

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Agriculture & Natural  
 2 Resources Subcommittee  
 3 Representative Combee offered the following:

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. (1) All powers, duties, functions, records,  
 8 personnel, property, pending issues, existing contracts,  
 9 administrative authority, administrative rules, and unexpended  
 10 balances of appropriations, allocations, and other funds of the  
 11 Department of Revenue relating to the administration of part II  
 12 of chapter 538, Florida Statutes, are transferred by a type two  
 13 transfer, pursuant to s. 20.06(2), Florida Statutes, to the  
 14 Department of Agriculture and Consumer Services.

15 (2) This section does not affect the validity of any  
 16 judicial or administrative action pending as of 11:59 p.m. on  
 17 the day before the effective date of this act to which the

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18 Department of Revenue is at that time a party, and the  
19 Department of Agriculture and Consumer Services shall be  
20 substituted as a party in interest in any such action.

21 (3) All lawful orders issued by the Department of Revenue  
22 relating to the administration of part II of chapter 538,  
23 Florida Statutes, issued before the effective date of this act  
24 shall remain in effect and be enforceable after the effective  
25 date of this section unless thereafter modified in accordance  
26 with law.

27 (4) The rules of the Department of Revenue relating to the  
28 administration of part II of chapter 538, Florida Statutes, that  
29 were in effect at 11:59 p.m. on the day before the effective  
30 date of this act shall remain in effect and be enforceable after  
31 the effective date of this section unless thereafter modified in  
32 accordance with law.

33 Section 2. Paragraph (cc) is added to subsection (8) of  
34 section 213.053, Florida Statutes, and subsection (11) of that  
35 section is amended, to read:

36 213.053 Confidentiality and information sharing.—

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

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

42  
43 Disclosure of information under this subsection shall be

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44 pursuant to a written agreement between the executive director  
45 and the agency. Such agencies, governmental or nongovernmental,  
46 shall be bound by the same requirements of confidentiality as  
47 the Department of Revenue. Breach of confidentiality is a  
48 misdemeanor of the first degree, punishable as provided by s.  
49 775.082 or s. 775.083.

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

64 Section 3. Paragraph (b) of subsection (1) of section  
65 319.30, Florida Statutes, is amended to read:

66 319.30 Definitions; dismantling, destruction, change of  
67 identity of motor vehicle or mobile home; salvage.—

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

69 (b) "Certificate of registration number" means the

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70 certificate of registration number issued by the Department of  
71 Agriculture and Consumer Services Revenue of the State of  
72 ~~Florida~~ pursuant to s. 538.25.

73 Section 4. Subsections (1) and (2) of section 538.18,  
74 Florida Statutes, are amended to read:

75 538.18 Definitions.—As used in this part, the term:

76 (1) "Appropriate law enforcement official" means the  
77 sheriff of the county in which a secondary metals recycler is  
78 located or, if the secondary metals recycler is located within a  
79 municipality, the police chief of the municipality in which the  
80 secondary metals recycler is located; however, the sheriff or  
81 police chief may designate as the appropriate law enforcement  
82 official or their agent for the county or municipality, as  
83 applicable, any law enforcement officer or their agent working  
84 within that respective county or municipality. This subsection  
85 does not limit the authority or duties of the sheriff.

86 (2) "Department" means the Department of Agriculture and  
87 Consumer Services Revenue.

88 Section 5. Subsections (1), (2), and (3) of section  
89 538.19, Florida Statutes, are amended to read:

90 538.19 Records required; limitation of liability.—

91 (1) A secondary metals recycler shall maintain a legible  
92 paper record of all purchase transactions to which such  
93 secondary metals recycler is a party. A secondary metals  
94 recycler shall also maintain a legible electronic record, in the  
95 English language, of all such purchase transactions. The

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96 appropriate law enforcement official may provide data  
97 specifications regarding the electronic record format, but such  
98 format must be approved by the department ~~of Law Enforcement~~. An  
99 electronic record of a purchase transaction shall be  
100 electronically transmitted to the appropriate law enforcement  
101 official no later than 10 a.m. of the business day following the  
102 date of the purchase transaction. The record transmitted to the  
103 appropriate law enforcement official must not contain the price  
104 paid for the items. A secondary metals recycler who transmits  
105 such records electronically is not required to also deliver the  
106 original or paper copies of the transaction forms to the  
107 appropriate law enforcement official. However, such official  
108 may, for purposes of a criminal investigation, request the  
109 secondary metals recycler to make available the original  
110 transaction form that was electronically transmitted. This  
111 original transaction form must include the price paid for the  
112 items. The secondary metals recycler shall make the form  
113 available to the appropriate law enforcement official within 24  
114 hours after receipt of the request.

