from the Professional Examination
31 Service for the National Academy of Certified Clinical Mental

1 Health Counselors or a similar national organization, the
2 department shall issue a license as a mental health counselor
3 to an applicant who the board certifies:

4 (a) Has made application therefor and paid the
5 appropriate fee.

6 (b)1. Has a minimum of an earned master's degree from
7 a mental health counseling program accredited by the Council
8 for the Accreditation of Counseling and Related Educational
9 Programs that consists of at least 60 semester hours or 80
10 quarter hours of clinical and didactic instruction, including
11 a course in human sexuality and a course in substance abuse.
12 If the master's degree is earned from a program related to the
13 practice of mental health counseling that is not accredited by
14 the Council for the Accreditation of Counseling and Related
15 Educational Programs, then the coursework and practicum,
16 internship, or fieldwork must consist of at least 60 semester
17 hours or 80 quarter hours and meet the following requirements:

18 a. Thirty-three semester hours or 44 quarter hours of
19 graduate coursework, which must include a minimum of 3
20 semester hours or 4 quarter hours of graduate-level coursework
21 in each of the following 11 content areas: counseling theories
22 and practice; human growth and development; diagnosis and
23 treatment of psychopathology; human sexuality; group theories
24 and practice; individual evaluation and assessment; career and
25 lifestyle assessment; research and program evaluation; social
26 and cultural foundations; counseling in community settings;
27 and substance abuse. Courses in research, thesis or
28 dissertation work, practicums, internships, or fieldwork may
29 not be applied toward this requirement.

30 b. A minimum of 3 semester hours or 4 quarter hours of
31 graduate-level coursework in legal, ethical, and professional

1 standards issues in the practice of mental health counseling,
2 which includes goals, objectives, and practices of
3 professional counseling organizations, codes of ethics, legal
4 considerations, standards of preparation, certifications and
5 licensing, and the role identity and professional obligations
6 of mental health counselors. Courses in research, thesis or
7 dissertation work, practicums, internships, or fieldwork may
8 not be applied toward this requirement.

9 c. The equivalent, as determined by the board, of at
10 least 1,000 hours of university-sponsored supervised clinical
11 practicum, internship, or field experience as required in the
12 accrediting standards of the Council for Accreditation of
13 Counseling and Related Educational Programs for mental health
14 counseling programs. This experience may not be used to
15 satisfy the post-master's clinical experience requirement.

16 2. If the course title which appears on the
17 applicant's transcript does not clearly identify the content
18 of the coursework, the applicant shall be required to provide
19 additional documentation, including, but not limited to, a
20 syllabus or catalog description published for the course.

21
22 Education and training in mental health counseling must have
23 been received in an institution of higher education which at
24 the time the applicant graduated was: fully accredited by a
25 regional accrediting body recognized by the Commission on
26 Recognition of Postsecondary Accreditation; publicly
27 recognized as a member in good standing with the Association
28 of Universities and Colleges of Canada; or an institution of
29 higher education located outside the United States and Canada,
30 which at the time the applicant was enrolled and at the time
31 the applicant graduated maintained a standard of training

1 substantially equivalent to the standards of training of those
2 institutions in the United States which are accredited by a
3 regional accrediting body recognized by the Commission on
4 Recognition of Postsecondary Accreditation. Such foreign
5 education and training must have been received in an
6 institution or program of higher education officially
7 recognized by the government of the country in which it is
8 located as an institution or program to train students to
9 practice as mental health counselors. The burden of
10 establishing that the requirements of this provision have been
11 met shall be upon the applicant, and the board shall require
12 documentation, such as, but not limited to, an evaluation by a
13 foreign equivalency determination service, as evidence that
14 the applicant's graduate degree program and education were
15 equivalent to an accredited program in this country.

16 (c) Has had not less than 2 years of clinical
17 experience in mental health counseling, which must be at the
18 post-master's level under the supervision of a licensed mental
19 health counselor or the equivalent who is a qualified
20 supervisor as determined by the board. An individual who
21 intends to practice in Florida to satisfy the clinical
22 experience requirements must register pursuant to s. 491.0045
23 prior to commencing practice. If a graduate has a master's
24 degree with a major related to the practice of mental health
25 counseling that did not include all the coursework required
26 under sub-subparagraphs (b)1.a.-b., credit for the
27 post-master's level clinical experience shall not commence
28 until the applicant has completed a minimum of seven of the
29 courses required under sub-subparagraphs (b)1.a.-b., as
30 determined by the board, one of which must be a course in
31 psychopathology or abnormal psychology. A doctoral internship

1 may be applied toward the clinical experience requirement. The
2 clinical experience requirement may be met by work performed
3 on or off the premises of the supervising mental health
4 counselor or the equivalent, provided the off-premises work is
5 not the independent private practice rendering of services
6 that does not have a licensed mental health professional, as
7 determined by the board, on the premises at the same time the
8 intern is providing services.

9 (d) Has passed a theory and practice examination
10 provided by the department for this purpose.

11 (e) Has demonstrated, in a manner designated by rule
12 of the board, knowledge of the laws and rules governing the
13 practice of clinical social work, marriage and family therapy,
14 and mental health counseling.

15 Section 409. Subsections (1) and (3) of section
16 491.007, Florida Statutes, are amended to read:

17 491.007 Renewal of license, registration, or
18 certificate.--

19 (1) The board or department shall prescribe by rule a
20 method for the biennial renewal of licenses or certificates at
21 a fee set by rule, not to exceed \$250, unless determined
22 otherwise pursuant to s. 216.1817.

23 (3) The board or department shall prescribe by rule a
24 method for the biennial renewal of an intern registration at a
25 fee set by rule, not to exceed \$100, unless determined
26 otherwise pursuant to s. 216.1817.

27 Section 410. Subsection (1) of section 491.008,
28 Florida Statutes, is amended to read:

29 491.008 Inactive status; reactivation of licenses;
30 fees.--

31

1 (1) Inactive status is the licensure status that
2 results when a licensee has applied to be placed on inactive
3 status and has paid a~~\$50~~ fee to the department. The fee is
4 \$50, unless determined otherwise pursuant to s. 216.1817.

5 (a) An inactive license may be renewed biennially for
6 a fee of \$50 per biennium, unless determined otherwise
7 pursuant to s. 216.1817.

8 (b) An inactive license may be reactivated by
9 submitting an application to the department, completing the
10 continuing education requirements, complying with any
11 background investigation required, complying with other
12 requirements prescribed by the board, and paying a \$50
13 reactivation fee, unless determined otherwise pursuant to s.
14 216.1817 plus the current biennial renewal fee at the time of
15 reactivation.

16 Section 411. Subsection (2) of section 491.0085,
17 Florida Statutes, is amended to read:

18 491.0085 Continuing education and laws and rules
19 courses; approval of providers, programs, and courses; proof
20 of completion.--

21 (2) The department or the board has the authority to
22 set a fee not to exceed \$200 unless determined otherwise
23 pursuant to s. 216.1817, for each applicant who applies for or
24 renews provider status. Such fees shall be deposited into the
25 Medical Quality Assurance Trust Fund.

26 Section 412. Subsections (1) and (5) of section
27 491.0145, Florida Statutes, are amended to read:

28 491.0145 Certified master social worker.--The
29 department may certify an applicant for a designation as a
30 certified master social worker upon the following conditions:

31

1 (1) The applicant completes an application to be
2 provided by the department and pays a nonrefundable fee not to
3 exceed \$250 to be established by rule of the department,
4 unless determined otherwise pursuant to s. 216.1817. The
5 completed application must be received by the department at
6 least 60 days before the date of the examination in order for
7 the applicant to qualify to take the scheduled exam.

8 (5) The applicant has passed an examination required
9 by the department for this purpose. The nonrefundable fee for
10 such examination may not exceed \$250 as set by department
11 rule, unless determined otherwise pursuant to s. 216.1817.

12 Section 413. Subsections (1), (2), (3), (4), (5), (6),
13 and (7) of section 492.104, Florida Statutes, are amended to
14 read:

15 492.104 Rulemaking authority.--The Board of
16 Professional Geologists has authority to adopt rules pursuant
17 to ss. 120.536(1) and 120.54 to implement this chapter. Every
18 licensee shall be governed and controlled by this chapter and
19 the rules adopted by the board. The board is authorized to
20 set, by rule, fees for application, examination, certificate
21 of authorization, late renewal, initial licensure, and license
22 renewal. These fees should not exceed the cost of
23 implementing the application, examination, initial licensure,
24 and license renewal or other administrative process and shall
25 be established as follows:

26 (1) Unless determined otherwise pursuant to s.
27 216.1817,the application fee shall not exceed \$150 and shall
28 be nonrefundable.

29 (2) Unless determined otherwise pursuant to s.
30 216.1817,the examination fee shall not exceed \$250 and shall
31

1 be refundable if the applicant is found to be ineligible to
2 take the licensure examination.

3 (3) Unless determined otherwise pursuant to s.
4 216.1817,the initial license fee shall not exceed \$100.

5 (4) Unless determined otherwise pursuant to s.
6 216.1817,the biennial renewal fee shall not exceed \$150.

7 (5) Unless determined otherwise pursuant to s.
8 216.1817,the fee for a certificate of authorization shall not
9 exceed \$350 and the fee for renewal of the certificate shall
10 not exceed \$350.

11 (6) Unless determined otherwise pursuant to s.
12 216.1817,the fee for reactivation of an inactive license
13 shall not exceed \$50.

14 (7) Unless determined otherwise pursuant to s.
15 216.1817,the fee for a provisional license shall not exceed
16 \$400.

17 Section 414. Subsection (2) of section 492.1101,
18 Florida Statutes, is amended to read:

19 492.1101 Inactive status.--

20 (2) The board shall promulgate rules relating to the
21 reactivation of inactive licenses and shall prescribe by rule
22 pursuant to s. 216.1817,a fee for the reactivation of
23 inactive licenses.

24 Section 415. Subsection (1) of section 493.6105,
25 Florida Statutes, is amended to read:

26 493.6105 Initial application for license.--

27 (1) Each individual, partner, or principal officer in
28 a corporation, shall file with the department a complete
29 application accompanied by an application fee not to exceed
30 \$60, unless determined otherwise pursuant to s. 216.1817,
31 except that the applicant for a Class "D" or Class "G" license

1 shall not be required to submit an application fee. The
2 application fee shall not be refundable.

3 (a) The application submitted by any individual,
4 partner, or corporate officer shall be approved by the
5 department prior to that individual, partner, or corporate
6 officer assuming his or her duties.

7 (b) Individuals who invest in the ownership of a
8 licensed agency, but do not participate in, direct, or control
9 the operations of the agency shall not be required to file an
10 application.

11 Section 416. Subsections (1) and (2) of section
12 493.6107, Florida Statutes, are amended to read:

13 493.6107 Fees.--

14 (1) The department shall establish by rule examination
15 and biennial license fees which shall not exceed the
16 following:

17 (a) Class "M" license--manager Class "AB" agency: \$75,
18 unless determined otherwise pursuant to s. 216.1817.

19 (b) Class "G" license--statewide firearm license:
20 \$150, unless determined otherwise pursuant to s. 216.1817.

21 (c) Class "K" license--firearms instructor: \$100,
22 unless determined otherwise pursuant to s. 216.1817.

23 (d) Fee for the examination for firearms instructor:
24 \$75, unless determined otherwise pursuant to s. 216.1817.

25 (2) The department may establish by rule a fee for the
26 replacement or revision of a license which fee shall not
27 exceed \$30, unless determined otherwise pursuant to s.
28 216.1817.

29 Section 417. Subsection (4) of section 493.6111,
30 Florida Statutes, is amended to read:

31 493.6111 License; contents; identification card.--

1 (4) Notwithstanding the existence of a valid Florida
2 corporate registration, no agency licensee may conduct
3 activities regulated under this chapter under any fictitious
4 name without prior written authorization from the department
5 to use that name in the conduct of activities regulated under
6 this chapter. The department may not authorize the use of a
7 name which is so similar to that of a public officer or
8 agency, or of that used by another licensee, that the public
9 may be confused or misled thereby. The authorization for the
10 use of a fictitious name shall require, as a condition
11 precedent to the use of such name, the filing of a certificate
12 of engaging in business under a fictitious name under s.
13 865.09. No licensee shall be permitted to conduct business
14 under more than one name except as separately licensed nor
15 shall the license be valid to protect any licensee who is
16 engaged in the business under any name other than that
17 specified in the license. An agency desiring to change its
18 licensed name shall notify the department and, except upon
19 renewal, pay a fee not to exceed \$30, unless determined
20 otherwise pursuant to s. 216.1817, for each license requiring
21 revision including those of all licensed employees except
22 Class "D" or Class "G" licensees. Upon the return of such
23 licenses to the department, revised licenses shall be
24 provided.

25 Section 418. Subsection (13) of section 493.6115,
26 Florida Statutes, is amended to read:

27 493.6115 Weapons and firearms.--

28 (13) In addition to other fees, the department may
29 charge a fee, not to exceed \$25 unless determined otherwise
30 pursuant to s. 216.1817, for processing a Class "G" license
31 application as a temporary Class "G" license request.

1 Section 419. Subsections (1) and (2) of section
2 493.6202, Florida Statutes, are amended to read:

3 493.6202 Fees.--

4 (1) The department shall establish by rule examination
5 and biennial license fees, which shall not exceed the
6 following:

7 (a) Class "A" license--private investigative agency:
8 \$450, unless determined otherwise pursuant to s. 216.1817.

9 (b) Class "AA" or "AB" license--branch office: \$125,
10 unless determined otherwise pursuant to s. 216.1817.

11 (c) Class "MA" license--private investigative agency
12 manager: \$75, unless determined otherwise pursuant to s.
13 216.1817.

14 (d) Class "C" license--private investigator: \$75,
15 unless determined otherwise pursuant to s. 216.1817.

16 (e) Class "CC" license--private investigator intern:
17 \$60, unless determined otherwise pursuant to s. 216.1817.

18 (2) The department may establish by rule a fee for the
19 replacement or revision of a license, which fee shall not
20 exceed \$30, unless determined otherwise pursuant to s.
21 216.1817.

22 Section 420. Subsections (1) and (2) of section
23 493.6302, Florida Statutes, are amended to read:

24 493.6302 Fees.--

25 (1) The department shall establish by rule biennial
26 license fees, which shall not exceed the following, unless
27 determined otherwise pursuant to s. 216.1817:

28 (a) Class "B" license--security agency: \$450.

29 (b) Class "BB" or Class "AB" license--branch office:
30 \$125.

31 (c) Class "MB" license--security agency manager: \$75.

- 1 (d) Class "D" license--security officer: \$45.
- 2 (e) Class "DS" license--security officer school or
3 training facility: \$60.
- 4 (f) Class "DI" license--security officer school or
5 training facility instructor: \$60.
- 6 (2) The department may establish by rule a fee for the
7 replacement or revision of a license, which fee shall not
8 exceed \$30, unless determined otherwise pursuant to s.
9 216.1817.
- 10 Section 421. Subsection (1) of section 493.6304,
11 Florida Statutes, is amended to read:
- 12 493.6304 Security officer school or training
13 facility.--
- 14 (1) Any school, training facility, or instructor who
15 offers the training outlined in s. 493.6303(4) for Class "D"
16 applicants shall, before licensure of such school, training
17 facility, or instructor, file with the department an
18 application accompanied by an application fee in an amount to
19 be determined by rule, not to exceed \$60, unless determined
20 otherwise pursuant to s. 216.1817. The fee shall not be
21 refundable.
- 22 Section 422. Subsections (1) and (2) of section
23 493.6402, Florida Statutes, are amended to read:
- 24 493.6402 Fees.--
- 25 (1) The department shall establish by rule biennial
26 license fees which shall not exceed the following, unless
27 determined otherwise pursuant to s. 216.1817:
- 28 (a) Class "R" license--recovery agency: \$450.
- 29 (b) Class "RR" license--branch office: \$125.
- 30 (c) Class "MR" license--recovery agency manager: \$75.
- 31 (d) Class "E" license--recovery agent: \$75.

1 (e) Class "EE" license--recovery agent intern: \$60.

2 (f) Class "RS" license--repossessor school or training
3 facility: \$60.

4 (g) Class "RI" license--repossessor school or training
5 facility instructor: \$60.

6 (2) The department may establish by rule a fee for the
7 replacement or revision of a license, which fee shall not
8 exceed \$30, unless determined otherwise pursuant to s.
9 216.1817.

10 Section 423. Subsection (1) of section 493.6406,
11 Florida Statutes, is amended to read:

12 493.6406 Repossession services school or training
13 facility.--

14 (1) Any school, training facility, or instructor who
15 offers the training outlined in s. 493.6403(2) for Class "EE"
16 applicants shall, before licensure of such school, training
17 facility, or instructor, file with the department an
18 application accompanied by an application fee in an amount to
19 be determined by rule, not to exceed \$60, unless determined
20 otherwise pursuant to s. 216.1817. The fee shall not be
21 refundable.

22 Section 424. Subsection (1) of section 494.0029,
23 Florida Statutes, is amended to read:

24 494.0029 Mortgage business schools.--

25 (1) Each person, school, or institution, except
26 accredited colleges, universities, community colleges, and
27 area technical centers in this state, which offers or conducts
28 mortgage business training as a condition precedent to
29 licensure as a mortgage broker or lender or a correspondent
30 mortgage lender shall obtain a permit from the department and
31 abide by the regulations imposed upon such person, school, or

1 institution by this chapter and rules adopted pursuant to this
2 chapter. The department shall, by rule, recertify the permits
3 annually with initial and renewal permit fees that do not
4 exceed \$500, unless determined otherwise pursuant to s.
5 216.1817, plus the cost of accreditation.

6 Section 425. Subsection (1) of section 494.0031,
7 Florida Statutes, is amended to read:

8 494.0031 Licensure as a mortgage brokerage business.--

9 (1) The department shall issue a mortgage brokerage
10 business license to each person who:

11 (a) Has submitted a completed application form and a
12 nonrefundable application fee of \$425, unless determined
13 otherwise pursuant to s. 216.1817; and

14 (b) Has a qualified principal broker pursuant to s.
15 494.0035.

16 Section 426. Subsections (1) and (3) of section
17 494.0032, Florida Statutes, are amended to read:

18 494.0032 Renewal of mortgage brokerage business
19 license; renewal of mortgage brokerage business branch office
20 license.--

21 (1) The department shall renew a mortgage brokerage
22 business license upon receipt of a completed renewal form and
23 payment of a nonrefundable renewal fee of \$375, unless
24 determined otherwise pursuant to s. 216.1817. Each licensee
25 shall pay at the time of renewal a nonrefundable renewal fee
26 of \$225 for the renewal of each branch office license, unless
27 determined otherwise pursuant to s. 216.1817.

28 (3) A mortgage brokerage business or branch office
29 license that is not renewed by the end of the biennium
30 established by the department shall revert from active to
31 inactive status. An inactive license may be reactivated

1 within 6 months after becoming inactive by filing a completed
2 reactivation form with the department, payment of the renewal
3 fee, and payment of a nonrefundable reactivation fee of \$100,
4 unless determined otherwise pursuant to s. 216.1817. A license
5 that is not renewed within 6 months after the end of the
6 biennial period automatically expires.

7 Section 427. Subsection (2) of section 494.0033,
8 Florida Statutes, is amended to read:

9 494.0033 Mortgage broker's license.--

10 (2) Each initial application for a mortgage broker's
11 license must be in the form prescribed by rule of the
12 department. The department may require each applicant to
13 provide any information reasonably necessary to make a
14 determination of the applicant's eligibility for licensure.
15 The department shall issue an initial license to any natural
16 person who:

17 (a) Is at least 18 years of age;

18 (b) Has passed a written test adopted by the
19 department which is designed to determine competency in
20 primary and subordinate mortgage financing transactions as
21 well as to test knowledge of ss. 494.001-494.0077 and the
22 rules adopted pursuant thereto;

23 (c) Has submitted a completed application and a
24 nonrefundable application fee of \$200, unless determined
25 otherwise pursuant to s. 216.1817. The department may set by
26 rule an additional fee for a retake of the examination; and

27 (d) Has filed a complete set of fingerprints, taken by
28 an authorized law enforcement officer, for submission by the
29 department to the Department of Law Enforcement or the Federal
30 Bureau of Investigation for processing.

31

1 Section 428. Subsection (2) of section 494.0036,
2 Florida Statutes, is amended to read:

3 494.0036 Mortgage brokerage business branch offices.--

4 (2) The department shall issue a mortgage brokerage
5 business branch office license upon receipt of a completed
6 application in a form as prescribed by department rule and
7 payment of an initial nonrefundable branch office license fee
8 of \$225, unless determined otherwise pursuant to s. 216.1817.
9 Branch office licenses must be renewed in conjunction with the
10 renewal of the mortgage brokerage business license. The
11 branch office license shall be issued in the name of the
12 mortgage brokerage business that maintains the branch office.

13 Section 429. Subsection (2) of section 494.0042,
14 Florida Statutes, is amended to read:

15 494.0042 Brokerage fees.--

16 (2) A person may not charge or exact, directly or
17 indirectly, from the mortgagor a fee or commission in excess
18 of the maximum fee or commission specified in this section.
19 Unless determined otherwise pursuant to s. 216.1817,the
20 maximum fees or commissions that may be charged for mortgage
21 loans are as follows:

22 (a) On a mortgage loan of \$1,000 or less: \$250.

23 (b) On a mortgage loan exceeding \$1,000 and not
24 exceeding \$2,000: \$250 for the first \$1,000 of the mortgage
25 loan, plus \$10 for each additional \$100 of the mortgage loan.

26 (c) On a mortgage loan exceeding \$2,000 and not
27 exceeding \$5,000: \$350 for the first \$2,000 of the mortgage
28 loan, plus \$10 for each additional \$100 of the mortgage loan.

29 (d) On a mortgage loan exceeding \$5,000: \$250 plus 10
30 percent of the entire mortgage loan.

31

1 For the purpose of determining the maximum fee, the amount of
2 the mortgage loan is based on the amount of mortgage loan
3 actually funded exclusive of the authorized maximum fees or
4 commissions.

5 Section 430. Subsection (1) of section 494.0061,
6 Florida Statutes, is amended to read:

7 494.0061 Mortgage lender's license requirements.--

8 (1) The department may require each applicant for a
9 mortgage lender license to provide any information reasonably
10 necessary to make a determination of the applicant's
11 eligibility for licensure. The department shall issue an
12 initial mortgage lender license to any person that submits:

13 (a) A completed application form;

14 (b) Unless determined otherwise pursuant to s.
15 216.1817,a nonrefundable application fee of \$575;

16 (c) Audited financial statements, which documents
17 disclose that the applicant has a bona fide and verifiable net
18 worth, pursuant to generally accepted accounting principles,
19 of at least \$250,000, which must be continuously maintained as
20 a condition of licensure;

21 (d) A surety bond in the amount of \$10,000, payable to
22 the state and conditioned upon compliance with ss.

23 494.001-494.0077, which inures to the department and which
24 must be continuously maintained thereafter in full force;

25 (e) Documentation that the applicant is duly
26 incorporated, registered, or otherwise formed as a general
27 partnership, limited partnership, limited liability company,
28 or other lawful entity under the laws of this state or another
29 state of the United States; and

30 (f) For applications submitted after October 1, 2001,
31 proof that the applicant's principal representative has

1 completed 24 hours of classroom instruction in primary and
2 subordinate financing transactions and in the provisions of
3 this chapter and rules adopted under this chapter.

4 Section 431. Paragraph (b) of subsection (1) of
5 section 494.0062, Florida Statutes, is amended to read:

6 494.0062 Correspondent mortgage lender's license
7 requirements.--

8 (1) The department shall issue an initial
9 correspondent mortgage lender license to any person who
10 submits:

11 (a) A completed application form;

12 (b) Unless determined otherwise pursuant to s.
13 216.1817, a nonrefundable application fee of \$500;

14 (c) Audited financial statements, which document that
15 the application has a bona fide and verifiable net worth
16 pursuant to generally accepted accounting principles of
17 \$25,000 or more, which must be continuously maintained as a
18 condition of licensure;

19 (d) A surety bond in the amount of \$10,000, payable to
20 the State of Florida and conditioned upon compliance with ss.
21 494.001-494.0077, which inures to the department and which
22 must be continuously maintained, thereafter, in full force;

23 (e) Documentation that the applicant is duly
24 incorporated, registered, or otherwise formed as a general
25 partnership, limited partnership, limited liability company,
26 or other lawful entity under the laws of this state or another
27 state of the United States; and

28 (f) For applications filed after October 1, 2001,
29 proof that the applicant's principal representative has
30 completed 24 hours of classroom instruction in primary and
31

1 subordinate financing transactions and in the provisions of
2 this chapter and rules enacted under this chapter.

3 Section 432. Subsections (1) and (3) of section
4 494.0064, Florida Statutes, are amended to read:

5 494.0064 Renewal of mortgage lender's license; branch
6 office license renewal.--

7 (1)(a) The department shall renew a mortgage lender
8 license upon receipt of a completed renewal form and the
9 nonrefundable renewal fee of \$575, unless determined otherwise
10 pursuant to s. 216.1817. The department shall renew a
11 correspondent lender license upon receipt of a completed
12 renewal form and a nonrefundable renewal fee of \$475, unless
13 determined otherwise pursuant to s. 216.1817. Each licensee
14 shall pay at the time of renewal a nonrefundable fee of \$325
15 for the renewal of each branch office license, unless
16 determined otherwise pursuant to s. 216.1817.

17 (3) The license of a mortgage lender, correspondent
18 mortgage lender, or branch office that is not renewed by the
19 end of the biennium prescribed by the department automatically
20 reverts to inactive status. An inactive license may be
21 reactivated within 6 months after becoming inactive by filing
22 a completed reactivation form with the department, payment of
23 the appropriate renewal fee, and payment of a nonrefundable
24 reactivation fee of \$100, unless determined otherwise pursuant
25 to s. 216.1817. A license that is not renewed within 6 months
26 after the end of the biennial period automatically expires.

27 Section 433. Paragraph (b) of subsection (5) of
28 section 494.0065, Florida Statutes, is amended to read:

29 494.0065 Saving clause.--

30 (5) The department may require each applicant for any
31 transfer to provide any information reasonably necessary to

1 make a determination of the applicant's eligibility for
2 licensure. The department shall issue the transfer of
3 licensure to any person who submits the following
4 documentation at least 90 days prior to the anticipated
5 transfer:

6 (b) Unless determined otherwise pursuant to s.
7 216.1817, a nonrefundable fee set by rule of the department in
8 the amount of \$500.

9
10 The department may require that each officer, director, and
11 ultimate equitable owner of a 10-percent or greater interest
12 in the applicant submit a complete set of fingerprints taken
13 by an authorized law enforcement officer.

14 Section 434. Subsection (2) of section 494.0066,
15 Florida Statutes, is amended to read:

16 494.0066 Branch offices.--

17 (2) The department shall issue a branch office license
18 upon receipt of a completed application form as prescribed by
19 rule by the department and an initial nonrefundable branch
20 office license fee of \$325, unless determined otherwise
21 pursuant to s. 216.1817. The branch office application must
22 include the name and license number of the licensee under ss.
23 494.006-494.0077, the name of the licensee's employee in
24 charge of the branch office, and the address of the branch
25 office. The branch office license shall be issued in the name
26 of the licensee under ss. 494.006-494.0077 and must be renewed
27 in conjunction with the license renewal.

28 Section 435. Subsection (3) of section 495.027,
29 Florida Statutes, is amended to read:

30 495.027 Reservation.--

31

1 (3) Unless determined otherwise pursuant to s.
2 216.1817, every request under this section shall be
3 accompanied by a filing fee of \$50, payable to the Department
4 of State, for each class of goods or services as specified in
5 s. 495.111, in connection with which the mark is to be used.

6 Section 436. Subsection (6) of section 495.031,
7 Florida Statutes, is amended to read:

8 495.031 Application for registration.--

9 (6) Unless determined otherwise pursuant to s.
10 216.1817, every application under this section shall be
11 accompanied by a filing fee of \$87.50, payable to the
12 Department of State, for each class of goods or services as
13 specified in s. 495.111, in connection with which the mark is
14 used.

15 Section 437. Subsection (1) of section 495.071,
16 Florida Statutes, is amended to read:

17 495.071 Duration and renewal.--

18 (1) Registration of a mark hereunder shall be
19 effective for a term of 10 years from the date of registration
20 and, upon application filed within 6 months prior to the
21 expiration of such term, on a form to be furnished by the
22 Department of State, the registration may be renewed for a
23 like term. Unless determined otherwise pursuant to s.
24 216.1817, a renewal fee of \$87.50 for each class of goods or
25 services with respect to which such renewal is sought, payable
26 to the Department of State, shall accompany the application
27 for renewal of the registration.

28 Section 438. Section 495.081, Florida Statutes, is
29 amended to read:

30 495.081 Assignment.--Any mark and its registration
31 hereunder shall be assignable with the good will of the

1 business in which the mark is used or with that part of the
2 good will of the business connected with the use of and
3 symbolized by the mark. Assignment shall be by instruments in
4 writing duly executed and may be recorded with the Department
5 of State upon the payment of a fee of \$50, unless determined
6 otherwise pursuant to s. 216.1817, payable to the Department
7 of State which, upon recording of the assignment, shall issue
8 in the name of the assignee a new certificate for the
9 remainder of the term of the registration or of the last
10 renewal thereof. An assignment of any registration under this
11 chapter shall be void as against any subsequent purchaser for
12 valuable consideration without notice, unless such assignment
13 is recorded with the Department of State within 3 months after
14 the date thereof or at any time after the expiration of such
15 3-month period, unless an assignment given in connection with
16 any subsequent purchase is recorded with the Department of
17 State prior to or within 10 days after such assignment is
18 recorded.

19 Section 439. Paragraph (a) of subsection (4) of
20 section 496.405, Florida Statutes, is amended to read:

21 496.405 Registration statements by charitable
22 organizations and sponsors.--

23 (4)(a) Every charitable organization, sponsor, or
24 parent organization filing on behalf of one or more chapters,
25 branches, or affiliates that is required to register under
26 this section must pay a single registration fee. A parent
27 organization filing on behalf of one or more chapters,
28 branches, or affiliates shall total all contributions received
29 by the chapters, branches, or affiliates included in the
30 registration statement to determine registration fees. Unless
31

1 determined otherwise pursuant to s. 216.1817, fees shall be
2 assessed as follows:
3 1.a. Ten dollars, if the contributions received for
4 the last fiscal or calendar year were less than \$5,000; or
5 b. Ten dollars, if the contributions actually raised
6 or received from the public during the immediately preceding
7 fiscal year by such organization or sponsor are no more than
8 \$25,000 and the fundraising activities of such organization or
9 sponsor are carried on by volunteers, members, officers, or
10 permanent employees, who are not compensated, primarily to
11 solicit such contributions, provided no part of the assets or
12 income of such organization or sponsor inures to the benefit
13 of or is paid to any officer or member of such organization or
14 sponsor or to any professional fundraising consultant,
15 professional solicitor, or commercial co-venturer;
16 2. Seventy-five dollars, if the contributions received
17 for the last fiscal year were \$5,000 or more, but less than
18 \$100,000;
19 3. One hundred twenty-five dollars, if the
20 contributions received for the last fiscal year were \$100,000
21 or more, but less than \$200,000;
22 4. Two hundred dollars, if the contributions received
23 for the last fiscal year were \$200,000 or more, but less than
24 \$500,000;
25 5. Three hundred dollars, if the contributions
26 received for the last fiscal year were \$500,000 or more, but
27 less than \$1 million;
28 6. Three hundred fifty dollars, if the contributions
29 received for the last fiscal year were \$1 million or more, but
30 less than \$10 million;
31

1 7. Four hundred dollars, if the contributions received
2 for the last fiscal year were \$10 million or more.

3 Section 440. Subsection (3) of section 496.409,
4 Florida Statutes, is amended to read:

5 496.409 Registration and duties of professional
6 fundraising consultant.--

7 (3) Unless determined otherwise pursuant to s.
8 216.1817, the application for registration must be accompanied
9 by a fee of \$300. A professional fundraising consultant which
10 is a partnership or corporation may register for and pay a
11 single fee on behalf of all of its partners, members,
12 officers, directors, agents, and employees. In that case, the
13 names and street addresses of all the officers, employees, and
14 agents of the fundraising consultant and all other persons
15 with whom the fundraising consultant has contracted to work
16 under its direction must be listed in the application. Each
17 registration is valid for 1 year or a part of 1 year and
18 expires on March 31 of each year. The registration may be
19 renewed on or before March 31 of each year for additional
20 1-year periods upon application to the department and payment
21 of the registration fee.

22 Section 441. Subsection (3) of section 496.410,
23 Florida Statutes, is amended to read:

24 496.410 Registration and duties of professional
25 solicitors.--

26 (3) Unless determined otherwise pursuant to s.
27 216.1817, the application for registration must be accompanied
28 by a fee of \$300. A professional solicitor that is a
29 partnership or corporation may register for and pay a single
30 fee on behalf of all of its partners, members, officers,
31 directors, agents, and employees. In that case, the names and

1 street addresses of all the officers, employees, and agents of
2 the professional solicitor and all other persons with whom the
3 professional solicitor has contracted to work under its
4 direction, including solicitors, must be listed in the
5 application or furnished to the department within 5 days after
6 the date of employment or contractual arrangement. Each
7 registration is valid for 1 year or a part of 1 year and
8 expires on March 31 of each year. The registration may be
9 renewed on or before March 31 of each year for an additional
10 1-year period upon application to the department and payment
11 of the registration fee.

12 Section 442. Subsection (3) of section 497.003,
13 Florida Statutes, is amended to read:

14 497.003 Cemeteries; exemption; investigation and
15 mediation.--

16 (3) All cemeteries exempted under this chapter which
17 are in excess of 5 acres must submit to the following
18 investigation and mediation procedure by the department in the
19 event of a consumer complaint:

20 (a) The exempt cemetery shall make every effort to
21 first resolve a consumer complaint;

22 (b) If the complaint is not resolved, the exempt
23 cemetery shall advise the consumer of the right to seek
24 investigation and mediation by the department;

25 (c) If the department receives a complaint, it shall
26 attempt to resolve it telephonically with the parties
27 involved;

28 (d) If the complaint still is not resolved, the
29 department shall conduct an investigation and mediate the
30 complaint;

31

1 (e) If the department conducts an onsite investigation
2 and face-to-face mediation with the parties, it may charge the
3 exempt cemetery a single investigation and mediation fee not
4 to exceed \$300, unless determined otherwise pursuant to s.
5 216.1817, which fee shall be set by rule and shall be
6 calculated on an hourly basis; and

7 (f) If all attempts to resolve the consumer complaint
8 fail, the cemetery shall be subject to proceedings for
9 penalties and discipline under this chapter.

