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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2015	.	
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	.	
	.	

Appropriations Subcommittee on General Government (Simpson)
recommended the following:

Senate Amendment (with title amendment)

Delete lines 86 - 584

and insert:

Section 2. Section 213.05, Florida Statutes, is amended to
read

213.05 Department of Revenue; control and administration of
revenue laws.—The Department of Revenue shall have only those
responsibilities for ad valorem taxation specified to the
department in chapter 192, taxation, general provisions; chapter



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11 193, assessments; chapter 194, administrative and judicial
12 review of property taxes; chapter 195, property assessment
13 administration and finance; chapter 196, exemption; chapter 197,
14 tax collections, sales, and liens; chapter 199, intangible
15 personal property taxes; and chapter 200, determination of
16 millage. The Department of Revenue shall have the responsibility
17 of regulating, controlling, and administering all revenue laws
18 and performing all duties as provided in s. 125.0104, the Local
19 Option Tourist Development Act; s. 125.0108, tourist impact tax;
20 chapter 198, estate taxes; chapter 201, excise tax on documents;
21 chapter 202, communications services tax; chapter 203, gross
22 receipts taxes; chapter 206, motor and other fuel taxes; chapter
23 211, tax on production of oil and gas and severance of solid
24 minerals; chapter 212, tax on sales, use, and other
25 transactions; chapter 220, income tax code; ss. 336.021 and
26 336.025, taxes on motor fuel and special fuel; s. 376.11,
27 pollutant spill prevention and control; s. 403.718, waste tire
28 fees; s. 403.7185, lead-acid battery fees; s. 538.09,
29 registration of secondhand dealers; ~~s. 538.25, registration of~~
30 ~~secondary metals recyclers;~~ s. 624.4621, group self-insurer's
31 fund premium tax; s. 624.5091, retaliatory tax; s. 624.475,
32 commercial self-insurance fund premium tax; ss. 624.509-624.511,
33 insurance code: administration and general provisions; s.
34 624.515, State Fire Marshal regulatory assessment; s. 627.357,
35 medical malpractice self-insurance premium tax; s. 629.5011,
36 reciprocal insurers premium tax; and s. 681.117, motor vehicle
37 warranty enforcement.

38 Section 3. Paragraph (cc) is added to subsection (8) of
39 section 213.053, Florida Statutes, and subsection (11) of that



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40 section is amended, to read:

41 213.053 Confidentiality and information sharing.—

42 (8) Notwithstanding any other provision of this section,
43 the department may provide:

44 (cc) Information relative to chapter 212 and part II of
45 chapter 538 to the Department of Agriculture and Consumer
46 Services in the conduct of its official duties.

47

48 Disclosure of information under this subsection shall be
49 pursuant to a written agreement between the executive director
50 and the agency. Such agencies, governmental or nongovernmental,
51 shall be bound by the same requirements of confidentiality as
52 the Department of Revenue. Breach of confidentiality is a
53 misdemeanor of the first degree, punishable as provided by s.
54 775.082 or s. 775.083.

55 (11) Notwithstanding any other provision of this section,
56 with respect to a request for verification of a certificate of
57 registration issued pursuant to s. 212.18 to a specified dealer
58 or taxpayer or with respect to a request by a law enforcement
59 officer for verification of a certificate of registration issued
60 pursuant to s. 538.09 to a specified secondhand dealer ~~or~~
61 ~~pursuant to s. 538.25 to a specified secondary metals recycler,~~
62 the department may disclose whether the specified person holds a
63 valid certificate, ~~or~~ whether a specified certificate number is
64 valid, ~~or~~ whether a specified certificate number has been
65 canceled or is inactive or invalid, and the name of the holder
66 of the certificate. This subsection may ~~shall~~ not be construed
67 to create a duty to request verification of any certificate of
68 registration.



