

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

27 | amending s. 493.6113, F.S.; requiring a person holding
28 | a private investigative, private security, or
29 | repossession service license issued before a certain
30 | date to submit upon first renewal of the license a
31 | full set of fingerprints and a fingerprint processing
32 | fee to cover the cost of entering the fingerprints in
33 | the statewide automated biometric identification
34 | system; amending ss. 493.6115 and 493.6118, F.S.;
35 | conforming cross-references; amending s. 501.015,
36 | F.S.; waiving the initial health studio registration
37 | fee for certain veterans of the United States Armed
38 | Forces, the spouses of such veterans, or a business
39 | entity that has a majority ownership held by such a
40 | veteran or spouse; amending s. 501.0581, F.S.;
41 | transferring enforcement authority of the Florida
42 | Commercial Weight-Loss Practices Act from the
43 | Department of Agriculture and Consumer Services to the
44 | Department of Health; amending s. 501.0583, F.S.;
45 | transferring enforcement authority of penalties for
46 | selling, delivering, bartering, furnishing, or giving
47 | weight-loss pills to persons under the age of 18 from
48 | the Department of Agriculture and Consumer Services to
49 | the Department of Health; amending s. 501.605, F.S.;
50 | prohibiting the use of a mail drop as a street address
51 | for the principal location of a commercial telephone
52 | seller; amending s. 501.607, F.S.; waiving the initial

53 commercial telephone seller license fee for certain
54 veterans of the United States Armed Forces, the
55 spouses of such veterans, or a business entity that
56 has a majority ownership held by such a veteran or
57 spouse; amending s. 507.03, F.S.; waiving the initial
58 registration fee for an intrastate movers license for
59 certain veterans of the United States Armed Forces,
60 the spouses of such veterans, or a business entity
61 that has a majority ownership held by such a veteran
62 or spouse; amending s. 527.02, F.S.; waiving the
63 original liquefied petroleum gas dealer license fee
64 for certain veterans of the United States Armed
65 Forces, the spouses of such veterans, or a business
66 entity that has a majority ownership held by such a
67 veteran or spouse; amending s. 539.001, F.S.; waiving
68 the initial pawnbroker license fee for certain
69 veterans of the United States Armed Forces, the
70 spouses of such veterans, or a business entity that
71 has a majority ownership held by such a veteran or
72 spouse; amending s. 559.904, F.S.; waiving the initial
73 motor vehicle repair shop registration fee for certain
74 veterans of the United States Armed Forces, the
75 spouses of such veterans, or a business entity that
76 has a majority ownership held by such a veteran or
77 spouse; amending s. 559.928, F.S.; waiving the initial
78 seller of travel registration fee for certain veterans

79 | of the United States Armed Forces, the spouses of such
80 | veterans, or a business entity that has a majority
81 | ownership held by such a veteran or spouse; amending
82 | s. 616.242, F.S.; deleting an obsolete provision
83 | allowing fair owners to post a bond rather than carry
84 | a certificate of insurance; exempting water-related
85 | amusement rides operated by lodging and food service
86 | establishments and membership campgrounds, amusement
87 | rides at private, membership-only facilities, and
88 | nonprofit permanent facilities from certain safety
89 | standards; authorizing owners or managers of amusement
90 | rides to use alternate forms to record employee
91 | training and ride inspections; amending s. 790.06,
92 | F.S.; requiring firearm course instructors to maintain
93 | records attesting to the use of live fire with
94 | specified firearms and ammunition by students in his
95 | or her physical presence; revising the initial and
96 | renewal fees for a concealed weapon or firearm
97 | license; requiring notice of the suspension or
98 | revocation of a concealed weapon or firearm license or
99 | the suspension of the processing of an application for
100 | such license to be given by personal delivery, first-
101 | class mail, or e-mail; requiring concealed weapon or
102 | firearm license renewals to include an affidavit
103 | submitted under oath and under penalty of perjury;
104 | amending s. 790.0625, F.S.; authorizing certain tax

105 collector offices, upon approval and confirmation of
 106 license issuance by the Department of Agriculture and
 107 Consumer Services, to print and deliver concealed
 108 weapon or firearm licenses; providing an effective
 109 date.

