

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Nelson offered the following:

2
3 **Substitute Amendment for Amendment (587381) (with title**
4 **amendment)**

5 Between lines 70 and 71, insert:

6 Section 1. Subsections (5) and (7) of section 482.021,
7 Florida Statutes, are amended to read:

8 482.021 Definitions.--For the purposes of this chapter,
9 and unless otherwise required by the context, the term:

10 (5) "Certified operator in charge" means a certified
11 operator:

12 (a) Whose primary occupation is the pest control business;

13 (b) Who is employed full time by a licensee; and

14 (c) Whose principal duty is the ~~personal~~ supervision of
15 the licensee's operation in a category or categories of pest
16 control in which the operator is certified.

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17 (7) "Employee" means a person who is employed by a
18 licensee that provides that person with necessary training,
19 supervision, pesticides, equipment, and insurance and who
20 receives compensation from and is under the ~~personal~~ supervision
21 ~~and direct control~~ of the licensee's certified operator in
22 charge and from whose compensation the licensee regularly
23 deducts and matches federal insurance contributions and federal
24 income and Social Security taxes.

25 Section 2. Subsection (3) of section 482.051, Florida
26 Statutes, is amended to read:

27 482.051 Rules.--The department has authority to adopt
28 rules pursuant to ss. 120.536(1) and 120.54 to implement the
29 provisions of this chapter. Prior to proposing the adoption of a
30 rule, the department shall counsel with members of the pest
31 control industry concerning the proposed rule. The department
32 shall adopt rules for the protection of the health, safety, and
33 welfare of pest control employees and the general public which
34 require:

35 (3) That written contracts be required for providing
36 termites and other wood-destroying organisms pest control, that
37 provisions necessary to assure consumer protection as specified
38 by the department be included in such contracts, that licensees
39 perform an inspection before issuing a contract on an existing
40 structure, and that ~~require~~ licensees ~~to~~ comply with the
41 contracts issued.

42 Section 3. Subsection (4) of section 482.071, Florida
43 Statutes, is amended to read:

44 482.071 Licenses.--

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45 (4) A licensee may not operate a pest control business
46 without carrying the required insurance coverage. Each person
47 making application for a pest control business license or
48 renewal thereof must furnish to the department a certificate of
49 insurance that meets the requirements for minimum financial
50 responsibility for bodily injury and property damage consisting
51 of:

52 (a) Bodily injury: \$250,000 ~~\$100,000~~ each person and
53 \$500,000 ~~\$300,000~~ each occurrence; and property damage: \$250,000
54 ~~\$50,000~~ each occurrence and \$500,000 ~~\$100,000~~ in the aggregate;
55 or

56 (b) Combined single-limit coverage: \$500,000 ~~\$400,000~~ in
57 the aggregate.

58 Section 4. Section 482.152, Florida Statutes, is amended
59 to read:

60 482.152 Duties of certified operator in charge of pest
61 control activities of licensee.--A certified operator in charge
62 of the pest control activities of a licensee shall have her or
63 his primary occupation with the licensee and shall be a full-
64 time employee of the licensee. The, and her or his principal
65 duties of the certified operator in charge duty shall include:

66 (1) The Responsibility for the personal supervision of,
67 and participation in, the pest control activities of at the
68 business location of the licensee. This chapter does not prevent
69 a certified operator in charge from performing duties at other
70 business locations owned by the licensee if:

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71 (a) The certified operator in charge performs her or his
72 duties as provided in this section for the business location of
73 the licensee.

74 (b) The certified operator in charge is a full-time
75 employee of the licensee.

76 (c) The primary occupation of the certified operator in
77 charge is the pest control business. as the same relate to:

78 (2)-(1) The Selection of proper and correct chemicals for
79 the particular pest control work performed.

80 (3)-(2) The Safe and proper use of the pesticides used.

81 (4)-(3) The Correct concentration and formulation of
82 pesticides used in all pest control work performed.

83 (5)-(4) The Training of personnel in the proper and
84 acceptable methods of pest control.

85 (6)-(5) The Control measures and procedures used.

86 (7)-(6) The Notification of the department of any
87 accidental human poisoning or death connected with pest control
88 work performed on a job she or he is supervising, within 24
89 hours after she or he has knowledge of the poisoning or death.

90 Section 5. Section 482.157, Florida Statutes, is created
91 to read:

92 482.157 Limited certification for commercial wildlife
93 management personnel.--

94 (1) The department shall establish a limited certification
95 category for individual commercial wildlife management personnel
96 which authorizes the personnel to use nonchemical methods for
97 controlling pest birds or rodents, including, but not limited

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98 to, the use of traps, glue boards, mechanical or electronic
99 devices, or exclusionary techniques.

100 (2) A person seeking limited certification under this
101 section must pass an examination administered by the department.
102 An application for examination must be accompanied by an
103 examination fee set by rule of the department of at least \$150
104 but not to exceed \$300. The department shall provide the
105 appropriate reference materials for the examination and make the
106 examination readily available to applicants at least quarterly
107 or as often as necessary in each county. Before the department
108 issues a limited certification under this section, the person
109 applying for certification must furnish proof that he or she
110 holds a certificate of insurance stating that his or her
111 employer meets the requirements for minimum financial
112 responsibility in s. 482.071(4).

113 (3) An application for recertification under this section
114 must be submitted biennially and must be accompanied by a
115 recertification fee set by rule of the department of at least
116 \$150 but not to exceed \$300. The application must also be
117 accompanied by proof that:

118 (a) The applicant completed 4 classroom hours of
119 acceptable continuing education.

120 (b) The applicant holds a certificate of insurance stating
121 that his or her employer meets the requirements for minimum
122 financial responsibility in s. 482.071(4).

123 (4) The department shall establish a grace period, not to
124 exceed 30 calendar days after a biennial date established by the
125 department on which recertification is due. The department shall

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126 assess a late charge of \$50, in addition to the recertification
127 fee, to commercial wildlife management personnel who are
128 recertified after the grace period.

129 (5) A limited certification automatically expires 180
130 calendar days after the biennial date on which recertification
131 is due unless the commercial wildlife personnel are recertified
132 before the certification expires. Once a certification expires,
133 certification may be issued only upon successful reexamination
134 and payment of the examination fees.

135 (6) Certification under this section does not authorize:

136 (a) Use of any pesticide or chemical substance, other than
137 adhesive materials, to control pest birds, rodents, or other
138 nuisance wildlife in, on, or under a structure.

139 (b) Operation of a pest control business.

140 (c) Supervision of a certified person.

141 Section 6. Subsection (6) of section 482.226, Florida
142 Statutes, is amended to read:

143 482.226 Wood-destroying organism inspection report; notice
144 of inspection or treatment; financial responsibility.--

145 (6) Any licensee that performs wood-destroying organism
146 inspections in accordance with subsection (1) must meet minimum
147 financial responsibility in the form of errors and omissions
148 (professional liability) insurance coverage or bond in an amount
149 no less than \$250,000 ~~\$50,000~~ in the aggregate and ~~\$25,000 per~~
150 ~~occurrence,~~ or demonstrate that the licensee has equity or net
151 worth of no less than \$500,000 ~~\$100,000~~ as determined by
152 generally accepted accounting principles substantiated by a
153 certified public accountant's review or certified audit. The

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154 licensee must show proof of meeting this requirement at the time
155 of license application or renewal thereof.

156 Section 7. Subsection (1) of section 493.6102, Florida
157 Statutes, is amended to read:

158 493.6102 Inapplicability of this chapter.--This chapter
159 shall not apply to:

160 (1) Any individual who is an "officer" as defined in s.
161 943.10(14), ~~or is~~ a law enforcement officer of the United States
162 Government, while the ~~such~~ local, state, or federal officer is
163 engaged in her or his official duties or, if approved by the
164 officer's supervisors, when performing off-duty activities as a
165 security officer ~~activities approved by her or his superiors.~~

166 Section 8. Section 493.6105, Florida Statutes, is amended
167 to read:

168 493.6105 Initial application for license.--

169 (1) Each individual, partner, or principal officer in a
170 corporation, shall file with the department a complete
171 application accompanied by an application fee not to exceed \$60,
172 except that the applicant for a Class "D" or Class "G" license
173 shall not be required to submit an application fee. The
174 application fee shall not be refundable.

175 (a) The application submitted by any individual, partner,
176 or corporate officer shall be approved by the department prior
177 to that individual, partner, or corporate officer assuming his
178 or her duties.

179 (b) Individuals who invest in the ownership of a licensed
180 agency, but do not participate in, direct, or control the

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181 operations of the agency shall not be required to file an
182 application.

183 (2) Each application shall be signed and verified by the
184 individual under oath as provided in s. 92.525 ~~and shall be~~
185 ~~notarized~~.

186 (3) The application shall contain the following
187 information concerning the individual signing same:

188 (a) Name and any aliases.

189 (b) Age and date of birth.

190 (c) Place of birth.

191 (d) Social security number or alien registration number,
192 whichever is applicable.

193 (e) Present residence address ~~and his or her residence~~
194 ~~addresses within the 5 years immediately preceding the~~
195 ~~submission of the application~~.

196 ~~(f) Occupations held presently and within the 5 years~~
197 ~~immediately preceding the submission of the application~~.

198 ~~(f)(g)~~ A statement of all criminal convictions, findings
199 of guilt, and pleas of guilty or nolo contendere, regardless of
200 adjudication of guilt.

201 (g) One passport-type color photograph taken within the 6
202 months immediately preceding submission of the application.

203 (h) A statement whether he or she has ever been
204 adjudicated incompetent under chapter 744.

205 (i) A statement whether he or she has ever been committed
206 to a mental institution under chapter 394.

207 (j) A full set of fingerprints on a card provided by the
208 department and a fingerprint fee to be established by rule of
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209 the department based upon costs determined by state and federal
210 agency charges and department processing costs. An applicant who
211 has, within the immediately preceding 6 months, submitted a
212 fingerprint card and fee for licensing purposes under this
213 chapter shall not be required to submit another fingerprint card
214 or fee.

215 (k) A personal inquiry waiver which allows the department
216 to conduct necessary investigations to satisfy the requirements
217 of this chapter.

218 (l) Such further facts as may be required by the
219 department to show that the individual signing the application
220 is of good moral character and qualified by experience and
221 training to satisfy the requirements of this chapter.

222 ~~(4) In addition to the application requirements outlined~~
223 ~~in subsection (3), the applicant for a Class "C," Class "CC,"~~
224 ~~Class "E," Class "EE," or Class "G" license shall submit two~~
225 ~~color photographs taken within the 6 months immediately~~
226 ~~preceding the submission of the application, which meet~~
227 ~~specifications prescribed by rule of the department. All other~~
228 ~~applicants shall submit one photograph taken within the 6 months~~
229 ~~immediately preceding the submission of the application.~~

230 (4)~~(5)~~ In addition to the application requirements
231 outlined under subsection (3), the applicant for a Class "C,"
232 Class "E," Class "M," Class "MA," Class "MB," or Class "MR"
233 license shall include a statement on a form provided by the
234 department of the experience which he or she believes will
235 qualify him or her for such license.

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236 ~~(5)~~(6) In addition to the requirements outlined in
237 subsection (3), an applicant for a Class "G" license shall
238 satisfy minimum training criteria for firearms established by
239 rule of the department, which training criteria shall include,
240 but is not limited to, 28 hours of range and classroom training
241 taught and administered by a Class "K" licensee; however, no
242 more than 8 hours of such training shall consist of range
243 training. If the applicant can show proof that he or she is an
244 active law enforcement officer currently certified under the
245 Criminal Justice Standards and Training Commission or has
246 completed the training required for that certification within
247 the last 12 months, or if the applicant submits one of the
248 certificates specified in paragraph (6) (a) ~~(7) (a)~~, the
249 department may waive the foregoing firearms training
250 requirement.

251 ~~(6)~~(7) In addition to the requirements under subsection
252 (3), an applicant for a Class "K" license shall:

253 (a) Submit one of the following certificates:

254 1. The Florida Criminal Justice Standards and Training
255 Commission ~~Firearms~~ Instructor's Certificate and confirmation by
256 the commission that the applicant is authorized to provide
257 firearms instruction.

258 2. The National Rifle Association Law Enforcement Police
259 Firearms Instructor's Certificate.

260 ~~3. The National Rifle Association Security Firearms~~
261 ~~Instructor's Certificate.~~

262 ~~3.4.~~ A firearms instructor's training certificate issued
263 by any branch of the United States Armed Forces, from a federal

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264 law enforcement academy or agency, state, county, or municipal
265 police academy in this state recognized as such by the Criminal
266 Justice Standards and Training Commission or by the Department
267 of Education.

268 (b) Pay the fee for and pass an examination administered
269 by the department which shall be based upon, but is not
270 necessarily limited to, a firearms instruction manual provided
271 by the department.

272 (7)-(8) In addition to the application requirements for
273 individuals, partners, or officers outlined under subsection
274 (3), the application for an agency license shall contain the
275 following information:

276 (a) The proposed name under which the agency intends to
277 operate.

278 (b) The street address, mailing address, and telephone
279 numbers of the principal location at which business is to be
280 conducted in this state.

