

By Senator Richter

37-00793-12

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1 A bill to be entitled
2 An act relating to the regulation of business by the
3 Department of Business and Professional Regulation;
4 amending ss. 210.09 and 210.095, F.S.; requiring the
5 Division of Alcoholic Beverages and Tobacco within the
6 Department of Business and Professional Regulation to
7 offer electronic reporting of required information and
8 filing of tax returns; allowing the department to
9 waive the electronic filing of tax returns under
10 certain conditions; requiring the department to adopt
11 rules; providing criteria for the rules; amending s.
12 210.55, F.S.; requiring taxpayers outside the state to
13 file a report showing certain information for tobacco
14 products shipped or transported to, or sold by,
15 wholesalers; requiring the department to offer
16 electronic reporting of required information and
17 filing of tax returns; allowing the department to
18 waive the electronic filing of tax returns under
19 certain conditions; requiring the department to adopt
20 rules, providing criteria; amending s. 509.032, F.S.;
21 revising the inspection requirements for certain
22 establishments by the Division of Hotels and
23 Restaurants of the department; requiring the division
24 to adopt rules; amending s. 551.107, F.S.; providing
25 for the denial, declaration of ineligibility,
26 revocation, or waiver of an occupational license by
27 the Division of Pari-mutuel Wagering of the department
28 if an applicant has been convicted of a felony or
29 misdemeanor; amending ss. 561.50, 561.55, 562.20,

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30 562.25, and 565.02, F.S.; requiring the department to
 31 offer electronic reporting of required information and
 32 filing of tax returns under the Beverage Law; allowing
 33 the department to waive the electronic filing of tax
 34 returns under certain conditions; requiring the
 35 department to adopt rules, providing criteria for the
 36 rules; creating s. 817.1551, F.S.; prohibiting making,
 37 or offering to make, a false statement in writing and
 38 relating to certain credentials of an application for
 39 a license, certificate, or registration with the
 40 Department of Business and Professional Regulation;
 41 providing the levels of the offense of falsifying
 42 credentials for licensure; providing for fines and
 43 penalties; providing for aggregating the consideration
 44 paid to a person who commits the offense, for purposes
 45 of sentencing; authorizing the department to recover
 46 costs; providing for the forfeiture of certain moneys
 47 or objects of value to the department; specifying the
 48 use by the department of the forfeited moneys and
 49 objects of value; providing an effective date.

50
 51 Be It Enacted by the Legislature of the State of Florida:

52
 53 Section 1. Subsection (2) of section 210.09, Florida
 54 Statutes, is amended to read:

55 210.09 Records to be kept; reports to be made;
 56 examination.-

57 (2) The division shall adopt ~~is authorized to prescribe and~~
 58 ~~promulgate by rules~~ that prescribe the ~~and regulations, which~~

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59 ~~shall have the force and effect of the law, such records to be~~
60 kept and reports to be made to the division by any manufacturer,
61 importer, distributing agent, wholesale dealer, retail dealer,
62 common carrier, or any other person handling, transporting, or
63 possessing cigarettes for sale or distribution within the state
64 as may be necessary to collect and properly distribute the taxes
65 imposed by s. 210.02. Each report ~~All reports~~ shall be made on
66 or before the 10th day of the month following the month for
67 which the report is made, unless the division by rule requires
68 ~~or regulation shall prescribe~~ that a report ~~reports~~ be made more
69 often. Effective July 31, 2013, the reports required by this
70 subsection shall be made through an electronic format. The
71 department shall offer electronic reporting options that make
72 reporting as simple as possible. The department may waive the
73 requirement for a taxpayer to file a tax return by electronic
74 means if the taxpayer is unable to file electronically despite
75 good faith efforts or due to circumstances beyond the reasonable
76 control of the taxpayer. The department shall prescribe by rule
77 the format and instructions necessary for filing reports and tax
78 returns to ensure that the required information is collected,
79 the conditions by which the division may approve a waiver, and
80 the means by which the tax return filed by the taxpayer is
81 acknowledged.

82 Section 2. Subsection (6) of section 210.095, Florida
83 Statutes, is amended to read:

84 210.095 Mail order, Internet, and remote sales of tobacco
85 products; age verification.-

86 (6) (a) Before making sales or shipping tobacco products in
87 connection with sales, a person shall file with the division a

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88 statement providing the person's name, trade name, and the
89 address of the person's principal place of business, as well as
90 any other place of business.