110

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

112

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

115 472.015 Licensure.—

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

125 (b) The department shall waive the initial license fee for
 126 an honorably discharged veteran of the United States Armed
 127 Forces, the spouse of such a veteran, or a business entity that
 128 has a majority ownership held by such a veteran or spouse if the
 129 department receives an application, in a format prescribed by
 130 the department, within 60 months after the date of the veteran's

131 discharge from any branch of the United States Armed Forces. To
132 qualify for the waiver, a veteran must provide to the department
133 a copy of his or her DD Form 214 or NGB Form 22; the spouse of a
134 veteran must provide to the department a copy of the veteran's
135 DD Form 214 or NGB Form 22 and a copy of a valid marriage
136 license or certificate verifying that he or she was lawfully
137 married to the veteran at the time of discharge; or a business
138 entity must provide to the department proof that a veteran or
139 the spouse of a veteran holds a majority ownership in the
140 business, a copy of the veteran's DD Form 214 or NGB Form 22,
141 and, if applicable, a copy of a valid marriage license or
142 certificate verifying that the spouse of the veteran was
143 lawfully married to the veteran at the time of discharge.

144 Section 2. Paragraph (j) of subsection (3) of section
145 493.6105, Florida Statutes, is amended to read:

146 493.6105 Initial application for license.—

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

149 (j) A full set of fingerprints, a fingerprint processing
150 fee, and a fingerprint retention fee to cover the cost of
151 retaining the fingerprints in the statewide automated biometric
152 identification system pursuant to s. 493.6108(2)(a) and the cost
153 of enrolling the fingerprints in the national retained print
154 arrest notification program when the program is operational and
155 the Department of Law Enforcement begins participation. The
156 fingerprint processing and retention fees shall ~~to~~ be

157 established by rule of the department based upon costs
 158 determined by state and federal agency charges and department
 159 processing costs. An applicant who has, ~~within the immediately~~
 160 ~~preceding 6 months,~~ submitted such fingerprints and fees ~~fee~~ for
 161 licensing purposes under this chapter and who still holds a
 162 valid license is not required to submit another set of
 163 fingerprints or another fingerprint processing fee. An applicant
 164 who holds multiple licenses issued under this chapter is
 165 required to pay only a single fingerprint retention fee.

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

168 493.6106 License requirements; posting.—

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

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

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

182 2. An applicant for a Class "G" or Class "K" license who

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

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

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

202 493.6108 Investigation of applicants by Department of
 203 Agriculture and Consumer Services.—

204 (2) (a) The Department of Law Enforcement shall retain and
 205 enter into the statewide automated biometric identification
 206 system authorized under s. 943.05 all fingerprints submitted to
 207 the department pursuant to this chapter. The Department of Law
 208 Enforcement shall enroll such fingerprints in the national

209 retained print arrest notification program when the program is
210 operational and the Department of Law Enforcement begins
211 participation. Thereafter, the fingerprints shall be available
212 for arrest notifications required by paragraph (b) and all
213 purposes and uses authorized for arrest fingerprints entered
214 into the statewide automated biometric identification system.

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

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

227 493.6113 Renewal application for licensure.—

228 (3) (a) Each licensee is responsible for renewing his or
229 her license on or before its expiration by filing with the
230 department an application for renewal accompanied by payment of
231 the renewal fee and the fingerprint retention fee to cover the
232 cost of ongoing retention in the statewide automated biometric
233 identification system ~~prescribed license fee.~~

234 (b) In addition to the fees specified in paragraph (a), a

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

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

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

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

266 The department may waive the firearms training requirement if:

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

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

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
 308 disciplinary action specified in subsection (2) may be taken by
 309 the department against any licensee, agency, or applicant
 310 regulated by this chapter, or any unlicensed person engaged in
 311 activities 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
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. Subsections (1) and (2) of section 501.0581,
 342 Florida Statutes, are amended to read:

343 501.0581 Commercial Weight-Loss Practices Act; civil
 344 remedies.—

345 (1) The Department of Health ~~Agriculture and Consumer~~
 346 ~~Services~~ may bring a civil action in circuit court for temporary
 347 or permanent injunctive relief to enforce ~~the provisions of this~~
 348 act and may seek other appropriate civil relief, including a
 349 civil penalty not to exceed \$5,000 for each violation, for
 350 restitution and damages for injured customers, court costs, and
 351 reasonable attorney ~~attorney's~~ fees.

