

By Senator Sobel

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1 A bill to be entitled
2 An act relating to public food service establishment
3 inspections; transferring the regulation of public
4 food service establishment inspections under ch. 509,
5 F.S., from the Department of Business and Professional
6 Regulation to the Department of Health; amending s.
7 20.43, F.S.; revising the duties of the Department of
8 Health to include public food service establishment
9 inspections; amending s. 213.0535, F.S.; conforming a
10 cross-reference to changes made by the act; amending
11 s. 381.0072, F.S.; defining and redefining terms;
12 requiring a report for public food service
13 establishment inspections; specifying a grading scale
14 used in the inspection report; authorizing a public
15 food service establishment to request a reinspection
16 under certain circumstances; authorizing the
17 Department of Health to increase inspections and
18 charge a reasonable fee for such inspections for
19 repeat offenses; requiring a public food service
20 establishment to immediately post a letter grade card,
21 maintain a copy of the most recent inspection report,
22 and make such report available to the public upon
23 request; requiring the department to establish a toll-
24 free hotline for complaints; requiring the department
25 to establish a consumer advocate position; authorizing
26 a health inspector to immediately close a public food
27 service establishment under certain circumstances;
28 specifying standards for inspectors; requiring the
29 department to provide continuing education for each

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30 public food service inspector; revising the licensing
31 requirements, requirements for stop-sale orders, and
32 penalties for misrepresenting food or food products
33 under chapter 381 to include public food service
34 establishments; requiring a public food service
35 establishment to display a license issued by the
36 department; establishing a fee schedule and maximum
37 possible fee for a public food service establishment
38 license; authorizing the department to fine, suspend,
39 or revoke the license of a public food service
40 establishment under certain circumstances; amending
41 ss. 381.0101, 450.061, 509.032, 509.101, 509.241,
42 509.251, 509.261, and 768.136, F.S.; conforming
43 provisions to changes made by the act; repealing s.
44 509.036, F.S., relating to public food service
45 inspector standardization; providing an effective
46 date.

47
48 Be It Enacted by the Legislature of the State of Florida:

49
50 Section 1. All powers, duties, functions, records,
51 personnel, property, pending issues and existing contracts,
52 administrative authority, administrative rules, and unexpended
53 balances of appropriations, allocations, and other funds for the
54 regulation of the inspection of public food service
55 establishments under ch. 509, Florida Statutes, are transferred
56 by a type two transfer, as defined in s. 20.06(2), Florida
57 Statutes, from the Division of Hotels and Restaurants of the
58 Department of Business and Professional Regulation to the

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59 Department of Health.

60 Section 2. Paragraph (h) is added to subsection (1) of
61 section 20.43, Florida Statutes, to read:

62 20.43 Department of Health.—There is created a Department
63 of Health.

64 (1) The purpose of the Department of Health is to protect
65 and promote the health of all residents and visitors in the
66 state through organized state and community efforts, including
67 cooperative agreements with counties. The department shall:

68 (h) Inspect public food service establishments to safeguard
69 the public health, safety, and welfare.

70 Section 3. Paragraph (a) of subsection (4) of section
71 213.0535, Florida Statutes, is amended to read:

72 213.0535 Registration Information Sharing and Exchange
73 Program.—

74 (4) There are two levels of participation:

75 (a) Each unit of state or local government responsible for
76 administering one or more of the provisions specified in
77 subparagraphs 1.-8. is a level-one participant. Level-one
78 participants shall exchange, monthly or quarterly, as determined
79 jointly by each participant and the department, the data
80 enumerated in subsection (2) for each new registrant, new filer,
81 or initial reporter, permittee, or licensee, with respect to the
82 following taxes, licenses, or permits:

- 83 1. The sales and use tax imposed under chapter 212.
- 84 2. The tourist development tax imposed under s. 125.0104.
- 85 3. The tourist impact tax imposed under s. 125.0108.
- 86 4. Local business taxes imposed under chapter 205.
- 87 5. Convention development taxes imposed under s. 212.0305.

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88 6. Public lodging licenses issued under chapter 509 and
89 food service establishment licenses issued under ~~pursuant to~~
90 chapter 381 ~~509~~.

91 7. Beverage law licenses issued pursuant to chapter 561.

92 8. A municipal resort tax as authorized under chapter 67-
93 930, Laws of Florida.

94 Section 4. Section 381.0072, Florida Statutes, is amended
95 to read:

96 381.0072 Food service protection.—It shall be the duty of
97 the Department of Health to adopt and enforce sanitation rules
98 consistent with law to ensure the protection of the public from
99 food-borne illness. These rules shall provide the standards and
100 requirements for the storage, preparation, serving, or display
101 of food in each institutional food service establishment and
102 each public food service establishment ~~establishments~~ as defined
103 in this section and which are not permitted or licensed under
104 chapter 500 ~~or chapter 509~~.

105 (1) DEFINITIONS.—As used in this section, the term:

106 (a) "Department" means the Department of Health or its
107 representative county health department.

108 (b) "Institutional food service establishment" means
109 detention facilities, public or private schools, migrant labor
110 camps, assisted living facilities, facilities participating in
111 the United States Department of Agriculture Afterschool Meal
112 Program which ~~that~~ are located on ~~at~~ a ~~facility or~~ site that is
113 not inspected by another state agency for compliance with
114 sanitation standards, adult family-care homes, adult day care
115 centers, short-term residential treatment centers, residential
116 treatment facilities, homes for special services, transitional

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117 living facilities, crisis stabilization units, hospices,
118 prescribed pediatric extended care centers, intermediate care
119 facilities for persons with developmental disabilities, boarding
120 schools, civic or fraternal organizations, bars and lounges,
121 vending machines that dispense potentially hazardous foods at
122 facilities expressly named in this paragraph, and facilities
123 used as temporary food events or mobile food units at a any
124 facility expressly named in this paragraph, where food is
125 prepared and intended for individual portion service, including
126 the site at which individual portions are provided, regardless
127 of whether consumption is on or off the premises and regardless
128 of whether there is a charge for the food. The term does not
129 include an any entity not expressly named in this paragraph or
130 ~~nor does the term include~~ a domestic violence center certified
131 by the Department of Children and Families ~~Family Services~~ and
132 monitored by the Florida Coalition Against Domestic Violence
133 under part XII of chapter 39 if the center does not prepare and
134 serve food to its residents and does not advertise food or drink
135 for public consumption.

