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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/21/2016	.	
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Appropriations Subcommittee on General Government (Simpson)  
recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (1) of section 472.007, Florida  
Statutes, is amended to read:

472.007 Board of Professional Surveyors and Mappers.—There  
is created in the Department of Agriculture and Consumer  
Services the Board of Professional Surveyors and Mappers.

(1) The board shall consist of nine members, seven ~~six~~ of



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11 whom shall be registered surveyors and mappers primarily engaged  
12 in the practice of surveying and mapping, ~~one of whom shall be a~~  
13 ~~registered surveyor and mapper with the designation of~~  
14 ~~photogrammetrist,~~ and two of whom shall be laypersons who are  
15 not and have never been surveyors and mappers or members of any  
16 closely related profession or occupation.

17 Section 2. Subsection (3) of section 472.015, Florida  
18 Statutes, is amended to read:

19 472.015 Licensure.—

20 (3) (a) Before the issuance of any license, the department  
21 may charge an initial license fee as determined by rule of the  
22 board. Upon receipt of the appropriate license fee, except as  
23 provided in subsection (6), the department shall issue a license  
24 to any person certified by the board, or its designee, as having  
25 met the applicable requirements imposed by law or rule. However,  
26 an applicant who is not otherwise qualified for licensure is not  
27 entitled to licensure solely based on a passing score on a  
28 required examination.

29 (b) The department shall waive the initial license fee for  
30 an honorably discharged veteran of the United States Armed  
31 Forces, the spouse of such a veteran, or a business entity that  
32 has a majority ownership held by such a veteran or spouse if the  
33 department receives an application, in a format prescribed by  
34 the department, within 60 months after the date of the veteran's  
35 discharge from any branch of the United States Armed Forces. To  
36 qualify for the waiver, a veteran must provide to the department  
37 a copy of his or her DD Form 214, as issued by the United States  
38 Department of Defense, or another acceptable form of  
39 identification as specified by the Department of Veterans'



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40 Affairs; the spouse of a veteran must provide to the department  
41 a copy of the veteran's DD Form 214, as issued by the United  
42 States Department of Defense, or another acceptable form of  
43 identification as specified by the Department of Veterans'  
44 Affairs, and a copy of a valid marriage license or certificate  
45 verifying that he or she was lawfully married to the veteran at  
46 the time of discharge; or a business entity must provide to the  
47 department proof that a veteran or the spouse of a veteran holds  
48 a majority ownership in the business, a copy of the veteran's DD  
49 Form 214, as issued by the United States Department of Defense,  
50 or another acceptable form of identification as specified by the  
51 Department of Veterans' Affairs, and, if applicable, a copy of a  
52 valid marriage license or certificate verifying that the spouse  
53 of the veteran was lawfully married to the veteran at the time  
54 of discharge.

55 Section 3. Paragraph (c) is added to subsection (1) of  
56 section 493.6105, Florida Statutes, and paragraph (j) of  
57 subsection (3) of that section is amended, to read:

58 493.6105 Initial application for license.-

59 (1) Each individual, partner, or principal officer in a  
60 corporation, shall file with the department a complete  
61 application accompanied by an application fee not to exceed \$60,  
62 except that the applicant for a Class "D" or Class "G" license  
63 is not required to submit an application fee. The application  
64 fee is not refundable.

65 (c) The initial application fee for a veteran, as defined  
66 in s. 1.01, shall be waived if he or she applies for a Class  
67 "C," Class "CC," Class "DI," Class "E," Class "EE," Class "K,"  
68 Class "M," Class "MA," Class "MB," Class "MR," or Class "RI"



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69 license within 24 months after being discharged from a branch of  
70 the United States Armed Forces. An eligible veteran must include  
71 a copy of his or her DD Form 214, as issued by the United States  
72 Department of Defense, or another acceptable form of  
73 identification as specified by the Department of Veterans'  
74 Affairs with his or her application in order to obtain a waiver.

75 (3) The application must contain the following information  
76 concerning the individual signing the application:

77 (j) A full set of fingerprints, a fingerprint processing  
78 fee, and a fingerprint retention fee. The fingerprint processing  
79 and retention fees shall ~~to~~ be established by rule of the  
80 department based upon costs determined by state and federal  
81 agency charges and department processing costs, which must  
82 include the cost of retaining the fingerprints in the statewide  
83 automated biometric identification system established in s.  
84 943.05(2)(b) and the cost of enrolling the fingerprints in the  
85 national retained print arrest notification program as required  
86 under s. 493.6108. An applicant who has, within the immediately  
87 preceding 6 months, submitted such fingerprints and fees ~~fee~~ for  
88 licensing purposes under this chapter and who still holds a  
89 valid license is not required to submit another set of  
90 fingerprints or another fingerprint processing fee. An applicant  
91 who holds multiple licenses issued under this chapter is  
92 required to pay only a single fingerprint retention fee.

93 Section 4. Paragraph (f) of subsection (1) of section  
94 493.6106, Florida Statutes, is amended to read:

95 493.6106 License requirements; posting.—

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

97 (f) Be a citizen or permanent legal resident alien of the



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98 United States or have appropriate authorization issued by the  
99 United States Citizenship and Immigration Services of the United  
100 States Department of Homeland Security.

101 1. An applicant for a Class "C," Class "CC," Class "D,"  
102 Class "DI," Class "E," Class "EE," Class "M," Class "MA," Class  
103 "MB," Class "MR," or Class "RI" license who is not a United  
104 States citizen must submit proof of current employment  
105 authorization issued by the United States Citizenship and  
106 Immigration Services or proof that she or he is deemed a  
107 permanent legal resident alien by the United States Citizenship  
108 and Immigration Services.

109 2. An applicant for a Class "G" or Class "K" license who is  
110 not a United States citizen must submit proof that she or he is  
111 deemed a permanent legal resident alien by the United States  
112 Citizenship and Immigration Services, ~~together with additional~~  
113 ~~documentation establishing that she or he has resided in the~~  
114 ~~state of residence shown on the application for at least 90~~  
115 ~~consecutive days before the date that the application is~~  
116 ~~submitted.~~

117 3. An applicant for an agency or school license who is not  
118 a United States citizen or permanent legal resident alien must  
119 submit documentation issued by the United States Citizenship and  
120 Immigration Services stating that she or he is lawfully in the  
121 United States and is authorized to own and operate the type of  
122 agency or school for which she or he is applying. An employment  
123 authorization card issued by the United States Citizenship and  
124 Immigration Services is not sufficient documentation.

125 Section 5. Subsection (6) is added to section 493.6107,  
126 Florida Statutes, to read:



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127 493.6107 Fees.—

128 (6) The initial license fee for a veteran, as defined in s.  
129 1.01, shall be waived if he or she applies for a Class "M" or  
130 Class "K" license within 24 months after being discharged from  
131 any branch of the United States Armed Forces. An eligible  
132 veteran must include a copy of his or her DD Form 214, as issued  
133 by the United States Department of Defense, or another  
134 acceptable form of identification as specified by the Department  
135 of Veterans' Affairs with his or her application in order to  
136 obtain a waiver.