352 (2) The Department of Health ~~Agriculture and Consumer~~
 353 ~~Services~~ may terminate any investigation or action upon
 354 agreement by the offender to pay a stipulated civil penalty,
 355 make restitution or pay damages to customers, or satisfy any
 356 other relief authorized herein and requested by the department.

357 Section 10. Subsection (3) of section 501.0583, Florida
 358 Statutes, is amended to read:

359 501.0583 Selling, delivering, bartering, furnishing, or
 360 giving weight-loss pills to persons under age 18; penalties;
 361 defense.—

362 (3) A first violation of subsection (2) or this subsection
 363 is punishable by a fine of \$100. A second violation of
 364 subsection (2) or this subsection is punishable by a fine of

365 \$250. A third violation of subsection (2) or this subsection is
366 punishable by a fine of \$500. A fourth or subsequent violation
367 of subsection (2) or this subsection is punishable by a fine as
368 determined by the Department of Health ~~Agriculture and Consumer~~
369 ~~Services~~, not to exceed \$1,000.

370 Section 11. Paragraph (j) of subsection (2) and paragraph
371 (b) of subsection (5) of section 501.605, Florida Statutes, are
372 amended to read:

373 501.605 Licensure of commercial telephone sellers.—

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

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

382
383 The application shall be accompanied by a copy of any: Script,
384 outline, or presentation the applicant will require or suggest a
385 salesperson to use when soliciting, or, if no such document is
386 used, a statement to that effect; sales information or
387 literature to be provided by the applicant to a salesperson; and
388 sales information or literature to be provided by the applicant
389 to a purchaser in connection with any solicitation.

390 (5) An application filed pursuant to this part must be

391 verified and accompanied by:

392 (b) A fee for licensing in the amount of \$1,500. The fee
393 shall be deposited into the General Inspection Trust Fund. The
394 department shall waive the initial licensing fee for an
395 honorably discharged veteran of the United States Armed Forces,
396 the spouse of such a veteran, or a business entity that has a
397 majority ownership held by such a veteran or spouse if the
398 department receives an application, in a format prescribed by
399 the department, within 60 months after the date of the veteran's
400 discharge from any branch of the United States Armed Forces. To
401 qualify for the waiver, a veteran must provide to the department
402 a copy of his or her DD Form 214 or NGB Form 22; the spouse of a
403 veteran must provide to the department a copy of the veteran's
404 DD Form 214 or NGB Form 22 and a copy of a valid marriage
405 license or certificate verifying that he or she was lawfully
406 married to the veteran at the time of discharge; or a business
407 entity must provide to the department proof that a veteran or
408 the spouse of a veteran holds a majority ownership in the
409 business, a copy of the veteran's DD Form 214 or NGB Form 22,
410 and, if applicable, a copy of a valid marriage license or
411 certificate verifying that the spouse of the veteran was
412 lawfully married to the veteran at the time of discharge.

413 Section 12. Paragraph (b) of subsection (2) of section
414 501.607, Florida Statutes, is amended to read:

415 501.607 Licensure of salespersons.—

416 (2) An application filed pursuant to this section must be

417 verified and be accompanied by:

418 (b) A fee for licensing in the amount of \$50 per
419 salesperson. The fee shall be deposited into the General
420 Inspection Trust Fund. The fee for licensing may be paid after
421 the application is filed, but must be paid within 14 days after
422 the applicant begins work as a salesperson. The department shall
423 waive the initial licensing fee for an honorably discharged
424 veteran of the United States Armed Forces, the spouse of such a
425 veteran, or a business entity that has a majority ownership held
426 by such a veteran or spouse if the department receives an
427 application, in a format prescribed by the department, within 60
428 months after the date of the veteran's discharge from any branch
429 of the United States Armed Forces. To qualify for the waiver, a
430 veteran must provide to the department a copy of his or her DD
431 Form 214 or NGB Form 22; the spouse of a veteran must provide to
432 the department a copy of the veteran's DD Form 214 or NGB Form
433 22 and a copy of a valid marriage license or certificate
434 verifying that he or she was lawfully married to the veteran at
435 the time of discharge; or a business entity must provide to the
436 department proof that a veteran or the spouse of a veteran holds
437 a majority ownership in the business, a copy of the veteran's DD
438 Form 214 or NGB Form 22, and, if applicable, a copy of a valid
439 marriage license or certificate verifying that the spouse of the
440 veteran was lawfully married to the veteran at the time of
441 discharge.

442 Section 13. Subsection (3) of section 507.03, Florida

443 Statutes, is amended to read:

444 507.03 Registration.—

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

451 (b) The department shall waive the initial registration
452 fee for an honorably discharged veteran of the United States
453 Armed Forces, the spouse of such a veteran, or a business entity
454 that has a majority ownership held by such a veteran or spouse
455 if the department receives an application, in a format
456 prescribed by the department, within 60 months after the date of
457 the veteran's discharge from any branch of the United States
458 Armed Forces. To qualify for the waiver, a veteran must provide
459 to the department a copy of his or her DD Form 214 or NGB Form
460 22; the spouse of a veteran must provide to the department a
461 copy of the veteran's DD Form 214 or NGB Form 22 and a copy of a
462 valid marriage license or certificate verifying that he or she
463 was lawfully married to the veteran at the time of discharge; or
464 a business entity must provide to the department proof that a
465 veteran or the spouse of a veteran holds a majority ownership in
466 the business, a copy of the veteran's DD Form 214 or NGB Form
467 22, and, if applicable, a copy of a valid marriage license or
468 certificate verifying that the spouse of the veteran was

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

470 Section 14. Subsection (3) of section 527.02, Florida
471 Statutes, is amended to read:

472 527.02 License; penalty; fees.—

473 (3) (a) An ~~Any~~ applicant for an original license who
474 submits an ~~whose~~ application ~~is submitted~~ during the last 6
475 months of the license year may have the original license fee
476 reduced by one-half for the 6-month period. This provision
477 applies ~~shall apply~~ only to those companies applying for an
478 original license and may ~~shall~~ not be applied to licensees who
479 held a license during the previous license year and failed to
480 renew the license. The department may refuse to issue an initial
481 license to an ~~any~~ applicant who is under investigation in any
482 jurisdiction for an action that would constitute a violation of
483 this chapter until such time as the investigation is complete.

484 (b) The department shall waive the original license fee
485 for an honorably discharged veteran of the United States Armed
486 Forces, the spouse of such a veteran, or a business entity that
487 has a majority ownership held by such a veteran or spouse if the
488 department receives an application, in a format prescribed by
489 the department, within 60 months after the date of the veteran's
490 discharge from any branch of the United States Armed Forces. To
491 qualify for the waiver, a veteran must provide to the department
492 a copy of his or her DD Form 214 or NGB Form 22; the spouse of a
493 veteran must provide to the department a copy of the veteran's
494 DD Form 214 or NGB Form 22 and a copy of a valid marriage

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

503 Section 15. Paragraph (c) of subsection (3) of section
504 539.001, Florida Statutes, is amended to read:

505 539.001 The Florida Pawnbroking Act.—

506 (3) LICENSE REQUIRED.—

507 (c) Each license is valid for a period of 1 year unless it
508 is earlier relinquished, suspended, or revoked. Each license
509 shall be renewed annually, and each licensee shall, initially
510 and annually thereafter, pay to the agency a license fee of \$300
511 for each license held. The agency shall waive the initial
512 license fee for an honorably discharged veteran of the United
513 States Armed Forces, the spouse of such a veteran, or a business
514 entity that has a majority ownership held by such a veteran or
515 spouse if the agency receives an application, in a format
516 prescribed by the agency, within 60 months after the date of the
517 veteran's discharge from any branch of the United States Armed
518 Forces. To qualify for the waiver, a veteran must provide to the
519 agency a copy of his or her DD Form 214 or NGB Form 22; the
520 spouse of a veteran must provide to the agency a copy of the

