

By the Committees on Appropriations; and Commerce and Tourism;
and Senator Richter

576-04263-15

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1 A bill to be entitled
2 An act relating to the Department of Agriculture and
3 Consumer Services; amending s. 472.015, F.S.; waiving
4 the initial land surveying and mapping license fee for
5 certain veterans of the United States Armed Forces,
6 the spouses of such veterans, or a business entity
7 that has a majority ownership held by such a veteran
8 or spouse; amending s. 493.6105, F.S.; requiring that
9 the initial license application for private
10 investigative, private security, and repossession
11 services include payment of fingerprint processing and
12 fingerprint retention fees; amending s. 493.6106,
13 F.S.; deleting a requirement for additional
14 documentation establishing state residency for private
15 investigative, private security, and repossession
16 service licenses; amending s. 493.6108, F.S.;
17 directing the Department of Law Enforcement to retain
18 fingerprints submitted for private investigative,
19 private security, and repossession service licenses,
20 to enter such fingerprints into the statewide
21 automated biometric identification system and the
22 national retained print arrest notification program,
23 and to report any arrest record information to the
24 Department of Agriculture and Consumer Services;
25 directing the Department of Agriculture and Consumer
26 Services to provide information about an arrest within
27 the state to the agency that employs the licensee;
28 amending s. 493.6113, F.S.; requiring a person holding
29 a private investigative, private security, or

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30 repossession service license issued before a certain
31 date to submit upon first renewal of the license a
32 full set of fingerprints and a fingerprint processing
33 fee to cover the cost of entering the fingerprints in
34 the statewide automated biometric identification
35 system; amending ss. 493.6115 and 493.6118, F.S.;
36 conforming cross-references; amending s. 501.015,
37 F.S.; waiving the initial health studio registration
38 fee for certain veterans of the United States Armed
39 Forces, the spouses of such veterans, or a business
40 entity that has a majority ownership held by such a
41 veteran or spouse; amending s. 501.605, F.S.;
42 prohibiting the use of a mail drop as a street address
43 for the principal location of a commercial telephone
44 seller; amending s. 501.607, F.S.; waiving the initial
45 salesperson license fees for certain veterans of the
46 United States Armed Forces, the spouses of such
47 veterans, or a business entity that has a majority
48 ownership held by such a veteran or spouse; amending
49 s. 507.03, F.S.; waiving the initial registration fee
50 for an intrastate movers license for certain veterans
51 of the United States Armed Forces, the spouses of such
52 veterans, or a business entity that has a majority
53 ownership held by such a veteran or spouse; amending
54 s. 527.02, F.S.; waiving the original liquefied
55 petroleum gas dealer license fee for certain veterans
56 of the United States Armed Forces, the spouses of such
57 veterans, or a business entity that has a majority
58 ownership held by such a veteran or spouse; amending

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59 s. 539.001, F.S.; waiving the initial pawnbroker
60 license fee for certain veterans of the United States
61 Armed Forces, the spouses of such veterans, or a
62 business entity that has a majority ownership held by
63 such a veteran or spouse; amending s. 559.904, F.S.;
64 waiving the initial motor vehicle repair shop
65 registration fee for certain veterans of the United
66 States Armed Forces, the spouses of such veterans, or
67 a business entity that has a majority ownership held
68 by such a veteran or spouse; amending s. 559.928,
69 F.S.; waiving the initial seller of travel
70 registration fee for certain veterans of the United
71 States Armed Forces, the spouses of such veterans, or
72 a business entity that has a majority ownership held
73 by such a veteran or spouse; creating s. 570.695,
74 F.S.; authorizing the department to issue Florida
75 veteran identification cards; providing eligibility,
76 application, and fee requirements; requiring that fee
77 proceeds be deposited into the Division of Licensing
78 Trust Fund; providing an appropriation and authorizing
79 a position; amending s. 616.242, F.S.; deleting an
80 obsolete provision allowing fair owners to post a bond
81 rather than carry a certificate of insurance;
82 exempting water-related amusement rides operated by
83 lodging and food service establishments and membership
84 campgrounds, amusement rides at private, membership-
85 only facilities, and nonprofit permanent facilities
86 from certain safety standards; authorizing owners or
87 managers of amusement rides to use alternate forms to

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88 record employee training and ride inspections;
89 amending s. 790.06, F.S.; requiring firearm course
90 instructors to maintain records attesting to the use
91 of live fire with specified firearms and ammunition by
92 students in his or her physical presence; revising the
93 initial and renewal fees for a concealed weapon or
94 firearm license; providing that the notice of the
95 suspension or revocation of a concealed weapon or
96 firearm license or the suspension of the processing of
97 an application for such license may be given by first-
98 class mail or e-mail if personal service or service by
99 certified mail is ineffective; requiring concealed
100 weapon or firearm license renewals to include an
101 affidavit submitted under oath and under penalty of
102 perjury; amending s. 790.0625, F.S.; authorizing
103 certain tax collector offices, upon approval and
104 confirmation of license issuance by the Department of
105 Agriculture and Consumer Services, to print and
106 deliver concealed weapon or firearm licenses; amending
107 s. 790.15, F.S.; prohibiting the recreational
108 discharge of a firearm in certain residential areas;
109 providing criminal penalties; providing exceptions;
110 providing an effective date.

111
112 Be It Enacted by the Legislature of the State of Florida:

113
114 Section 1. Subsection (3) of section 472.015, Florida
115 Statutes, is amended to read:
116 472.015 Licensure.—

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117 (3) (a) Before the issuance of any license, the department
118 may charge an initial license fee as determined by rule of the
119 board. Upon receipt of the appropriate license fee, except as
120 provided in subsection (6), the department shall issue a license
121 to any person certified by the board, or its designee, as having
122 met the applicable requirements imposed by law or rule. However,
123 an applicant who is not otherwise qualified for licensure is not
124 entitled to licensure solely based on a passing score on a
125 required examination.