91 (b) On or before ~~No later than~~ the 10th day of each month,
92 each person who has made a sale, or mailed, shipped, or
93 otherwise delivered tobacco products in connection with any sale
94 during the previous calendar month, shall file with the division
95 a report, along with memorandum ~~or~~ a copy of the invoice, which
96 provides the following information ~~providing~~ for each sale:

97 1. The name and address of the individual who submitted the
98 order for the sale.

99 2. The name and address of the individual who accepted
100 delivery of the tobacco products.

101 3. The name and address of the person who accepted the
102 order for the sale of the tobacco products.

103 4. The name and address of the delivery service and the
104 name of the individual making the delivery.

105 5. The brand or brands of the tobacco products sold in the
106 sale.

107 6. The quantity of each brand of tobacco products sold in
108 the sale.

109 (c) Effective July 31, 2013, the reports required by this
110 subsection shall be made through an electronic format. The
111 department shall offer electronic reporting options that make
112 reporting as simple as possible. The department may waive the
113 requirement for a taxpayer to file a tax return by electronic
114 means if the taxpayer is unable to file electronically despite
115 good faith efforts or due to circumstances beyond the reasonable
116 control of the taxpayer. The department shall prescribe by rule

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117 the format and instructions necessary for filing reports and tax
118 returns to ensure that the required information is collected,
119 the conditions by which the division may approve a waiver, and
120 the means by which the tax return filed by the taxpayer is
121 acknowledged.

122 (d)~~(e)~~ A person may comply with the requirements of this
123 subsection by complying with the requirements of 15 U.S.C. s.
124 376.

125 (e)~~(d)~~ This section does not apply to sales of tobacco
126 products by a licensed distributor or to sales of tobacco
127 products by a retailer purchased from a licensed distributor.

128 Section 3. Section 210.55, Florida Statutes, is amended to
129 read:

130 210.55 Distributors; monthly reports ~~returns~~.—

131 (1) On or before the 10th day of each month, each ~~every~~
132 taxpayer with a place of business in this state shall file a
133 report ~~return~~ with the division showing the taxable price of
134 each tobacco product brought or caused to be brought into this
135 state for sale, or made, manufactured, or fabricated in this
136 state for sale in this state, during the preceding month. Each
137 ~~Every~~ taxpayer outside this state shall file a report ~~return~~
138 showing the quantity and taxable price of each tobacco product
139 shipped or transported to wholesalers and retailers in this
140 state, to be sold by those wholesalers and retailers, during the
141 preceding month. Returns shall be made upon forms furnished and
142 prescribed by the division and shall contain any other
143 information that the division requires. Each return shall be
144 accompanied by a remittance for the full tax liability shown.
145 Effective July 31, 2013, the reports required by this subsection

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146 shall be made through an electronic format. The department shall
147 offer electronic reporting options that make reporting as simple
148 as possible. The department may waive the requirement for a
149 taxpayer to file a tax return by electronic means if the
150 taxpayer is unable to file electronically despite good faith
151 efforts or due to circumstances beyond the reasonable control of
152 the taxpayer. The department shall prescribe by rule the format
153 and instructions necessary for filing reports and tax returns to
154 ensure that the required information is collected, the
155 conditions by which the division may approve a waiver, and the
156 means by which the tax return filed by the taxpayer is
157 acknowledged.

158 (2) As soon as practicable after a ~~any~~ return is filed, the
159 division shall examine each return and correct it, if necessary,
160 according to its best judgment and information. If the division
161 finds that any amount of tax is due from the taxpayer and
162 unpaid, it shall notify the taxpayer of the deficiency, stating
163 that it proposes to assess the amount due together with interest
164 and penalties. If a deficiency disclosed by the division's
165 examination cannot be allocated to one or more particular
166 months, the division shall notify the taxpayer of the
167 deficiency, stating its intention to assess the amount due for a
168 given period without allocating it to any particular months.

169 (3) If, within 60 days after the mailing of notice of the
170 proposed assessment, the taxpayer files a protest to the
171 proposed assessment and requests a hearing on it, the division
172 shall give notice to the taxpayer of the time and place fixed
173 for the hearing, shall hold a hearing on the protest, and shall
174 issue a final assessment to the taxpayer for the amount found to

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175 be due as a result of the hearing. If a protest is not filed
176 within 60 days, the division shall issue a final assessment to
177 the taxpayer. In any action or proceeding in respect to the
178 proposed assessment, the taxpayer shall have the burden of
179 establishing the incorrectness or invalidity of any final
180 assessment made by the division.