521 veteran's DD Form 214 or NGB Form 22 and a copy of a valid
522 marriage license or certificate verifying that he or she was
523 lawfully married to the veteran at the time of discharge; or a
524 business entity must provide to the agency proof that a veteran
525 or 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 16. Subsection (3) of section 559.904, Florida
531 Statutes, is amended to read:

532 559.904 Motor vehicle repair shop registration;
533 application; exemption.—

534 (3) (a) Each application for registration must be
535 accompanied by a registration fee calculated on a per-year basis
536 as follows:

537 1. (a) If the place of business has 1 to 5 employees: \$50.

538 2. (b) If the place of business has 6 to 10 employees:
539 \$150.

540 3. (c) If the place of business has 11 or more employees:
541 \$300.

542 (b) The department shall waive the initial registration
543 fee for an honorably discharged veteran of the United States
544 Armed Forces, the spouse of such a veteran, or a business entity
545 that has a majority ownership held by such a veteran or spouse
546 if the department receives an application, in a format

547 prescribed by the department, within 60 months after the date of
548 the veteran's discharge from any branch of the United States
549 Armed Forces. To qualify for the waiver, a veteran must provide
550 to the department a copy of his or her DD Form 214 or NGB Form
551 22; the spouse of a veteran must provide to the department a
552 copy of the veteran's DD Form 214 or NGB Form 22 and a copy of a
553 valid marriage license or certificate verifying that he or she
554 was lawfully married to the veteran at the time of discharge; or
555 a business entity must provide to the department proof that a
556 veteran or the spouse of a veteran holds a majority ownership in
557 the business, a copy of the veteran's DD Form 214 or NGB Form
558 22, and, if applicable, a copy of a valid marriage license or
559 certificate verifying that the spouse of the veteran was
560 lawfully married to the veteran at the time of discharge.

561 Section 17. Paragraph (c) is added to subsection (2) of
562 section 559.928, Florida Statutes, to read:

563 559.928 Registration.—

564 (2)

565 (c) The department shall waive the initial registration
566 fee for an honorably discharged veteran of the United States
567 Armed Forces, the spouse of such a veteran, or a business entity
568 that has a majority ownership held by such a veteran or spouse
569 if the department receives an application, in a format
570 prescribed by the department, within 60 months after the date of
571 the veteran's discharge from any branch of the United States
572 Armed Forces. To qualify for the waiver, a veteran must provide

573 to the department a copy of his or her DD Form 214 or NGB Form
574 22; the spouse of a veteran must provide to the department a
575 copy of the veteran's DD Form 214 or NGB Form 22 and a copy of a
576 valid marriage license or certificate verifying that he or she
577 was lawfully married to the veteran at the time of discharge; or
578 the business entity must provide to the department proof that a
579 veteran or the spouse of a veteran holds a majority ownership in
580 the business, a copy of the veteran's DD Form 214 or NGB Form
581 22, and, if applicable, a copy of a valid marriage license or
582 certificate verifying that the spouse of the veteran was
583 lawfully married to the veteran at the time of discharge.

584 Section 18. Paragraph (b) of subsection (5), paragraph (a)
585 of subsection (10), and subsections (15) and (16) of section
586 616.242, Florida Statutes, are amended to read:

587 616.242 Safety standards for amusement rides.—

588 (5) ANNUAL PERMIT.—

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

592 1. The legal name, address, and primary place of business
593 of the owner.

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

597 3. A valid certificate of insurance ~~or bond~~ for each
598 amusement ride.

599 4. An affidavit of compliance that the amusement ride was
600 inspected in person by the affiant and that the amusement ride
601 is in general conformance with the requirements of this section
602 and all applicable rules adopted by the department. The
603 affidavit must be executed by a professional engineer or a
604 qualified inspector at least ~~no earlier than~~ 60 days before, but
605 not later than, the date ~~of the filing of~~ the application is
606 filed with the department. The owner shall request inspection
607 and permitting of the amusement ride within 60 days after ~~of~~ the
608 date ~~of filing~~ the application is filed with the department. The
609 department shall inspect and permit the amusement ride within 60
610 days after the date ~~filing~~ the application is filed with the
611 department.