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69 Section 4. Paragraph (b) of subsection (1) of section
70 319.30, Florida Statutes, is amended to read:

71 319.30 Definitions; dismantling, destruction, change of
72 identity of motor vehicle or mobile home; salvage.—

73 (1) As used in this section, the term:

74 (b) "Certificate of registration number" means the
75 certificate of registration number issued by the Department of
76 Agriculture and Consumer Services Revenue of the State of
77 Florida pursuant to s. 538.25.

78 Section 5. Subsection (2) of section 538.18, Florida
79 Statutes, is amended to read:

80 538.18 Definitions.—As used in this part, the term:

81 (2) "Department" means the Department of Agriculture and
82 Consumer Services Revenue.

83 Section 6. Subsections (1), (2), and (3) of section 538.19,
84 Florida Statutes, are amended to read:

85 538.19 Records required; limitation of liability.—

86 (1) A secondary metals recycler shall maintain a legible
87 paper record of all purchase transactions to which such
88 secondary metals recycler is a party. A secondary metals
89 recycler shall also maintain a legible electronic record, in the
90 English language, of all such purchase transactions. The
91 appropriate law enforcement official may provide data
92 specifications regarding the electronic record format, but such
93 format must be approved by the department ~~of Law Enforcement~~. An
94 electronic record of a purchase transaction shall be
95 electronically transmitted to the appropriate law enforcement
96 official or to a qualified third party vendor pursuant to a
97 valid contract with a law enforcement agency no later than 10



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98 a.m. of the business day following the date of the purchase
99 transaction. The record transmitted to the appropriate law
100 enforcement official or its qualified third party designee must
101 not contain the price paid for the items. A secondary metals
102 recycler who transmits such records electronically is not
103 required to also deliver the original or paper copies of the
104 transaction forms to the appropriate law enforcement official.
105 However, ~~such~~ an appropriate law enforcement official may, for
106 purposes of a criminal investigation, request the secondary
107 metals recycler to make available the original transaction form
108 that was electronically transmitted. This original transaction
109 form must include the price paid for the items. The secondary
110 metals recycler shall make the form available to the appropriate
111 law enforcement official within 24 hours after receipt of the
112 request.

113 (2) The following information must be maintained on the
114 form approved by the department ~~of Law Enforcement~~ for each
115 purchase transaction:

116 (a) The name and address of the secondary metals recycler.

117 (b) The name, initials, or other identification of the
118 individual entering the information on the ticket.

119 (c) The date and time of the transaction.

120 (d) The weight, quantity, or volume, and a description of
121 the type of regulated metals property purchased in a purchase
122 transaction.

123 (e) The amount of consideration given in a purchase
124 transaction for the regulated metals property.

125 (f) A signed statement from the person delivering the
126 regulated metals property stating that she or he is the rightful



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127 owner of, or is entitled to sell, the regulated metals property
128 being sold. If the purchase involves a stainless steel beer keg,
129 the seller must provide written documentation from the
130 manufacturer that the seller is the owner of the stainless steel
131 beer keg or is an employee or agent of the manufacturer.

132 (g) The distinctive number from the personal identification
133 card of the person delivering the regulated metals property to
134 the secondary metals recycler.

135 (h) A description of the person from whom the regulated
136 metals property was acquired, including:

137 1. Full name, current residential address, workplace, and
138 home and work phone numbers.

139 2. Height, weight, date of birth, race, gender, hair color,
140 eye color, and any other identifying marks.

141 3. The right thumbprint, free of smudges and smears.

142 4. Vehicle description to include the make, model, and tag
143 number of the vehicle and trailer of the person selling the
144 regulated metals property.

145 5. Any other information required by the form approved by
146 the department ~~of Law Enforcement~~.

147 (i) A photograph, videotape, or digital image of the
148 regulated metals being sold.

149 (j) A photograph, videotape, or similar likeness of the
150 person receiving consideration in which such person's facial
151 features are clearly visible.