10 Section 443. Subsection (2) of section 497.201,
11 Florida Statutes, is amended to read:

12 497.201 Cemetery companies; license; application;
13 fee.--

14 (2) The department may require any person desiring to
15 establish a cemetery company who applies for a license to
16 provide any information reasonably necessary to make a
17 determination of the applicant's eligibility for licensure.
18 Any person desiring to establish a cemetery company shall
19 first:

20 (a) File an application, which states the exact
21 location of the proposed cemetery, which site shall contain
22 not less than 30 contiguous acres; provide a financial
23 statement signed by all officers of the company which attest
24 to a net worth of at least \$50,000, which net worth must be
25 continuously maintained as a condition of licensure; and pay
26 an application fee of \$5,000, unless determined otherwise
27 pursuant to s. 216.1817;

28 (b) Create a legal entity; and

29 (c) Demonstrate to the satisfaction of the board that
30 the applicant possesses the ability, experience, financial
31 stability, and integrity to operate a cemetery.

1 Section 444. Subsection (2) of section 497.205,
2 Florida Statutes, is amended to read:

3 497.205 License not assignable or transferable.--

4 (2) Any person who seeks to purchase or acquire
5 control of an existing licensed cemetery shall first apply to
6 the board for approval of the proposed change of ownership.
7 The application shall contain the name and address of the
8 proposed new owner, a financial statement signed by all
9 officers of the company attesting to a net worth of at least
10 \$50,000, and other information required by the board. The
11 board may approve a change of ownership only after it has
12 conducted an investigation of the applicant and determined
13 that the proposed new owner is qualified by character,
14 experience, and financial responsibility to control and
15 operate the cemetery in a legal and proper manner. The
16 department may examine the records of the cemetery company as
17 part of the investigation in accordance with this chapter.
18 Unless determined otherwise pursuant to s. 216.1817,the
19 application shall be accompanied by an investigation fee of
20 \$5,000. Upon consummation of the purchase or acquisition of
21 control and upon receipt of all documents required by the
22 board, the department shall issue the new license for that
23 cemetery effective on the date of that purchase or acquisition
24 of control.

25 Section 445. Section 497.209, Florida Statutes, is
26 amended to read:

27 497.209 Application for change of control among
28 existing stockholders or partners; investigation fee.--Any
29 stockholders or partners who intend to acquire control of an
30 existing cemetery company from other stockholders or partners
31 shall first apply to the board for approval for the proposed

1 change of control. The application shall contain the names
2 and addresses of the stockholders or partners seeking to
3 acquire control and a financial statement signed by all
4 officers of the company attesting to a net worth of at least
5 \$50,000. The board may approve the change of control only
6 after it has conducted an investigation of the applicants and
7 determined that such individuals are qualified by character,
8 experience, and financial responsibility to control and
9 operate the cemetery company in a legal and proper manner and
10 that the interest of the public generally will not be
11 jeopardized by the change in ownership and management. The
12 department may examine the records of the cemetery company as
13 part of the investigation in accordance with this chapter.
14 Unless determined otherwise pursuant to s. 216.1817, the
15 application shall be accompanied by an investigation fee of
16 \$2,500.

17 Section 446. Subsection (1) of section 497.213,
18 Florida Statutes, is amended to read:

19 497.213 Annual license fees.--

20 (1) The department shall collect from each cemetery
21 company operating under the provisions of this chapter an
22 annual license fee. Unless determined otherwise pursuant to s.
23 216.1817, the annual license fee is as follows:

24 (a) For a cemetery with less than \$25,000 annual gross
25 sales.....\$250.

26 (b) For a cemetery with at least \$25,000 but less than
27 \$100,000 annual gross sales.....\$350.

28 (c) For a cemetery with annual gross sales of at least
29 \$100,000 but less than \$250,000.....\$600.

30 (d) For a cemetery with annual gross sales of at least
31 \$250,000 but less than \$500,000.....\$900.

1 (e) For a cemetery with annual gross sales of at least
2 \$500,000 but less than \$750,000.....\$1,350.

3 (f) For a cemetery with annual gross sales of at least
4 \$750,000 but less than \$1 million.....\$2,250.

5 (g) For a cemetery with annual gross sales of at least
6 \$1 million but less than \$5 million.....\$3,250.

7 (h) For a cemetery with annual gross sales of \$5
8 million or more.....\$4,900.

9 Section 447. Subsection (1) of section 497.357,
10 Florida Statutes, is amended to read:

11 497.357 Report of identification of exempt
12 cemeteries.--

13 (1) All cemeteries in excess of 5 acres located in
14 this state that are exempt from the provisions of this chapter
15 shall be required to file a report of identification with the
16 department and pay a \$25 fee, unless determined otherwise
17 pursuant to s. 216.1817. The department shall maintain such
18 reports as public records. Such report of identification
19 shall be refiled every 5 years pursuant to a schedule set by
20 board rule. Solely for purposes of chapter 120, such report
21 of identification shall be considered a registration with the
22 department.

23 Section 448. Subsections (1) and (4) of section
24 497.361, Florida Statutes, are amended to read:

25 497.361 Registration of monument establishments.--

26 (1) No person shall conduct, maintain, manage, or
27 operate a monument establishment, unless such an establishment
28 pays a registration fee ~~of \$200~~ and is registered with the
29 department in accordance with this section. Unless determined
30 otherwise pursuant to s. 216.1817, the fee is \$200.

31

1 (4) The department, by rule, shall provide for
2 biennial renewal of registrants and a renewal fee of \$150,
3 unless determined otherwise pursuant to s. 216.1817.

4 Section 449. Paragraph (a) of subsection (4) of
5 section 497.407, Florida Statutes, is amended to read:

6 497.407 Certificate of authority; annual statement;
7 renewal; transfer.--

8 (4)(a) Unless determined otherwise pursuant to s.
9 216.1817,an application to the board for an initial
10 certificate of authority shall be accompanied by an
11 application fee of \$500. Thereafter, unless determined
12 otherwise pursuant to s. 216.1817,each annual application for
13 renewal of a certificate of authority shall be accompanied by
14 the appropriate fee as follows:

15 1. For a certificateholder with no preneed contract
16 sales during the immediately preceding year.....\$300.

17 2. For a certificateholder with at least 1 but fewer
18 than 50 preneed contract sales during the immediately
19 preceding year.....\$400.

20 3. For a certificateholder with at least 50 but fewer
21 than 250 preneed contract sales during the immediately
22 preceding year.....\$500.

23 4. For a certificateholder with at least 250 but fewer
24 than 1,000 preneed contract sales during the immediately
25 preceding year.....\$850.

26 5. For a certificateholder with at least 1,000 but
27 fewer than 2,500 preneed contract sales during the immediately
28 preceding year.....\$1,500.

29 6. For a certificateholder with at least 2,500 but
30 fewer than 5,000 preneed contract sales during the immediately
31 preceding year.....\$2,500.

1 7. For a certificateholder with at least 5,000 but
2 fewer than 15,000 preneed contract sales during the
3 immediately preceding year.....\$6,000.

4 8. For a certificateholder with at least 15,000 but
5 fewer than 30,000 preneed contract sales during the
6 immediately preceding year.....\$12,500.

7 9. For a certificateholder with 30,000 preneed
8 contract sales or more during the immediately preceding year
9\$18,500.

10 Section 450. Subsections (7) and (10) of section
11 497.439, Florida Statutes, are amended to read:

12 497.439 Preneed sales agents.--

13 (7) Unless determined otherwise pursuant to s.
14 216.1817, an application for registration as a preneed sales
15 agent shall be submitted to the department with an application
16 fee of \$100 by the certificateholder in a form that has been
17 prescribed by department rule and approved by the board. Such
18 application shall contain, at a minimum, the following:

19 (a) The name, address, social security number, and
20 date of birth of the applicant and such other information as
21 the board may reasonably require of the applicant.

22 (b) The name, address, and license number of the
23 sponsoring certificateholder.

24 (c) A representation, signed by the applicant, that
25 the applicant meets the requirements set forth in subsection
26 (6).

27 (d) A representation, signed by the certificateholder,
28 that the applicant is authorized to offer, sell, and sign
29 preneed contracts on behalf of the certificateholder, and that
30 the certificateholder has trained the applicant in the
31 provisions of this chapter relating to preneed sales as

1 determined by the board, the provisions of the
2 certificateholder's preneed contract, and the nature of the
3 merchandise, services, or burial rights sold by the
4 certificateholder.

5 (e) A statement indicating whether the applicant has
6 any type of working relationship with any other
7 certificateholder or insurance company.

8 (10) Upon receipt of an application that complies with
9 all of the requirements of subsection (7), the department
10 shall register the applicant. The department shall by rule
11 provide for biennial renewal of registration and a renewal fee
12 of \$150, unless determined otherwise pursuant to s. 216.1817.

13 Section 451. Section 498.017, Florida Statutes, is
14 amended to read:

15 498.017 Fees.--Unless determined otherwise pursuant to
16 s. 216.1817,the division shall charge fees as follows:

17 (1) A base fee of \$450 per subdivision registration
18 application plus a fee of \$4 for each of the first 2,000 lots,
19 parcels, units, or interests in the subdivision and a fee of
20 \$2 for each additional lot, parcel, unit, or interest.

21 (2)(a) Each registration shall be renewed annually as
22 provided in s. 498.041 and shall be accompanied by a base fee
23 of \$300 for each renewal plus 75 cents for each undeeded lot,
24 parcel, unit, or interest.

25 (b) A penalty not to exceed \$20 per day may be
26 assessed for a delinquent renewal; and the order of
27 registration shall be suspended by operation of law after the
28 10th day of delinquency until the renewal fee and penalty are
29 received by the division. In no event shall the penalty fee
30 exceed \$400 per registration.

31

1 (3) The division shall charge subdividers of
2 out-of-state subdivisions disposed of or offered for
3 disposition in this state an initial and annual renewal fee
4 equal to the fees charged for subdivided lands located within
5 the state.

6 (4) The application for registration required by s.
7 498.027 shall be accompanied by the initial fee, and when an
8 inspection is to be made of the subdivided lands, the
9 application shall also be accompanied by an amount equivalent
10 to the cost of travel to and from the location of the
11 subdivided lands, as estimated by the division, and by a
12 further amount estimated to be necessary to cover the
13 additional expenses of the inspection. The division shall not
14 approve a registration until the subdivider pays any other
15 actual verified expenses incurred in the inspection.

16 (5) The division shall charge each subdivider a fee,
17 which it shall set by rule, for filing notification of a
18 material change of the offering. The fee shall not be less
19 than \$200 nor more than \$1,000 unless the division determines
20 that the actual costs of processing the material change
21 exceeds \$1,000. If the division so determines, it shall issue
22 its order charging the registrant with the actual costs of
23 processing the material change. The order shall include
24 documentation of the actual costs, and the registrant shall be
25 entitled to a hearing under chapter 120, upon request.

26 (6) Each request for release of assurances established
27 for improvements shall be accompanied by a \$50 fee; the
28 subdivider shall also pay all actual verified expenses for
29 onsite inspections or examinations.

30 (7) Each request for an exemption advisory opinion
31 shall be accompanied by a \$100 fee.

1 (8) Each filing of advertising material as required by
2 s. 498.035 shall be accompanied by a fee of \$25.

3 (9) The division shall charge a subdivider \$250 for
4 filing a reservation program.

5 (10) The division may contract with any subdivider or
6 others for reasonable charges for any extra or special service
7 pertaining to any registration or application for
8 registration.

9 (11) The division shall charge a subdivider \$250 for
10 filing a no-action letter request.

11 Section 452. Paragraph (a) of subsection (4) of
12 section 499.01, Florida Statutes, is amended to read:

13 499.01 Permits; applications; renewal; general
14 requirements.--

15 (4) A permit issued by the department is
16 nontransferable. Each permit is valid only for the person or
17 governmental unit to which it is issued and is not subject to
18 sale, assignment, or other transfer, voluntarily or
19 involuntarily; nor is a permit valid for any establishment
20 other than the establishment for which it was originally
21 issued.

22 (a) A person permitted under ss. 499.001-499.081 must
23 notify the department before making a change of address.
24 Unless determined otherwise pursuant to s. 216.1817,the
25 department shall set a change of location fee not to exceed
26 \$100.

27 Section 453. Paragraphs (a) and (c) of subsection (11)
28 of section 499.028, Florida Statutes, is amended to read:

29 499.028 Drug samples or complimentary drugs; starter
30 packs; permits to distribute.--

31

1 (11)(a) Application for a permit by a manufacturer or
2 distributor to hold, distribute, or otherwise dispose of drugs
3 pursuant to this section must be made on a form prescribed by
4 the department and must be accompanied by an application fee
5 in an amount not exceeding \$250 per year, unless determined
6 otherwise pursuant to s. 216.1817 ~~as is determined by the~~
7 ~~department.~~

8 (c) A permit is renewable biennially upon the filing
9 of an application for renewal and the payment of a renewal fee
10 of not more than \$250 per year, unless determined otherwise
11 pursuant to s. 216.1817 ~~as determined by the department,~~ if
12 the applicant meets the requirements established by this
13 section and the rules adopted under this section.

14 Section 454. Section 499.04, Florida Statutes, is
15 amended to read:

16 499.04 Fee authority.--The department may collect fees
17 for all drug, device, and cosmetic applications, permits,
18 product registrations, and free-sale certificates. The total
19 amount of fees collected from all permits, applications,
20 product registrations, and free-sale certificates must be
21 adequate to fund the expenses incurred by the department in
22 carrying out ss. 499.001-499.081. Pursuant to s. 216.1817, the
23 department shall, by rule, establish a schedule of fees that
24 are within the ranges provided in this section and shall
25 adjust those fees from time to time based on the costs
26 associated with administering ss. 499.001-499.081. The fees
27 are payable to the department to be deposited into the Florida
28 Drug, Device, and Cosmetic Trust Fund for the sole purpose of
29 carrying out the provisions of ss. 499.001-499.081.

30 Section 455. Section 499.041, Florida Statutes, is
31 amended to read:

1 499.041 Schedule of fees for drug, device, and
2 cosmetic applications and permits, product registrations, and
3 free-sale certificates.--

4 (1) The department shall assess applicants requiring a
5 manufacturing permit an annual fee within the ranges
6 established in this section for the specific type of
7 manufacturer.

8 (a) The fee for a prescription drug manufacturer's
9 permit may not be less than \$500 or more than \$600 annually
10 unless determined otherwise pursuant to s. 216.1817.

11 (b) The fee for a device manufacturer's permit may not
12 be less than \$500 or more than \$600 annually unless determined
13 otherwise pursuant to s. 216.1817.

14 (c) The fee for a cosmetic manufacturer's permit may
15 not be less than \$250 or more than \$400 annually unless
16 determined otherwise pursuant to s. 216.1817.

17 (d) The fee for an over-the-counter drug
18 manufacturer's permit may not be less than \$300 or more than
19 \$400 annually unless determined otherwise pursuant to s.
20 216.1817.

21 (e) The fee for a compressed medical gas
22 manufacturer's permit may not be less than \$400 or more than
23 \$500 annually unless determined otherwise pursuant to s.
24 216.1817.

25 (f) A manufacturer may not be required to pay more
26 than one fee per establishment to obtain an additional
27 manufacturing permit, but each manufacturer must pay the
28 highest fee applicable to his or her operation in each
29 establishment.

30 (2) The department shall assess an applicant that is
31 required to have a wholesaling permit an annual fee within the

1 ranges established in this section for the specific type of
2 wholesaling.

3 (a) The fee for a prescription drug wholesaler's
4 permit may not be less than \$300 or more than \$400 annually
5 unless determined otherwise pursuant to s. 216.1817;

6 (b) The fee for a compressed medical gas wholesaler's
7 permit may not be less than \$200 or more than \$300 annually
8 unless determined otherwise pursuant to s. 216.1817;

9 (c) The fee for an out-of-state prescription drug
10 wholesaler's permit may not be less than \$200 or more than
11 \$300 annually unless determined otherwise pursuant to s.
12 216.1817;

13 (d) The fee for a retail pharmacy wholesaler's permit
14 may not be less than \$35 or more than \$50 annually unless
15 determined otherwise pursuant to s. 216.1817.

16 (3) The department shall assess an applicant that is
17 required to have a retail establishment permit an annual fee
18 within the ranges established in this section for the specific
19 type of retail establishment.

20 (a) The fee for a veterinary legend drug retail
21 establishment permit may not be less than \$200 or more than
22 \$300 annually unless determined otherwise pursuant to s.
23 216.1817;

24 (b) The fee for a medical oxygen retail establishment
25 permit may not be less than \$200 or more than \$300 annually
26 unless determined otherwise pursuant to s. 216.1817.

27 (4) The department shall assess an applicant that is
28 required to have a restricted prescription drug distributor's
29 permit an annual fee of not less than \$200 or more than \$300,
30 unless determined otherwise pursuant to s. 216.1817.

31

1 (5) In addition to the fee charged for a permit
2 required by ss. 499.001-499.081, beginning January 1, 1993,
3 the department shall assess applicants an initial application
4 fee of \$150, unless determined otherwise pursuant to s.
5 216.1817 for each new permit issued by the department which
6 requires an onsite inspection.

7 (6) A person that is required to register drugs,
8 devices, or cosmetic products under s. 499.015 shall pay an
9 annual product registration fee of not less than \$5 or more
10 than \$15, unless determined otherwise pursuant to s. 216.1817
11 for each separate and distinct product in package form. The
12 registration fee is in addition to the fee charged for a
13 free-sale certificate.

14 (7) The department shall assess an applicant that
15 requests a free-sale certificate a fee of \$25, unless
16 determined otherwise pursuant to s. 216.1817. A fee of \$2
17 will be charged for each signature copy of a free-sale
18 certificate that is obtained at the same time the free-sale
19 certificate is issued.

20 (8) The department shall assess other fees as provided
21 in ss. 499.001-499.081.

22 Section 456. Subsection (5) of section 499.62, Florida
23 Statutes, is amended to read:

24 499.62 License or permit required of manufacturer,
25 distributor, dealer, or purchaser of ether.--

26 (5) Annual fees for licenses and permits shall be
27 specified by rule of the department, but shall not exceed the
28 following amounts, unless determined otherwise pursuant to s.
29 216.1817:

- 30 (a) Manufacturer's license.....\$700
31 (b) Distributor's license.....\$700

- 1 (c) Dealer's license.....\$350
2 (d) Purchaser's permit.....\$150
3 (6) Licenses and permits issued by the department
4 shall be valid beginning on October 1 of the year for which
5 they are issued and shall expire on the following September
6 30.

7 Section 457. Subsection (7) of section 500.09, Florida
8 Statutes, is amended to read:

9 500.09 Rulemaking; analytical work.--

10 (7) Pursuant to s. 216.1817,the department shall ~~may~~
11 establish and collect reasonable fees for laboratory services
12 performed pursuant to subsection (6) or to recover the cost of
13 each reinspection of a food establishment when the
14 reinspection is conducted for the purpose of verifying
15 compliance with the provisions of this chapter or rules
16 promulgated thereunder. Such fees shall be deposited in the
17 department's General Inspection Trust Fund and shall be used
18 solely for the recovery of costs for the services provided.

19 Section 458. Paragraph (b) of subsection (1) and
20 paragraph (b) of subsection (2) of section 500.12, Florida
21 Statutes, are amended to read:

22 500.12 Food permits; building permits.--

23 (1)

24 (b) An application for a food permit from the
25 department must be accompanied by a fee in an amount
26 determined by department rule, which may not exceed \$500,
27 unless determined otherwise pursuant to s. 216.1817,and shall
28 be used solely for the recovery of costs for the services
29 provided, except that, unless determined otherwise pursuant to
30 s. 216.1817,the fee accompanying an application for a food
31 permit for operating a bottled water plant may not exceed

1 \$1,000 and the fee accompanying an application for a food
2 permit for operating a packaged ice plant may not exceed \$250.
3 The fee for operating a bottled water plant or a packaged ice
4 plant shall be set by rule of the department. Food permits
5 must be renewed annually on or before January 1. If an
6 application for renewal of a food permit is not received by
7 the department within 30 days after its due date, a late fee,
8 in an amount not exceeding \$100, must be paid in addition to
9 the food permit fee before the department may issue the food
10 permit. The moneys collected shall be deposited in the General
11 Inspection Trust Fund.

12 (2) When any person applies for a building permit to
13 construct, convert, or remodel any food establishment, food
14 outlet, or retail food store, the authority issuing such
15 permit shall make available to the applicant a printed
16 statement, provided by the department, regarding the
17 applicable sanitation requirements for such establishments. A
18 building permitting authority, or municipality or county under
19 whose jurisdiction a building permitting authority operates,
20 may not be held liable for a food establishment, food outlet,
21 or retail food store that does not comply with the applicable
22 sanitation requirements due to failure of the building
23 permitting authority to provide the information as provided in
24 this subsection.

25 (b) The department may provide assistance, when
26 requested by the applicant, in the review of any construction
27 or remodeling plans for food establishments. Pursuant to s.
28 216.1817, the department shall ~~may~~ charge a fee for such
29 assistance which covers the cost of providing the assistance
30 and which shall be deposited in the General Inspection Trust
31 Fund for use in funding the food safety program.

1 Section 459. Subsection (4) of section 500.459,
2 Florida Statutes, is amended to read:

3 500.459 Water vending machines.--

4 (4) FEES.--A person seeking an operating permit must
5 pay the department a fee not exceeding \$200, unless determined
6 otherwise pursuant to s. 216.1817, which fee shall be set by
7 rule of the department. Such fees shall be deposited in the
8 General Inspection Trust Fund.

9 Section 460. Subsection (2) of section 501.015,
10 Florida Statutes, is amended to read:

11 501.015 Health studios; registration requirements and
12 fees.--Each health studio shall:

13 (2) Remit an annual registration fee of \$300 unless
14 determined otherwise pursuant to s. 216.1817, to the
15 department at the time of registration for each of the health
16 studio's business locations.

17 Section 461. Paragraph (g) of subsection (2) and
18 paragraph (d) of subsection (3) of section 501.143, Florida
19 Statutes, are amended to read:

20 501.143 Dance Studio Act.--

21 (1) SHORT TITLE.--This section may be cited as the
22 "Dance Studio Act."

23 (2) DEFINITIONS.--For the purposes of this section,
24 the term:

25 (g) Unless determined otherwise pursuant to s.
26 216.1817, "reasonable and fair service fee" shall mean ~~means~~
27 no more than 10 percent of the total contract price for
28 contracts of \$1,000 and under. For contracts over \$1,000,
29 "reasonable and fair service fee" shall mean no more than \$100
30 plus an amount equal to 5 percent of the total contract price
31 over \$1,000 (not to exceed \$250 in total).

1 (3) REGISTRATION OF BALLROOM DANCE STUDIOS.--

2 (d) Unless determined otherwise pursuant to s.
3 216.1817, registration fees shall be \$300 per year for each
4 dance studio location. All amounts collected shall be
5 deposited in the General Inspection Trust Fund of the
6 Department of Agriculture and Consumer Services for the
7 administration of this section.

8 Section 462. Paragraph (b) of subsection (5) of
9 section 501.605, Florida Statutes, is amended to read:

10 501.605 Licensure of commercial telephone sellers.--

11 (5) An application filed pursuant to this part must be
12 verified and accompanied by:

13 (b) A fee for licensing in the amount of \$1,500,
14 unless determined otherwise pursuant to s. 216.1817. The fee
15 shall be deposited into the General Inspection Trust Fund.

16 Section 463. Paragraph (b) of subsection (2) of
17 section 501.607, Florida Statutes, is amended to read:

18 501.607 Licensure of salespersons.--

19 (2) An application filed pursuant to this section must
20 be verified and be accompanied by:

21 (b) Unless determined otherwise pursuant to s.
22 216.1817, a fee for licensing in the amount of \$50 per
23 salesperson. The fee shall be deposited into the General
24 Inspection Trust Fund. The fee for licensing may be paid after
25 the application is filed, but must be paid within 14 days
26 after the applicant begins work as a salesperson.

27 Section 464. Subsection (2) of section 501.913,
28 Florida Statutes, is amended to read:

29 501.913 Registration.--

30 (2) The completed application shall be accompanied by:

31

1 (a) Specimens or facsimiles of the label for each
2 brand of antifreeze;

3 (b) Unless determined otherwise pursuant to s.
4 216.1817, an application fee of \$200 for each brand; and

5 (c) A properly labeled sample of each brand of
6 antifreeze.

7 Section 465. Paragraph (b) of subsection (5) of
8 section 502.014, Florida Statutes, is amended to read:

9 502.014 Powers and duties.--

10 (5)

11 (b) Unless determined otherwise pursuant to s.
12 216.1817, the department shall establish a fee, not to exceed
13 \$100, for the issuance of a state temporary marketing permit
14 or the use of a federal permit in the state. The fee shall
15 cover all costs of issuing the state permit or processing the
16 federal permit.

17 Section 466. Subsection (2) of section 502.032,
18 Florida Statutes, is amended to read:

19 502.032 Milkfat testers; permit, fees, application,
20 suspension or revocation, records.--

21 (2) Unless determined otherwise pursuant to s.
22 216.1817, the department shall charge each applicant a fee,
23 not to exceed \$125, for a milkfat tester's permit.

24 Section 467. Subsection (2) of section 503.041,
25 Florida Statutes, is amended to read:

26 503.041 License fee; report required; penalty.--

27 (2) The department shall furnish an application form
28 that requires the applicant to state that she or he will
29 comply with all provisions of this chapter and applicable
30 rules. The application must be signed by the owner, a partner
31 if the plant is a partnership, or an authorized officer or

1 agent if the plant is a corporation. All licenses expire June
2 30 of each year. Unless determined otherwise pursuant to s.
3 216.1817,the initial application must be accompanied by a
4 license fee of \$200 ~~and~~the annual license renewal fee is
5 \$100.

6 Section 468. Subsection (1) of section 504.28, Florida
7 Statutes, is amended to read:

8 504.28 License and fee.--

9 (1) Prior to certifying food as organic, a certifying
10 agent shall make application to the department for a license.
11 Such application shall be on a form provided by the department
12 and shall be accompanied by an annual license fee as
13 established by rule of the department pursuant to s. 216.1817.
14 The fee shall be sufficient to cover the costs of
15 administering this part. Upon approval of the application by
16 the department, a license shall be issued. Such licenses
17 shall expire each June 30th. Reapplication is required for
18 renewal.

19 Section 469. Section 506.08, Florida Statutes, is
20 amended to read:

21 506.08 Fee for filing.--Unless determined otherwise
22 pursuant to s. 216.1817,there shall be paid for such filing
23 and recording a fee of \$26.25. The Department of State shall
24 deliver to such person, association or union so filing or
25 causing to be filed any label, trademark, term, wording,
26 design, device, color or form of advertisement so many duly
27 attested certificates of the recording of the same as such
28 person, association or union may apply for, for each of which
29 the department shall receive a fee of \$26.25, unless
30 determined otherwise pursuant to s. 216.1817. Any certificate
31 of record shall, in all suits and prosecutions hereunder, be

1 sufficient proof of the adoption of such label, trademark,
2 term, wording, design, device, color or form of advertisement.
3 The Department of State shall not record for any person, union
4 or association any label, trademark, term, wording, design,
5 device, color or form of advertisement that would probably be
6 mistaken for any label, trademark, term, wording, design,
7 device, color or form of advertisement theretofore filed by or
8 on behalf of any other person, union or association.

9 Section 470. Paragraph (e) of subsection (2) of
10 section 509.032, Florida Statutes, is amended to read:

11 509.032 Duties.--

12 (2) INSPECTION OF PREMISES.--

13 (e)1. Relating to facility plan approvals, the
14 division shall ~~may~~ establish, by rule, pursuant to s.
15 216.1817, fees for conducting plan reviews and may grant
16 variances from construction standards in hardship cases, which
17 variances may be less restrictive than the provisions
18 specified in this section or the rules adopted under this
19 section. A variance may not be granted pursuant to this
20 section until the division is satisfied that:

21 a. The variance shall not adversely affect the health
22 of the public.

23 b. No reasonable alternative to the required
24 construction exists.

25 c. The hardship was not caused intentionally by the
26 action of the applicant.

27 2. The division's advisory council shall review
28 applications for variances and recommend agency action. The
29 division shall make arrangements to expedite emergency
30 requests for variances, to ensure that such requests are acted
31 upon within 30 days of receipt.

1 3. The division shall establish, by rule, a fee for
2 the cost of the variance process. Such fee shall not exceed
3 \$150 for routine variance requests and \$300 for emergency
4 variance requests unless determined otherwise pursuant to s.
5 216.1817.

6 Section 471. Section 509.039, Florida Statutes, is
7 amended to read:

8 509.039 Food service manager certification.--It is the
9 duty of the division to adopt, by rule, food safety protection
10 standards for the training and certification of all food
11 service managers who are responsible for the storage,
12 preparation, display, or serving of foods to the public in
13 establishments regulated under this chapter. These standards
14 are to be adopted by the division to ensure that, upon
15 successfully passing a test, a manager of a food service
16 establishment shall have demonstrated a knowledge of basic
17 food protection practices. These standards shall also provide
18 for a certification program which authorizes private or public
19 agencies to conduct an approved test and certify the results
20 of those tests to the division. Unless determined otherwise
21 pursuant to s. 216.1817,the fee for the test shall not exceed
22 \$50. All managers employed by a food service establishment
23 must have passed this test and received a certificate
24 attesting thereto. Managers have a period of 90 days after
25 employment to pass the required test. The ranking of food
26 service establishments is also preempted to the state;
27 provided, however, that any local ordinances establishing a
28 ranking system in existence prior to October 1, 1988, may
29 remain in effect.

30 Section 472. Subsections (1) and (2) of section
31 509.251, Florida Statutes, are amended to read:

1 509.251 License fees.--

2 (1) The division shall adopt, by rule, a schedule of
3 fees to be paid by each public lodging establishment as a
4 prerequisite to issuance or renewal of a license. Such fees
5 shall be based on the number of rental units in the
6 establishment but shall not exceed \$1,000 unless determined
7 otherwise pursuant to s. 216.1817. Resort condominium units
8 within separate buildings or at separate locations but managed
9 by one licensed agent may be combined in a single license
10 application, and the division shall charge a license fee as if
11 all units in the application are in a single licensed
12 establishment. Resort dwelling units may be licensed in the
13 same manner as condominium units. The fee schedule shall
14 require an establishment which applies for an initial license
15 to pay the full license fee if application is made during the
16 annual renewal period or more than 6 months prior to the next
17 such renewal period and one-half of the fee if application is
18 made 6 months or less prior to such period. The fee schedule
19 shall include fees collected for the purpose of funding the
20 Hospitality Education Program, pursuant to s. 509.302, which
21 are payable in full for each application regardless of when
22 the application is submitted.

23 (a) Upon making initial application or an application
24 for change of ownership, the applicant shall pay to the
25 division a fee as prescribed by rule, not to exceed \$50 unless
26 determined otherwise pursuant to s. 216.1817, in addition to
27 any other fees required by law, which shall cover all costs
28 associated with initiating regulation of the establishment.

29 (b) A license renewal filed with the division within
30 30 days after the expiration date shall be accompanied by a
31 delinquent fee as prescribed by rule, not to exceed \$50, in

1 addition to the renewal fee and any other fees required by
2 law. A license renewal filed with the division more than 30
3 but not more than 60 days after the expiration date shall be
4 accompanied by a delinquent fee as prescribed by rule, not to
5 exceed \$100, in addition to the renewal fee and any other fees
6 required by law.

7 (2) The division shall adopt, by rule, a schedule of
8 fees to be paid by each public food service establishment as a
9 prerequisite to issuance or renewal of a license. The fee
10 schedule shall prescribe a basic fee and additional fees based
11 on seating capacity and services offered. The aggregate fee
12 per establishment charged any public food service
13 establishment may not exceed \$400, unless determined otherwise
14 pursuant to s. 216.1817. The fee schedule shall require an
15 establishment which applies for an initial license to pay the
16 full license fee if application is made during the annual
17 renewal period or more than 6 months prior to the next such
18 renewal period and one-half of the fee if application is made
19 6 months or less prior to such period. The fee schedule shall
20 include fees collected for the purpose of funding the
21 Hospitality Education Program, pursuant to s. 509.302, which
22 are payable in full for each application regardless of when
23 the application is submitted.

24 (a) Upon making initial application or an application
25 for change of ownership, the applicant shall pay to the
26 division a fee as prescribed by rule, not to exceed \$50 unless
27 determined otherwise pursuant to s. 216.1817, in addition to
28 any other fees required by law, which shall cover all costs
29 associated with initiating regulation of the establishment.

30 (b) A license renewal filed with the division within
31 30 days after the expiration date shall be accompanied by a

1 delinquent fee as prescribed by rule, not to exceed \$50, in
2 addition to the renewal fee and any other fees required by
3 law. A license renewal filed with the division more than 30
4 but not more than 60 days after the expiration date shall be
5 accompanied by a delinquent fee as prescribed by rule, not to
6 exceed \$100, in addition to the renewal fee and any other fees
7 required by law.

8 Section 473. Subsection (3) of section 509.302,
9 Florida Statutes, is amended to read:

10 509.302 Director of education, personnel, employment
11 duties, compensation.--

12 (3) Unless determined otherwise pursuant to s.
13 216.1817,all public lodging establishments and all public
14 food service establishments licensed under this chapter shall
15 pay an annual fee of no more than \$6 which shall be included
16 in the annual license fee and which shall be used for the sole
17 purpose of funding the Hospitality Education Program.

18 Section 474. Paragraph (b) of subsection (1) of
19 section 513.045, Florida Statutes, is amended to read:

20 513.045 Permit fees.--

21 (1)

22 (b) Fees established pursuant to this subsection must
23 be based on the actual costs incurred by the department in
24 carrying out its responsibilities under this chapter. Unless
25 determined otherwise pursuant to s. 216.1817,the fee for a
26 permit may not be set at a rate that is more than \$6.50 per
27 space or less than \$3.50 per space. Until rules setting these
28 fees are adopted by the department, the permit fee per space
29 is \$3.50. The permit fee for a nonexempt recreational camp
30 shall be based on an equivalency rate for which two camp
31 occupants equal one space. Unless determined otherwise

1 pursuant to s. 216.1817, the total fee assessed to an
2 applicant may not be more than \$600 or less than \$50, except
3 that a fee may be prorated on a quarterly basis.

4 Section 475. Subsections (2) and (3) of section
5 514.033, Florida Statutes, are amended to read:

6 514.033 Creation of fee schedules authorized.--

7 (2) Unless determined otherwise pursuant to s.
8 216.1817, the fee schedule shall be: for original
9 construction or development plan approval, not less than \$275
10 and not more than \$500; for modification of original
11 construction, not less than \$100 and not more than \$150; for
12 an initial operating permit, not less than \$125 and not more
13 than \$250; and for review of variance applications, not less
14 than \$240 and not more than \$400. The department shall assess
15 the minimum fees provided in this subsection until a fee
16 schedule is promulgated by rule of the department.