612 5. If required by subsection (6), an affidavit of
613 nondestructive testing dated and executed at least ~~no earlier~~
614 ~~than~~ 60 days before ~~prior to~~, but not later than, the date ~~of~~
615 ~~the filing of~~ the application is filed with the department. The
616 owner shall request inspection and permitting of the amusement
617 ride within 60 days after ~~of~~ the date ~~of filing~~ the application
618 is filed with the department. The department shall inspect and
619 permit the amusement ride within 60 days after the date ~~filing~~
620 the application is filed with the department.

621 6. A request for inspection.

622 7. Upon request, the owner shall, at no cost to the
623 department, provide the department a copy of the manufacturer's
624 current recommended operating instructions in the possession of

625 the owner, the owner's operating fact sheet, and any written
626 bulletins in the possession of the owner concerning the safety,
627 operation, or maintenance of the amusement ride.

628 (10) EXEMPTIONS.—

629 (a) This section does not apply to:

630 1. Permanent facilities that employ at least 1,000 full-
631 time employees and that maintain full-time, in-house safety
632 inspectors. Furthermore, the permanent facilities must file an
633 affidavit of the annual inspection with the department, on a
634 form prescribed by rule of the department. Additionally, the
635 Department of Agriculture and Consumer Services may consult
636 annually with the permanent facilities regarding industry safety
637 programs.

638 2. Any playground operated by a school, local government,
639 or business licensed under chapter 509, if the playground is an
640 incidental amenity and the operating entity is not primarily
641 engaged in providing amusement, pleasure, thrills, or
642 excitement.

643 3. Museums or other institutions principally devoted to
644 the exhibition of products of agriculture, industry, education,
645 science, religion, or the arts.

646 4. Conventions or trade shows for the sale or exhibit of
647 amusement rides if there are a minimum of 15 amusement rides on
648 display or exhibition, and if any operation of such amusement
649 rides is limited to the registered attendees of the convention
650 or trade show.

651 5. Skating rinks, arcades, laser ~~lazer~~ or paint ball war
652 games, bowling alleys, miniature golf courses, mechanical bulls,
653 inflatable rides, trampolines, ball crawls, exercise equipment,
654 jet skis, paddle boats, airboats, helicopters, airplanes,
655 parasails, hot air or helium balloons whether tethered or
656 untethered, theatres, batting cages, stationary spring-mounted
657 fixtures, rider-propelled merry-go-rounds, games, side shows,
658 live animal rides, or live animal shows.

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

661 7. Nonmotorized playground equipment that is not required
662 to have a manager.

663 8. Coin-actuated amusement rides designed to be operated
664 by depositing coins, tokens, credit cards, debit cards, bills,
665 or other cash money and which are not required to have a
666 manager, and which have a capacity of six persons or less.

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

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

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

676 12. A water-related amusement ride operated by a business

677 licensed under chapter 509 if the water-related amusement ride
 678 is an incidental amenity and the operating business is not
 679 primarily engaged in providing amusement, pleasure, thrills, or
 680 excitement and does not offer day rates.

681 13. An amusement ride at a private, membership-only
 682 facility if the amusement ride is an incidental amenity and the
 683 facility is not open to the general public, is not primarily
 684 engaged in providing amusement, pleasure, thrills, or
 685 excitement, and does not offer day rates.

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

688 (15) INSPECTION BY OWNER OR MANAGER.—~~Before~~ ~~Prior to~~
 689 opening on each day of operation and before ~~prior to~~ any
 690 inspection by the department, the owner or manager of an
 691 amusement ride must inspect and test the amusement ride to
 692 ensure compliance with all requirements of this section. Each
 693 inspection must be recorded on a form prescribed by rule of the
 694 department and signed by the person who conducted the
 695 inspection. In lieu of the form prescribed by rule of the
 696 department, the owner or manager may request approval of an
 697 alternate form if the alternate form includes, at a minimum, the
 698 information required on the form prescribed by rule of the
 699 department. Inspection records of the last 14 daily inspections
 700 must be kept on site by the owner or manager and made
 701 immediately available to the department upon request.