136 (c) "Operator" means the owner, operator, keeper,
137 proprietor, lessee, manager, assistant manager, agent, or
138 employee of an institutional food service establishment or a
139 public food service establishment.

140 (d) "Public food service establishment" means a building,
141 vehicle, place, or structure, or a room or division in a
142 building, vehicle, place, or structure where food is prepared,
143 served, or sold for immediate consumption on or in the vicinity
144 of the premises; called for or taken out by customers; or
145 prepared before being delivered to another location for

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146 consumption. The term does not include:

147 1. A place maintained and operated by a public or private
148 school, college, or university for the use of students and
149 faculty or, on a temporary basis, to serve events such as fairs,
150 carnivals, and athletic contests.

151 2. An eating place maintained and operated by a church or a
152 religious, nonprofit fraternal, or nonprofit civic organization
153 for the use of members and associates or, on a temporary basis,
154 to serve events such as fairs, carnivals, or athletic contests.

155 3. An eating place located on an airplane, train, bus, or
156 watercraft that is a common carrier.

157 4. An eating place maintained by a facility certified or
158 licensed and regulated by the Agency for Health Care
159 Administration or the Department of Children and Families.

160 5. A place of business issued a permit or inspected by the
161 Department of Agriculture and Consumer Services under s. 500.12.

162 6. A place of business where the food available for
163 consumption is limited to ice, beverages with or without
164 garnishment, popcorn, or prepackaged items sold without
165 additions or preparation.

166 7. A theater, if the primary use is as a theater and if
167 patron service is limited to food items customarily served to
168 the patrons of theaters.

169 8. A vending machine that dispenses a food or beverage
170 other than potentially hazardous foods, as defined by department
171 rule.

172 9. A vending machine that dispenses potentially hazardous
173 food and that is located in a facility referred to in paragraph
174 (b).

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175 10. A research and development test kitchen that is limited
176 to the use of employees and that is not open to the general
177 public.

178 (2) DUTIES.—

179 (a) The department may advise and consult with the Agency
180 for Health Care Administration, ~~the Department of Business and~~
181 ~~Professional Regulation,~~ the Department of Agriculture and
182 Consumer Services, and the Department of Children and Families
183 ~~Family Services~~ concerning procedures related to the storage,
184 preparation, serving, or display of food at any building,
185 structure, or facility not expressly included in this section
186 that is inspected, licensed, or regulated by those agencies.

187 (b) The department shall adopt rules, including definitions
188 of terms which are consistent with law, prescribing minimum
189 sanitation standards and manager certification requirements as
190 prescribed in s. 509.039, and which shall be enforced in food
191 ~~service~~ establishments as defined in this section. The
192 sanitation standards must address the construction, operation,
193 and maintenance of the establishment; lighting, ventilation,
194 laundry rooms, lockers, use and storage of toxic materials and
195 cleaning compounds, and first-aid supplies; plan review; design,
196 construction, installation, location, maintenance, sanitation,
197 and storage of food equipment and utensils; employee training,
198 health, hygiene, and work practices; food supplies, preparation,
199 storage, transportation, and service, including access to the
200 areas where food is stored or prepared; and sanitary facilities
201 and controls, including water supply and sewage disposal;
202 plumbing and toilet facilities; garbage and refuse collection,
203 storage, and disposal; and vermin control. Public and private

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204 schools, if the food service is operated by school employees,
205 bars and lounges, civic organizations, and any other facility
206 that is not regulated under this section are exempt from the
207 rules developed for manager certification. The department shall
208 administer a comprehensive inspection, monitoring, and sampling
209 program to ensure such standards are maintained. With respect to
210 food service establishments permitted or licensed under chapter
211 500 ~~or chapter 509~~, the department shall assist ~~the Division of~~
212 ~~Hotels and Restaurants of the Department of Business and~~
213 ~~Professional Regulation and the Department of Agriculture and~~
214 Consumer Services with rulemaking by providing technical
215 information.

216 (c) The department shall implement ~~carry out all provisions~~
217 ~~of~~ this chapter and all other applicable laws and rules relating
218 to the inspection or regulation of an institutional food service
219 establishment or a public food service establishment
220 ~~establishments~~ as defined in this section, for the purpose of
221 safeguarding the public ~~public's~~ health, safety, and welfare.

222 (d) The department shall inspect each institutional food
223 service establishment or public food service establishment as
224 often as necessary to ensure compliance with applicable laws and
225 rules. The department has ~~shall have~~ the right of entry and
226 access to these food service establishments at any reasonable
227 time. In inspecting an institutional food service establishment
228 or a public food service establishment ~~establishments~~ as
229 provided in ~~under~~ this section, the department shall provide
230 each inspected establishment with the food recovery brochure
231 developed under s. 570.0725.

232 (e) The department or other appropriate regulatory entity

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233 may inspect theaters exempt under ~~exempted~~ in subsection (1) to
234 ensure compliance with applicable laws and rules pertaining to
235 minimum sanitation standards. A fee for inspection shall be
236 prescribed by rule, but the aggregate amount charged per year
237 per theater establishment may ~~shall~~ not exceed \$300, regardless
238 of the entity providing the inspection.

239 (3) PUBLIC FOOD SERVICE ESTABLISHMENT INSPECTION.—

240 (a) Report.—Upon completion of an inspection of a public
241 food service establishment under this section, the inspector
242 shall produce a written report and assign a numerical score
243 based on his or her findings. Critical and noncritical
244 violations will be assigned a point value that will be
245 subtracted from a maximum score of 100 points. The inspector
246 will assign one of the following letter grades to the public
247 food service establishment:

248 1. An "A" grade indicates establishments in good operating
249 condition which receive at least 90 points. The inspector may
250 have observed low-risk health and safety violations but observed
251 not more than one non-critical violation or critical violation.

252 2. A "B" grade indicates establishments in adequate
253 operating condition which receive at least 86 points but not
254 more than 89 points. The inspector observed at least one non-
255 critical violation but not more than one critical violation.

256 3. A "C" grade indicates establishments that need
257 improvement and receive at least 71 points but not more than 85
258 points. The inspector observed more than one non-critical
259 violation and more than one critical violation.

260 4. A "U" grade indicates establishments in poor operating
261 condition that receive 70 or fewer points. The inspector

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262 observed three or more non-critical violations and more than
263 three critical violations.