17 (3) Any person or public body operating a public
18 swimming pool or bathing place shall pay to the department an
19 annual operating permit fee based on pool or bathing place
20 aggregate gallonage. Unless determined otherwise pursuant to
21 s. 216.1817, the fee, which shall be: up to and including
22 25,000 gallons, not less than \$75 and not more than \$125; and
23 in excess of 25,000 gallons, not less than \$160 and not more
24 than \$265, except for a pool inspected pursuant to s.
25 514.0115(2)(b) for which the annual fee shall be \$50.

26 Section 476. Subsection (1) of section 515.31, Florida
27 Statutes, is amended to read:

28 515.31 Drowning prevention education program; public
29 information publication.--

30 (1) The department shall develop a drowning prevention
31 education program, which shall be made available to the public

1 at the state and local levels and which shall be required as
2 set forth in s. 515.27(2) for persons in violation of the pool
3 safety requirements of this chapter. Unless determined
4 otherwise pursuant to s. 216.1817,the department shall ~~may~~
5 charge a fee, not to exceed \$100, for attendance at such a
6 program. The drowning prevention education program shall be
7 funded using fee proceeds, state funds appropriated for such
8 purpose, and grants. The department, in lieu of developing its
9 own program, may adopt a nationally recognized drowning
10 prevention education program to be approved for use in local
11 safety education programs, as provided in rule of the
12 department.

13 Section 477. Section 515.35, Florida Statutes, is
14 amended to read:

15 515.35 Rulemaking authority.--The department shall
16 adopt rules pursuant to the Administrative Procedure Act and
17 s. 216.1817,establishing the fees required to attend drowning
18 prevention education programs and setting forth the
19 information required under this chapter to be provided by
20 licensed pool contractors and licensed home builders or
21 developers.

22 Section 478. Subsection (1) of section 516.03, Florida
23 Statutes, is amended to read:

24 516.03 Application for license; fees; etc.--

25 (1) APPLICATION.--Application for a license to make
26 loans under this chapter shall be in the form prescribed by
27 rule of the department, and shall contain the name, residence
28 and business addresses of the applicant and, if the applicant
29 is a copartnership or association, of every member thereof
30 and, if a corporation, of each officer and director thereof,
31 also the county and municipality with the street and number or

1 approximate location where the business is to be conducted,
2 and such further relevant information as the department may
3 require. At the time of making such application the applicant
4 shall pay to the department a biennial license fee of \$625,
5 unless determined otherwise pursuant to s. 216.1817.

6 Applications, except for applications to renew or reactivate a
7 license, must also be accompanied by an investigation fee of
8 \$200, unless determined otherwise pursuant to s. 216.1817. The
9 department may adopt rules to allow electronic submission of
10 any form, document, or fee required by this act.

11 Section 479. Subsection (6) of section 517.081,
12 Florida Statutes, is amended to read:

13 517.081 Registration procedure.--

14 (6) Unless determined otherwise pursuant to s.
15 216.1817,an issuer filing an application under this section
16 shall, at the time of filing, pay the department a
17 nonreturnable fee of \$1,000 per application.

18 Section 480. Subsection (2) of section 517.082,
19 Florida Statutes, is amended to read:

20 517.082 Notification registration.--

21 (2) An application for registration by notification
22 shall be filed with the department, shall contain the
23 following information, and shall be accompanied by the
24 following:

25 (a) An application to sell executed by the issuer, any
26 person on whose behalf the offering is made, a dealer
27 registered under this chapter, or any duly authorized agent of
28 any such person, setting forth the name and address of the
29 applicant, the name and address of the issuer, and the title
30 of the securities to be offered and sold;

31

1 (b) Copies of such documents filed with the Securities
2 and Exchange Commission as the department may by rule require;

3 (c) An irrevocable written consent to service as
4 required by s. 517.101; and

5 (d) Unless determined otherwise pursuant to s.
6 216.1817, a nonreturnable fee of \$1,000 per application.

7
8 A registration under this section becomes effective when the
9 federal registration statement becomes effective or as of the
10 date the application is filed with the department, whichever
11 is later, provided that, in addition to the items listed in
12 paragraphs (a)-(d), the department has received written
13 notification of effective registration under the Securities
14 Act of 1933 or the Investment Company Act of 1940 within 10
15 business days from the date federal registration is granted.
16 Failure to provide all the information required by this
17 subsection to the department within 60 days of the date the
18 registration statement becomes effective with the Securities
19 and Exchange Commission shall be a violation of this chapter.

20 Section 481. Subsection (10) of section 517.12,
21 Florida Statutes, is amended to read:

22 517.12 Registration of dealers, associated persons,
23 investment advisers, and branch offices.--

24 (10) Unless determined otherwise pursuant to s.
25 216.1817, an applicant for registration shall pay an
26 assessment fee of \$200, in the case of a dealer or investment
27 adviser, or \$40, in the case of an associated person. The
28 assessment fee of an associated person shall be reduced to
29 \$30, but only after the department determines, by final order,
30 that sufficient funds have been allocated to the Securities
31 Guaranty Fund pursuant to s. 517.1203 to satisfy all valid

1 claims filed in accordance with s. 517.1203(2) and after all
2 amounts payable under any service contract entered into by the
3 department pursuant to s. 517.1204, and all notes, bonds,
4 certificates of indebtedness, other obligations, or evidences
5 of indebtedness secured by such notes, bonds, certificates of
6 indebtedness, or other obligations, have been paid or
7 provision has been made for the payment of such amounts,
8 notes, bonds, certificates of indebtedness, other obligations,
9 or evidences of indebtedness. An associated person not having
10 current fingerprint cards filed with the National Association
11 of Securities Dealers or a national securities exchange
12 registered with the Securities and Exchange Commission shall
13 be assessed an additional fee to cover the cost for said
14 fingerprint cards to be processed by the department. Such fee
15 shall be determined by rule of the department. Unless
16 determined otherwise pursuant to s. 216.1817, each dealer and
17 each investment adviser shall pay an assessment fee of \$100
18 for each office in this state, except its designated principal
19 office. Such fees become the revenue of the state, except for
20 those assessments provided for under s. 517.131(1) until such
21 time as the Securities Guaranty Fund satisfies the statutory
22 limits, and are not returnable in the event that registration
23 is withdrawn or not granted.

24 Section 482. Subsections (1) and (2) of section
25 517.1201, Florida Statutes, are amended to read:

26 517.1201 Notice filing requirements for federal
27 covered advisers.--

28 (1) It is unlawful for a person to transact business
29 in this state as a federal covered adviser unless such person
30 has made a notice filing with the department. A notice filing
31 under this section shall consist of a copy of those documents

1 that have been filed or are required to be filed by the
2 federal covered adviser with the Securities and Exchange
3 Commission that the department by rule requires to be filed,
4 together with a consent to service of process and a filing fee
5 of \$200, unless determined otherwise pursuant to s. 216.1817.

6 The department may establish by rule procedures for the
7 deposit of fees and the filing of documents to be made through
8 electronic means, if the procedures provide to the department
9 the information and data required by this section.

10 (2) A notice filing shall be effective upon receipt.
11 A notice filing shall expire on December 31 of the year in
12 which the filing became effective unless the federal covered
13 adviser has renewed the filing on or before that date. A
14 federal covered adviser may renew a notice filing by
15 furnishing to the department such information that has been
16 filed or is required to be filed with the Securities and
17 Exchange Commission, as the department may require, together
18 with a renewal fee of \$200 unless determined otherwise
19 pursuant to s. 216.1817,and the payment of any amount due and
20 owing the department pursuant to any agreement with the
21 department. Any federal covered adviser who has not renewed a
22 notice filing by the time a current notice filing expires may
23 request reinstatement of such notice filing by filing with the
24 department, on or before January 31 of the year following the
25 year the notice filing expires, such information that has been
26 filed or is required to be filed with the Securities and
27 Exchange Commission as may be required by the department,
28 together with the payment of a reinstatement fee of \$200
29 unless determined otherwise pursuant to s. 216.1817,and a
30 late fee equal to \$200. Any reinstatement of a notice filing
31

1 granted by the department during the month of January shall be
2 deemed effective retroactive to January 1 of that year.

3 Section 483. Subsections (2) and (3) of section
4 520.03, Florida Statutes, are amended to read:

5 520.03 Licenses.--

6 (2) An application for a license under this part must
7 be submitted to the department in such form as the department
8 may prescribe by rule. If the department determines that an
9 application should be granted, it shall issue the license for
10 a period not to exceed 2 years. Unless determined otherwise
11 pursuant to s. 216.1817,a nonrefundable application fee of
12 \$175 shall accompany an initial application for the principal
13 place of business and each application for a branch location
14 of a retail installment seller who is required to be licensed
15 under this chapter.

16 (3) Unless determined otherwise pursuant to s.
17 216.1817,the renewal fee for a motor vehicle retail
18 installment seller license shall be \$175. The department
19 shall establish by rule biennial licensure periods and
20 procedures for renewal of licenses. A license that is not
21 renewed by the end of the biennium established by the
22 department shall revert from active to inactive status. An
23 inactive license may be reactivated within 6 months after
24 becoming inactive upon filing a completed reactivation form,
25 payment of the renewal fee, and payment of a reactivation fee
26 equal to the renewal fee. A license that is not reactivated
27 within 6 months after becoming inactive automatically expires.

28 Section 484. Subsections (2) and (3) of section
29 520.32, Florida Statutes, is amended to read:

30 520.32 Licenses.--

31

1 (2) An application for a license under this part must
2 be submitted to the department in such form as the department
3 may prescribe by rule. If the department determines that an
4 application should be granted, it shall issue the license for
5 a period not to exceed 2 years. Unless determined otherwise
6 pursuant to s. 216.1817, a nonrefundable application fee of
7 \$175 shall accompany an initial application for the principal
8 place of business and each application for a branch location
9 of a retail installment seller.

10 (3) Unless determined otherwise pursuant to s.
11 216.1817, the renewal fee for a retail seller license shall be
12 \$175. Biennial licensure periods and procedures for renewal of
13 licenses may also be established by the department by rule. A
14 license that is not renewed at the end of the biennium
15 established by the department shall revert from active to
16 inactive status. An inactive license may be reactivated
17 within 6 months after becoming inactive upon filing a
18 completed reactivation form, payment of the renewal fee, and
19 payment of a reactivation fee equal to the renewal fee. A
20 license that is not reactivated within 6 months after becoming
21 inactive automatically expires.

22 Section 485. Subsections (2) and (3) of section
23 520.52, Florida Statutes, are amended to read:

24 520.52 Licensees.--

25 (2) An application for a license under this part must
26 be submitted to the department in such form as the department
27 may prescribe by rule. If the department determines that an
28 application should be granted, it shall issue the license for
29 a period not to exceed 2 years. Unless determined otherwise
30 pursuant to s. 216.1817, a nonrefundable application fee of
31 \$175 shall accompany an initial application for the principal

1 place of business and each branch location of a sales finance
2 company.

3 (3) Unless determined otherwise pursuant to s.
4 216.1817,the renewal fee for a sales finance company license
5 shall be \$175. Biennial licensure periods and procedures for
6 renewal of licenses may also be established by the department
7 by rule. A license that is not renewed at the end of the
8 biennium established by the department shall revert from
9 active to inactive status. An inactive license may be
10 reactivated within 6 months after becoming inactive upon
11 filing a completed reactivation form, payment of the renewal
12 fee, and payment of a reactivation fee equal to the renewal
13 fee. A license that is not reactivated within 6 months after
14 becoming inactive automatically expires.

15 Section 486. Subsections (2) and (3) of section
16 520.63, Florida Statutes, are amended to read:

17 520.63 Licensees.--

18 (2) An application for a license under this part must
19 be submitted to the department in such form as the department
20 may prescribe by rule. If the department determines that an
21 application should be granted, it shall issue the license for
22 a period not to exceed 2 years. Unless determined otherwise
23 pursuant to s. 216.1817,a nonrefundable application fee of
24 \$175 shall accompany an initial application for the principal
25 place of business and each application for a branch location
26 of a home improvement finance seller.

27 (3) Unless determined otherwise pursuant to s.
28 216.1817,the renewal fee for a home improvement finance
29 license shall be \$175. Biennial licensure periods and
30 procedures for renewal of licenses may also be established by
31 the department by rule. A license that is not renewed at the

1 end of the biennium established by the department shall
2 automatically revert from active to inactive status. An
3 inactive license may be reactivated within 6 months after
4 becoming inactive upon filing a completed reactivation form,
5 payment of the renewal fee, and payment of a reactivation fee
6 equal to the renewal fee. A license that is not reactivated
7 within 6 months after becoming inactive automatically expires.

8 Section 487. Paragraph (b) of subsection (1) of
9 section 526.51, Florida Statutes, is amended to read:

10 526.51 Registration; renewal and fees; departmental
11 expenses; cancellation or refusal to issue or renew.--

12 (1)

13 (b) Unless determined otherwise pursuant to s.
14 216.1817, each applicant shall pay a fee of \$100 with each
15 application. A permit may be renewed by application to the
16 department, accompanied by a renewal fee of \$50, unless
17 determined otherwise pursuant to s. 216.1817, on or before the
18 last day of the permit year immediately preceding the permit
19 year for which application is made for renewal of
20 registration. To any fee not paid when due, there shall
21 accrue a penalty of \$25 which shall be added to the renewal
22 fee. Renewals will be accepted only on brake fluids which
23 have no change in formula, composition or brand name. Any
24 change in formula, composition or brand name of any brake
25 fluid shall constitute a new product which shall be registered
26 in accordance with the provisions of this part.

27 Section 488. Paragraphs (a), (c), and (e) of
28 subsection (1), subsection (2), and paragraphs (a) and (c) of
29 subsection (4) of section 527.02, Florida Statutes, are
30 amended to read:

31 527.02 License; penalty; fees.--

1 (1)(a) It is unlawful for any person to engage in this
2 state in the activities of a pipeline system operator,
3 category I liquefied petroleum gas dealer, category II
4 liquefied petroleum gas dispenser, category III liquefied
5 petroleum gas cylinder exchange operator, category IV
6 liquefied petroleum gas dispenser and recreational vehicle
7 servicer, LP gas installer, specialty installer, dealer in
8 liquefied petroleum gas appliances and equipment, manufacturer
9 of liquefied petroleum gas appliances and equipment,
10 regualifier of cylinders, or fabricator, repairer, and tester
11 of vehicles and cargo tanks without first obtaining from the
12 department a license to engage in one or more of these
13 businesses. The sale of liquefied petroleum gas cylinders with
14 a volume of 10 pounds water capacity or 4.2 pounds liquefied
15 petroleum gas capacity or less is exempt from the requirements
16 of this chapter. It is a felony of the third degree,
17 punishable as provided in s. 775.082, s. 775.083, or s.
18 775.084, to intentionally or willfully engage in any of said
19 activities without first obtaining appropriate licensure from
20 the department. Each business location of a person having
21 multiple locations shall be separately licensed and must meet
22 the requirements of this section. Such license shall be
23 granted to any applicant determined by the department to be
24 competent, qualified, and trustworthy who files with the
25 department a surety bond, insurance affidavit, or other proof
26 of insurance, as hereinafter specified, and pays for such
27 license the following original application fee for new
28 licenses and annual renewal fees for existing licenses unless
29 determined otherwise pursuant to s. 216.1817:

30
31

| | Original | Renewal |
|---|-----------------|---------|
| License Category | Application Fee | Fee |
| Category I liquefied | | |
| petroleum gas dealer..... | \$525 | \$425 |
| Category II liquefied | | |
| petroleum gas dispenser..... | 525 | 375 |
| Category III liquefied | | |
| petroleum gas cylinder | | |
| exchange unit operator..... | 100 | 65 |
| Category IV liquefied | | |
| petroleum gas dispenser and | | |
| recreational vehicle servicer..... | 525 | 400 |
| LP gas installer..... | 300 | 200 |
| Specialty installer..... | 300 | 200 |
| Dealer in appliances and equipment | | |
| for use of liquefied petroleum gas..... | 50 | 45 |
| Manufacturer of liquefied petroleum | | |
| gas appliances and equipment..... | 525 | 375 |
| Requalifier of cylinders..... | 525 | 375 |
| Fabricator, repairer, and tester of | | |
| vehicles and cargo tanks..... | 525 | 375 |

Any applicant for original license whose application is submitted during the last 6 months of the license year may have the original license fee reduced by one-half for the 6-month period. This provision shall apply only to those companies applying for an original license and shall not be applied to licensees who held a license during the previous license year and failed to renew the license. The department

1 may refuse to issue an initial license to any applicant who is
2 under investigation in any jurisdiction for an action that
3 would constitute a violation of this chapter until such time
4 as the investigation is complete.

5 (c) Unless determined otherwise pursuant to s.
6 216.1817, the license fee for a pipeline system operator shall
7 be \$100 per system owned or operated by the person, not to
8 exceed \$400 per license year. Such license fee applies only to
9 a pipeline system operator who owns or operates a liquefied
10 petroleum gas pipeline system that is used to transmit
11 liquefied petroleum gas from a common source to the ultimate
12 customer and that serves 10 or more customers.

13 (e) Any license issued by the department may be
14 transferred to any person, firm, or corporation for the
15 remainder of the current license year upon written request to
16 the department by the original licenseholder. Prior to
17 approval of any transfer, all licensing requirements of this
18 chapter must be met by the transferee. Unless determined
19 otherwise pursuant to s. 216.1817, a license transfer fee of
20 \$50 shall be charged for each such transfer.

21 (2) In addition to the requirements of subsection (1),
22 any person applying for a license to engage in the activities
23 of a pipeline system operator, category I liquefied petroleum
24 gas dealer, category II liquefied petroleum gas dispenser,
25 category IV liquefied petroleum gas dispenser and recreational
26 vehicle servicer, LP gas installer, specialty installer,
27 requalification of cylinders, or fabricator, repairer, and
28 tester of vehicles and cargo tanks, must prove competency by
29 passing a written examination administered by the department
30 or its agent with a grade of 75 percent or above. Unless
31 determined otherwise pursuant to s. 216.1817, each applicant

1 for examination shall submit a \$20 nonrefundable fee. The
2 department shall by rule specify the general areas of
3 competency to be covered by each examination and the relative
4 weight to be assigned in grading each area tested.

5 (a) Application for examination for competency may be
6 made by an individual or by an owner, a partner, or any person
7 in a supervisory capacity of the license applicant. Upon
8 successful completion of the competency examination, the
9 department shall issue a qualifier identification card to the
10 examinee. Qualifier identification cards, except those issued
11 to category I liquefied petroleum gas dealers and liquefied
12 petroleum gas installers, shall remain in effect as long as
13 the individual shows to the department proof of active
14 employment in the area of examination and all continuing
15 education requirements are met. Should the individual
16 terminate active employment in the area of examination for a
17 period exceeding 24 months, or fail to provide documentation
18 of continuing education, the individual's qualifier status
19 shall expire. The individual may reapply for examination by
20 the department in order to reestablish qualifier status.
21 Every business organization shall possess such a full-time
22 qualifier at all times who has successfully completed an
23 examination in the corresponding category of the license held
24 by the business organization.

25 (b) Qualifier cards issued to category I liquefied
26 petroleum gas dealers and liquefied petroleum gas installers
27 shall expire 3 years after the date of issuance. All category
28 I liquefied petroleum gas dealer qualifiers and liquefied
29 petroleum gas installer qualifiers holding a valid qualifier
30 card upon the effective date of this act shall retain their
31 qualifier status until July 1, 2003, and may sit for the

1 master qualifier examination at any time during that time
2 period. Alternatively, all category I liquefied petroleum gas
3 dealer qualifiers and liquefied petroleum gas installer
4 qualifiers may renew their qualification on or before July 1,
5 2003, upon application to the department, payment of a \$20
6 renewal fee, and documentation of the completion of a minimum
7 of 12 hours approved continuing education courses, as defined
8 by department rule, during the previous 3-year period.
9 Applications for renewal must be made 30 calendar days prior
10 to expiration. Persons failing to renew prior to the
11 expiration date must reapply and take a qualifier competency
12 examination in order to reestablish category I liquefied
13 petroleum gas dealer qualifier and liquefied petroleum gas
14 installer qualifier status. In the event a category I
15 liquefied petroleum gas qualifier or liquefied petroleum gas
16 installer qualifier becomes a master qualifier at any time
17 during the effective date of the qualifier card, the card
18 shall remain in effect until expiration of the master
19 qualifier certification.

20 (4) In addition to all other licensing requirements,
21 each category I liquefied petroleum gas dealer and liquefied
22 petroleum gas installer must, at the time of application for
23 licensure, identify to the department one master qualifier who
24 is a full-time employee at the licensed location. This person
25 shall be a manager, owner, or otherwise primarily responsible
26 for overseeing the operations of the licensed location and
27 must provide documentation to the department as provided by
28 rule. The master qualifier requirement shall be in addition to
29 the requirements of subsection (2).

30 (a) In order to apply for certification as a master
31 qualifier, each applicant must be a category I liquefied

1 petroleum gas dealer qualifier or liquefied petroleum gas
2 installer qualifier, must be employed by a licensed category I
3 liquefied petroleum gas dealer, liquefied petroleum gas
4 installer, or applicant for such license, and must pass a
5 master qualifier competency examination. Master qualifier
6 examinations shall be based on Florida's laws, rules, and
7 adopted codes governing liquefied petroleum gas safety,
8 general industry safety standards, and administrative
9 procedures. The examination must be successfully completed by
10 the applicant with a grade of 75 percent or more. Unless
11 determined otherwise pursuant to s. 216.1817, each applicant
12 for master qualifier status shall submit to the department a
13 nonrefundable \$30 examination fee prior to the examination.

14 (c) Master qualifier status shall expire 3 years after
15 the date of issuance of the certificate and may be renewed by
16 submission to the department of documentation of completion of
17 at least 12 hours of approved continuing education courses
18 during the 3-year period; proof of employment with a licensed
19 category I liquefied petroleum gas dealer, liquefied petroleum
20 gas installer, or applicant; and a \$30 certificate renewal
21 fee, unless determined otherwise pursuant to s. 216.1817. The
22 department shall define, by rule, approved courses of
23 continuing education.

24 Section 489. Subsection (4) of section 527.021,
25 Florida Statutes, is amended to read:

26 527.021 Registration of transport vehicles.--

27 (4) Unless determined otherwise pursuant to s.
28 216.1817, an inspection fee of \$50 shall be assessed for each
29 registered vehicle inspected by the department pursuant to s.
30 527.061. All inspection fees collected in connection with this
31 section shall be deposited in the General Inspection Trust

1 Fund for the purpose of administering the provisions of this
2 chapter.

3 Section 490. Subsection (3) of section 527.0605,
4 Florida Statutes, is amended to read:

5 527.0605 Liquefied petroleum gas bulk storage
6 locations; jurisdiction.--

7 (3) Unless determined otherwise pursuant to s.
8 216.1817, a fee of \$200 shall be assessed for each site plan
9 reviewed by the division. The review shall include
10 preconstruction inspection of the proposed site, plan review,
11 and final inspection of the completed facility.

12 Section 491. Subsection (1) of section 531.415,
13 Florida Statutes, is amended to read:

14 531.415 Fees.--

15 (1) Unless determined otherwise pursuant to s.
16 216.1817, the department shall charge and collect the
17 following fees for actual metrology laboratory calibration and
18 testing services rendered:

19 (a) For each mass standard that is tested or certified
20 to meet tolerances less stringent than American National
21 Standards Institute/American Society for Testing and Materials
22 (ANSI/ASTM) Standard E617 Class 4, the department shall charge
23 a fee of not more than:

| 24 Weight | Fee/Unit |
|--------------------|----------|
| 25 0 - 2 lb. | \$6 |
| 26 3 - 10 lb. | \$8 |
| 27 11 - 50 lb. | \$12 |
| 28 51 - 500 lb. | \$20 |
| 29 501 - 1000 lb. | \$30 |
| 30 1001 - 2500 lb. | \$40 |
| 31 2501 - 5000 lb. | \$50 |

1 (b) For each mass standard that is tested or certified
2 to meet ANSI/ASTM Standard Class 4 or National Institute of
3 Standards and Technology Class P tolerances, the department
4 shall charge a fee of not more than:

| 5 | Weight | Fee/Unit |
|----|-----------------|----------|
| 6 | 0 - 10 lb. | \$20 |
| 7 | 11 - 50 lb. | \$30 |
| 8 | 51 - 500 lb. | \$40 |
| 9 | 501 - 1000 lb. | \$50 |
| 10 | 1001 - 2500 lb. | \$60 |
| 11 | 2501 - 5000 lb. | \$75 |

12 (c) For each mass standard that is calibrated to
13 determine actual mass or apparent mass values, the department
14 shall charge a fee of not more than:

| 15 | Weight | Fee/Unit |
|----|-----------------|----------|
| 16 | 0 - 20 lb. | \$40 |
| 17 | 21 - 50 lb. | \$50 |
| 18 | 51 - 1000 lb. | \$70 |
| 19 | 1001 - 2500 lb. | \$150 |
| 20 | 2501 - 5000 lb. | \$250 |

21 (d) For each volumetric flask, graduate, or test
22 measure, the department shall charge a fee of not more than:

| 23 | Vessel | Fee/Test Point |
|----|-------------|--|
| 24 | 0 - 5 gal. | \$35 |
| 25 | Over 5 gal. | Plus \$0.75 for each additional gallon |

26 (e) For each linear measure that is tested or
27 certified, the department shall charge a fee of not more than
28 \$75.

29 (f) For each linear measure that is calibrated to
30 determine actual values, the department shall charge a fee of
31 not more than \$100.

1 (g) For each liquid-in-glass or electronic thermometer
2 that is tested or certified, the department shall charge a fee
3 of not more than \$50.

4 (h) For each liquid-in-glass or electronic thermometer
5 that is calibrated to determine actual values, the department
6 shall charge a fee of not more than \$100.

7 (i) For each special test or special preparation, the
8 department shall charge a fee of not more than \$50 per hour.

9 Section 492. Section 534.48, Florida Statutes, is
10 amended to read:

11 534.48 License and fee.--Prior to engaging in
12 business, every livestock market shall make application to the
13 department for a license. Such application shall be on a form
14 provided by the department and shall be accompanied by an
15 annual license fee of \$100 unless determined otherwise
16 pursuant to s. 216.1817. Upon approval of the application by
17 the department, a license shall be issued and shall remain in
18 effect for 1 year from the date of issuance unless terminated
19 by the department. All funds received as license fees shall
20 be placed in the General Inspection Trust Fund.

21 Section 493. Section 535.05, Florida Statutes, is
22 amended to read:

23 535.05 License fee.--Unless determined otherwise
24 pursuant to s. 216.1817, the Department of Agriculture and
25 Consumer Services shall assess an application and license fee
26 of \$300 for the public sale of thoroughbred horses provided in
27 ss. 535.01 and 535.02. This fee shall be paid when a request
28 is made for a license for the public sale of thoroughbred
29 horses.

30 Section 494. Subsections (2) and (4) of section
31 537.004, Florida Statutes, are amended to read:

1 537.004 License required; license fees.--

2 (2) A person applying for licensure as a title loan
3 lender shall file with the department an application, the bond
4 required by s. 537.005(3), a nonrefundable application fee of
5 \$1,200 unless determined otherwise pursuant to s. 216.1817, a
6 nonrefundable investigation fee of \$200 unless determined
7 otherwise pursuant to s. 216.1817, and a complete set of
8 fingerprints taken by an authorized law enforcement officer.
9 The department shall submit such fingerprints to the
10 Department of Law Enforcement for state processing, and the
11 Department of Law Enforcement shall forward the fingerprints
12 to the Federal Bureau of Investigation for national
13 processing.

14 (4) A license shall be renewed biennially by filing a
15 renewal form and a nonrefundable renewal fee of \$1,200 unless
16 determined otherwise pursuant to s. 216.1817. A license that
17 is not renewed by the end of the biennial period shall
18 automatically revert to inactive status. An inactive license
19 may be reactivated within 6 months after becoming inactive by
20 filing a reactivation form, payment of the nonrefundable
21 \$1,200 renewal fee unless determined otherwise pursuant to s.
22 216.1817, and payment of a nonrefundable reactivation fee of
23 \$600 unless determined otherwise pursuant to s. 216.1817. A
24 license that is not reactivated within 6 months after becoming
25 inactive may not be reactivated and shall automatically
26 expire. The department shall establish by rule the procedures
27 for renewal and reactivation of a license and shall adopt a
28 renewal form and a reactivation form.

29 Section 495. Subsection (1) of section 538.09, Florida
30 Statutes, is amended to read:

31 538.09 Registration.--

1 (1) A secondhand dealer shall not engage in the
2 business of purchasing, consigning, or pawning secondhand
3 goods from any location without registering with the
4 Department of Revenue. A fee equal to the federal and state
5 costs for processing required fingerprints must be submitted
6 to the department with each application for registration. One
7 application is required for each dealer. If a secondhand
8 dealer is the owner of more than one secondhand store
9 location, the application must list each location, and the
10 department shall issue a duplicate registration for each
11 location. For purposes of subsections (4) and (5) of this
12 section, these duplicate registrations shall be deemed
13 individual registrations. Unless determined otherwise pursuant
14 to s. 216.1817,a dealer shall pay a fee of \$6 per location at
15 the time of registration and an annual renewal fee of \$6 per
16 location on October 1 of each year. All fees collected, less
17 costs of administration, shall be transferred into a trust
18 fund to be established and entitled the Secondhand Dealer and
19 Secondary Metals Recycler Clearing Trust Fund. The Department
20 of Revenue shall forward the full set of fingerprints to the
21 Department of Law Enforcement for state and federal
22 processing, provided the federal service is available, to be
23 processed for any criminal justice information as defined in
24 s. 943.045. The cost of processing such fingerprints shall be
25 payable to the Department of Law Enforcement by the Department
26 of Revenue. The department may issue a temporary registration
27 to each location pending completion of the background check by
28 state and federal law enforcement agencies, but shall revoke
29 such temporary registration if the completed background check
30 reveals a prohibited criminal background. An applicant for a
31

1 secondhand dealer registration must be a natural person who
2 has reached the age of 18 years.

3 (a) If the applicant is a partnership, all the
4 partners must apply.

5 (b) If the applicant is a joint venture, association,
6 or other noncorporate entity, all members of such joint
7 venture, association, or other noncorporate entity must make
8 application for registration as natural persons.

9 (c) If the applicant is a corporation, the
10 registration must include the name and address of such
11 corporation's registered agent for service of process in the
12 state and a certified copy of statement from the Secretary of
13 State that the corporation is duly organized in the state or,
14 if the corporation is organized in a state other than Florida,
15 a certified copy of statement from the Secretary of State that
16 the corporation is duly qualified to do business in this
17 state. If the dealer has more than one location, the
18 application must list each location owned by the same legal
19 entity and the department shall issue a duplicate registration
20 for each location.

21 Section 496. Paragraph (a) of subsection (1) of
22 section 538.25, Florida Statutes, is amended to read:

23 538.25 Registration.--

24 (1) No person shall engage in business as a secondary
25 metals recycler at any location without registering with the
26 department.

27 (a) A fee equal to the federal and state costs for
28 processing required fingerprints must be submitted to the
29 department with each application for registration. One
30 application is required for each secondary metals recycler. If
31 a secondary metals recycler is the owner of more than one

1 secondary metals recycling location, the application must list
2 each location, and the department shall issue a duplicate
3 registration for each location. For purposes of subsections
4 (3), (4), and (5), these duplicate registrations shall be
5 deemed individual registrations. Unless determined otherwise
6 pursuant to s. 216.1817, a secondary metals recycler shall pay
7 a fee of \$6 per location at the time of registration and an
8 annual renewal fee of \$6 per location on October 1 of each
9 year. All fees collected, less costs of administration, shall
10 be transferred into the Secondhand Dealer and Secondary Metals
11 Recycler Clearing Trust Fund established pursuant to s.
12 538.09.

13 Section 497. Paragraph (c) of subsection (5) of
14 section 539.001, Florida Statutes, is amended to read:

15 539.001 The Florida Pawnbroking Act.--

16 (5) APPLICATION FOR LICENSE.--

17 (c) Each initial application for a license must be
18 accompanied by a complete set of fingerprints taken by an
19 authorized law enforcement officer, \$300 for the first year's
20 license fee unless determined otherwise pursuant to s.
21 216.1817, and the actual cost to the agency for fingerprint
22 analysis for each person subject to the eligibility
23 requirements. The agency shall submit the fingerprints to the
24 Department of Law Enforcement for state processing, and the
25 Department of Law Enforcement shall forward the fingerprints
26 to the Federal Bureau of Investigation for a national criminal
27 history check. These fees and costs are not refundable.

28 Section 498. Section 548.025, Florida Statutes, is
29 amended to read:

30
31

1 548.025 License fees.--Unless determined otherwise
2 pursuant to s. 216.1817,the commission shall set license fees
3 as follows:

4 (1) Promoter, matchmaker--not to exceed \$500.

5 (2) Any other license--not to exceed \$100.

6 Section 499. Section 548.035, Florida Statutes, is
7 amended to read:

8 548.035 Permit fees.--The commission shall set permit
9 fees based on seating capacity of the premises where the
10 program is to be presented as follows:

11 (1) If the seating capacity is less than 2,000
12 persons, the fee shall not exceed \$50 unless determined
13 otherwise pursuant to s. 216.1817.

14 (2) If the seating capacity is 2,000 persons or more
15 but does not exceed 5,000 persons, the fee shall not exceed
16 \$100 unless determined otherwise pursuant to s. 216.1817.

17 (3) If the seating capacity exceeds 5,000 persons, the
18 fee shall not exceed \$250 unless determined otherwise pursuant
19 to s. 216.1817.

20 Section 500. Subsection (2) of section 550.105,
21 Florida Statutes, is amended to read:

22 550.105 Occupational licenses of racetrack employees;
23 fees; denial, suspension, and revocation of license; penalties
24 and fines.--

25 (2)(a) The following licenses shall be issued to
26 persons or entities with access to the backside, racing
27 animals, jai alai players' room, jockeys' room, drivers' room,
28 totalisator room, the mutuels, or money room, or to persons
29 who, by virtue of the position they hold, might be granted
30 access to these areas or to any other person or entity in one
31

1 of the following categories and with scheduled annual fees as
2 follows:

3 1. Business licenses: any business such as a vendor,
4 contractual concessionaire, contract kennel, business owning
5 racing animals, trust or estate, totalisator company, stable
6 name, or other fictitious name: \$50 unless determined
7 otherwise pursuant to s. 216.1817.

8 2. Professional occupational licenses: professional
9 persons with access to the backside of a racetrack or players'
10 quarters in jai alai such as trainers, officials,
11 veterinarians, doctors, nurses, EMT's, jockeys and
12 apprentices, drivers, jai alai players, owners, trustees, or
13 any management or officer or director or shareholder or any
14 other professional-level person who might have access to the
15 jockeys' room, the drivers' room, the backside, racing
16 animals, kennel compound, or managers or supervisors requiring
17 access to mutuels machines, the money room, or totalisator
18 equipment: \$40 unless determined otherwise pursuant to s.
19 216.1817.