137 Section 6. Subsections (4) and (5) are added to section  
138 493.6108, Florida Statutes, to read:

139 493.6108 Investigation of applicants by Department of  
140 Agriculture and Consumer Services.—

141 (4) Beginning January 1, 2017, the Department of Law  
142 Enforcement shall:

143 (a) Retain and enter into the statewide automated biometric  
144 identification system established in s. 943.05(2) (b) all  
145 fingerprints submitted to the Department of Agriculture and  
146 Consumer Services pursuant to this chapter.

147 (b) When the Department of Law Enforcement begins  
148 participation in the Federal Bureau of Investigation's national  
149 retained print arrest notification program, enroll such  
150 fingerprints in the program. The fingerprints must thereafter be  
151 available for arrest notifications and all purposes and uses  
152 authorized for arrest fingerprint submissions entered into the  
153 statewide automated biometric identification system established  
154 in s. 943.05(2) (b).

155 (c) Search all arrest fingerprints against fingerprints



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156 retained.

157 (d) Report to the Department of Agriculture and Consumer  
158 Services any arrest record that it identifies or that is  
159 identified by the Federal Bureau of Investigation.

160 (5) If the department receives information about an arrest  
161 within the state of a person who holds a valid license issued  
162 under this chapter for a crime that could potentially disqualify  
163 the person from holding such a license, the department must  
164 provide the arrest information to the agency that employs the  
165 licensee.

166 Section 7. Subsections (1) and (3) of section 493.6113,  
167 Florida Statutes, are amended to read:

168 493.6113 Renewal application for licensure.—

169 (1) A license granted under the provisions of this chapter  
170 shall be renewed biennially by the department, except for Class  
171 "A," Class "B," Class "AB," Class "K," Class "R," and branch  
172 agency licenses, which shall be renewed every 3 years.

173 (3) Each licensee is responsible for renewing his or her  
174 license on or before its expiration by filing with the  
175 department an application for renewal accompanied by payment of  
176 the renewal fee and the fingerprint retention fee to cover the  
177 cost of ongoing retention in the statewide automated biometric  
178 identification system established in s. 943.05(2)(b) ~~prescribed~~  
179 license fee. Upon the first renewal of a license issued under  
180 this chapter before January 1, 2017, the licensee shall submit a  
181 full set of fingerprints and fingerprint processing fees to  
182 cover the cost of entering the fingerprints into the statewide  
183 automated biometric identification system pursuant to s.  
184 493.6108(4)(a) and, if applicable, enrollment in the Federal



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185 Bureau of Investigation's national retained print arrest  
186 notification program. Subsequent renewals may be completed  
187 without submission of a new set of fingerprints.

188 (a) Each Class "B" licensee shall additionally submit on a  
189 form prescribed by the department a certification of insurance  
190 that evidences that the licensee maintains coverage as required  
191 under s. 493.6110.

192 (b) Each Class "G" licensee shall additionally submit proof  
193 that he or she has received during each year of the license  
194 period a minimum of 4 hours of firearms recertification training  
195 taught by a Class "K" licensee and has complied with such other  
196 health and training requirements that the department shall adopt  
197 by rule. Proof of completion of firearms recertification  
198 training shall be submitted to the department upon completion of  
199 the training. If the licensee fails to complete the required 4  
200 hours of annual training during the first year of the 2-year  
201 term of the license, the license shall be automatically  
202 suspended. The licensee must complete the minimum number of  
203 hours of range and classroom training required at the time of  
204 initial licensure and submit proof of completion of such  
205 training to the department before the license may be reinstated.  
206 If the licensee fails to complete the required 4 hours of annual  
207 training during the second year of the 2-year term of the  
208 license, the licensee must complete the minimum number of hours  
209 of range and classroom training required at the time of initial  
210 licensure and submit proof of completion of such training to the  
211 department before the license may be renewed. The department may  
212 waive the firearms training requirement if:

213 1. The applicant provides proof that he or she is currently





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214 certified as a law enforcement officer or correctional officer  
215 under the Criminal Justice Standards and Training Commission and  
216 has completed law enforcement firearms requalification training  
217 annually during the previous 2 years of the licensure period;

218 2. The applicant provides proof that he or she is currently  
219 certified as a federal law enforcement officer and has received  
220 law enforcement firearms training administered by a federal law  
221 enforcement agency annually during the previous 2 years of the  
222 licensure period; or

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

227 (c) Each Class "DS" or Class "RS" licensee shall  
228 additionally submit the current curriculum, examination, and  
229 list of instructors.

230 (d) Each Class "K" licensee shall additionally submit one  
231 of the certificates specified under s. 493.6105(6) as proof that  
232 he or she remains certified to provide firearms instruction.

233 Section 8. Subsection (4) is added to section 493.6202,  
234 Florida Statutes, to read:

235 493.6202 Fees.—

236 (4) The initial license fee for a veteran, as defined in s.  
237 1.01, shall be waived if he or she applies for a Class "C,"  
238 Class "CC," or Class "MA" license within 24 months after being  
239 discharged from any branch of the United States Armed Forces. An  
240 eligible veteran must include a copy of his or her DD Form 214,  
241 as issued by the United States Department of Defense, or another  
242 acceptable form of identification as specified by the Department



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243 of Veterans' Affairs with his or her application in order to  
244 obtain a waiver.

245 Section 9. Subsection (4) is added to section 493.6302,  
246 Florida Statutes, to read:

247 493.6302 Fees.—

248 (4) The initial license fee for a veteran, as defined in s.  
249 1.01, shall be waived if he or she applies for a Class "D,"  
250 Class "DI," or Class "MB" license within 24 months after being  
251 discharged from any branch of the United States Armed Forces. An  
252 eligible veteran must include a copy of his or her DD Form 214,  
253 as issued by the United States Department of Defense, or another  
254 acceptable form of identification as specified by the Department  
255 of Veterans' Affairs with his or her application in order to  
256 obtain a waiver.

257 Section 10. Subsection (4) is added to section 493.6402,  
258 Florida Statutes, to read:

259 493.6402 Fees.—

260 (4) The initial license fee for a veteran, as defined in s.  
261 1.01, shall be waived if he or she applies for a Class "E,"  
262 Class "EE," Class "MR," or Class "RI" license within 24 months  
263 after being discharged from any branch of the United States  
264 Armed Forces. An eligible veteran must include a copy of his or  
265 her DD Form 214, as issued by the United States Department of  
266 Defense, or another acceptable form of identification as  
267 specified by the Department of Veterans' Affairs with his or her  
268 application in order to obtain a waiver.

269 Section 11. Subsection (1) of section 501.0125, Florida  
270 Statutes, is amended, and subsection (6) is added to that  
271 section, to read:



272           501.0125 Health studios; definitions.—For purposes of ss.  
273 501.012-501.019, the following terms shall have the following  
274 meanings:

275           (1) "Health studio" means any person who is engaged in the  
276 sale of services for instruction, training, or assistance in a  
277 program of physical exercise or in the sale of services for the  
278 right or privilege to use equipment or facilities in furtherance  
279 of a program of physical exercise. The term does not include an  
280 individual acting as a personal trainer.