264 (b) Reinspection; hearing; fines.-

265 1. The operator of a public food service establishment
266 that, upon initial inspection, fails to achieve a letter grade
267 of "A" under paragraph (a) may request a reinspection from the
268 department. The department may charge a reasonable fee for
269 reinspection.

270 a. Within 14 days after the first inspection, an
271 establishment may request a second inspection. The resulting
272 grade is final unless a hearing is requested.

273 b. Within 7 days after the second inspection, an operator
274 of a public food service establishment may submit a written
275 request for a hearing to contest the assigned letter grade
276 received during the second inspection and request an additional
277 inspection.

278 2. The department may increase the frequency of inspections
279 for a public food service establishment that fails to achieve a
280 letter grade of "B" or higher under paragraph (a) during an
281 initial or subsequent inspection.

282 (c) Notice; hotline; consumer advocate.-

283 1. A public food service establishment shall immediately
284 post its current letter grade card in a front window; in a
285 display case on an outside wall within 5 feet of the front door;
286 on a drive-through menu board; and on a menu board at a market
287 or deli. Failure to post the letter grade card or an attempt to
288 hide, camouflage, or remove the letter grade card may result in
289 a fine and suspension of an establishment's license. The
290 department shall post the inspection report on the Department of

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291 Health website in a form searchable by critical violations, non-
292 critical violations, letter grade, and establishment.

293 2. An operator of a public food service establishment shall
294 maintain a copy of the latest food service inspection report on
295 premises and shall make it available to the public upon request.
296 If an operator has requested a reinspection, he or she may
297 inform the public that the current inspection results are under
298 review and that any results may be obtained from the department.

299 3. The department shall establish a toll-free telephone
300 hotline that allows an operator to file a complaint regarding an
301 inspection, and the number of the hotline shall be included in a
302 pamphlet provided by the department that explains the inspection
303 process.

304 4. The department must appoint a consumer advocate to
305 represent the health and safety of the general public in issues
306 regarding public food service establishments.

307 (d) Closure.—A health inspector may, in his or her
308 discretion, immediately close a public food service
309 establishment that fails to achieve a letter grade of "C" or
310 higher.

311 (e) Inspector standardization.—

312 1. A person performing required inspections of licensed
313 public food service establishments for the department must:

314 a. Be standardized by a food service evaluation officer
315 certified by the federal Food and Drug Administration;

316 b. Pass a test approved under s. 509.039 on food safety
317 protection standards; and

318 c. Demonstrate knowledge of the laws and rules governing
319 public food service establishments by passing a written

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320 examination administered by the department.

321 2. The department shall provide a minimum of 20 hours of
322 continuing education annually to each public food service
323 inspector. This continuing education must include instruction in
324 sanitation, techniques to prevent food-borne illness, and
325 provide a review of relevant laws.

326 3. An inspector may be suspended or dismissed for cause
327 under s. 110.227.

328 (4)(3) LICENSES REQUIRED.-

329 (a) *Licenses; annual renewals.*-Each institutional food
330 service establishment and each public food service establishment
331 regulated under this section shall obtain a license from the
332 department annually. Such Food service establishment licenses
333 shall expire annually and are not transferable from one place or
334 individual to another. However, ~~those~~ facilities licensed by the
335 department's Office of Licensure and Certification, the Child
336 Care Services Program Office, or the Agency for Persons with
337 Disabilities are exempt from this subsection. It is ~~shall be~~ a
338 misdemeanor of the second degree, punishable as provided in s.
339 381.0061, s. 775.082, or s. 775.083, for such an establishment
340 to operate without this license. The department may refuse a
341 license, or a renewal thereof, to any establishment that is not
342 constructed or maintained in accordance with law and ~~with the~~
343 ~~rules of the~~ department rule. Annual application for renewal is
344 not required.

345 (b) *Application for license.*-Each person who plans to open
346 an institutional food service establishment or a public food
347 service establishment regulated under this section and not
348 regulated under chapter 500 or chapter 509 shall apply for and

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349 receive a license before ~~prior to~~ the commencement of operation.

350 (c) Display of public food service establishment license;
351 registry.-

352 1. A public food service establishment license issued by
353 the department shall be conspicuously displayed in the office or
354 lobby of the licensed establishment. A public food service
355 establishment that offers catering services shall display its
356 license number on all advertising for catering services.

357 2. It is the duty of each operator of a public food service
358 establishment that provides commissary services to maintain a
359 daily registry verifying that each mobile food dispensing
360 vehicle that receives such services is properly licensed by the
361 division. In order that such licensure may be readily verified,
362 each mobile food dispensing vehicle operator shall permanently
363 affix in a prominent place on the side of the vehicle, in
364 figures at least 2 inches high and in contrasting colors from
365 the background, the operator's public food service establishment
366 license number. Prior to providing commissary services, each
367 public food service establishment must verify that the license
368 number displayed on the vehicle matches the number on the
369 vehicle operator's public food service establishment license.

370 (5)~~(4)~~ LICENSE; INSPECTION; FEES.-

371 (a) Authorization.-The department is authorized to collect
372 fees from establishments licensed under this section and from
373 those facilities exempted from licensure under paragraph (4) (a)
374 ~~(3) (a)~~. It is the intent of the Legislature that the total fees
375 assessed under this section be in an amount sufficient to meet
376 the cost of administering ~~carrying out the provisions of~~ this
377 section.

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378 (b) Institutional food service establishment fees.—The fee
379 schedule for an institutional food service establishment
380 ~~establishments~~ licensed under this section shall be prescribed
381 by rule, but the aggregate license fee per establishment may
382 ~~shall~~ not exceed \$300.

383 ~~(e) Licensure~~ The license fees shall be prorated on a
384 quarterly basis. Annual licenses shall be renewed as prescribed
385 by rule.

386 (c) Public food service establishment fees.—The department
387 shall adopt, by rule, a schedule of fees to be paid by each
388 public food service establishment as a prerequisite to issuance
389 or renewal of a license. The fee schedule shall prescribe a
390 basic fee and additional fees based on seating capacity and
391 services offered. The aggregate fee per establishment charged
392 any public food service establishment may not exceed \$400;
393 however, the fees described in subparagraphs 1. and 2. may not
394 be included as part of the aggregate fee subject to this cap.
395 The fee schedule shall require an establishment that applies for
396 an initial license to pay the full license fee if application is
397 made during the annual renewal period or more than 6 months
398 prior to the next such renewal period and one-half of the fee if
399 application is made 6 months or less prior to such period.