20 3. General occupational licenses: general employees
21 with access to the jockeys' room, the drivers' room, racing
22 animals, the backside of a racetrack or players' quarters in
23 jai alai, such as grooms, kennel helpers, leadouts, pelota
24 makers, cesta makers, or ball boys, or a practitioner of any
25 other occupation who would have access to the animals, the
26 backside, or the kennel compound, or who would provide the
27 security or maintenance of these areas, or mutuel employees,
28 totalisator employees, money-room employees, or any employee
29 with access to mutuels machines, the money room, or
30 totalisator equipment or who would provide the security or
31

1 maintenance of these areas: \$10 unless determined otherwise
2 pursuant to s. 216.1817.

3
4 The individuals and entities that are licensed under this
5 paragraph require heightened state scrutiny, including the
6 submission by the individual licensees or persons associated
7 with the entities described in this chapter of fingerprints
8 for a Federal Bureau of Investigation criminal records check.

9 (b) The division shall adopt rules pertaining to
10 pari-mutuel occupational licenses.

11 Section 501. Paragraph (a) of subsection (5) of
12 section 552.091, Florida Statutes, is amended to read:

13 552.091 License or permit required of
14 manufacturer-distributor, dealer, user, or blaster of
15 explosives.--

16 (5)(a) Licenses, permits, and fees therefor are
17 required for each license year and unless determined otherwise
18 pursuant to s. 216.1817, are as follows for the following:

- 19 1. Manufacturer-distributor license.....\$650
20 2. Dealer license.....450
21 3. User license.....125
22 4. Blaster permit.....50
23 5. Duplicate licenses or permits or address changes..5

24 Section 502. Subsections (2) and (3) of section
25 552.092, Florida Statutes, are amended to read:

26 552.092 Forms for applications for licenses and
27 permits.--

28 (2) Each application for a license required under this
29 chapter shall be filed in writing with the division. Each
30 application for a license shall require, as a minimum, the
31 full name, date of birth, place of birth, social security

1 number, physical description, residence address, and business
2 address of the applicant; the types of explosives to be
3 manufactured, distributed, or used by the applicant; and the
4 purpose for which the license is sought in relation to
5 explosives. Each application shall be accompanied by an
6 accurate and current photograph of the applicant and a
7 complete set of fingerprints of the applicant taken by an
8 authorized law enforcement officer, unless the applicant has
9 possessed a valid license during the prior license year and
10 such license has not lapsed or been suspended or revoked. If
11 fingerprints are required, the set of fingerprints shall be
12 accompanied by a processing fee to be established by rule
13 pursuant to s. 216.1817, which fee shall defray the costs of
14 processing to the division, and such fingerprints shall be
15 submitted by the division to the Department of Law Enforcement
16 for state processing and to the Federal Bureau of
17 Investigation for federal processing. If the application does
18 not require a set of fingerprints, the division shall submit
19 the name of the applicant to the Department of Law Enforcement
20 for processing. Each application shall be in such form as to
21 provide that the data and other information set forth therein
22 shall be sworn to by the applicant or, if the applicant is a
23 corporation, the application shall be sworn to by an officer
24 thereof. The officer applying on behalf of a corporation
25 shall provide all the information and data, and meet all other
26 requirements, which are required for a natural person.

27 (3) Each application for a permit required under this
28 chapter shall be filed in writing with the division. Each
29 application for a permit shall require, as a minimum, the full
30 name, date of birth, place of birth, social security number,
31 physical description, and residence address of the applicant

1 and the name and the license number of the user employing such
2 blaster. Each application shall be accompanied by an accurate
3 and current photograph of the applicant and a complete set of
4 fingerprints of the applicant taken by an authorized law
5 enforcement officer, unless the applicant has possessed a
6 valid permit during the prior permit year and such permit has
7 not lapsed or been suspended or revoked. If fingerprints are
8 required, the set of fingerprints shall be accompanied by a
9 processing fee to be established by rule pursuant to s.
10 216.1817, which fee shall defray the costs of processing to
11 the division, and such fingerprints shall be submitted by the
12 division to the Department of Law Enforcement for state
13 processing and to the Federal Bureau of Investigation for
14 federal processing. If the application does not require a set
15 of fingerprints, the division shall submit the name of the
16 applicant to the Department of Law Enforcement for processing.
17 Each application shall be in such form as to provide that the
18 data and other information set forth therein shall be sworn to
19 by the applicant.

20 Section 503. Subsection (3) of section 552.093,
21 Florida Statutes, is amended to read:

22 552.093 Competency examinations required.--

23 (3) Unless determined otherwise pursuant to s.
24 216.1817, each applicant shall be required to pay an
25 examination fee of \$30 upon application for the required
26 license or permit, which fee shall apply to one scheduled
27 examination attempt. Such fee shall not be refundable in the
28 event the applicant does not appear for examination or does
29 not successfully pass the examination. If the applicant does
30 not appear for examination or does not successfully pass the
31

1 examination, the applicant shall submit an additional \$30 fee
2 for each examination scheduled.

3 Section 504. Subsection (7) of section 553.37, Florida
4 Statutes, is amended to read:

5 553.37 Rules; inspections; and insignia.--

6 (7) Pursuant to s. 216.1817, the Florida Building
7 Commission, by rule, shall establish a schedule of fees to pay
8 the cost incurred by the department for the work related to
9 administration and enforcement of this part.

10 Section 505. Section 553.375, Florida Statutes, is
11 amended to read:

12 553.375 Recertification of manufactured
13 buildings.--Prior to the relocation, modification, or change
14 of occupancy of a manufactured building within the state, the
15 manufacturer, dealer, or owner thereof may apply to the
16 department for recertification of that manufactured building.
17 The department shall, by rule, provide what information the
18 applicant must submit for recertification and for plan review
19 and inspection of such manufactured buildings and shall
20 establish fees for recertification pursuant to s. 216.1817.
21 Upon a determination by the department that the manufactured
22 building complies with the applicable building codes, the
23 department shall issue a recertification insignia. A
24 manufactured building that bears recertification insignia does
25 not require any additional approval by an enforcement
26 jurisdiction in which the building is sold or installed, and
27 is considered to comply with all applicable codes. As an
28 alternative to recertification by the department, the
29 manufacturer, dealer, or owner of a manufactured building may
30 seek appropriate permitting and a certificate of occupancy

31

1 from the local jurisdiction in accordance with procedures
2 generally applicable under the Florida Building Code.

3 Section 506. Subsection (3) of section 553.381,
4 Florida Statutes, is amended to read:

5 553.381 Manufacturer certification.--

6 (3) Certification of manufacturers under this section
7 shall be for a period of 3 years, subject to renewal by the
8 manufacturer. Upon application for renewal, the manufacturer
9 must submit the information described in subsection (1) or a
10 sworn statement that there has been no change in the status or
11 content of that information since the manufacturer's last
12 submittal. Pursuant to s. 216.1817, fees for renewal of
13 manufacturers' certification shall be established by the
14 commission by rule.

15 Section 507. Paragraph (i) of subsection (1) of
16 section 553.77, Florida Statutes, is amended to read:

17 553.77 Specific powers of the commission.--

18 (1) The commission shall:

19 (i) Determine the types of products requiring approval
20 for local or statewide use and shall provide for the
21 evaluation and approval of such products, materials, devices,
22 and method of construction for statewide use. Pursuant to s.
23 216.1817, the commission shall ~~may~~ prescribe by rule a
24 schedule of reasonable fees to provide for evaluation and
25 approval of products, materials, devices, and methods of
26 construction. Evaluation and approval shall be by action of
27 the commission or delegated pursuant to s. 553.842. This
28 paragraph does not apply to products approved by the State
29 Fire Marshal.

30 Section 508. Subsection (4) of section 553.995,
31 Florida Statutes, is amended to read:

1 553.995 Energy-efficiency ratings for buildings.--

2 (4) The department shall develop a training and
3 certification program to certify raters. In addition to the
4 department, ratings may be conducted by any local government
5 or private entity, provided that the appropriate persons have
6 completed the necessary training and have been certified by
7 the department. The Department of Management Services shall
8 rate state-owned or state-leased buildings, provided that the
9 appropriate persons have completed the necessary training and
10 have been certified by the Department of Community Affairs. A
11 state agency which has building construction regulation
12 authority may rate its own buildings and those it is
13 responsible for, if the appropriate persons have completed the
14 necessary training and have been certified by the Department
15 of Community Affairs. Pursuant to s. 216.1817, the Department
16 of Community Affairs shall ~~may~~ charge a fee not to exceed the
17 costs for the training and certification of raters. The
18 department shall by rule set the appropriate charges for
19 raters to charge for energy ratings, not to exceed the actual
20 costs.

21 Section 509. Subsection (1) of section 554.111, and
22 paragraph (b) of subsection (2) are amended to read:

23 554.111 Fees.--

24 (1) Unless determined otherwise pursuant to s.
25 216.1817, the department shall charge the following fees:

26 (a) For an applicant for a certificate of competency,
27 the initial application fee shall be \$50, and the annual
28 renewal fee shall be \$30. The fee for examination shall be
29 \$50.

30 (b) For certificate inspections conducted by the
31 department:

| | | |
|----|---|------|
| 1 | 1. For power boilers and high pressure, high | |
| 2 | temperature water boilers of: | |
| 3 | 4,000 square feet or less | |
| 4 | heating surface..... | \$60 |
| 5 | | |
| 6 | More than 4,000 square feet | |
| 7 | heating surface and less than | |
| 8 | 10,000 square feet of | |
| 9 | heating surface..... | \$70 |
| 10 | | |
| 11 | 10,000 square feet or more | |
| 12 | heating surface..... | \$90 |
| 13 | 2. For heating boilers: | |
| 14 | Without a manhole..... | \$40 |
| 15 | With a manhole..... | \$70 |
| 16 | 3. For hot water supply boilers..... | \$40 |
| 17 | (c) For issuance of a compliance | |
| 18 | certificate without a | |
| 19 | department inspection..... | \$30 |
| 20 | (d) Duplicate certificates or | |
| 21 | address changes..... | \$5 |
| 22 | (2) Not more than an amount equal to one certificate | |
| 23 | inspection fee shall be charged or collected for any and all | |
| 24 | boiler inspections in any inspection period, except as | |
| 25 | otherwise provided in ss. 554.1011-554.115. | |
| 26 | (b) <u>Unless determined otherwise pursuant to s.</u> | |
| 27 | <u>216.1817</u> ,all other inspections, including shop inspections, | |
| 28 | surveys, and inspections of secondhand boilers made by the | |
| 29 | chief inspector or a deputy inspector, shall be charged at the | |
| 30 | rate of not less than \$270 for one-half day of 4 hours, and | |
| 31 | | |

1 \$500 for 1 full day of 8 hours, plus travel, hotel, and
2 incidental expenses in accordance with chapter 112.

3 Section 510. Subsection (1) of section 559.545,
4 Florida Statutes, is amended to read:

5 559.545 Registration of commercial collection
6 agencies; procedure.--Any person who wishes to register as a
7 commercial collection agency in compliance with this part
8 shall do so on forms furnished by the department. Any renewal
9 of registration shall be made between October 1 and December
10 31 of each year. In registering or renewing a registration as
11 required by this part, each commercial collection agency shall
12 furnish to the department a registration fee, information, and
13 surety bond, as follows:

14 (1) Unless determined otherwise pursuant to s.
15 216.1817, the registrant shall pay to the department a
16 registration fee of \$500. All amounts collected shall be
17 deposited to the credit of the Regulatory Trust Fund of the
18 department.

19 Section 511. Subsection (1) of section 559.555,
20 Florida Statutes, is amended to read:

21 559.555 Registration of consumer collection agencies;
22 procedure.--Any person required to register as a consumer
23 collection agency shall furnish to the department the
24 registration fee and information as follows:

25 (1) Unless determined otherwise pursuant to s.
26 216.1817, the registrant shall pay to the department a
27 registration fee in the amount of \$200. All amounts collected
28 shall be deposited by the department to the credit of the
29 Regulatory Trust Fund of the department.

30
31

1 Section 512. Paragraph (b) of subsection (1) and
2 subsection (2) of section 559.802, Florida Statutes, are
3 amended to read:

4 559.802 Franchises; exemption.--

5 (1) The sale of a franchise is exempt from this part
6 if:

7 (b) Before offering for sale or selling a franchise to
8 be located in this state or to a resident of this state, the
9 franchisor files a notice with the department stating that the
10 franchisor is in substantial compliance with the requirements
11 of the Federal Trade Commission rule, and pays a fee in an
12 amount set by the department, not exceeding \$100, unless
13 determined otherwise pursuant to s. 216.1817.

14 (2) The initial exemption granted under this section
15 is for a period of 1 year after the date of filing the notice,
16 and it may be renewed each year for an additional 1-year
17 period upon filing a notice for renewal and paying a renewal
18 fee in an amount set by the department, not exceeding \$100,
19 unless determined otherwise pursuant to s. 216.1817.

20 Section 513. Subsection (5) of section 559.805,
21 Florida Statutes, is amended to read:

22 559.805 Filings with the department; disclosure of
23 advertisement identification number.--

24 (5) Unless determined otherwise pursuant to s.
25 216.1817, the department shall collect, from a seller required
26 to comply with this section, an annual fee of \$300 for the
27 administration and enforcement of ss. 559.801-559.815. If any
28 material change in the information submitted to the department
29 occurs before the date for annual registration, a seller must
30 submit a fee of \$50 for every update filing required by this
31 section. The fees shall be deposited in the General

1 Inspection Trust Fund of the Department of Agriculture and
2 Consumer Services.

3 Section 514. Subsection (3) of section 559.904,
4 Florida Statutes, is amended to read:

5 559.904 Motor vehicle repair shop registration;
6 application; exemption.--

7 (3) Unless determined otherwise pursuant to s.
8 216.1817, each application for registration must be
9 accompanied by a registration fee set forth as follows:

10 (a) If the place of business has 1 to 5 employees:
11 \$50.

12 (b) If the place of business has 6 to 10 employees:
13 \$150.

14 (c) If the place of business has 11 or more employees:
15 \$300.

16 Section 515. Subsection (2) of section 559.928,
17 Florida Statutes, is amended to read:

18 559.928 Registration.--

19 (2) Unless determined otherwise pursuant to s.
20 216.1817, registration fees shall be \$300 per year per
21 registrant. All amounts collected shall be deposited by the
22 Treasurer to the credit of the General Inspection Trust Fund
23 of the Department of Agriculture and Consumer Services
24 pursuant to s. 570.20, for the sole purpose of administration
25 of this part.

26 Section 516. Subsection (16) of section 559.9295,
27 Florida Statutes, is amended to read:

28 559.9295 Submission of vacation certificate
29 documents.--Sellers of travel who offer vacation certificates
30 must submit and disclose to the department with the
31 application for registration, and any time such document is

1 changed, but prior to the sale of any vacation certificate,
2 the following materials:

3 (16) Unless determined otherwise, pursuant to s.
4 216.1817,an annual submission fee not to exceed \$100.

5 Section 517. Subsection (2) of section 560.205,
6 Florida Statutes, is amended to read:

7 560.205 Qualifications of applicant for registration;
8 contents.--

9 (2) Each application for registration must be
10 submitted under oath to the department on such forms as the
11 department prescribes by rule and must be accompanied by a
12 nonrefundable application fee. Unless determined otherwise
13 pursuant to s. 216.1817,such fee may not exceed \$500 for each
14 payment instrument seller or funds transmitter and \$50 for
15 each authorized vendor or location operating within this
16 state. The application forms shall set forth such information
17 as the department reasonably requires, including, but not
18 limited to:

19 (a) The name and address of the applicant, including
20 any fictitious or trade names used by the applicant in the
21 conduct of its business.

22 (b) The history of the applicant's material
23 litigation, criminal convictions, pleas of nolo contendere,
24 and cases of adjudication withheld.

25 (c) A description of the activities conducted by the
26 applicant, the applicant's history of operations, and the
27 business activities in which the applicant seeks to engage in
28 this state.

29 (d) A list identifying the applicant's proposed
30 authorized vendors in this state, including the location or
31

1 | locations in this state at which the applicant and its
2 | authorized vendors propose to conduct registered activities.

3 | (e) A sample authorized vendor contract, if
4 | applicable.

5 | (f) A sample form of payment instrument, if
6 | applicable.

7 | (g) The name and address of the clearing financial
8 | institution or financial institutions through which the
9 | applicant's payment instruments will be drawn or through which
10 | such payment instruments will be payable.

11 | (h) Documents revealing that the net worth and bonding
12 | requirements specified in s. 560.209 have been or will be
13 | fulfilled.

14 | Section 518. Subsections (2) and (3) of section
15 | 560.207, Florida Statutes, are amended to read:

16 | 560.207 Renewal of registration; registration fee.--

17 | (2) Unless determined otherwise pursuant to s.
18 | 216.1817, all registration renewal applications shall be
19 | accompanied by a renewal fee not to exceed \$1,000. All renewal
20 | applications must be filed on or after January 1 of the year
21 | in which the existing registration expires, but before the
22 | expiration date of April 30. If the renewal application is
23 | filed prior to the expiration date of an existing
24 | registration, no late fee shall be paid in connection with
25 | such renewal application. If the renewal application is filed
26 | within 60 calendar days after the expiration date of an
27 | existing registration, then, in addition to the ~~\$1,000~~ renewal
28 | fee, the renewal application shall be accompanied by a
29 | nonrefundable late fee of \$500. If the registrant has not
30 | filed a renewal application within 60 calendar days after the
31 |

1 expiration date of an existing registration, a new application
2 shall be filed with the department pursuant to s. 560.205.

3 (3) Unless determined otherwise pursuant to s.
4 216.1817, every registration renewal application shall also
5 include a 2-year registration renewal fee of \$50 for each
6 authorized vendor or location operating within this state or,
7 at the option of the registrant, unless determined otherwise
8 pursuant to s. 216.1817, a total 2-year renewal fee of \$20,000
9 may be paid to renew the registration of all such locations
10 currently registered at the time of renewal.

11 Section 519. Subsection (2) of section 560.208,
12 Florida Statutes, is amended to read:

13 560.208 Conduct of business.--

14 (2) Within 60 days after the date a registrant either
15 opens a location within this state or authorizes an authorized
16 vendor to operate on the registrant's behalf within this
17 state, the registrant shall notify the department on a form
18 prescribed by the department by rule. Unless determined
19 otherwise pursuant to s. 216.1817, the notification shall be
20 accompanied by a nonrefundable \$50 fee for each authorized
21 vendor or location. Each notification shall also be
22 accompanied by a financial statement demonstrating compliance
23 with s. 560.209(1), unless compliance has been demonstrated by
24 a financial statement filed with the registrant's quarterly
25 report in compliance with s. 560.118(2). The financial
26 statement must be dated within 90 days of the date of
27 designation of the authorized vendor or location. This
28 subsection shall not apply to any authorized vendor or
29 location that has been designated by the registrant before
30 October 1, 2001.

31

1 Section 520. Subsections (1) and (2) of section
2 560.307, Florida Statutes, are amended to read:

3 560.307 Fees.--

4 (1) Unless determined otherwise pursuant to s.
5 216.1817,the application shall be filed together with a
6 nonrefundable application fee of \$250 for each check casher or
7 foreign currency exchanger and \$50 for each authorized vendor
8 or location operating within this state.

9 (2) Within 60 days after the date a registrant either
10 opens a location within this state or authorizes an authorized
11 vendor to operate on the registrant's behalf within this
12 state, the registrant shall notify the department on a form
13 prescribed by the department by rule. Unless determined
14 otherwise pursuant to s. 216.1817,the notification shall be
15 accompanied by a nonrefundable \$50 fee for each authorized
16 vendor or location. This subsection shall not apply to any
17 authorized vendor or location that has been designated by the
18 registrant before October 1, 2001.

19 Section 521. Subsections (2) and (3) of section
20 560.308, Florida Statutes, are amended to read:

21 560.308 Registration terms; renewal; renewal fees.--

22 (2) Unless determined otherwise pursuant to s.
23 216.1817,the department shall renew registration upon receipt
24 of a completed renewal form and payment of a nonrefundable
25 renewal fee not to exceed \$500. The completed renewal form and
26 payment of the renewal fee shall occur on or after June 1 of
27 the year in which the existing registration expires.

28 (3) Unless determined otherwise pursuant to s.
29 216.1817,in addition to the renewal fee required by
30 subsection (2), each registrant must pay a 2-year registration
31 renewal fee of \$50 for each authorized vendor or location

1 operating within this state or, at the option of the
2 registrant, a total 2-year renewal fee of \$20,000 may be paid
3 to renew the registration of all such locations currently
4 registered at the time of renewal.

5 Section 522. Subsections (1) and (2) of section
6 560.403, Florida Statutes, are amended to read:

7 560.403 Requirements of registration; declaration of
8 intent.--

9 (1) No person, unless otherwise exempt from this
10 chapter, shall engage in a deferred presentment transaction
11 unless the person is registered under the provisions of part
12 II or part III and has on file with the department a
13 declaration of intent to engage in deferred presentment
14 transactions. The declaration of intent shall be under oath
15 and on such form as the department prescribes by rule. Unless
16 determined otherwise pursuant to s. 216.1817, the declaration
17 of intent shall be filed together with a nonrefundable filing
18 fee of \$1,000. Any person who is registered under part II or
19 part III on the effective date of this act and intends to
20 engage in deferred presentment transactions shall have 60 days
21 after the effective date of this act to file a declaration of
22 intent.

23 (2) A registrant under this part shall renew his or
24 her intent to engage in the business of deferred presentment
25 transactions or to act as a deferred presentment provider upon
26 renewing his or her registration under part II or part III and
27 shall do so by indicating his or her intent on the renewal
28 form and by submitting a nonrefundable deferred presentment
29 provider renewal fee of \$1,000, unless determined otherwise
30 pursuant to s. 216.1817, in addition to any fees required for
31 renewal of registration under part II or part III.

1 Section 523. Subsection (11) of section 561.01,
2 Florida Statutes, is amended to read:

3 561.01 Definitions.--As used in the Beverage Law:

4 (11) "Licensed premises" means not only rooms where
5 alcoholic beverages are stored or sold by the licensee, but
6 also all other rooms in the building which are so closely
7 connected therewith as to admit of free passage from drink
8 parlor to other rooms over which the licensee has some
9 dominion or control and shall also include all of the area
10 embraced within the sketch, appearing on or attached to the
11 application for the license involved and designated as such on
12 said sketch, in addition to that included or designated by
13 general law. The area embraced within the sketch may include
14 a sidewalk or other outside area which is contiguous to the
15 licensed premises. When the sketch includes a sidewalk or
16 other outside area, written approval from the county or
17 municipality attesting to compliance with local ordinances
18 must be submitted to the division to authorize inclusion of
19 sidewalks and outside areas in licensed premises. The division
20 may approve applications for temporary expansion of the
21 licensed premises to include a sidewalk or other outside area
22 for special events upon the payment of a \$100 application fee,
23 unless determined otherwise pursuant to s. 216.1817,
24 stipulation of the timeframe for the special event, and
25 submission of a sketch outlining the expanded premises and
26 accompanied by written approval from the county or
27 municipality as required in this subsection. All moneys
28 collected from the fees assessed under this subsection shall
29 be deposited into the Alcoholic Beverage and Tobacco Trust
30 Fund.

31

1 Section 524. Subsection (6) of section 561.14, Florida
2 Statutes, is amended to read:

3 561.14 License and registration
4 classification.--Licenses and registrations referred to in the
5 Beverage Law shall be classified as follows:

6 (6) Bottle clubs. It is the finding of the
7 Legislature that bottle clubs are susceptible to a distinct
8 and separate classification under the Beverage Law for
9 purposes of regulating establishments permitting the
10 consumption of alcoholic beverages. Any person operating a
11 bottle club must be licensed pursuant to this chapter and may
12 not hold any other alcoholic beverage license for such
13 premises while licensed as a bottle club. Nothing in this
14 subsection shall be construed to permit the purchase at
15 wholesale or retail of alcoholic beverages for supplying or
16 reselling to the patrons pursuant to a license issued under
17 this chapter. Any such business shall be subject to all
18 general, special, and local laws regulating vendors of
19 alcoholic beverages. Unless determined otherwise pursuant to
20 s. 216.1817, bottle club licenses shall be issued at a fee of
21 \$500 annually and shall be renewed in accordance with the
22 schedule set out in ss. 561.26 and 561.27. This subsection
23 shall include bottle clubs in existence on January 1, 1991.
24 The Division of Alcoholic Beverages and Tobacco is hereby
25 authorized to adopt rules to carry out the purposes of this
26 section.

27 Section 525. Paragraph (c) of subsection (2) of
28 section 561.19, Florida Statutes, is amended to read:

29 561.19 License issuance upon approval of division.--

30 (2)

31

1 (e) Unless determined otherwise pursuant to s.
2 216.1817,each applicant for inclusion in the drawing shall
3 pay to the division a filing fee of \$100.

4 Section 526. Subsections (1) and (2) of section
5 561.33, Florida Statutes, are amended to read:

6 561.33 Licensee moving to new location; changing name
7 of business.--

8 (1) Any licensee may move his or her place of business
9 and sell at his or her new place of business upon approval by
10 the division of the licensee's application for such change of
11 location. Upon approval of the application, there shall be
12 issued to such licensee a license for the new location upon
13 the payment of a fee of \$35, unless determined otherwise
14 pursuant to s. 216.1817. If the new place of business is in a
15 county having a different license tax year from the county
16 where the original license was issued, an additional
17 appropriate license tax shall be paid by the licensee before
18 the issuance of the license applied for if the effect of the
19 transfer is an extension of the licensing period for the
20 licensee.

21 (2) No licensee may change the name of his or her
22 place of business without first giving the division 30 days'
23 notice in writing of such change and paying a fee of \$10,
24 unless determined otherwise pursuant to s. 216.1817.

25 Section 527. Subsection (1) of section 561.331,
26 Florida Statutes, is amended to read:

27 561.331 Temporary license upon application for
28 transfer, change of location, or change of type or series.--

29 (1) Upon the filing of a properly completed
30 application for transfer pursuant to s. 561.32, which
31 application does not on its face disclose any reason for

1 denying an alcoholic beverage license, by any purchaser of a
2 business which possesses a beverage license of any type or
3 series, the purchaser of such business and the applicant for
4 transfer are entitled as a matter of right to receive a
5 temporary beverage license of the same type and series as that
6 held by the seller of such business. The temporary license
7 will be valid for all purposes under the Beverage Law until
8 the application is denied or until 14 days after the
9 application is approved. Such temporary beverage license shall
10 be issued by the district supervisor of the district in which
11 the application for transfer is made upon the payment of a fee
12 of \$100 unless determined otherwise pursuant to s. 216.1817. A
13 purchaser operating under the provisions of this subsection is
14 subject to the same rights, privileges, duties, and
15 limitations of a beverage licensee as are provided by law,
16 except that purchases of alcoholic beverages during the term
17 of such temporary license shall be for cash only. However,
18 such cash-only restriction does not apply if the entity
19 holding a temporary license pursuant to this section purchases
20 alcoholic beverages as part of a single-transaction
21 cooperative purchase placed by a pool buying agent or if such
22 entity is also the holder of a state beverage license
23 authorizing the purchase of the same type of alcoholic
24 beverages as authorized under the temporary license.

25 Section 528. Section 561.422, Florida Statutes, is
26 amended to read:

27 561.422 Nonprofit civic organizations; temporary
28 permits.--Upon the filing of an application and payment of a
29 fee of \$25 per permit, unless determined otherwise pursuant to
30 s. 216.1817, the director of the division may issue a permit
31 authorizing a bona fide nonprofit civic organization to sell

1 alcoholic beverages for consumption on the premises only, for
2 a period not to exceed 3 days, subject to any state law or
3 municipal or county ordinance regulating the time for selling
4 such beverages. Any such civic organization may be issued only
5 three such permits per calendar year. Notwithstanding other
6 provisions of the Beverage Law, any civic organization
7 licensed under this section may purchase alcoholic beverages
8 from a distributor or vendor licensed under the Beverage Law.

9 Section 529. Paragraph (a) of subsection (1) of
10 section 561.68, Florida Statutes, is amended to read:

11 561.68 Licensure; distributor's salespersons.--

12 (1)(a) Before any person may solicit or sell to
13 vendors or become employed as a salesperson of spirituous or
14 vinous beverages for a licensed Florida distributor in
15 accordance with the provisions of this section, such person
16 shall file with the district supervisor of the district of the
17 Division of Alcoholic Beverage and Tobacco in which the
18 distributor's premises is located a sworn application for a
19 license on forms provided by the division. Unless determined
20 otherwise pursuant to s. 216.1817, prior to any application
21 being approved, the division shall require the applicant to
22 file a fee of \$50 and file a set of fingerprints on regular
23 United States Department of Justice forms. The licensure
24 requirement provided in this paragraph does not apply to the
25 solicitation or sale of cider.

26 Section 530. Section 563.02, Florida Statutes, is
27 amended to read:

28 563.02 License fees; vendors; manufacturers and
29 distributors.--

30 (1) Unless determined otherwise pursuant to s.
31 216.1817, each vendor of malt beverages containing alcohol of

1 0.5 percent or more by volume shall pay an annual state
2 license tax as follows:

3 (a) Vendors operating places of business where
4 beverages are sold only for consumption off the premises, an
5 amount equal to 50 percent of the amount of the license tax
6 herein provided for vendors in the same county operating
7 places of business where consumption on the premises is
8 permitted. Vendors holding such off-premises sales licenses
9 shall not be subject to zoning by municipal and county
10 authorities.

11 (b) Vendors operating places of business where
12 consumption on the premises is permitted in counties having a
13 population of over 100,000, according to the latest population
14 estimate prepared pursuant to s. 186.901, for such county,
15 \$200.

16 (c) Vendors operating places of business where
17 consumption on the premises is permitted in counties having a
18 population of over 75,000 and not over 100,000, according to
19 the latest population estimate prepared pursuant to s.
20 186.901, for such county, \$160.

21 (d) Vendors operating places of business where
22 consumption on the premises is permitted in counties having a
23 population of over 50,000 and less than 75,000, according to
24 the latest population estimate prepared pursuant to s.
25 186.901, for such county, \$120.

26 (e) Vendors operating places of business where
27 consumption on the premises is permitted in counties having a
28 population of over 25,000 and less than 50,000, according to
29 the latest population estimate prepared pursuant to s.
30 186.901, for such county, \$80.

31

1 (f) Vendors operating places of business where
2 consumption on the premises is permitted in counties having a
3 population of less than 25,000, according to the latest
4 population estimate prepared pursuant to s. 186.901, for such
5 county, \$40.

6 (2) Unless determined otherwise pursuant to s.
7 216.1817,each manufacturer engaged in the business of brewing
8 only malt beverages shall pay an annual state license tax of
9 \$3,000 for each plant or branch he or she may operate.
10 However, each manufacturer engaged in the business of brewing
11 less than 10,000 kegs of malt beverages annually for
12 consumption on the premises pursuant to s. 561.221(3) shall
13 pay an annual state license tax of \$500 for each plant or
14 branch, unless determined otherwise pursuant to s. 216.1817.

15 (3) Unless determined otherwise pursuant to s.
16 216.1817,each distributor who shall distribute or sell
17 alcoholic beverages containing less than 17.259 percent
18 alcohol by volume shall pay an annual state license tax of
19 \$1,250 for each establishment or branch he or she may operate.

20 Section 531. Subsection (2) of section 563.045,
21 Florida Statutes, is amended to read:

22 563.045 Brands or labels to be registered;
23 qualification to do business; fee; revocation.--

24 (2) Unless determined otherwise pursuant to s.
25 216.1817,each registrant shall pay an annual registration fee
26 of \$30 for a brand or label. Any registration may be
27 suspended or revoked in the same manner as a beverage license
28 for any violation of the Beverage Law.

29 Section 532. Subsections (1) and (2) and paragraph (a)
30 of subsection (3) of section 564.02, Florida Statutes, are
31 amended to read:

1 564.02 License fees; vendors; manufacturers and
2 distributors.--

3 (1) Unless determined otherwise pursuant to s.
4 216.1817, each vendor authorized to sell brewed beverages
5 containing malt, wines, and fortified wines shall pay an
6 annual state license tax, as follows:

7 (a) Vendors operating places of business where
8 beverages are sold only for consumption off the premises shall
9 pay an amount equal to 50 percent of the amount of the license
10 tax herein provided for vendors in the same county operating
11 places of business where consumption on the premises is
12 permitted.

13 (b) Vendors operating places of business where
14 consumption on the premises is permitted in counties having a
15 population of over 100,000, according to the latest population
16 estimate prepared pursuant to s. 186.901, for such county,
17 shall pay \$280.

18 (c) Vendors operating places of business where
19 consumption on the premises is permitted in counties having a
20 population of over 75,000 and not over 100,000, according to
21 the latest population estimate prepared pursuant to s.
22 186.901, for such county, shall pay \$240.

23 (d) Vendors operating places of business where
24 consumption on the premises is permitted in counties having a
25 population of over 50,000 and less than 75,000, according to
26 the latest population estimate prepared pursuant to s.
27 186.901, for such county, shall pay \$200.

28 (e) Vendors operating places of business where
29 consumption on the premises is permitted in counties having a
30 population of over 25,000 and less than 50,000, according to
31

1 the latest population estimate prepared pursuant to s.
2 186.901, for such county, shall pay \$160.

3 (f) Vendors operating places of business where
4 consumption on the premises is permitted in counties having a
5 population of less than 25,000, according to the latest
6 population estimate prepared pursuant to s. 186.901, for such
7 county, shall pay \$120.

8 (2) Unless determined otherwise pursuant to s.
9 216.1817, each wine manufacturer authorized to do business
10 under the Beverage Law shall pay an annual state license tax
11 for each plant or branch he or she may operate, as follows:

12 (a) If engaged in the manufacturing or bottling of
13 wines and of nothing else, he or she shall pay \$1,000.

14 (b) If engaged in the manufacturing of wines and
15 cordials and of nothing else, he or she shall pay \$2,000.

16 (3)(a) Unless determined otherwise pursuant to s.
17 216.1817, each distributor authorized to sell brewed beverages
18 containing malt, wines, and fortified wines in counties where
19 the sale of intoxicating liquors, wines, and beers is
20 permitted shall pay for each and every such establishment or
21 branch he or she may operate or conduct a state license tax of
22 \$1,250.

23 Section 533. Subsection (3) of section 564.045,
24 Florida Statutes, is amended to read:

25 564.045 Licensure as primary American source of
26 supply.--

27 (3) LICENSE FEES.--Licensure as a primary American
28 source of supply authorizes the shipment of vinous beverages
29 manufactured within and without the state to licensed
30 distributors, importers, manufacturers, bonded warehouses, and
31 registered exporters within the state. Unless determined

1 otherwise pursuant to s. 216.1817,the annual license fee for
2 a primary American source of supply is \$15 for each brand that
3 requires a federal label approval and is scheduled for
4 shipment to a licensed distributor or importer within this
5 state for the purpose of being sold within the state. The
6 annual license fee shall be submitted with the application for
7 initial licensure. This license shall be renewed each year
8 and the renewal fee shall be \$15 for each brand shipped into
9 the state during the preceding year.

