

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; authorizing
 14 the division to use a portion of the fees for
 15 administration of the program; deleting provisions related
 16 to the allocation of the funds to various programs;
 17 revising the criteria for the award of grants to conform
 18 to changes made by the act; removing an expired provision
 19 that authorized administrative fines to be used for the
 20 program; providing an effective date.

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

23
 24 Section 1. Section 509.302, Florida Statutes, is amended
 25 to read:

26 509.302 Hospitality Education Program.--

27 (1) (a) The division shall administer an educational
 28 program, designated the "Hospitality Education Program," offered

29 | for the benefit of the hospitality ~~restaurant and lodging~~
 30 | industries of this state. As used in this section, the term
 31 | "hospitality industry" means the restaurant industry or the
 32 | lodging industry.

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

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

- 46 | ~~(a) Management training.~~
- 47 | ~~(b) Inservice continuing education programs.~~
- 48 | ~~(c) Awareness of food recovery programs, as promoted in s.~~
 49 | ~~570.0725.~~
- 50 | ~~(d) Enhancement of school-to-career training and~~
 51 | ~~transition programs for students interested in pursuing careers~~
 52 | ~~in a~~ hospitality ~~the food service or lodging~~ industry.

53 | **(d)** The training and transition programs shall be funded
 54 | ~~provided~~ through ~~the public school system using a nationally~~
 55 | ~~recognized curriculum approved by the division, with the~~
 56 | ~~enhancements funded under this section provided by grants~~ to one

57 or more from nonprofit statewide organizations that represent a
58 in the hospitality industry of this state. The training and
59 transition programs shall be delivered through the public school
60 system using a nationally recognized curriculum approved by the
61 division. The division shall administer the services field, and
62 the application process for the grants shall be administered by
63 the division.

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

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

71 (b) The division shall use at least 68 percent of the
72 funds collected under paragraph (a) for programs directed to
73 careers in the restaurant industry and at least 14 percent of
74 the funds for programs directed to careers in the lodging
75 industry. If the division does not receive a sufficient number
76 of grant applications, which are submitted timely and comply
77 with the division's requirements, to use all of the funds
78 reserved for programs directed to careers in one of the
79 industries, the division may use the remaining funds for
80 programs directed to careers in the other industry.

81 (c) The division may use up to 10 percent of the funds
82 collected under paragraph (a) for administration of the program.

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

85 ~~described in paragraph (1)(d)~~ shall include all expenses related
 86 ~~incident~~ to providing the programs ~~those services~~, including the
 87 cost of staff support; student scholarships; compensation to
 88 program instructors for time spent in relevant training; special
 89 events or competitive events; and a reasonable stipend for
 90 travel, lodging, and meals for instructors and students
 91 participating in training or in related special events. All of
 92 an applicant's ~~such~~ expenses must ~~shall~~ be consistent in
 93 ~~accordance~~ with the budget submitted by the applicant in the
 94 grant application and approved by the division. The expenditure
 95 of all funds distributed under this section is ~~shall be~~ subject
 96 to audit by the division.

97 (4) The director shall develop ~~formulate~~ an annual budget,
 98 programs, and activities to accomplish the purposes of this
 99 section, in accordance with and subject to the advice and
 100 recommendations of the advisory council.

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

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112 this report to the Secretary of Business and Professional
113 Regulation as part of the division's annual budget request.

114 (b) Both the secretary's legislative budget requests
115 submitted under ~~pursuant to~~ ss. 216.023 and 216.031 and the
116 Governor's recommended budget submitted under ~~pursuant to~~ s.
117 216.163 must also show that the total fees estimated to be
118 collected during the next fiscal year under this section will be
119 dedicated solely to funding the Hospitality Education Program,
120 less any trust fund service charge imposed by s. 215.20. If the
121 estimated cost of funding the Hospitality Education Program in
122 any fiscal year is less than the total fees estimated to be
123 collected during that year, the secretary shall submit a report
124 demonstrating why the amount of the ~~such~~ fee should not be
125 immediately reduced to eliminate the projected surplus.

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

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

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

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

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