281           (6) "Personal trainer" means an individual:

282           (a) Who does not have an established place of business for  
283 the primary purpose of the conducting of physical exercise;

284           (b) Whose provision of exercise equipment is incidental to  
285 the instruction provided; and

286           (c) Who does not accept payment for services that are to be  
287 rendered more than 30 days after the date of payment.

288           Section 12. Subsection (2) of section 501.015, Florida  
289 Statutes, is amended to read:

290           501.015 Health studios; registration requirements and  
291 fees.—Each health studio shall:

292           (2) Remit an annual registration fee of \$300 to the  
293 department at the time of registration for each of the health  
294 studio's business locations. The department shall waive the  
295 initial registration fee for an honorably discharged veteran of  
296 the United States Armed Forces, the spouse of such a veteran, or  
297 a business entity that has a majority ownership held by such a  
298 veteran or spouse if the department receives an application, in  
299 a format prescribed by the department, within 60 months after  
300 the date of the veteran's discharge from any branch of the



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301 United States Armed Forces. To qualify for the waiver, a veteran  
302 must provide to the department a copy of his or her DD Form 214,  
303 as issued by the United States Department of Defense, or another  
304 acceptable form of identification as specified by the Department  
305 of Veterans' Affairs; the spouse of a veteran must provide to  
306 the department a copy of the veteran's DD Form 214, as issued by  
307 the United States Department of Defense, or another acceptable  
308 form of identification as specified by the Department of  
309 Veterans' Affairs, and a copy of a valid marriage license or  
310 certificate verifying that he or she was lawfully married to the  
311 veteran at the time of discharge; or a business entity must  
312 provide to the department proof that a veteran or the spouse of  
313 a veteran holds a majority ownership in the business, a copy of  
314 the veteran's DD Form 214, as issued by the United States  
315 Department of Defense, or another acceptable form of  
316 identification as specified by the Department of Veterans'  
317 Affairs, and, if applicable, a copy of a valid marriage license  
318 or certificate verifying that the spouse of the veteran was  
319 lawfully married to the veteran at the time of discharge.

320 Section 13. Paragraph (j) of subsection (2) and paragraph  
321 (b) of subsection (5) of section 501.605, Florida Statutes, are  
322 amended to read:

323 501.605 Licensure of commercial telephone sellers.—

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

328 (j) The complete street address of each location,  
329 designating the principal location, from which the applicant



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330 will be doing business. The street address may not be ~~If any~~  
331 ~~location is a mail drop, this shall be disclosed as such.~~

332  
333 The application shall be accompanied by a copy of any: Script,  
334 outline, or presentation the applicant will require or suggest a  
335 salesperson to use when soliciting, or, if no such document is  
336 used, a statement to that effect; sales information or  
337 literature to be provided by the applicant to a salesperson; and  
338 sales information or literature to be provided by the applicant  
339 to a purchaser in connection with any solicitation.

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

342 (b) A fee for licensing in the amount of \$1,500. The fee  
343 shall be deposited into the General Inspection Trust Fund. The  
344 department shall waive the initial license fee for an honorably  
345 discharged veteran of the United States Armed Forces, the spouse  
346 of such a veteran, or a business entity that has a majority  
347 ownership held by such a veteran or spouse if the department  
348 receives an application, in a format prescribed by the  
349 department, within 60 months after the date of the veteran's  
350 discharge from any branch of the United States Armed Forces. To  
351 qualify for the waiver, a veteran must provide to the department  
352 a copy of his or her DD Form 214, as issued by the United States  
353 Department of Defense, or another acceptable form of  
354 identification as specified by the Department of Veterans'  
355 Affairs; the spouse of a veteran must provide to the department  
356 a copy of the veteran's DD Form 214, as issued by the United  
357 States Department of Defense, or another acceptable form of  
358 identification as specified by the Department of Veterans'



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359 Affairs, and a copy of a valid marriage license or certificate  
360 verifying that he or she was lawfully married to the veteran at  
361 the time of discharge; or a business entity must provide to the  
362 department proof that a veteran or the spouse of a veteran holds  
363 a majority ownership in the business, a copy of the veteran's DD  
364 Form 214, as issued by the United States Department of Defense,  
365 or another acceptable form of identification as specified by the  
366 Department of Veterans' Affairs, and, if applicable, a copy of a  
367 valid marriage license or certificate verifying that the spouse  
368 of the veteran was lawfully married to the veteran at the time  
369 of discharge.

370 Section 14. Paragraph (b) of subsection (2) of section  
371 501.607, Florida Statutes, is amended to read:

372 501.607 Licensure of salespersons.—

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

375 (b) A fee for licensing in the amount of \$50 per  
376 salesperson. The fee shall be deposited into the General  
377 Inspection Trust Fund. The fee for licensing may be paid after  
378 the application is filed, but must be paid within 14 days after  
379 the applicant begins work as a salesperson. The department shall  
380 waive the initial license fee for an honorably discharged  
381 veteran of the United States Armed Forces, the spouse of such a  
382 veteran, or a business entity that has a majority ownership held  
383 by such a veteran or spouse if the department receives an  
384 application, in a format prescribed by the department, within 60  
385 months after the date of the veteran's discharge from any branch  
386 of the United States Armed Forces. To qualify for the waiver, a  
387 veteran must provide to the department a copy of his or her DD



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388 Form 214, as issued by the United States Department of Defense,  
389 or another acceptable form of identification as specified by the  
390 Department of Veterans' Affairs; the spouse of a veteran must  
391 provide to the department a copy of the veteran's DD Form 214,  
392 as issued by the United States Department of Defense, or another  
393 acceptable form of identification as specified by the Department  
394 of Veterans' Affairs, and a copy of a valid marriage license or  
395 certificate verifying that he or she was lawfully married to the  
396 veteran at the time of discharge; or a business entity must  
397 provide to the department proof that a veteran or the spouse of  
398 a veteran holds a majority ownership in the business, a copy of  
399 the veteran's DD Form 214, as issued by the United States  
400 Department of Defense, or another acceptable form of  
401 identification as specified by the Department of Veterans'  
402 Affairs, and, if applicable, a copy of a valid marriage license  
403 or certificate verifying that the spouse of the veteran was  
404 lawfully married to the veteran at the time of discharge.

405 Section 15. Subsection (3) of section 507.03, Florida  
406 Statutes, is amended to read:

407 507.03 Registration.—

408 (3)(a) Registration fees shall be calculated at the rate of  
409 \$300 per year per mover or moving broker. All amounts collected  
410 shall be deposited by the Chief Financial Officer to the credit  
411 of the General Inspection Trust Fund of the department for the  
412 sole purpose of administration of this chapter.