281 (c) The street address, mailing address, and telephone
282 numbers of all branch offices within this state.

283 (d) The names and titles of all partners or, in the case
284 of a corporation, the names and titles of its principal
285 officers.

286 (8)-(9) Upon submission of a complete application, a Class
287 "CC," Class "C," Class "D," Class "EE," Class "E," Class "M,"
288 Class "MA," Class "MB," or Class "MR" applicant may commence
289 employment or appropriate duties for a licensed agency or branch
290 office. However, the Class "C" or Class "E" applicant must work
291 under the direction and control of a sponsoring licensee while

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292 his or her application is being processed. If the department
293 denies application for licensure, the employment of the
294 applicant must be terminated immediately, unless he or she
295 performs only unregulated duties.

296 Section 9. Paragraph (f) of subsection (1) and paragraph
297 (a) of subsection (2) of section 493.6106, Florida Statutes, are
298 amended, and paragraph (g) is added to subsection (1) of that
299 section, to read:

300 493.6106 License requirements; posting.--

301 (1) Each individual licensed by the department must:

302 (f) Be a citizen or permanent legal resident alien of the
303 United States or have appropriate ~~been granted~~ authorization
304 issued to seek employment in this country by the United States
305 Bureau of Citizenship and Immigration Services of the United
306 States Department of Homeland Security.

307 1. An applicant for a Class "C," Class "CC," Class "D,"
308 Class "DI," Class "E," Class "EE," Class "M," Class "MA," Class
309 "MB," Class "MR," or Class "RI" license who is not a United
310 States citizen must submit proof of current employment
311 authorization issued by the United States Bureau of Citizenship
312 and Immigration Services or proof that she or he is deemed a
313 permanent legal resident alien by the United States Bureau of
314 Citizenship and Immigration Services.

315 2. An applicant for a Class "G" or Class "K" license who
316 is not a United States citizen must submit proof that she or he
317 is deemed a permanent legal resident alien by the United States
318 Bureau of Citizenship and Immigration Services, together with
319 additional documentation establishing that she or he has resided

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320 in the state of residence shown on the application for at least
321 90 consecutive days before the date that the application is
322 submitted.

323 3. An applicant for an agency or school license who is not
324 a United States citizen or permanent legal resident alien must
325 submit documentation issued by the United States Bureau of
326 Citizenship and Immigration Services stating that she or he is
327 lawfully in the United States and is authorized to own and
328 operate the type of agency or school for which she or he is
329 applying. An employment authorization card issued by the United
330 States Bureau of Citizenship and Immigration Services is not
331 sufficient documentation.

332 (g) Not be prohibited from purchasing or possessing a
333 firearm by state or federal law if the individual is applying
334 for a Class "G" license or a Class "K" license.

335 (2) Each agency shall have a minimum of one physical
336 location within this state from which the normal business of the
337 agency is conducted, and this location shall be considered the
338 primary office for that agency in this state.

339 (a) If an agency or branch office desires to change the
340 physical location of the business, as it appears on the ~~agency~~
341 license, the department must be notified within 10 days of the
342 change, and, except upon renewal, the fee prescribed in s.
343 493.6107 must be submitted for each license requiring revision.
344 Each license requiring revision must be returned with such
345 notification.

346 Section 10. Subsection (3) of section 493.6107, Florida
347 Statutes, is amended to read:

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348 493.6107 Fees.--

349 (3) The fees set forth in this section must be paid by
350 ~~certified check or money order or, at the discretion of the~~
351 ~~department, by agency check~~ at the time the application is
352 approved, except that the applicant for a Class "G" or Class "M"
353 license must pay the license fee at the time the application is
354 made. If a license is revoked or denied or if the application is
355 withdrawn, the license fee shall not be refunded.

356 Section 11. Paragraph (a) of subsection (1) and subsection
357 (3) of section 493.6108, Florida Statutes, are amended to read:

358 493.6108 Investigation of applicants by Department of
359 Agriculture and Consumer Services.--

360 (1) Except as otherwise provided, prior to the issuance of
361 a license under this chapter, the department shall make an
362 investigation of the applicant for a license. The investigation
363 shall include:

364 (a)1. An examination of fingerprint records and police
365 records. When a criminal history analysis of any applicant under
366 this chapter is performed by means of fingerprint card
367 identification, the time limitations prescribed by s. 120.60(1)
368 shall be tolled during the time the applicant's fingerprint card
369 is under review by the Department of Law Enforcement or the
370 United States Department of Justice, Federal Bureau of
371 Investigation.

372 2. If a legible set of fingerprints, as determined by the
373 Department of Law Enforcement or the Federal Bureau of
374 Investigation, cannot be obtained after two attempts, the
375 Department of Agriculture and Consumer Services may determine

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376 the applicant's eligibility based upon a criminal history record
377 check under the applicant's name conducted by the Department of
378 Law Enforcement if the ~~and the Federal Bureau of Investigation.~~
379 ~~A set of fingerprints~~ are taken by a law enforcement agency or
380 the department and the applicant submits a written statement
381 signed by the fingerprint technician or a licensed physician
382 stating that there is a physical condition that precludes
383 obtaining a legible set of fingerprints or that the fingerprints
384 taken are the best that can be obtained ~~is sufficient to meet~~
385 ~~this requirement.~~

386 (3) The department shall also investigate the mental
387 history and current mental and emotional fitness of any Class
388 "G" or Class "K" applicant, and may deny a Class "G" or Class
389 "K" license to anyone who has a history of mental illness or
390 drug or alcohol abuse.

391 Section 12. Subsection (4) of section 493.6111, Florida
392 Statutes, is amended to read:

393 493.6111 License; contents; identification card.--

394 (4) Notwithstanding the existence of a valid Florida
395 corporate registration, an ~~ne~~ agency or school licensee may not
396 conduct activities regulated under this chapter under any
397 fictitious name without prior written authorization from the
398 department to use that name in the conduct of activities
399 regulated under this chapter. The department may not authorize
400 the use of a name which is so similar to that of a public
401 officer or agency, or of that used by another licensee, that the
402 public may be confused or misled thereby. The authorization for
403 the use of a fictitious name shall require, as a condition

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404 precedent to the use of such name, the filing of a certificate
405 of engaging in business under a fictitious name under s. 865.09.
406 ~~A No licensee may not shall be permitted to~~ conduct business
407 under more than one fictitious name except as separately
408 licensed nor shall the license be valid to protect any licensee
409 who is engaged in ~~the~~ business under any name other than that
410 specified in the license. An agency desiring to change its
411 licensed name shall notify the department and, except upon
412 renewal, pay a fee not to exceed \$30 for each license requiring
413 revision including those of all licensed employees except Class
414 "D" or Class "G" licensees. Upon the return of such licenses to
415 the department, revised licenses shall be provided.

416 Section 13. Subsection (2) and paragraph (a) of subsection
417 (3) of section 493.6113, Florida Statutes, are amended to read:

418 493.6113 Renewal application for licensure.--

419 (2) At least ~~No less than~~ 90 days before ~~prior to~~ the
420 expiration date of the license, the department shall mail a
421 written notice to the last known mailing ~~residence~~ address of
422 the licensee ~~for individual licensees and to the last known~~
423 ~~agency address for agencies.~~

424 (3) Each licensee shall be responsible for renewing his or
425 her license on or before its expiration by filing with the
426 department an application for renewal accompanied by payment of
427 the prescribed license fee.

428 (a) Each Class "B" ~~Class "A," Class "B," or Class "R"~~
429 licensee shall additionally submit on a form prescribed by the
430 department a certification of insurance which evidences that the
431 licensee maintains coverage as required under s. 493.6110.

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432 Section 14. Subsection (8), paragraph (d) of subsection
433 (12), and subsection (16) of section 493.6115, Florida Statutes,
434 are amended to read:

435 493.6115 Weapons and firearms.--

436 (8) A Class "G" applicant must satisfy the minimum
437 training criteria as set forth in s. 493.6105(5)~~(6)~~ and as
438 established by rule of the department.

439 (12) The department may issue a temporary Class "G"
440 license, on a case-by-case basis, if:

441 (d) The applicant has received approval from the
442 department subsequent to its conduct of a criminal history
443 record check as authorized in s. 493.6108(1)(a)1. ~~493.6121(6).~~

444 (16) If the criminal history record check program
445 referenced in s. 493.6108(1)(a)1. ~~493.6121(6)~~ is inoperable, the
446 department may issue a temporary "G" license on a case-by-case
447 basis, provided that the applicant has met all statutory
448 requirements for the issuance of a temporary "G" license as
449 specified in subsection (12), excepting the criminal history
450 record check stipulated there; provided, that the department
451 requires that the licensed employer of the applicant conduct a
452 criminal history record check of the applicant pursuant to
453 standards set forth in rule by the department, and provide to
454 the department an affidavit containing such information and
455 statements as required by the department, including a statement
456 that the criminal history record check did not indicate the
457 existence of any criminal history that would prohibit licensure.
458 Failure to properly conduct such a check, or knowingly providing
459 incorrect or misleading information or statements in the

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460 affidavit shall constitute grounds for disciplinary action
461 against the licensed agency, including revocation of license.

462 Section 15. Paragraph (u) of subsection (1) of section
463 493.6118, Florida Statutes, is redesignated as paragraph (v),
464 and a new paragraph (u) is added to that subsection to read:

465 493.6118 Grounds for disciplinary action.--

466 (1) The following constitute grounds for which
467 disciplinary action specified in subsection (2) may be taken by
468 the department against any licensee, agency, or applicant
469 regulated by this chapter, or any unlicensed person engaged in
470 activities regulated under this chapter.

471 (u) For a Class "G" or a Class "K" applicant or licensee,
472 being prohibited from purchasing or possessing a firearm by
473 state or federal law.

474 Section 16. Subsections (7) and (8) of section 493.6121,
475 Florida Statutes, are renumbered as subsections (6) and (7),
476 respectively, and present subsection (6) of that section is
477 amended, to read:

478 493.6121 Enforcement; investigation.--

479 ~~(6) The department shall be provided access to the program~~
480 ~~that is operated by the Department of Law Enforcement, pursuant~~
481 ~~to s. 790.065, for providing criminal history record information~~
482 ~~to licensed gun dealers, manufacturers, and exporters. The~~
483 ~~department may make inquiries, and shall receive responses in~~
484 ~~the same fashion as provided under s. 790.065. The department~~
485 ~~shall be responsible for payment to the Department of Law~~
486 ~~Enforcement of the same fees as charged to others afforded~~
487 ~~access to the program.~~

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488 Section 17. Subsection (3) of section 493.6202, Florida
489 Statutes, is amended to read:

490 493.6202 Fees.--

491 (3) The fees set forth in this section must be paid by
492 ~~certified~~ check or money order ~~or, at the discretion of the~~
493 ~~department, by agency check~~ at the time the application is
494 approved, except that the applicant for a Class "G," Class "C,"
495 Class "CC," Class "M," or Class "MA" license must pay the
496 license fee at the time the application is made. If a license is
497 revoked or denied or if the application is withdrawn, the
498 license fee shall not be refunded.

499 Section 18. Subsections (2), (4), and (6) of section
500 493.6203, Florida Statutes, are amended to read:

501 493.6203 License requirements.--In addition to the license
502 requirements set forth elsewhere in this chapter, each
503 individual or agency shall comply with the following additional
504 requirements:

505 (2) An applicant for a Class "MA" license shall have 2
506 years of lawfully gained, verifiable, full-time experience, or
507 training in:

508 (a) Private investigative work or related fields of work
509 that provided equivalent experience or training;

510 (b) Work as a Class "CC" licensed intern;

511 (c) Any combination of paragraphs (a) and (b);

512 (d) Experience described in paragraph (a) for 1 year and
513 experience described in paragraph (e) for 1 year;

514 (e) No more than 1 year using:

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- 515 1. College coursework related to criminal justice,
516 criminology, or law enforcement administration; or
517 2. Successfully completed law enforcement-related training
518 received from any federal, state, county, or municipal agency;
519 or
520 (f) Experience described in paragraph (a) for 1 year and
521 work in a managerial or supervisory capacity for 1 year.

522
523 However, experience in performing bodyguard services is not
524 creditable toward the requirements of this subsection.

525 (4) An applicant for a Class "C" license shall have 2
526 years of lawfully gained, verifiable, full-time experience, or
527 training in one, or a combination of more than one, of the
528 following:

529 (a) Private investigative work or related fields of work
530 that provided equivalent experience or training.

531 (b) College coursework related to criminal justice,
532 criminology, or law enforcement administration, or successful
533 completion of any law enforcement-related training received from
534 any federal, state, county, or municipal agency, except that no
535 more than 1 year may be used from this category.

536 (c) Work as a Class "CC" licensed intern.

537
538 However, experience in performing bodyguard services is not
539 creditable toward the requirements of this subsection.

540 (6) (a) A Class "CC" licensee shall serve an internship
541 under the direction and control of a designated sponsor, who is
542 a Class "C," Class "MA," or Class "M" licensee.