400 1. Upon making initial application or an application for
401 change of ownership, the applicant shall pay to the department a
402 fee as prescribed by rule, not to exceed \$50, in addition to any
403 other fees required by law, which shall cover all costs
404 associated with initiating regulation of the establishment.

405 2. A license renewal filed with the department within 30
406 days after the expiration date shall be accompanied by a

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407 delinquent fee as prescribed by rule, not to exceed \$50, in
 408 addition to the renewal fee and any other fees required by law.
 409 A license renewal filed with the department more than 30 but not
 410 more than 60 days after the expiration date shall be accompanied
 411 by a delinquent fee as prescribed by rule, not to exceed \$100,
 412 in addition to the renewal fee and any other fees required by
 413 law.

414 (6)~~(5)~~ FINES; SUSPENSION OR REVOCATION OF LICENSES;
 415 PROCEDURE.—

416 (a) The department may impose fines against the
 417 establishment or operator regulated under this section for
 418 violations of sanitary standards, in accordance with s.
 419 381.0061. All amounts collected shall be deposited to the credit
 420 of the County Health Department Trust Fund administered by the
 421 department.

422 (b) The department may suspend or revoke the license of an
 423 institutional food service establishment or a public any food
 424 service establishment licensed under this section that has
 425 operated or is operating in violation of any of the provisions
 426 of this section or the rules adopted thereunder under this
 427 section. Such institutional food service establishment or public
 428 food service establishment must shall remain closed when its
 429 license is suspended or revoked.

430 (c) The department may suspend or revoke the license of an
 431 institutional food service establishment or a public any food
 432 service establishment licensed under this section if when such
 433 establishment has been deemed by the department to be an
 434 imminent danger to the public public's health due to its for
 435 failure to meet sanitation ~~standards~~ or other applicable

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436 regulatory standards.

437 (d) The department may require a public food service
438 establishment licensee to pay a fine not to exceed \$1,000 per
439 offense and complete, at personal expense, a remedial
440 educational program administered by a food safety training
441 program provider approved by the department, as provided in s.
442 509.049 for repeat violations during inspections.

443 (e) ~~(d)~~ A No license may not shall be suspended under this
444 section for a period of more than 12 months. At the end of such
445 period of suspension, the establishment may apply for
446 reinstatement or renewal of the license. An institutional food
447 service establishment or a public food service establishment
448 that ~~which~~ has had its license revoked may not apply for another
449 license for that location before ~~prior to~~ the date on which the
450 revoked license would have expired. The department shall post a
451 prominent closed-for-operation sign on any public food service
452 establishment whose license has been suspended or revoked. The
453 department shall also post such sign on any establishment
454 judicially or administratively determined to be operating
455 without a license. It is a misdemeanor of the second degree,
456 punishable as provided in s. 775.082 or s. 775.083, for any
457 person to deface or remove such closed-for-operation sign or for
458 a public food service establishment to open for operation
459 without a license or to open for operation while its license is
460 suspended or revoked. The department may impose administrative
461 sanctions for violations of this section.

462 (f) The department may fine, suspend, or revoke the license
463 of any public food service establishment if the operator
464 knowingly lets, leases, or gives space for unlawful gambling

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465 purposes or permits unlawful gambling in such establishment or
466 in or upon any premises that are used in connection with, and
467 are under the same charge, control, or management as, such
468 establishment.

469 (g) The department may fine, suspend, or revoke the license
470 of any public food service establishment when:

471 1. A person with a direct financial interest in the
472 licensed establishment, within the preceding 5 years in this or
473 any other state or the United States, has been adjudicated
474 guilty of or forfeited a bond when charged with soliciting for
475 prostitution, pandering, letting premises for prostitution,
476 keeping a disorderly place, illegally dealing in controlled
477 substances as defined in chapter 893, or any other crime
478 reflecting on professional character.

479 2. Such establishment has been deemed an imminent danger to
480 the public health and safety by the department or local health
481 authority for failure to meet sanitation standards or the
482 premises have been determined by the department or local
483 authority to be unsafe or unfit for human occupancy.

484 (7)-(6) IMMIDENT DANGERS; STOP-SALE ORDERS.-

485 (a) In the course of epidemiological investigations or in
486 the regulation of ~~for those establishments licensed regulated by~~
487 ~~the department~~ under this chapter, the department, to protect
488 the public from food that is unwholesome or otherwise unfit for
489 human consumption, may examine, sample, seize, and stop the sale
490 or use of food to determine its condition. The department may
491 stop the sale and supervise the proper destruction of food when
492 the State Health Officer or his or her designee determines that
493 such food represents a threat to the public health.

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494 (b) The department may determine that an institutional food
495 service establishment or a public food service establishment
496 regulated under this section presents ~~is~~ an imminent danger to
497 the public health and require its immediate closure if it ~~when~~
498 ~~such establishment~~ fails to comply with applicable sanitary and
499 safety standards and, because of such failure, presents an
500 imminent threat to the public ~~public's~~ health, safety, and
501 welfare. The department may accept inspection results from state
502 and local building and firesafety officials and other regulatory
503 agencies as justification for such actions. A ~~Any~~ facility ~~so~~
504 ~~deemed and~~ closed under this paragraph shall remain closed until
505 allowed by the department or ~~by~~ judicial order to reopen.

506 (8) ~~(7)~~ MISREPRESENTING FOOD OR FOOD PRODUCTS.—The ~~No~~
507 operator of an institutional food service establishment or a
508 public ~~any~~ food service establishment regulated under this
509 section may not ~~shall~~ knowingly and willfully misrepresent the
510 identity of any food or food product to ~~any of the patrons of~~
511 ~~such establishment~~. Food used by food establishments shall be
512 identified, labeled, and advertised in accordance with ~~the~~
513 ~~provisions of~~ chapter 500.

514 Section 5. Paragraph (a) of subsection (2) of section
515 381.0101, Florida Statutes, is amended to read:

516 381.0101 Environmental health professionals.—

517 (2) CERTIFICATION REQUIRED.—A person may not perform
518 environmental health or sanitary evaluations in any primary
519 program area of environmental health without being certified by
520 the department as competent to perform such evaluations. This
521 section does not apply to:

522 (a) Persons performing inspections of public food service

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523 establishments licensed under chapter 381 509; or

524 Section 6. Paragraph (j) of subsection (1) of section
525 450.061, Florida Statutes, is amended to read:

526 450.061 Hazardous occupations prohibited; exemptions.—

527 (1) No minor 15 years of age or younger, whether or not
528 such person's disabilities of nonage have been removed by
529 marriage or otherwise, shall be employed or permitted or
530 suffered to work in any of the following occupations:

531 (j) Work in freezers or meat coolers and all work in
532 preparation of meats for sale, except wrapping, sealing,
533 labeling, weighing, pricing, and stocking when performed in
534 another area. This does shall not prohibit work done in the
535 normal operations of a food service establishment facility
536 licensed by chapter 381 509.

