

By the Committee on Regulated Industries; and Senator Jones

580-04979-09

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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 ~~these 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) The division shall use at least 68 percent of the funds  
100 collected under subsection (2) for programs directed to careers  
101 in the restaurant industry and at least 14 percent of the funds  
102 for programs directed to careers in the lodging industry. If the  
103 division does not receive a sufficient number of grant  
104 applications that are submitted timely and comply with the  
105 division's requirements to use all of the funds reserved for  
106 programs directed to careers in one of the industries, the  
107 division may use the remaining funds for programs directed to  
108 careers in the other industry. The division may use up to 10  
109 percent of the funds collected under subsection (2) for its  
110 costs to administer the program. ~~The director, with the consent~~  
111 ~~of the advisory council, may designate funds, not to exceed~~  
112 ~~\$250,000 annually, to support school-to-career transition~~  
113 ~~programs available through statewide organizations in the~~  
114 ~~hospitality services field. Such programs shall be designed to~~  
115 ~~prepare students for progressive careers in the hospitality~~  
116 ~~industry. The director, with the consent of the advisory~~

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117 ~~council, may also designate funds, not to exceed \$50,000~~  
118 ~~annually, to support food safety training programs available~~  
119 ~~through statewide organizations in the hospitality services~~  
120 ~~field, and not to exceed \$50,000 annually, to support~~  
121 ~~nontransient public lodging training programs available through~~  
122 ~~statewide organizations in the public lodging services field.~~

123 (6) The director shall have supervision over the  
124 administration of the programs set forth in this subsection and  
125 shall report the status of the programs at all meetings of the  
126 advisory council and at such other times as are prescribed by  
127 the advisory council.

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

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

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