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

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

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

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

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

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

127 (f) A signed statement from the person delivering the  
128 regulated metals property stating that she or he is the rightful  
129 owner of, or is entitled to sell, the regulated metals property  
130 being sold. If the purchase involves a stainless steel beer keg,  
131 the seller must provide written documentation from the  
132 manufacturer that the seller is the owner of the stainless steel  
133 beer keg or is an employee or agent of the manufacturer.

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

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

139 1. Full name, current residential address, workplace, and  
140 home and work phone numbers.

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

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

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

147 5. Any other information required by the form approved by

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148 the department ~~of Law Enforcement~~.

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

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

154 (3) A secondary metals recycler complies with the  
155 requirements of this section if it maintains an electronic  
156 database containing the information required by subsection (2)  
157 as long as the electronic information required by subsection  
158 (2), along with an electronic oath of ownership with an  
159 electronic signature of the seller of the secondary metals being  
160 purchased by the secondary metals recyclers and an electronic  
161 image of the seller's right thumbprint that has no smudges and  
162 smears, can be downloaded onto a paper form in the image of the  
163 form approved by the department ~~of Law Enforcement~~ as provided  
164 in subsection (2).

165 Section 6. Section 538.20, Florida Statutes, is amended to  
166 read:

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

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

176 (2) Any and all records required to be maintained under s.  
177 538.19.

178 Section 7. Subsection (3) of section 538.21, Florida  
179 Statutes, is amended to read:

180 538.21 Hold notice.—

181 (3) A secondary metals recycler may not dispose of any  
182 property identified by a hold notice or extended hold notice  
183 until the applicable hold period expires. At the expiration of  
184 the hold period or, if extended in accordance with this section,  
185 at the expiration of the extended hold period, the hold is  
186 automatically released and the secondary metals recycler may  
187 dispose of the regulated metals property unless other  
188 disposition has been ordered by a court of competent  
189 jurisdiction.

190 Section 8. Paragraph (a) of subsection (1) and subsection  
191 (3) of section 538.23, Florida Statutes, are amended to read:

192 538.23 Violations and penalties.—

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

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

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

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

199 4. Violates s. 538.235,



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

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

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

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

216 Section 9. Subsections (1), (3), (4), and (6) of section  
217 538.25, Florida Statutes, are amended to read:

218 538.25 Registration.—

219 (1) A person may not engage in business as a secondary  
220 metals recycler at any location without registering with the  
221 department on an application form prescribed by the department.  
222 An application for registration must state the full name of the  
223 applicant, the place where the business is to be conducted, and  
224 any other relevant information required by the department. If  
225 the applicant is not an individual, the applicant must state the

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226 full name and address of each direct or beneficial owner of at  
227 least 10-percent equity interest in the business. If the  
228 applicant is a corporation, the application must state the full  
229 name and address of each officer and director. The department  
230 shall accept applications only from a fixed business address.  
231 The department may not accept an application that provides an  
232 address of a hotel room or motel room, a vehicle, or a post  
233 office box.

234 (a) Fingerprint fees, as provided for in subparagraph  
235 (b)2., A fee equal to the federal and state costs for processing  
236 required fingerprints must be submitted to the department with  
237 each application for registration. One application is required  
238 for each secondary metals recycler. If a secondary metals  
239 recycler is the owner of more than one secondary metals  
240 recycling location, the application must list each location, and  
241 the department shall issue a duplicate registration for each  
242 location. For purposes of subsections (3) and, (4), and (5),  
243 these duplicate registrations shall be deemed individual  
244 registrations. A secondary metals recycler shall pay a fee of \$6  
245 per location at the time of registration and an annual renewal  
246 fee of \$6 per location on October 1 of each year. All fees  
247 collected, less costs of administration, shall be transferred  
248 into the Operating Trust Fund.

249 (b)1. An applicant shall submit a full set of fingerprints  
250 to the department or an entity or vendor authorized by s.  
251 943.053(13). The fingerprints shall be forwarded to the

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252 Department of Law Enforcement for state processing, and the  
253 Department of Law Enforcement shall forward the fingerprints to  
254 the Federal Bureau of Investigation for national processing.

255 2. Fees for state and federal fingerprint processing and  
256 fingerprint retention fees shall be borne by the applicant. The  
257 state cost for fingerprint processing is that authorized in s.  
258 943.053(3)(b) for records provided to persons or entities other  
259 than those specified as exceptions therein.

260 3. Fingerprints submitted to the Department of Law  
261 Enforcement pursuant to this paragraph shall be retained by the  
262 Department of Law Enforcement as provided in s. 943.05(2)(g) and  
263 (h) and enrolled in the Federal Bureau of Investigation's  
264 national retained print arrest notification program.