126 (b) The department shall waive the initial license fee for
127 an honorably discharged veteran of the United States Armed
128 Forces, the spouse of such a veteran, or a business entity that
129 has a majority ownership held by such a veteran or spouse if the
130 department receives an application, in a format prescribed by
131 the department, within 60 months after the date of the veteran's
132 discharge from any branch of the United States Armed Forces. To
133 qualify for the waiver, a veteran must provide to the department
134 a copy of his or her DD Form 214 or NGB Form 22; the spouse of a
135 veteran must provide to the department a copy of the veteran's
136 DD Form 214 or NGB Form 22 and a copy of a valid marriage
137 license or certificate verifying that he or she was lawfully
138 married to the veteran at the time of discharge; or a business
139 entity must provide to the department proof that a veteran or
140 the spouse of a veteran holds a majority ownership in the
141 business, a copy of the veteran's DD Form 214 or NGB Form 22,
142 and, if applicable, a copy of a valid marriage license or
143 certificate verifying that the spouse of the veteran was
144 lawfully married to the veteran at the time of discharge.

145 Section 2. Paragraph (j) of subsection (3) of section

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146 493.6105, Florida Statutes, is amended to read:

147 493.6105 Initial application for license.—

148 (3) The application must contain the following information
149 concerning the individual signing the application:

150 (j) A full set of fingerprints, a fingerprint processing
151 fee, and a fingerprint retention fee to cover the cost of
152 retaining the fingerprints in the statewide automated biometric
153 identification system pursuant to s. 493.6108(2)(a) and the cost
154 of enrolling the fingerprints in the national retained print
155 arrest notification program when the program is operational and
156 the Department of Law Enforcement begins participation. The
157 fingerprint processing and retention fees shall ~~to~~ be
158 established by rule of the department based upon costs
159 determined by state and federal agency charges and department
160 processing costs. An applicant who has, within the immediately
161 preceding 6 months, submitted such fingerprints and fees ~~fee~~ for
162 licensing purposes under this chapter and who still holds a
163 valid license is not required to submit another set of
164 fingerprints or another fingerprint processing fee. An applicant
165 who holds multiple licenses issued under this chapter is
166 required to pay only a single fingerprint retention fee.

167 Section 3. Paragraph (f) of subsection (1) of section
168 493.6106, Florida Statutes, is amended to read:

169 493.6106 License requirements; posting.—

170 (1) Each individual licensed by the department must:

171 (f) Be a citizen or permanent legal resident alien of the
172 United States or have appropriate authorization issued by the
173 United States Citizenship and Immigration Services of the United
174 States Department of Homeland Security.

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175 1. An applicant for a Class "C," Class "CC," Class "D,"
176 Class "DI," Class "E," Class "EE," Class "M," Class "MA," Class
177 "MB," Class "MR," or Class "RI" license who is not a United
178 States citizen must submit proof of current employment
179 authorization issued by the United States Citizenship and
180 Immigration Services or proof that she or he is deemed a
181 permanent legal resident alien by the United States Citizenship
182 and Immigration Services.

183 2. An applicant for a Class "G" or Class "K" license who is
184 not a United States citizen must submit proof that she or he is
185 deemed a permanent legal resident alien by the United States
186 Citizenship and Immigration Services, ~~together with additional~~
187 ~~documentation establishing that she or he has resided in the~~
188 ~~state of residence shown on the application for at least 90~~
189 ~~consecutive days before the date that the application is~~
190 ~~submitted.~~

191 3. An applicant for an agency or school license who is not
192 a United States citizen or permanent legal resident alien must
193 submit documentation issued by the United States Citizenship and
194 Immigration Services stating that she or he is lawfully in the
195 United States and is authorized to own and operate the type of
196 agency or school for which she or he is applying. An employment
197 authorization card issued by the United States Citizenship and
198 Immigration Services is not sufficient documentation.

199 Section 4. Subsections (2) and (3) of section 493.6108,
200 Florida Statutes, are renumbered as subsections (3) and (4),
201 respectively, and a new subsection (2) is added to that section,
202 to read:

203 493.6108 Investigation of applicants by Department of

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204 Agriculture and Consumer Services.—

205 (2) (a) The Department of Law Enforcement shall retain and
206 enter into the statewide automated biometric identification
207 system authorized under s. 943.05 all fingerprints submitted to
208 the department pursuant to this chapter. The Department of Law
209 Enforcement shall enroll such fingerprints in the national
210 retained print arrest notification program when the program is
211 operational and the Department of Law Enforcement begins
212 participation. Thereafter, the fingerprints shall be available
213 for arrest notifications required by paragraph (b) and all
214 purposes and uses authorized for arrest fingerprints entered
215 into the statewide automated biometric identification system.

216 (b) The Department of Law Enforcement shall search all
217 arrest fingerprints against fingerprints retained pursuant to
218 paragraph (a) and report any arrest record identified by the
219 Department of Law Enforcement or the Federal Bureau of
220 Investigation to the department. If the department receives
221 information about an arrest within the state of a person who
222 holds a valid license issued under this chapter for a crime that
223 could potentially disqualify the person from holding such a
224 license, the department shall provide the arrest information to
225 the agency that employs the licensee.

226 Section 5. Subsection (3) of section 493.6113, Florida
227 Statutes, is amended to read:

228 493.6113 Renewal application for licensure.—

229 (3) (a) Each licensee is responsible for renewing his or her
230 license on or before its expiration by filing with the
231 department an application for renewal accompanied by payment of
232 the renewal fee and the fingerprint retention fee to cover the

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233 cost of ongoing retention in the statewide automated biometric
234 identification system ~~prescribed license fee.~~

235 (b) In addition to the fees specified in paragraph (a), a
236 person holding a valid license issued under this chapter before
237 January 1, 2016, must submit upon first renewal of the license a
238 full set of fingerprints and a fingerprint processing fee to
239 cover the cost of entering the fingerprints into the statewide
240 automated biometric identification system pursuant to s.
241 493.6108(2) (a). Subsequent renewals may be completed without
242 submission of a set of fingerprints.

243 (c) ~~(a)~~ Each Class "B" licensee shall additionally submit on
244 a form prescribed by the department a certification of insurance
245 that evidences that the licensee maintains coverage as required
246 under s. 493.6110.