10 Section 534. Section 565.02, Florida Statutes, is
11 amended to read:

12 565.02 License fees; vendors; clubs; caterers; and
13 others.--

14 (1) The following state license taxes apply to vendors
15 who are permitted to sell any alcoholic beverages regardless
16 of alcoholic content. Unless determined otherwise pursuant to
17 s. 216.1817, the license fees are as follows:

18 (a) A vendor operating a place of business where
19 beverages are sold only in sealed containers for consumption
20 off the premises where sold shall pay an amount equal to 75
21 percent of the amount of the license tax for vendors in the
22 same county as provided in paragraphs (b), (c), (d), (e), and
23 (f).

24 (b) A vendor operating a place of business where
25 consumption on the premises is permitted in a county having a
26 population of over 100,000, according to the latest population
27 estimate prepared pursuant to s. 186.901, for such county,
28 shall pay \$1,820.

29 (c) A vendor operating a place of business where
30 consumption on the premises is permitted in a county having a
31 population over 75,000 and not over 100,000, according to the

1 latest population estimate prepared pursuant to s. 186.901,
2 for such county, shall pay \$1,560.

3 (d) A vendor operating a place of business where
4 consumption on the premises is permitted in a county having a
5 population of over 50,000 and not over 75,000, according to
6 the latest population estimate prepared pursuant to s.
7 186.901, for such county, shall pay \$1,300.

8 (e) A vendor operating a place of business where
9 consumption on the premises is permitted in a county having a
10 population of over 25,000 and not over 50,000, according to
11 the latest population estimate prepared pursuant to s.
12 186.901, for such county, shall pay \$858.

13 (f) A vendor operating a place of business where
14 consumption on the premises is permitted in a county having a
15 population of 25,000 or less, according to the latest
16 population estimate prepared pursuant to s. 186.901, for such
17 county, shall pay \$624.

18 (g) A vendor operating a place of business where
19 consumption on the premises is permitted and which has more
20 than three separate rooms or enclosures in which permanent
21 bars or counters are located from which alcoholic beverages
22 are served for consumption on the licensed premises shall pay,
23 in addition to the license tax imposed in paragraphs (b)-(f),
24 \$1,000. However, such permanent bars or counters do not
25 include service bars not accessible to the public or portable
26 or temporary bars being used for a single occasion or event.
27 A golf club licenseholder may operate service bars or portable
28 or temporary bars on the grounds contiguous to its licensed
29 premises and shall pay \$100 for a certified copy of the club
30 license, which shall be posted on the bar. The area
31 contiguous to the licensed premises shall be considered an

1 extension of the licensed premises upon payment of the fee,
2 posting of the certified copy of the license, and notation of
3 such extension upon the sketch accompanying the original
4 license application.

5 (2) Unless determined otherwise pursuant to s.
6 216.1817, any operator of railroads or sleeping cars in this
7 state may obtain a license to sell the beverages mentioned in
8 the Beverage Law on passenger trains upon the payment of an
9 annual license tax of \$2,500, the tax to be paid to the
10 division. Such license shall authorize the holder thereof to
11 keep for sale and sell all beverages mentioned in the Beverage
12 Law upon any dining, club, parlor, buffet, or observation car
13 operated by it in this state, but such beverages may be sold
14 only to passengers upon the cars and must be served for
15 consumption thereon. It is unlawful for such licensees to
16 purchase or sell any liquor except in miniature bottles of not
17 more than 2 ounces. Every such license shall be good
18 throughout the state. No license shall be required, or tax
19 levied by any municipality or county, for the privilege of
20 selling such beverages for consumption in such cars. Such
21 beverages shall be sold only on cars in which are posted
22 certified copies of the licenses issued to such operator.
23 Such certified copies of such licenses shall be issued by the
24 division upon the payment of a tax of \$10.

25 (3)(a) Operators of steamships and steamship lines,
26 buses and bus lines, or airplanes and airlines engaged in
27 interstate or foreign commerce or plying between fixed
28 terminals and upon fixed schedules in this state may obtain
29 licenses to sell the beverages mentioned in the Beverage Law.
30 Unless determined otherwise pursuant to s. 216.1817, the
31 license fees are as follows:

1 1. On steamships, buses, and airplanes operated by
2 such operators, upon the payment of an annual license tax of
3 \$1,100; and

4 2. In no more than one passenger waiting lounge
5 licensed by the division and operated by an airline licensed
6 herein at each of its terminals in the state for ticketed
7 passengers whose flights are scheduled to depart within 24
8 hours of service and guests in the company of such
9 ticketholders, provided such licensed airline has first
10 obtained an appropriate space lease or permit providing for
11 payment of nondiscriminatory rental and concession fees and
12 upon the payment of an additional license tax of \$1,100 per
13 lounge.

14
15 All such license taxes shall be paid to the division. Such
16 licenses shall authorize the holders thereof to keep for sale
17 and sell all beverages mentioned in the Beverage Law upon any
18 steamship, bus, or airplane or in any such airline passenger
19 waiting lounge operated by such operators in this state, but
20 such beverages may be sold only to passengers upon such
21 steamships, buses, and airplanes and to ticketed passengers
22 and their guests in such airline passenger waiting lounges and
23 may be served only for consumption on such steamships, buses,
24 and airplanes or in such airline passenger waiting lounges.
25 It is unlawful for such licensees to purchase for resale any
26 liquor except in miniature bottles of not more than 2 ounces
27 or liquor in individual containers of not less than one-fifth
28 of 1 gallon. Such sales are permitted while such steamships,
29 buses, and airplanes are in transit; but such sales are not
30 permitted on airplanes while such airplanes are in airports.
31 Every such license shall be good throughout the state. No

1 license may be required or tax levied by any municipality or
2 county for the privilege of selling such beverages for
3 consumption on such steamships, buses, or airplanes or in such
4 airline passenger waiting lounges. The division shall issue a
5 license to sell alcoholic beverages on steamships, buses, and
6 airplanes to an operator of a steamship line, bus line, or
7 airline, at a central location designated on the sworn
8 application for license. The application for initial issuance
9 of such a license must specify the number of steamships,
10 buses, or airplanes in the fleet scheduled by the operator of
11 the line for operation in this state. An application for
12 renewal of such a license must specify the total number of
13 steamships, buses, or airplanes in the fleet that operated in
14 this state during the preceding license year. In addition to
15 the annual license tax imposed under this subsection, a tax of
16 \$25 is imposed for each steamship, bus, or airplane which is
17 disclosed on the application for license or renewal of
18 license. Upon the payment of all applicable license taxes,
19 each such steamship, bus, or airplane is considered a licensed
20 premises under the Beverage Law. However, this paragraph does
21 not apply to operators of pleasure, excursion, sightseeing, or
22 charter boats not having regular round-trip runs of more than
23 100 miles in each direction; but operators of such boats may
24 obtain licenses, with such boats being designated as their
25 places of business, upon compliance with all the laws relating
26 to vendors operating places of business where consumption on
27 the premises is permitted. However, the operator of any
28 pleasure, excursion, sightseeing, or charter boat which has a
29 Coast Guard-approved capacity of at least 125 passengers may
30 be granted a special liquor license to sell and serve
31 alcoholic beverages to passengers during a period of no longer

1 than 1 hour prior to departure on a scheduled or chartered
2 cruise while the boat is docked at a docking facility or
3 marina and the period during which the boat is in operation on
4 the scheduled or chartered cruise for consumption on the
5 premises only. The fee for such special license shall be the
6 same as that charged pursuant to paragraphs (1)(b)-(f) based
7 on the location of the home port of the boat. Also, no license
8 to sell the beverages herein defined shall be issued to the
9 operator of any boat which plies upon or is anchored upon the
10 waters of any lake within this state.

11 (b) Operators of railroads, sleeping cars, steamships,
12 buses, and airplanes licensed under this section shall not be
13 required to obtain their beverages from licensees under the
14 Beverage Law, but such operators shall keep strict accounts of
15 all such beverages sold within this state and shall make
16 monthly reports to the division on the forms prepared and
17 furnished by the division. Such operators are required to pay
18 an excise tax for such beverages sold within this state as to
19 which such excise tax has not theretofore been paid, equal to
20 the tax assessed against manufacturers and distributors. Such
21 operators shall pay such tax monthly to the division at the
22 same time they furnish the reports hereinabove provided for.
23 Such reports shall be filed on or before the 15th day of each
24 month for sales for the previous calendar month.

25 (4) Persons associated together as a chartered or
26 incorporated club, including any social club incorporated by
27 order of a circuit judge after its charter has been found to
28 be for objects authorized by law and approved by the judge as
29 organized for lawful purposes and not for the purpose of
30 evading license taxes on dealers in beverages defined herein,
31 which such organization is a bona fide club, and has been at

1 the time of application for license hereunder in continuous
2 active existence and operation for a period of not less than 2
3 years in the county where it exists, shall before serving or
4 distributing to its members or nonresident guests the
5 beverages defined herein, whether such service or distribution
6 is made upon contribution to the club of money or by check or
7 other device, pay an annual state license tax of \$400 unless
8 determined otherwise pursuant to s. 216.1817. However, any
9 golf club operated by or on behalf of any incorporated
10 municipality in this state, and any veterans' or fraternal
11 organization of national scope, need not have been, or need
12 not be, in continuous active existence or operation for any
13 required period of time prior to an application for license
14 hereunder. The payment of such club license tax shall
15 authorize the service and distribution to members and
16 nonresident guests of the club only, and such service and
17 distribution to the members and nonresident guests shall not
18 be deemed sales within the meaning of the law in this state;
19 but any service or distribution to anyone other than a member
20 or nonresident guest of such licensed club shall be deemed a
21 sale, and any officer, member, or employee of any such
22 licensed club who sells or distributes or serves any such
23 beverages to any person other than a member or nonresident
24 guest of such club for money or other value shall be deemed
25 guilty of selling such beverages without a license and shall
26 be punished as provided by law. The holders of a golf club
27 license may sell alcoholic beverages to those other than
28 members and their nonresident guests on days when the club is
29 open to the public. For each such day of service to
30 nonmembers, the club shall obtain from the division for a fee
31 of \$50 an extension of its license to permit such sales. Such

1 license extensions shall be limited to one event per year, not
2 to exceed 8 consecutive days. Any officer of any such club
3 which has not paid such license who knowingly permits such
4 service or distribution by such club of the beverages herein
5 defined to members or nonresident guests of such club shall,
6 upon conviction thereof, be punished as herein provided.
7 However, this subsection does not apply to a club organized or
8 used for the purpose of evading the payment of the license tax
9 on vendors of such beverages; such club is subject to the
10 payment of the license tax imposed by the Beverage Law upon
11 vendors. The president, vice president, secretary, or
12 treasurer, or officers of corresponding duties by any name
13 they may be called, of any club required by this section to
14 pay a license tax are required to see that such license tax is
15 paid and, in default thereof, shall each be personally liable
16 to the punishment provided by the Beverage Law for nonpayment
17 of the license tax hereby required. Clubs which are not
18 authorized to obtain licenses under this subsection or which
19 do not obtain licenses under this subsection may, if they
20 comply with this provision of the Beverage Law, obtain
21 licenses as vendors. A club obtaining such club license shall
22 not purchase any beverage herein defined from anyone other
23 than a distributor or vendor licensed under the Beverage Law;
24 nor shall such club dispense or serve any beverage defined
25 herein unless such beverage has been purchased by such club
26 from such licensed distributor or vendor; nor shall the club
27 dispense or serve any such beverage on which a tax is required
28 by the Beverage Law unless such beverage tax has been paid as
29 required by that law. Such club license cannot be transferred
30 in any manner whatsoever.
31

1 (5) Unless determined otherwise pursuant to s.
2 216.1817, a caterer at a horse or dog racetrack or jai alai
3 fronton may obtain a license upon the payment of an annual
4 state license tax of \$675. Such caterer's license shall permit
5 sales only within the enclosure in which such races or jai
6 alai games are conducted, and such licensee shall be permitted
7 to sell only during the period beginning 10 days before and
8 ending 10 days after racing or jai alai under the authority of
9 the Division of Pari-mutuel Wagering of the Department of
10 Business and Professional Regulation is conducted at such
11 racetrack or jai alai fronton. Except as in this subsection
12 otherwise provided, caterers licensed hereunder shall be
13 treated as vendors licensed to sell by the drink the beverages
14 mentioned herein and shall be subject to all the provisions
15 hereof relating to such vendors.

16 (6) A vendor who operates places of business where
17 consumption on the premises is permitted, which premises are
18 located within a theme park complex that is owned, managed,
19 controlled, and operated by such vendor, may operate under a
20 master license issued for the type of service offered if the
21 theme park complex comprises at least 25 enclosed acres of
22 land with permanent exhibitions and a variety of recreational
23 activities, the enclosed area has a controlled entrance to,
24 and exit from, the enclosed area, and at least 1 million
25 visitors annually pay admission fees to the theme park
26 complex. In addition to the license taxes imposed in
27 paragraphs (1)(b)-(f), an additional tax shall be imposed,
28 unless determined otherwise pursuant to s. 216.1817, as
29 follows:~~of~~ \$1,500 shall be imposed for up to 5 additional
30 bars, \$2,500 for 6 to 10 additional bars, and \$3,500 for more
31 than 10 additional bars. The enclosed area within the theme

1 park shall be considered an extension of the licensed premises
2 upon the payment of the fee and the notation of such extension
3 on the sketch accompanying the original license application.

4 (7) A marine exhibition park complex may obtain, upon
5 the payment of appropriate fees, a license for on-premises
6 consumption of alcoholic beverages not subject to any quota or
7 limitation if:

8 (a) The marine exhibition park complex comprises at
9 least 25 enclosed acres of land.

10 (b) The enclosed area has a controlled entrance to,
11 and exit from, the enclosed area.

12 (c) At least 450,000 visitors annually pay admission
13 fees to the marine exhibition park.

14 (d) The marine exhibition park has been in continuous
15 existence for at least 30 years.

16

17 In addition to the license taxes imposed in paragraphs
18 (1)(b)-(f), an additional tax shall be imposed, unless
19 determined otherwise pursuant to s. 216.1817, as follows:~~of~~
20 \$1,500 shall be imposed for up to 5 additional bars, \$2,500
21 for 6 to 10 additional bars, and \$3,500 for more than 10
22 additional bars. The enclosed area within the marine
23 exhibition park shall be considered the licensed premises upon
24 the payment of the fee. Except as otherwise provided in this
25 subsection, entities licensed under this subsection shall be
26 treated as vendors licensed to sell alcoholic beverages by the
27 drink and shall be subject to all the provisions relating to
28 such vendors.

29 (8) A state-chartered legal entity not for profit
30 organized principally for the purpose of supporting or
31 managing the affairs of a symphony orchestra may obtain a

1 license upon the payment of an annual license tax of \$400
2 unless determined otherwise pursuant to s. 216.1817. Such
3 license shall permit sales only within the enclosure in which
4 such symphony normally and regularly performs and in which
5 alcoholic beverages are otherwise authorized; and such
6 licensee shall be permitted to sell only during the hours in
7 which the symphony premises are in use for a cultural event
8 under the auspices or authorization of the licensee. The
9 issuing of a license under this section is not subject to any
10 quota or limitation, except that the license shall be issued
11 only to an entity supporting a well-recognized symphony the
12 reputation of which is known generally in the state or region
13 of operation. Except as otherwise provided in this
14 subsection, entities licensed hereunder shall be treated as
15 vendors licensed to sell by the drink the beverages mentioned
16 herein and shall be subject to all the provisions hereof
17 relating to such vendors.

18 (9) It is the finding of the Legislature that
19 passenger vessels engaged exclusively in foreign commerce are
20 susceptible to a distinct and separate classification for
21 purposes of the sale of alcoholic beverages under the Beverage
22 Law. Upon the filing of an application and payment of an
23 annual fee of \$1,100 unless determined otherwise pursuant to
24 s. 216.1817, the director is authorized to issue a permit
25 authorizing the operator, or, if applicable, his or her
26 concessionaire, of a passenger vessel which has cabin-berth
27 capacity for at least 75 passengers, and which is engaged
28 exclusively in foreign commerce, to sell alcoholic beverages
29 on the vessel for consumption on board only:

30
31

1 (a) During a period not in excess of 24 hours prior to
2 departure while the vessel is moored at a dock or wharf in a
3 port of this state; or

4 (b) At any time while the vessel is located in Florida
5 territorial waters and is in transit to or from international
6 waters.

7
8 One such permit shall be required for each such vessel and
9 shall name the vessel for which it is issued. No license
10 shall be required or tax levied by any municipality or county
11 for the privilege of selling beverages for consumption on
12 board such vessels. The beverages so sold may be purchased
13 outside the state by the permittee, and the same shall not be
14 considered as imported for the purposes of s. 561.14(3) solely
15 because of such sale. The permittee is not required to obtain
16 its beverages from licensees under the Beverage Law, but it
17 shall keep a strict account of all such beverages sold within
18 this state and shall make monthly reports to the division on
19 forms prepared and furnished by the division. A permittee who
20 sells on board the vessel beverages withdrawn from United
21 States Customs Service bonded storage on board the vessel may
22 satisfy such accounting requirement by supplying the division
23 with copies of the appropriate United States Customs Service
24 forms evidencing such withdrawals as importations under United
25 States customs laws. Such permittee shall pay to the state an
26 excise tax for beverages sold pursuant to this section, if
27 such excise tax has not previously been paid, in an amount
28 equal to the tax which would be required to be paid on such
29 sales by a licensed manufacturer or distributor. A vendor
30 holding such permit shall pay the tax monthly to the division
31 at the same time he or she furnishes the required report.

1 Such report shall be filed on or before the 15th day of each
2 month for the sales occurring during the previous calendar
3 month.

4 (10) A state-chartered legal entity not for profit
5 organized principally for the purpose of operating a theater
6 with live performances and not fewer than 100 seats may obtain
7 a license upon the payment of an annual license tax of \$400
8 unless determined otherwise pursuant to s. 216.1817. Such
9 license shall permit sales for consumption on the premises
10 only to patrons during any regularly scheduled live theater
11 performance. No licensee under this special license shall
12 enter into any exclusive contract for its use. Except as
13 otherwise provided in this subsection, an entity licensed
14 hereunder shall be treated as a vendor licensed to sell by the
15 drink the beverages mentioned herein and is subject to all the
16 provisions hereof relating to such vendor.

17 (11) The John and Mable Ringling Museum of Art
18 direct-support organization may obtain a license upon the
19 payment of an annual license tax of \$400 unless determined
20 otherwise pursuant to s. 216.1817. Such license shall permit
21 sales for consumption on the premises of the museum in
22 conjunction with artistic, educational, cultural, civic, or
23 charitable events held on the premises of the museum under the
24 auspices or authorization of the licensee. The issuing of a
25 license under this subsection is not subject to any quota or
26 limitation, except that the license shall be issued only to
27 the direct-support organization of the museum or its designee.
28 Except as otherwise provided in this subsection, the entity
29 licensed hereunder shall be treated as a vendor licensed to
30 sell by the drink the beverages mentioned herein and shall be
31 subject to all provisions relating to such vendors.

1 (12) Except as expressly provided otherwise in this
2 section, a vendor holding a permit is subject to the
3 provisions of the Beverage Law.

4 Section 535. Section 565.03, Florida Statutes, is
5 amended to read:

6 565.03 License fees; manufacturers, distributors,
7 brokers, sales agents, and importers.--

8 (1)(a) Unless determined otherwise pursuant to s.
9 216.1817, each liquor manufacturer authorized to do business
10 under the Beverage Law shall pay an annual state license tax
11 for each plant or branch he or she operates in the state, as
12 follows:

13 1. If engaged in the business of distilling spirituous
14 liquors and nothing else, a state license tax of \$4,000.

15 2. If engaged in the business of rectifying and
16 blending spirituous liquors and nothing else, a state license
17 tax of \$4,000.

18 (b) Persons licensed hereunder in the business of
19 distilling spirituous liquors may also engage in the business
20 of rectifying and blending spirituous liquors without the
21 payment of an additional license tax.

22 (2) Distributors authorized to do business under the
23 Beverage Law, unless otherwise provided, shall pay a state
24 license tax of \$4,000 for each and every establishment or
25 branch they may operate or conduct in the state unless
26 determined otherwise pursuant to s. 216.1817. However, in
27 counties having a population of 15,000 or less according to
28 the latest state or federal census, the state license tax for
29 a restricted license shall be \$1,000 unless determined
30 otherwise pursuant to s. 216.1817, but the holder of such a
31 license shall be permitted to sell only to vendors and

1 distributors licensed in the same county, and such license
2 shall contain such restrictions. In such counties, licenses
3 without such restrictions may be obtained as in other
4 counties, but the tax for a license without such restrictions
5 shall be the same as in other counties. Warehouses of a
6 licensed distributor used solely for storage and located in
7 the county in which the license is issued to such distributor
8 shall not be construed to be separate establishments or
9 branches.

10 (3) Unless determined otherwise pursuant to s.
11 216.1817, each broker or sales agent and each importer, as
12 defined in s. 561.14(4) and (5), respectively, shall pay an
13 annual state license tax of \$500.

14 Section 536. Subsection (3) of section 565.095,
15 Florida Statutes, is amended to read:

16 565.095 Licensure as primary American source of
17 supply.--

18 (3) LICENSE FEES.--Licensure as a primary American
19 source of supply authorizes the shipment of distilled spirits
20 manufactured within and without the state to licensed
21 distributors, importers, manufacturers, bonded warehouses, and
22 registered exporters within the state. Unless determined
23 otherwise pursuant to s. 216.1817, the annual license fee for
24 a primary American source of supply is \$30 for each brand that
25 requires a federal label approval and is scheduled for
26 shipment to a licensed distributor or importer within this
27 state for the purpose of being sold within the state. The
28 annual license fee shall be submitted with the application for
29 initial licensure. This license shall be renewed each year,
30 and the renewal fee shall be \$30 for each brand shipped into
31

1 the state during the preceding year unless determined
2 otherwise pursuant to s. 216.1817.

3 Section 537. Paragraph (c) of subsection (1) of
4 section 569.003, Florida Statutes, is amended to read:

5 569.003 Retail tobacco products dealer permits;
6 application; qualifications; fees; renewal; duplicates.--

7 (1)

8 (c) Permits shall be issued annually, upon payment of
9 the annual permit fee prescribed by the division. The division
10 shall fix the fee in an amount sufficient to meet the costs
11 incurred by it in carrying out its permitting, enforcement,
12 and administrative responsibilities under this chapter, but
13 the fee may not exceed \$50 unless determined otherwise
14 pursuant to s. 216.1817. The proceeds of the fee shall be
15 deposited into the Alcoholic Beverage and Tobacco Trust Fund.

16 Section 538. Subsection (5) of section 570.07, Florida
17 Statutes, is amended to read:

18 570.07 Department of Agriculture and Consumer
19 Services; functions, powers, and duties.--The department shall
20 have and exercise the following functions, powers, and duties:

21 (5) To annually fix inspection and license fees,
22 pursuant to s. 216.1817, and recording and service charges
23 within maximum limits provided by law to pay the cost of the
24 service performed, to pay the cost of maintenance of
25 reasonable reserves for contingencies, including cost of
26 depository, accounting, disbursement, auditing, and rental of
27 quarters and facilities furnished by the state, and to pay
28 compensation to fruit and vegetable inspectors for work in
29 excess of 40 hours per week at the same rate of pay as
30 received for normal work hours when compensatory time cannot
31 be given as reimbursement for overtime work.

1 Section 539. Paragraph (a) of subsection (5) of
2 section 570.382, Florida Statutes, is amended to read:

3 570.382 Arabian horse racing; breeders' and stallion
4 awards; Arabian Horse Council; horse registration fees;
5 Florida Arabian Horse Racing Promotion Fund.--

6 (5) REGISTRATION FEES TRUST FUND.--

7 (a) To provide funds to defray the necessary expenses
8 incurred by the Department of Agriculture and Consumer
9 Services in the administration of this section:

10 1. Owners who participate in this program for
11 Florida-bred Arabian foals under 1 year of age shall pay to
12 the Department of Agriculture and Consumer Services a
13 registration fee in the amount of \$25 per horse unless
14 determined otherwise pursuant to s. 216.1817.

15 2. Owners who participate in this program for
16 Florida-bred Arabian yearlings from 1 to 2 years of age shall
17 pay to the Department of Agriculture and Consumer Services a
18 registration fee in the amount of \$50 per horse unless
19 determined otherwise pursuant to s. 216.1817.

20 3. Owners who participate in this program for
21 Florida-bred Arabian horses 2 years of age or over shall pay
22 to the Department of Agriculture and Consumer Services a
23 registration fee in the amount of \$250 per horse unless
24 determined otherwise pursuant to s. 216.1817.

25 4. The Department of Agriculture and Consumer Services
26 shall charge the stallion owner a reasonable fee set by rule,
27 not to exceed \$100 annually unless determined otherwise
28 pursuant to s. 216.1817, to cover all costs incurred for the
29 stallion award program.

30 Section 540. Subsection (1) of section 570.481,
31 Florida Statutes, is amended to read:

1 570.481 Fruit and vegetable inspection fees;
2 penalty.--

3 (1) Each person receiving inspection services pursuant
4 to s. 570.48 shall pay to the department an inspection fee
5 pursuant to s. 216.1817. This fee shall cover the cost of
6 providing the inspection service and shall be set annually by
7 the department by rule.

8 Section 541. Subsection (1) of section 571.06, Florida
9 Statutes, is amended to read:

10 571.06 License; application, fee, and conditions.--

11 (1) Application for license to reproduce or use a seal
12 of quality shall be made to the department on application
13 forms supplied by the department. Anyone making application
14 and payment of license fee ~~in the amount of \$10~~ and meeting
15 other qualifications required under this part and rules
16 adopted hereunder shall be granted license for which applied.
17 Unless determined otherwise pursuant to s. 216.1817, the
18 license fee is \$10.Such license shall be valid for 1 year
19 from date of issue. The department, however, may refuse to
20 issue a license to any person whose license has been revoked
21 until such person demonstrates to the department that he or
22 she no longer will violate the provisions of this part or
23 rules adopted hereunder.

24 Section 542. Subsection (2) of section 571.25, Florida
25 Statutes. is amended to read:

26 571.25 Registration and fees.--

27 (2) The department is hereby authorized to establish
28 by rule, pursuant to s. 216.1817, registration and renewal
29 fees sufficient to cover the cost of administering the Florida
30 Agricultural Promotional Campaign, including all personnel
31

1 costs. Fees shall be deposited in the Florida Agricultural
2 Promotional Campaign Trust Fund.

3 Section 543. Subsection (2) of section 574.03, Florida
4 Statutes, is amended to read:

5 574.03 Warehouseman; licenses and fees.--

6 (2) Each applicant, with an application for license,
7 shall remit a license fee based upon total pounds sold during
8 the previous year. Unless determined otherwise pursuant to s.
9 216.1817, the fees are as follows ~~on the following scale:~~

- 10 (a) Less than 1,000,000 lbs., \$100;
11 (b) 1,000,000 lbs. and less than 2,000,000 lbs., \$200;
12 (c) 2,000,000 lbs. and less than 3,000,000 lbs., \$300;
13 (d) 3,000,000 lbs. and less than 4,000,000 lbs., \$400;
14 (e) 4,000,000 lbs. and less than 5,000,000 lbs., \$500;
15 (f) 5,000,000 lbs. and less than 6,000,000 lbs., \$600;
16 (g) All in excess of 6,000,000 lbs., \$600 and 6 cents
17 per 1,000 lbs.

18 Section 544. Subsection (1) of section 574.12, Florida
19 Statutes, is amended to read:

20 574.12 Tobacco warehouses; charges, fees, penalties.--

21 (1) The charges for auctioneer fees, for weighing and
22 handling, and for commissions for selling leaf tobacco upon
23 the floor of the tobacco warehouses shall be determined by the
24 Department of Agriculture and Consumer Services pursuant to s.
25 216.1817.

26 Section 545. Subsection (1) and paragraph (a) of
27 subsection (2) of section 576.021, Florida Statutes, are
28 amended to read:

29 576.021 Registration and licensing.--

30 (1) A person whose name appears upon a label and who
31 guarantees a fertilizer may not distribute that fertilizer to

1 a nonlicensee until a license to distribute has been obtained
2 by that person from the department upon payment of a \$100 fee,
3 unless determined otherwise pursuant to s. 216.1817. All
4 licenses shall expire on June 30 each year. An application
5 for license shall include the following information:

6 (a) The name and address of the applicant.
7 (b) The name and address of the distribution point.
8 The name and address shown on the license shall be shown on
9 all labels, pertinent invoices, and storage facilities for
10 fertilizer distributed by the licensee in this state.

11 (2)(a) A person may not distribute a specialty
12 fertilizer in this state until it is registered with the
13 department by the licensee whose name appears on the label.
14 An application for registration of each grade of specialty
15 fertilizer shall be made on a form furnished by the department
16 and shall be accompanied by an annual fee of \$100 each, unless
17 determined otherwise pursuant to s. 216.1817, for the first
18 five registrations for each grade of each brand. If more than
19 five grades of specialty fertilizer are to be registered by a
20 licensee, the registration fee for the sixth grade registered
21 and for each subsequent grade registered shall be \$25 for each
22 grade of each brand. All specialty fertilizer registrations
23 expire June 30 each year. All licensing and registration fees
24 paid to the department under this section shall be deposited
25 into the State Treasury to be placed in the General Inspection
26 Trust Fund to be used for the sole purpose of funding the
27 fertilizer inspection program.

28 Section 546. Subsection (1) of section 576.041,
29 Florida Statutes, is amended to read:

30 576.041 Inspection fees; records; bond.--
31

1 (1) Unless determined otherwise pursuant to s.
2 216.1817, every licensee shall pay to the department an
3 inspection fee in the amount of 75 cents per ton for
4 fertilizer sold in the state, except raw ground phosphate
5 rock, soft phosphate, colloidal phosphate, phosphatic clays
6 and all other untreated phosphatic materials, gypsum, hydrated
7 lime, limestone, and dolomite when sold or used for
8 agricultural purposes, on which the inspection fee shall be 30
9 cents per ton. All fees paid to the department under this
10 section shall be deposited into the State Treasury to be
11 placed in the General Inspection Trust Fund to be used for the
12 sole purpose of funding the fertilizer inspection program.

13 Section 547. Paragraph (a) of subsection (2) of
14 section 576.045, Florida Statutes, is amended to read:

15 576.045 Nitrate; findings and intent; fees; purpose;
16 best-management practices; waiver of liability; compliance;
17 rules; report; exclusions; expiration.--

18 (2) FEES.--

19 (a) In addition to the fees imposed under ss. 576.021
20 and 576.041, ~~the following~~ supplemental fees shall be
21 collected and paid by licensees for the sole purpose of
22 implementing this section. Unless determined otherwise
23 pursuant to s. 216.1817, the supplemental fees are as follows:

24 1. One hundred dollars for each license to distribute
25 fertilizer.

26 2. One hundred dollars for each of the first five
27 specialty fertilizer registrations and \$25 for each
28 registration after the first five.

29 3. Fifty cents per ton for all fertilizer that
30 contains nitrogen and that is sold in this state.

31

1 Section 548. Subsection (2) of section 576.051,
2 Florida Statutes, is amended to read:

3 576.051 Inspection, sampling, analysis.--

4 (2) The department is directed to sample, test,
5 inspect, and make analyses of fertilizer sold or offered for
6 sale within this state. The department may conduct commercial
7 tests of fertilizer and fix and collect fees pursuant to s.
8 216.1817 in an amount to cover the direct and indirect costs
9 associated with the tests when requested as an aid to support
10 compliance with this chapter.

11 Section 549. Paragraph (a) of subsection (1) of
12 section 578.08, Florida Statutes, is amended to read:

13 578.08 Registrations.--

14 (1) Every person, except as provided in subsection (4)
15 and s. 578.14, before selling, distributing for sale, offering
16 for sale, exposing for sale, handling for sale, or soliciting
17 orders for the purchase of any agricultural, vegetable,
18 flower, or forest tree seed or mixture thereof, shall first
19 register with the department as a seed dealer. The
20 application for registration shall include the name and
21 location of each place of business at which the seed is sold,
22 distributed for sale, offered for sale, exposed for sale, or
23 handled for sale. The application for registration shall be
24 accompanied by an annual registration fee for each such place
25 of business based on the gross receipts from the sale of such
26 seed for the last preceding license year. Unless determined
27 otherwise pursuant to s. 216.1817, the registration fees are
28 as follows:

29
30 (a)1. Receipts less than \$2,500.01, fee.....\$50
31

1 2. Receipts more than \$2,500 and less than \$5,000.01,
2 fee.....\$100
3 3. Receipts more than \$5,000 and less than \$10,000.01,
4 fee.....\$175
5 4. Receipts more than \$10,000 and less than
6 \$20,000.01, fee.....\$400
7 5. Receipts more than \$20,000 and less than
8 \$40,000.01, fee.....\$500
9 6. Receipts more than \$40,000 and less than
10 \$70,000.01, fee.....\$600
11 7. Receipts more than \$70,000 and less than
12 \$150,000.01, fee.....\$800
13 8. Receipts more than \$150,000 and less than
14 \$400,000.01, fee.....\$1,200
15 9. Receipts more than \$400,000, fee.....\$2,300
16 Section 550. Paragraph (h) of subsection (2) of
17 section 578.11, Florida Statutes, is amended to read:
18 578.11 Duties, authority, and rules of the
19 department.--
20 (2) The department is authorized:
21 (h) To analyze samples, as requested by a consumer.
22 Pursuant to s. 216.1817, the department shall establish, by
23 rule, a fee schedule for analyzing samples at the request of a
24 consumer. The fees shall be sufficient to cover the costs to
25 the department for taking the samples and performing the
26 analysis, not to exceed \$150 per sample.
27 Section 551. Paragraph (c) of subsection (1) of
28 section 578.26, Florida Statutes, is amended to read:
29 578.26 Complaint, investigation, hearings, findings,
30 and recommendation prerequisite to legal action.--
31 (1)

1 (c) Unless determined otherwise pursuant to s.
2 216.1817, a nonrefundable filing fee of \$100 shall be paid to
3 the department with each complaint filed. However, the
4 complainant may recover the filing fee cost from the dealer
5 upon the recommendation of the seed investigation and
6 conciliation council.

