

Bill No. SB 1878

Barcode 985790

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Comm: RCS
04/18/2006 04:57 PM

.
. .
. .
. .
. .
. .

The Committee on Community Affairs (Lawson) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Subsection (3) of section 316.2045, Florida Statutes, is amended to read:

316.2045 Obstruction of public streets, highways, and roads.--

(3) Permits for the use of any street, road, or right-of-way not maintained by the state may be issued by the appropriate local government. An organization that is qualified under s. 501(c)(3) of the Internal Revenue Code and registered under chapter 496, or a person or organization acting on behalf of that organization, is exempt from local requirements for a permit issued under this subsection for charitable solicitation activities on or along streets or roads that are not maintained by the state, under the following conditions:

Bill No. SB 1878

Barcode 985790

1 (a) The organization, or the person or organization
2 acting on behalf of the organization, must provide all of the
3 following to the local government:

4 1. No fewer than 14 calendar days prior to the
5 proposed solicitation, the name and address of the person or
6 organization that will perform the solicitation and the name
7 and address of the organization that will receive funds from
8 the solicitation.

9 2. For review and comment, a plan for the safety of
10 all persons participating in the solicitation, as well as the
11 motoring public, at the locations where the solicitation will
12 take place.

13 3. Specific details of the location or locations of
14 the proposed solicitation and the hours during which the
15 solicitation activities will occur.

16 4. Proof of commercial general liability insurance
17 against claims for bodily injury and property damage occurring
18 on streets, roads, or rights-of-way or arising from the
19 solicitor's activities or use of the streets, roads, or
20 rights-of-way by the solicitor or the solicitor's agents,
21 contractors, or employees. The insurance shall have a limit of
22 not less than \$1 million per occurrence for the general
23 aggregate. The certificate of insurance shall name the local
24 government as an additional insured and shall be filed with
25 the local government no later than 72 hours before the date of
26 the solicitation.

27 5. Proof of registration with the Department of
28 Agriculture and Consumer Services pursuant to s. 496.405 or
29 proof that the soliciting organization is exempt from the
30 registration requirement.

31 (b) Organizations or persons meeting the requirements

Bill No. SB 1878

Barcode 985790

1 of subparagraphs (a)1.-5. may solicit for a period not to
2 exceed 10 cumulative days within 1 calendar year.

3 (c) All solicitation must occur during daylight hours
4 only.

5 (d) Solicitation activities may not interfere with the
6 safe and efficient movement of traffic and may not cause
7 danger to the participants or the public.

8 (e) No person engaging in solicitation activities may
9 persist after solicitation has been denied, act in a demanding
10 or harassing manner, or use any sound or voice-amplifying
11 apparatus or device.

12 (f) All persons participating in the solicitation must
13 be at least 18 years of age and must possess picture
14 identification.

15 (g) Signage providing notice of the solicitation must
16 be posted at least 500 feet before the site of the
17 solicitation.

18 (h) The local government may stop solicitation
19 activities if any conditions or requirements of this
20 subsection are not met.

21 Section 2. This act shall take effect July 1, 2006.

22
23

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

25 And the title is amended as follows:

26 Delete everything before the enacting clause

27

28 and insert:

29 A bill to be entitled

30 An act relating to traffic control; amending s.

31 316.2045, F.S.; exempting certain nonprofit

Bill No. SB 1878

Barcode 985790

1 organizations from permit requirements related
2 to obstructing streets or roads for
3 solicitation purposes; establishing conditions
4 that certain nonprofit organizations must meet
5 in order to solicit charitable donations on
6 certain streets, roads, and rights-of-way;
7 authorizing local governments to halt
8 solicitation activities if such conditions are
9 not met; providing an effective date.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31