413 (b) The department shall waive the initial registration fee  
414 for an honorably discharged veteran of the United States Armed  
415 Forces, the spouse of such a veteran, or a business entity that  
416 has a majority ownership held by such a veteran or spouse if the



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417 department receives an application, in a format prescribed by  
418 the department, within 60 months after the date of the veteran's  
419 discharge from any branch of the United States Armed Forces. To  
420 qualify for the waiver, a veteran must provide to the department  
421 a copy of his or her DD Form 214, as issued by the United States  
422 Department of Defense, or another acceptable form of  
423 identification as specified by the Department of Veterans'  
424 Affairs; the spouse of a veteran must provide to the department  
425 a copy of the veteran's DD Form 214, as issued by the United  
426 States Department of Defense, or another acceptable form of  
427 identification as specified by the Department of Veterans'  
428 Affairs, and a copy of a valid marriage license or certificate  
429 verifying that he or she was lawfully married to the veteran at  
430 the time of discharge; or a business entity must provide to the  
431 department proof that a veteran or the spouse of a veteran holds  
432 a majority ownership in the business, a copy of the veteran's DD  
433 Form 214, as issued by the United States Department of Defense,  
434 or another acceptable form of identification as specified by the  
435 Department of Veterans' Affairs, and, if applicable, a copy of a  
436 valid marriage license or certificate verifying that the spouse  
437 of the veteran was lawfully married to the veteran at the time  
438 of discharge.

439 Section 16. Subsection (3) of section 527.02, Florida  
440 Statutes, is amended to read:

441 527.02 License; penalty; fees.—

442 (3)(a) An ~~Any~~ applicant for an original license who submits  
443 an ~~whose~~ application is ~~submitted~~ during the last 6 months of  
444 the license year may have the original license fee reduced by  
445 one-half for the 6-month period. This provision applies ~~shall~~





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446 ~~apply~~ only to those companies applying for an original license  
447 and may ~~shall~~ not be applied to licensees who held a license  
448 during the previous license year and failed to renew the  
449 license. The department may refuse to issue an initial license  
450 to an ~~any~~ applicant who is under investigation in any  
451 jurisdiction for an action that would constitute a violation of  
452 this chapter until such time as the investigation is complete.

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



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475 Department of Veterans' Affairs, and, if applicable, a copy of a  
476 valid marriage license or certificate verifying that the spouse  
477 of the veteran was lawfully married to the veteran at the time  
478 of discharge.

479 Section 17. Subsection (4) of section 527.021, Florida  
480 Statutes, is amended to read:

481 527.021 Registration of transport vehicles.—

482 ~~(4) An inspection fee of \$50 shall be assessed for each~~  
483 ~~registered vehicle inspected by the department pursuant to s.~~  
484 ~~527.061. All inspection fees collected in connection with this~~  
485 ~~section shall be deposited in the General Inspection Trust Fund~~  
486 ~~for the purpose of administering the provisions of this chapter.~~

487 Section 18. Subsection (1) of section 531.37, Florida  
488 Statutes, is amended to read:

489 531.37 Definitions.—As used in this chapter:

490 (1) "Weights and measures" means all weights and measures  
491 of every kind, instruments, and devices for weighing and  
492 measuring, and any appliance and accessories associated with any  
493 or all such instruments and devices, excluding those weights and  
494 measures used for the purpose of inspecting the accuracy of  
495 devices used in conjunction with aviation fuel.

496 Section 19. Subsections (1) and (2) of section 531.415,  
497 Florida Statutes, are amended to read:

498 531.415 Fees.—

499 (1) The department shall charge and collect fees of not  
500 more than the following ~~fees~~ for actual metrology laboratory  
501 calibration and testing services rendered:

502 (a) For each mass standard that is tested or certified to  
503 meet tolerances less stringent than American National Standards



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504 Institute/American Society for Testing and Materials (ANSI/ASTM)  
505 Standard E617 Class 4, ~~the department shall charge a fee of not~~  
506 ~~more than:~~

507	Weight	Fee/Unit
508	0 - 2 lb.	\$6
509	3 - 10 lb.	\$8
510	11 - 50 lb.	\$12
511	51 - 500 lb.	\$20
512	501 - 1000 lb.	\$30
513	1001 - 2500 lb.	\$40
514	2501 - 5000 lb.	\$50

515 (b) For each mass standard that is tested or certified to  
516 meet ANSI/ASTM Standard Class 4 or National Institute of  
517 Standards and Technology Class P tolerances, ~~the department~~  
518 ~~shall charge a fee of not more than:~~

519	Weight	Fee/Unit
520	0 - 10 lb.	\$20
521	11 - 50 lb.	\$30
522	51 - 500 lb.	\$40
523	501 - 1000 lb.	\$50
524	1001 - 2500 lb.	\$60
525	2501 - 5000 lb.	\$75

526 (c) For each mass standard that is calibrated to determine  
527 actual mass or apparent mass values, ~~the department shall charge~~  
528 ~~a fee of not more than:~~

529	Weight	Fee/Unit
530	0 - 20 lb.	\$40
531	21 - 50 lb.	\$50
532	51 - 1000 lb.	\$70



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533 1001 - 2500 lb. \$150

534 2501 - 5000 lb. \$250

535 (d) For each volumetric flask, graduate, or test measure,  
536 the department shall charge a fee of not more than:

537 Vessel Fee/Test Point

538 0 - 5 gal. \$35

539 Over 5 gal. Plus \$0.75 for each additional gallon

540 ~~(e) For each linear measure that is tested or certified,~~  
541 ~~the department shall charge a fee of not more than \$75.~~

542 ~~(e)-(f) For each linear measure test that is calibrated to~~  
543 ~~determine actual values, the department shall charge a fee of~~  
544 ~~\$75 not more than \$100.~~

545 ~~(g) For each liquid in glass or electronic thermometer that~~  
546 ~~is tested or certified, the department shall charge a fee of not~~  
547 ~~more than \$50.~~

548 ~~(f)-(h) For each temperature measuring device, liquid in~~  
549 ~~glass or electronic thermometer that is calibrated to determine~~  
550 ~~actual values, the department shall charge a fee of \$50 not more~~  
551 ~~than \$100.~~

552 ~~(g)-(i) For each special test or special preparation, the~~  
553 ~~department shall charge a fee of not more than \$50 per hour.~~

554 (2) Each fee is payable to the department at the time the  
555 testing is done, regardless of whether the item tested is  
556 certified. The department may refuse to accept for testing any  
557 item deemed by the department to be unsuitable for its intended  
558 use or not to be in a condition ready for testing. The  
559 department shall deposit all fees collected under this section  
560 into the General Inspection Trust Fund.

561 Section 20. Section 531.60, Florida Statutes, is amended to



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562 read:

563 531.60 Permit for commercially operated or tested weights  
564 or measures instrument or devices.—

565 (1) A weights and measures instrument or device may not  
566 operate or be used for commercial purposes, as defined by  
567 department rule, within this state without first being permitted  
568 through a valid commercial use permit issued by the department  
569 to the person who owns the weights and measures device, unless  
570 exempted as provided in s. 531.61. Such permit applies only to  
571 the specific location and instrument types or device types  
572 listed on for which the permit was issued. However, the  
573 department may allow such permit to be applicable to a  
574 replacement for the original instrument or device.