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543 (b) Effective July 1, 2009 ~~September 1, 2008~~, before
544 submission of an application to the department, the an applicant
545 for a Class "CC" license must have completed a minimum of 40 at
546 least 24 hours of professional training ~~a 40-hour course~~
547 pertaining to general investigative techniques and this chapter,
548 which course is offered by a state university or by a school,
549 community college, college, or university under the purview of
550 the Department of Education, and the applicant must pass an
551 examination. The training must be provided in two parts, one 24-
552 hour course and one 16-hour course. The certificate evidencing
553 satisfactory completion of the 40 at least 24 hours of
554 professional training ~~a 40-hour course~~ must be submitted with
555 the application for a Class "CC" license. ~~The remaining 16 hours~~
556 ~~must be completed and an examination passed within 180 days. If~~
557 ~~documentation of completion of the required training is not~~
558 ~~submitted within the specified timeframe, the individual's~~
559 ~~license is automatically suspended or his or her authority to~~
560 ~~work as a Class "CC" pursuant to s. 493.6105(9) is rescinded~~
561 ~~until such time as proof of certificate of completion is~~
562 ~~provided to the department.~~ The training ~~course~~ specified in
563 this paragraph may be provided by face-to-face presentation,
564 online technology, or a home study course in accordance with
565 rules and procedures of the Department of Education. The
566 administrator of the examination must verify the identity of
567 each applicant taking the examination.

568 1. Upon an applicant's successful completion of each part
569 of the approved training ~~course~~ and passage of any required
570 examination, the school, community college, college, or

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571 university shall issue a certificate of completion to the
572 applicant. The certificates must be on a form established by
573 rule of the department.

574 2. The department shall establish by rule the general
575 content of the professional training ~~course~~ and the examination
576 criteria.

577 3. If the license of an applicant for relicensure is ~~has~~
578 ~~been~~ invalid for more than 1 year, the applicant must complete
579 the required training and pass any required examination.

580 (c) An individual who submits an application for a Class
581 "CC" license on or after September 1, 2008, through June 30,
582 2009, who has not completed the 16-hour course must submit proof
583 of successful completion of the course within 180 days after the
584 date the application is submitted. If documentation of
585 completion of the required training is not submitted by that
586 date, the individual's license is automatically suspended until
587 proof of the required training is submitted to the department.
588 An individual licensed on or before August 31, 2008, is not
589 required to complete additional training hours in order to renew
590 an active license beyond the required total amount of training,
591 and within the timeframe, in effect at the time he or she was
592 licensed.

593 Section 19. Subsection (3) of section 493.6302, Florida
594 Statutes, is amended to read:

595 493.6302 Fees.--

596 (3) The fees set forth in this section must be paid by
597 ~~certified check or money order or, at the discretion of the~~
598 ~~department, by agency check~~ at the time the application is

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599 approved, except that the applicant for a Class "D," Class "G,"
600 Class "M," or Class "MB" license must pay the license fee at the
601 time the application is made. If a license is revoked or denied
602 or if the application is withdrawn, the license fee shall not be
603 refunded.

604 Section 20. Subsection (4) of section 493.6303, Florida
605 Statutes, is amended to read:

606 493.6303 License requirements.--In addition to the license
607 requirements set forth elsewhere in this chapter, each
608 individual or agency shall comply with the following additional
609 requirements:

610 (4) (a) Effective July 1, 2009, an applicant for a Class
611 "D" license must submit proof of successful completion of
612 ~~complete~~ a minimum of 40 hours of professional training at a
613 school or training facility licensed by the department. The
614 training must be provided in two parts, one 24-hour course and
615 one 16-hour course. The department shall by rule establish the
616 general content and number of hours of each subject area to be
617 taught.

618 (b) An individual who submits an application for a Class
619 "D" license on or after January 1, 2007, through June 30, 2009,
620 who has not completed the 16-hour course must submit proof of
621 successful completion of the course within 180 days after the
622 date the application is submitted. If documentation of
623 completion of the required training is not submitted by that
624 date, the individual's license is automatically suspended until
625 proof of the required training is submitted to the department.
626 This section does not require a person licensed before January

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627 1, 2007, to complete additional training hours in order to renew
628 an active license beyond the required total amount of training
629 within the timeframe prescribed by law at the time he or she was
630 licensed. An applicant may fulfill the training requirement
631 prescribed in paragraph (a) by submitting proof of:

632 1. Successful completion of the total number of required
633 hours of training before initial application for a Class "D"
634 license; or

635 2. Successful completion of 24 hours of training before
636 initial application for a Class "D" license and successful
637 completion of the remaining 16 hours of training within 180 days
638 after the date that the application is submitted. If
639 documentation of completion of the required training is not
640 submitted within the specified timeframe, the individual's
641 license is automatically suspended until such time as proof of
642 the required training is provided to the department.

643 (c) An individual However, any person whose license is
644 suspended or has been revoked, suspended pursuant to paragraph
645 (b) subparagraph 2., or is expired for at least 1 year, or
646 longer is considered, upon reapplication for a license, an
647 initial applicant and must submit proof of successful completion
648 of 40 hours of professional training at a school or training
649 facility licensed by the department as provided prescribed in
650 paragraph (a) before a license is will be issued. Any person
651 whose license was issued before January 1, 2007, and whose
652 license has been expired for less than 1 year must, upon
653 reapplication for a license, submit documentation of completion
654 of the total number of hours of training prescribed by law at
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655 ~~the time her or his initial license was issued before another~~
656 ~~license will be issued. This subsection does not require an~~
657 ~~individual licensed before January 1, 2007, to complete~~
658 ~~additional training hours in order to renew an active license,~~
659 ~~beyond the required total amount of training within the~~
660 ~~timeframe prescribed by law at the time she or he was licensed.~~

661 Section 21. Subsection (2) of section 493.6304, Florida
662 Statutes, is amended to read:

663 493.6304 Security officer school or training facility.--

664 (2) The application shall be signed and verified by the
665 applicant under oath as provided in s. 92.525 ~~notarized~~ and
666 shall contain, at a minimum, the following information:

667 (a) The name and address of the school or training
668 facility and, if the applicant is an individual, her or his
669 name, address, and social security or alien registration number.

670 (b) The street address of the place at which the training
671 is to be conducted.

672 (c) A copy of the training curriculum and final
673 examination to be administered.

674 Section 22. Subsections (7) and (8) of section 493.6401,
675 Florida Statutes, are amended to read:

676 493.6401 Classes of licenses.--

677 (7) Any person who operates a recovery agent ~~repossessor~~
678 school or training facility or who conducts an Internet-based
679 training course or a correspondence training course must have a
680 Class "RS" license.

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681 (8) Any individual who teaches or instructs at a Class
682 "RS" recovery agent ~~repossessor~~ school or training facility
683 shall have a Class "RI" license.

684 Section 23. Paragraphs (f) and (g) of subsection (1) and
685 subsection (3) of section 493.6402, Florida Statutes, are
686 amended to read:

687 493.6402 Fees.--

688 (1) The department shall establish by rule biennial
689 license fees which shall not exceed the following:

690 (f) Class "RS" license--recovery agent ~~repossessor~~ school
691 or training facility: \$60.

692 (g) Class "RI" license--recovery agent ~~repossessor~~ school
693 or training facility instructor: \$60.

694 (3) The fees set forth in this section must be paid by
695 ~~certified check or money order, or, at the discretion of the~~
696 ~~department, by agency check~~ at the time the application is
697 approved, except that the applicant for a Class "E," Class "EE,"
698 or Class "MR" license must pay the license fee at the time the
699 application is made. If a license is revoked or denied, or if an
700 application is withdrawn, the license fee shall not be refunded.

701 Section 24. Subsections (1) and (2) of section 493.6406,
702 Florida Statutes, are amended to read:

703 493.6406 Recovery agent ~~Repossession services~~ school or
704 training facility.--

705 (1) Any school, training facility, or instructor who
706 offers the training outlined in s. 493.6403(2) for Class "E" or
707 Class "EE" applicants shall, before licensure of such school,
708 training facility, or instructor, file with the department an
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709 application accompanied by an application fee in an amount to be
710 determined by rule, not to exceed \$60. The fee shall not be
711 refundable. This training may be offered as face-to-face
712 training, Internet-based training, or correspondence training.

713 (2) The application shall be signed and verified by the
714 applicant under oath as provided in s. 92.525 ~~notarized~~ and
715 shall contain, at a minimum, the following information:

716 (a) The name and address of the school or training
717 facility and, if the applicant is an individual, his or her
718 name, address, and social security or alien registration number.

719 (b) The street address of the place at which the training
720 is to be conducted or the street address of the Class "RS"
721 school offering Internet-based or correspondence training.

722 (c) A copy of the training curriculum and final
723 examination to be administered.

724 Section 25. Paragraph (a) of subsection (2) of section
725 501.605, Florida Statutes, is amended to read:

726 501.605 Licensure of commercial telephone sellers.--

727 (2) An applicant for a license as a commercial telephone
728 seller must submit to the department, in such form as it
729 prescribes, a written application for the license. The
730 application must set forth the following information:

731 (a) The true name, date of birth, driver's license number,
732 ~~social security number,~~ and home address of the applicant,
733 including each name under which he or she intends to do
734 business.

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736 The application shall be accompanied by a copy of any: Script,
737 outline, or presentation the applicant will require or suggest a
738 salesperson to use when soliciting, or, if no such document is
739 used, a statement to that effect; sales information or
740 literature to be provided by the applicant to a salesperson; and
741 sales information or literature to be provided by the applicant
742 to a purchaser in connection with any solicitation.

743 Section 26. Paragraph (a) of subsection (1) of section
744 501.607, Florida Statutes, is amended to read:

745 501.607 Licensure of salespersons.--

746 (1) An applicant for a license as a salesperson must
747 submit to the department, in such form as it prescribes, a
748 written application for a license. The application must set
749 forth the following information:

750 (a) The true name, date of birth, driver's license number,
751 ~~social security number~~, and home address of the applicant.

752 Section 27. Subsection (2) of section 501.913, Florida
753 Statutes, is amended to read:

754 501.913 Registration.--

755 (2) The completed application shall be accompanied by:

756 (a) Specimens or facsimiles of the label for each brand of
757 antifreeze;

758 (b) An application fee of \$200 for each brand; and

759 (c) A properly labeled sample of at least 1 gallon, but
760 not more than 2 gallons, of each brand of antifreeze.

761 Section 28. Subsection (2) of section 525.01, Florida
762 Statutes, is amended to read:

763 525.01 Gasoline and oil to be inspected.--

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764 (2) All petroleum fuels are ~~shall be~~ subject to inspection
765 and analysis by the department. Before selling or offering for
766 sale in this state any petroleum fuel, all manufacturers,
767 terminal suppliers, wholesalers, and importers as defined in s.
768 206.01 ~~jobbers~~ shall file with the department:

769 (a) An affidavit that they desire to do business in this
770 state, and the name and address of the manufacturer of the
771 petroleum fuel.

772 (b) An affidavit stating that the petroleum fuel is in
773 conformity with the standards prescribed by department rule.

774 Section 29. Subsections (1) and (3) of section 525.09,
775 Florida Statutes, are amended to read:

776 525.09 Inspection fee.--

777 (1) For the purpose of defraying the expenses incident to
778 inspecting, testing, and analyzing petroleum fuels in this
779 state, there shall be paid to the department a charge of one-
780 eighth cent per gallon on all gasoline, alternative fuel
781 containing alcohol as defined in s. 525.01(1)(c)1. or 2.,
782 kerosene (except when used as aviation turbine fuel), and #1
783 fuel oil for sale or use in this state. This inspection fee
784 shall be imposed in the same manner as the motor fuel tax
785 pursuant to s. 206.41. Payment shall be made on or before the
786 25th day of each month.

787 (3) All remittances to the department for the inspection
788 tax herein provided shall be accompanied by a detailed report
789 under oath showing the number of gallons of gasoline,
790 alternative fuel containing alcohol as defined in s.

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791 525.01(1)(c)1. and 2., kerosene, or fuel oil sold and delivered
792 in each county.

793 Section 30. Section 526.50, Florida Statutes, is amended
794 to read:

795 526.50 Definition of terms.--As used in this part:

796 (1) "Brake fluid" means the fluid intended for use as the
797 liquid medium through which force is transmitted in the
798 hydraulic brake system of a vehicle operated upon the highways.

799 (2) "Brand" means the product name appearing on the label
800 of a container of brake fluid.

801 (3)~~(5)~~ "Container" means any receptacle in which brake
802 fluid is immediately contained when sold, but does not mean a
803 carton or wrapping in which a number of such receptacles are
804 shipped or stored or a tank car or truck.

805 (4)~~(2)~~ "Department" means the Department of Agriculture
806 and Consumer Services.

807 (5) "Formula" means the name of the chemical mixture or
808 composition of the brake fluid product.

809 (6)~~(4)~~ "Labeling" includes all written, printed or graphic
810 representations, in any form whatsoever, imprinted upon or
811 affixed to any container of brake fluid.

812 (7)~~(6)~~ "Permit year" means a period of 12 months
813 commencing July 1 and ending on the next succeeding June 30.

814 (8)~~(7)~~ "Registrant" means any manufacturer, packer,
815 distributor, seller, or other person who has registered a brake
816 fluid with the department.