152 (3) A secondary metals recycler complies with the
153 requirements of this section if it maintains an electronic
154 database containing the information required by subsection (2)
155 as long as the electronic information required by subsection



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156 (2), along with an electronic oath of ownership with an
157 electronic signature of the seller of the secondary metals being
158 purchased by the secondary metals recyclers and an electronic
159 image of the seller's right thumbprint that has no smudges and
160 smears, can be downloaded onto a paper form in the image of the
161 form approved by the department ~~of Law Enforcement~~ as provided
162 in subsection (2).

163 Section 7. Section 538.20, Florida Statutes, is amended to
164 read:

165 538.20 Inspection of regulated metals property and
166 records.—During the usual and customary business hours of a
167 secondary metals recycler, a law enforcement officer or employee
168 of the department who is a nonsworn trained regulatory
169 investigator shall, after properly identifying herself or
170 himself as such ~~a law enforcement officer~~, have the right to
171 inspect:

172 (1) Any and all purchased regulated metals property in the
173 possession of the secondary metals recycler, ~~and~~

174 (2) Any and all records required to be maintained under s.
175 538.19.

176 Section 8. Subsection (3) of section 538.21, Florida
177 Statutes, is amended to read:

178 538.21 Hold notice.—

179 (3) A secondary metals recycler may not dispose of any
180 property identified by a hold notice or extended hold notice
181 until the applicable hold period expires. At the expiration of
182 the hold period or, if extended in accordance with this section,
183 at the expiration of the extended hold period, the hold is
184 automatically released and the secondary metals recycler may



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185 dispose of the regulated metals property unless other
186 disposition has been ordered by a court of competent
187 jurisdiction.

188 Section 9. Paragraph (a) of subsection (1) and subsection
189 (3) of section 538.23, Florida Statutes, are amended to read:

190 538.23 Violations and penalties.—

191 (1) (a) Except as provided in paragraph (b), a secondary
192 metals recycler who knowingly and intentionally:

193 1. Violates s. 538.20, ~~or~~ s. 538.21, or s. 538.26;

194 2. Engages in a pattern of failing to keep records required
195 by s. 538.19;

196 3. Violates s. 538.26(2); or

197 4. Violates s. 538.235,

198
199 commits a felony of the third degree, punishable as provided in
200 s. 775.082, s. 775.083, or s. 775.084.

201 (3) Any person who knowingly provides false information,
202 gives false verification of ownership, or ~~who~~ gives a false or
203 altered identification and who receives money or other
204 consideration from a secondary metals recycler in return for
205 regulated metals property commits:

206 (a) A felony of the third degree, punishable as provided in
207 s. 775.082, s. 775.083, or s. 775.084, if the value of the money
208 or other consideration received is less than \$300.

209 (b) A felony of the second degree, punishable as provided
210 in s. 775.082, s. 775.083, or s. 775.084, if the value of the
211 money or other consideration received is \$300 or more or if the
212 money or other consideration received is for restricted
213 regulated metals.



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214 Section 10. Section 538.25, Florida Statutes, is amended to
215 read:

216 538.25 Registration.—

217 (1) A person may not engage in business as a secondary
218 metals recycler at any location without registering with the
219 department on an application form prescribed by the department.
220 An application for registration must state the full name of the
221 applicant, the place where the business is to be conducted, and
222 any other relevant information required by the department. If
223 the applicant is not an individual, the applicant must state the
224 full name and address of each direct or beneficial owner of at
225 least 10-percent equity interest in the business. If the
226 applicant is a corporation, the application must state the full
227 name and address of each officer and director. The department
228 shall accept applications only from a fixed business address.
229 The department may not accept an application that provides an
230 address of a hotel room or motel room, a vehicle, or a post
231 office box.