7 Section 552. Paragraph (b) of subsection (1) of
8 section 580.041, Florida Statutes, is amended to read:

9 580.041 Master registration; fee; refusal or
10 cancellation of registration.--

11 (1)

12 (b) The registration form shall be accompanied by a
13 fee that shall be based on tons of feed distributed in this
14 state during the previous year. If a distributor has been in
15 business less than 1 year, the tonnage shall be estimated by
16 the distributor for the first year and based on actual tonnage
17 thereafter. Unless determined otherwise pursuant to s.
18 216.1817, these fees are ~~shall be~~ as follows:

| SALES IN TONS | FEE |
|---|---------|
| Zero, up to and including 25..... | \$25 |
| More than 25, up to and including 50..... | \$50 |
| More than 50, up to and including 100..... | \$100 |
| More than 100, up to and including 300..... | \$300 |
| More than 300, up to and including 600..... | \$500 |
| More than 600, up to and including 1,000..... | \$750 |
| More than 1,000, up to and including 2,000..... | \$1,000 |
| More than 2,000, up to and including 5,000..... | \$1,500 |
| More than 5,000..... | \$2,500 |

1 Section 553. Paragraph (a) of subsection (2) of
2 section 580.065, Florida Statutes, is amended to read:

3 580.065 Laboratory certifications; application; fees;
4 requirements; reporting; refusal or cancellation of
5 certification.--

6 (2)(a) Any laboratory wanting to be certified by the
7 department in any of the testing categories must complete and
8 return an application with an ~~a \$100~~ application fee and a
9 ~~\$300~~ fee for each of the desired certifications. Unless
10 determined otherwise pursuant to s. 216.1817, the application
11 fee is \$100 and the fee for each of the desired certifications
12 is \$300.A single application may be used to apply for more
13 than one certification. The department shall furnish the
14 application forms, which must require the distributor to state
15 that the laboratory will comply with all provisions of this
16 chapter and applicable rules. The registration form shall
17 identify the laboratory's name, the name of the owner or
18 owners of the business, the location of the laboratory, and
19 other information as required by rule of the department. The
20 form shall be signed by the owner, a partner, if a
21 partnership, or an authorized officer or agent, if a
22 corporation.

23 Section 554. Paragraph (d) of subsection (14) of
24 section 581.031, Florida Statutes, is amended to read:

25 581.031 Department; powers and duties.--The department
26 has the following powers and duties:

27 (14)

28 (d) Pursuant to s. 216.1817,to prescribe a fee for
29 these services, provided the fee does not exceed the cost of
30 the services rendered. Annual citrus source tree registration
31 fees shall not exceed \$5 per tree unless determined otherwise

1 pursuant to s. 216.1817. If the fee has not been paid within
2 30 days of billing, a penalty of \$10 or 20 percent of the
3 unpaid balance, whichever is greater, shall be assessed.

4 Section 555. Subsection (2) of section 581.083,
5 Florida Statutes, is amended to read:

6 581.083 Introduction or release of plant pests,
7 noxious weeds, or organisms affecting plant life.--

8 (2) Unless determined otherwise pursuant to s.
9 216.1817, each application for a special permit shall be
10 accompanied by a fee in an amount determined by the
11 department, through its rulemaking authority, not to exceed
12 \$50. The department may waive this fee by rule for
13 governmental agencies.

14 Section 556. Subsection (5) of section 585.002,
15 Florida Statutes, is amended to read:

16 585.002 Department control; continuance of powers,
17 duties, rules, orders, etc.--

18 (5) Pursuant to s. 216.1817, the department shall, by
19 rule, establish a fee schedule to cover the approximate costs
20 associated with carrying out the provisions of this chapter.
21 This shall include establishment of fees for provision of
22 health forms, required certificates, and services. No
23 individual fee shall exceed \$200 unless determined otherwise
24 pursuant to s. 216.1817, except that the fee for carrying out
25 the quarantine requirements relating to horses imported from
26 countries where contagious equine metritis exists shall not
27 exceed \$1,500. These fees shall be deposited in the
28 department's General Inspection Trust Fund.

29 Section 557. Subsection (3) of section 585.61, Florida
30 Statutes, is amended to read:

31 585.61 Animal disease diagnostic laboratories.--

1 (3) Any person who maintains animals in the state may
2 use the services of the laboratories under the terms of this
3 section and the rules adopted for such use by the department.
4 Unless determined otherwise pursuant to s. 216.1817,the
5 department shall require any user of its services to pay a fee
6 not to exceed \$15 for any one of the services requested,
7 except that a fee for necropsy may be imposed in an amount not
8 to exceed \$70. All laboratory fees collected shall be
9 deposited in the Animal Industry Diagnostic Laboratory Account
10 within the General Inspection Trust Fund. The fees collected
11 shall be used to improve the diagnostic laboratory services as
12 provided for by the Legislature in the General Appropriations
13 Act.

14 Section 558. Subsection (3) of section 586.045,
15 Florida Statutes, is amended to read:

16 586.045 Certificates of registration and inspection.--

17 (3) Unless determined otherwise pursuant to s.
18 316.1817,neither the registration fee nor the annual renewal
19 fee shall exceed \$100. The department may exempt from the
20 payment of a registration fee those governmental agencies
21 having honeybee colonies for experimental or educational
22 purposes.

23 Section 559. Subsection (3) of section 589.011,
24 Florida Statutes, is amended to read:

25 589.011 Use of state forest lands; fees; rules.--

26 (3) The Division of Forestry shall have the power to
27 set and charge reasonable fees or rent pursuant to s. 216.1817
28 for the use or operation of facilities on state forests or any
29 lands leased by or otherwise assigned to the division for
30 management purposes. Moneys collected from such fees and rent

31

1 shall be deposited into the Incidental Trust Fund of the
2 division.

3 Section 560. Subsection (1) of section 590.02, Florida
4 Statutes, is amended to read:

5 590.02 Division powers, authority, and duties;
6 liability; building structures; Florida Center for Wildfire
7 and Forest Resources Management Training.--

8 (1) The division has the following powers, authority,
9 and duties:

10 (a) To enforce the provisions of this chapter;

11 (b) To prevent, detect, suppress, and extinguish
12 wildfires wherever they may occur on public or private land in
13 this state and to do all things necessary in the exercise of
14 such powers, authority, and duties;

15 (c) To provide firefighting crews, who shall be under
16 the control and direction of the division and its designated
17 agents;

18 (d) To appoint center managers, forest area
19 supervisors, forestry program administrators, a forest
20 protection bureau chief, a forest protection assistant bureau
21 chief, a field operations bureau chief, deputy chiefs of field
22 operations, district managers, senior forest rangers,
23 investigators, forest rangers, firefighter rotorcraft pilots,
24 and other employees who may, at the division's discretion, be
25 certified as forestry firefighters pursuant to s. 633.35(4);

26 (e) To develop a training curriculum for forestry
27 firefighters which must contain the basic volunteer structural
28 fire training course approved by the Florida State Fire
29 College of the Division of State Fire Marshal and a minimum of
30 250 hours of wildfire training;

31

1 (f) To make rules to accomplish the purposes of this
2 chapter; and

3 (g) To provide fire management services and emergency
4 response assistance and to set and charge reasonable fees for
5 performance of those services pursuant to s. 216.1817. Moneys
6 collected from such fees shall be deposited into the
7 Incidental Trust Fund of the division.

8 Section 561. Paragraph (a) of subsection (6) of
9 section 597.004, Florida Statutes, is amended to read:

10 597.004 Aquaculture certificate of registration.--

11 (6) REGISTRATION AND RENEWALS.--

12 (a) Each aquaculture producer must apply for an
13 aquaculture certificate of registration with the department
14 and submit the appropriate fee pursuant to s. 216.1817. Upon
15 department approval, the department shall issue the applicant
16 an aquaculture certificate of registration for a period not to
17 exceed 1 year. Beginning July 1, 1997, and each year
18 thereafter, each aquaculture certificate of registration must
19 be renewed with fee, pursuant to this chapter, on July 1.

20 Section 562. Paragraph (a) of subsection (1) and
21 paragraph (b) of subsection (2) of section 599.004, Florida
22 Statutes, are amended to read:

23 599.004 Florida Farm Winery Program; registration;
24 logo; fees.--

25 (1) The Florida Farm Winery Program is established
26 within the Department of Agriculture and Consumer Services.
27 Under this program, a winery may qualify as a tourist
28 attraction only if it is registered with and certified by the
29 department as a Florida Farm Winery. A winery may not claim
30 to be certified unless it has received written approval from
31 the department.

1 (a) To qualify as a certified Florida Farm Winery, a
2 winery shall meet the following standards:

3 1. Produce or sell less than 250,000 gallons of wine
4 annually.

5 2. Maintain a minimum of 10 acres of owned or managed
6 vineyards in Florida.

7 3. Be open to the public for tours, tastings, and
8 sales at least 30 hours each week.

9 4. Make annual application to the department for
10 recognition as a Florida Farm Winery, on forms provided by the
11 department.

12 5. Pay an annual application and registration fee of
13 \$100 unless determined otherwise pursuant to s. 216.1817.

14 (2)

15 (b) Upon the request of a certified Florida Farm
16 Winery, the Department of Transportation shall acquire and
17 place Florida Farm Winery logo, emblem, and directional signs
18 on the rights-of-way of interstate highways and primary and
19 secondary roads. All costs for placing each sign shall be
20 paid by the certified Florida Farm Winery requesting the sign.
21 However, unless determined otherwise pursuant to s. 216.1817,
22 the cost of placing a sign shall not exceed \$250 and the
23 annual permit fee shall not exceed \$50.

24 Section 563. Subsections (1) and (2) of section
25 601.59, Florida Statutes, are amended to read:

26 601.59 Dealer's license fee; agent's registration
27 fee.--

28 (1) Each applicant who qualifies for a citrus fruit
29 dealer's license shall pay to the Department of Agriculture,
30 prior to issuance of such license, a license fee of \$25 per
31

1 shipping season or portion thereof covered by the license,
2 unless determined otherwise pursuant to s. 216.1817.

3 (2) Unless determined otherwise pursuant to s.
4 216.1817,a registration fee of \$10 per shipping season or
5 portion thereof covered by the dealer's license shall be paid
6 to the Department of Agriculture for the registration of each
7 agent of a licensed citrus fruit dealer.

8 Section 564. Section 601.74, Florida Statutes, is
9 amended to read:

10 601.74 Adoption of rules; fees for licensing and
11 analysis of processing materials.--The Department of
12 Agriculture and Consumer Services may adopt rules and set fees
13 with respect to the licensing and analysis of materials and
14 composition used on or in the packing of citrus fruits. Such
15 rules may include fees for permitting dyes and coloring
16 matter. Unless determined otherwise pursuant to s. 216.1817,
17 fees shall be not less than the amount of \$30 nor more than
18 \$100 for each manufacturer making application to the
19 department. All such license fees collected hereunder shall
20 be paid monthly by the Department of Agriculture and Consumer
21 Services into the State Treasury to the credit of the General
22 Inspection Trust Fund and shall be appropriated and made
23 available for defraying the expenses incurred in the
24 administration of this law.

25 Section 565. Section 604.19, Florida Statutes, is
26 amended to read:

27 604.19 License; fee; bond; certificate of deposit;
28 penalty.--Unless the department refuses the application on one
29 or more of the grounds provided in this section, it shall
30 issue to an applicant, upon the payment of proper fees and the
31 execution and delivery of a bond or certificate of deposit as

1 provided in this section, a state license entitling the
2 applicant to conduct business as a dealer in agricultural
3 products for a 1-year period to coincide with the effective
4 period of the bond or certificate of deposit furnished by the
5 applicant. During the 1-year period covered by a license, if
6 the supporting surety bond or certificate of deposit is
7 canceled for any reason, the license shall automatically
8 expire on the date the surety bond or certificate of deposit
9 terminates, unless an acceptable replacement is in effect
10 before the date of termination so that continual coverage
11 occurs for the remaining period of the license. The license
12 fee for the principal place of business for a dealer in
13 agricultural products shall be based upon the amount of the
14 dealer's surety bond or certificate of deposit furnished by
15 each dealer under the provisions of s. 604.20 and may not
16 exceed \$300 unless determined otherwise pursuant to s.
17 216.1817. For each additional place in which the applicant
18 desires to conduct business and which the applicant names in
19 the application, the additional license fee may not exceed \$50
20 annually unless determined otherwise pursuant to s. 216.1817.
21 Should any dealer in agricultural products fail, refuse, or
22 neglect to apply and qualify for the renewal of a license on
23 or before the date of expiration thereof, a penalty not to
24 exceed \$35 shall apply to and be added to the original license
25 fee and shall be paid by the applicant before the renewal
26 license may be issued. The department by rule shall prescribe
27 fee amounts sufficient to fund ss. 604.15-604.34.

28 Section 566. Section 607.0122, Florida Statutes, is
29 amended to read:

30 607.0122 Fees for filing documents and issuing
31 certificates.--Unless determined otherwise pursuant to s.

1 216.1817, the Department of State shall collect the following
2 fees when the documents described in this section are
3 delivered to the department for filing:
4 (1) Articles of incorporation: \$35.
5 (2) Application for registered name: \$87.50.
6 (3) Application for renewal of registered name:
7 \$87.50.
8 (4) Corporation's statement of change of registered
9 agent or registered office or both if not included on the
10 annual report: \$35.
11 (5) Designation of and acceptance by registered agent:
12 \$35.
13 (6) Agent's statement of resignation from active
14 corporation: \$87.50.
15 (7) Agent's statement of resignation from
16 administratively dissolved corporation: \$35.
17 (8) Amendment of articles of incorporation: \$35.
18 (9) Restatement of articles of incorporation with
19 amendment of articles: \$35.
20 (10) Articles of merger or share exchange for each
21 party thereto: \$35.
22 (11) Articles of dissolution: \$35.
23 (12) Articles of revocation of dissolution: \$35.
24 (13) Application for reinstatement following
25 administrative dissolution: \$600.
26 (14) Application for certificate of authority to
27 transact business in this state by a foreign corporation: \$35.
28 (15) Application for amended certificate of authority:
29 \$35.
30 (16) Application for certificate of withdrawal by a
31 foreign corporation: \$35.

- 1 (17) Annual report: \$61.25.
2 (18) Articles of correction: \$35.
3 (19) Application for certificate of status: \$8.75.
4 (20) Certificate of domestication of a foreign
5 corporation: \$50.
6 (21) Certified copy of document: \$52.50.
7 (22) Serving as agent for substitute service of
8 process: \$87.50.
9 (23) Supplemental corporate fee: \$88.75.
10 (24) Any other document required or permitted to be
11 filed by this act: \$35.

12 Section 567. Section 608.452, Florida Statutes, is
13 amended to read:

14 608.452 Fees of the Department of State.--Unless
15 determined otherwise pursuant to s. 216.1817,the fees of the
16 Department of State under this chapter are as follows:

- 17 (1) For furnishing a certified copy, \$30.
18 (2) For filing original articles of organization,
19 articles of revocation of dissolution, or a foreign limited
20 liability company's application for a certificate of authority
21 to transact business, \$100.
22 (3) For filing articles of merger of limited liability
23 companies or other business entities, \$25 per constituent
24 party to the merger, unless a specific fee is required for a
25 party in other applicable law.
26 (4) For filing an annual report, \$50.
27 (5) For filing an application for reinstatement after
28 an administrative or judicial dissolution or a revocation of
29 authority to transact business, \$100.
30 (6) For filing a certificate designating a registered
31 agent or changing a registered agent, \$25.

1 (7) For filing a registered agent's statement of
2 resignation from an active limited liability company, \$85.

3 (8) For filing a registered agent's statement of
4 resignation from a dissolved limited liability company, \$25.

5 (9) For filing any other limited liability company
6 document, \$25.

7 (10) For furnishing a certificate of status, \$5.

8 Section 568. Section 609.02, Florida Statutes, is
9 amended to read:

10 609.02 Filing a declaration of trust.--Every such
11 organization organized for the purpose of transacting business
12 in this state, or organized in this state for the purpose of
13 transacting business elsewhere, which intends to sell or offer
14 for sale any units, shares, contracts, notes, bonds,
15 mortgages, oil or mineral leases or other security of such
16 association shall, prior to transacting any such business,
17 file with the Department of State a true and correct copy of
18 the declaration of trust under which the association proposes
19 to conduct its business, which copy shall be sworn to, as
20 being a true and correct copy, by the chair of the board of
21 trustees named in such declaration of trust. When such copy
22 shall have been filed with the Department of State it shall
23 constitute public notice as to the purposes and manner of the
24 business to be engaged in by such association. Unless
25 determined otherwise pursuant to s. 216.1817, the Department
26 of State, prior to the issuance of the certificate by it,
27 shall collect from the said association a filing fee of \$350,
28 which fee shall be paid by it into the general fund of the
29 state.

30 Section 569. Subsection (9) of section 609.08, Florida
31 Statutes, is amended to read:

1 609.08 Merger of association into wholly owned
2 subsidiary corporation; dissenters' rights of appraisal.--

3 (9) The articles of merger shall be delivered to the
4 Department of State. If the Department of State finds that
5 such articles conform to law, it shall, when all fees and
6 taxes have been paid as prescribed in this chapter, and when a
7 filing fee ~~of \$350~~ has been paid to the Department of State
8 (which fee shall be paid by it into the General Revenue Fund
9 of the state), file the articles of merger. Unless determined
10 otherwise pursuant to s. 216.1817, the filing fee is \$350.

11 Section 570. Subsection (1) of section 616.15, Florida
12 Statutes, is amended to read:

13 616.15 Permit from Department of Agriculture and
14 Consumer Services required.--

15 (1) No public fair or exposition may be conducted by a
16 fair association without a permit issued by the department.
17 The permit shall be issued in the following manner: The
18 association shall present to the department an application for
19 the permit, signed by an officer of the association, at least
20 3 months before holding the fair or exposition; this
21 application shall be accompanied by a fee in an amount to be
22 determined by the department ~~not to exceed \$366 or be less~~
23 ~~than \$183~~ for processing the application and making any
24 required investigation. Unless determined otherwise pursuant
25 to s. 216.1817, the fee may not exceed \$366 or be less than
26 \$183.The fees collected under this subsection shall be
27 deposited in the General Inspection Trust Fund of the State
28 Treasury in a special account to be known as the "Agricultural
29 and Livestock Fair Account." A copy of the application must be
30 sent to each fair association located within 50 miles of the
31 site of the proposed fair or exposition at the same time the

1 application is sent to the department. The department may
2 issue the permit if the application sets forth:

3 (a) The opening and closing dates of the proposed fair
4 or exposition.

5 (b) The name and address of the owner of the central
6 amusement attraction to operate during the fair or exposition.

7 (c) An affidavit properly executed by the president or
8 other chief executive officer of the applicant association
9 certifying the existence of a binding contract entered into by
10 the association or exposition and the owner of the central
11 amusement attraction covering the period for which the permit
12 from the department is applied. The contract or contracts
13 between the parties shall be available for inspection by duly
14 authorized agents of the department in administering this
15 chapter.

16 (d) A statement that the main purpose of the
17 association is to conduct and operate the proposed fair or
18 exposition for the benefit and development of the educational,
19 agricultural, horticultural, livestock, charitable,
20 historical, civic, cultural, scientific, and other resources
21 of the geographical area the fair or exposition represents and
22 serves. The statement shall be in writing, shall be
23 subscribed, and shall be acknowledged by an officer of the
24 association before an officer authorized to take
25 acknowledgments.

26 (e) A premium list of the current fair or exposition
27 to be conducted or a copy of the previous year's premium list
28 showing all premiums and awards to be offered to exhibitors in
29 various departments of the fair, such as art exhibition, beef
30 cattle, county exhibits, dairy cattle, horticulture, swine,
31 women's department, 4-H Club activities, Future Farmers of

1 America activities, Future Homemakers of America activities,
2 poultry and egg exhibits, and community exhibits, the
3 foregoing being a list of the usual exhibitors of a fair and
4 not to be construed as limiting the premium list to these
5 departments. The list may be submitted separately at any time
6 not later than 60 days before the holding of the fair or
7 exposition, and the department shall issue the permit as
8 provided in this section within 10 days thereafter if the
9 applicant is properly qualified.

10 (f) Proof of liability insurance insuring the
11 association against liability for injury to persons, in an
12 amount of not less than \$300,000 per occurrence.

13 (g) A copy of the most recent review.

14 (h) A list of all current members of the board of
15 directors of the association and their home addresses.

16 Section 571. Paragraph (a) of subsection (8) of
17 section 616.242, Florida Statutes, is amended to read:

18 616.242 Safety standards for amusement rides.--

19 (8) FEES.--

20 (a) Pursuant to s. 216.1817, the department shall by
21 rule establish fees to cover the costs and expenditures
22 associated with the Bureau of Fair Rides Inspection, including
23 all direct and indirect costs. If there is not sufficient
24 general revenue appropriated by the Legislature, the industry
25 shall pay for the remaining cost of the program. The fees must
26 be deposited in the General Inspection Trust Fund.

27 Section 572. Section 617.0122, Florida Statutes, is
28 amended to read:

29 617.0122 Fees for filing documents and issuing
30 certificates.--Unless determined otherwise pursuant to s.

31

1 216.1817, the Department of State shall collect the following
2 fees on documents delivered to the department for filing:
3 (1) Articles of incorporation: \$35.
4 (2) Application for registered name: \$87.50.
5 (3) Application for renewal of registered name:
6 \$87.50.
7 (4) Corporation's statement of change of registered
8 agent or registered office or both if not included on the
9 annual report: \$35.
10 (5) Designation of and acceptance by registered agent:
11 \$35.
12 (6) Agent's statement of resignation from active
13 corporation: \$87.50.
14 (7) Agent's statement of resignation from
15 administratively dissolved corporation: \$35.
16 (8) Amendment of articles of incorporation: \$35.
17 (9) Restatement of articles of incorporation with
18 amendment of articles: \$35.
19 (10) Articles of merger for each party thereto: \$35.
20 (11) Articles of dissolution: \$35.
21 (12) Articles of revocation of dissolution: \$35.
22 (13) Application for reinstatement following
23 administrative dissolution: \$175.
24 (14) Application for certificate of authority to
25 transact business in this state by a foreign corporation:
26 \$35.
27 (15) Application for amended certificate of authority:
28 \$35.
29 (16) Application for certificate of withdrawal by a
30 foreign corporation: \$35.
31 (17) Annual report: \$61.25.

- 1 (18) Articles of correction: \$35.
2 (19) Application for certificate of status: \$8.75.
3 (20) Certified copy of document: \$52.50.
4 (21) Serving as agent for substitute service of
5 process: \$87.50.
6 (22) Any other document required or permitted to be
7 filed by this chapter: \$35.

8
9 Any citizen support organization that is required by rule of
10 the Department of Environmental Protection to be formed as a
11 nonprofit organization and is under contract with the
12 department is exempt from any fees required for incorporation
13 as a nonprofit organization, and the Secretary of State may
14 not assess any such fees if the citizen support organization
15 is certified by the Department of Environmental Protection to
16 the Secretary of State as being under contract with the
17 Department of Environmental Protection.

18 Section 573. Paragraph (b) of subsection (8) of
19 section 618.04, Florida Statutes, is amended to read:

20 618.04 Articles of incorporation; fees.--Each
21 association organized under this chapter shall prepare and
22 file articles of incorporation setting forth:

23 (8)

24 (b) The articles shall be subscribed by the
25 incorporators and acknowledged by one of them, if individuals,
26 or by the president or any vice president of one of them, if
27 corporations, before an officer authorized by law to take and
28 certify acknowledgments of deeds and conveyances, and shall be
29 filed with the Department of State accompanied by a fee of
30 ~~\$52.50~~ which shall be the only fee required therefor. Unless
31 determined otherwise pursuant to s. 216.1817, the fee is

1 \$52.50. Upon payment of the fee, ~~and thereupon~~ the
2 association shall be and constitute a body corporate under the
3 provisions of this chapter, and a copy of said articles of
4 incorporation certified by the Department of State shall be
5 received in all the courts of this state and other places, as
6 prima facie evidence of the facts contained therein and of the
7 due incorporation of such association.

8 Section 574. Section 618.05, Florida Statutes, is
9 amended to read:

10 618.05 Amendment of articles of incorporation.--The
11 articles of incorporation may be altered or amended at any
12 regular meeting or any special meeting called for the purpose.
13 An amendment must first be approved by two-thirds of the
14 directors and then adopted by a vote representing a majority
15 of a quorum of the members attending a meeting of which notice
16 of the proposed amendment shall have been given. Thereupon
17 the association shall make under its corporate seal and the
18 hands of its president or vice president and secretary or
19 assistant secretary, a certificate accordingly, and the
20 president or vice president shall duly execute and acknowledge
21 such certificate before an officer authorized by law to take
22 and certify acknowledgments of deeds, and such certificate so
23 executed and acknowledged shall be filed with the Department
24 of State; and upon so filing the same, the articles of
25 incorporation of such association shall be deemed to be
26 amended accordingly; provided, however, a fee of only \$15
27 shall be required therefor by the Department of State, unless
28 determined otherwise pursuant to s. 216.1817.

29 Section 575. Section 620.182, Florida Statutes, is
30 amended to read:

31

1 620.182 Fees of the Department of State.--Unless
2 determined otherwise pursuant to s. 216.1817,the fees of the
3 Department of State under this act are as follows:

4 (1) For furnishing a certified copy, \$52.50 for the
5 first 15 pages plus \$1 for each additional page.

6 (2) For filing an original certificate of limited
7 partnership, an amount based upon the anticipated amount of
8 capital contributions of the limited partners, calculated at
9 the rate of \$7 per \$1,000 of such contributions; but the
10 amount of such filing fee may not be less than \$52.50 or more
11 than \$1,750.

12 (3) For filing an original application for
13 registration as a foreign limited partnership, an amount based
14 upon the anticipated amount of capital contributions of the
15 limited partners that is allocated for the purpose of
16 transacting business in this state, calculated at the rate of
17 \$7 per \$1,000 of such contributions; but the amount of such
18 filing fee may not be less than \$52.50 or more than \$1,750.

19 (4) For filing a supplemental affidavit declaring the
20 amount of capital contributions of the limited partners when
21 there is an increase in capital contribution beyond the
22 anticipated amount, an amount based upon the additional amount
23 of capital contributions of the limited partners, calculated
24 at the rate of \$7 per \$1,000 of such contributions; but the
25 amount of such filing fee may not be less than \$52.50 or more
26 than \$1,750.

27 (5) For filing an annual report, if a domestic limited
28 partnership, an amount based upon the amount of the capital
29 contributions of the limited partners, calculated at the rate
30 of \$7 per \$1,000 of such contributions, or, if a foreign
31 limited partnership, an amount based upon the amount of

1 capital contributions of the limited partners that is
2 allocated for the purpose of transacting business in this
3 state, calculated at the rate of \$7 per \$1,000 of such
4 contributions; but the amount of such filing fee may not be
5 less than \$52.50 or more than \$437.50.

6 (6) For filing a certificate:

7 (a) Designating a registered agent, \$35;

8 (b) Changing a registered agent, \$35; or

9 (c) Resigning as a registered agent, \$87.50.

10 (7) For filing a certificate of cancellation of
11 limited partnership or of registration, \$52.50.

12 (8) For filing any other domestic or foreign limited
13 partnership document, \$52.50.

14 (9) For furnishing a certificate of fact, \$8.75.

15 (10) A supplemental corporate fee imposed pursuant to
16 s. 607.193.

17 Section 576. Subsection (1) of section 620.81055,
18 Florida Statutes, is amended to read:

19 620.81055 Fees for filing documents and issuing
20 certificates; powers of the Department of State.--

21 (1) Unless determined otherwise pursuant to s.
22 216.1817, the Department of State shall collect the following
23 fees when documents authorized by this act are delivered to
24 the Department of State for filing:

25 (a) Partnership registration statement: \$50.

26 (b) Statement of partnership authority: \$25.

27 (c) Statement of denial: \$25.

28 (d) Statement of dissociation: \$25.

29 (e) Statement of dissolution: \$25.

30 (f) Statement of qualification: \$25.

31 (g) Statement of foreign qualification: \$25.

- 1 (h) Limited liability partnership annual report: \$25.
2 (i) Statement of merger for each party thereto: \$25.
3 (j) Amendment to any statement or registration: \$25.
4 (k) Cancellation of any statement or registration:
5 \$25.
6 (l) Certified copy of any recording or part thereof:
7 \$52.50.
8 (m) Certificate of status: \$8.75.
9 (n) Any other document required or permitted to be
10 filed by this act: \$25.
- 11 Section 577. Section 624.501, Florida Statutes, is
12 amended to read:
13 624.501 Filing, license, appointment, and
14 miscellaneous fees.--Unless determined otherwise pursuant to
15 s. 216.1817,the department shall collect in advance, and
16 persons so served shall pay to it in advance, fees, licenses,
17 and miscellaneous charges as follows:
18 (1) Certificate of authority of insurer.
19 (a) Filing application for original certificate of
20 authority or modification thereof as a result of a merger,
21 acquisition, or change of controlling interest due to a sale
22 or exchange of stock, including all documents required to be
23 filed therewith, filing fee.....\$1,500.00
24 (b) Reinstatement fee.....\$50.00
25 (2) Charter documents of insurer.
26 (a) Filing articles of incorporation or other charter
27 documents, other than at time of application for original
28 certificate of authority, filing fee.....\$10.00
29 (b) Filing amendment to articles of incorporation or
30 charter, other than at time of application for original
31 certificate of authority, filing fee.....\$5.00

1 (c) Filing bylaws, when required, or amendments
2 thereof, filing fee.....\$5.00
3 (3) Annual license tax of insurer, each domestic
4 insurer, foreign insurer, and alien insurer (except that, as
5 to fraternal benefit societies insuring less than 200 members
6 in this state and the members of which as a prerequisite to
7 membership possess a physical handicap or disability, such
8 license tax shall be \$25).....\$1,000.00
9 (4) Statements of insurer, filing (except when filed
10 as part of application for original certificate of authority),
11 filing fees:
12 (a) Annual statement.....\$250.00
13 (b) Quarterly statement.....\$250.00
14 (5) All insurance representatives, application for
15 license, each filing, filing fee.....\$50.00
16 (6) Insurance representatives, property, marine,
17 casualty, and surety insurance.
18 (a) Agent's original appointment and biennial renewal
19 or continuation thereof, each insurer:
20 Appointment fee.....\$42.00
21 State tax.....12.00
22 County tax.....6.00
23 Total.....\$60.00
24 (b) Solicitor's or customer representative's original
25 appointment and biennial renewal or continuation thereof:
26 Appointment fee.....\$42.00
27 State tax.....12.00
28 County tax.....6.00
29 Total.....\$60.00
30
31

1 (c) Nonresident agent's original appointment and
2 biennial renewal or continuation thereof, appointment fee,
3 each insurer.....\$60.00
4 (d) Service representatives; managing general agents.
5 Original appointment and biennial renewal or
6 continuation thereof, each insurer or managing general agent,
7 whichever is applicable.....\$60.00
8 (7) Life insurance agents.
9 (a) Agent's original appointment and biennial renewal
10 or continuation thereof, each insurer:
11 Appointment fee.....\$42.00
12 State tax.....12.00
13 County tax.....6.00
14 Total.....\$60.00
15 (b) Nonresident agent's original appointment and
16 biennial renewal or continuation thereof, appointment fee,
17 each insurer.....\$60.00
18 (8) Health insurance agents.
19 (a) Agent's original appointment and biennial renewal
20 or continuation thereof, each insurer:
21 Appointment fee.....\$42.00
22 State tax.....12.00
23 County tax.....6.00
24 Total.....\$60.00
25 (b) Nonresident agent's original appointment and
26 biennial renewal or continuation thereof, appointment fee,
27 each insurer.....\$60.00
28 (9) All limited appointments as agent, as provided for
29 in s. 626.321. Agent's original appointment and biennial
30 renewal or continuation thereof, each insurer:
31 Appointment fee.....\$42.00

1 State tax.....12.00
2 County tax.....6.00
3 Total.....\$60.00
4 (10) Fraternal benefit society agents. Original
5 appointment and biennial renewal or continuation thereof, each
6 insurer:
7 Appointment fee.....\$42.00
8 State tax.....12.00
9 County tax.....6.00
10 Total.....\$60.00
11 (11) Surplus lines agent. Agent's appointment and
12 biennial renewal or continuation thereof, appointment fee
13\$150.00
14 (12) Adjusters:
15 (a) Adjuster's original appointment and biennial
16 renewal or continuation thereof, appointment fee.....\$60.00
17 (b) Nonresident adjuster's original appointment and
18 biennial renewal or continuation thereof, appointment fee
19\$60.00
20 (c) Emergency adjuster's license, appointment fee
21\$10.00
22 (d) Fee to cover actual cost of credit report, when
23 such report must be secured by department.
24 (13) Examination--Fee to cover actual cost of
25 examination.
26 (14) Temporary license and appointment as agent or
27 adjuster, where expressly provided for, rate of fee for each
28 month of the period for which the license and appointment is
29 issued.....\$5.00
30 (15) Issuance, reissuance, reinstatement, modification
31 resulting in a modified license being issued, duplicate copy

1 of any insurance representative license, or an appointment
2 being reinstated.....\$5.00
3 (16) Additional appointment continuation fees as
4 prescribed in chapter 626.....\$5.00
5 (17) Filing application for permit to form insurer as
6 referred to in chapter 628, filing fee.....\$25.00
7 (18) Annual license fee of rating organization, each
8 domestic or foreign organization.....\$25.00
9 (19) Miscellaneous services:
10 (a) For copies of documents or records on file with
11 the department, per page.....\$.50
12 (b) For each certificate of the department under its
13 seal, authenticating any document or other instrument (other
14 than a license or certificate of authority).....\$5.00
15 (c) For preparing lists of agents, solicitors,
16 adjusters, and other insurance representatives, and for other
17 miscellaneous services, such reasonable charge as may be fixed
18 by the department.
19 (d) For processing requests for approval of continuing
20 education courses, processing fee.....\$100.00
21 (e) Insurer's registration fee for agent exchanging
22 business more than 24 times in calendar year under s. 626.752,
23 s. 626.793, or s. 626.837, registration fee per agent per year
24\$30.00
25 (20) Insurance agency or adjusting firm, 3-year
26 license.....\$60.00
27 (21) Limited surety agent, professional bail bond
28 agent, or runner as defined in s. 648.25, each agent and each
29 insurer represented. Original appointment and biennial renewal
30 or continuation thereof, each agent or insurer, whichever is
31 applicable:

| | | |
|----|--|----------|
| 1 | Appointment fee..... | \$44.00 |
| 2 | State tax..... | 24.00 |
| 3 | County tax..... | 12.00 |
| 4 | Total..... | \$80.00 |
| 5 | (22) Certain military installations, as authorized | |
| 6 | under s. 626.322: original appointment and biennial renewal | |
| 7 | or continuation thereof, each insurer..... | \$20.00 |
| 8 | (23) Filing application for original certificate of | |
| 9 | authority for third-party administrator or original | |
| 10 | certificate of approval for a service company, including all | |
| 11 | documents required to be filed therewith, filing fee...\$ | \$100.00 |
| 12 | (24) Fingerprinting processing fee--Fee to cover | |
| 13 | fingerprint processing. | |
| 14 | (25) Sales representatives, miscellaneous lines. | |
| 15 | Original appointment and biennial renewal or continuation | |
| 16 | thereof, appointment fee..... | \$60.00 |
| 17 | (26) Reinsurance intermediary: | |
| 18 | (a) Application filing and license fee..... | \$50.00 |
| 19 | (b) Original appointment and biennial renewal or | |
| 20 | continuation thereof, appointment fee..... | \$60.00 |
| 21 | (27) Title insurance agents: | |
| 22 | (a) Agent's original appointment or biennial renewal | |
| 23 | or continuation thereof, each insurer: | |
| 24 | Appointment fee..... | \$42.00 |
| 25 | State tax..... | 12.00 |
| 26 | County tax..... | 6.00 |
| 27 | Total..... | \$60.00 |
| 28 | (b) Agency original appointment or biennial renewal or | |
| 29 | continuation thereof, each insurer: | |
| 30 | Appointment fee..... | \$42.00 |
| 31 | State tax..... | 12.00 |

1 County tax.....6.00
2 Total.....\$60.00

3 (c) Filing for title insurance agent's license:
4 Application for filing, each filing, filing fee..\$10.00

5 (d) Additional appointment continuation fee as
6 prescribed by s. 626.843.....\$5.00

7 (e) Title insurer and title insurance agency
8 administrative surcharge:

9 1. On or before January 30 of each calendar year, each
10 title insurer shall pay to the department for each licensed
11 title insurance agency appointed by the title insurer and for
12 each retail office of the insurer on January 1 of that
13 calendar year an administrative surcharge of \$200.00.

