

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED        (Y/N)  
ADOPTED AS AMENDED        (Y/N)  
ADOPTED W/O OBJECTION        (Y/N)  
FAILED TO ADOPT        (Y/N)  
WITHDRAWN        (Y/N)  
OTHER       

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1 Committee/Subcommittee hearing bill: Business & Consumer  
2 Affairs Subcommittee  
3 Representative Horner offered the following:  
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5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
7 Section 1. Subsection (4) of section 210.16, Florida  
8 Statutes, is amended, subsections (4) and (5) of that section  
9 are redesignated as subsections (5) and (6), respectively, to  
10 read:

11 210.16 Revocation or suspension of permit.-

12 (4) At the discretion of the wholesale dealer making the  
13 sale, credit for the sale of tobacco products may be extended to  
14 a retail dealer that has been issued a permit pursuant to  
15 Chapter 569, Florida Statutes. Upon submission of proof to the  
16 division by a wholesale dealer, the division shall suspend or  
17 deny the renewal of a retail permit to any person or, if a  
18 corporation, to any officer or stockholder thereof, who has  
19 failed to satisfy the terms of a civil judgment obtained against

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20 the person, corporation, officer, or stockholder for failure to  
21 pay for tobacco products purchased from a wholesale dealer. The  
22 license shall remain suspended unless and until the retail  
23 dealer submits proof to the division that it has entered into an  
24 agreed payment plan with said wholesale dealer or satisfied the  
25 civil judgment in full.

26 ~~(5)(4)~~ No person whose permit for any place of business  
27 has been revoked shall engage in business under this part or  
28 chapter 569 at such place of business after such revocation  
29 until a new permit is issued. No person whose permit for any  
30 place of business has been revoked shall be permitted to have  
31 said permit renewed, or to obtain an additional cigarette permit  
32 for any other place of business, for a period of 2 years after  
33 the date such revocation becomes final.

34 ~~(6)(5)~~ In addition to the suspension or revocation of  
35 permits, the division may impose civil penalties against holders  
36 of permits for violations of this part or rules and regulations  
37 relating thereto. No civil penalty so imposed shall exceed  
38 \$2,500 for each offense, and all amounts collected shall be  
39 deposited with the Chief Financial Officer to the credit of the  
40 General Revenue Fund. If the holder of the permit fails to pay  
41 the civil penalty, his or her permit shall be suspended for such  
42 period of time as the division may specify.

43 Section 2. This act shall take effect July 1, 2012.

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46  
47 **T I T L E A M E N D M E N T**

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 615 (2012)

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48           Remove the entire title and insert:  
49   An act relating to the sale of tobacco products; amending  
50   s.210.16, F.S; authorizing credit for the sale of tobacco  
51   products to be extended to a retail dealer under specified  
52   conditions; providing for the suspension of the sale of tobacco  
53   products to retail dealers delinquent in their credit payments;  
54   providing an effective date.