232 (a) Fingerprint fees, as provided for in subparagraph
233 (b)2., ~~A fee equal to the federal and state costs for processing~~
234 ~~required fingerprints~~ must be submitted to the department with
235 each application for registration. One application is required
236 for each secondary metals recycler. If a secondary metals
237 recycler is the owner of more than one secondary metals
238 recycling location, the application must list each location, and
239 the department shall issue a duplicate registration for each
240 location. For purposes of subsections (3) ~~and,~~ (4) ~~,~~ and ~~(5),~~
241 these duplicate registrations shall be deemed individual
242 registrations. A secondary metals recycler shall pay a fee of \$6



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243 per location at the time of registration and an annual renewal
244 fee of \$6 per location on October 1 of each year. All fees
245 collected, less costs of administration, shall be transferred
246 into the Operating Trust Fund.

247 (b)1. An applicant shall submit a full set of fingerprints
248 to the department or an entity or vendor authorized by s.
249 943.053(13). The fingerprints shall be forwarded to the
250 Department of Law Enforcement for state processing, and the
251 Department of Law Enforcement shall forward the fingerprints to
252 the Federal Bureau of Investigation for national processing.

253 2. Fees for state and federal fingerprint processing and
254 fingerprint retention fees shall be borne by the applicant. The
255 state cost for fingerprint processing is that authorized in s.
256 943.053(3) (b) for records provided to persons or entities other
257 than those specified as exceptions therein.

258 3. Fingerprints submitted to the Department of Law
259 Enforcement pursuant to this paragraph shall be retained by the
260 Department of Law Enforcement as provided in s. 943.05(2) (g) and
261 (h) and enrolled in the Federal Bureau of Investigation's
262 national retained print arrest notification program. when the
263 Department of Law Enforcement begins participation in the
264 program. Fingerprints shall be submitted to the Department of
265 Law Enforcement for a state criminal history record check, and
266 to the Federal Bureau of Investigation for a national criminal
267 history check. Any arrest record identified shall be reported to
268 the department by the Department of Law Enforcement.

269 4. For a renewal of an applicant's registration, the
270 department shall request the Department of Law Enforcement to
271 forward the retained fingerprints of the applicant to the



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272 Federal Bureau of Investigation unless the applicant is enrolled
273 in the national retained print arrest notification program
274 described in subparagraph 3. The fee for the national criminal
275 history check shall be paid as part of the renewal fee to the
276 department and shall be forwarded to the Department of Law
277 Enforcement. If an applicant's fingerprints are retained in the
278 national retained print arrest notification program, the
279 applicant shall pay the state and national retention fee to the
280 department, and the department shall forward the fee to the
281 Department of Law Enforcement.

282 5. The department shall notify the Department of Law
283 Enforcement regarding a person whose fingerprints have been
284 retained but who is no longer registered under this chapter.

285 6. The department shall screen background results to
286 determine whether an applicant meets registration requirements.
287 ~~The department shall forward the full set of fingerprints to the~~
288 ~~Department of Law Enforcement for state and federal processing,~~
289 ~~provided the federal service is available, to be processed for~~
290 ~~any criminal justice information as defined in s. 943.045. The~~
291 ~~cost of processing such fingerprints shall be payable to the~~
292 ~~Department of Law Enforcement by the department. The department~~
293 ~~may issue a temporary registration to each location pending~~
294 ~~completion of the background check by state and federal law~~
295 ~~enforcement agencies but shall revoke such temporary~~
296 ~~registration if the completed background check reveals a~~
297 ~~prohibited criminal background. The Department of Law~~
298 ~~Enforcement shall report its findings to the Department of~~
299 ~~Revenue within 30 days after the date the fingerprints are~~
300 ~~submitted for criminal justice information.~~



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301 (c) An applicant for a secondary metals recycler
302 registration must be a natural person who has reached the age of
303 18 years or a corporation organized or qualified to do business
304 in the state.

305 1. If the applicant is a natural person, the registration
306 must include a complete set of her or his fingerprints,
307 certified by an authorized law enforcement officer, and a valid
308 ~~recent~~ fullface photographic identification card of herself or
309 himself.

310 2. If the applicant is a partnership, all the partners must
311 make application for registration.