14 2. On or before January 30 of each calendar year, each
15 licensed title insurance agency shall remit to the department
16 an administrative surcharge of \$200.00.

17
18 The administrative surcharge may be used solely to defray the
19 costs to the department in its examination or audit of title
20 insurance agencies and retail offices of title insurers and to
21 gather title insurance data for statistical purposes in its
22 regulation of title insurance.

23 Section 578. Subsection (2) of section 626.9912,
24 Florida Statutes, is amended to read:

25 626.9912 Viatical settlement provider license
26 required; application for license.--

27 (2) Application for a viatical settlement provider
28 license must be made to the department by the applicant on a
29 form prescribed by the department, under oath and signed by
30 the applicant. Unless determined otherwise pursuant to s.
31 216.1817, the application must be accompanied by a fee of

1 \$500. If the applicant is a corporation, the application must
2 be under oath and signed by the president and the secretary of
3 the corporation.

4 Section 579. Subsection (2) of section 626.9913,
5 Florida Statutes, is amended to read:

6 626.9913 Viatical settlement provider license
7 continuance; annual report; fees; deposit.--

8 (2) Annually, on or before March 1, the viatical
9 settlement provider licensee shall file a statement containing
10 information the department requires and shall pay to the
11 department a license fee in the amount of \$500 unless
12 determined otherwise pursuant to s. 216.1817. A viatical
13 settlement provider shall include in all statements filed with
14 the department all information requested by the department
15 regarding a related provider trust established by the viatical
16 settlement provider. The department may require more frequent
17 reporting. Failure to timely file the annual statement or to
18 timely pay the license fee is grounds for immediate suspension
19 of the license.

20 Section 580. Subsection (2) of section 626.9916,
21 Florida Statutes, is amended to read:

22 626.9916 Viatical settlement broker license required;
23 application for license.--

24 (2) Application for a viatical settlement broker
25 license must be made to the department by the applicant on a
26 form prescribed by the department, under oath, and signed by
27 the applicant. Unless determined otherwise pursuant to s.
28 216.1817, the application must be accompanied by a \$50 filing
29 fee. If the applicant is a corporation, the application must
30 be under oath and signed by the president and the secretary of
31 the corporation.

1 Section 581. Subsection (7) of section 627.733,
2 Florida Statutes, is amended to read:

3 627.733 Required security.--

4 (7) Any operator or owner whose driver's license or
5 registration has been suspended pursuant to this section or s.
6 316.646 may effect its reinstatement upon compliance with the
7 requirements of this section and upon payment to the
8 Department of Highway Safety and Motor Vehicles of a
9 nonrefundable reinstatement fee. Unless determined otherwise
10 pursuant to s. 216.1817, the reinstatement fees are as
11 follows: of \$150 for the first reinstatement;—Such
12 ~~reinstatement fee shall be~~ \$250 for the second reinstatement;
13 and \$500 for each subsequent reinstatement during the 3 years
14 following the first reinstatement. Any person reinstating her
15 or his insurance under this subsection must also secure
16 noncancelable coverage as described in s. 627.7275(2) and
17 present to the appropriate person proof that the coverage is
18 in force on a form promulgated by the Department of Highway
19 Safety and Motor Vehicles, such proof to be maintained for 2
20 years. If the person does not have a second reinstatement
21 within 3 years after her or his initial reinstatement, the
22 reinstatement fee shall be \$150 for the first reinstatement
23 after that 3-year period. In the event that a person's license
24 and registration are suspended pursuant to this section or s.
25 316.646, only one reinstatement fee shall be paid to reinstate
26 the license and the registration. All fees shall be collected
27 by the Department of Highway Safety and Motor Vehicles at the
28 time of reinstatement. The Department of Highway Safety and
29 Motor Vehicles shall issue proper receipts for such fees and
30 shall promptly deposit those fees in the Highway Safety
31 Operating Trust Fund. One-third of the fee collected under

1 this subsection shall be distributed from the Highway Safety
2 Operating Trust Fund to the local government entity or state
3 agency which employed the law enforcement officer or the
4 recovery agent who seizes a license plate pursuant to s.
5 324.201 or to s. 324.202. Such funds may be used by the local
6 government entity or state agency for any authorized purpose.

7 Section 582. Subsection (1) of section 627.849,
8 Florida Statutes, is amended to read:

9 627.849 Fees.--

10 (1) Unless determined otherwise pursuant to s.
11 216.1817, the department shall collect in advance, and the
12 persons so served shall pay to it in advance, the following
13 fees:

- 14 (a) Annual license fee.....\$250
15 (b) Investigation fee.....100
16 (c) Annual report filing fee.....25
17 (d) Form filing fee.....10

18 Section 583. Subsections (1) and (2), paragraphs (c)
19 and (f) of subsection (3), and paragraph (b) of subsection (4)
20 of section 633.061, Florida Statutes, are amended to read:

21 633.061 License or permit required of organizations
22 and individuals servicing, recharging, repairing, testing,
23 marking, inspecting, installing, or hydrotesting fire
24 extinguishers and preengineered systems.--

25 (1) It is unlawful for any organization or individual
26 to engage in the business of servicing, repairing, recharging,
27 testing, marking, inspecting, installing, or hydrotesting any
28 fire extinguisher or preengineered system in this state except
29 in conformity with the provisions of this chapter. Each
30 organization or individual that engages in such activity must
31 possess a valid and subsisting license issued by the State

1 Fire Marshal. All fire extinguishers and preengineered
2 systems required by statute or by rule must be serviced by an
3 organization or individual licensed under the provisions of
4 this chapter. The licensee is legally qualified to act for
5 the business organization in all matters connected with its
6 business, and the licensee must supervise all activities
7 undertaken by such business organization. Each licensee shall
8 maintain a specific business location. A further requirement,
9 in the case of multiple locations where such servicing or
10 recharging is taking place, is that each licensee who
11 maintains more than one place of business where actual work is
12 carried on must possess an additional license, as set forth in
13 this section, for each location, except that a licensed
14 individual may not qualify for more than five locations. A
15 licensee is limited to a specific type of work performed
16 depending upon the class of license held. Unless determined
17 otherwise pursuant to s. 216.1817, licenses and license fees
18 are as follows required for the following:

19 (a) Class A.....\$250
20 To service, recharge, repair, install, or inspect all types of
21 fire extinguishers and to conduct hydrostatic tests on all
22 types of fire extinguishers.

23 (b) Class B.....\$150
24 To service, recharge, repair, install, or inspect all types of
25 fire extinguishers, including recharging carbon dioxide units
26 and conducting hydrostatic tests on all types of fire
27 extinguishers, except carbon dioxide units.

28 (c) Class C.....\$150
29 To service, recharge, repair, install, or inspect all types of
30 fire extinguishers, except recharging carbon dioxide units,
31

1 and to conduct hydrostatic tests on all types of fire
2 extinguishers, except carbon dioxide units.

3 (d) Class D.....\$200

4 To service, repair, recharge, hydrotest, install, or inspect
5 all types of preengineered fire extinguishing systems.

6 (e) Licenses issued as duplicates or to reflect a
7 change of address.....\$10

8
9 Any fire equipment dealer licensed pursuant to this subsection
10 who does not want to engage in the business of servicing,
11 inspecting, recharging, repairing, hydrotesting, or installing
12 halon equipment must file an affidavit on a form provided by
13 the division so stating. Licenses will be issued by the
14 division to reflect the work authorized thereunder. It is
15 unlawful, unlicensed activity for any person or firm to
16 falsely hold himself or herself or a business organization out
17 to perform any service, inspection, recharge, repair,
18 hydrotest, or installation except as specifically described in
19 the license.

20 (2) Each individual actually performing the work of
21 servicing, recharging, repairing, hydrotesting, installing,
22 testing, or inspecting fire extinguishers or preengineered
23 systems must possess a valid and subsisting permit issued by
24 the State Fire Marshal. Permittees are limited as to specific
25 type of work performed dependent upon the class of permit held
26 which shall be a class allowing work no more extensive than
27 the class of license held by the licensee under whom the
28 permittee is working. Unless determined otherwise pursuant to
29 s. 216.1817, permits and fees therefor are as follows ~~required~~
30 ~~for the following:~~

31 (a) Class 1.....\$90

1 Servicing, recharging, repairing, installing, or inspecting
2 all types of fire extinguishers and conducting hydrostatic
3 tests on all types of fire extinguishers.
4 (b) Class 2.....\$90
5 Servicing, recharging, repairing, installing, or inspecting
6 all types of fire extinguishers, including carbon dioxide
7 units, and conducting hydrostatic tests on all types of fire
8 extinguishers, except carbon dioxide units.
9 (c) Class 3.....\$90
10 Servicing, recharging, repairing, installing, or inspecting
11 all types of fire extinguishers, except recharging carbon
12 dioxide units, and conducting hydrostatic tests on all types
13 of fire extinguishers, except carbon dioxide units.
14 (d) Class 4.....\$120
15 Servicing, repairing, hydrotesting, recharging, installing, or
16 inspecting all types of preengineered fire extinguishing
17 systems.
18 (e) Permits issued as duplicates or to reflect a
19 change of address.....\$10
20
21 Any fire equipment permittee licensed pursuant to this
22 subsection who does not want to engage in servicing,
23 inspecting, recharging, repairing, hydrotesting, or installing
24 halon equipment must file an affidavit on a form provided by
25 the division so stating. Permits will be issued by the
26 division to reflect the work authorized thereunder. It is
27 unlawful, unlicensed activity for any person or firm to
28 falsely hold himself or herself out to perform any service,
29 inspection, recharge, repair, hydrotest, or installation
30 except as specifically described in the permit.
31 (3)

1 (c) A license of any class shall not be issued or
2 renewed by the State Fire Marshal and a license of any class
3 shall not remain operative unless:

4 1. The applicant has submitted to the State Fire
5 Marshal evidence of registration as a Florida corporation or
6 evidence of compliance with s. 865.09.

7 2. The State Fire Marshal or his or her designee has
8 by inspection determined that the applicant possesses the
9 equipment required for the class of license sought. The State
10 Fire Marshal shall give an applicant a reasonable opportunity
11 to correct any deficiencies discovered by inspection. A fee of
12 \$50, payable to the State Fire Marshal, shall be required for
13 any subsequent reinspection.

14 3. The applicant has submitted to the State Fire
15 Marshal proof of insurance providing coverage for
16 comprehensive general liability for bodily injury and property
17 damage, products liability, completed operations, and
18 contractual liability. The State Fire Marshal shall adopt
19 rules providing for the amounts of such coverage, but such
20 amounts shall not be less than \$300,000 for Class A or Class D
21 licenses, \$200,000 for Class B licenses, and \$100,000 for
22 Class C licenses; and the total coverage for any class of
23 license held in conjunction with a Class D license shall not
24 be less than \$300,000. The State Fire Marshal may, at any
25 time after the issuance of a license or its renewal, require
26 upon demand, and in no event more than 30 days after notice of
27 such demand, the licensee to provide proof of insurance, on a
28 form provided by the State Fire Marshal, containing
29 confirmation of insurance coverage as required by this
30 chapter. Failure, for any length of time, to provide proof of
31 insurance coverage as required shall result in the immediate

1 suspension of the license until proof of proper insurance is
2 provided to the State Fire Marshal. An insurer which provides
3 such coverage shall notify the State Fire Marshal of any
4 change in coverage or of any termination, cancellation, or
5 nonrenewal of any coverage.

6 4. The applicant successfully completes a prescribed
7 training course offered by the State Fire College or an
8 equivalent course approved by the State Fire Marshal. This
9 subparagraph does not apply to any holder of or applicant for
10 a permit under paragraph (f) or to a business organization or
11 a governmental entity seeking initial licensure or renewal of
12 an existing license solely for the purpose of inspecting,
13 servicing, repairing, marking, recharging, and maintaining
14 fire extinguishers used and located on the premises of and
15 owned by such organization or entity.

16 5. The applicant has a current retestor identification
17 number that is appropriate for the license for which the
18 applicant is applying and that is listed with the United
19 States Department of Transportation.

20 6. The applicant has passed, with a grade of at least
21 70 percent, a written examination testing his or her knowledge
22 of the rules and statutes regulating the activities authorized
23 by the license and demonstrating his or her knowledge and
24 ability to perform those tasks in a competent, lawful, and
25 safe manner. Such examination shall be developed and
26 administered by the State Fire Marshal, or his or her
27 designee. Unless determined otherwise pursuant to s. 216.1817,
28 an applicant shall pay a nonrefundable examination fee of \$50
29 for each examination or reexamination scheduled. No
30 reexamination shall be scheduled sooner than 30 days after any
31 administration of an examination to an applicant. No

1 applicant shall be permitted to take an examination for any
2 level of license more than a total of four times during 1
3 year, regardless of the number of applications submitted. As a
4 prerequisite to taking the examination, the applicant:

5 a. Must be at least 18 years of age.
6 b. Must have 4 years of proven experience as a fire
7 equipment permittee at a level equal to or greater than the
8 level of license applied for or have a combination of
9 education and experience determined to be equivalent thereto
10 by the State Fire Marshal. Having held a permit at the
11 appropriate level for the required period constitutes the
12 required experience.

13 c. Must not have been convicted of, or pled nolo
14 contendere to, any felony. If an applicant has been convicted
15 of any such felony, the applicant must comply with s.
16 112.011(1)(b).

17
18 This subparagraph does not apply to any holder of or applicant
19 for a permit under paragraph (f) or to a business organization
20 or a governmental entity seeking initial licensure or renewal
21 of an existing license solely for the purpose of inspecting,
22 servicing, repairing, marking, recharging, hydrotesting, and
23 maintaining fire extinguishers used and located on the
24 premises of and owned by such organization or entity.

25 (f) No permit of any class shall be issued or renewed
26 to a person by the State Fire Marshal, and no permit of any
27 class shall remain operative, unless the person has:

28 1. Submitted a nonrefundable examination fee pursuant
29 to paragraph (c)~~in the amount of \$50;~~
30
31

1 2. Successfully completed a training course offered by
2 the State Fire College or an equivalent course approved by the
3 State Fire Marshal; and

4 3. Passed, with a grade of at least 70 percent, a
5 written examination testing his or her knowledge of the rules
6 and statutes regulating the activities authorized by the
7 permit and demonstrating his or her knowledge and ability to
8 perform those tasks in a competent, lawful, and safe manner.
9 Such examination shall be developed and administered by the
10 State Fire Marshal. An examination fee shall be paid for each
11 examination scheduled. No reexamination shall be scheduled
12 sooner than 30 days after any administration of an examination
13 to an applicant. No applicant shall be permitted to take an
14 examination for any level of permit more than four times
15 during 1 year, regardless of the number of applications
16 submitted. As a prerequisite to taking the permit
17 examination, the applicant must be at least 16 years of age.

18 (4)

19 (b) No trainee shall perform work requiring a permit
20 unless an individual possessing a valid and current fire
21 equipment permit for the type of work performed is physically
22 present. The trainee's registration shall be valid for a
23 90-day period from the date of issuance and is nontransferable
24 and nonrenewable. The initial training period may be extended
25 for an additional 90 days of training if the applicant has
26 filed an application for permit and enrolled in the 40-hour
27 course at the State Fire College within 60 days after the date
28 of registration as a trainee and either the training course at
29 the State Fire College was unavailable to the applicant within
30 the initial training period, at no fault of the applicant, or
31 the applicant attends and fails the 40-hour training course or

1 the competency examination. At no time will an individual be
2 registered as a trainee for more than two 90-day periods as
3 provided in this paragraph. The trainee must:

4 1. Be 18 years of age.

5 2. Possess on his or her person at all times a valid
6 Florida driver's license or a valid state identification card,
7 issued by the Department of Highway Safety and Motor Vehicles.
8 A trainee must produce identification to the State Fire
9 Marshal or his or her designated representative upon demand.

10 3. Unless determined otherwise pursuant to s.
11 216.1817, pay a fee for registration of \$10 per trainee for a
12 90-day period.

13 Section 584. Section 633.46, Florida Statutes, is
14 amended to read:

15 633.46 Fees.--Pursuant to s. 216.1817, the division
16 may fix and collect admission fees and other fees which it
17 deems necessary to be charged for training given. All fees so
18 collected shall be deposited in the Insurance Commissioner's
19 Regulatory Trust Fund.

20 Section 585. Subsection (1) of section 633.524,
21 Florida Statutes, is amended to read:

22 633.524 Certificate fees; use and deposit of collected
23 funds.--

24 (1) Unless determined otherwise pursuant to s.
25 216.1817, the initial application fee for each class of
26 certificate shall be \$300. Unless determined otherwise
27 pursuant to s. 216.1817, the biennial renewal fee for each
28 class of certificate shall be \$250. Unless determined
29 otherwise pursuant to s. 216.1817, the fee for certificates
30 issued as duplicates or to reflect a change of address shall
31 be \$5 each. Unless determined otherwise pursuant to s.

1 216.1817,the fee for each examination or reexamination
2 scheduled shall be \$100.

3 Section 586. Subsection (2) of section 633.537,
4 Florida Statutes, is amended to read:

5 633.537 Certificate; expiration; renewal; inactive
6 certificate; continuing education.--

7 (2) A person who holds a valid certificate may
8 maintain such certificate in an inactive status during which
9 time she or he may not engage in contracting. An inactive
10 status certificate shall be void after a 2-year period. Unless
11 determined otherwise pursuant to s. 216.1817,the biennial
12 renewal fee for an inactive status certificate shall be \$75.
13 An inactive status certificate may be reactivated upon
14 application to the State Fire Marshal and payment of the
15 initial application fee.

16 Section 587. Section 637.071, Florida Statutes, is
17 amended to read:

18 634.071 License continuance.--A license issued under
19 this part shall continue in force as long as the motor vehicle
20 service agreement company is entitled thereto under this part
21 and until suspended, revoked, or terminated. Annually, in
22 conjunction with the March 1 filing of the annual report,
23 unless determined otherwise pursuant to s. 216.1817,each
24 motor vehicle service agreement company shall file a \$100
25 license fee.

26 Section 588. Paragraph (c) of subsection (3) of
27 section 634.306, Florida Statutes, is amended to read:

28 634.306 Application for and issuance of license.--

29 (3) The application must be accompanied by:
30
31

1 (c) Unless determined otherwise pursuant to s.
2 216.1817,a license fee in the amount of \$200, as required
3 under s. 634.303.

4 Section 589. Subsection (1) of section 634.403,
5 Florida Statutes, is amended to read:

6 634.403 License required.--

7 (1) No person in this state shall provide or offer to
8 provide service warranties unless authorized therefor under a
9 subsisting license issued by the department. Unless determined
10 otherwise pursuant to s. 216.1817,the service warranty
11 association shall pay to the department a license fee of \$200
12 for such license for each license year, or part thereof, the
13 license is in force.

14 Section 590. Paragraph (b) of subsection (6) of
15 section 634.404, Florida Statutes, is amended to read:

16 634.404 Qualifications for license.--The department
17 may not issue or allow a service warranty association to
18 maintain a license unless the association:

19 (6) In lieu of the provisions of subsections (1)-(5)
20 of this section and s. 634.407, a manufacturer or affiliate as
21 defined in this part is eligible for licensure as a service
22 warranty association under the provisions of this part and
23 shall complete an application evidencing its qualifications as
24 set forth in this section. The application for license as a
25 service warranty association from a manufacturer or affiliate
26 shall be made to, and filed with, the department on printed
27 forms as promulgated by the department to be specifically and
28 exclusively applicable to qualifying manufacturers.

29 (b) The department shall require that the application,
30 when filed, be accompanied by:

31

1 1. A copy of the applicant's articles of
2 incorporation, certified by the public official having custody
3 of the original, and a copy of the applicant's bylaws,
4 certified by the applicant's corporate secretary;

5 2. Evidence that the applicant has complied with all
6 applicable statutory requirements regarding registering to do
7 business in this state; and

8 3. Unless determined otherwise pursuant to s.
9 216.1817,a license fee in the amount of \$500.

10 Section 591. Paragraph (c) of subsection (3) of
11 section 634.407, Florida Statutes, is amended to read:

12 634.407 Application for and issuance of license.--

13 (3) The department may require that the application,
14 when filed, be accompanied by:

15 (c) Unless determined otherwise pursuant to s.
16 216.1817,a license fee in the amount of \$200, as required
17 under s. 634.403.

18 Section 592. Section 634.408, Florida Statutes, is
19 amended to read:

20 634.408 License continuance.--A license issued under
21 this part shall continue in force as long as the service
22 warranty association is entitled thereto under this part and
23 until suspended, revoked, or terminated at the request of the
24 service warranty association. However, to continue the
25 license, annually in conjunction with the March 1 filing of
26 the annual statement, each service warranty association shall
27 file a \$200 license fee unless determined otherwise pursuant
28 to s. 216.1817.

29 Section 593. Subsection (1) of section 634.416,
30 Florida Statutes, is amended to read:

31 634.416 Examination of associations.--

1 (1) Service warranty associations licensed under this
2 part are subject to periodic examination by the department, in
3 the same manner and subject to the same terms and conditions
4 that apply to insurers under part II of chapter 624. However,
5 the rate charged a service warranty association by the
6 department for examination may be adjusted to reflect the
7 amount collected for the Form 10-K filing fee as provided in
8 this section. On or before May 1 of each year, an association
9 may submit to the department the Form 10-K, as filed with the
10 United States Securities and Exchange Commission pursuant to
11 the Securities Exchange Act of 1934, as amended. Upon receipt
12 and review of the most current Form 10-K, the department may
13 waive the examination requirement; if the department
14 determines not to waive the examination, such examination will
15 be limited to that examination necessary to ensure compliance
16 with this part. Unless determined otherwise pursuant to s.
17 216.1817, the Form 10-K shall be accompanied by a filing fee
18 of \$2,000 to be deposited into the Insurance Commissioner's
19 Regulatory Trust Fund.

20 Section 594. Section 636.057, Florida Statutes, is
21 amended to read:

22 636.057 Fees.--Every prepaid limited health service
23 organization subject to this act must pay to the department
24 the following fees:

25 (1) For filing an application for a certificate of
26 authority or amendment thereto: \$500, unless determined
27 otherwise pursuant to s. 216.1817.

28 (2) For filing each annual report: \$200, unless
29 determined otherwise pursuant to s. 216.1817.

30 (3) For each renewal of certificate of authority:
31 \$500, unless determined otherwise pursuant to s. 216.1817.

1 Section 595. Section 641.29, Florida Statutes, is
2 amended to read:

3 641.29 Fees.--Unless determined otherwise pursuant to
4 s. 216.1817, every health maintenance organization shall pay
5 to the department the following fees:

6 (1) For filing a copy of its application for a
7 certificate of authority or amendment thereto, a nonrefundable
8 fee in the amount of \$1,000.

9 (2) For filing each annual report, which must be filed
10 on computer diskettes, \$150.

11 Section 596. Subsection (1) of section 641.412,
12 Florida Statutes, is amended to read:

13 641.412 Fees.--

14 (1) Unless determined otherwise pursuant to s.
15 216.1817, every prepaid health clinic shall pay to the
16 department the following fees:

17 (a) For filing a copy of its application for a
18 certificate of authority or an amendment to such certificate,
19 a nonrefundable fee in the amount of \$150.

20 (b) For filing each annual report, a fee in the amount
21 of \$150.

22 Section 597. Paragraph (t) of subsection (3) of
23 section 641.49, Florida Statutes, is amended to read:

24 641.49 Certification of health maintenance
25 organization and prepaid health clinic as health care
26 providers; application procedure.--

27 (3) Each application for a health care provider
28 certificate shall be on a form prescribed by the agency. The
29 following information and documents shall be submitted by an
30 applicant and maintained, after certification under this part,
31 by each organization and shall be available for inspection or

1 examination by the agency at the offices of an organization at
2 any time during regular business hours. The agency shall give
3 reasonable notice to an organization prior to any onsite
4 inspection or examination of its records or premises conducted
5 under this section. The agency may require that the following
6 information or documents be submitted with the application:

7 (t) Unless determined otherwise pursuant to s.
8 216.1817, a nonrefundable application fee of \$1,000.

9 Section 598. Subsection (1) of section 642.0301,
10 Florida Statutes, is amended to read:

11 642.0301 Filing, license, statement, and miscellaneous
12 fees.--

13 (1) Unless determined otherwise pursuant to s.
14 216.1817, every legal expense insurance corporation must pay
15 to the department the following fees:

16 (a) Certificate of authority of legal expense
17 insurance corporation. Filing application for original
18 certificate of authority, including all accompanying
19 documents, filing fee.....\$250

20 (b) Annual license fee for legal expense insurance
21 corporations.....\$300

22 (c) Statements of legal expense insurance corporation:
23 1. Annual statement.....\$100
24 2. Quarterly statement.....\$25

25 Section 599. Subsection (3) of section 648.38, Florida
26 Statutes, is amended to read:

27 648.38 Licensure examination for bail bond agents;
28 time; place; fees; scope.--

29 (3) Prior to being permitted to take an examination,
30 each applicant must pay the department or a person designated
31

1 by the department an examination fee pursuant to s. 216.1817.
2 The fee for examination is not refundable.

3 Section 600. Subsection (2) of section 651.015,
4 Florida Statutes, is amended to read:

5 651.015 Administration; forms; fees; rules;
6 fines.--The administration of this chapter is vested in the
7 department, which shall:

8 (2) Collect in advance, and the applicant shall pay in
9 advance, the following fees:

10 (a) At the time of filing an application for a
11 certificate of authority, an application fee in the amount of
12 \$75 for each facility unless determined otherwise pursuant to
13 s. 216.1817.

14 (b) At the time of filing the annual report required
15 by s. 651.026, a fee in the amount of \$100 for each year or
16 part thereof for each facility unless determined otherwise
17 pursuant to s. 216.1817.

18 (c) A late fee not to exceed \$50 a day for each day of
19 noncompliance.

20 (d) A fee to cover the actual cost of a credit report
21 and fingerprint processing.

22 (e) At the time of filing an application for a
23 provisional certificate of authority, a fee in the amount of
24 \$50 unless determined otherwise pursuant to s. 216.1817.

25 Section 601. Paragraph (b) of subsection (1) of
26 section 655.045, Florida Statutes, is amended to read:

27 655.045 Examinations, reports, and internal audits;
28 penalty.--

29 (1)

30 (b) Pursuant to s. 216.1817,the department shall ~~may~~
31 recover the costs of examination and supervision of a state

1 financial institution, subsidiary, or service corporation that
2 is determined by the department to be engaged in an unsafe or
3 unsound practice. Pursuant to s. 216.1817, the department
4 shall ~~may also~~ recover the costs of any review conducted
5 pursuant to paragraph (a) of any affiliate of a state
6 financial institution determined by the department to have
7 contributed to an unsafe or unsound practice at a state
8 financial institution, subsidiary, or service corporation.

9 Section 602. Subsection (5) of section 657.065,
10 Florida Statutes, is amended to read:

11 657.065 Merger.--

12 (5) Unless determined otherwise pursuant to s.
13 216.1817, a merger application shall be accompanied by a
14 nonrefundable fee of \$500. The fee may be waived by the
15 department for a merger pursuant to subsection (6).

16 Section 603. Subsection (3) of section 658.20, Florida
17 Statutes, is amended to read:

18 658.20 Investigation by department.--

19 (3) The department may accept an application for prior
20 approval of individuals who may become directors and executive
21 officers of a failing bank, association, or trust company.
22 Such applications are governed by the application criteria set
23 forth in paragraph (1)(a) and ss. 658.21(4) and 658.28. The
24 application must be in the form and must contain additional
25 information prescribed by the department, and must be
26 accompanied by a nonrefundable, nontransferable filing fee of
27 \$7,500, unless determined otherwise pursuant to s. 216.1817.

28 Section 604. Section 658.73, Florida Statutes, is
29 amended to read:

30 658.73 Fees and assessments.--

31

1 (1) Each state bank and state trust company shall pay
2 to the department examination fees and assessments. Unless
3 determined otherwise pursuant to s. 216.1817, the fees and
4 assessments are as follows:

5 (a) A semiannual fee of \$2,500; and

6 (b) A semiannual assessment, each in such amount as
7 may be determined by the department, by rule, but not
8 exceeding 15 cents for each \$1,000 of total assets as shown on
9 the statement of condition of the bank or trust company as of
10 the last business day in June and the last business day in
11 December in each year. In its determination, the department
12 may consider examination fees and application fees received
13 from banks and trust companies in setting the semiannual
14 assessment for purposes of meeting the cost of regulation of
15 banks and trust companies subject to this chapter.

16 (2) Applications filed with the department shall be
17 accompanied by payment of ~~the following~~ nonrefundable fees.
18 Unless determined otherwise pursuant to s. 216.1817, the fees
19 are as follows:

20 (a) Fifteen thousand dollars for each application for
21 authority to organize a new state bank or state trust company.

22 (b) Two thousand five hundred dollars for each
23 application by an existing bank or association for trust
24 powers.

25 (c) Seven thousand five hundred dollars for each
26 application for authority to acquire a controlling interest in
27 a state bank or state trust company; however, if more than one
28 bank or trust company is being acquired in any such
29 application, the fee shall be increased by \$3,500 for each
30 additional bank or trust company. However, in no event shall
31 the fee exceed \$15,000.

1 (d) Seven thousand five hundred dollars for each
2 application for conversion of a national bank to a state bank.

3 (e) One thousand five hundred dollars for each
4 application to establish a branch by any other state bank or
5 state trust company that does not qualify for the branch
6 notification process.

7 (f) One thousand five hundred dollars for each
8 application for authority to establish a trust service office
9 of a state trust company or of a trust department of a state
10 bank or association, and a like amount for each application by
11 a bank or association with trust powers which is not a state
12 bank or state association for authority to establish a trust
13 service office at a state bank, state association, or state
14 credit union.

15 (g) Seven thousand five hundred dollars for each
16 application for a merger or consolidation; however, if three
17 or more banks or trust companies are involved in any such
18 application, the fee shall be \$3,500 for each involved
19 institution. However, in no event shall the fee exceed
20 \$15,000.

21 (h) Two thousand five hundred dollars to establish a
22 successor institution.

23 (i) Seven hundred fifty dollars for each application
24 by a state bank or trust company not operating in a safe and
25 sound manner for relocation of its main office.

26 (j) Two thousand five hundred dollars for each
27 application for the purchase of assets and the assumption of
28 liabilities.

29 (3) If, as a result of any application filed with the
30 department, the department determines that an examination is
31 necessary to assess the financial condition of any financial

1 institution, the applying financial institution shall pay to
2 the department a nonrefundable examination fee, pursuant to s.
3 655.045(1).

4 (4) Unless determined otherwise pursuant to s.
5 216.1817, each state bank and state trust company shall pay to
6 the department \$25 for each "certificate of good standing"
7 certifying that a state-chartered financial institution is
8 licensed to conduct business in this state under the financial
9 institutions codes. All such requests shall be in writing. The
10 department shall waive this fee when the request is by a state
11 or federal regulatory agency or law enforcement agency.

12 ~~(5) The amounts of all fees and assessments provided~~
13 ~~for in this section shall be deemed to be maximum amounts; and~~
14 ~~the department has the authority to establish, by rule, and~~
15 ~~from time to time to change, fees and assessments in amounts~~
16 ~~less than the maximum amounts stated in this section.~~

17 Section 605. Subsections (1), (2), and (3) of section
18 663.12, Florida Statutes, are amended to read:

19 663.12 Fees; assessments; fines.--

20 (1) Each application for a license under the
21 provisions of this part shall be accompanied by a
22 nonrefundable filing fee payable to the department. Unless
23 determined otherwise pursuant to s. 216.1817, the fees are as
24 follows in the following amount:

25 (a) Ten thousand dollars for establishing a
26 state-chartered investment company.

27 (b) Ten thousand dollars for establishing an
28 international bank agency or branch.

29 (c) Five thousand dollars for establishing an
30 international administrative office.

31

1 (d) Five thousand dollars for establishing an
2 international representative office.

3 (e) Two thousand dollars annually for operating an
4 international representative office or international
5 administrative office.

6 (f) An amount equal to the initial filing fee for an
7 application to convert from one type of license to another.
8 The department may increase the filing fee for any type of
9 license to an amount established by rule and calculated in a
10 manner so as to cover the direct and indirect cost of
11 processing such applications.

12 (2) Each international bank agency, international
13 branch, and state-chartered investment company shall pay to
14 the department a semiannual assessment, payable on or before
15 January 31 and July 31 of each year, in an amount determined
16 by rule by the department pursuant to s. 216.1817, and
17 calculated in a manner so as to recover the costs of the
18 department incurred in connection with the supervision of
19 international banking activities licensed under this part.
20 These rules shall provide for uniform rates of assessment for
21 all licenses of the same type, shall provide for declining
22 rates of assessment in relation to the total assets of the
23 licensee held in the state, but shall not, in any event,
24 provide for rates of assessment which exceed the rate
25 applicable to state banks pursuant to s. 658.73, unless the
26 rate of assessment would result in a semiannual assessment of
27 less than \$1,000. For the purposes of this subsection, the
28 total assets of an international bank agency, international
29 branch, or state-chartered investment company shall include
30 amounts due the agency or branch or state investment company
31 from other offices, branches, or subsidiaries of the

1 international banking corporations or other corporations of
2 which the agency, branch, or state-chartered investment
3 company is a part or from entities related to that
4 international banking corporation.

5 (3) Each international banking corporation which
6 maintains an office licensed under the provisions of this part
7 and each state-chartered investment company shall pay to the
8 department examination fees which shall be determined by the
9 department by rule pursuant to s. 216.1817, and calculated in
10 a manner so as to be equal to the actual cost of each
11 examiner's participation in the examination, as measured by
12 the examiner's pay scale, plus any other expenses directly
13 incurred in the examination, but in no event shall such fee be
14 less than \$200 per day for each examiner participating in the
15 examination.