247 (d) ~~(b)~~ Each Class "G" licensee shall additionally submit
248 proof that he or she has received during each year of the
249 license period a minimum of 4 hours of firearms recertification
250 training taught by a Class "K" licensee and has complied with
251 such other health and training requirements that the department
252 shall adopt by rule. Proof of completion of firearms
253 recertification training shall be submitted to the department
254 upon completion of the training. If the licensee fails to
255 complete the required 4 hours of annual training during the
256 first year of the 2-year term of the license, the license shall
257 be automatically suspended. The licensee must complete the
258 minimum number of hours of range and classroom training required
259 at the time of initial licensure and submit proof of completion
260 of such training to the department before the license may be
261 reinstated. If the licensee fails to complete the required 4

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262 hours of annual training during the second year of the 2-year
263 term of the license, the licensee must complete the minimum
264 number of hours of range and classroom training required at the
265 time of initial licensure and submit proof of completion of such
266 training to the department before the license may be renewed.

267 The department may waive the firearms training requirement if:

268 1. The applicant provides proof that he or she is currently
269 certified as a law enforcement officer or correctional officer
270 under the Criminal Justice Standards and Training Commission and
271 has completed law enforcement firearms requalification training
272 annually during the previous 2 years of the licensure period;

273 2. The applicant provides proof that he or she is currently
274 certified as a federal law enforcement officer and has received
275 law enforcement firearms training administered by a federal law
276 enforcement agency annually during the previous 2 years of the
277 licensure period; or

278 3. The applicant submits a valid firearm certificate among
279 those specified in s. 493.6105(6) (a) and provides proof of
280 having completed requalification training during the previous 2
281 years of the licensure period.

282 (e)~~(e)~~ Each Class "DS" or Class "RS" licensee shall
283 additionally submit the current curriculum, examination, and
284 list of instructors.

285 (f)~~(d)~~ Each Class "K" licensee shall additionally submit
286 one of the certificates specified under s. 493.6105(6) as proof
287 that he or she remains certified to provide firearms
288 instruction.

289 Section 6. Subsection (6) of section 493.6115, Florida
290 Statutes, is amended to read:

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291 493.6115 Weapons and firearms.—

292 (6) In addition to any other firearm approved by the
293 department, a licensee who has been issued a Class "G" license
294 may carry a .38 caliber revolver; or a .380 caliber or 9
295 millimeter semiautomatic pistol; or a .357 caliber revolver with
296 .38 caliber ammunition only; or a .40 caliber handgun; or a .45
297 ACP handgun while performing duties authorized under this
298 chapter. A licensee may not carry more than two firearms upon
299 her or his person when performing her or his duties. A licensee
300 may only carry a firearm of the specific type and caliber with
301 which she or he is qualified pursuant to the firearms training
302 referenced in subsection (8) or s. 493.6113(3)(d)
303 ~~493.6113(3)(b)~~.

304 Section 7. Paragraph (u) of subsection (1) of section
305 493.6118, Florida Statutes, is amended to read:

306 493.6118 Grounds for disciplinary action.—

307 (1) The following constitute grounds for which disciplinary
308 action specified in subsection (2) may be taken by the
309 department against any licensee, agency, or applicant regulated
310 by this chapter, or any unlicensed person engaged in activities
311 regulated under this chapter.

312 (u) For a Class "G" licensee, failing to timely complete
313 recertification training as required in s. 493.6113(3)(d)
314 ~~493.6113(3)(b)~~.

315 Section 8. Subsection (2) of section 501.015, Florida
316 Statutes, is amended to read:

317 501.015 Health studios; registration requirements and
318 fees.—Each health studio shall:

319 (2) Remit an annual registration fee of \$300 to the

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320 department at the time of registration for each of the health
321 studio's business locations. The department shall waive the
322 initial registration fee for an honorably discharged veteran of
323 the United States Armed Forces, the spouse of such a veteran, or
324 a business entity that has a majority ownership held by such a
325 veteran or spouse if the department receives an application, in
326 a format prescribed by the department, within 60 months after
327 the date of the veteran's discharge from any branch of the
328 United States Armed Forces. To qualify for the waiver, a veteran
329 must provide to the department a copy of his or her DD Form 214
330 or NGB Form 22; the spouse of a veteran must provide to the
331 department a copy of the veteran's DD Form 214 or NGB Form 22
332 and a copy of a valid marriage license or certificate verifying
333 that he or she was lawfully married to the veteran at the time
334 of discharge; or a business entity must provide to the
335 department proof that a veteran or the spouse of a veteran holds
336 a majority ownership in the business, a copy of the veteran's DD
337 Form 214 or NGB Form 22, and, if applicable, a copy of a valid
338 marriage license or certificate verifying that the spouse of the
339 veteran was lawfully married to the veteran at the time of
340 discharge.

341 Section 9. Paragraph (j) of subsection (2) and paragraph
342 (b) of subsection (5) of section 501.605, Florida Statutes, are
343 amended to read:

344 501.605 Licensure of commercial telephone sellers.—

345 (2) An applicant for a license as a commercial telephone
346 seller must submit to the department, in such form as it
347 prescribes, a written application for the license. The
348 application must set forth the following information:

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349 (j) The complete street address of each location,
350 designating the principal location, from which the applicant
351 will be doing business. The street address may not be ~~If any~~
352 ~~location is a mail drop, this shall be disclosed as such.~~

353
354 The application shall be accompanied by a copy of any: Script,
355 outline, or presentation the applicant will require or suggest a
356 salesperson to use when soliciting, or, if no such document is
357 used, a statement to that effect; sales information or
358 literature to be provided by the applicant to a salesperson; and
359 sales information or literature to be provided by the applicant
360 to a purchaser in connection with any solicitation.

361 (5) An application filed pursuant to this part must be
362 verified and accompanied by:

363 (b) A fee for licensing in the amount of \$1,500. The fee
364 shall be deposited into the General Inspection Trust Fund. The
365 department shall waive the initial licensing fee for an
366 honorably discharged veteran of the United States Armed Forces,
367 the spouse of such a veteran, or a business entity that has a
368 majority ownership held by such a veteran or spouse if the
369 department receives an application, in a format prescribed by
370 the department, within 60 months after the date of the veteran's
371 discharge from any branch of the United States Armed Forces. To
372 qualify for the waiver, a veteran must provide to the department
373 a copy of his or her DD Form 214 or NGB Form 22; the spouse of a
374 veteran must provide to the department a copy of the veteran's
375 DD Form 214 or NGB Form 22 and a copy of a valid marriage
376 license or certificate verifying that he or she was lawfully
377 married to the veteran at the time of discharge; or a business

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378 entity must provide to the department proof that a veteran or
379 the spouse of a veteran holds a majority ownership in the
380 business, a copy of the veteran's DD Form 214 or NGB Form 22,
381 and, if applicable, a copy of a valid marriage license or
382 certificate verifying that the spouse of the veteran was
383 lawfully married to the veteran at the time of discharge.