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817 (9)~~(3)~~ "Sell" includes give, distribute, barter, exchange,
818 trade, keep for sale, offer for sale or expose for sale, in any
819 of their variant forms.

820 Section 31. Section 526.51, Florida Statutes, is amended
821 to read:

822 526.51 Registration;~~renewal and fees~~; departmental
823 expenses; cancellation or refusal to issue or renew.--

824 (1) (a) Application for registration of each brand of brake
825 fluid shall be made on forms to be supplied by the department.
826 The applicant shall give his or her name and address and the
827 brand name of the brake fluid, state that he or she owns the
828 brand name and has complete control over the product sold
829 thereunder in Florida, and provide the name and address of the
830 resident agent in Florida. If the applicant does not own the
831 brand name but wishes to register the product with the
832 department, a notarized affidavit that gives the applicant full
833 authorization to register the brand name and that is signed by
834 the owner of the brand name must accompany the application for
835 registration. The affidavit must include all affected brand
836 names, the owner's company or corporate name and address, the
837 applicant's company or corporate name and address, and a
838 statement from the owner authorizing the applicant to register
839 the product with the department. The owner of the brand name
840 shall maintain complete control over each product sold under
841 that brand name in this state. All first-time brand-formula
842 combination ~~new product~~ applications must be accompanied by a
843 certified report from an independent testing laboratory, setting
844 forth the analysis of the brake fluid which shall show its

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845 quality to be not less than the specifications established by
846 the department for brake fluids. A sample of not less than 24
847 fluid ounces of brake fluid shall be submitted, in a container
848 or containers, with labels representing exactly how the
849 containers of brake fluid will be labeled when sold, and the
850 sample and container shall be analyzed and inspected by the
851 Division of Standards in order that compliance with the
852 department's specifications and labeling requirements may be
853 verified. Upon approval of the application, the department shall
854 register the brand name of the brake fluid and issue to the
855 applicant a permit authorizing the registrant to sell the brake
856 fluid in this state during the permit year specified in the
857 permit.

858 (b) Each applicant shall pay a fee of \$100 with each
859 application. An applicant seeking reregistration of a previously
860 registered brand-formula combination must submit a completed
861 application and all materials required under this subsection to
862 the department before the first day of the permit year. A brand-
863 formula combination for which a completed application and all
864 materials required under this subsection are not received before
865 the first day of the permit year ceases to be registered with
866 the department until a completed application and all materials
867 required under this subsection are received and approved. Any
868 fee, application, or materials received after the first day of
869 the permit year, if the brand-formula combination was previously
870 registered with the department, A permit may be renewed by
871 application to the department, accompanied by a renewal fee of
872 \$50 on or before the last day of the permit year immediately

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873 ~~preceding the permit year for which application is made for~~
874 ~~renewal of registration. To any fee not paid when due, there~~
875 shall accrue a penalty of \$25, which shall be added to the
876 renewal fee. ~~Renewals will be accepted only on brake fluids that~~
877 ~~have no change in formula, composition, or brand name.~~ Any
878 change in formula, composition, or brand name of any brake fluid
879 constitutes a new product that must be registered in accordance
880 with this part.

881 (2) All fees collected under the provisions of this
882 section shall be credited to the General Inspection Trust Fund
883 of the department and all expenses incurred in the enforcement
884 of this part shall be paid from said fund.

885 (3) The department may cancel ~~or~~ refuse to issue ~~or~~
886 ~~refuse to renew~~ any registration and permit after due notice and
887 opportunity to be heard if it finds that the brake fluid is
888 adulterated or misbranded or that the registrant has failed to
889 comply with the provisions of this part or the rules and
890 regulations promulgated thereunder.

891 Section 32. Paragraph (a) of subsection (3) of section
892 526.52, Florida Statutes, is amended to read:

893 526.52 Specifications; adulteration and misbranding.--

894 (3) Brake fluid is deemed to be misbranded:

895 (a) If its container does not bear on its side or top a
896 label on which is printed the name and place of business of the
897 registrant of the product, the words "brake fluid," and a
898 statement that the product therein equals or exceeds the minimum
899 specification of the Society of Automotive Engineers for heavy-
900 duty-type brake fluid or equals or exceeds Federal Motor Vehicle
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901 Safety Standard No. 116 adopted by the United States Department
902 of Transportation, heavy-duty type. By regulation the department
903 may require that the duty-type classification appear on the
904 label.

905 Section 33. Subsection (2) of section 526.53, Florida
906 Statutes, is amended to read:

907 526.53 Enforcement; inspection and analysis, stop-sale and
908 disposition, regulations.--

909 (2) (a) When any brake fluid is sold in violation of any of
910 the provisions of this part, all such affected brake fluid of
911 the same brand name ~~on the same premises on which the violation~~
912 ~~occurred~~ shall be placed under a stop-sale order by the
913 department by serving the owner of the brand name, distributor,
914 or other entity responsible for selling or distributing the
915 product in the state with the stop-sale order. The department
916 shall withdraw its stop-sale order upon the removal of the
917 violation or upon voluntary destruction of the product, or other
918 disposal approved by the department, under the supervision of
919 the department.

920 (b) In addition to being subject to the stop-sale
921 procedures above, unregistered brake fluid shall be held by the
922 department or its representative, at a place to be designated in
923 the stop-sale order, until properly registered and released in
924 writing by the department or its representative. If application
925 is has not been made for registration of the such product within
926 30 days after issue of the stop-sale order, such product shall
927 be disposed of by the department, or, with the department's
928 consent, by the business, to any tax-supported institution or

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929 agency of the state if the brake fluid meets legal
930 specifications or by other disposal authorized by rule of the
931 department if it fails to meet legal specifications.

932 Section 34. Subsections (2) and (5) of section 527.02,
933 Florida Statutes, are amended to read:

934 527.02 License; penalty; fees.--

935 (2) Each business location of a person having multiple
936 locations shall be separately licensed and must meet the
937 requirements of this section. Such license shall be granted to
938 any applicant determined by the department to be competent,
939 qualified, and trustworthy who files with the department a
940 surety bond, insurance affidavit, or other proof of insurance,
941 as hereinafter specified, and pays for such license the
942 following original application fee for new licenses and annual
943 renewal fees for existing licenses:

License Category	Original Application Fee	Renewal Fee
Category I liquefied petroleum gas dealer	<u>\$600</u> \$525	<u>\$500</u> \$425
Category II liquefied petroleum gas dispenser	525	<u>425</u> 375
Category III liquefied petroleum	<u>125</u> 100	<u>75</u> 65

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HOUSE AMENDMENT
Bill No. CS/CS/HB 1241

Amendment No.			
948	gas cylinder exchange unit operator		
949	Category IV liquefied petroleum gas dispenser and recreational vehicle servicer	525	<u>425</u> 400
950	Category V liquefied petroleum petroleum gases dealer for industrial uses only	<u>350</u> 300	<u>275</u> 200
951	LP gas installer	<u>400</u> 300	<u>300</u> 200
952	Specialty installer	300	<u>250</u> 200
953	Dealer in appliances and equipment for use of liquefied petroleum gas	50	45
954	Manufacturer of liquefied petroleum gas appliances and equipment	525	<u>425</u> 375
955	Requalifier of cylinders	525	<u>425</u> 375

Amendment No.

Fabricator, repairer, and
tester of vehicles and cargo

tanks 525 425 ~~375~~

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(5) The license fee for a pipeline system operator shall be \$350 ~~\$100 per system owned or operated by the person, not to exceed \$400 per license year.~~ Such license fee applies only to a pipeline system operator who owns or operates a liquefied petroleum gas pipeline system that is used to transmit liquefied petroleum gas from a common source to the ultimate customer and that serves 10 or more customers. The license shall be renewed each year at a fee of \$275 per year.

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Section 35. Subsections (1) and (3) and paragraphs (a) and (c) of subsection (5) of section 527.0201, Florida Statutes, are amended to read:

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527.0201 Qualifiers; master qualifiers; examinations.--
(1) In addition to the requirements of s. 527.02, any person applying for a license to engage in the activities of a pipeline system operator, category I liquefied petroleum gas dealer, category II liquefied petroleum gas dispenser, category IV liquefied petroleum gas dispenser and recreational vehicle servicer, category V liquefied petroleum gases dealer for industrial uses only, LP gas installer, specialty installer, requalifier ~~requalification~~ of cylinders, or fabricator, repairer, and tester of vehicles and cargo tanks must prove competency by passing a written examination administered by the department or its agent with a grade of at least 75 percent in each area tested ~~or above~~. Each applicant for examination shall

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981 submit a \$30 ~~\$20~~ nonrefundable fee. The department shall by rule
982 specify the general areas of competency to be covered by each
983 examination and the relative weight to be assigned in grading
984 each area tested.

985 (3) Qualifier cards issued to category I liquefied
986 petroleum gas dealers and liquefied petroleum gas installers
987 shall expire 3 years after the date of issuance. All category I
988 liquefied petroleum gas dealer qualifiers and liquefied
989 petroleum gas installer qualifiers holding a valid qualifier
990 card upon the effective date of this act shall retain their
991 qualifier status until July 1, 2003, and may sit for the master
992 qualifier examination at any time during that time period. All
993 such category I liquefied petroleum gas dealer qualifiers and
994 liquefied petroleum gas installer qualifiers may renew their
995 qualification on or before July 1, 2003, upon application to the
996 department, payment of a \$20 renewal fee, and documentation of
997 the completion of a minimum of 16 ~~12~~ hours of approved
998 continuing education courses, as defined by department rule,
999 during the previous 3-year period. Applications for renewal must
1000 be made 30 calendar days prior to expiration. Persons failing to
1001 renew prior to the expiration date must reapply and take a
1002 qualifier competency examination in order to reestablish
1003 category I liquefied petroleum gas dealer qualifier and
1004 liquefied petroleum gas installer qualifier status. If a
1005 category I liquefied petroleum gas qualifier or liquefied
1006 petroleum gas installer qualifier becomes a master qualifier at
1007 any time during the effective date of the qualifier card, the

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1008 card shall remain in effect until expiration of the master
1009 qualifier certification.

1010 (5) In addition to all other licensing requirements, each
1011 category I liquefied petroleum gas dealer and liquefied
1012 petroleum gas installer must, at the time of application for
1013 licensure, identify to the department one master qualifier who
1014 is a full-time employee at the licensed location. This person
1015 shall be a manager, owner, or otherwise primarily responsible
1016 for overseeing the operations of the licensed location and must
1017 provide documentation to the department as provided by rule. The
1018 master qualifier requirement shall be in addition to the
1019 requirements of subsection (1).

1020 (a) In order to apply for certification as a master
1021 qualifier, each applicant must be a category I liquefied
1022 petroleum gas dealer qualifier or liquefied petroleum gas
1023 installer qualifier, must be employed by a licensed category I
1024 liquefied petroleum gas dealer, liquefied petroleum gas
1025 installer, or applicant for such license, must provide
1026 documentation of a minimum of 1 year's work experience in the
1027 gas industry, and must pass a master qualifier competency
1028 examination. Master qualifier examinations shall be based on
1029 Florida's laws, rules, and adopted codes governing liquefied
1030 petroleum gas safety, general industry safety standards, and
1031 administrative procedures. The examination must be successfully
1032 passed ~~completed~~ by the applicant with a grade of at least 75
1033 percent ~~or more~~. Each applicant for master qualifier status
1034 shall submit to the department a nonrefundable \$50 ~~\$30~~
1035 examination fee prior to the examination.

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1036 (c) Master qualifier status shall expire 3 years after the
1037 date of issuance of the certificate and may be renewed by
1038 submission to the department of documentation of completion of
1039 at least 16 ~~12~~ hours of approved continuing education courses
1040 during the 3-year period; proof of employment with a licensed
1041 category I liquefied petroleum gas dealer, liquefied petroleum
1042 gas installer, or applicant; and a \$30 certificate renewal fee.
1043 The department shall define, by rule, approved courses of
1044 continuing education.

1045 Section 36. Subsection (4) of section 527.021, Florida
1046 Statutes, is amended to read:

1047 527.021 Registration of transport vehicles.--

1048 (4) An inspection fee of \$75 ~~\$50~~ shall be assessed for
1049 each registered vehicle inspected by the department pursuant to
1050 s. 527.061. Registered vehicles shall be inspected annually. All
1051 inspection fees collected in connection with this section shall
1052 be deposited in the General Inspection Trust Fund for the
1053 purpose of administering the provisions of this chapter.

1054 Section 37. Section 527.12, Florida Statutes, is amended
1055 to read:

1056 527.12 Cease and desist orders; stop-use orders; stop-
1057 operation orders; stop-sale orders; administrative fines.--

1058 (1) Whenever the department has ~~shall have~~ reason to
1059 believe that any person is violating or has violated ~~been~~
1060 ~~violating provisions of~~ this chapter or any rules adopted under
1061 this chapter pursuant thereto, the department ~~it~~ may issue a
1062 cease and desist order, ~~or~~ impose a civil penalty, or do both

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1063 ~~may issue such cease and desist order and impose a civil~~
1064 ~~penalty.~~

1065 (2) Whenever a person or liquefied petroleum gas system or
1066 storage facility, or any part or component thereof, fails to
1067 comply with this chapter or any rules adopted under this
1068 chapter, the department may issue a stop-use order, stop-
1069 operation order, or stop-sale order.

