



HB 1469

2003

1 A bill to be entitled

2 An act relating to public lodging and food service
3 establishments; amending s. 509.013, F.S.; defining the
4 term "handbill"; creating s. 509.144, F.S.; prohibiting
5 the distribution of handbills on the premises of public
6 lodging or food service establishments; providing
7 penalties; providing an exception; providing an effective
8 date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Subsection (13) is added to section 509.013,
13 Florida Statutes, to read:

14 509.013 Definitions.--As used in this chapter, the term:
15 (13) "Handbill" means any flier, pamphlet, or other
16 written material that seeks to advertise, promote, or inform
17 persons about an individual, business, company, or food service
18 establishment.

19 Section 2. Section 509.144, Florida Statutes, is created
20 to read:

21 509.144 Handbill distribution on premises of public
22 lodging or food service establishments prohibited.--

23 (1) It is unlawful for any individual, agent, contractor,
24 or volunteer who is acting on behalf of any individual,
25 business, company, or food service establishment to deliver,
26 distribute, or place, or attempt to deliver, distribute, or
27 place, any handbill on or about the premises, including on any
28 vehicle on the premises, of any public lodging or food service
29 establishment whereupon it is posted in a reasonably conspicuous
30 manner that advertising or solicitation is prohibited on or



HB 1469

2003

31 about the premises of the public lodging or food service
32 establishment.

33 (2) It is unlawful for any person to direct any
34 individual, agent, contractor, or volunteer to deliver,
35 distribute, or place, or attempt to deliver, distribute, or
36 place, a handbill on or about the premises, including on any
37 vehicle on the premises, of any public lodging or food service
38 establishment whereupon it is posted in a reasonably conspicuous
39 manner that advertising or solicitation is prohibited on or
40 about the premises of the public lodging or food service
41 establishment.

42 (3) Any person who violates this section commits a
43 misdemeanor of the first degree, punishable as provided in s.
44 775.082 or s. 775.083.

45 (4) Any person who violates this section and who also
46 commits a battery, as defined under s. 784.03(1)(a), on any
47 person who is on the premises of the public lodging or food
48 service establishment while in violation of this section,
49 commits a felony of the third degree, punishable as provided in
50 s. 775.082, s. 775.083, or s. 775.084.

51
52 This section does not apply to handbill distribution that is
53 conducted on a premises that is actually owned or operated by
54 the individual, business, company, or food service establishment
55 that is the subject of the advertisement, promotion, or
56 information on the handbill.

57 Section 3. This act shall take effect October 1, 2003.