384 Section 10. Paragraph (b) of subsection (2) of section
385 501.607, Florida Statutes, is amended to read:

386 501.607 Licensure of salespersons.—

387 (2) An application filed pursuant to this section must be
388 verified and be accompanied by:

389 (b) A fee for licensing in the amount of \$50 per
390 salesperson. The fee shall be deposited into the General
391 Inspection Trust Fund. The fee for licensing may be paid after
392 the application is filed, but must be paid within 14 days after
393 the applicant begins work as a salesperson. The department shall
394 waive the initial licensing fee for an honorably discharged
395 veteran of the United States Armed Forces, the spouse of such a
396 veteran, or a business entity that has a majority ownership held
397 by such a veteran or spouse if the department receives an
398 application, in a format prescribed by the department, within 60
399 months after the date of the veteran's discharge from any branch
400 of the United States Armed Forces. To qualify for the waiver, a
401 veteran must provide to the department a copy of his or her DD
402 Form 214 or NGB Form 22; the spouse of a veteran must provide to
403 the department a copy of the veteran's DD Form 214 or NGB Form
404 22 and a copy of a valid marriage license or certificate
405 verifying that he or she was lawfully married to the veteran at
406 the time of discharge; or a business entity must provide to the

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407 department proof that a veteran or the spouse of a veteran holds
408 a majority ownership in the business, a copy of the veteran's DD
409 Form 214 or NGB Form 22, and, if applicable, a copy of a valid
410 marriage license or certificate verifying that the spouse of the
411 veteran was lawfully married to the veteran at the time of
412 discharge.

413 Section 11. Subsection (3) of section 507.03, Florida
414 Statutes, is amended to read:

415 507.03 Registration.—

416 (3) (a) Registration fees shall be calculated at the rate of
417 \$300 per year per mover or moving broker. All amounts collected
418 shall be deposited by the Chief Financial Officer to the credit
419 of the General Inspection Trust Fund of the department for the
420 sole purpose of administration of this chapter.

421 (b) The department shall waive the initial registration fee
422 for an honorably discharged veteran of the United States Armed
423 Forces, the spouse of such a veteran, or a business entity that
424 has a majority ownership held by such a veteran or spouse if the
425 department receives an application, in a format prescribed by
426 the department, within 60 months after the date of the veteran's
427 discharge from any branch of the United States Armed Forces. To
428 qualify for the waiver, a veteran must provide to the department
429 a copy of his or her DD Form 214 or NGB Form 22; the spouse of a
430 veteran must provide to the department a copy of the veteran's
431 DD Form 214 or NGB Form 22 and a copy of a valid marriage
432 license or certificate verifying that he or she was lawfully
433 married to the veteran at the time of discharge; or a business
434 entity must provide to the department proof that a veteran or
435 the spouse of a veteran holds a majority ownership in the

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436 business, a copy of the veteran's DD Form 214 or NGB Form 22,
437 and, if applicable, a copy of a valid marriage license or
438 certificate verifying that the spouse of the veteran was
439 lawfully married to the veteran at the time of discharge.

440 Section 12. Subsection (3) of section 527.02, Florida
441 Statutes, is amended to read:

442 527.02 License; penalty; fees.—

443 (3) (a) An ~~Any~~ applicant for an original license who submits
444 an ~~whose~~ application ~~is submitted~~ during the last 6 months of
445 the license year may have the original license fee reduced by
446 one-half for the 6-month period. This provision applies ~~shall~~
447 ~~apply~~ only to those companies applying for an original license
448 and may ~~shall~~ not be applied to licensees who held a license
449 during the previous license year and failed to renew the
450 license. The department may refuse to issue an initial license
451 to an ~~any~~ applicant who is under investigation in any
452 jurisdiction for an action that would constitute a violation of
453 this chapter until such time as the investigation is complete.

454 (b) The department shall waive the original license fee for
455 an honorably discharged veteran of the United States Armed
456 Forces, the spouse of such a veteran, or a business entity that
457 has a majority ownership held by such a veteran or spouse if the
458 department receives an application, in a format prescribed by
459 the department, within 60 months after the date of the veteran's
460 discharge from any branch of the United States Armed Forces. To
461 qualify for the waiver, a veteran must provide to the department
462 a copy of his or her DD Form 214 or NGB Form 22; the spouse of a
463 veteran must provide to the department a copy of the veteran's
464 DD Form 214 or NGB Form 22 and a copy of a valid marriage

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465 license or certificate verifying that he or she was lawfully
466 married to the veteran at the time of discharge; or a business
467 entity must provide to the department proof that a veteran or
468 the spouse of a veteran holds a majority ownership in the
469 business, a copy of the veteran's DD Form 214 or NGB Form 22,
470 and, if applicable, a copy of a valid marriage license or
471 certificate verifying that the spouse of the veteran was
472 lawfully married to the veteran at the time of discharge.