312 3. If the applicant is a corporation, the registration must
313 include the name and address of such corporation's registered
314 agent for service of process in the state and a certified copy
315 of statement from the Secretary of State that the corporation is
316 duly organized in the state or, if the corporation is organized
317 in a state other than Florida, a certified copy of the statement
318 that the corporation is duly qualified to do business in this
319 state.

320 (d) In addition to maintaining workers' compensation
321 insurance, each secondary metals recycler must maintain a
322 minimum of \$100,000 general liability insurance coverage
323 throughout the registration period.

324 (e) A person applying for or renewing a local business tax
325 receipt to engage in business as a secondary metals recycler
326 must exhibit an active registration certificate from the
327 department before the local business tax receipt may be issued
328 or renewed.

329 (2) A secondary metals recycler's registration shall be



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330 conspicuously displayed at the place of business set forth on
331 the registration. A secondary metals recycler must allow
332 department personnel to enter the secondary metals recycler's
333 place of business in order to verify that a registration is
334 valid. If department personnel are refused entry for this
335 purpose, the department may seek an inspection warrant as
336 provided for in chapter 933 to obtain compliance with this
337 requirement ~~shall not dispose of property at any location until~~
338 ~~any holding period has expired.~~

339 ~~(3) The Department of Revenue may impose a civil fine of up~~
340 ~~to \$10,000 for each knowing and intentional violation of this~~
341 ~~section, which fine shall be transferred into the General~~
342 ~~Revenue Fund. If the fine is not paid within 60 days, the~~
343 ~~department may bring a civil action under s. 120.69 to recover~~
344 ~~the fine.~~

345 ~~(3)(4)~~ In addition to the penalties ~~fine~~ provided in s.
346 538.27 subsection (3), a registration under this section may be
347 denied or any registration granted may be revoked, restricted,
348 or suspended by the department if, after October 2, 1989, and
349 within a 10-year ~~24-month~~ period immediately preceding such
350 denial, revocation, restriction, or suspension:

351 (a) The applicant or registrant, or an owner, officer,
352 director, or trustee of the applicant or registrant, has been
353 convicted of knowingly and intentionally:

- 354 1. Violating s. 538.20, or s. 538.21, or s. 538.26;
355 2. Engaging in a pattern of failing to keep records as
356 required by s. 538.19;
357 3. Making a material false statement in the application for
358 registration; or



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359 4. Engaging in a fraudulent act in connection with any
360 purchase or sale of regulated metals property;

361 (b) The applicant or registrant, or an owner, officer,
362 director, or trustee of the applicant or registrant, has been
363 convicted of, or entered a plea of guilty or nolo contendere to,
364 a felony ~~committed by the secondary metals recycler~~ against the
365 laws of the state or of the United States involving theft,
366 larceny, dealing in stolen property, receiving stolen property,
367 burglary, embezzlement, obtaining property by false pretenses,
368 possession of altered property, or any felony drug offense or of
369 knowingly and intentionally violating the laws of the state
370 relating to registration as a secondary metals recycler; or

371 (c) The applicant has, after receipt of written notice from
372 the Department of Revenue of failure to pay sales tax, failed or
373 refused to pay, within 30 days after the secondary metals
374 recycler's receipt of such written notice, any sales tax owed to
375 the Department of Revenue.

376 ~~(4)-(5)~~ A denial of an application, or a revocation,
377 restriction, or suspension of a registration, by the department
378 shall be probationary for a period of 12 months in the event
379 that the secondary metals recycler subject to such action has
380 not had any other application for registration denied, or any
381 registration revoked, restricted, or suspended, by the
382 department within the previous 24-month period.

383 (a) If, during the 12-month probationary period, the
384 department does not again deny an application or revoke,
385 restrict, or suspend the registration of the secondary metals
386 recycler, the action of the department shall be dismissed and
387 the record of the secondary metals recycler cleared thereof.