1070 Section 38. Subsection (1) of section 559.805, Florida
1071 Statutes, is amended to read:

1072 559.805 Filings with the department; disclosure of
1073 advertisement identification number.--

1074 (1) Every seller of a business opportunity shall annually
1075 file with the department a copy of the disclosure statement
1076 required by s. 559.803 before ~~prior to~~ placing an advertisement
1077 or making any other representation designed to offer to, sell
1078 to, or solicit an offer to buy a business opportunity from a
1079 prospective purchaser in this state and shall update this filing
1080 by reporting any material change in the required information
1081 within 30 days after the material change occurs. An
1082 advertisement is not placed in the state merely because the
1083 publisher circulates, or there is circulated on his or her
1084 behalf in the state, any bona fide newspaper or other
1085 publication of general, regular, and paid circulation which has
1086 had more than two-thirds of its circulation during the past 12
1087 months outside the state or because a radio or television
1088 program originating outside the state is received in the state.
1089 If the seller is required by s. 559.807 to provide a bond or
1090 establish a trust account or guaranteed letter of credit, he or
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1091 she shall contemporaneously file with the department a copy of
1092 the bond, a copy of the formal notification by the depository
1093 that the trust account is established, or a copy of the
1094 guaranteed letter of credit. Every seller of a business
1095 opportunity shall file with the department a list of independent
1096 agents who will engage in the offer or sale of business
1097 opportunities on behalf of the seller in this state. This list
1098 must be kept current and shall include the following
1099 information: name, home and business address, telephone number,
1100 present employer, ~~social security number~~, and birth date. A ~~No~~
1101 person may not ~~shall be allowed to~~ offer or sell business
1102 opportunities unless the required information is ~~has been~~
1103 provided to the department.

1104 Section 39. Subsection (3) of section 559.928, Florida
1105 Statutes, is amended to read:

1106 559.928 Registration.--

1107 (3) Each independent agent shall annually file an
1108 affidavit with the department before ~~prior to~~ engaging in
1109 business in this state. This affidavit must include the
1110 independent agent's full name, legal business or trade name,
1111 mailing address, business address, telephone number, ~~social~~
1112 ~~security number~~, and the name or names and addresses of each
1113 seller of travel represented by the independent agent. A letter
1114 evidencing proof of filing must be issued by the department and
1115 must be prominently displayed in the independent agent's primary
1116 place of business. Each independent agent must also submit an
1117 annual registration fee of \$50. All moneys collected pursuant to
1118 the imposition of the fee shall be deposited by the Chief

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1119 Financial Officer into the General Inspection Trust Fund of the
1120 Department of Agriculture and Consumer Services for the sole
1121 purpose of administrating this part. As used in this subsection,
1122 the term "independent agent" means a person who represents a
1123 seller of travel by soliciting persons on its behalf; who has a
1124 written contract with a seller of travel which is operating in
1125 compliance with this part and any rules adopted thereunder; who
1126 does not receive a fee, commission, or other valuable
1127 consideration directly from the purchaser for the seller of
1128 travel; who does not at any time have any unissued ticket stock
1129 or travel documents in his or her possession; and who does not
1130 have the ability to issue tickets, vacation certificates, or any
1131 other travel document. The term "independent agent" does not
1132 include an affiliate of the seller of travel, as that term is
1133 used in s. 559.935(3), or the employees of the seller of travel
1134 or of such affiliates.

1135 Section 40. Subsection (7) of section 570.0725, Florida
1136 Statutes, is amended to read:

1137 570.0725 Food recovery; legislative intent; department
1138 functions.--

1139 (7) For public information purposes, the department may
1140 ~~shall~~ develop and provide a public information brochure
1141 detailing the need for food banks and similar ~~of~~ food recovery
1142 programs, the benefit of such ~~food recovery~~ programs, the manner
1143 in which ~~such~~ organizations may become involved in such ~~food~~
1144 ~~recovery~~ programs, and the protection afforded to such programs
1145 under s. 768.136, ~~and the food recovery entities or food banks~~
1146 ~~that exist in the state. This brochure must be updated annually.~~

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1147 A food bank or similar food recovery organization seeking to be
1148 included on a list of such organizations must notify the
1149 department and provide the information required by rule of the
1150 department. Such organizations are responsible for updating the
1151 information and providing the updated information to the
1152 department. The department may adopt rules to implement this
1153 section.

1154 Section 41. Paragraph (e) of subsection (6) of section
1155 570.53, Florida Statutes, is amended to read:

1156 570.53 Division of Marketing and Development; powers and
1157 duties.--The powers and duties of the Division of Marketing and
1158 Development include, but are not limited to:

1159 (6)

1160 (e) Extending in every practicable way the distribution
1161 and sale of Florida agricultural products throughout the markets
1162 of the world as required of the department by s. ~~ss.~~ 570.07(7),
1163 (8), (10), and (11) and ~~570.071~~ and chapters 571, 573, and 574.

1164 Section 42. Subsection (2) of section 570.54, Florida
1165 Statutes, is amended to read:

1166 570.54 Director; duties.--

1167 (2) It shall be the duty of the director of this division
1168 to supervise, direct, and coordinate the activities authorized
1169 by ss. 570.07(4), (7), (8), (10), (11), (12), (17), (18), and
1170 (20), ~~570.071~~, 570.21, 534.47-534.53, and 604.15-604.34 and
1171 chapters 504, 571, 573, and 574 and to exercise other powers and
1172 authority as authorized by the department.

1173 Section 43. Subsection (4) of section 570.55, Florida
1174 Statutes, is amended to read:

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1175 570.55 Identification of sellers or handlers of tropical
1176 or subtropical fruit and vegetables; containers specified;
1177 penalties.--

1178 (4) IDENTIFICATION OF HANDLER.--At the time of each
1179 transaction involving the handling or sale of 55 pounds or more
1180 of tropical or subtropical fruit or vegetables in the primary
1181 channel of trade, the buyer or receiver of the tropical or
1182 subtropical fruit or vegetables shall demand a bill of sale,
1183 invoice, sales memorandum, or other document listing the date of
1184 the transaction, the quantity of the tropical or subtropical
1185 fruit or vegetables involved in the transaction, and the
1186 identification of the seller or handler as it appears on the
1187 driver's license of the seller or handler, including the
1188 driver's license number. If the seller or handler does not
1189 possess a driver's license, the buyer or receiver shall use any
1190 other acceptable means of identification, which may include, but
1191 is not limited to, i.e., voter's registration card and number,
1192 draft card, ~~social security card~~, or other identification.
1193 However, no less than two identification documents shall be
1194 used. The identification of the seller or handler shall be
1195 recorded on the bill of sale, sales memorandum, invoice, or
1196 voucher, which shall be retained by the buyer or receiver for a
1197 period of not less than 1 year from the date of the transaction.

1198 Section 44. Subsection (3) of section 570.902, Florida
1199 Statutes, is amended to read:

1200 570.902 Definitions; ss. 570.902 and 570.903.--For the
1201 purpose of ss. 570.902 and 570.903:

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1202 ~~(3) "Museum" means the Florida Agricultural Museum which~~
1203 ~~is designated as the museum for agriculture and rural history of~~
1204 ~~the State of Florida.~~

1205 Section 45. Section 570.903, Florida Statutes, is amended
1206 to read:

1207 570.903 Direct-support organization.--

1208 (1) When the Legislature authorizes the establishment of a
1209 direct-support organization to provide assistance for the
1210 ~~museums,~~ the Florida Agriculture in the Classroom Program, ~~the~~
1211 ~~Florida State Collection of Arthropods,~~ the Friends of the
1212 Florida State Forests Program of the Division of Forestry, and
1213 the Forestry Arson Alert Program, and other programs of the
1214 department, the following provisions shall govern the creation,
1215 use, powers, and duties of the direct-support organization.

1216 (a) The department shall enter into a memorandum or letter
1217 of agreement with the direct-support organization, which shall
1218 specify the approval of the department, the powers and duties of
1219 the direct-support organization, and rules with which the
1220 direct-support organization shall comply.

1221 (b) The department may permit, without charge, appropriate
1222 use of property, facilities, and personnel of the department by
1223 a direct-support organization, subject to the provisions of ss.
1224 570.902 and 570.903. The use shall be directly in keeping with
1225 the approved purposes of the direct-support organization and
1226 shall not be made at times or places that would unreasonably
1227 interfere with opportunities for the general public to use
1228 department facilities for established purposes.

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1229 (c) The department shall prescribe by contract or by rule
1230 conditions with which a direct-support organization shall comply
1231 in order to use property, facilities, or personnel of the
1232 department ~~or museum~~. Such rules shall provide for budget and
1233 audit review and oversight by the department.

1234 (d) The department shall not permit the use of property,
1235 facilities, or personnel of the ~~museum,~~ department, or
1236 designated program by a direct-support organization which does
1237 not provide equal employment opportunities to all persons
1238 regardless of race, color, religion, sex, age, or national
1239 origin.

1240 (2) (a) The direct-support organization shall be empowered
1241 to conduct programs and activities; raise funds; request and
1242 receive grants, gifts, and bequests of money; acquire, receive,
1243 hold, invest, and administer, in its own name, securities,
1244 funds, objects of value, or other property, real or personal;
1245 and make expenditures to or for the direct or indirect benefit
1246 of the ~~museum or~~ designated program.

1247 (b) Notwithstanding the provisions of s. 287.057, the
1248 direct-support organization may enter into contracts or
1249 agreements with or without competitive bidding for the
1250 ~~restoration of objects, historical buildings, and other~~
1251 ~~historical materials or for the purchase of objects, historical~~
1252 ~~buildings, and other historical materials which are to be added~~
1253 ~~to the collections of the museum, or benefit of~~ of the designated
1254 program. However, before the direct-support organization may
1255 enter into a contract or agreement without competitive bidding,
1256 the direct-support organization shall file a certification of
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1257 conditions and circumstances with the internal auditor of the
1258 department justifying each contract or agreement.

1259 (c) Notwithstanding the provisions of s. 287.025(1)(e),
1260 the direct-support organization may enter into contracts to
1261 insure property of the ~~museum or~~ designated programs ~~and may~~
1262 ~~insure objects or collections on loan from others in satisfying~~
1263 ~~security terms of the lender.~~

1264 (3) The direct-support organization shall provide for an
1265 annual financial audit in accordance with s. 215.981.

1266 (4) Neither a designated program ~~or a museum~~, nor a
1267 nonprofit corporation trustee or employee may:

1268 (a) Receive a commission, fee, or financial benefit in
1269 connection with the sale or exchange of property historical
1270 ~~objects or properties~~ to the direct-support organization, ~~the~~
1271 ~~museum~~, or the designated program; or

1272 (b) Be a business associate of any individual, firm, or
1273 organization involved in the sale or exchange of property to the
1274 direct-support organization, ~~the museum~~, or the designated
1275 program.

1276 (5) All moneys received by the direct-support organization
1277 shall be deposited into an account of the direct-support
1278 organization and shall be used by the organization in a manner
1279 consistent with the goals of ~~the museum~~ or designated program.

1280 (6) The identity of a donor or prospective donor who
1281 desires to remain anonymous and all information identifying such
1282 donor or prospective donor are confidential and exempt from the
1283 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
1284 Constitution.

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1285 (7) The Commissioner of Agriculture, or the commissioner's
1286 designee, may serve on the board of trustees and the executive
1287 committee of any direct-support organization established to
1288 benefit the museum or any designated program.

1289 ~~(8) The department shall establish by rule archival~~
1290 ~~procedures relating to museum artifacts and records. The rules~~
1291 ~~shall provide procedures which protect the museum's artifacts~~
1292 ~~and records equivalent to those procedures which have been~~
1293 ~~established by the Department of State under chapters 257 and~~
1294 ~~267.~~

1295 Section 46. Subsection (4) of section 573.118, Florida
1296 Statutes, is amended to read:

1297 573.118 Assessment; funds; audit; loans.--

1298 (4) In the event of levying and collecting of assessments,
1299 for each fiscal year in which assessment funds are received by
1300 the department, the department shall maintain records of
1301 collections and expenditures for each marketing order separately
1302 within the state's accounting system. If requested by an
1303 advisory council, department staff shall cause to be made a
1304 thorough annual audit of the books and accounts by a certified
1305 public accountant, such audit to be completed within 60 days
1306 after the request is received end of the fiscal year. The
1307 advisory council department and all producers and handlers
1308 covered by the marketing order shall be provided a copy of the
1309 properly advised of the details of the annual official audit of
1310 the accounts as shown by the certified public accountant within
1311 30 days after completion of the audit.

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1312 Section 47. Subsections (18) through (30) of section
1313 581.011, Florida Statutes, are renumbered as subsections (17)
1314 through (29), respectively, and present subsections (17) and
1315 (20) of that section are amended to read:

1316 581.011 Definitions.--As used in this chapter:

1317 ~~(17) "Museum" means the Florida State Collection of~~
1318 ~~Arthropods.~~

1319 (19)~~(20)~~ "Nursery" means any grounds or premises on or in
1320 which nursery stock is grown, propagated, or held for sale or
1321 distribution, including ~~except where~~ aquatic plant species ~~are~~
1322 tended for harvest in the natural environment.