575 (2) If ownership of a business ~~an instrument or device~~ for  
576 which a permit has been issued changes and the instruments or  
577 devices affected by the permit ~~instrument or device~~:

578 (a) Remain ~~Remains~~ in the same location, the permit  
579 transfers to the new owner and remains in effect until its  
580 original expiration date. Within 30 days after the change in  
581 ownership, the new owner shall notify the department of the  
582 change and provide the pertinent information regarding the  
583 change in ownership and an updated replacement permit shall be  
584 issued if needed.

585 (b) Move ~~Moves~~ to a new location, the permit automatically  
586 expires and a new permit must be applied for by the new owner of  
587 the instruments or devices ~~issued which will expire 1 year~~  
588 ~~following the date of issuance~~.

589 (3) A person who holds a permit that has been issued under  
590 this section must notify the department within 30 days after a



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591 change in permit status or if a permit will not be renewed due  
592 to the termination in use or removal of all weighing and  
593 measuring instruments or devices from the permitted location  
594 ~~Weights and measures instruments or devices that are not used~~  
595 ~~commercially may be tested by the department under this chapter~~  
596 ~~only if they are permitted and appropriate fees paid as~~  
597 ~~prescribed by this section and adopted rules.~~

598 Section 21. Section 531.61, Florida Statutes, is amended to  
599 read:

600 531.61 Exemptions from permit requirement.—Commercial  
601 weights or measures instruments or devices are exempt from the  
602 ~~permit~~ requirements of ss. 531.60-531.66 if:

603 (1) The device is a taximeter that is licensed, permitted,  
604 or registered by a municipality, county, or other local  
605 government and is tested for accuracy and compliance with state  
606 standards by the local government in cooperation with the state  
607 as authorized in s. 531.421.

608 (2) The device is used exclusively for weighing railroad  
609 cars and is tested for accuracy and compliance with state  
610 standards by a private testing agency.

611 (3) The device is used exclusively for measuring aviation  
612 fuel or petroleum products inspected under chapter 525.

613 Section 22. Subsections (1), (2), and (4) of section  
614 531.62, Florida Statutes, are amended to read:

615 531.62 Permit application and renewal.—

616 (1) An application for a ~~weights and measures~~ commercial  
617 use permit shall be submitted to the department on a form  
618 prescribed and furnished by the department and must contain such  
619 information as the department may require by rule.



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620 (2) The application must be accompanied by a fee in an  
621 amount determined by the number and types of instruments or  
622 devices covered by the permit as provided by department rule.  
623 However, the fee for each instrument or device listed on the  
624 permit may not exceed the maximum limits set forth in s. 531.63.

625 (4) A permit expires 2 years ~~1-year~~ following its date of  
626 issue and must be renewed biennially ~~annually~~. If a complete an  
627 application package for renewal is not received by the  
628 department before the permit expires ~~within 30 days after its~~  
629 ~~due date~~, a late fee of up to \$100 must be paid in addition to  
630 the ~~annual~~ commercial use permit fee. However, a person may  
631 elect to renew a commercial use permit on an annual basis rather  
632 than a biennial basis. An annual renewal must meet the same  
633 requirements and conditions as a biennial renewal.

634 Section 23. Paragraph (a) of subsection (1) and subsection  
635 (2) of section 531.63, Florida Statutes, are amended to read:

636 531.63 Maximum permit fees.—The commercial use permit fees  
637 established for weights or measures instruments or devices shall  
638 be in an amount necessary to administer this chapter but may not  
639 exceed the amounts provided in this section.

640 (1) For weighing devices, the fees must be based on the  
641 manufacturer's rated capacity or the device's design and use and  
642 whether measuring by inch or pounds or the metric equivalent:

643 (a) For weighing devices of up to and including the 100-  
644 pound capacity which are used during any portion of the period  
645 covered by the permit, the maximum annual fees per category of  
646 device ~~retail establishment~~ may not exceed the following:

647 Number of devices  
648 in a single category ~~retail~~



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	<del>establishment</del>	Maximum Fee
649		
650	1 to 5	\$60
651	6 to 10	\$150
652	11 to 30	\$200
653	More than 30	\$300
654	(2) For other measuring devices, the annual permit fees per	
655	device may not exceed the following:	
656	(a) Mass flow meters having a maximum flow rate of up to	
657	150 pounds per minute.....\$100.	
658	<u>This includes all mass flow meters used to dispense compressed</u>	
659	<u>and liquefied natural gas for retail sale.</u>	
660	(b) Mass flow meters having a maximum flow rate greater	
661	than 150 pounds per minute.....\$500.	
662	(c) Volumetric flow meters having a maximum flow rate of up	
663	to 20 gallons per minute.....\$50.	
664	<u>This includes all devices used to dispense diesel exhaust fluid</u>	
665	<u>for retail sale.</u>	
666	(d) Volumetric flow meters having a maximum flow rate	
667	greater than 20 gallons per minute.....\$100.	
668	(e) Tanks, under 500 gallons capacity, used as measure	
669	containers, with or without gage rods or markers.....\$100.	
670	(f) Tanks, 500 or more gallons capacity, used as measure	
671	containers, with or without gage rods or markers.....\$200.	
672	(g) Taximeters.....\$50.	
673	<del>(h) Grain moisture meters.....\$25.</del>	
674	<u>(h) <del>(i)</del> Multiple-dimension measuring</u>	
675	<u>devices.....\$100.</u>	
676	<u>(i) Liquefied petroleum gas bulk delivery vehicles with a</u>	
677	<u>meter owned or leased by a liquefied petroleum gas licensee.\$150.</u>	





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678 Section 24. Section 531.65, Florida Statutes, is amended to  
679 read:

680 531.65 Unauthorized use; penalties.—If a weights or  
681 measures instrument or device is used commercially without a  
682 valid commercial use permit, the department may do one or more  
683 of the following:

684 (1) Prohibit the further commercial use of the unpermitted  
685 instrument or device until the proper permit has been issued.~~†~~

686 (2) Employ and attach to the instrument or device such  
687 form, notice, tag, or seal to prevent the continued unauthorized  
688 use of the instrument or device.~~†~~

689 (3) In addition to the permit fees prescribed by rule for  
690 the commercial use of a weights and measures instrument or  
691 device, assess the late fee authorized under s. 531.62.~~† or~~

692 (4) Impose penalties as prescribed in s. 531.50 in addition  
693 to the payment of appropriate permit fees for the commercial use  
694 of a weights and measures instrument or device.