702 (16) TRAINING OF EMPLOYEES.—The owner or manager of an ~~any~~

703 amusement ride shall maintain a record of employee training for
704 each employee authorized to operate, assemble, disassemble,
705 transport, or conduct maintenance on an amusement ride, on a
706 form prescribed by rule of the department. In lieu of the form
707 prescribed by rule of the department, the owner or manager may
708 request approval of an alternate form if the alternate form
709 includes, at a minimum, the information required on the form
710 prescribed by rule of the department. The training record must
711 be kept on site by the owner or manager and made immediately
712 available to the department upon request. Training may not be
713 conducted when an amusement ride is open to the public unless
714 the training is conducted under the supervision of an employee
715 who is trained in the operation of that ride. The owner or
716 manager shall certify that each employee is trained, as required
717 by this section and any rules adopted thereunder, on the
718 amusement ride for which the employee is responsible.

719 Section 19. Paragraph (h) of subsection (2), paragraph (b)
720 of subsection (5), subsection (10), and paragraph (a) of
721 subsection (11) of section 790.06, Florida Statutes, are amended
722 to read:

723 790.06 License to carry concealed weapon or firearm.—

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

726 (h) Demonstrates competence with a firearm by any one of
727 the following:

728 1. Completion of any hunter education or hunter safety

729 course approved by the Fish and Wildlife Conservation Commission
 730 or a similar agency of another state;

731 2. Completion of any National Rifle Association firearms
 732 safety or training course;

733 3. Completion of any firearms safety or training course or
 734 class available to the general public offered by a law
 735 enforcement, junior college, college, or private or public
 736 institution or organization or firearms training school,
 737 utilizing instructors certified by the National Rifle
 738 Association, Criminal Justice Standards and Training Commission,
 739 or the Department of Agriculture and Consumer Services;

740 4. Completion of any law enforcement firearms safety or
 741 training course or class offered for security guards,
 742 investigators, special deputies, or any division or subdivision
 743 of law enforcement or security enforcement;

744 5. Presents evidence of equivalent experience with a
 745 firearm through participation in organized shooting competition
 746 or military service;

747 6. Is licensed or has been licensed to carry a firearm in
 748 this state or a county or municipality of this state, unless
 749 such license has been revoked for cause; or

750 7. Completion of any firearms training or safety course or
 751 class conducted by a state-certified or National Rifle
 752 Association certified firearms instructor;

753
 754 A photocopy of a certificate of completion of any of the courses

755 or classes; ~~or~~ an affidavit from the instructor, school, club,
756 organization, or group that conducted or taught such ~~said~~ course
757 or class attesting to the completion of the course or class by
758 the applicant; or a copy of any document that ~~which~~ shows
759 completion of the course or class or evidences participation in
760 firearms competition shall constitute evidence of qualification
761 under this paragraph. A; ~~any~~ person who conducts a course
762 pursuant to subparagraph 2., subparagraph 3., or subparagraph
763 7., or who, as an instructor, attests to the completion of such
764 courses, must maintain records certifying that he or she
765 observed the student safely handle and discharge the firearm in
766 his or her physical presence and that the discharge of the
767 firearm included live fire using a firearm and ammunition as
768 defined in s. 790.001;

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

772 (b) A nonrefundable license fee of up to \$60 ~~\$70~~ if he or
773 she has not previously been issued a statewide license or of up
774 to \$50 ~~\$60~~ for renewal of a statewide license. The cost of
775 processing fingerprints as required in paragraph (c) shall be
776 borne by the applicant. However, an individual holding an active
777 certification from the Criminal Justice Standards and Training
778 Commission as a law enforcement officer, correctional officer,
779 or correctional probation officer as defined in s. 943.10(1),
780 (2), (3), (6), (7), (8), or (9) is exempt from the licensing

781 requirements of this section. If such individual wishes to
 782 receive a concealed weapon ~~weapons~~ or firearm ~~firearms~~ license,
 783 he or she is exempt from the background investigation and all
 784 background investigation fees, but must pay the current license
 785 fees regularly required to be paid by nonexempt applicants.
 786 Further, a law enforcement officer, a correctional officer, or a
 787 correctional probation officer as defined in s. 943.10(1), (2),
 788 or (3) is exempt from the required fees and background
 789 investigation for ~~a period of~~ 1 year after his or her
 790 retirement.

