

1 A bill to be entitled

2 An act relating to airline travel; requiring that, upon
3 the cancellation or delay of a flight by more than 1 hour,
4 the airline honor the purchaser's ticket at a later date
5 or reimburse the purchaser the cost of the ticket and pay
6 the purchaser an amount equal to the airline's flight-
7 change penalty fee; providing for certain specified
8 exceptions for canceled or delayed flights; defining the
9 term "terrorist threat"; providing for additional
10 remedies; providing for an award of damages, costs, and
11 attorney's fees; providing that an airline violating the
12 act more than once within a calendar year commits a
13 misdemeanor of the second degree; providing penalties;
14 providing that there is no expiration date for an airline
15 ticket issued anywhere in the world for an airline flight
16 originating in this state; requiring an airline to accept
17 a nonrefundable ticket under certain circumstances;
18 authorizing an airline to charge a transfer fee; providing
19 an exception; providing an effective date.

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

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23 Section 1. (1) If an airline cancels a flight or delays a
24 flight by more than 1 hour, the airline must honor the
25 purchaser's ticket at a later date or reimburse the purchaser
26 the cost of the ticket and pay the purchaser an amount equal to
27 the airline's flight-change penalty fee. The reimbursement for
28 the ticket and payment of the flight-change fee is in addition

29 to any other remedy the ticket purchaser may have against the
 30 airline.

31 (2) Subsection (1) does not apply if the flight delay or
 32 cancellation is caused by:

33 (a) Inclement weather;

34 (b) An immediate terrorist threat;

35 (c) International conditions that are not related to
 36 terrorism, including riots, civil unrest, embargoes, or war; or

37 (d) A condition outside the control of the airline.

38 (3) The term "terrorist threat" means a threat of a
 39 violent act or threat of an act that is dangerous to human life,
 40 that is a violation of the criminal laws of this state or of the
 41 United States, and that is intended to:

42 (a) Intimidate, injure, or coerce a civilian population;

43 (b) Influence the policy of a government by intimidation
 44 or coercion; or

45 (c) Affect the conduct of a government through destruction
 46 of property, assassination, murder, kidnapping, or aircraft
 47 piracy.

48 (4) In addition to any other penalties or remedies
 49 provided by law, a person aggrieved by a knowing and willful
 50 violation of this section may bring a civil action in a court of
 51 competent jurisdiction against the airline for the recovery of
 52 actual and consequential damages, court costs, and reasonable
 53 attorney's fees.

54 (5) An airline that violates this section two or more
 55 times within a calendar year commits a misdemeanor of the second
 56 degree, punishable as provided in s. 775.082 or s. 775.083.

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57 Section 2. (1) There is no expiration date for an airline
58 ticket issued anywhere in the world for an airline flight
59 originating in this state.

60 (2) If the airline ticket is nonrefundable and the ticket
61 purchaser is unable to use the ticket, the airline must allow
62 the ticket to be transferred to another person. The airline may
63 charge the purchaser a processing fee of 25 percent of the
64 original price of the ticket or \$50, whichever is less. A ticket
65 purchaser may not transfer a ticket if the ticket purchaser
66 missed the flight due to the fault of the purchaser.

67 Section 3. This act shall take effect July 1, 2007.