473 Section 13. Paragraph (c) of subsection (3) of section
474 539.001, Florida Statutes, is amended to read:

475 539.001 The Florida Pawnbroking Act.—

476 (3) LICENSE REQUIRED.—

477 (c) Each license is valid for a period of 1 year unless it
478 is earlier relinquished, suspended, or revoked. Each license
479 shall be renewed annually, and each licensee shall, initially
480 and annually thereafter, pay to the agency a license fee of \$300
481 for each license held. The agency shall waive the initial
482 license fee for an honorably discharged veteran of the United
483 States Armed Forces, the spouse of such a veteran, or a business
484 entity that has a majority ownership held by such a veteran or
485 spouse if the agency receives an application, in a format
486 prescribed by the agency, within 60 months after the date of the
487 veteran's discharge from any branch of the United States Armed
488 Forces. To qualify for the waiver, a veteran must provide to the
489 department a copy of his or her DD Form 214 or NGB Form 22; the
490 spouse of a veteran must provide to the agency a copy of the
491 veteran's DD Form 214 or NGB Form 22 and a copy of a valid
492 marriage license or certificate verifying that he or she was
493 lawfully married to the veteran at the time of discharge; or a

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494 business entity must provide to the agency proof that a veteran
495 or the spouse of a veteran holds a majority ownership in the
496 business, a copy of the veteran's DD Form 214 or NGB Form 22,
497 and, if applicable, a copy of a valid marriage license or
498 certificate verifying that the spouse of the veteran was
499 lawfully married to the veteran at the time of discharge.

500 Section 14. Subsection (3) of section 559.904, Florida
501 Statutes, is amended to read:

502 559.904 Motor vehicle repair shop registration;
503 application; exemption.—

504 (3) (a) Each application for registration must be
505 accompanied by a registration fee calculated on a per-year basis
506 as follows:

- 507 1. ~~(a)~~ If the place of business has 1 to 5 employees: \$50.
508 2. ~~(b)~~ If the place of business has 6 to 10 employees: \$150.
509 3. ~~(c)~~ If the place of business has 11 or more employees:
510 \$300.

511 (b) The department shall waive the initial registration fee
512 for an honorably discharged veteran of the United States Armed
513 Forces, the spouse of such a veteran, or a business entity that
514 has a majority ownership held by such a veteran or spouse if the
515 department receives an application, in a format prescribed by
516 the department, within 60 months after the date of the veteran's
517 discharge from any branch of the United States Armed Forces. To
518 qualify for the waiver, a veteran must provide to the department
519 a copy of his or her DD Form 214 or NGB Form 22; the spouse of a
520 veteran must provide to the department a copy of the veteran's
521 DD Form 214 or NGB Form 22 and a copy of a valid marriage
522 license or certificate verifying that he or she was lawfully

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523 married to the veteran at the time of discharge; or a business
524 entity must provide to the department proof that a veteran or
525 the spouse of a veteran holds a majority ownership in the
526 business, a copy of the veteran's DD Form 214 or NGB Form 22,
527 and, if applicable, a copy of a valid marriage license or
528 certificate verifying that the spouse of the veteran was
529 lawfully married to the veteran at the time of discharge.

530 Section 15. Paragraph (c) is added to subsection (2) of
531 section 559.928, Florida Statutes, to read:

532 559.928 Registration.—

533 (2)

534 (c) The department shall waive the initial registration fee
535 for an honorably discharged veteran of the United States Armed
536 Forces, the spouse of such a veteran, or a business entity that
537 has a majority ownership held by such a veteran or spouse if the
538 department receives an application, in a format prescribed by
539 the department, within 60 months after the date of the veteran's
540 discharge from any branch of the United States Armed Forces. To
541 qualify for the waiver, a veteran must provide to the department
542 a copy of his or her DD Form 214 or NGB Form 22; the spouse of a
543 veteran must provide to the department a copy of the veteran's
544 DD Form 214 or NGB Form 22 and a copy of a valid marriage
545 license or certificate verifying that he or she was lawfully
546 married to the veteran at the time of discharge; or the business
547 entity must provide to the department proof that a veteran or
548 the spouse of a veteran holds a majority ownership in the
549 business, a copy of the veteran's DD Form 214 or NGB Form 22,
550 and, if applicable, a copy of a valid marriage license or
551 certificate verifying that the spouse of the veteran was

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552 lawfully married to the veteran at the time of discharge.

553 Section 16. Section 570.695, Florida Statutes, is created
554 to read:

555 570.695 Florida veteran identification card.—

556 (1) Beginning January 1, 2016, the department may issue
557 Florida veteran identification cards. Each card must bear a
558 color photograph of the cardholder for verification purposes.

559 (2) The department shall issue a Florida veteran
560 identification card to any applicant who:

561 (a) Is a veteran as defined in s. 1.01(14);

562 (b) Resides in this state;

563 (c) Submits a completed application provided by the
564 department with accompanying documents; and

565 (d) Pays the application fee.

566 (3) The information to be included on the application is
567 limited to the following:

568 (a) Full name, including first, middle or maiden, and last
569 names;

570 (b) Mailing address;

571 (c) Branch of service;

572 (d) Optional contact telephone number or e-mail address;

573 and

574 (e) Florida residency statement.

575 (4) The applicant shall submit the following documents to
576 the department:

577 (a) A completed application signed and verified by the
578 applicant under oath as provided in s. 92.525(2);

579 (b) A copy of the applicant's DD Form 214, DD Form 256, or
580 WD AGO Form, issued by the United States Department of Defense,

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581 which displays the applicant's discharge status. Alternatively,
582 the applicant may provide a copy of his or her valid Florida
583 driver license bearing a capital "V" or "Veteran" designation;
584 and

585 (c) A fullface color photograph of the applicant taken
586 within the preceding 90 days in which the head, including hair,
587 measures 7/8 inches wide and 1-1/8 inches high.

588 (5) The applicant shall submit a fee of \$15 to cover the
589 cost of issuing the identification card, with any balance
590 distributed to Friends of Florida State Forests, Inc., for the
591 sole purpose of supporting the Operation Outdoor Freedom
592 Program.

593 (6) Upon receipt of the fee and the documents listed in
594 subsection (4), the department shall:

595 (a) Issue the Florida veteran identification card; or

596 (b) Return the application as incomplete and allow the
597 applicant to resubmit it. The application fee shall be refunded
598 to an applicant who requests a refund based on the inability to
599 submit a completed application. The department's determination
600 that an application is incomplete is exempt from chapter 120.

601 (7) A Florida veteran identification card does not expire.
602 If the card is lost, a replacement card shall be issued if the
603 applicant meets the requirements of this section.

604 (8) All moneys collected pursuant to this section shall be
605 deposited into the Division of Licensing Trust Fund.
606 Notwithstanding s. 493.6117, moneys collected pursuant to this
607 section shall not revert to the General Revenue Fund. However,
608 this does not abrogate the requirement for payment of the
609 service charge imposed pursuant to chapter 215.