1323 Section 48. Paragraph (d) of subsection (14) of section
1324 581.031, Florida Statutes, is amended to read:

1325 581.031 Department; powers and duties.--The department has
1326 the following powers and duties:

1327 (14)

1328 (d) To prescribe a fee for these services, if provided the
1329 fee does not exceed the cost of the services rendered. Annual
1330 citrus source tree registration fees shall not exceed \$15 ~~\$5~~ per
1331 tree. If the fee has not been paid within 30 days of billing, a
1332 penalty of \$10 or 20 percent of the unpaid balance, whichever is
1333 greater, shall be assessed.

1334 Section 49. Subsection (6) of section 581.131, Florida
1335 Statutes, is amended to read:

1336 581.131 Certificate of registration.--

1337 (6) Neither the certificate of registration fee nor the
1338 annual renewal fee shall exceed \$600 ~~\$460~~. The department may
1339 exempt from the payment of a certificate fee those governmental

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1340 agency nurseries whose nursery stock is used exclusively for
1341 planting on their own property.

1342 Section 50. Paragraph (a) of subsection (3) of section
1343 581.211, Florida Statutes, is amended to read:

1344 581.211 Penalties for violations.--

1345 (3) (a) 1. In addition to any other provision of law, the
1346 department may, after notice and hearing, impose an
1347 administrative fine not exceeding \$10,000 ~~\$5,000~~ for each
1348 violation of this chapter, upon any person, nurseryman, stock
1349 dealer, agent or plant broker. The fine, when paid, shall be
1350 deposited in the Plant Industry Trust Fund. In addition, the
1351 department may place the violator on probation for up to 1 year,
1352 with conditions.

1353 2. The imposition of a fine or probation pursuant to this
1354 subsection may be in addition to or in lieu of the suspension or
1355 revocation of a certificate of registration or certificate of
1356 inspection.

1357 Section 51. Section 583.13, Florida Statutes, is amended
1358 to read:

1359 583.13 Labeling and advertising requirements for dressed
1360 poultry; unlawful acts.--

1361 (1) It is unlawful for any dealer or broker to sell, offer
1362 for sale, or hold for the purpose of sale in the state any
1363 dressed or ready-to-cook poultry in bulk unless the ~~such~~ poultry
1364 is packed in a container clearly bearing a label, not less than
1365 3 inches by 5 inches, on which shall be plainly and legibly
1366 printed, in letters of not less than one-fourth inch ~~1/4~~ in
1367 height, ~~the grade and~~ the part name or whole-bird statement of

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1368 such poultry. ~~The grade may be expressed in the term "premium,"~~
1369 ~~"good," or "standard," or as the grade of another state or~~
1370 ~~federal agency the standards of quality of which, by law, are~~
1371 ~~equal to the standards of quality provided by this law and rules~~
1372 ~~promulgated hereunder.~~

1373 (2) It is unlawful to sell unpackaged dressed or ready-to-
1374 cook poultry at retail unless such poultry is labeled by a
1375 placard immediately adjacent to the poultry or unless each bird
1376 is individually labeled to show ~~the grade and~~ the part name or
1377 whole-bird statement. The placard shall be no smaller than 7
1378 inches by 7 inches in size, and the required labeling
1379 information shall be legibly and plainly printed on the placard
1380 in letters not smaller than 1 inch in height.

1381 (3) It is unlawful to sell packaged dressed or ready-to-
1382 cook poultry at retail unless such poultry is labeled to show
1383 ~~the grade,~~ the part name or whole-bird statement, the net weight
1384 of the poultry, and the name and address of the dealer. The size
1385 of the type on the label must be one-eighth inch or larger. A
1386 placard immediately adjacent to such poultry may be used to
1387 indicate ~~the grade and~~ the part name or whole-bird statement,
1388 but not the net weight of the poultry or the name and address of
1389 the dealer.

1390 (4) It is unlawful to use dressed or ready-to-cook poultry
1391 in bulk in the preparation of food served to the public, or to
1392 hold such poultry for the purpose of such use, unless the
1393 poultry when received was packed in a container clearly bearing
1394 a label, not less than 3 inches by 5 inches, on which was
1395 plainly and legibly printed, in letters not less than one-fourth
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1396 inch in height, ~~the grade and the part name or whole-bird~~
1397 ~~statement of such poultry. The grade may be expressed in the~~
1398 ~~term "premium," "good," or "standard," or as the grade of~~
1399 ~~another state or federal agency the standards of quality of~~
1400 ~~which, by law, are equal to the standards of quality provided by~~
1401 ~~this law and rules promulgated hereunder.~~

1402 (5) It is unlawful to offer dressed or ready-to-cook
1403 poultry for sale in any advertisement in a newspaper or
1404 circular, on radio or television, or in any other form of
1405 advertising without plainly designating in such advertisement
1406 ~~the grade and the part name or whole-bird statement of such~~
1407 ~~poultry.~~

1408 Section 52. Subsections (4) and (5) of section 590.125,
1409 Florida Statutes, are renumbered as subsections (5) and (6),
1410 respectively, subsection (1), paragraph (b) of subsection (3),
1411 and paragraph (c) of present subsection (4) are amended, and new
1412 subsections (4) and (7) are added to that section, to read:

1413 590.125 Open burning authorized by the division.--

1414 (1) DEFINITIONS.--As used in this section, the term:

1415 (a) "Certified pile burner" means an individual who
1416 successfully completes the division's pile burning certification
1417 program and possesses a valid pile burner certification number.

1418 (b) "Certified prescribed burn manager" means an
1419 individual who successfully completes the certified prescribed
1420 burning certification program of the division and possesses a
1421 valid certification number.

1422 (c) ~~(d)~~ "Extinguished" means:

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1423 1. ~~that no spreading flame~~ For wild land burning or
1424 certified prescribed burning, ~~that no spreading flames exist.~~

1425 2. ~~and no visible flame, smoke, or emissions~~ For
1426 vegetative land-clearing debris burning ~~or pile burning,~~ that no
1427 visible flames exist.

1428 3. For vegetative land-clearing debris burning or pile
1429 burning in an area designated as smoke sensitive by the
1430 division, that no visible flames, smoke, or emissions exist.

1431 (d) "Land-clearing operation" means the uprooting or
1432 clearing of vegetation in connection with the construction of
1433 buildings and rights-of-way, land development, and mineral
1434 operations. The term does not include the clearing of yard
1435 trash.

1436 (e) "Pile burning" means the burning of silvicultural,
1437 agricultural, or land-clearing and tree-cutting debris
1438 originating onsite, which is stacked together in a round or
1439 linear fashion, including, but not limited to, a windrow.

1440 (f) ~~(a)~~ "Prescribed burning" means the controlled
1441 application of fire in accordance with a written prescription
1442 for vegetative fuels under specified environmental conditions
1443 while following appropriate precautionary measures that ensure
1444 that the fire is confined to a predetermined area to accomplish
1445 the planned fire or land-management objectives.

1446 (g) ~~(e)~~ "Prescription" means a written plan establishing
1447 the criteria necessary for starting, controlling, and
1448 extinguishing a prescribed burn.

1449 (h) "Yard trash" means vegetative matter resulting from
1450 landscaping and yard maintenance operations and other such

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1451 routine property cleanup activities. The term includes materials
1452 such as leaves, shrub trimmings, grass clippings, brush, and
1453 palm fronds.

1454 (3) CERTIFIED PRESCRIBED BURNING; LEGISLATIVE FINDINGS AND
1455 PURPOSE.--

1456 (b) Certified prescribed burning pertains only to
1457 broadcast burning for purposes of silviculture, wildlife
1458 management, ecological maintenance and restoration, and range
1459 and pasture management. It must be conducted in accordance with
1460 this subsection and:

1461 1. May be accomplished only when a certified prescribed
1462 burn manager is present on site with a copy of the prescription
1463 from ignition of the burn to its completion.

1464 2. Requires that a written prescription be prepared before
1465 receiving authorization to burn from the division.

1466 3. Requires that the specific consent of the landowner or
1467 his or her designee be obtained before requesting an
1468 authorization.

1469 4. Requires that an authorization to burn be obtained from
1470 the division before igniting the burn.

1471 5. Requires that there be adequate firebreaks at the burn
1472 site and sufficient personnel and firefighting equipment for the
1473 control of the fire.

1474 6. Is considered to be in the public interest and does not
1475 constitute a public or private nuisance when conducted under
1476 applicable state air pollution statutes and rules.

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1477 7. Is considered to be a property right of the property
1478 owner if vegetative fuels are burned as required in this
1479 subsection.

1480 (4) CERTIFIED PILE BURNING; LEGISLATIVE FINDINGS AND
1481 PURPOSE.--

1482 (a) Pile burning is a tool that benefits current and
1483 future generations in Florida by disposing of naturally
1484 occurring vegetative debris through burning rather than
1485 disposing of the debris in landfills.

1486 (b) Certified pile burning pertains to the disposal of
1487 piled, naturally occurring debris from an agricultural,
1488 silvicultural, or temporary land-clearing operation. A land-
1489 clearing operation is temporary if it operates for 6 months or
1490 less. Certified pile burning must be conducted in accordance
1491 with this subsection, and:

1492 1. A certified pile burner must ensure, before ignition,
1493 that the piles are properly placed and that the content of the
1494 piles is conducive to efficient burning.

1495 2. A certified pile burner must ensure that the piles are
1496 properly extinguished no later than 1 hour after sunset. If the
1497 burn is conducted in an area designated by the division as smoke
1498 sensitive, a certified pile burner must ensure that the piles
1499 are properly extinguished at least 1 hour before sunset.

1500 3. A written pile burn plan must be prepared before
1501 receiving authorization from the division to burn.

1502 4. The specific consent of the landowner or his or her
1503 agent must be obtained before requesting authorization to burn.

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1504 5. An authorization to burn must be obtained from the
1505 division or its designated agent before igniting the burn.

1506 6. There must be adequate firebreaks and sufficient
1507 personnel and firefighting equipment at the burn site to control
1508 the fire.

1509 (c) If a burn is conducted in accordance with this
1510 subsection, the property owner and his or her agent are not
1511 liable under s. 590.13 for damage or injury caused by the fire
1512 or resulting smoke, and are not in violation of subsection (2),
1513 unless gross negligence is proven.

1514 (d) A certified pile burner who violates this section
1515 commits a misdemeanor of the second degree, punishable as
1516 provided in s. 775.082 or s. 775.083.

1517 (e) The division shall adopt rules regulating certified
1518 pile burning. The rules shall include procedures and criteria
1519 for certifying and decertifying certified pile burn managers
1520 based on past experience, training, and record of compliance
1521 with this section.

1522 (5)-(4) WILDFIRE HAZARD REDUCTION TREATMENT BY THE
1523 DIVISION.--The division may conduct fuel reduction initiatives,
1524 including, but not limited to, burning and mechanical and
1525 chemical treatment, on any area of wild land within the state
1526 which is reasonably determined to be in danger of wildfire in
1527 accordance with the following procedures:

1528 (c) Prepare, and send the county tax collector shall
1529 include with the annual tax statement, a notice to be sent to
1530 all landowners in each area township designated by the division
1531 as a wildfire hazard area. The notice must describe particularly
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1532 the area to be treated and the tentative date or dates of the
1533 treatment and must list the reasons for and the expected
1534 benefits from the wildfire hazard reduction.

1535 (7) DIVISION APPROVAL OF LOCAL GOVERNMENT OPEN BURNING
1536 AUTHORIZATION PROGRAMS.--

1537 (a) A county or municipality may exercise the division's
1538 authority, if delegated by the division under this subsection,
1539 to issue authorizations for the burning of yard trash or debris
1540 from land-clearing operations. A county's or municipality's
1541 existing or proposed open burning authorization program must:

1542 1. Be approved by the division. The division shall not
1543 approve a program if it fails to meet the requirements of
1544 subsections (2) and (4) and any rules adopted under those
1545 subsections.

1546 2. Provide by ordinance or local law the requirements for
1547 obtaining and performing a burn authorization that comply with
1548 subsections (2) and (4) and any rules adopted under those
1549 subsections.

1550 3. Provide for the enforcement of the program's
1551 requirements.

1552 4. Provide financial, personnel, and other resources
1553 needed to carry out the program.

1554 (b) If the division determines that a county's or
1555 municipality's open burning authorization program does not
1556 comply with subsections (2) and (4) and any rules adopted under
1557 those subsections, the division shall require the county or
1558 municipality to take necessary corrective actions within a
1559 reasonable period, not to exceed 90 days.

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1560 1. If the county or municipality fails to take the
1561 necessary corrective actions within the required period, the
1562 division shall resume administration of the open burning
1563 authorization program in the county or municipality and the
1564 county or municipality shall cease administration of its
1565 program.

1566 2. Each county and municipality administering an open
1567 burning authorization program must cooperate with and assist the
1568 division in carrying out the division's powers, duties, and
1569 functions.