181 (4) If a ~~any~~ taxpayer that is required to file a ~~any~~ return
182 fails to do so within the time prescribed, the taxpayer shall,
183 on the written demand of the division, file the return within 20
184 days after mailing of the demand and at the same time pay the
185 tax due on its basis. If the taxpayer fails within that time to
186 file the return, the division shall prepare the return from its
187 own knowledge and from the information that it obtains and on
188 that basis shall assess a tax, which shall be paid within 10
189 days after the division has mailed to the taxpayer a written
190 notice of the amount and a demand for its payment. In any action
191 or proceeding in respect to the assessment, the taxpayer has
192 ~~shall have the~~ burden of establishing the incorrectness or
193 invalidity of any return or assessment made by the division
194 because of the failure of the taxpayer to make a return.

195 (5) All taxes are due not later than the 10th day of the
196 month following the calendar month in which they were incurred,
197 and thereafter shall bear interest at the annual rate of 12
198 percent. If the amount of tax due for a given period is assessed
199 without allocating it to any particular month, the interest
200 shall begin with the date of the assessment.

201 (6) In issuing its final assessment, the division shall add
202 to the amount of tax found due and unpaid a penalty of 10
203 percent, but if it finds that the taxpayer has made a false

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204 return with intent to evade the tax, the penalty shall be 50
205 percent of the entire tax as shown by the corrected return. In
206 assessing a tax on the basis of a return made under subsection
207 (4), the division shall add to the amount of tax found due and
208 unpaid a penalty of 25 percent.

209 (7) For the purpose of compensating the distributor for the
210 keeping of prescribed records and the proper accounting and
211 remitting of taxes imposed under this part, the distributor
212 shall be allowed 1 percent of the amount of the tax due and
213 accounted for and remitted to the division in the form of a
214 deduction in submitting his or her report and paying the amount
215 due; and the division shall allow a ~~such~~ deduction of 1 percent
216 of the amount of the tax to the person paying the same for
217 remitting the tax in the manner herein provided, for paying the
218 amount due to be paid by him or her, and as further compensation
219 to the distributor for the keeping of prescribed records and for
220 collection of taxes and remitting the same.

221 (a) The collection allowance may not be granted, and a ~~nor~~
222 ~~may any~~ deduction is not ~~be~~ permitted, if the tax is delinquent
223 at the time of payment.

224 (b) The division may reduce the collection allowance by 10
225 percent or \$50, whichever is less, if a taxpayer files an
226 incomplete return.

227 1. An "incomplete return" is, for purposes of this part, a
228 return which is lacking such uniformity, completeness, and
229 arrangement that the physical handling, verification, or review
230 of the return may not be readily accomplished.

231 2. The division shall adopt rules requiring such
232 information as it may deem necessary to ensure that the tax

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233 levied pursuant to this section ~~hereunder~~ is properly collected,
234 reviewed, compiled, and enforced, including, but not limited to:
235 the amount of taxable sales; the amount of tax collected or due;
236 the amount claimed as the collection allowance; the amount of
237 penalty and interest; the amount due with the return; and such
238 other information as the division may specify.

239 Section 4. Paragraph (a) of subsection (2) of section
240 509.032, Florida Statutes, is amended to read:

241 509.032 Duties.—

242 (2) INSPECTION OF PREMISES.—

243 (a) The division has jurisdiction and is responsible ~~has~~
244 ~~responsibility and jurisdiction~~ for all inspections required by
245 this chapter. The division is responsible ~~has responsibility~~ for
246 quality assurance. The division shall inspect each licensed
247 public lodging establishment ~~shall be inspected~~ at least
248 biannually, except for transient and nontransient apartments,
249 which shall be inspected at least annually, and vacation
250 rentals, which shall be made available to the division upon
251 request ~~shall be inspected at such other times as the division~~
252 ~~determines is necessary to ensure the public's health, safety,~~
253 ~~and welfare.~~ The division shall adopt by rule a risk-based
254 ~~establish a~~ system to determine inspection frequency for the
255 licensure of public food service establishments. The division
256 shall inspect each other establishment licensed by the division
257 at such times as the division determines is necessary to ensure
258 the public's health, safety, and welfare. ~~Public lodging units~~
259 ~~classified as vacation rentals are not subject to this~~
260 ~~requirement but shall be made available to the division upon~~
261 ~~request.~~ If, during the inspection of a public lodging