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610 Section 17. For the 2015-2016 fiscal year, the sums of
611 \$114,018 in recurring funds and \$140,282 in nonrecurring funds
612 are appropriated from the Division of Licensing Trust Fund to
613 the Department of Agriculture and Consumer Services, and one
614 full-time equivalent position with associated salary rate of
615 31,109 is authorized, to implement s. 570.695, Florida Statutes,
616 as created by this act.

617 Section 18. Paragraph (b) of subsection (5), paragraph (a)
618 of subsection (10), and subsections (15) and (16) of section
619 616.242, Florida Statutes, are amended to read:

620 616.242 Safety standards for amusement rides.—

621 (5) ANNUAL PERMIT.—

622 (b) To apply for an annual permit, an owner must submit to
623 the department a written application on a form prescribed by
624 rule of the department, which must include the following:

625 1. The legal name, address, and primary place of business
626 of the owner.

627 2. A description, manufacturer's name, serial number, model
628 number and, if previously assigned, the United States Amusement
629 Identification Number of the amusement ride.

630 3. A valid certificate of insurance ~~or bond~~ for each
631 amusement ride.

632 4. An affidavit of compliance that the amusement ride was
633 inspected in person by the affiant and that the amusement ride
634 is in general conformance with the requirements of this section
635 and all applicable rules adopted by the department. The
636 affidavit must be executed by a professional engineer or a
637 qualified inspector at least ~~no earlier than~~ 60 days before, but
638 not later than, the date ~~of the filing of~~ the application is

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639 filed with the department. The owner shall request inspection
640 and permitting of the amusement ride within 60 days after ~~of~~ the
641 date ~~of filing~~ the application is filed with the department. The
642 department shall inspect and permit the amusement ride within 60
643 days after the date ~~filing~~ the application is filed with the
644 department.

645 5. If required by subsection (6), an affidavit of
646 nondestructive testing dated and executed at least ~~no earlier~~
647 ~~than~~ 60 days before ~~prior to~~, but not later than, the date ~~of~~
648 ~~the filing of~~ the application is filed with the department. The
649 owner shall request inspection and permitting of the amusement
650 ride within 60 days after ~~of~~ the date ~~of filing~~ the application
651 is filed with the department. The department shall inspect and
652 permit the amusement ride within 60 days after the date ~~filing~~
653 the application is filed with the department.

654 6. A request for inspection.

655 7. Upon request, the owner shall, at no cost to the
656 department, provide the department a copy of the manufacturer's
657 current recommended operating instructions in the possession of
658 the owner, the owner's operating fact sheet, and any written
659 bulletins in the possession of the owner concerning the safety,
660 operation, or maintenance of the amusement ride.

661 (10) EXEMPTIONS.—

662 (a) This section does not apply to:

663 1. Permanent facilities that employ at least 1,000 full-
664 time employees and that maintain full-time, in-house safety
665 inspectors. Furthermore, the permanent facilities must file an
666 affidavit of the annual inspection with the department, on a
667 form prescribed by rule of the department. Additionally, the

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668 Department of Agriculture and Consumer Services may consult
669 annually with the permanent facilities regarding industry safety
670 programs.

671 2. Any playground operated by a school, local government,
672 or business licensed under chapter 509, if the playground is an
673 incidental amenity and the operating entity is not primarily
674 engaged in providing amusement, pleasure, thrills, or
675 excitement.

676 3. Museums or other institutions principally devoted to the
677 exhibition of products of agriculture, industry, education,
678 science, religion, or the arts.

679 4. Conventions or trade shows for the sale or exhibit of
680 amusement rides if there are a minimum of 15 amusement rides on
681 display or exhibition, and if any operation of such amusement
682 rides is limited to the registered attendees of the convention
683 or trade show.

684 5. Skating rinks, arcades, laser ~~lazer~~ or paint ball war
685 games, bowling alleys, miniature golf courses, mechanical bulls,
686 inflatable rides, trampolines, ball crawls, exercise equipment,
687 jet skis, paddle boats, airboats, helicopters, airplanes,
688 parasails, hot air or helium balloons whether tethered or
689 untethered, theatres, batting cages, stationary spring-mounted
690 fixtures, rider-propelled merry-go-rounds, games, side shows,
691 live animal rides, or live animal shows.

692 6. Go-karts operated in competitive sporting events if
693 participation is not open to the public.

694 7. Nonmotorized playground equipment that is not required
695 to have a manager.

696 8. Coin-actuated amusement rides designed to be operated by

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697 depositing coins, tokens, credit cards, debit cards, bills, or
698 other cash money and which are not required to have a manager,
699 and which have a capacity of six persons or less.

700 9. Facilities described in s. 549.09(1)(a) when such
701 facilities are operating cars, trucks, or motorcycles only.

702 10. Battery-powered cars or other vehicles that are
703 designed to be operated by children 7 years of age or under and
704 that cannot exceed a speed of 4 miles per hour.

705 11. Mechanically driven vehicles that pull train cars,
706 carts, wagons, or other similar vehicles, that are not confined
707 to a metal track or confined to an area but are steered by an
708 operator and do not exceed a speed of 4 miles per hour.

709 12. A water-related amusement ride operated by a business
710 licensed under chapter 509 if the water-related amusement ride
711 is an incidental amenity and the operating business is not
712 primarily engaged in providing amusement, pleasure, thrills, or
713 excitement and does not offer day rates.

714 13. An amusement ride at a private, membership-only
715 facility if the amusement ride is an incidental amenity and the
716 facility is not open to the general public, is not primarily
717 engaged in providing amusement, pleasure, thrills, or
718 excitement, and does not offer day rates.

719 14. A nonprofit permanent facility registered under chapter
720 496 which is not open to the general public.

721 (15) INSPECTION BY OWNER OR MANAGER.—~~Before~~ Prior to
722 opening on each day of operation and before ~~prior~~ to any
723 inspection by the department, the owner or manager of an
724 amusement ride must inspect and test the amusement ride to
725 ensure compliance with all requirements of this section. Each

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726 inspection must be recorded on a form prescribed by rule of the
727 department and signed by the person who conducted the
728 inspection. In lieu of the form prescribed by rule of the
729 department, the owner or manager may request approval of an
730 alternate form if the alternate form includes, at a minimum, the
731 information required on the form prescribed by rule of the
732 department. Inspection records of the last 14 daily inspections
733 must be kept on site by the owner or manager and made
734 immediately available to the department upon request.

