



1 be an operator of an establishment licensed under this chapter  
2 and shall represent the industries regulated by the division,  
3 except that one member appointed by the secretary must be a  
4 layperson representing ~~and shall represent~~ the general public  
5 and one member must be a hospitality education administrator  
6 from an institution of higher education of this state. Such  
7 members of the council shall serve staggered terms of 4 years.

8 (b) ~~The Florida Hotel and Motel Association, the~~  
9 Florida Restaurant and Lodging Association shall designate one  
10 representative from the lodging industry and one  
11 representative from the food service industry to serve as  
12 voting members of the council. ~~The Florida Apartment~~  
13 ~~Association,~~ and the Florida Association of Realtors shall  
14 each designate one representative to serve as a voting member  
15 of the council. ~~In addition, one hospitality administration~~  
16 ~~educator from an institution of higher education affiliated~~  
17 ~~with the Hospitality Education Program pursuant to s.~~  
18 ~~509.302(2) shall serve for a term of 2 years as a voting~~  
19 ~~member of the council. This single representative shall be~~  
20 ~~designated on a rotating basis by the institution or~~  
21 ~~institutions of higher education affiliated with this program~~  
22 ~~pursuant to s. 509.302(2).~~

23 Section 2. Section 509.302, Florida Statutes, is  
24 amended to read:

25 509.302 Hospitality Education Program Director of  
26 ~~education; personnel; employment duties; compensation.--~~

27 (1) ~~The division director shall, with the advice of~~  
28 ~~the advisory council, employ a director of education for the~~  
29 ~~lodging and food service industry.~~

30 (2) ~~The director of education shall administer develop~~  
31 ~~and implement~~ an educational program, designated the

1 "Hospitality Education Program," offered for the benefit of  
2 the food service and lodging industries of this state entire  
3 industry. This program may affiliate with Florida State  
4 University, Florida International University, and the  
5 University of Central Florida. The program may also affiliate  
6 with any other member of the State University System or  
7 Florida Community College System, or with any privately funded  
8 college or university, which offers a program of hospitality  
9 administration and management. The primary goal of this  
10 program shall be administered with the advice of the advisory  
11 council and shall fund the following types of training and  
12 training-related activities is to instruct and train all  
13 individuals and businesses licensed under this chapter, in  
14 cooperation with recognized associations that represent the  
15 licensees, in the application of state and federal laws and  
16 rules. Such programs shall also include:

17 (a) Training provided by the division to licensees  
18 under this chapter and the licensees' managers and employees  
19 in the application of state and federal laws and rules to the  
20 operations of the licensees and the licensees' managers and  
21 employees.

22 (b) Enhancement of school-to-career training and  
23 transition programs for students interested in pursuing  
24 careers in the food service or lodging industry. Training and  
25 transition programs shall be provided through the public  
26 school system utilizing a nationally recognized curriculum  
27 approved by the division, with the enhancements funded under  
28 this section provided by nonprofit statewide organizations in  
29 the hospitality services field. Enhancement activities under  
30 this section shall be funded by grants and the application  
31 process for the grants shall be administered by the division.

1 Such activities may include providing job experience  
2 opportunities for students; day-to-day support for program  
3 instructors; student scholarships; special events recognizing  
4 outstanding students, instructors, industry mentors, or  
5 program sponsors; program-related competitive events for  
6 students; and continuous inservice training for instructors.

7 ~~(a) Career training.~~

8 ~~(b) Management training.~~

9 ~~(c) Inservice continuing education programs.~~

10 ~~(d) Awareness of food recovery programs, as promoted~~  
11 ~~in s. 570.0725.~~

12 ~~(e) Such other programs as may be deemed appropriate~~  
13 ~~by the director of the division, the advisory council, and the~~  
14 ~~director of education.~~

15 ~~(2)(3)~~ All public lodging establishments and all  
16 public food service establishments licensed under this chapter  
17 shall pay an annual fee of no more than \$10, which shall be  
18 included in the annual license fee and ~~which shall be~~ used for  
19 the sole purpose of funding the Hospitality Education Program.  
20 The division may expend up to 35 percent of the funds  
21 collected under this subsection for the sole purpose of  
22 providing the services described in paragraph (1)(a) and of  
23 recouping the division's direct expenses incurred in  
24 administering the Hospitality Education Program. The division  
25 shall annually expend all remaining funds collected under this  
26 subsection to fund grants for the services described in  
27 paragraph (1)(b). All funds left unexpended in any state  
28 fiscal year shall be made available in the following state  
29 fiscal year to fund grants for the services described in  
30 paragraph (1)(b).

1           (3) Notwithstanding any other provision of law to the  
2 contrary, grant funding under this section for the services  
3 described in paragraph (1)(b) shall include all expenses  
4 incident to providing those services, including the cost of  
5 staff support; student scholarships; compensation to program  
6 instructors for time spent in relevant training; special  
7 events or competitive events; and a reasonable stipend for  
8 travel, lodging, and meals for instructors and students  
9 participating in training or in related special events. All  
10 such expenses shall be in accordance with the budget submitted  
11 by the applicant in the grant application and approved by the  
12 division. The expenditure of all funds distributed under this  
13 section shall be subject to audit by the division.