537 Section 7. Section 509.032, Florida Statutes, is amended to
538 read:

539 509.032 Duties.—

540 (1) GENERAL.—The division shall perform its duties under
541 ~~carry out all of the provisions of~~ this chapter and all other
542 applicable laws and rules adopted relating to the inspection or
543 regulation of public lodging establishments ~~and public food~~
544 ~~service establishments~~ for the purpose of safeguarding the
545 public health, safety, and welfare. The division shall be
546 responsible for ascertaining that an operator licensed under
547 this chapter does not engage in ~~any~~ misleading advertising or
548 unethical practices.

549 (2) INSPECTION OF PREMISES.—

550 (a) The division has responsibility and jurisdiction for
551 ~~all~~ inspections conducted under ~~required by~~ this chapter. The

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552 division has responsibility for quality assurance. Each licensed
553 establishment shall be inspected at least biannually, except for
554 transient and nontransient apartments, which shall be inspected
555 at least annually, and shall be inspected at such other times as
556 the division determines is necessary to ensure the public
557 ~~public's~~ health, safety, and welfare. The division shall
558 establish a system to determine inspection frequency. Public
559 lodging units classified as vacation rentals are exempt from ~~not~~
560 ~~subject to~~ this requirement but shall be made available to the
561 division upon request. If, during the inspection of a public
562 lodging establishment ~~classified for renting to transient or~~
563 ~~nontransient tenants~~, an inspector identifies vulnerable adults
564 who appear to be victims of neglect, as defined in s. 415.102,
565 or, in the case of a building that is not equipped with
566 automatic sprinkler systems, tenants or clients who may be
567 unable to self-preserve in an emergency, the division shall
568 convene meetings to develop a plan that improves the prospects
569 for safety of affected residents and, if necessary, identifies
570 alternative living arrangements, such as facilities licensed
571 under part II of chapter 400 or under chapter 429. The meetings
572 shall involve ~~with~~ the following agencies as appropriate to the
573 individual situation: the Department of Health, the Department
574 of Elderly Affairs, the area agency on aging, the local fire
575 marshal, the landlord and affected tenants and clients, and
576 other relevant organizations, ~~to develop a plan which improves~~
577 ~~the prospects for safety of affected residents and, if~~
578 ~~necessary, identifies alternative living arrangements such as~~
579 ~~facilities licensed under part II of chapter 400 or under~~
580 ~~chapter 429.~~

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581 (b) For purposes of performing required inspections and the
582 enforcement of this chapter, the division has the right of entry
583 and access to public lodging establishments and ~~public food~~
584 ~~service establishments~~ at any reasonable time.

585 ~~(c) Public food service establishment inspections shall be~~
586 ~~conducted to enforce provisions of this part and to educate,~~
587 ~~inform, and promote cooperation between the division and the~~
588 ~~establishment.~~

589 (c) ~~(d)~~ The division shall adopt and enforce sanitation
590 rules consistent with law to ensure the protection of the public
591 from food borne illness in those establishments licensed under
592 this chapter. These rules shall provide the standards and
593 requirements for obtaining, storing, preparing, processing,
594 serving, or displaying food in public food service
595 establishments, approving public food service establishment
596 facility plans, conducting necessary public food service
597 establishment inspections for compliance with sanitation
598 regulations, cooperating and coordinating with the Department of
599 Health in epidemiological investigations, and initiating
600 enforcement actions, and for other such responsibilities deemed
601 necessary by the division. The division may not establish by
602 rule any regulation governing the design, construction,
603 erection, alteration, modification, repair, or demolition of any
604 public lodging ~~or public food service establishment~~. It is the
605 intent of the Legislature to preempt that function to the
606 Florida Building Commission and the State Fire Marshal through
607 adoption and maintenance of the Florida Building Code and the
608 Florida Fire Prevention Code. The division shall provide
609 technical assistance to the commission in updating the

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610 construction standards of the Florida Building Code which govern
611 public lodging ~~and public food service establishments~~. Further,
612 the division shall enforce the provisions of the Florida
613 Building Code which apply to public lodging ~~and public food~~
614 ~~service establishments~~ in conducting any inspections authorized
615 under ~~by~~ this part. The division, or its agent, shall notify the
616 local firesafety authority or the State Fire Marshal of any
617 readily observable violation of a rule adopted under chapter 633
618 which relates to public lodging establishments ~~or public food~~
619 ~~establishments~~, and the identification of such violation does
620 not require ~~any~~ firesafety inspection certification.

621 (d) ~~(e)~~ 1. Relating to facility plan approvals, the division
622 may establish, by rule, fees for conducting plan reviews and may
623 grant variances from construction standards in hardship cases, ~~7~~
624 which are ~~variances may be~~ less restrictive than those ~~the~~
625 ~~provisions~~ specified in this section or the rules adopted
626 thereunder ~~under this section~~. A variance may not be granted
627 pursuant to this section until the division is satisfied that:

628 a. The variance will ~~shall~~ not adversely affect the health
629 of the public.

630 b. No reasonable alternative to the required construction
631 exists.

632 c. The hardship was not caused intentionally by the action
633 of the applicant.

634 2. The division's advisory council shall review
635 applications for variances and recommend agency action. The
636 division shall ~~make arrangements to~~ expedite emergency requests
637 for variances, ~~7~~ to ensure that such requests are acted upon
638 within 30 days of receipt.

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639 3. The division shall establish, by rule, a fee for the
640 cost of the variance process. Such fee may ~~shall~~ not exceed \$150
641 for routine variance requests and \$300 for emergency variance
642 requests.

643 (e) ~~(f)~~ In conducting inspections of establishments licensed
644 under this chapter, the division shall determine whether ~~if~~ each
645 coin-operated amusement machine that is operated on the premises
646 of a licensed establishment is properly registered with the
647 Department of Revenue. Each month the division shall report to
648 the Department of Revenue the sales tax registration number of
649 the operator of any licensed establishment that has on location
650 a coin-operated amusement machine and that does not have an
651 identifying certificate conspicuously displayed as required by
652 s. 212.05(1)(h).