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388 (b) If, during the 12-month probationary period, the
389 department, for reasons other than those existing before ~~prior~~
390 ~~to~~ the original denial or revocation, restriction, or
391 suspension, again denies an application or revokes, restricts,
392 or suspends the registration of the secondary metals recycler,
393 the probationary nature of such original action shall terminate
394 and both the original action of the department and the action of
395 the department causing the termination of the probationary
396 nature thereof shall immediately be reinstated against the
397 secondary metals recycler.

398 (5) The department shall suspend the registration or deny
399 the application for registration of a registrant or applicant if
400 the registrant or applicant or any of its owners, officers,
401 directors, or trustees have been convicted of a felony under s.
402 817.67, s. 817.705, or s. 817.806 immediately upon receiving
403 written verification of the conviction from a law enforcement
404 agency, court, or state attorney's office or the Department of
405 Law Enforcement.

406 (6) Upon the request of a law enforcement official, the
407 department ~~of Revenue~~ shall release to the official the name and
408 address of any secondary metals recycler registered to do
409 business within the official's jurisdiction.

410 Section 11. Subsection (1) and paragraph (b) of subsection
411 (5) of section 538.26, Florida Statutes, are amended to read:

412 538.26 Certain acts and practices prohibited.—It is
413 unlawful for a secondary metals recycler to do or allow any of
414 the following acts:

415 (1) Purchase regulated metals property, restricted
416 regulated metals property, or ferrous metals between the hours



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417 of 7 p.m. and before 7 a.m. or any time on Sunday after 7 p.m.

418 (5)

419 (b) The purchase of any of the following regulated metals
420 property is subject to the restrictions provided in paragraph
421 (a):

422 1. A manhole cover.

423 2. A metal ~~An~~ electric light pole ~~or other utility~~
424 ~~structure~~ and its fixtures, ~~wires,~~ and hardware that is are
425 readily identifiable as connected to a metal electric light ~~the~~
426 ~~utility~~ structure.

427 3. A guard rail.

428 4. A street sign, traffic sign, or traffic signal and its
429 fixtures and hardware.

430 5. Communication, transmission, distribution, and service
431 wire from a utility, including copper or aluminum bus bars,
432 connectors, grounding plates, or grounding wire.

433 6. A funeral marker or funeral vase.

434 7. A historical marker.

435 8. Railroad equipment, including, but not limited to, a tie
436 plate, signal house, control box, switch plate, E clip, or rail
437 tie junction.

438 9. Any metal item that is observably marked upon reasonable
439 inspection with any form of the name, initials, or logo of a
440 governmental entity, utility company, cemetery, or railroad.

441 10. A copper, aluminum, or aluminum-copper condensing or
442 evaporator coil, including its tubing or rods, from an air-
443 conditioning or heating unit, excluding coils from window air-
444 conditioning or heating units and motor vehicle air-conditioning
445 or heating units.



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- 446 11. An aluminum or stainless steel container or bottle
447 designed to hold propane for fueling forklifts.
- 448 12. A stainless steel beer keg.
- 449 13. A catalytic converter or any nonferrous part of a
450 catalytic converter unless purchased as part of a motor vehicle.
- 451 14. Metallic wire that has been burned in whole or in part
452 to remove insulation.
- 453 15. A brass or bronze commercial valve or fitting, referred
454 to as a "fire department connection and control valve" or an
455 "FDC valve," that is commonly used on structures for access to
456 water for the purpose of extinguishing fires.
- 457 16. A brass or bronze commercial potable water backflow
458 preventer valve that is commonly used to prevent backflow of
459 potable water from commercial structures into municipal domestic
460 water service systems.
- 461 17. A shopping cart.
- 462 18. A brass water meter.
- 463 19. A storm grate.
- 464 20. A brass sprinkler head used in commercial agriculture.
- 465 21. Three or more ~~than two~~ lead-acid batteries, or any part
466 or component thereof, in a single purchase or from the same
467 individual in a single day.

468 Section 12. Section 538.27, Florida Statutes, is created to
469 read:

470 538.27 Administrative penalties.-

471 (1) Upon a determination that a violation of s. 538.19, s.
472 538.235, s. 538.25, or s. 538.26 has occurred, the department
473 may take one or more of the following actions:

474 (a) Issue a notice of noncompliance pursuant to s. 120.695.