1570 3. A person who violates the requirements of a county's or
1571 municipality's open burning authorization program, as provided
1572 by ordinance or local law enacted pursuant to this section,
1573 commits a violation of this chapter, punishable as provided in
1574 s. 590.14.

1575 Section 53. Subsection (4) of section 590.14, Florida
1576 Statutes, is renumbered as subsection (7), subsections (1) and
1577 (3) are amended, and new subsections (4), (5), and (6) are added
1578 to that section, to read:

1579 590.14 Notice of violation; penalties.--

1580 (1) If a division employee determines that a person has
1581 violated chapter 589, ~~or~~ this chapter, or any rule adopted by
1582 the division to administer provisions of law conferring duties
1583 upon the division, the division employee ~~he or she~~ may issue a
1584 notice of violation indicating the statute violated. This notice
1585 will be filed with the division and a copy forwarded to the
1586 appropriate law enforcement entity for further action if
1587 necessary.

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1588 (3) The department may also impose an administrative fine,
1589 not to exceed \$1,000 per violation of any section of chapter 589
1590 or this chapter or violation of any rule adopted by the division
1591 to administer provisions of law conferring duties upon the
1592 division. The fine shall be based upon the degree of damage, the
1593 prior violation record of the person, and whether the person
1594 knowingly provided false information to obtain an authorization.
1595 The fines shall be deposited in the Incidental Trust Fund of the
1596 division.

1597 (4) A person may not:

1598 (a) Fail to comply with any rule or order adopted by the
1599 division to administer provisions of law conferring duties upon
1600 the division; or

1601 (b) Knowingly make any false statement or representation
1602 in any application, record, plan, or other document required by
1603 this chapter or any rules adopted under this chapter.

1604 (5) A person who violates paragraph (4) (a) or paragraph
1605 (4) (b) commits a misdemeanor of the second degree, punishable as
1606 provided in s. 775.082 or s. 775.083.

1607 (6) It is the intent of the Legislature that a penalty
1608 imposed by a court under subsection (5) be of a severity that
1609 ensures immediate and continued compliance with this section.

1610 Section 54. Paragraph (a) of subsection (1) of section
1611 599.004, Florida Statutes, is amended to read:

1612 599.004 Florida Farm Winery Program; registration; logo;
1613 fees.--

1614 (1) The Florida Farm Winery Program is established within
1615 the Department of Agriculture and Consumer Services. Under this
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1616 program, a winery may qualify as a tourist attraction only if it
1617 is registered with and certified by the department as a Florida
1618 Farm Winery. A winery may not claim to be certified unless it
1619 has received written approval from the department.

1620 (a) To qualify as a certified Florida Farm Winery, a
1621 winery shall meet the following standards:

1622 1. Produce or sell less than 250,000 gallons of wine
1623 annually.

1624 2. Maintain a minimum of 10 acres of owned or managed land
1625 ~~vineyards~~ in Florida which produces commodities used in the
1626 production of wine.

1627 3. Be open to the public for tours, tastings, and sales at
1628 least 30 hours each week.

1629 4. Make annual application to the department for
1630 recognition as a Florida Farm Winery, on forms provided by the
1631 department.

1632 5. Pay an annual application and registration fee of \$100.

1633 Section 55. Subsection (11) is added to section 604.15,
1634 Florida Statutes, to read:

1635 604.15 Dealers in agricultural products; definitions.--For
1636 the purpose of ss. 604.15-604.34, the following words and terms,
1637 when used, shall be construed to mean:

1638 (11) "Responsible position" means a position within the
1639 business of a dealer in agricultural products that has the
1640 authority to negotiate or make the purchase of agricultural
1641 products on behalf of the dealer's business or has principal
1642 active management authority over the business decisions,
1643 actions, and activities of the dealer's business in this state.

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1644 Section 56. Section 604.19, Florida Statutes, is amended
1645 to read:

1646 604.19 License; fee; bond; certificate of deposit;
1647 penalty.--Unless the department refuses the application on one
1648 or more of the grounds provided in this section, it shall issue
1649 to an applicant, upon the payment of required fees and the
1650 execution and delivery of a bond or certificate of deposit as
1651 provided in this section, a state license entitling the
1652 applicant to conduct business as a dealer in agricultural
1653 products for a 1-year period to coincide with the effective
1654 period of the bond or certificate of deposit furnished by the
1655 applicant. During the 1-year period covered by a license, if the
1656 supporting surety bond or certificate of deposit is canceled for
1657 any reason, the license shall automatically expire on the date
1658 the surety bond or certificate of deposit terminates, unless an
1659 acceptable replacement is in effect before the date of
1660 termination so that continual coverage occurs for the remaining
1661 period of the license. A surety company shall give the
1662 department a 30-day written notice of cancellation by certified
1663 mail in order to cancel a bond. Cancellation of a bond or
1664 certificate of deposit does ~~shall~~ not relieve a surety company
1665 or financial institution of liability for purchases or sales
1666 occurring while the bond or certificate of deposit was in
1667 effect. The license fee, which must be paid for the principal
1668 place of business for a dealer in agricultural products, shall
1669 be based upon the amount of the dealer's surety bond or
1670 certificate of deposit furnished by each dealer under the
1671 provisions of s. 604.20 and may not exceed \$500. For each

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1672 additional place in which the applicant desires to conduct
1673 business and which the applicant names in the application, the
1674 additional license fee must be paid but may not exceed \$100
1675 annually. If a ~~Should~~ any dealer in agricultural products ~~fails,~~
1676 refuses, or neglects ~~fail, refuse, or neglect~~ to apply and
1677 qualify for the renewal of a license on or before ~~its the date~~
1678 of expiration ~~date thereof,~~ a penalty not to exceed \$100 shall
1679 apply to and be added to the ~~original~~ license fee ~~for the~~
1680 principal place of business and to the license fee for each
1681 additional place of business named in the application and shall
1682 be paid by the applicant before the renewal license may be
1683 issued. The department by rule shall prescribe fee amounts
1684 sufficient to fund ss. 604.15-604.34.

1685 Section 57. Subsections (1) and (4) of section 604.20,
1686 Florida Statutes, are amended to read:

1687 604.20 Bond or certificate of deposit prerequisite;
1688 amount; form.--

1689 (1) Before any license is issued, the applicant therefor
1690 shall make and deliver to the department a surety bond or
1691 certificate of deposit in the amount of at least \$5,000 or in
1692 such greater amount as the department may determine. No bond or
1693 certificate of deposit may be in an amount less than \$5,000. The
1694 penal sum of the bond or certificate of deposit to be furnished
1695 to the department by an applicant for license as a dealer in
1696 agricultural products shall be in an amount equal to twice the
1697 average of the monthly dollar amounts ~~amount~~ of agricultural
1698 products handled for a Florida producer or a producer's agent or
1699 representative, by purchase or otherwise, ~~during the month of~~

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1700 ~~maximum transaction in such products~~ during the preceding 12-
1701 month period. Only those months in which the applicant handled,
1702 by purchase or otherwise, amounts equal to or greater than
1703 \$1,000 shall be used to calculate the penal sum of the required
1704 bond or certificate of deposit. An applicant for license who has
1705 not handled agricultural products for a Florida producer or a
1706 producer's agent or representative, by purchase or otherwise,
1707 during the preceding 12-month period shall furnish a bond or
1708 certificate of deposit in an amount equal to twice the estimated
1709 average of the monthly dollar amounts ~~amount~~ of such
1710 agricultural products to be handled, by purchase or otherwise,
1711 ~~during the month of maximum transaction~~ during the next
1712 immediate 12 months. Only those months in which the applicant
1713 anticipates handling, by purchase or otherwise, amounts equal to
1714 or greater than \$1,000 shall be used to calculate the penal sum
1715 of the required bond or certificate of deposit. Such bond or
1716 certificate of deposit shall be provided or assigned in the
1717 exact name in which the dealer will conduct business subject to
1718 the provisions of ss. 604.15-604.34. Such bond must be executed
1719 by a surety company authorized to transact business in the
1720 state. For the purposes of ss. 604.19-604.21, the term
1721 "certificate of deposit" means a certificate of deposit at any
1722 recognized financial institution doing business in the United
1723 States. No certificate of deposit may be accepted in connection
1724 with an application for a dealer's license unless the issuing
1725 institution is properly insured by either the Federal Deposit
1726 Insurance Corporation or the Federal Savings and Loan Insurance
1727 Corporation. Such bond or any certificate of deposit assignment
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1728 or agreement shall be upon a form prescribed or approved by the
1729 department and shall be conditioned to secure the faithful
1730 accounting for and payment, in the manner prescribed by s.
1731 604.21(9), to producers or their agents or representatives of
1732 the proceeds of all agricultural products handled or purchased
1733 by such dealer, ~~and~~ to secure payment to dealers who sell
1734 agricultural products to such dealer, and to pay any claims or
1735 costs ordered under s. 604.21 as the result of a complaint. Such
1736 bond or certificate of deposit assignment or agreement shall
1737 include terms binding the instrument to the Commissioner of
1738 Agriculture. A certificate of deposit shall be presented with an
1739 assignment of applicant's rights in the certificate in favor of
1740 the Commissioner of Agriculture on a form prescribed by the
1741 department and with a letter from the issuing institution
1742 acknowledging that the assignment has been properly recorded on
1743 the books of the issuing institution and will be honored by the
1744 issuing institution. Such assignment shall be irrevocable while
1745 the dealer's license is in effect and for an additional period
1746 of 6 months after the termination or expiration of the dealer's
1747 license, provided no complaint is pending against the licensee.
1748 If a complaint is pending, the assignment shall remain in effect
1749 until all actions on the complaint have been finalized. The
1750 certificate of deposit may be released by the assignee of the
1751 financial institution to the licensee or the licensee's
1752 successors, assignee, or heirs if no claims are pending against
1753 the licensee before the department at the conclusion of 6 months
1754 after the last effective date of the license. No certificate of
1755 deposit shall be accepted that contains any provision that would

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1756 give the issuing institution any prior rights or claim on the
1757 proceeds or principal of such certificate of deposit. The
1758 department shall determine by rule the maximum amount of bond or
1759 certificate of deposit required of a dealer and whether an
1760 annual bond or certificate of deposit will be required.

1761 (4) The department may issue a conditional license to an
1762 applicant who is unable to provide a single bond or certificate
1763 of deposit in the full amount required by the calculation in
1764 subsection (1). The conditional license shall remain in effect
1765 for a 1-year period to coincide with the effective period of the
1766 bond or certificate of deposit furnished by the applicant. The
1767 applicant must provide at least the minimum \$5,000 bond or
1768 certificate of deposit as provided in subsection (1) together
1769 with documentation from each of three separate bonding companies
1770 denying the applicants request for a surety bond in the full
1771 amount required in subsection (1) and one of the following:

1772 (a) A notarized affidavit limiting the handling of
1773 agricultural products, by purchase or otherwise, during their
1774 largest month to a minimum of one-half the amount of the bond or
1775 certificate of deposit provided by the applicant;

1776 (b) A notarized affidavit stating that any subject
1777 agricultural products, handled by purchase or otherwise,
1778 exceeding one-half of the amount of the bond or certificate of
1779 deposit will be handled under the exemption provisions set forth
1780 in s. 604.16(2); or

1781 (c) A second bond or certificate of deposit in such an
1782 amount that, when the penal sum of the second bond or
1783 certificate of deposit is added to the penal sum of the first
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1784 bond or certificate of deposit, the combined penal sum will
1785 equal twice the dollar amount of agricultural products handled
1786 for a Florida producer or a producer's agent or representative,
1787 by purchase or otherwise, during the month of maximum
1788 transaction in such products during the preceding 12-month
1789 period.

1790
1791 The department or its agents may require from any licensee who
1792 is issued a conditional license verified statements of the
1793 volume of the licensee's business or may review the licensee's
1794 records at the licensee's place of business during normal
1795 business hours to determine the licensee's adherence to the
1796 conditions of the license. The failure of a licensee to furnish
1797 such statement or to make such records available shall be cause
1798 for suspension of the licensee's conditional license. If the
1799 department finds such failure to be willful, the conditional
1800 license may be revoked.