653 ~~(g) In inspecting public food service establishments, the~~
654 ~~department shall provide each inspected establishment with the~~
655 ~~food recovery brochure developed under s. 570.0725.~~

656 (3) SANITARY STANDARDS; EMERGENCIES; ~~TEMPORARY FOOD SERVICE~~
657 ~~EVENTS.~~—The division shall:

658 ~~(a) Prescribe sanitary standards which shall be enforced in~~
659 ~~public food service establishments.~~

660 ~~(b) inspect public lodging establishments and public food~~
661 ~~service establishments whenever necessary to respond to an~~
662 emergency or epidemiological condition.

663 ~~(c) Administer a public notification process for temporary~~
664 ~~food service events and distribute educational materials that~~
665 ~~address safe food storage, preparation, and service procedures.~~

666 ~~1. Sponsors of temporary food service events shall notify~~
667 ~~the division not less than 3 days prior to the scheduled event~~

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668 ~~of the type of food service proposed, the time and location of~~
669 ~~the event, a complete list of food service vendors participating~~
670 ~~in the event, the number of individual food service facilities~~
671 ~~each vendor will operate at the event, and the identification~~
672 ~~number of each food service vendor's current license as a public~~
673 ~~food service establishment or temporary food service event~~
674 ~~licensee. Notification may be completed orally, by telephone, in~~
675 ~~person, or in writing. A public food service establishment or~~
676 ~~food service vendor may not use this notification process to~~
677 ~~circumvent the license requirements of this chapter.~~

678 ~~2. The division shall keep a record of all notifications~~
679 ~~received for proposed temporary food service events and shall~~
680 ~~provide appropriate educational materials to the event sponsors,~~
681 ~~including the food recovery brochure developed under s.~~
682 ~~570.0725.~~

683 ~~3.a. A public food service establishment or other food~~
684 ~~service vendor must obtain one of the following classes of~~
685 ~~license from the division: an individual license, for a fee of~~
686 ~~no more than \$105, for each temporary food service event in~~
687 ~~which it participates; or an annual license, for a fee of no~~
688 ~~more than \$1,000, that entitles the licensee to participate in~~
689 ~~an unlimited number of food service events during the license~~
690 ~~period. The division shall establish license fees, by rule, and~~
691 ~~may limit the number of food service facilities a licensee may~~
692 ~~operate at a particular temporary food service event under a~~
693 ~~single license.~~

694 ~~b. Public food service establishments holding current~~
695 ~~licenses from the division may operate under the regulations of~~
696 ~~such a license at temporary food service events of 3 days or~~

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697 ~~less in duration.~~

698 ~~(4) STOP SALE ORDERS. The division may stop the sale, and~~
699 ~~supervise the proper destruction, of any food or food product~~
700 ~~when the director or the director's designee determines that~~
701 ~~such food or food product represents a threat to the public~~
702 ~~safety or welfare. If the operator of a public food service~~
703 ~~establishment licensed under this chapter has received official~~
704 ~~notification from a health authority that a food or food product~~
705 ~~from that establishment has potentially contributed to any~~
706 ~~instance or outbreak of food-borne illness, the food or food~~
707 ~~product must be maintained in safe storage in the establishment~~
708 ~~until the responsible health authority has examined, sampled,~~
709 ~~seized, or requested destruction of the food or food product.~~

710 ~~(4)~~(5) REPORTS REQUIRED.—The division shall submit annually
711 to the Governor, the President of the Senate, the Speaker of the
712 House of Representatives, and the chairs of the legislative
713 appropriations committees a report, which must include ~~shall~~
714 ~~state, but need not be limited to,~~ the total number of active
715 public lodging and ~~public food service~~ licenses in the state,
716 the total number of inspections of such ~~these~~ establishments
717 conducted by the division to ensure the enforcement of sanitary
718 standards, the total number of inspections conducted in response
719 to emergency or epidemiological conditions, the number of
720 violations of each sanitary standard, the total number of
721 inspections conducted to meet the statutorily required number of
722 inspections, and any recommendations for improved inspection
723 procedures. The division shall also keep accurate account of all
724 expenses arising out of the performance of its duties and ~~all~~
725 fees collected under this chapter. The report shall be submitted

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726 by September 30 following the end of the fiscal year.

727 (5)~~(6)~~ RULEMAKING AUTHORITY.—The division shall adopt such
728 rules as are necessary to administer ~~carry out the provisions of~~
729 this chapter.

730 (6)~~(7)~~ PREEMPTION AUTHORITY.—

731 (a) The regulation of public lodging establishments ~~and~~
732 ~~public food service establishments~~, including, but not limited
733 to, sanitation standards, inspections, and training and testing
734 of personnel, ~~and matters related to the nutritional content and~~
735 ~~marketing of foods offered in such establishments~~, is preempted
736 to the state. This paragraph does not preempt the authority of a
737 local government or local enforcement district to conduct
738 inspections of public lodging ~~and public food service~~
739 ~~establishments~~ for compliance with the Florida Building Code and
740 the Florida Fire Prevention Code under, ~~pursuant to~~ ss. 553.80
741 and 633.206.

742 (b) A local law, ordinance, or regulation may not restrict
743 the use of vacation rentals, prohibit vacation rentals, or
744 regulate vacation rentals based solely on their classification,
745 use, or occupancy. This paragraph does not apply to any local
746 law, ordinance, or regulation adopted on or before June 1, 2011.

747 (c) Paragraph (b) does not apply to any local law,
748 ordinance, or regulation exclusively relating to property
749 valuation as a criterion for vacation rental if the local law,
750 ordinance, or regulation is required to be approved by the state
751 land planning agency pursuant to an area of critical state
752 concern designation.