735 (16) TRAINING OF EMPLOYEES.—The owner or manager of an ~~any~~
736 amusement ride shall maintain a record of employee training for
737 each employee authorized to operate, assemble, disassemble,
738 transport, or conduct maintenance on an amusement ride, ~~on a~~
739 form prescribed by rule of the department. In lieu of the form
740 prescribed by rule of the department, the owner or manager may
741 request approval of an alternate form if the alternate form
742 includes, at a minimum, the information required on the form
743 prescribed by rule of the department. The training record must
744 be kept on site by the owner or manager and made immediately
745 available to the department upon request. Training may not be
746 conducted when an amusement ride is open to the public unless
747 the training is conducted under the supervision of an employee
748 who is trained in the operation of that ride. The owner or
749 manager shall certify that each employee is trained, as required
750 by this section and any rules adopted thereunder, on the
751 amusement ride for which the employee is responsible.

752 Section 19. Subsection (2), paragraph (b) of subsection
753 (5), subsection (10), and paragraph (a) of subsection (11) of
754 section 790.06, Florida Statutes, are amended to read:

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755 790.06 License to carry concealed weapon or firearm.—

756 (2) The Department of Agriculture and Consumer Services
757 shall issue a license if the applicant:

758 (a) Is a resident of the United States and a citizen of the
759 United States or a permanent resident alien of the United
760 States, as determined by the United States Bureau of Citizenship
761 and Immigration Services, or is a consular security official of
762 a foreign government that maintains diplomatic relations and
763 treaties of commerce, friendship, and navigation with the United
764 States and is certified as such by the foreign government and by
765 the appropriate embassy in this country;

766 (b) Is 21 years of age or older;

767 (c) Does not suffer from a physical infirmity which
768 prevents the safe handling of a weapon or firearm;

769 (d) Is not ineligible to possess a firearm pursuant to s.
770 790.23 by virtue of having been convicted of a felony;

771 (e) Has not been committed for the abuse of a controlled
772 substance or been found guilty of a crime under the provisions
773 of chapter 893 or similar laws of any other state relating to
774 controlled substances within a 3-year period immediately
775 preceding the date on which the application is submitted;

776 (f) Does not chronically and habitually use alcoholic
777 beverages or other substances to the extent that his or her
778 normal faculties are impaired. It shall be presumed that an
779 applicant chronically and habitually uses alcoholic beverages or
780 other substances to the extent that his or her normal faculties
781 are impaired if the applicant has been committed under chapter
782 397 or under the provisions of former chapter 396 or has been
783 convicted under s. 790.151 or has been deemed a habitual

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784 offender under s. 856.011(3), or has had two or more convictions
785 under s. 316.193 or similar laws of any other state, within the
786 3-year period immediately preceding the date on which the
787 application is submitted;

788 (g) Desires a legal means to carry a concealed weapon or
789 firearm for lawful self-defense;

790 (h) Demonstrates competence with a firearm by any one of
791 the following:

792 1. Completion of any hunter education or hunter safety
793 course approved by the Fish and Wildlife Conservation Commission
794 or a similar agency of another state;

795 2. Completion of any National Rifle Association firearms
796 safety or training course;

797 3. Completion of any firearms safety or training course or
798 class available to the general public offered by a law
799 enforcement, junior college, college, or private or public
800 institution or organization or firearms training school,
801 utilizing instructors certified by the National Rifle
802 Association, Criminal Justice Standards and Training Commission,
803 or the Department of Agriculture and Consumer Services;

804 4. Completion of any law enforcement firearms safety or
805 training course or class offered for security guards,
806 investigators, special deputies, or any division or subdivision
807 of law enforcement or security enforcement;

808 5. Presents evidence of equivalent experience with a
809 firearm through participation in organized shooting competition
810 or military service;

811 6. Is licensed or has been licensed to carry a firearm in
812 this state or a county or municipality of this state, unless

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813 such license has been revoked for cause; or

814 7. Completion of any firearms training or safety course or
815 class conducted by a state-certified or National Rifle
816 Association certified firearms instructor;

817

818 A photocopy of a certificate of completion of any of the courses
819 or classes; ~~or~~ an affidavit from the instructor, school, club,
820 organization, or group that conducted or taught such ~~said~~ course
821 or class attesting to the completion of the course or class by
822 the applicant; or a copy of any document that ~~which~~ shows
823 completion of the course or class or evidences participation in
824 firearms competition shall constitute evidence of qualification
825 under this paragraph. ~~A;~~ any person who conducts a course
826 pursuant to subparagraph 2., subparagraph 3., or subparagraph
827 7., or who, as an instructor, attests to the completion of such
828 courses, must maintain records certifying that he or she
829 observed the student safely handle and discharge the firearm in
830 his or her physical presence and that the discharge of the
831 firearm included live fire using a firearm and ammunition as
832 defined in s. 790.001;

833 (i) Has not been adjudicated an incapacitated person under
834 s. 744.331, or similar laws of any other state, unless 5 years
835 have elapsed since the applicant's restoration to capacity by
836 court order;

837 (j) Has not been committed to a mental institution under
838 chapter 394, or similar laws of any other state, unless the
839 applicant produces a certificate from a licensed psychiatrist
840 that he or she has not suffered from disability for at least 5
841 years prior to the date of submission of the application;

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842 (k) Has not had adjudication of guilt withheld or
843 imposition of sentence suspended on any felony or misdemeanor
844 crime of domestic violence unless 3 years have elapsed since
845 probation or any other conditions set by the court have been
846 fulfilled, or the record has been sealed or expunged;

847 (l) Has not been issued an injunction that is currently in
848 force and effect and that restrains the applicant from
849 committing acts of domestic violence or acts of repeat violence;
850 and

851 (m) Is not prohibited from purchasing or possessing a
852 firearm by any other provision of Florida or federal law.