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262 establishment classified for renting to transient or
263 nontransient tenants, an inspector identifies vulnerable adults
264 who appear to be victims of neglect, as defined in s. 415.102,
265 or, in the case of a building that is not equipped with
266 automatic sprinkler systems, tenants or clients who may be
267 unable to self-preserve in an emergency, the division shall
268 convene meetings with the following agencies as appropriate to
269 the individual situation: the Department of Health, the
270 Department of Elderly Affairs, the area agency on aging, the
271 local fire marshal, the landlord and affected tenants and
272 clients, and other relevant organizations, to develop a plan
273 which improves the prospects for safety of affected residents
274 and, if necessary, identifies alternative living arrangements
275 such as facilities licensed under part II of chapter 400 or
276 under chapter 429.

277 Section 5. Present paragraph (c) of subsection (6) of
278 section 551.107, Florida Statutes, is redesignated as paragraph
279 (d), and a new paragraph (c) is added to that subsection to
280 read:

281 551.107 Slot machine occupational license; findings;
282 application; fee.-

283 (6)

284 (c) The division may deny, declare ineligible, or revoke an
285 occupational license if the applicant for such license has been
286 convicted of a felony or misdemeanor in this state, in any other
287 state, or under the laws of the United States, if the felony or
288 misdemeanor is related to gambling or bookmaking, as
289 contemplated in s. 849.25. If the applicant establishes that she
290 or he is of good moral character, that she or he has been

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291 rehabilitated, and that the crime she or he was convicted of was
292 not in any way related to gaming and was not a capital offense,
293 the restrictions excluding offenders may be waived by the
294 director of the division if the crime occurred more than 10
295 years ago.

296 Section 6. Subsection (1) of section 561.50, Florida
297 Statutes, is amended to read:

298 561.50 One state tax payment; reports.-

299 (1) There shall be only one state tax paid as to each
300 gallon or fraction thereof of beverage sold under the Beverage
301 Law, and ~~no~~ other excise taxes may not tax shall be levied
302 directly or indirectly. Such tax shall be computed from the
303 reports, books, and records of manufacturers and distributors;
304 and the amount so computed shall be remitted with the report
305 required by s. 561.55 to the division at intervals of 1 month,
306 on or before the 10th of each month, for all beverages sold
307 during the previous calendar month, and the such payment of tax
308 shall accompany the report required by s. 561.55. Effective July
309 31, 2013, the reports required by this subsection shall be made
310 through an electronic format. The department shall offer
311 electronic reporting options that make reporting as simple as
312 possible. The department may waive the requirement for a
313 taxpayer to file a tax return by electronic means if the
314 taxpayer is unable to file electronically despite good faith
315 efforts or due to circumstances beyond the reasonable control of
316 the taxpayer. The department shall prescribe by rule the format
317 and instructions necessary for filing reports and tax returns to
318 ensure that the required information is collected, the
319 conditions by which the division may approve a waiver, and the

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320 means by which the tax return filed by the taxpayer is
321 acknowledged. If the monthly tax liability of a manufacturer or
322 distributor exceeds the amount of the bond furnished for payment
323 of taxes, the division, upon a finding based upon substantial
324 and competent evidence that the security of the tax revenue
325 involved is in jeopardy, may require a bond equal to the
326 anticipated tax liability of the manufacturer or distributor.
327 Additionally, the division may increase the frequency of the
328 remittance of the tax if ~~when~~ the security of the tax involved
329 is in immediate jeopardy or the financial condition of the
330 manufacturer or distributor is unstable and the potential tax
331 liability exceeds the bond furnished under the Beverage Law. In
332 finding ~~arriving at a conclusion~~ that the security of the tax
333 revenue involved is in jeopardy, the division shall consider and
334 be guided by the prior history, if any, of the compliance or
335 noncompliance by the manufacturer or distributor with beverage
336 tax obligations; the transient or nontransient nature of the
337 manufacturer or distributorship; the type of inventory, the
338 equity ~~of~~ the manufacturer or distributor has in the business
339 ~~therein~~, and the mobility of such inventory; the financial
340 status of the manufacturer or distributor; and the anticipated
341 tax obligation of the manufacturer or distributor.