14           (4) The director ~~of education~~ shall formulate an  
15 annual budget, programs, and activities to accomplish the  
16 purposes of this section, in accordance with and subject to  
17 the advice and recommendations of the advisory council.

18           (a) The annual budget of the Hospitality Education  
19 Program must show that the total fees ~~or charges~~ estimated to  
20 be collected during the next fiscal year under this section  
21 will be dedicated solely to the estimated cost of funding the  
22 Hospitality Education Program, less any trust fund service  
23 charge imposed by s. 215.20. If the estimated cost of funding  
24 the Hospitality Education Program in any fiscal year is less  
25 than the total fees ~~or charges~~ estimated to be collected  
26 during that year, the director ~~of education~~ shall submit a  
27 report to the advisory council ~~division director~~ demonstrating  
28 why the amount of such fee ~~or charge~~ should not be immediately  
29 reduced to eliminate the projected surplus. The ~~division~~  
30 director shall also submit forward this report to the  
31

1 Secretary of Business and Professional Regulation as part of  
2 the division's annual budget request.

3 (b) Both the secretary's legislative budget requests  
4 submitted pursuant to ss. 216.023 and 216.031 and the  
5 Governor's recommended budget submitted pursuant to s. 216.163  
6 must also show that the total fees ~~or charges~~ estimated to be  
7 collected during the next fiscal year under this section will  
8 be dedicated solely to funding the Hospitality Education  
9 Program, less any trust fund service charge imposed by s.  
10 215.20. If the estimated cost of funding the Hospitality  
11 Education Program in any fiscal year is less than the total  
12 fees ~~or charges~~ estimated to be collected during that year,  
13 the secretary shall submit a report demonstrating why the  
14 amount of such fee ~~or charge~~ should not be immediately reduced  
15 to eliminate the projected surplus.

16 ~~(5) The director of education, with the approval of~~  
17 ~~the director and with the advice of the advisory council, may~~  
18 ~~employ such personnel as necessary to carry out the purposes~~  
19 ~~of this section.~~

20 ~~(6) The director of education and any staff shall~~  
21 ~~receive such compensation as may be approved by the director~~  
22 ~~acting with the advice of the advisory council.~~

23 ~~(7) The director of education, with the approval of~~  
24 ~~the director and with the consent of the advisory council, may~~  
25 ~~designate funds, not to exceed \$150,000 annually, to support~~  
26 ~~school to career transition programs available through~~  
27 ~~statewide organizations in the hospitality services field.~~  
28 ~~Such programs shall be designed to prepare students for~~  
29 ~~progressive careers in the hospitality industry. The director~~  
30 ~~of education, with the approval of the director and with the~~  
31 ~~consent of the advisory council, may also designate funds, not~~

1 ~~to exceed \$50,000 annually, to support food safety training~~  
2 ~~programs available through statewide organizations in the~~  
3 ~~hospitality services field, and not to exceed \$50,000~~  
4 ~~annually, to support nontransient public lodging training~~  
5 ~~programs available through statewide organizations in the~~  
6 ~~public lodging services field.~~

7         ~~(5)(a)~~ The director ~~of education~~ shall have  
8 supervision over the administration of the programs set forth  
9 in this subsection and shall report the status of the programs  
10 at all meetings of the advisory council and at such other  
11 times as are prescribed by the advisory council.

12         ~~(6)(b)~~ The division shall adopt rules providing the  
13 criteria for grant program approval and the procedures for  
14 processing grant program applications. The criteria and  
15 procedures shall be approved by the advisory council. The  
16 criteria shall give primary consideration to the experience  
17 and history of the applicant in representing the food service  
18 or lodging industry, the applicant's prior commitment to  
19 school-to-career transition programs in the food service or  
20 lodging industry, and the applicant's demonstrated ability to  
21 provide services statewide with industry support and  
22 participation. Grants awarded under this section shall be for  
23 a term of 4 years, with funding provided on an annual basis.

24         Section 3. Subsection (2) of section 509.072, Florida  
25 Statutes, is amended to read:

26             509.072 Hotel and Restaurant Trust Fund; collection  
27 and disposition of moneys received.--

28             (2) Fees collected under s. 509.302~~(2)(3)~~ and  
29 deposited into the trust fund must be used solely for the  
30 purpose of funding the Hospitality Education Program, except  
31 for any trust fund service charge imposed by s. 215.20, and

1 | may not be used to pay for any expense of the division not  
2 | directly attributable to the Hospitality Education Program.  
3 | These funds may not be deposited or transferred into any other  
4 | trust fund administered by the Department of Business and  
5 | Professional Regulation or any of its divisions. For audit  
6 | purposes, fees collected under s. 509.302(2)(~~3~~) and all  
7 | charges against those fees must be maintained by the  
8 | department as a separate ledger.

9 |           Section 4. This act shall take effect July 1, 2007.

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