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475 (b) Impose an administrative fine up to \$200 per violation,
476 but not to exceed \$5,000 per inspection. Any fine collected
477 shall be deposited in the General Inspection Trust Fund. If a
478 fine is not paid within 60 days after imposition, the department
479 may bring a civil action under s. 120.69 to recover the fine.

480 (c) Direct that the secondary metals recycler cease and
481 desist specified activities.

482 (2) The administrative proceedings under this section that
483 could result in the entry of an order imposing any of the
484 penalties specified in this section shall be conducted in
485 accordance with chapter 120.

486 Section 13. Section 538.29, Florida Statutes, is created to
487 read:

488 538.29 Rulemaking authority.—The department may adopt rules
489 to implement this part. Such rules shall include tiered
490 penalties for violations of this part.

491 Section 14. For the 2015-2016 fiscal year, there is
492 appropriated to the Department of Agriculture and Consumer
493 Services, the sum of \$263,223 in recurring and \$187,532 in
494 nonrecurring funds from the General Revenue Fund, and 4 full-
495 time equivalent positions with associated salary rate of
496 \$138,181, are authorized for the purpose of implementing this
497 act.

498
499
500 ===== T I T L E A M E N D M E N T =====

501 And the title is amended as follows:

502 Delete lines 11 - 55

503 and insert:



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504 An act relating to secondary metals recyclers;
505 transferring administration of part II of chapter 538,
506 F.S., relating to secondary metals recyclers, from the
507 Department of Revenue to the Department of Agriculture
508 and Consumer Services; providing for applicability
509 with respect to pending actions, orders, and rules;
510 amending s. 213.053, F.S.; authorizing the Department
511 of Revenue to share certain confidential information
512 with the Department of Agriculture and Consumer
513 Services; amending ss. 213.05, 319.30, and 538.18
514 F.S.; conforming provisions to changes made by the
515 act; amending 538.19, F.S.; providing for transmission
516 of specific reports to a law enforcement official or
517 an authorized third party; making conforming changes;
518 amending s. 538.20, F.S.; authorizing specified
519 persons to inspect regulated metals property and
520 records; amending s. 538.21, F.S.; prohibiting a
521 secondary metals recycler from disposing of certain
522 property for a specified period; amending s. 538.23,
523 F.S.; revising violations subject to criminal
524 penalties; amending s. 538.25, F.S.; revising
525 application requirements for registration as a
526 secondary metals recycler; requiring applicants to
527 submit fingerprints and pay a fee for fingerprint
528 processing and retention; providing for the
529 submission, retention, and use of collected
530 fingerprints; requiring secondary metals recyclers to
531 maintain specified insurance coverage; requiring
532 secondary metals recyclers to exhibit active



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533 registration certificates from the Department of
534 Agriculture and Consumer Services before applying for
535 or renewing a local business tax receipt; requiring
536 secondary metals recyclers to allow department
537 personnel to enter certain places of business for a
538 specified purpose; authorizing the department to seek
539 a warrant if such access is denied; revising penalties
540 for noncompliance; requiring the department to suspend
541 certain registrations or applications for registration
542 under certain circumstances; amending s. 538.26, F.S.;
543 prohibiting secondary metals recyclers from purchasing
544 regulated metals property, restricted regulated metals
545 property, or ferrous metals between certain hours or
546 on Sundays; prohibiting the purchase of specified
547 restricted regulated metals property without obtaining
548 certain proof of the seller's ownership of, or
549 authority to sell, the regulated metals property;
550 revising the number of lead-acid batteries purchased
551 in a single purchase by the same individual in a
552 single day which makes a purchase subject to certain
553 restrictions; creating s. 538.27, F.S.; providing
554 penalties for noncompliance; creating s. 538.29, F.S.;
555 authorizing the department to adopt rules; providing
556 an appropriation; providing an effective date.