342 Section 7. Subsection (2) of section 561.55, Florida
343 Statutes, is amended to read:

344 561.55 Manufacturers', distributors', brokers', sales
345 agents', importers', vendors', and exporters' records and
346 reports.—

347 (2) Each manufacturer, distributor, broker, sales agent,
348 and importer shall make a full and complete report on or before

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349 ~~by~~ the 10th day of each month for the previous calendar month.
350 The report shall be ~~made out in triplicate; two copies shall be~~
351 sent to the division, and a the third copy shall be retained for
352 the manufacturer's, distributor's, broker's, sales agent's, or
353 importer's record. Effective July 31, 2013, the reports required
354 by this subsection shall be made through an electronic format.
355 The department shall offer electronic reporting options that
356 make reporting as simple as possible. The department may waive
357 the requirement for a taxpayer to file a tax return by
358 electronic means if the taxpayer is unable to file
359 electronically despite good faith efforts or due to
360 circumstances beyond the reasonable control of the taxpayer. The
361 department shall prescribe by rule the format and instructions
362 necessary for filing reports and tax returns to ensure that the
363 required information is collected, the conditions by which the
364 division may approve a waiver, and the means by which the tax
365 return filed by the taxpayer is acknowledged. Reports shall be
366 made on forms prepared and furnished by the division.

367 Section 8. Subsections (1) and (2) of section 562.20,
368 Florida Statutes, are amended to read:

369 562.20 Monthly reports by common and other carriers of
370 beverages required.—

371 (1) A ~~All~~ common carrier ~~carriers~~ of freight operating in
372 the state shall file monthly reports with the division on forms
373 to be prepared by the division which shall show in detail all
374 shipments of alcoholic beverages transported by the carrier ~~them~~
375 to or from any point within the state. Effective July 31, 2013,
376 the reports required by this subsection shall be made through an
377 electronic format. The department shall offer electronic

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378 reporting options that make reporting as simple as possible. The
379 department may waive the requirement for a taxpayer to file a
380 tax return by electronic means if the taxpayer is unable to file
381 electronically despite good faith efforts or due to
382 circumstances beyond the reasonable control of the taxpayer. The
383 department shall prescribe by rule the format and instructions
384 necessary for filing reports and tax returns to ensure that the
385 required information is collected, the conditions by which the
386 division may approve a waiver, and the means by which the tax
387 return filed by the taxpayer is acknowledged.

388 (2) Each ~~Every other~~ person, except manufacturers and
389 distributors licensed in this state who are required to make
390 reports under s. 561.55, who brings into the state from any
391 point without the state any alcoholic beverages, in amounts
392 exceeding 1 gallon in the aggregate, shall likewise file monthly
393 reports with the division on the forms to be prepared by the
394 division, which shall show in detail the ~~all such~~ amounts of
395 alcoholic beverages transported by them to each ~~any~~ point within
396 the state from each ~~any~~ point without the state. Each ~~Every~~
397 licensee under this law who ships any alcoholic beverage to
398 points beyond the state shall file monthly reports with the
399 division on forms to be prepared by the division, which shall
400 show in detail each shipment ~~all shipments~~ of alcoholic
401 beverages transported by them from each ~~any~~ point within the
402 state to each ~~any~~ point without the state. Effective July 31,
403 2013, the reports required by this subsection shall be made
404 through an electronic format. The department shall offer
405 electronic reporting options that make reporting as simple as
406 possible. The department may waive the requirement for a

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407 taxpayer to file a tax return by electronic means if the
408 taxpayer is unable to file electronically despite good faith
409 efforts or due to circumstances beyond the reasonable control of
410 the taxpayer. The department shall prescribe by rule the format
411 and instructions necessary for filing reports and tax returns to
412 ensure that the required information is collected, the
413 conditions by which the division may approve a waiver, and the
414 means by which the tax return filed by the taxpayer is
415 acknowledged.