753 Section 8. Section 509.101, Florida Statutes, is amended to
754 read:

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755 509.101 Establishment rules; posting of notice; ~~food~~
756 ~~service inspection report~~; maintenance of guest register; ~~mobile~~
757 ~~food dispensing vehicle registry.~~-

758 (1) Any operator of a public lodging establishment ~~or a~~
759 ~~public food service establishment~~ may establish reasonable rules
760 ~~and regulations~~ for the management of the establishment and its
761 guests and employees; and each guest or employee staying,
762 sojourning, eating, or employed in the establishment must ~~shall~~
763 conform to and abide by such rules and regulations ~~so long as~~
764 ~~the guest or employee remains in or at the establishment.~~ Such
765 rules ~~and regulations~~ shall be deemed ~~to be~~ a special contract
766 between the operator and each guest or employee using the
767 services or facilities of the operator. ~~Such rules and~~
768 ~~regulations~~ shall control the liabilities, responsibilities, and
769 obligations of all parties. Any rules ~~or regulations~~ established
770 pursuant to this section must ~~shall~~ be ~~printed~~ in the English
771 language and posted in a prominent place within the ~~such public~~
772 ~~lodging establishment or public food service establishment.~~ In
773 addition, ~~any operator of a public food service establishment~~
774 ~~shall maintain the latest food service inspection report or a~~
775 ~~duplicate copy on premises and shall make it available to the~~
776 ~~public upon request.~~

777 (2) It is the duty of each operator of a transient
778 establishment to maintain ~~at all times~~ a register, signed by or
779 for guests who occupy rental units within the establishment,
780 showing the dates upon which the rental units were occupied by
781 such guests and the rates charged for their occupancy. This
782 register shall be ~~maintained~~ in chronological order and
783 available for inspection by the division at any time. Operators

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784 need not make available registers that ~~which~~ are more than 2
785 years old.

786 ~~(3) It is the duty of each operator of a public food~~
787 ~~service establishment that provides commissary services to~~
788 ~~maintain a daily registry verifying that each mobile food~~
789 ~~dispensing vehicle that receives such services is properly~~
790 ~~licensed by the division. In order that such licensure may be~~
791 ~~readily verified, each mobile food dispensing vehicle operator~~
792 ~~shall permanently affix in a prominent place on the side of the~~
793 ~~vehicle, in figures at least 2 inches high and in contrasting~~
794 ~~colors from the background, the operator's public food service~~
795 ~~establishment license number. Prior to providing commissary~~
796 ~~services, each public food service establishment must verify~~
797 ~~that the license number displayed on the vehicle matches the~~
798 ~~number on the vehicle operator's public food service~~
799 ~~establishment license.~~

800 Section 9. Section 509.241, Florida Statutes, is amended to
801 read:

802 509.241 Licenses required; exceptions.—

803 (1) LICENSES; ANNUAL RENEWALS.—Each public lodging
804 establishment ~~and public food service establishment~~ shall obtain
805 a license from the division. Such license may not be transferred
806 from one place or individual to another. It shall be a
807 misdemeanor of the second degree, punishable as provided in s.
808 775.082 or s. 775.083, for such an establishment to operate
809 without a license. Local law enforcement shall provide immediate
810 assistance in pursuing an illegally operating establishment. The
811 division may refuse a license, or a renewal thereof, to any
812 establishment that is not constructed and maintained in

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813 accordance with law and with the rules of the division. The
814 division may refuse to issue a license to, or renew a license
815 of, an a renewal thereof, to any establishment, the an operator
816 of which, within the preceding 5 years, has been adjudicated
817 guilty of, or has forfeited a bond when charged with, any crime
818 reflecting on professional character, including soliciting for
819 prostitution, pandering, letting premises for prostitution,
820 keeping a disorderly place, or illegally dealing in controlled
821 substances as defined in chapter 893, whether in this state or
822 in any other jurisdiction within the United States, or has had a
823 license denied, revoked, or suspended pursuant to s. 429.14.
824 Licenses shall be renewed annually on a staggered schedule
825 adopted by agency rule, and the division shall adopt a rule
826 ~~establishing a staggered schedule for license renewals~~. If any
827 license expires while administrative charges are pending against
828 the license, the proceedings against the license shall continue
829 to conclusion as if the license were still in effect.

830 (2) APPLICATION FOR LICENSE.—Each person who plans to open
831 a public lodging establishment ~~or a public food service~~
832 ~~establishment~~ shall apply for and receive a license from the
833 division before ~~prior to~~ the commencement of operation. A
834 condominium association, as defined in s. 718.103, which does
835 not own any units classified as vacation rentals under s.
836 509.242(1)(c) is not required to apply for or receive a public
837 lodging establishment license.

838 (3) DISPLAY OF LICENSE.—A ~~Any~~ license issued by the
839 division shall be conspicuously displayed in the office or lobby
840 of the licensed establishment. ~~Public food service~~
841 ~~establishments which offer catering services shall display their~~

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842 ~~license number on all advertising for catering services.~~

843 Section 10. Subsections (2) and (4) of section 509.251,
844 Florida Statutes, are amended to read:

845 509.251 License fees.—

846 ~~(2) The division shall adopt, by rule, a schedule of fees~~
847 ~~to be paid by each public food service establishment as a~~
848 ~~prerequisite to issuance or renewal of a license. The fee~~
849 ~~schedule shall prescribe a basic fee and additional fees based~~
850 ~~on seating capacity and services offered. The aggregate fee per~~
851 ~~establishment charged any public food service establishment may~~
852 ~~not exceed \$400; however, the fees described in paragraphs (a)~~
853 ~~and (b) may not be included as part of the aggregate fee subject~~
854 ~~to this cap. The fee schedule shall require an establishment~~
855 ~~which applies for an initial license to pay the full license fee~~
856 ~~if application is made during the annual renewal period or more~~
857 ~~than 6 months prior to the next such renewal period and one-half~~
858 ~~of the fee if application is made 6 months or less prior to such~~
859 ~~period. The fee schedule shall include fees collected for the~~
860 ~~purpose of funding the Hospitality Education Program, pursuant~~
861 ~~to s. 509.302, which are payable in full for each application~~
862 ~~regardless of when the application is submitted.~~

863 ~~(a) Upon making initial application or an application for~~
864 ~~change of ownership, the applicant shall pay to the division a~~
865 ~~fee as prescribed by rule, not to exceed \$50, in addition to any~~
866 ~~other fees required by law, which shall cover all costs~~
867 ~~associated with initiating regulation of the establishment.~~

868 ~~(b) A license renewal filed with the division within 30~~
869 ~~days after the expiration date shall be accompanied by a~~
870 ~~delinquent fee as prescribed by rule, not to exceed \$50, in~~

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871 ~~addition to the renewal fee and any other fees required by law.~~
872 ~~A license renewal filed with the division more than 30 but not~~
873 ~~more than 60 days after the expiration date shall be accompanied~~
874 ~~by a delinquent fee as prescribed by rule, not to exceed \$100,~~
875 ~~in addition to the renewal fee and any other fees required by~~
876 ~~law.~~