695 Section 25. Paragraph (c) of subsection (3) of section  
696 539.001, Florida Statutes, is amended to read:

697 539.001 The Florida Pawnbroking Act.—

698 (3) LICENSE REQUIRED.—

699 (c) Each license is valid for a period of 1 year unless it  
700 is earlier relinquished, suspended, or revoked. Each license  
701 shall be renewed annually, and each licensee shall, initially  
702 and annually thereafter, pay to the agency a license fee of \$300  
703 for each license held. The agency shall waive the initial  
704 license fee for an honorably discharged veteran of the United  
705 States Armed Forces, the spouse of such a veteran, or a business  
706 entity that has a majority ownership held by such a veteran or



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707 spouse if the agency receives an application, in a format  
708 prescribed by the agency, within 60 months after the date of the  
709 veteran's discharge from any branch of the United States Armed  
710 Forces. To qualify for the waiver, a veteran must provide to the  
711 agency a copy of his or her DD Form 214, as issued by the United  
712 States Department of Defense, or another acceptable form of  
713 identification as specified by the Department of Veterans'  
714 Affairs; the spouse of a veteran must provide to the agency a  
715 copy of the veteran's DD Form 214, as issued by the United  
716 States Department of Defense, or another acceptable form of  
717 identification as specified by the Department of Veterans'  
718 Affairs, and a copy of a valid marriage license or certificate  
719 verifying that he or she was lawfully married to the veteran at  
720 the time of discharge; or a business entity must provide to the  
721 agency proof that a veteran or the spouse of a veteran holds a  
722 majority ownership in the business, a copy of the veteran's DD  
723 Form 214, as issued by the United States Department of Defense,  
724 or another acceptable form of identification as specified by the  
725 Department of Veterans' Affairs, and, if applicable, a copy of a  
726 valid marriage license or certificate verifying that the spouse  
727 of the veteran was lawfully married to the veteran at the time  
728 of discharge.

729       Section 26. Subsection (3) of section 559.904, Florida  
730 Statutes, is amended to read:

731       559.904 Motor vehicle repair shop registration;  
732 application; exemption.—

733       (3) (a) Each application for registration must be  
734 accompanied by a registration fee calculated on a per-year basis  
735 as follows:



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- 736        1.~~(a)~~ If the place of business has 1 to 5 employees: \$50.  
737        2.~~(b)~~ If the place of business has 6 to 10 employees: \$150.  
738        3.~~(c)~~ If the place of business has 11 or more employees:  
739 \$300.

740        (b) The department shall waive the initial registration fee  
741 for an honorably discharged veteran of the United States Armed  
742 Forces, the spouse of such a veteran, or a business entity that  
743 has a majority ownership held by such a veteran or spouse if the  
744 department receives an application, in a format prescribed by  
745 the department, within 60 months after the date of the veteran's  
746 discharge from any branch of the United States Armed Forces. To  
747 qualify for the waiver, a veteran must provide to the department  
748 a copy of his or her DD Form 214, as issued by the United States  
749 Department of Defense, or another acceptable form of  
750 identification as specified by the Department of Veterans'  
751 Affairs; the spouse of a veteran must provide to the department  
752 a copy of the veteran's DD Form 214, as issued by the United  
753 States Department of Defense, or another acceptable form of  
754 identification as specified by the Department of Veterans'  
755 Affairs, and a copy of a valid marriage license or certificate  
756 verifying that he or she was lawfully married to the veteran at  
757 the time of discharge; or a business entity must provide to the  
758 department proof that a veteran or the spouse of a veteran holds  
759 a majority ownership in the business, a copy of the veteran's DD  
760 Form 214, as issued by the United States Department of Defense  
761 or another acceptable form of identification as specified by the  
762 Department of Veterans' Affairs, and, if applicable, a copy of a  
763 valid marriage license or certificate verifying that the spouse  
764 of the veteran was lawfully married to the veteran at the time



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765 of discharge.

766 Section 27. Section 559.9191, Florida Statutes, is created  
767 to read:

768 559.9191 Reimbursement from insurers.-

769 (1) A motor vehicle repair shop may not directly seek  
770 reimbursement, payment, or benefits from an insurer unless all  
771 of the following conditions are satisfied:

772 (a) The insurer consents to the repairs.

773 (b) The customer under whose insurance policy the repairs  
774 will be made signs a document containing the following language  
775 in at least 16-point, boldfaced type: "I UNDERSTAND THAT A MOTOR  
776 VEHICLE REPAIR SHOP MAY SEEK REIMBURSEMENT FOR THEIR SERVICES  
777 FROM ANOTHER PARTY, SUCH AS MY INSURANCE COMPANY. I UNDERSTAND  
778 THAT IF THIS DAMAGE IS NOT COVERED BY MY INSURANCE POLICY, THE  
779 MOTOR VEHICLE REPAIR SHOP MAY SEEK REIMBURSEMENT FROM ME,  
780 PERSONALLY."

781 (c) The motor vehicle repair shop seeks reimbursement only  
782 for services detailed in the repair invoice required in s.  
783 559.911.

784 (2) At least 15 business days prior to the initiation of  
785 civil litigation or arbitration to enforce the payment of  
786 benefits assigned, granted, or otherwise transferred by the  
787 insured customer to the motor vehicle repair shop, the shop  
788 shall obtain written consent from the customer. The consent  
789 form, which must be signed by the customer and provided to the  
790 insurer at least 7 business days before the initiation of  
791 litigation, must contain the following statement in 18-point,  
792 boldfaced type: "THIS CONTRACT ALLOWS ... (NAME OF COMPANY)... TO  
793 FILE A LAWSUIT TO SEEK BENEFITS ASSOCIATED WITH YOUR INSURANCE



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794 POLICY. YOUR WRITTEN CONSENT IS REQUIRED FOR THE FILING OF SUCH  
795 A LAWSUIT TO ENFORCE POST-CLAIM BENEFITS UNDER YOUR INSURANCE  
796 POLICY. BY SIGNING THIS FORM, YOU AGREE THAT ... (NAME OF  
797 COMPANY)... HAS THE RIGHT TO FILE A LAWSUIT FOR THESE INSURANCE  
798 BENEFITS."

799 Section 28. Subsections (1), (7), (8), (10), (11), and (13)  
800 of section 559.927, Florida Statutes, are amended to read:

801 559.927 Definitions.—For the purposes of this part, the  
802 term:

803 (1) "Accommodations" means any hotel or motel room,  
804 condominium or cooperative unit, cabin, lodge, or apartment; any  
805 other commercial structure designed for occupancy by one or more  
806 individuals; or any lodging establishment as provided by law.  
807 The term does not include long-term home rentals covered under a  
808 lease pursuant to chapter 83.

809 (7) "Prearranged travel or, ~~tourist-related services, or~~  
810 ~~tour-guide services~~" includes, but is not limited to, car  
811 rentals, lodging, transfers, ~~and sightseeing tours~~ and all other  
812 such services that ~~which~~ are reasonably related to air, sea,  
813 rail, motor coach, or other medium of transportation, or  
814 accommodations for which a purchaser receives a premium or  
815 contracts or pays before ~~prior to~~ or after departure. This term  
816 ~~These terms~~ also includes ~~include~~ services for which a  
817 purchaser, whose legal residence is outside the United States,  
818 contracts or pays before ~~prior to~~ departure, and any arrangement  
819 by which a purchaser prepays for, receives a reservation or any  
820 other commitment to provide services before ~~prior to~~ departure  
821 for, or otherwise arranges for travel directly to a terrorist  
822 state and which originates in Florida.



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823 (8) "Purchaser" means the purchaser of, or person otherwise  
824 entitled to receive, prearranged travel or, tourist-related  
825 services, ~~or tour-guide services~~, for a fee or commission, or  
826 who has acquired a vacation certificate for personal use.