265 Fingerprints shall be enrolled in the national retained print  
266 arrest notification program when the Department of Law  
267 Enforcement begins participation with the Federal Bureau of  
268 Investigation. Arrest fingerprints shall be searched against the  
269 retained prints by the Department of Law Enforcement and the  
270 Federal Bureau of Investigation, and any arrest record  
271 identified shall be reported to the department by the Department  
272 of Law Enforcement.

273 4. For a renewal of an applicant's registration, the  
274 department shall request the Department of Law Enforcement to  
275 forward the retained fingerprints of the applicant to the  
276 Federal Bureau of Investigation unless the applicant is enrolled  
277 in the national retained print arrest notification program

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278 described in subparagraph 3. The fee for the national criminal  
279 history check shall be paid as part of the renewal fee to the  
280 department and shall be forwarded to the Department of Law  
281 Enforcement. If an applicant's fingerprints are retained in the  
282 national retained print arrest notification program, the  
283 applicant shall pay the state and national retention fee to the  
284 department, and the department shall forward the fee to the  
285 Department of Law Enforcement.

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

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

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304 ~~submitted for criminal justice information.~~

305 (c) An applicant for a secondary metals recycler  
306 registration must be a natural person who has reached the age of  
307 18 years or a corporation organized or qualified to do business  
308 in the state.

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

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

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

324 (d) In addition to maintaining workers' compensation  
325 insurance, each secondary metals recycler must maintain a  
326 minimum of \$100,000 General Liability Insurance coverage  
327 throughout the registration period.

328 (e) A person applying for or renewing a local business tax  
329 receipt to engage in business as a secondary metals recycler

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330 must exhibit an active registration certificate from the  
331 department before the local business tax receipt may be issued  
332 or renewed.

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

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

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

355 (a) The applicant or registrant, or an owner, officer,

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356 director, or trustee of the applicant or registrant, has been  
357 convicted of knowingly and intentionally:

358 1. Violating s. 538.20, ~~or~~ s. 538.21, or s. 538.26;

359 2. Engaging in a pattern of failing to keep records as  
360 required by s. 538.19;

361 3. Making a material false statement in the application  
362 for registration; or

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

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

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

380 (4)-(5) A denial of an application, or a revocation,  
381 restriction, or suspension of a registration, by the department

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382 shall be probationary for a period of 12 months in the event  
383 that the secondary metals recycler subject to such action has  
384 not had any other application for registration denied, or any  
385 registration revoked, restricted, or suspended, by the  
386 department within the previous 24-month period.

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

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

402 (5) The department shall suspend the registration or the  
403 application for registration of a registrant or applicant if the  
404 registrant or applicant or any of its owners, officers,  
405 directors, or trustees have been convicted of a felony under ss.  
406 817.67, 817.705, or 817.806 immediately upon receiving written  
407 verification of the conviction from a law enforcement agency,



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408 court, or state attorney's office or the Department of Law  
409 Enforcement.

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

414 Section 10. Subsection (1) and paragraph (b) of subsection  
415 (5) of section 538.26, Florida Statutes, are amended to read:

416 538.26 Certain acts and practices prohibited.—It is  
417 unlawful for a secondary metals recycler to do or allow any of  
418 the following acts:

419 (1) Purchase regulated metals property, restricted  
420 regulated metals property, or ferrous metals between the hours  
421 of 7 p.m. and before 7 a.m. or any time on Sunday after 7 p.m.

422 (5)

423 (b) The purchase of any of the following regulated metals  
424 property is subject to the restrictions provided in paragraph

425 (a):

426 1. A manhole cover.

427 2. A metal ~~An~~ electric light pole ~~or other utility~~  
428 ~~structure~~ and its fixtures, ~~wires,~~ and hardware that is ~~are~~  
429 readily identifiable as connected to a metal electric light ~~the~~  
430 ~~utility~~ structure.

431 3. A guard rail.

432 4. A street sign, traffic sign, or traffic signal and its  
433 fixtures and hardware.

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434 5. Communication, transmission, distribution, and service  
435 wire from a utility, including copper or aluminum bus bars,  
436 connectors, grounding plates, or grounding wire.

437 6. A funeral marker or funeral vase.

438 7. A historical marker.

439 8. Railroad equipment, including, but not limited to, a  
440 tie plate, signal house, control box, switch plate, E clip, or  
441 rail tie junction.

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

446 10. A copper, aluminum, or aluminum-copper condensing or  
447 evaporator coil, including its tubing or rods, from an air-  
448 conditioning or heating unit, excluding coils from window air-  
449 conditioning or heating units and motor vehicle air-conditioning  
450 or heating units.

451 11. An aluminum or stainless steel container or bottle  
452 designed to hold propane for fueling forklifts.

453 12. A stainless steel beer keg.

