

By Senator Cowin

20-1866A-03

See HB 1469

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A bill to be entitled
An act relating to public lodging and food
service establishments; amending s. 509.013,
F.S.; defining the term "handbill"; creating s.
509.144, F.S.; prohibiting the distribution of
handbills on the premises of public lodging or
food service establishments; providing
penalties; providing an exception; providing an
effective date.

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

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

509.013 Definitions.--As used in this chapter, the
term:

(13) "Handbill" means any flier, pamphlet, or other
written material that seeks to advertise, promote, or inform
persons about an individual, business, company, or food
service establishment.

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

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

(1) It is unlawful for any individual, agent,
contractor, or volunteer who is acting on behalf of any
individual, business, company, or food service establishment
to deliver, distribute, or place, or attempt to deliver,
distribute, or place, any handbill on or about the premises,
including on any vehicle on the premises, of any public
lodging or food service establishment whereupon it is posted

1 in a reasonably conspicuous manner that advertising or
2 solicitation is prohibited on or about the premises of the
3 public lodging or food service establishment.

4 (2) It is unlawful for any person to direct any
5 individual, agent, contractor, or volunteer to deliver,
6 distribute, or place, or attempt to deliver, distribute, or
7 place, a handbill on or about the premises, including on any
8 vehicle on the premises, of any public lodging or food service
9 establishment whereupon it is posted in a reasonably
10 conspicuous manner that advertising or solicitation is
11 prohibited on or about the premises of the public lodging or
12 food service establishment.

13 (3) Any person who violates this section commits a
14 misdemeanor of the first degree, punishable as provided in s.
15 775.082 or s. 775.083.

16 (4) Any person who violates this section and who also
17 commits a battery, as defined under s. 784.03(1)(a), on any
18 person who is on the premises of the public lodging or food
19 service establishment while in violation of this section,
20 commits a felony of the third degree, punishable as provided
21 in s. 775.082, s. 775.083, or s. 775.084.

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23 This section does not apply to handbill distribution that is
24 conducted on a premises that is actually owned or operated by
25 the individual, business, company, or food service
26 establishment that is the subject of the advertisement,
27 promotion, or information on the handbill or if specific
28 permission is given to an individual or group by the owner,
29 operator, or manager of the premises.

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

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