827 (10) "Satisfactory consumer complaint history" means no  
828 unresolved complaints regarding prearranged travel or, tourist-  
829 related services, ~~or tour-guide services~~ are on file with the  
830 department. A complaint is unresolved when a seller of travel  
831 does not respond to the department's efforts to mediate the  
832 complaint or a complaint where the department has determined  
833 that a violation of this part has occurred and the complainant  
834 ~~complaint~~ has not been satisfied by the seller of travel.

835 (11) "Seller of travel" means any resident or nonresident  
836 person, firm, corporation, or business entity that ~~who~~ offers  
837 ~~for sale~~, directly or indirectly, ~~at wholesale or retail~~,  
838 prearranged travel or, tourist-related services, ~~or tour-guide~~  
839 ~~services~~ for individuals or groups, including, but not limited  
840 to, vacation ~~or tour~~ packages, or vacation certificates in  
841 exchange for a fee, commission, or other valuable consideration.  
842 The term includes such person, firm, corporation, or business  
843 entity who sells a vacation certificate to third-party merchants  
844 for a fee, or in exchange for a commission, or who offers such  
845 certificates to consumers in exchange for attendance at sales  
846 presentations. The term also includes any business entity  
847 offering membership in a travel club or travel services for an  
848 advance fee or payment, even if no travel contracts or  
849 certificates or vacation or tour packages are sold by the  
850 business entity. The term does not include third parties who may  
851 offer prearranged travel or tourist-related services, but do not



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852 participate in travel fulfillment or vacation certificate  
853 redemption.

854 (13) "Vacation certificate" means any arrangement, plan,  
855 program, ~~or~~ vacation package, or advance travel purchase that  
856 promotes, discusses, or discloses a destination or itinerary or  
857 type of travel, whereby a purchaser ~~for consideration paid in~~  
858 ~~advance~~ is entitled to the use of travel, accommodations, or  
859 facilities for any number of days, whether certain or uncertain,  
860 during the period in which the certificate can be exercised, and  
861 no specific date or dates for its use are designated. A vacation  
862 certificate does not include prearranged travel or, tourist-  
863 related services, ~~or tour guide services~~ when a seller of travel  
864 remits full payment for the cost of such services to the  
865 provider or supplier within 10 business days of the purchaser's  
866 initial payment to the seller of travel. The term does not  
867 include travel if exact travel dates are selected, guaranteed,  
868 and paid for at the time of the purchase.

869 Section 29. Subsections (2) through (9) of section 559.928,  
870 Florida Statutes, are amended to read:

871 559.928 Registration.—

872 (2) (a) Registration fees shall be as follows:

873 1. Three hundred dollars per year per registrant certifying  
874 its business activities under s. 559.9285(1) (a).

875 2. One thousand dollars per year per registrant certifying  
876 its business activities under s. 559.9285(1) (b).

877 3. Twenty-five hundred dollars per year per registrant  
878 certifying its business activities under s. 559.9285(1) (c).

879 (b) All amounts collected shall be deposited by the Chief  
880 Financial Officer to the credit of the General Inspection Trust



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881 Fund of the Department of Agriculture and Consumer Services  
882 pursuant to s. 570.20, for the sole purpose of administration of  
883 this part.

884 (c) The department shall waive the initial registration fee  
885 for an honorably discharged veteran of the United States Armed  
886 Forces, the spouse of such a veteran, or a business entity that  
887 has a majority ownership held by such a veteran or spouse if the  
888 department receives an application, in a format prescribed by  
889 the department, within 60 months after the date of the veteran's  
890 discharge from any branch of the United States Armed Forces. To  
891 qualify for the waiver, a veteran must provide to the department  
892 a copy of his or her DD Form 214, as issued by the United States  
893 Department of Defense, or another acceptable form of  
894 identification as specified by the Department of Veterans'  
895 Affairs; the spouse of a veteran must provide to the department  
896 a copy of the veteran's DD Form 214, as issued by the United  
897 States Department of Defense, or another acceptable form of  
898 identification as specified by the Department of Veterans'  
899 Affairs, and a copy of a valid marriage license or certificate  
900 verifying that he or she was lawfully married to the veteran at  
901 the time of discharge; or a business entity must provide to the  
902 department proof that a veteran or the spouse of a veteran holds  
903 a majority ownership in the business, a copy of the veteran's DD  
904 Form 214, as issued by the United States Department of Defense,  
905 or another acceptable form of identification as specified by the  
906 Department of Veterans' Affairs, and, if applicable, a copy of a  
907 valid marriage license or certificate verifying that the spouse  
908 of the veteran was lawfully married to the veteran at the time  
909 of discharge.





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910           (3) Each independent agent shall annually file an  
911 application affidavit with the department before ~~prior to~~  
912 engaging in business in this state. This application affidavit  
913 must include the independent agent's full name, legal business  
914 or trade name, mailing address, business address, telephone  
915 number, and the name and address of each seller of travel  
916 represented by the independent agent. A letter evidencing proof  
917 of filing must be issued by the department and must be  
918 prominently displayed in the independent agent's primary place  
919 of business. Each independent agent must also submit an annual  
920 registration fee of \$50. All moneys collected pursuant to the  
921 imposition of the fee shall be deposited by the Chief Financial  
922 Officer into the General Inspection Trust Fund of the Department  
923 of Agriculture and Consumer Services for the sole purpose of  
924 administering this part. As used in this subsection, the term  
925 "independent agent" means a person who represents a seller of  
926 travel by soliciting persons on its behalf; who has a written  
927 contract with a seller of travel which is operating in  
928 compliance with this part and any rules adopted thereunder; who  
929 does not receive a fee, commission, or other valuable  
930 consideration directly from the purchaser for the seller of  
931 travel; who does not at any time have any unissued ticket stock  
932 or travel documents in his or her possession; and who does not  
933 have the ability to issue tickets, vacation certificates, or any  
934 other travel document. The term "independent agent" does not  
935 include an affiliate of the seller of travel, as that term is  
936 used in s. 559.935(3), or the employees of the seller of travel  
937 or of such affiliates.

938           (4) A ~~Any~~ person applying for or renewing a local business



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939 tax receipt to engage in business as a seller of travel must  
940 exhibit a current registration certificate from the department  
941 before the local business tax receipt may be issued or reissued.

942 (5) Each contract, advertisement, certificate, or travel  
943 document of a seller of travel must include the phrase "... (NAME  
944 OF FIRM)... is registered with the State of Florida as a Seller  
945 of Travel. Registration No....."

946 ~~(6) Each advertisement of a seller of travel must include~~  
947 ~~the phrase "Fla. Seller of Travel Reg. No....."~~

948 (6)(7) A No registration is not shall be valid for any  
949 seller of travel transacting business at any place other than  
950 that designated in its application, unless the department is  
951 first notified in writing in advance of any change of location.  
952 A Nor shall the registration is not be valid for an affiliate of  
953 the seller of travel who engages in the prearranged travel and  
954 tourist business. A registration issued under this part may  
955 ~~shall~~ not be assignable, and the seller of travel may shall not  
956 be permitted to conduct business under more than one name except  
957 as registered. A seller of travel desiring to change its  
958 registered name or location or designated agent for service of  
959 process at a time other than upon renewal of registration shall  
960 notify the department of such change.

