

By Senator Jones

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1 A bill to be entitled
2 An act relating to the Hospitality Education Program
3 within the Department of Business and Professional
4 Regulation; amending s. 509.302, F.S.; deleting
5 certain goals of the program; revising references in
6 the program to emphasize restaurants rather than food
7 service; providing for funding to be comprised of a
8 percentage of certain fees collected rather than a
9 specific dollar amount; deleting a provision that
10 permits the Division of Hotels and Restaurants to use
11 administrative fines to fund the program; providing an
12 effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Section 509.302, Florida Statutes, is amended to
17 read:

18 509.302 Hospitality Education Program.—

19 (1) The division shall administer an educational program,
20 designated the "Hospitality Education Program," offered for the
21 benefit of the restaurant and lodging industries of this state.
22 This program may affiliate with Florida State University,
23 Florida International University, and the University of Central
24 Florida. The program may also affiliate with any other member of
25 the State University System or Florida Community College System,
26 or with any privately funded college or university, which offers
27 a program of hospitality administration and management. The
28 ~~primary~~ goal of this program is to provide, support, and enhance
29 ~~instruct and train all individuals and businesses licensed under~~

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30 ~~this chapter, in cooperation with recognized associations that~~
31 ~~represent the licensees, in the application of state and federal~~
32 ~~laws and rules. Such programs shall also include:~~

33 ~~(a) Management training.~~

34 ~~(b) Inservice continuing education programs.~~

35 ~~(c) Awareness of food-recovery programs, as promoted in s.~~
36 ~~570.0725.~~

37 ~~(d) Enhancement of school-to-career training and transition~~
38 ~~programs for students interested in pursuing careers in the~~
39 ~~restaurant food service or lodging industries ~~industry.~~ Training~~
40 ~~and transition programs shall be funded ~~provided~~ through the~~
41 ~~public school system using a nationally recognized curriculum~~
42 ~~approved by the division, with the enhancements funded under~~
43 ~~this section provided by grants to ~~from~~ one or more nonprofit~~
44 ~~statewide organizations representing the restaurant or lodging~~
45 ~~industries of this state, and shall be delivered through the~~
46 ~~public school system using a nationally recognized curriculum~~
47 ~~approved by the division. ~~in the hospitality services field, and~~~~
48 ~~The application process for the grants shall be administered by~~
49 ~~the division.~~

50 ~~(e) Such other programs as may be deemed appropriate by the~~
51 ~~director and the advisory council.~~

52 (2) All public lodging establishments and all public food
53 service establishments licensed under this chapter shall pay an
54 annual fee of no more than \$10, which shall be included in the
55 annual license fee and used for the sole purpose of funding the
56 Hospitality Education Program.

57 (3) Notwithstanding any other provision of law to the
58 contrary, grant funding under this section ~~for the services~~

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59 ~~described in paragraph (1)(d)~~ shall include all expenses
60 incident to providing the programs ~~those services~~, including the
61 cost of staff support; student scholarships; compensation to
62 program instructors for time spent in relevant training; special
63 events or competitive events; and a reasonable stipend for
64 travel, lodging, and meals for instructors and students
65 participating in training or in related special events. All such
66 expenses shall be in accordance with the budget submitted by the
67 applicant in the grant application and approved by the division.
68 The expenditure of all funds distributed under this section
69 shall be subject to audit by the division.

70 (4) The director shall formulate an annual budget,
71 programs, and activities to accomplish the purposes of this
72 section, in accordance with and subject to the advice and
73 recommendations of the advisory council.

74 (a) The annual budget of the Hospitality Education Program
75 must show that the total fees estimated to be collected during
76 the next fiscal year under this section will be dedicated solely
77 to the estimated cost of funding the Hospitality Education
78 Program, less any trust fund service charge imposed by s.
79 215.20. If the estimated cost of funding the Hospitality
80 Education Program in any fiscal year is less than the total fees
81 estimated to be collected during that year, the director shall
82 submit a report to the advisory council demonstrating why the
83 amount of such fee should not be immediately reduced to
84 eliminate the projected surplus. The director shall also submit
85 this report to the Secretary of Business and Professional
86 Regulation as part of the division's annual budget request.

87 (b) Both the secretary's legislative budget requests

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88 submitted pursuant to ss. 216.023 and 216.031 and the Governor's
89 recommended budget submitted pursuant to s. 216.163 must also
90 show that the total fees estimated to be collected during the
91 next fiscal year under this section will be dedicated solely to
92 funding the Hospitality Education Program, less any trust fund
93 service charge imposed by s. 215.20. If the estimated cost of
94 funding the Hospitality Education Program in any fiscal year is
95 less than the total fees estimated to be collected during that
96 year, the secretary shall submit a report demonstrating why the
97 amount of such fee should not be immediately reduced to
98 eliminate the projected surplus.

99 (5) At least 75 percent of the funds collected pursuant to
100 subsection (2) shall be used for programs directed to careers in
101 the restaurant industry and at least 20 percent shall be used
102 for programs directed to careers in the lodging industry, if a
103 sufficient number of grant applications that comply with the
104 division requirements to use these funds are timely submitted.
105 ~~The director, with the consent of the advisory council, may~~
106 ~~designate funds, not to exceed \$250,000 annually, to support~~
107 ~~school-to-career transition programs available through statewide~~
108 ~~organizations in the hospitality services field. Such programs~~
109 ~~shall be designed to prepare students for progressive careers in~~
110 ~~the hospitality industry. The director, with the consent of the~~
111 ~~advisory council, may also designate funds, not to exceed~~
112 ~~\$50,000 annually, to support food safety training programs~~
113 ~~available through statewide organizations in the hospitality~~
114 ~~services field, and not to exceed \$50,000 annually, to support~~
115 ~~nontransient public lodging training programs available through~~
116 ~~statewide organizations in the public lodging services field.~~

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117 (6) The director shall have supervision over the
118 administration of the programs set forth in this subsection and
119 shall report the status of the programs at all meetings of the
120 advisory council and at such other times as are prescribed by
121 the advisory council.

122 (7) The division shall adopt rules providing the criteria
123 for grant approval and the procedures for processing grant
124 applications. The criteria and procedures shall be approved by
125 the advisory council. The criteria shall give primary
126 consideration to the experience and history of the applicant in
127 representing the restaurant ~~food service~~ or lodging industries
128 in this state industry, the applicant's prior commitment to
129 school-to-career transition programs in the restaurant ~~food~~
130 ~~service~~ or lodging industries industry, and the applicant's
131 demonstrated ability to provide services statewide with industry
132 support and participation. Grants awarded under this section
133 shall be for a term of 4 years, with funding provided on an
134 annual basis.

135 ~~(8) Revenue from administrative fines may be used to~~
136 ~~support this section. This subsection expires July 1, 2008.~~

137 Section 2. This act shall take effect July 1, 2009.