853 (5) The applicant shall submit to the Department of
854 Agriculture and Consumer Services or an approved tax collector
855 pursuant to s. 790.0625:

856 (b) A nonrefundable license fee of up to \$60 ~~\$70~~ if he or
857 she has not previously been issued a statewide license or of up
858 to \$50 ~~\$60~~ for renewal of a statewide license. The cost of
859 processing fingerprints as required in paragraph (c) shall be
860 borne by the applicant. However, an individual holding an active
861 certification from the Criminal Justice Standards and Training
862 Commission as a law enforcement officer, correctional officer,
863 or correctional probation officer as defined in s. 943.10(1),
864 (2), (3), (6), (7), (8), or (9) is exempt from the licensing
865 requirements of this section. If such individual wishes to
866 receive a concealed weapon ~~weapons~~ or firearm ~~firearms~~ license,
867 he or she is exempt from the background investigation and all
868 background investigation fees, but must pay the current license
869 fees regularly required to be paid by nonexempt applicants.
870 Further, a law enforcement officer, a correctional officer, or a

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871 correctional probation officer as defined in s. 943.10(1), (2),
872 or (3) is exempt from the required fees and background
873 investigation for ~~a period of~~ 1 year after his or her
874 retirement.

875 (10) A license issued under this section shall be suspended
876 or revoked pursuant to chapter 120 if the licensee:

877 (a) Is found to be ineligible under the criteria set forth
878 in subsection (2);

879 (b) Develops or sustains a physical infirmity which
880 prevents the safe handling of a weapon or firearm;

881 (c) Is convicted of a felony which would make the licensee
882 ineligible to possess a firearm pursuant to s. 790.23;

883 (d) Is found guilty of a crime under the provisions of
884 chapter 893, or similar laws of any other state, relating to
885 controlled substances;

886 (e) Is committed as a substance abuser under chapter 397,
887 or is deemed a habitual offender under s. 856.011(3), or similar
888 laws of any other state;

889 (f) Is convicted of a second violation of s. 316.193, or a
890 similar law of another state, within 3 years after ~~of~~ a first
891 ~~previous~~ conviction of such section, or similar law of another
892 state, even though the first violation may have occurred before
893 ~~prior to~~ the date on which the application was submitted;

894 (g) Is adjudicated an incapacitated person under s.
895 744.331, or similar laws of any other state; or

896 (h) Is committed to a mental institution under chapter 394,
897 or similar laws of any other state.

898
899 Notwithstanding s. 120.60(5), when personal service cannot be

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900 made or the certified mail notice is returned undelivered for a
901 notice of the suspension or revocation of a concealed weapon or
902 firearm license or the suspension of the processing of an
903 application for such license, the notice may be given by first-
904 class mail in an envelope, postage prepaid, addressed to the
905 licensee at his or her last known mailing address furnished to
906 the department, or by e-mail if the licensee has provided an e-
907 mail address to the department. Such mailing or sending of e-
908 mail by the department constitutes notification, and any failure
909 by the person to receive the mailed or e-mailed notice does not
910 stay the effective date or term of the suspension or revocation.
911 The giving of notice by mail is complete upon expiration of 20
912 days after deposit in the United States mail. Proof of the
913 giving of notice shall be made by entry in the records of the
914 department that such notice was given. The entry is admissible
915 in the courts of this state and constitutes sufficient proof
916 that such notice was given.

917 (11) (a) At least ~~No less than~~ 90 days before the expiration
918 date of the license, the Department of Agriculture and Consumer
919 Services shall mail to each licensee a written notice of the
920 expiration and a renewal form prescribed by the Department of
921 Agriculture and Consumer Services. The licensee must renew his
922 or her license on or before the expiration date by filing with
923 the Department of Agriculture and Consumer Services the renewal
924 form containing an a-notarized affidavit submitted under oath
925 and under penalty of perjury stating that the licensee remains
926 qualified pursuant to the criteria specified in subsections (2)
927 and (3), a color photograph as specified in paragraph (5) (e),
928 and the required renewal fee. Out-of-state residents must also

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929 submit a complete set of fingerprints and fingerprint processing
930 fee. The license shall be renewed upon receipt of the completed
931 renewal form, color photograph, appropriate payment of fees,
932 and, if applicable, fingerprints. Additionally, a licensee who
933 fails to file a renewal application on or before its expiration
934 date must renew his or her license by paying a late fee of \$15.
935 A license may not be renewed 180 days or more after its
936 expiration date, and such a license is deemed to be permanently
937 expired. A person whose license has been permanently expired may
938 reapply for licensure; however, an application for licensure and
939 fees under subsection (5) must be submitted, and a background
940 investigation shall be conducted pursuant to this section. A
941 person who knowingly files false information under this
942 subsection is subject to criminal prosecution under s. 837.06.

943 Section 20. Subsection (8) is added to section 790.0625,
944 Florida Statutes, to read:

945 790.0625 Appointment of tax collectors to accept
946 applications for a concealed weapon or firearm license; fees;
947 penalties.—

948 (8) Upon receipt of a completed renewal application, a new
949 color photograph, and appropriate payment of fees, a tax
950 collector authorized to accept renewal applications for
951 concealed weapon or firearm licenses under this section may,
952 upon approval and confirmation of license issuance by the
953 department, print and deliver a concealed weapon or firearm
954 license to a licensee renewing his or her license at the tax
955 collector's office.

956 Section 21. Subsection (4) is added to section 790.15,
957 Florida Statutes, to read:

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958 790.15 Discharging firearm in public or on residential
959 property.-

960 (4) Any person who recreationally discharges a firearm
961 outdoors, including for target shooting or celebratory shooting,
962 in an area that the person knows or reasonably should know is
963 primarily residential in nature and that has a residential
964 density of one or more dwelling units per acre, commits a
965 misdemeanor of the first degree, punishable as provided in s.
966 775.082 or s. 775.083. This subsection does not apply:

967 (a) To a person lawfully defending life or property or
968 performing official duties requiring the discharge of a firearm;
969 or

970 (b) If, under the circumstances, the discharge does not
971 pose a reasonably foreseeable risk to life, safety, or property.

972 Section 22. This act shall take effect July 1, 2015.