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

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

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

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

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

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

805 (f) Is convicted of a second violation of s. 316.193, or a
 806 similar law of another state, within 3 years after ~~of~~ a first

807 ~~previous~~ conviction of such section~~7~~, or similar law of another
 808 state, even though the first violation may have occurred before
 809 ~~prior to~~ the date on which the application was submitted;

810 (g) Is adjudicated an incapacitated person under s.
 811 744.331, or similar laws of any other state; or

812 (h) Is committed to a mental institution under chapter
 813 394, or similar laws of any other state.

814
 815 Notwithstanding s. 120.60(5), notice of the suspension or
 816 revocation of a concealed weapon or firearm license or the
 817 suspension of the processing of an application for such license
 818 shall be given by personal delivery to the licensee, by first-
 819 class mail in an envelope, postage prepaid, addressed to the
 820 licensee at his or her last known mailing address furnished to
 821 the department, or by e-mail if the licensee has provided an e-
 822 mail address to the department. Such mailing or sending of e-
 823 mail by the department constitutes notification, and any failure
 824 by the person to receive the mailed or e-mailed notice does not
 825 stay the effective date or term of the suspension or revocation.
 826 The giving of notice by mail is complete upon expiration of 20
 827 days after deposit in the United States mail. Proof of the
 828 giving of notice shall be made by entry in the records of the
 829 department that such notice was given. The entry is admissible
 830 in the courts of this state and constitutes sufficient proof
 831 that such notice was given.

832 (11) (a) At least ~~No less than~~ 90 days before the

833 expiration date of the license, the Department of Agriculture
834 and Consumer Services shall mail to each licensee a written
835 notice of the expiration and a renewal form prescribed by the
836 Department of Agriculture and Consumer Services. The licensee
837 must renew his or her license on or before the expiration date
838 by filing with the Department of Agriculture and Consumer
839 Services the renewal form containing an ~~a notarized~~ affidavit
840 submitted under oath and under penalty of perjury stating that
841 the licensee remains qualified pursuant to the criteria
842 specified in subsections (2) and (3), a color photograph as
843 specified in paragraph (5)(e), and the required renewal fee.
844 Out-of-state residents must also submit a complete set of
845 fingerprints and fingerprint processing fee. The license shall
846 be renewed upon receipt of the completed renewal form, color
847 photograph, appropriate payment of fees, and, if applicable,
848 fingerprints. Additionally, a licensee who fails to file a
849 renewal application on or before its expiration date must renew
850 his or her license by paying a late fee of \$15. A license may
851 not be renewed 180 days or more after its expiration date, and
852 such a license is deemed to be permanently expired. A person
853 whose license has been permanently expired may reapply for
854 licensure; however, an application for licensure and fees under
855 subsection (5) must be submitted, and a background investigation
856 shall be conducted pursuant to this section. A person who
857 knowingly files false information under this subsection is
858 subject to criminal prosecution under s. 837.06.

CS/HB 995

2015

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

861 790.0625 Appointment of tax collectors to accept
862 applications for a concealed weapon or firearm license; fees;
863 penalties.—

864 (8) Upon receipt of a completed renewal application, a new
865 color photograph, and appropriate payment of fees, a tax
866 collector authorized to accept renewal applications for
867 concealed weapon or firearm licenses under this section may,
868 upon approval and confirmation of license issuance by the
869 department, print and deliver a concealed weapon or firearm
870 license to a licensee renewing his or her license at the tax
871 collector's office.

872 Section 21. This act shall take effect July 1, 2015.