416 Section 9. Subsection (2) of section 562.25, Florida
417 Statutes, is amended to read:

418 562.25 State bonded warehouses.—

419 (2) On or before the 10th day of each month the operator of
420 a any state bonded warehouse shall report, on forms furnished by
421 the division, the amount of alcoholic ~~such~~ beverages on deposit
422 in the ~~such~~ warehouse on the last day of the previous calendar
423 month and the amount of the ~~such~~ beverages deposited in and
424 withdrawn from the ~~such~~ warehouse during the previous calendar
425 month, except that a ~~no~~ report is not ~~shall be~~ required as to
426 the ~~such~~ beverages on which all taxes have been paid which have
427 been deposited in storage by a vendor licensed under the
428 Beverage Law. Effective July 31, 2013, the reports required by
429 this subsection shall be made through an electronic format. The
430 department shall offer electronic reporting options that make
431 reporting as simple as possible. The department may waive the
432 requirement for a taxpayer to file a tax return by electronic
433 means if the taxpayer is unable to file electronically despite
434 good faith efforts or due to circumstances beyond the reasonable
435 control of the taxpayer. The department shall prescribe by rule

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436 the format and instructions necessary for filing reports and tax
437 returns to ensure that the required information is collected,
438 the conditions by which the division may approve a waiver, and
439 the means by which the tax return filed by the taxpayer is
440 acknowledged.

441 Section 10. Subsection (13) is added to section 565.02,
442 Florida Statutes, to read:

443 565.02 License fees; vendors; clubs; caterers; and others.—

444 (13) Effective July 31, 2013, the reports required by this
445 section shall be made through an electronic format. The
446 department shall offer electronic reporting options that make
447 reporting as simple as possible. The department may waive the
448 requirement for a taxpayer to file a tax return by electronic
449 means if the taxpayer is unable to file electronically despite
450 good faith efforts or due to circumstances beyond the reasonable
451 control of the taxpayer. The department shall prescribe by rule
452 the format and instructions necessary for filing reports and tax
453 returns to ensure that the required information is collected,
454 the conditions by which the division may approve a waiver, and
455 the means by which the tax return filed by the taxpayer is
456 acknowledged.

457 Section 11. Section 817.1551, Florida Statutes, is created
458 to read:

459 817.1551 Matters within jurisdiction of Department of
460 Business and Professional Regulation; false, fictitious, or
461 fraudulent acts, statements, and representations prohibited;
462 penalties; forfeiture.—

463 (1) A person who makes or causes to be made, or who offers
464 to make, a false statement in writing and relating to the

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465 education, training, or other credentials of an applicant for
466 licensure, certification, or registration with the Department of
467 Business and Professional Regulation, with the intent of
468 obtaining licensure, certification, or registration with that
469 agency, commits the offense of falsifying credentials for
470 licensure.

471 (2) A person who falsifies his or her credentials with the
472 intent of obtaining a license, certificate, or registration with
473 the department commits a misdemeanor of the first degree,
474 punishable as provided in s. 775.082 or s. 775.083.

475 (3) A person who falsifies the credentials of another
476 person in exchange for \$300 or less, with the intent of
477 obtaining a license, certificate, or registration with the
478 agency, commits a misdemeanor of the first degree, punishable as
479 provided in s. 775.082 or s. 775.083.

480 (4) A person who falsifies the credentials of one or more
481 other persons in exchange for more than \$300, but less than
482 \$20,000, with the intent of obtaining a license, certificate, or
483 registration with the agency commits of a felony of the third
484 degree, punishable as provided in s. 775.082, s. 775.083, or s.
485 775.084.

486 (5) A person who falsifies the credentials of one or more
487 other persons in exchange for \$20,000 or more, but less than
488 \$50,000, with the intent of obtaining a license, certificate, or
489 registration with the agency commits a felony of the second
490 degree, punishable as provided in s. 775.082, s. 775.083, or s.
491 775.084.

492 (6) A person who falsifies the credentials of one or more
493 persons in exchange for \$50,000 or more, with the intent of

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494 obtaining a license, certificate, or registration with the
495 agency commits a felony of the first degree, punishable as
496 provided in s. 775.082, s. 775.083, or s. 775.084.

497 (7) The consideration paid to a person who commits multiple
498 offenses of falsifying credentials for the licensure of other
499 persons shall be aggregated for purposes of sentencing and
500 restitution. The department may recover the costs it incurs to
501 remedy the issuance of such falsely obtained license,
502 certificate, or registration.

503 (8) If convicted, the moneys or objects of value which the
504 person obtained as compensation for the commission of any
505 offense listed in subsection (3), subsection (4), or subsection
506 (5) shall be forfeited to the Department of Business and
507 Professional Regulation for its use to investigate and prosecute
508 offenders and to regulate the affected professions or
509 businesses.

510 Section 12. This act shall take effect July 1, 2012.