877 ~~(4) The actual costs associated with each epidemiological~~
878 ~~investigation conducted by the Department of Health in public~~
879 ~~food service establishments licensed pursuant to this chapter~~
880 ~~shall be accounted for and submitted to the division annually.~~
881 ~~The division shall journal transfer the total of all such~~
882 ~~amounts from the Hotel and Restaurant Trust Fund to the~~
883 ~~Department of Health annually; however, the total amount of such~~
884 ~~transfer may not exceed an amount equal to 5 percent of the~~
885 ~~annual public food service establishment licensure fees received~~
886 ~~by the division.~~

887 Section 11. Section 509.261, Florida Statutes, is amended
888 to read:

889 509.261 Revocation or suspension of licenses; fines;
890 procedure.—

891 (1) The department may suspend or revoke the license of or
892 refuse to issue a license pursuant to this chapter to a ~~Any~~
893 public lodging establishment ~~or public food service~~
894 establishment that has operated or is operating in violation of
895 this chapter or division rule or that is ~~the rules of the~~
896 division, operating without a license, or ~~operating~~ with a
897 suspended or revoked license. Such licensee may be required
898 subject by the division to:

899 (a) Pay fines not to exceed \$1,000 per offense; and

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900 (b) Complete ~~Mandatory completion~~, at personal expense, ~~of~~
901 a remedial educational program administered by a food safety
902 training program provider approved by the division, as provided
903 in s. 509.049; ~~and~~

904 ~~(c) The suspension, revocation, or refusal of a license~~
905 ~~issued pursuant to this chapter.~~

906 (2) For the purposes of this section, the division may
907 regard as a separate offense each day or portion of a day on
908 which an establishment is operated in violation of a "critical
909 law or rule," as that term is defined by rule.

910 (3) The division shall post a prominent closed-for-
911 operation sign on any public lodging establishment ~~or public~~
912 ~~food service establishment~~, the license of which has been
913 suspended or revoked. The division shall also post such sign on
914 any establishment judicially or administratively determined to
915 be operating without a license. It is a misdemeanor of the
916 second degree, punishable as provided in s. 775.082 or s.
917 775.083, for any person to deface or remove such closed-for-
918 operation sign or for any public lodging establishment ~~or public~~
919 ~~food service establishment~~ to open for operation without a
920 license or ~~to open for operation~~ while its license is suspended
921 or revoked. The division may impose administrative sanctions for
922 violations of this section.

923 (4) All funds received by the division as satisfaction for
924 administrative fines shall be paid into the State Treasury to
925 the credit of the Hotel and Restaurant Trust Fund and may not
926 ~~subsequently~~ be paid out of the trust fund ~~used~~ for payment to
927 an ~~any~~ entity performing required inspections under contract
928 with the division. Administrative fines may be used to support

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929 division programs pursuant to s. 509.302(1).

930 (5) (a) A license may not be suspended under this section
931 for a period of more than 12 months. When the suspension expires
932 ~~At the end of such period of suspension,~~ the establishment may
933 apply for reinstatement or renewal of the license. A public
934 lodging establishment ~~or public food service establishment,~~ the
935 license of which is revoked, may not apply for another license
936 for that location before ~~prior to~~ the date on which the revoked
937 license would have expired.

938 (b) The division may fine, suspend, or revoke the license
939 of any public lodging establishment ~~or public food service~~
940 ~~establishment~~ if the operator knowingly lets, leases, or gives
941 space for unlawful gambling purposes or permits unlawful
942 gambling in such establishment or in or upon any premises that
943 ~~which~~ are used in connection with, and are under the same
944 charge, control, or management as, such establishment.

945 (6) The division may fine, suspend, or revoke the license
946 of any public lodging establishment if ~~or public food service~~
947 ~~establishment when:~~

948 (a) A ~~Any~~ person with a direct financial interest in the
949 licensed establishment, within the preceding 5 years in this or
950 any other state, ~~any other state, or the United States,~~ has been
951 adjudicated guilty of or forfeited a bond when charged with
952 soliciting for prostitution, pandering, letting premises for
953 prostitution, keeping a disorderly place, illegally dealing in
954 controlled substances as defined in chapter 893, or any other
955 crime reflecting on professional character.

956 (b) Such establishment has been deemed an imminent danger
957 to the public health and safety by the division or local health

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958 authority for failure to meet sanitation standards or the
959 premises have been determined by the division or local authority
960 to be unsafe or unfit for human occupancy.

961 (7) Except at the discretion of the division director, a
962 person may not be issued ~~is not entitled to the issuance of a~~
963 license to operate a ~~for any~~ public lodging establishment if ~~or~~
964 ~~public food service establishment except in the discretion of~~
965 ~~the director when~~ the division has notified the current
966 licenseholder ~~for such premises~~ that administrative proceedings
967 have been or will be brought against the ~~such~~ current licensee
968 for a violation of ~~any provision of~~ this chapter or division
969 ~~rule of the division.~~

970 (8) The division may fine, suspend, or revoke the license
971 of any public lodging establishment if ~~or public food service~~
972 ~~establishment when~~ the establishment is not in compliance with
973 the requirements of a final order or other administrative action
974 issued against the licensee by the division.

975 (9) The division may refuse to issue or renew the license
976 of any public lodging establishment ~~or public food service~~
977 ~~establishment~~ until all outstanding fines are paid in full to
978 the division as required by ~~all~~ final orders or other
979 administrative action issued against the licensee by the
980 division.

981 Section 12. Paragraph (d) of subsection (1) of section
982 768.136, Florida Statutes, is amended to read:

983 768.136 Liability for canned or perishable food distributed
984 free of charge.—

985 (1) As used in this section:

986 (d) "Perishable food" means ~~any~~ food that may spoil or

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987 otherwise become unfit for human consumption because of its
988 nature, type, or physical condition. The term ~~"Perishable food"~~
989 includes, but is not limited to, fresh or processed meats,
990 poultry, seafood, dairy products, bakery products, eggs in the
991 shell, fresh fruits or vegetables, and foods that have been
992 noncommercially packaged, that have been frozen or otherwise
993 require refrigeration to remain nonperishable for a reasonable
994 length of time, or that have been prepared at a public food
995 service establishment licensed under chapter 381 ~~509~~.

996 Section 13. Section 509.036, Florida Statutes, is repealed.

997 Section 14. This act shall take effect July 1, 2014.

998