16 Section 606. Paragraph (a) of subsection (2) of
17 section 718.501, Florida Statutes, is amended to read:

18 718.501 Powers and duties of Division of Florida Land
19 Sales, Condominiums, and Mobile Homes.--

20 (2)(a) Effective January 1, 1992, each condominium
21 association which operates more than two units shall pay to
22 the division an annual fee ~~in the amount of \$4~~ for each
23 residential unit in condominiums operated by the association.
24 Unless determined otherwise pursuant to s. 216.1817, the fee
25 shall be \$4. If the fee is not paid by March 1, then the
26 association shall be assessed a penalty of 10 percent of the
27 amount due, and the association will not have standing to
28 maintain or defend any action in the courts of this state
29 until the amount due, plus any penalty, is paid.

30 Section 607. Paragraph (a) of subsection (2) of
31 section 718.502, Florida Statutes, is amended to read:

1 718.502 Filing prior to sale or lease.--
2 (2)(a) Prior to filing as required by subsection (1),
3 and prior to acquiring an ownership, leasehold, or contractual
4 interest in the land upon which the condominium is to be
5 developed, a developer shall not offer a contract for purchase
6 of a unit or lease of a unit for more than 5 years. However,
7 the developer may accept deposits for reservations upon the
8 approval of a fully executed escrow agreement and reservation
9 agreement form properly filed with the Division of Florida
10 Land Sales, Condominiums, and Mobile Homes. Unless determined
11 otherwise pursuant to s. 216.1817, each filing of a proposed
12 reservation program shall be accompanied by a filing fee of
13 \$250. Reservations shall not be taken on a proposed
14 condominium unless the developer has an ownership, leasehold,
15 or contractual interest in the land upon which the condominium
16 is to be developed. The division shall notify the developer
17 within 20 days of receipt of the reservation filing of any
18 deficiencies contained therein. Such notification shall not
19 preclude the determination of reservation filing deficiencies
20 at a later date, nor shall it relieve the developer of any
21 responsibility under the law. The escrow agreement and the
22 reservation agreement form shall include a statement of the
23 right of the prospective purchaser to an immediate unqualified
24 refund of the reservation deposit moneys upon written request
25 to the escrow agent by the prospective purchaser or the
26 developer.

27 Section 608. Subsection (4) of section 718.608,
28 Florida Statutes, is amended to read:

29 718.608 Notice of intended conversion; time of
30 delivery; content.--

31

1 (4) Upon the request of a developer and payment of a
2 fee prescribed by the rules of the division, not to exceed
3 \$50, unless determined otherwise pursuant to s. 216.1817, the
4 division may verify to a developer that a notice complies with
5 this section.

6 Section 609. Paragraph (a) of subsection (2) of
7 section 719.501, Florida Statutes, is amended to read:

8 719.501 Powers and duties of Division of Florida Land
9 Sales, Condominiums, and Mobile Homes.--

10 (2)(a) Each cooperative association shall pay to the
11 division, on or before January 1 of each year, an annual fee
12 ~~in the amount of \$4~~ for each residential unit in cooperatives
13 operated by the association. Unless determined otherwise
14 pursuant to s. 216.1817, the fee is \$4. If the fee is not paid
15 by March 1, then the association shall be assessed a penalty
16 of 10 percent of the amount due, and the association shall not
17 have the standing to maintain or defend any action in the
18 courts of this state until the amount due is paid.

19 Section 610. Paragraph (a) of subsection (2) and
20 subsection (3) of section 719.502, Florida Statutes, are
21 amended to read:

22 719.502 Filing prior to sale or lease.--

23 (2)(a) Prior to filing as required by subsection (1),
24 and prior to acquiring an ownership, leasehold, or contractual
25 interest in the land upon which the cooperative is to be
26 developed, a developer shall not offer a contract for purchase
27 or lease of a unit for more than 5 years. However, the
28 developer may accept deposits for reservations upon the
29 approval of a fully executed escrow agreement and reservation
30 agreement form properly filed with the Division of Florida
31 Land Sales, Condominiums, and Mobile Homes. Each filing of a

1 proposed reservation program shall be accompanied by a filing
2 fee of \$250, unless determined otherwise pursuant to s.
3 216.1817. Reservations shall not be taken on a proposed
4 cooperative unless the developer has an ownership, leasehold,
5 or contractual interest in the land upon which the cooperative
6 is to be developed. The division shall notify the developer
7 within 20 days of receipt of the reservation filing of any
8 deficiencies contained therein. Such notification shall not
9 preclude the determination of reservation filing deficiencies
10 at a later date, nor shall it relieve the developer of any
11 responsibility under the law. The escrow agreement and the
12 reservation agreement form shall include a statement of the
13 right of the prospective purchaser to an immediate unqualified
14 refund of the reservation deposit moneys upon written request
15 to the escrow agent by the prospective purchaser or the
16 developer.

17 (3) Upon filing as required by subsection (1), the
18 developer shall pay to the division, unless determined
19 otherwise pursuant to s. 216.1817, a filing fee of \$20 for
20 each residential unit to be sold by the developer which is
21 described in the documents filed. If the cooperative is to be
22 built or sold in phases, the fee shall be paid prior to
23 offering for sale units in any subsequent phase. Every
24 developer who holds a unit or units for sale in a cooperative
25 shall submit to the division any amendments to documents or
26 items on file with the division and deliver to purchasers all
27 amendments prior to closing, but in no event later than 10
28 days after the amendment. Upon filing of amendments to
29 documents currently on file with the division, the developer
30 shall pay to the division a filing fee of up to \$100 per
31

1 filing, unless determined otherwise pursuant to s. 216.1817
2 ~~with the exact fee to be set by the division rule.~~

3 Section 611. Subsection (4) of section 719.608,
4 Florida Statutes, is amended to read:

5 719.608 Notice of intended conversion; time of
6 delivery; content.--

7 (4) Upon the request of a developer and payment of a
8 fee prescribed by the rules of the division not to exceed \$50,
9 unless determined otherwise pursuant to s. 216.1817,the
10 division may verify to a developer that a notice complies with
11 this section.

12 Section 612. Paragraph (b) of subsection (1) of
13 section 721.03, Florida Statutes, is amended to read:

14 721.03 Scope of chapter.--

15 (1) This chapter applies to all timeshare plans
16 consisting of more than seven timeshare periods over a period
17 of at least 3 years in which the accommodations and
18 facilities, if any, are located within this state or offered
19 within this state; provided that:

20 (b) With respect to a timeshare plan containing
21 accommodations or facilities located in this state which is
22 offered for sale outside the jurisdictional limits of the
23 United States, such offer or sale shall be exempt from the
24 requirements of this chapter, provided that the developer
25 shall either file the timeshare plan with the division for
26 approval pursuant to this chapter, or pay an exemption
27 registration fee of \$100, unless determined otherwise pursuant
28 to s. 216.1817,and file the following minimum information
29 pertaining to the timeshare plan with the division for
30 approval:

31 1. The name and address of the timeshare plan.

1 2. The name and address of the developer and seller,
2 if any.

3 3. The location and a brief description of the
4 accommodations and facilities, if any, that are located in
5 this state.

6 4. The number of timeshare interests and timeshare
7 periods to be offered.

8 5. The term of the timeshare plan.

9 6. A copy of the timeshare instrument relating to the
10 management and operation of accommodations and facilities, if
11 any, that are located in this state.

12 7. A copy of the budget required by s. 721.07(5)(u) or
13 s. 721.55(4)(h)5., as applicable.

14 8. A copy of the management agreement and any other
15 contracts regarding management or operation of the
16 accommodations and facilities, if any, that are located in
17 this state, and which have terms in excess of 1 year.

18 9. A copy of the provision of the purchase contract to
19 be utilized in offering the timeshare plan containing the
20 following disclosure in conspicuous type immediately above the
21 space provided for the purchaser's signature:

22
23 The offering of this timeshare plan outside the jurisdictional
24 limits of the United States of America is exempt from
25 regulation under Florida law, and any such purchase is not
26 protected by the State of Florida. However, the management
27 and operation of any accommodations or facilities located in
28 Florida is subject to Florida law and may give rise to
29 enforcement action regardless of the location of any offer.

30 Section 613. Subsection (4) of section 721.07, Florida
31 Statutes, is amended to read:

1 721.07 Public offering statement.--Prior to offering
2 any timeshare plan, the developer must submit a registered
3 public offering statement to the division for approval as
4 prescribed by s. 721.03, s. 721.55, or this section. Until
5 the division approves such filing, any contract regarding the
6 sale of that timeshare plan is voidable by the purchaser.

7 (4)(a) Upon the filing of a registered public offering
8 statement, unless determined otherwise pursuant to s.
9 216.1817, the developer shall pay a filing fee of \$2 for each
10 7 days of annual use availability in each timeshare unit that
11 may be offered as a part of the proposed timeshare plan
12 pursuant to the filing.

13 (b) Upon the filing of an amendment to an approved
14 registered public offering statement, other than an amendment
15 adding a phase to the timeshare plan, the developer shall pay
16 a filing fee of \$100, unless determined otherwise pursuant to
17 s. 216.1817.

18 Section 614. Subsection (4) of section 721.111,
19 Florida Statutes, is amended to read:

20 721.111 Prize and gift promotional offers.--

21 (4) A separate filing for each prize and gift
22 promotional offer to be used in the sale of timeshare
23 interests shall be made with the division pursuant to s.
24 721.11(1). Unless determined otherwise pursuant to s.
25 216.1817, the developer shall pay a \$100 filing fee for each
26 prize and gift promotional offer. One item of each prize or
27 gift, except cash, must be made available for inspection by
28 the division.

29 Section 615. Subsection (2) of section 721.18, Florida
30 Statutes, is amended to read:

31

1 721.18 Exchange programs; filing of information and
2 other materials; filing fees; unlawful acts in connection with
3 an exchange program.--

4 (2) Each exchange company offering an exchange program
5 to purchasers in this state shall file the information
6 specified in subsection (1) and the audit specified in
7 subsection (1) on or before June 1 of each year. However, an
8 exchange company shall make its initial filing at least 20
9 days prior to offering an exchange program to any purchaser in
10 this state. Unless determined otherwise pursuant to s.

11 216.1817, each filing shall be accompanied by an annual filing
12 fee of \$500. Within 20 days of receipt of such filing, the
13 division shall determine whether the filing is adequate to
14 meet the requirements of this section and shall notify the
15 exchange company in writing that the division has either
16 approved the filing or found specified deficiencies in the
17 filing. If the division fails to respond within 20 days, the
18 filing shall be deemed approved. The exchange company may
19 correct the deficiencies; and, within 10 days after receipt of
20 corrections from the exchange company, the division shall
21 notify the exchange company in writing that the division has
22 either approved the filing or found additional specified
23 deficiencies in the filing. If at any time the division
24 determines that any of such information supplied by an
25 exchange company fails to meet the requirements of this
26 section, the division may undertake enforcement action against
27 the exchange company in accordance with the provision of s.
28 721.26.

29 Section 616. Section 721.27, Florida Statutes, is
30 amended to read:

31

1 721.27 Annual fee for each timeshare unit in plan.--On
2 January 1 of each year, each managing entity of a timeshare
3 plan located in this state shall collect as a common expense
4 and pay to the division, unless determined otherwise pursuant
5 to s. 216.1817, an annual fee of \$2 for each 7 days of annual
6 use availability that exist within the timeshare plan at that
7 time, subject to any limitations on the amount of such annual
8 fee pursuant to s. 721.58. If any portion of the annual fee
9 is not paid by March 1, the managing entity may be assessed a
10 penalty pursuant to s. 721.26.

11 Section 617. Section 721.58, Florida Statutes, is
12 amended to read:

13 721.58 Filing fee; annual fee.--

14 (1) The developer of the multisite timeshare plan
15 shall pay the filing fee required by s. 721.07(4)(a); however,
16 unless determined otherwise pursuant to s. 216.1817, the
17 maximum amount of such filing fee shall be \$25,000 or the
18 total filing fee due with respect to the timeshare units in
19 the multisite timeshare plan that are located in this state
20 pursuant to s. 721.07(4)(a), whichever is greater.

21 (2) The managing entity of the multisite timeshare
22 plan shall pay the annual fee required by s. 721.27; provided,
23 however, unless determined otherwise pursuant to s. 216.1817,
24 that the maximum amount of such annual fee shall be \$25,000 or
25 the total annual fee due with respect to the timeshare units
26 in the multisite timeshare plan that are located in this state
27 calculated pursuant to s. 721.07(4)(a), whichever is greater.

28 Section 618. Section 723.007, Florida Statutes, is
29 amended to read:

30 723.007 Annual fees.--Each mobile home park owner
31 shall pay to the division, on or before October 1 of each

1 year, an annual fee ~~of \$4~~ for each mobile home lot within a
2 mobile home park which he or she owns. ~~The division may,~~
3 ~~after December 31, 1993, by rule, increase the amount of the~~
4 ~~annual fee to an amount not to exceed \$5 for each mobile home~~
5 ~~lot to fund operation of the division. Unless determined~~
6 ~~otherwise pursuant to s. 216.1817, the fee shall be \$4.~~ If the
7 fee is not paid by December 31, the mobile home park owner
8 shall be assessed a penalty of 10 percent of the amount due,
9 and he or she shall not have standing to maintain or defend
10 any action in the courts of this state until the amount due,
11 plus any penalty, is paid.

12 Section 619. Paragraph (c) of subsection (1) of
13 section 723.011, Florida Statutes, is amended to read:

14 723.011 Disclosure prior to rental of a mobile home
15 lot; prospectus, filing, approval.--

16 (1)

17 (c)1. Filings for mobile home parks in which lots have
18 not been offered for lease prior to June 4, 1984, shall be
19 accompanied by a filing fee of \$10 per lot offered for lease
20 by the park owner; however, unless determined otherwise
21 pursuant to s. 216.1817, the fee shall not be less than \$100.

22 2. Unless determined otherwise pursuant to s.
23 216.1817, filings for mobile home parks in which lots have
24 been offered for lease prior to the effective date of this
25 chapter shall be accompanied by a filing fee as follows:

- 26 a. For a park in which there are 26-50 lots: \$100.
27 b. For a park in which there are 51-100 lots: \$150.
28 c. For a park in which there are 101-150 lots: \$200.
29 d. For a park in which there are 151-200 lots: \$250.
30 e. For a park in which there are 201 or more lots:
31 \$300.

1 Section 620. Subsection (1) of section 741.327,
2 Florida Statutes, is amended to read:

3 741.327 Certification and monitoring of batterers'
4 intervention programs; fees.--

5 (1) Pursuant to s. 741.32, the Department of Children
6 and Family Services is authorized to assess and collect the
7 following fees, unless determined otherwise pursuant to s.
8 216.1817:

9 (a) An annual certification fee not to exceed \$300 for
10 the certification and monitoring of batterers' intervention
11 programs.

12 (b) An annual certification fee not to exceed \$200 for
13 the certification and monitoring of assessment personnel
14 providing direct services to persons who:

15 1. Are ordered by the court to participate in a
16 domestic violence prevention program;

17 2. Are adjudged to have committed an act of domestic
18 violence as defined in s. 741.28;

19 3. Have an injunction entered for protection against
20 domestic violence; or

21 4. Agree to attend a program as part of a diversion or
22 pretrial intervention agreement by the offender with the state
23 attorney.

24 Section 621. Paragraph (e) of subsection (4) of
25 section 760.29, Florida Statutes, is amended to read:

26 760.29 Exemptions.--

27 (4)

28 (e) A facility or community claiming an exemption
29 under this subsection shall register with the commission and
30 submit a letter to the commission stating that the facility or
31 community complies with the requirements of subparagraph

1 (b)1., subparagraph (b)2., or subparagraph (b)3. The letter
2 shall be submitted on the letterhead of the facility or
3 community and shall be signed by the president of the facility
4 or community. This registration and documentation shall be
5 renewed biennially from the date of original filing. The
6 information in the registry shall be made available to the
7 public, and the commission shall include this information on
8 an Internet website. Unless determined otherwise pursuant to
9 s. 216.1817,the commission shall ~~may~~ establish a reasonable
10 registration fee, not to exceed \$20, that shall be deposited
11 into the commission's trust fund to defray the administrative
12 costs associated with maintaining the registry. The
13 commission may impose an administrative fine, not to exceed
14 \$500, on a facility or community that knowingly submits false
15 information in the documentation required by this paragraph.
16 Such fines shall be deposited in the commission's trust fund.
17 The registration and documentation required by this paragraph
18 shall not substitute for proof of compliance with the
19 requirements of this subsection. Failure to comply with the
20 requirements of this paragraph shall not disqualify a facility
21 or community that otherwise qualifies for the exemption
22 provided in this subsection.

23
24 A county or municipal ordinance regarding housing for older
25 persons may not contravene the provisions of this subsection.

26 Section 622. Paragraph (b) of subsection (5) and
27 paragraph (e) of subsection (6) of section 790.06, Florida
28 Statutes, are amended to read:

29 790.06 License to carry concealed weapon or firearm.--

30 (5) The applicant shall submit to the Department of
31 State:

1 (b) Unless determined otherwise pursuant to s.
2 216.1817, a nonrefundable license fee not to exceed \$85, if he
3 or she has not previously been issued a statewide license, or
4 a nonrefundable license fee not to exceed \$70 for renewal of a
5 statewide license. Costs for processing the set of
6 fingerprints as required in paragraph (c) shall be borne by
7 the applicant. However, an individual holding an active
8 certification from the Criminal Justice Standards and Training
9 Commission as a "law enforcement officer," "correctional
10 officer," or "correctional probation officer" as defined in s.
11 943.10(1), (2), (3), (6), (7), (8), or (9) is exempt from the
12 licensing requirements of this section. If any individual
13 holding an active certification from the Criminal Justice
14 Standards and Training Commission as a "law enforcement
15 officer," a "correctional officer," or a "correctional
16 probation officer" as defined in s. 943.10(1), (2), (3), (6),
17 (7), (8), or (9) wishes to receive a concealed weapons or
18 firearms license, such person is exempt from the background
19 investigation and all background investigation fees, but shall
20 pay the current license fees regularly required to be paid by
21 nonexempt applicants. Further, a law enforcement officer, a
22 correctional officer, or a correctional probation officer as
23 defined in s. 943.10(1), (2), or (3) is exempt from the
24 required fees and background investigation for a period of 1
25 year subsequent to the date of retirement of said officer as a
26 law enforcement officer, a correctional officer, or a
27 correctional probation officer.

28 (6)

29 (e) A consular security official of a foreign
30 government that maintains diplomatic relations and treaties of
31 commerce, friendship, and navigation with the United States

1 and is certified as such by the foreign government and by the
2 appropriate embassy in this country must be issued a license
3 within 20 days after the date of the receipt of a completed
4 application, certification document, color photograph as
5 specified in paragraph (5)(e), and a nonrefundable license fee
6 of \$300 unless determined otherwise pursuant to s. 216.1817.
7 Consular security official licenses shall be valid for 1 year
8 and may be renewed upon completion of the application process
9 as provided in this section.

10 Section 623. Paragraph (b) of subsection (1) of
11 section 790.065, Florida Statutes, is amended to read:

12 790.065 Sale and delivery of firearms.--

13 (1) A licensed importer, licensed manufacturer, or
14 licensed dealer may not sell or deliver from her or his
15 inventory at her or his licensed premises any firearm to
16 another person, other than a licensed importer, licensed
17 manufacturer, licensed dealer, or licensed collector, until
18 she or he has:

19 (b) Collected a fee from the potential buyer for
20 processing the criminal history check of the potential buyer.
21 The fee shall be established by the Department of Law
22 Enforcement and may not exceed \$8 per transaction, unless
23 determined otherwise pursuant to s. 216.1817. The Department
24 of Law Enforcement may reduce, or suspend collection of, the
25 fee to reflect payment received from the Federal Government
26 applied to the cost of maintaining the criminal history check
27 system established by this section as a means of facilitating
28 or supplementing the National Instant Criminal Background
29 Check System. The Department of Law Enforcement shall, by
30 rule, establish procedures for the fees to be transmitted by
31 the licensee to the Department of Law Enforcement. All such

1 fees shall be deposited into the Department of Law Enforcement
2 Operating Trust Fund, but shall be segregated from all other
3 funds deposited into such trust fund and must be accounted for
4 separately. Such segregated funds must not be used for any
5 purpose other than the operation of the criminal history
6 checks required by this section. The Department of Law
7 Enforcement, each year prior to February 1, shall make a full
8 accounting of all receipts and expenditures of such funds to
9 the President of the Senate, the Speaker of the House of
10 Representatives, the majority and minority leaders of each
11 house of the Legislature, and the chairs of the appropriations
12 committees of each house of the Legislature. In the event
13 that the cumulative amount of funds collected exceeds the
14 cumulative amount of expenditures by more than \$2.5 million,
15 excess funds may be used for the purpose of purchasing soft
16 body armor for law enforcement officers.

17 Section 624. Paragraph (a) of subsection (3) of
18 section 791.015, Florida Statutes, is amended to read:

19 791.015 Registration of manufacturers, distributors,
20 wholesalers, and retailers of sparklers.--

21 (3) FEES.--

22 (a) Each manufacturer, distributor, or wholesaler must
23 pay an annual registration fee to be set by the division.
24 Unless determined otherwise pursuant to s. 216.1817, the fee
25 may not to exceed \$1,000. Each seasonal retailer must pay an
26 annual registration fee to be set by the division not to
27 exceed \$200 unless determined otherwise pursuant to s.
28 216.1817. Each retailer shall pay an annual registration fee
29 to be set by the division not to exceed \$15 for each retail
30 location registered unless determined otherwise pursuant to s.
31 216.1817. Each certificateholder wishing to have a duplicate

1 certificate issued for one which is lost or to reflect a
2 change of address shall request such duplicate in writing and
3 shall pay a fee of \$5 unless determined otherwise pursuant to
4 s. 216.1817.

5 Section 625. Section 812.174, Florida Statutes, is
6 amended to read:

7 812.174 Training of employees.--The owner or principal
8 operator of a convenience business or convenience businesses
9 shall provide proper robbery deterrence and safety training by
10 an approved curriculum to its retail employees within 60 days
11 of employment. Existing retail employees shall receive
12 training within 6 months of April 8, 1992. A proposed
13 curriculum shall be submitted in writing to the Attorney
14 General with an administrative fee not to exceed \$100, unless
15 determined otherwise pursuant to s. 216.1817. The Attorney
16 General shall review and approve or disapprove the curriculum
17 in writing within 60 days after receipt. The state shall have
18 no liability for approving or disapproving a training
19 curriculum under this section. Approval shall be given to a
20 curriculum which trains and familiarizes retail employees with
21 the security principles, devices, and measures required by s.
22 812.173. Disapproval of a curriculum shall be subject to the
23 provisions of chapter 120. No person shall be liable for
24 ordinary negligence due to implementing an approved curriculum
25 if the training was actually provided. A curriculum shall be
26 submitted for reapproval biennially with an administrative fee
27 not to exceed \$100, unless determined otherwise pursuant to s.
28 216.1817. Any curriculum approved by the Attorney General
29 since September 1990 shall be subject to reapproval 2 years
30 from the anniversary of initial approval and biennially
31 thereafter.

1 Section 626. Subsection (1) of section 828.055,
2 Florida Statutes, is amended to read:

3 828.055 Sodium pentobarbital; permits for use in
4 euthanasia of domestic animals.--

5 (1) The Board of Pharmacy shall adopt rules providing
6 for the issuance of permits authorizing the purchase,
7 possession, and use of sodium pentobarbital and sodium
8 pentobarbital with lidocaine by county or municipal animal
9 control agencies or humane societies registered with the
10 Secretary of State for the purpose of euthanizing injured,
11 sick, or abandoned domestic animals which are in their lawful
12 possession. The rules shall set forth guidelines for the
13 proper storage and handling of sodium pentobarbital and sodium
14 pentobarbital with lidocaine and such other provisions as may
15 be necessary to ensure that the drugs are used solely for the
16 purpose set forth in this section. Unless determined otherwise
17 pursuant to s. 216.1817,the rules shall also provide for an
18 application fee not to exceed \$50 and a biennial renewal fee
19 not to exceed \$50.

20 Section 627. Paragraph (d) of subsection (5) and
21 paragraph (i) of subsection (6) of section 849.086, Florida
22 Statutes, are amended to read:

23 849.086 Cardrooms authorized.--

24 (5) LICENSE REQUIRED; APPLICATION; FEES.--No person
25 may operate a cardroom in this state unless such person holds
26 a valid cardroom license issued pursuant to this section.

27 (d) Unless determined otherwise pursuant to s.
28 216.1817,the annual cardroom license fee shall be \$1,000 for
29 the first table and \$500 for each additional table to be
30 operated at the cardroom. This license fee shall be deposited
31

1 by the division with the Treasurer to the credit of the
2 Pari-mutuel Wagering Trust Fund.

3 (6) BUSINESS AND EMPLOYEE OCCUPATIONAL LICENSE
4 REQUIRED; APPLICATION; FEES.--

5 (i) Unless determined otherwise pursuant to s.
6 216.1817,the cardroom employee occupational license fee shall
7 be \$50 andthe cardroom business occupational license fee
8 shall be \$250.

9 Section 628. Subsection (1) of section 865.10, Florida
10 Statutes, is amended to read:

11 865.10 Linen suppliers.--

12 (1) REGISTRATION OF NAME.--A person engaged in the
13 business of supplying or furnishing for hire or compensation
14 on a rental or lease basis clean laundered bed linen or table
15 linen, garments, aprons, or towels who uses her or his name
16 and the word "registered" on such articles or supplies may
17 register such articles or supplies by filing in the office of
18 the clerk of the circuit court of the county where her or his
19 principal place of business is situated, and also with the
20 Department of State, a description of the name so used by her
21 or him, and paying a fee of \$25, unless determined otherwise
22 pursuant to s. 216.1817,to each office for each filing, and
23 shall publish such description once in each of 3 successive
24 weeks in a newspaper of general circulation in the county
25 where the description has been filed.

26 Section 629. Subsection (4) of section 943.0582,
27 Florida Statutes, is amended to read:

28 943.0582 Prearrest, postarrest, or teen court
29 diversion program expunction.--

30 (4) Unless determined otherwise pursuant to s.
31 216.1817,the department is authorized to charge a \$75

1 processing fee for each request received for prearrest or
2 postarrest diversion program expunction, for placement in the
3 Department of Law Enforcement Operating Trust Fund, unless
4 such fee is waived by the executive director.

5 Section 630. Paragraph (b) of subsection (2) of
6 section 943.0585, Florida Statutes, is amended to read:

7 943.0585 Court-ordered expunction of criminal history
8 records.--The courts of this state have jurisdiction over
9 their own procedures, including the maintenance, expunction,
10 and correction of judicial records containing criminal history
11 information to the extent such procedures are not inconsistent
12 with the conditions, responsibilities, and duties established
13 by this section. Any court of competent jurisdiction may order
14 a criminal justice agency to expunge the criminal history
15 record of a minor or an adult who complies with the
16 requirements of this section. The court shall not order a
17 criminal justice agency to expunge a criminal history record
18 until the person seeking to expunge a criminal history record
19 has applied for and received a certificate of eligibility for
20 expunction pursuant to subsection (2). A criminal history
21 record that relates to a violation of s. 787.025, chapter 794,
22 s. 796.03, s. 800.04, s. 817.034, s. 825.1025, s. 827.071,
23 chapter 839, s. 847.0133, s. 847.0135, s. 847.0145, s.
24 893.135, or a violation enumerated in s. 907.041 may not be
25 expunged, without regard to whether adjudication was withheld,
26 if the defendant was found guilty of or pled guilty or nolo
27 contendere to the offense, or if the defendant, as a minor,
28 was found to have committed, or pled guilty or nolo contendere
29 to committing, the offense as a delinquent act. The court may
30 only order expunction of a criminal history record pertaining
31 to one arrest or one incident of alleged criminal activity,

1 except as provided in this section. The court may, at its sole
2 discretion, order the expunction of a criminal history record
3 pertaining to more than one arrest if the additional arrests
4 directly relate to the original arrest. If the court intends
5 to order the expunction of records pertaining to such
6 additional arrests, such intent must be specified in the
7 order. A criminal justice agency may not expunge any record
8 pertaining to such additional arrests if the order to expunge
9 does not articulate the intention of the court to expunge a
10 record pertaining to more than one arrest. This section does
11 not prevent the court from ordering the expunction of only a
12 portion of a criminal history record pertaining to one arrest
13 or one incident of alleged criminal activity. Notwithstanding
14 any law to the contrary, a criminal justice agency may comply
15 with laws, court orders, and official requests of other
16 jurisdictions relating to expunction, correction, or
17 confidential handling of criminal history records or
18 information derived therefrom. This section does not confer
19 any right to the expunction of any criminal history record,
20 and any request for expunction of a criminal history record
21 may be denied at the sole discretion of the court.

22 (2) CERTIFICATE OF ELIGIBILITY FOR EXPUNCTION.--Prior
23 to petitioning the court to expunge a criminal history record,
24 a person seeking to expunge a criminal history record shall
25 apply to the department for a certificate of eligibility for
26 expunction. The department shall, by rule adopted pursuant to
27 chapter 120, establish procedures pertaining to the
28 application for and issuance of certificates of eligibility
29 for expunction. The department shall issue a certificate of
30 eligibility for expunction to a person who is the subject of a
31 criminal history record if that person:

1 (b) Remits a \$75 processing fee, unless determined
2 otherwise pursuant to s. 216.1817, to the department for
3 placement in the Department of Law Enforcement Operating Trust
4 Fund, unless such fee is waived by the executive director.

5 Section 631. Paragraph (b) of subsection (2) of
6 section 943.059, Florida Statutes, is amended to read:

7 943.059 Court-ordered sealing of criminal history
8 records.--The courts of this state shall continue to have
9 jurisdiction over their own procedures, including the
10 maintenance, sealing, and correction of judicial records
11 containing criminal history information to the extent such
12 procedures are not inconsistent with the conditions,
13 responsibilities, and duties established by this section. Any
14 court of competent jurisdiction may order a criminal justice
15 agency to seal the criminal history record of a minor or an
16 adult who complies with the requirements of this section. The
17 court shall not order a criminal justice agency to seal a
18 criminal history record until the person seeking to seal a
19 criminal history record has applied for and received a
20 certificate of eligibility for sealing pursuant to subsection
21 (2). A criminal history record that relates to a violation of
22 s. 787.025, chapter 794, s. 796.03, s. 800.04, s. 817.034, s.
23 825.1025, s. 827.071, chapter 839, s. 847.0133, s. 847.0135,
24 s. 847.0145, s. 893.135, or a violation enumerated in s.
25 907.041 may not be sealed, without regard to whether
26 adjudication was withheld, if the defendant was found guilty
27 of or pled guilty or nolo contendere to the offense, or if the
28 defendant, as a minor, was found to have committed or pled
29 guilty or nolo contendere to committing the offense as a
30 delinquent act. The court may only order sealing of a criminal
31 history record pertaining to one arrest or one incident of

1 alleged criminal activity, except as provided in this section.
2 The court may, at its sole discretion, order the sealing of a
3 criminal history record pertaining to more than one arrest if
4 the additional arrests directly relate to the original arrest.
5 If the court intends to order the sealing of records
6 pertaining to such additional arrests, such intent must be
7 specified in the order. A criminal justice agency may not seal
8 any record pertaining to such additional arrests if the order
9 to seal does not articulate the intention of the court to seal
10 records pertaining to more than one arrest. This section does
11 not prevent the court from ordering the sealing of only a
12 portion of a criminal history record pertaining to one arrest
13 or one incident of alleged criminal activity. Notwithstanding
14 any law to the contrary, a criminal justice agency may comply
15 with laws, court orders, and official requests of other
16 jurisdictions relating to sealing, correction, or confidential
17 handling of criminal history records or information derived
18 therefrom. This section does not confer any right to the
19 sealing of any criminal history record, and any request for
20 sealing a criminal history record may be denied at the sole
21 discretion of the court.

22 (2) CERTIFICATE OF ELIGIBILITY FOR SEALING.--Prior to
23 petitioning the court to seal a criminal history record, a
24 person seeking to seal a criminal history record shall apply
25 to the department for a certificate of eligibility for
26 sealing. The department shall, by rule adopted pursuant to
27 chapter 120, establish procedures pertaining to the
28 application for and issuance of certificates of eligibility
29 for sealing. The department shall issue a certificate of
30 eligibility for sealing to a person who is the subject of a
31 criminal history record provided that such person:

1 (b) Remits a \$75 processing fee, unless determined
2 otherwise pursuant to s. 216.1817, to the department for
3 placement in the Department of Law Enforcement Operating Trust
4 Fund, unless such fee is waived by the executive director.

5 Section 632. Subsection (3) of section 943.1397,
6 Florida Statutes, is amended to read:

7 943.1397 Officer certification examinations; fee.--

8 (3) The commission shall set a fee for the officer
9 certification examination, not to exceed \$150 unless
10 determined otherwise pursuant to s. 216.1817. The fee applies
11 to one scheduled examination attempt and is not refundable if
12 the applicant does not appear for the examination or does not
13 achieve an acceptable score on the examination. Officer
14 certification examination fees collected pursuant to this
15 subsection shall be placed in the Criminal Justice Standards
16 and Training Trust Fund.

17 Section 633. Subsection (1) of section 946.525,
18 Florida Statutes, is amended to read:

19 946.525 Participation by the corporation in the state
20 group health insurance and prescription drug programs.--

21 (1) The board of directors of the corporation
22 established under this part may apply for participation in the
23 state group health insurance program authorized in s. 110.123
24 and the prescription drug coverage program authorized by s.
25 110.12315 by submitting an application along with a ~~\$500~~
26 nonrefundable fee to the Department of Management Services.
27 Unless determined otherwise pursuant to s. 216.1817, the fee
28 is \$500.

29 Section 634. Subsection (1) of section 948.001,
30 Florida Statutes, is amended to read:

31

1 948.001 Definitions.--As used in this chapter, the
2 term:
3 (1) "Administrative probation" means a form of
4 noncontact supervision in which an offender who presents a low
5 risk of harm to the community may, upon satisfactory
6 completion of half the term of probation, be placed by the
7 Department of Corrections on nonreporting status until
8 expiration of the term of supervision. Unless determined
9 otherwise pursuant to s. 216.1817,the department is
10 authorized to collect an initial processing fee of up to \$50
11 for each probationer reduced to administrative probation.
12 Such offender is exempt from further payment for cost of
13 supervision as required in s. 948.09.

14 Section 635. This act shall take effect upon becoming
15 a law.

16
17 *****

18 SENATE SUMMARY

19 Provides a process for the approval of service or
20 regulatory oversight fees charged by state agencies.
21 Requires the Legislative Budget Commission to annually
22 review the fees.
23
24
25
26
27
28
29
30
31