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2009

1 A bill to be entitled
2 An act relating to the Hospitality Education Program;
3 amending s. 509.302, F.S.; defining the term "hospitality
4 industry"; revising the purpose of the program to focus on
5 certain training and transition programs; requiring a
6 statewide nonprofit organization that receives the
7 program's grant funding to represent a hospitality
8 industry in the state; requiring the Division of Hotels
9 and Restaurants of the Department of Business and
10 Professional Regulation to use a portion of certain annual
11 licenses fees for programs directed to careers in the
12 restaurant industry and a portion of the fees for programs
13 directed to careers in the lodging industry; deleting
14 provisions related to the allocation of the funds to
15 various programs; revising the criteria for the award of
16 grants to conform to changes made by the act; removing an
17 expired provision that authorized administrative fines to
18 be used for the program; providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Section 509.302, Florida Statutes, is amended
23 to read:

24 509.302 Hospitality Education Program.--

25 (1) (a) The division shall administer an educational
26 program, designated the "Hospitality Education Program," offered
27 for the benefit of the hospitality ~~restaurant and lodging~~
28 industries of this state. As used in this section, the term

29 "hospitality industry" means the restaurant industry or the
 30 lodging industry.

31 (b) The ~~This~~ program may affiliate with Florida State
 32 University, Florida International University, and the University
 33 of Central Florida. The program may also affiliate with any
 34 other member of the State University System or Florida Community
 35 College System, or with any privately funded college or
 36 university, which offers a program of hospitality administration
 37 and management.

38 (c) The purpose ~~primary goal of the this~~ program is to
 39 provide, support, and enhance ~~instruct and train all individuals~~
 40 ~~and businesses licensed under this chapter, in cooperation with~~
 41 ~~recognized associations that represent the licensees, in the~~
 42 ~~application of state and federal laws and rules. Such programs~~
 43 ~~shall also include:~~

44 ~~(a) Management training.~~

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

46 ~~(c) Awareness of food-recovery programs, as promoted in s.~~
 47 ~~570.0725.~~

48 ~~(d) Enhancement of school-to-career training and~~
 49 ~~transition programs for students interested in pursuing careers~~
 50 ~~in a hospitality ~~the food service or lodging~~ industry.~~

51 (d) The training and transition programs shall be funded
 52 ~~provided through the public school system using a nationally~~
 53 ~~recognized curriculum approved by the division, with the~~
 54 ~~enhancements funded under this section provided by grants to one~~
 55 ~~or more~~ from nonprofit statewide organizations that represent a
 56 in the hospitality industry of this state. The training and

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57 transition programs shall be delivered through the public school
58 system using a nationally recognized curriculum approved by the
59 division. The division shall administer the ~~services field, and~~
60 ~~the application process for the grants shall be administered by~~
61 ~~the division.~~

62 ~~(c) Such other programs as may be deemed appropriate by~~
63 ~~the director and the advisory council.~~

64 (2) (a) All public lodging establishments and all public
65 food service establishments licensed under this chapter shall
66 pay an annual fee of no more than \$10, which shall be included
67 in the annual license fee and used for the sole purpose of
68 funding the Hospitality Education Program.

69 (b) The division shall use at least 75 percent of the
70 funds collected under paragraph (a) for programs directed to
71 careers in the restaurant industry and at least 20 percent of
72 the funds for programs directed to careers in the lodging
73 industry. If the division does not receive a sufficient number
74 of grant applications, which are submitted timely and comply
75 with the division's requirements, to use all of the funds
76 reserved for programs directed to careers in one of the
77 industries, the division may use the remaining funds for
78 programs directed to careers in the other industry.