454 13. A catalytic converter or any nonferrous part of a  
455 catalytic converter unless purchased as part of a motor vehicle.

456 14. Metallic wire that has been burned in whole or in part  
457 to remove insulation.

458 15. A brass or bronze commercial valve or fitting,  
459 referred to as a "fire department connection and control valve"

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460 or an "FDC valve," that is commonly used on structures for  
461 access to water for the purpose of extinguishing fires.

462 16. A brass or bronze commercial potable water backflow  
463 preventer valve that is commonly used to prevent backflow of  
464 potable water from commercial structures into municipal domestic  
465 water service systems.

466 17. A shopping cart.

467 18. A brass water meter.

468 19. A storm grate.

469 20. A brass sprinkler head used in commercial agriculture.

470 21. Three or more ~~than two~~ lead-acid batteries, or any  
471 part or component thereof, in a single purchase or from the same  
472 individual in a single day.

473 Section 11. Section 538.27, Florida Statutes, is created  
474 to read:

475 538.27 Administrative penalties.-

476 (1) Upon a determination that a violation of s. 538.19, s.  
477 538.235, s. 538.25, or s. 538.26 has occurred, the department  
478 may take one or more of the following actions:

479 (a) Issue a notice of noncompliance pursuant to s.  
480 120.695.

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

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486 the fine.

487 (c) Direct that the secondary metals recycler cease and  
488 desist specified activities.

489 (2) The administrative proceedings that could result in  
490 the entry of an order imposing any of the penalties specified in  
491 this section shall be conducted in accordance with chapter 120.

492 Section 12. Section 538.29, Florida Statutes, is created  
493 to read:

494 538.29 Rulemaking authority.—The department may adopt  
495 rules to implement this part. Such rules shall include tiered  
496 penalties for violations of this part.

497 Section 13. In order to fund the provisions of this act, a  
498 sum of \$320,000 recurring general revenue and \$190,000 non-  
499 recurring general revenue is appropriated.

500 Section 14. This act shall take effect July 1, 2015.

501  
502 -----

503 **T I T L E A M E N D M E N T**

504 Remove everything before the enacting clause and insert:

505 A bill to be entitled

506 An act relating to secondary metals recyclers; transferring  
507 administration of part II of chapter 538, F.S., relating to  
508 secondary metals recyclers, from the Department of Revenue to  
509 the Department of Agriculture and Consumer Services; providing  
510 for applicability with respect to pending actions, orders, and  
511 rules; amending s. 213.053, F.S.; authorizing the Department of

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512 Revenue to share certain confidential information with the  
513 Department of Agriculture and Consumer Services; amending s.  
514 319.30, F.S., conforming a provision to changes made by the act;  
515 amending s. 538.18, F.S.; providing for designation of an agent  
516 as an appropriate law enforcement official; amending s. 538.19,  
517 F.S.; amending ss. 319.30, 538.18, and 538.19, F.S.; conforming  
518 provisions to changes made by the act; amending s. 538.20, F.S.;  
519 authorizing specified persons to inspect regulated metals  
520 property and records; amending s. 538.21, F.S.; prohibiting a  
521 secondary metals recycler from disposing of certain property for  
522 a specified period; amending s. 538.23, F.S.; revising  
523 violations subject to criminal penalties; amending s. 538.25,  
524 F.S.; revising application requirements for registration as a  
525 secondary metals recycler; revising registration fees; requiring  
526 such fees to be transferred into the General Inspection Trust  
527 Fund; requiring applicants to submit fingerprints and pay a fee  
528 for fingerprint processing and retention; providing for the  
529 submission, retention, and use of collected fingerprints;  
530 requiring secondary metals recyclers to maintain specified  
531 insurance coverage; requiring secondary metals recyclers to  
532 exhibit active registration certificates from the Department of  
533 Agriculture and Consumer Services before applying for or  
534 renewing a local business tax receipt; requiring secondary  
535 metals recyclers to allow department personnel to enter certain  
536 places of business for a specified purpose; revising penalties  
537 for noncompliance; requiring the department to suspend certain

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 813 (2015)

Amendment No.

538 | registrations or applications for registration under certain  
539 | circumstances; amending s. 538.26, F.S.; prohibiting secondary  
540 | metals recyclers from purchasing regulated metals property,  
541 | restricted regulated metals property, or ferrous metals on  
542 | Sundays; prohibiting the purchase of specified restricted  
543 | regulated metals property without obtaining certain proof of the  
544 | seller's transactions involving regulated metals property;  
545 | creating s. 538.27, F.S.; providing penalties for noncompliance;  
546 | creating s. 538.29, F.S.; authorizing the department to adopt  
547 | rules; appropriating a certain amount of recurring and non-  
548 | recurring general revenue to fund the act; providing an  
549 | effective date.