1801 Section 58. Section 604.25, Florida Statutes, is amended
1802 to read:

1803 604.25 Denial of, refusal to renew grant, or suspension or
1804 revocation of, license.--

1805 ~~(1)~~ The department may deny, refuse to renew, ~~decline to~~
1806 ~~grant a license~~ or ~~may~~ suspend or revoke a license ~~already~~
1807 ~~granted~~ if the applicant or licensee has:

1808 (1) ~~(a)~~ Suffered a monetary judgment entered against the
1809 applicant or licensee ~~upon which is execution has been returned~~
1810 unsatisfied;

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- 1811 (2)~~(b)~~ Made false charges for handling or services
1812 rendered;
- 1813 (3)~~(e)~~ Failed to account promptly and properly or to make
1814 settlements with any producer;
- 1815 (4)~~(d)~~ Made any false statement or statements as to
1816 condition, quality, or quantity of goods received or held for
1817 sale when the true condition, quality, or quantity could have
1818 been ascertained by reasonable inspection;
- 1819 (5)~~(e)~~ Made any false or misleading statement or
1820 statements as to market conditions or service rendered;
- 1821 (6)~~(f)~~ Been guilty of a fraud in the attempt to procure,
1822 or the procurement of, a license;
- 1823 (7)~~(g)~~ Directly or indirectly sold agricultural products
1824 received on consignment or on a net return basis for her or his
1825 own account, without prior authority from the producer
1826 consigning the same, or without notifying such producer;
- 1827 (8)~~(h)~~ Failed to prevent a person from holding a position
1828 as the applicant's or licensee's owner, officer, director,
1829 general or managing partner, or employee Employed in a
1830 responsible position ~~a person~~, or holding any other similarly
1831 situated position, if the person holds or has held a similar
1832 position with any entity that an officer of a corporation, who
1833 has failed to fully comply with an order of the department, has
1834 not satisfied a civil judgment held by the department, has
1835 pending any administrative or civil enforcement action by the
1836 department, or has pending any criminal charges pursuant to s.
1837 604.30 at any time within 1 year after issuance;

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1838 (9)~~(i)~~ Violated any statute or rule relating to the
1839 purchase or sale of any agricultural product, whether or not
1840 such transaction is subject to the provisions of this chapter;
1841 ~~or~~

1842 (10)~~(j)~~ Failed to submit to the department an application,
1843 appropriate license fees, and an acceptable surety bond or
1844 certificate of deposit; or.

1845 (11)~~(2)~~ Failed ~~If a licensee fails or refused~~ refuses to
1846 comply ~~in full~~ with an order of the department or failed to
1847 satisfy a civil judgment owed to the department, ~~her or his~~
1848 ~~license may be suspended or revoked, in which case she or he~~
1849 ~~shall not be eligible for license for a period of 1 year or~~
1850 ~~until she or he has fully complied with the order of the~~
1851 ~~department.~~

1852 ~~(3) No person, or officer of a corporation, whose license~~
1853 ~~has been suspended or revoked for failure to comply with an~~
1854 ~~order of the department may hold a responsible position with a~~
1855 ~~licensee for a period of 1 year or until the order of the~~
1856 ~~department has been fully complied with.~~

1857 Section 59. Subsections (18) and (19) of section 616.242,
1858 Florida Statutes, are renumbered as subsections (19) and (20),
1859 respectively, and a new subsection (18) is added to that section
1860 to read:

1861 616.242 Safety standards for amusement rides.--

1862 (18) STOP-OPERATION ORDERS.--If an owner or amusement ride
1863 fails to comply with this chapter or any rule adopted under this
1864 chapter, the department may issue a stop-operation order.

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1865 Section 60. Subsection (4) of section 686.201, Florida
1866 Statutes, is amended to read:

1867 686.201 Sales representative contracts involving
1868 commissions; requirements; termination of agreement; civil
1869 remedies.--

1870 (4) This section does not apply to persons licensed
1871 pursuant to chapter 475 who are performing services within the
1872 scope of their license or to contracts to which a seller of
1873 travel as defined in s. 559.927 is a party.

1874 Section 61. Paragraph (c) of subsection (5) of section
1875 790.06, Florida Statutes, is amended to read:

1876 790.06 License to carry concealed weapon or firearm.--

1877 (5) The applicant shall submit to the Department of
1878 Agriculture and Consumer Services:

1879 (c) A full set of fingerprints of the applicant
1880 administered by a law enforcement agency or the Division of
1881 Licensing of the Department of Agriculture and Consumer
1882 Services.

1883 Section 62. Sections 570.071 and 570.901, Florida
1884 Statutes, are repealed.

1885
1886 -----

1887 **T I T L E A M E N D M E N T**

1888 Remove line 2 and insert:

1889 An act relating to the Department of Agriculture and
1890 Consumer Services; amending s. 482.021, F.S.; revising
1891 terminology to modify requirements for supervision
1892 provided by certified operators in charge of pest control

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1893 businesses; amending s. 482.051, F.S.; requiring pest
1894 control licensees to perform inspections before issuing
1895 certain contracts; amending s. 482.071, F.S.; increasing
1896 the financial responsibility requirements for pest control
1897 licensees; amending s. 482.152, F.S.; revising duties and
1898 supervisory requirements of certified operators in charge
1899 of pest control businesses; creating s. 482.157, F.S.;
1900 providing for pest control certification of commercial
1901 wildlife management personnel; providing application
1902 procedures and requirements; requiring a certification
1903 examination; establishing certification fees; amending s.
1904 482.226, F.S.; increasing the financial responsibility
1905 requirements for certain pest control licensees; amending
1906 s. 493.6102, F.S.; specifying that provisions regulating
1907 security officers do not apply to certain officers
1908 performing off-duty activities; amending s. 493.6105,
1909 F.S.; revising application requirements and procedures for
1910 private investigator, security officer, or recovery agent
1911 licenses; specifying application requirements for firearms
1912 instructor license; amending s. 493.6106, F.S.; revising
1913 citizenship requirements and documentation for private
1914 investigator, security officer, and recovery agent
1915 licenses; prohibiting the licensure of applicants for a
1916 statewide firearm license or firearms instructor license
1917 who are prohibited from purchasing or possessing firearms;
1918 requiring notice of changes to branch office locations for
1919 private investigative, security, or recovery agencies;
1920 amending s. 493.6107, F.S.; requiring the department to

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1921 accept certain methods of payment for certain fees;
1922 amending s. 493.6108, F.S.; revising requirements for
1923 criminal history checks of license applicants whose
1924 fingerprints are not legible; requiring investigation of
1925 the mental and emotional fitness of applicants for
1926 firearms instructor licenses; amending s. 493.6111, F.S.;
1927 requiring a security officer school or recovery agent
1928 school to obtain the department's approval for use of a
1929 fictitious name; amending s. 493.6113, F.S.; revising
1930 application renewal procedures and requirements; amending
1931 s. 493.6115, F.S.; conforming cross-references; amending
1932 s. 493.6118, F.S.; authorizing disciplinary action against
1933 statewide firearm licensees and firearms instructor
1934 licensees who are prohibited from purchasing or possessing
1935 firearms; amending s. 493.6121, F.S.; deleting provisions
1936 for the department's access to certain criminal history
1937 records provided to licensed gun dealers, manufactures,
1938 and exporters; amending s. 493.6202, F.S.; requiring the
1939 department to accept certain methods of payment for
1940 certain fees; amending s. 493.6203, F.S.; prohibiting
1941 bodyguard services from being credited toward certain
1942 license requirements; revising training requirements for
1943 private investigator intern license applicants; amending
1944 s. 493.6302, F.S.; requiring the department to accept
1945 certain methods of payment for certain fees; amending s.
1946 493.6303, F.S.; revising the training requirements for
1947 security officer license applicants; amending s. 493.6304,
1948 F.S.; revising application requirements and procedures for

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HOUSE AMENDMENT

Bill No. CS/CS/HB 1241

Amendment No.

1949 security officer school licenses; amending s. 493.6401,
1950 F.S.; revising terminology for recovery agent schools and
1951 training facilities; amending s. 493.6402, F.S.; revising
1952 terminology for recovery agent schools and training
1953 facilities; requiring the department to accept certain
1954 methods of payment for certain fees; amending s. 493.6406,
1955 F.S.; requiring recovery agent school and instructor
1956 licenses; providing license application requirements and
1957 procedures; amending ss. 501.605 and 501.607, F.S.;
1958 revising application requirements for commercial telephone
1959 seller and salesperson licenses; amending s. 501.913,
1960 F.S.; specifying the sample size required for antifreeze
1961 registration application; amending s. 525.01, F.S.;
1962 revising requirements for petroleum fuel affidavits;
1963 amending s. 525.09, F.S.; imposing an inspection fee on
1964 certain alternative fuels containing alcohol; amending s.
1965 526.50, F.S.; defining terms applicable to regulation of
1966 the sale of brake fluid; amending s. 526.51, F.S.;
1967 revising brake fluid permit application requirements;
1968 deleting permit renewal requirements; providing for
1969 reregistration of brake fluid and establishing fees;
1970 amending s. 526.52, F.S.; revising requirements for
1971 printed statements on brake fluid containers; amending s.
1972 526.53, F.S.; revising requirements and procedures for
1973 brake fluid stop-sale orders; authorizing businesses to
1974 dispose of unregistered brake fluid under certain
1975 circumstances; amending s. 527.02, F.S.; increasing fees
1976 for liquefied petroleum gas licenses; revising fees for

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HOUSE AMENDMENT

Bill No. CS/CS/HB 1241

Amendment No.

1977 pipeline system operators; amending s. 527.0201, F.S.;

1978 revising requirements for liquefied petroleum gas

1979 qualifying examinations; increasing examination fees;

1980 increasing continuing education requirements for certain

1981 liquefied petroleum gas qualifiers; amending s. 527.021,

1982 F.S.; requiring the annual inspection of liquefied

1983 petroleum gas transport vehicles; increasing the

1984 inspection fee; amending s. 527.12, F.S.; providing for

1985 the issuance of certain stop orders; amending ss. 559.805

1986 and 559.928, F.S.; deleting requirements that lists of

1987 independent agents of sellers of business opportunities

1988 and the agents' registration affidavits include the

1989 agents' social security numbers; amending s. 570.0725,

1990 F.S.; revising provisions for public information about

1991 food banks and similar food recovery programs; authorizing

1992 the department to adopt rules; amending ss. 570.53 and

1993 570.54, F.S.; conforming cross-references; amending s.

1994 570.55, F.S.; revising requirements for identifying

1995 sellers or handlers of tropical or subtropical fruit or

1996 vegetables; amending s. 570.902, F.S.; conforming

1997 terminology to the repeal by the act of provisions

1998 establishing the Florida Agricultural Museum; amending s.

1999 570.903, F.S.; revising provisions for direct-support

2000 organizations for certain agricultural programs to conform

2001 to the repeal by the act of provisions establishing the

2002 Florida Agricultural Museum; deleting provisions for a

2003 direct-support organization for the Florida State

2004 Collection of Arthropods; amending s. 573.118, F.S.;

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2005 requiring the department to maintain records of marketing
2006 orders; requiring an audit at the request of an advisory
2007 council; requiring that the advisory council receive a
2008 copy of the audit within a specified time; amending s.
2009 581.011, F.S.; deleting terminology relating to the
2010 Florida State Collection of Arthropods; revising the term
2011 "nursery" for purposes of plant industry regulations;
2012 amending s. 581.031, F.S.; increasing citrus source tree
2013 registration fees; amending s. 581.131, F.S.; increasing
2014 registration fees for a nurseryman, stock dealer, agent,
2015 or plant broker certificate; amending s. 581.211, F.S.;
2016 increasing the maximum fine for violations of plant
2017 industry regulations; amending s. 583.13, F.S.; deleting a
2018 prohibition on the sale of poultry without displaying the
2019 poultry grade; amending s. 590.125, F.S.; revising
2020 terminology for open burning authorizations; specifying
2021 purposes of certified prescribed burning; requiring the
2022 authorization of the Division of Forestry for certified
2023 pile burning; providing pile burning requirements;
2024 limiting the liability of property owners or agents
2025 engaged in pile burning; providing for the certification
2026 of pile burners; providing penalties for violations by
2027 certified pile burners; requiring rules; revising notice
2028 requirements for wildfire hazard reduction treatments;
2029 providing for approval of local government open burning
2030 authorization programs; providing program requirements;
2031 authorizing the division to close local government
2032 programs under certain circumstances; providing penalties

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2033 for violations of local government open burning
2034 requirements; amending s. 590.14, F.S.; authorizing fines
2035 for violations of any division rule; providing penalties
2036 for certain violations; providing legislative intent;
2037 amending s. 599.004, F.S.; revising standards that a
2038 winery must meet to qualify as a certified Florida Farm
2039 Winery; amending s. 604.15, F.S.; defining the term
2040 "responsible position" for purposes of provisions
2041 regulating dealers in agricultural products; amending s.
2042 604.19, F.S.; revising requirements for late fees on
2043 agricultural products dealer applications; amending s.
2044 604.20, F.S.; revising the minimum amount of the surety
2045 bond or certificate of deposit required for agricultural
2046 products dealer licenses; providing conditions for the
2047 payment of bond or certificate of deposit proceeds;
2048 requiring additional documentation for issuance of a
2049 conditional license; amending s. 604.25, F.S.; revising
2050 conditions under which the department may deny, refuse to
2051 renew, suspend, or revoke agricultural products dealer
2052 licenses; deleting a provision prohibiting certain persons
2053 from holding a responsible position with a licensee;
2054 amending s. 616.242, F.S.; amending s. 686.201, F.S.;
2055 exempting contracts involving a seller of travel from the
2056 requirements of that section; authorizing the issuance of
2057 stop-operation orders for amusement rides under certain
2058 circumstances; amending s. 790.06, F.S.; authorizing a
2059 concealed firearm license applicant to submit fingerprints
2060 administered by the Division of Licensing; repealing ss.

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HOUSE AMENDMENT
Bill No. CS/CS/HB 1241

Amendment No.

2061 570.071 and 570.901, F.S., relating to the Florida
2062 Agricultural Exposition and the Florida Agricultural
2063 Museum; amending s. 205.064, F.S.;

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