79 (3) Notwithstanding any other provision of law to the
80 contrary, grant funding under this section ~~for the services~~
81 ~~described in paragraph (1)(d)~~ shall include all expenses related
82 ~~incident~~ to providing the programs ~~those services~~, including the
83 cost of staff support; student scholarships; compensation to
84 program instructors for time spent in relevant training; special

85 | events or competitive events; and a reasonable stipend for
 86 | travel, lodging, and meals for instructors and students
 87 | participating in training or in related special events. All of
 88 | an applicant's ~~such~~ expenses must ~~shall~~ be consistent ~~in~~
 89 | ~~accordance~~ with the budget submitted by the applicant in the
 90 | grant application and approved by the division. The expenditure
 91 | of all funds distributed under this section is ~~shall be~~ subject
 92 | to audit by the division.

93 | (4) The director shall develop ~~formulate~~ an annual budget,
 94 | programs, and activities to accomplish the purposes of this
 95 | section, in accordance with and subject to the advice and
 96 | recommendations of the advisory council.

97 | (a) The annual budget of the Hospitality Education Program
 98 | must show that the total fees estimated to be collected during
 99 | the next fiscal year under this section will be dedicated solely
 100 | to the estimated cost of funding the Hospitality Education
 101 | Program, less any trust fund service charge imposed by s.
 102 | 215.20. If the estimated cost of funding the Hospitality
 103 | Education Program in any fiscal year is less than the total fees
 104 | estimated to be collected during that year, the director shall
 105 | submit a report to the advisory council demonstrating why the
 106 | amount of the ~~such~~ fee should not be immediately reduced to
 107 | eliminate the projected surplus. The director shall also submit
 108 | this report to the Secretary of Business and Professional
 109 | Regulation as part of the division's annual budget request.

110 | (b) Both the secretary's legislative budget requests
 111 | submitted under ~~pursuant to~~ ss. 216.023 and 216.031 and the
 112 | Governor's recommended budget submitted under ~~pursuant to~~ s.

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113 216.163 must also show that the total fees estimated to be
114 collected during the next fiscal year under this section will be
115 dedicated solely to funding the Hospitality Education Program,
116 less any trust fund service charge imposed by s. 215.20. If the
117 estimated cost of funding the Hospitality Education Program in
118 any fiscal year is less than the total fees estimated to be
119 collected during that year, the secretary shall submit a report
120 demonstrating why the amount of the ~~such~~ fee should not be
121 immediately reduced to eliminate the projected surplus.

122 ~~(5) The director, with the consent of the advisory~~
123 ~~council, may designate funds, not to exceed \$250,000 annually,~~
124 ~~to support school-to-career transition programs available~~
125 ~~through statewide organizations in the hospitality services~~
126 ~~field. Such programs shall be designed to prepare students for~~
127 ~~progressive careers in the hospitality industry. The director,~~
128 ~~with the consent of the advisory council, may also designate~~
129 ~~funds, not to exceed \$50,000 annually, to support food safety~~
130 ~~training programs available through statewide organizations in~~
131 ~~the hospitality services field, and not to exceed \$50,000~~
132 ~~annually, to support nontransient public lodging training~~
133 ~~programs available through statewide organizations in the public~~
134 ~~lodging services field.~~

135 ~~(5)-(6)~~ The director shall supervise ~~have supervision over~~
136 the administration of the programs set forth in this section
137 ~~subsection~~ and shall report the status of the programs at all
138 meetings of the advisory council and at ~~such~~ other times ~~as are~~
139 prescribed by the advisory council.

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140 ~~(6)-(7)~~ The division shall adopt rules providing the
141 criteria for grant approval and the procedures for processing
142 grant applications. The criteria and procedures must ~~shall~~ be
143 approved by the advisory council. The criteria shall give
144 primary consideration to the experience and history of the
145 applicant in representing a hospitality ~~the food service or~~
146 ~~lodging~~ industry in the state, the applicant's prior commitment
147 to school-to-career transition programs in a hospitality ~~the~~
148 ~~food service or lodging~~ industry, and the applicant's
149 demonstrated ability to provide services statewide with industry
150 support and participation. Grants awarded under this section
151 shall be for a term of 4 years, with funding provided on an
152 annual basis.

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

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