961 (7)(8) Applications under this section are shall be subject  
962 to ~~the provisions of~~ s. 120.60.

963 (8)(9) The department may deny, ~~or~~ refuse to renew, or  
964 revoke the registration of any seller of travel based upon a  
965 determination that the seller of travel, or any of its  
966 directors, officers, owners, or general partners while acting on  
967 behalf of the seller of travel:



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968 (a) Has failed to meet the requirements for registration as  
969 provided in this part;

970 (b) Has been convicted of a crime involving fraud, theft,  
971 embezzlement, dishonest dealing, or any other act of moral  
972 turpitude or any other act arising out of conduct as a seller of  
973 travel;

974 (c) Has not satisfied a civil fine or penalty arising out  
975 of any administrative or enforcement action brought by any  
976 governmental agency or private person based upon conduct  
977 involving fraud, theft, embezzlement, dishonest dealing, or any  
978 violation of this part; or

979 ~~(d) Has pending against her or him any criminal,~~  
980 ~~administrative, or enforcement proceedings in any jurisdiction,~~  
981 ~~based upon conduct involving fraud, dishonest dealing, or any~~  
982 ~~other act of moral turpitude; or~~

983 (d)(e) Has had a judgment entered against her or him in any  
984 action brought by the department or the Department of Legal  
985 Affairs pursuant to ss. 501.201-501.213 or this act part.

986 (9) The department may deny or refuse to renew the  
987 registration of any seller of travel based upon a determination  
988 by the department that the seller of travel, or any of the  
989 seller's directors, officers, owners, or general partners has  
990 pending against him or her while acting on behalf of the seller  
991 of travel any criminal, administrative, or enforcement  
992 proceedings in any jurisdiction, based upon conduct involving  
993 fraud, theft, embezzlement, dishonest dealing, or any other act  
994 of moral turpitude.

995 Section 30. Subsections (2) through (6) of section 559.929,  
996 Florida Statutes, are amended to read:



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997 559.929 Security requirements.—

998 (2) The bond must be filed with the department on a form  
999 adopted by department rule and must be in favor of the  
1000 department for the use and benefit of a consumer ~~traveler~~ who is  
1001 injured by the fraud, misrepresentation, breach of contract, or  
1002 financial failure, or any other violation of this part by the  
1003 seller of travel. Such liability may be enforced by proceeding  
1004 in an administrative action as specified in subsection (3) or by  
1005 filing a civil action. ~~However, in such civil action the bond~~  
1006 ~~posted with the department shall not be amenable or subject to a~~  
1007 ~~judgment or other legal process issuing out of or from such~~  
1008 ~~court in connection with such civil action, but such bond shall~~  
1009 ~~be amenable to and enforceable only by and through~~  
1010 ~~administrative proceedings before the department. It is the~~  
1011 ~~intent of the Legislature that such bond be applicable and~~  
1012 ~~liable only for the payment of claims duly adjudicated by order~~  
1013 ~~of the department.~~ The bond must be open to successive claims,  
1014 but the aggregate amount awarded may not exceed the amount of  
1015 the bond. In addition to the foregoing, a bond provided by a  
1016 registrant or applicant for registration which certifies its  
1017 business activities under s. 559.9285(1)(b) or (c) must be in  
1018 favor of the department, with payment in the following order of  
1019 priority:

1020 (a) The expenses for prosecuting the registrant or  
1021 applicant in an administrative or civil action under this part,  
1022 including attorney fees and fees for other professionals, court  
1023 costs or other costs of the proceedings, and all other expenses  
1024 incidental to the action.

1025 (b) The costs and expenses of investigation before the



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1026 commencement of an administrative or civil action under this  
1027 part.

1028 (c) An unpaid administrative fine imposed by final order or  
1029 an unpaid civil penalty imposed by final judgment under this  
1030 part.

1031 (d) Damages or compensation for a consumer ~~traveler~~ injured  
1032 as provided in this subsection.

1033 (3) A consumer ~~traveler~~ may file a claim against the bond.  
1034 Such claim, which must be submitted in writing on an affidavit  
1035 form adopted by department rule, must be submitted to the  
1036 department within 120 days after an alleged injury has occurred  
1037 or is discovered to have occurred or a judgment has been  
1038 entered. The proceedings shall be conducted pursuant to chapter  
1039 120. For proceedings conducted pursuant to ss. 120.569 and  
1040 120.57, the agency shall act only as a nominal party.

1041 (4) A consumer who is injured by the applicant, or the  
1042 department or another governmental agency acting on behalf of  
1043 the injured consumer, may bring and maintain an action to  
1044 recover against the bond.

1045 (5) Any indebtedness determined by final order of the  
1046 department shall be paid by the seller of travel to the  
1047 department within 30 days after the order is entered for  
1048 disbursement to the consumer. If the seller of travel fails to  
1049 make payment within 30 days, the agency shall make a demand for  
1050 payment upon the surety which includes an institution issuing a  
1051 letter of credit or depository on a certificate of deposit. Upon  
1052 failure of a surety to comply with a demand for payment pursuant  
1053 to a final order, the department may file an action in circuit  
1054 court to recover payment, up to the amount of the bond or other



1055 form of security, pursuant to s. 120.69. If the department  
1056 prevails, the department may recover court costs and reasonable  
1057 attorney fees.

1058 (6)~~(5)~~ If the seller of travel is currently the subject of  
1059 an administrative, civil, or criminal action by the department,  
1060 the Department of Legal Affairs, or the state attorney relating  
1061 to compliance with this part, the right to proceed against the  
1062 bond as provided in subsection (3) is suspended until any  
1063 enforcement action becomes final.

1064 (7)~~(6)~~ The department may waive the bond requirement on an  
1065 annual basis if the seller of travel has had 5 or more  
1066 consecutive years of experience as a seller of travel in this  
1067 state in compliance with this part, has not had a civil,  
1068 criminal, or administrative action instituted against the seller  
1069 of travel in the vacation and travel business by a governmental  
1070 agency or an action involving fraud, theft, misappropriation of  
1071 property, violation of a statute pertaining to business or  
1072 commerce with a terrorist state, ~~or~~ moral turpitude, or other  
1073 violation of this part and has a satisfactory consumer complaint  
1074 history with the department, and certifies its business  
1075 activities under s. 559.9285. Such waiver may be revoked if the  
1076 seller of travel violates this part. A seller of travel which  
1077 certifies its business activities under s. 559.9285(1)(b) or (c)  
1078 is not entitled to the waiver provided in this subsection.

1079 Section 31. Subsections (2) and (17) of section 559.9295,  
1080 Florida Statutes, are amended to read:

1081 559.9295 Submission of vacation certificate documents.—  
1082 Sellers of travel who offer vacation certificates must submit  
1083 and disclose to the department with the application for



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1084 registration, and any time such document is changed, but prior  
1085 to the sale of any vacation certificate, the following  
1086 materials:

1087       (2) A copy of each promotional brochure, pamphlet, form  
1088 letter, registration form, or any other written material  
1089 disseminated in connection with the advertising, promotion, or  
1090 sale of any vacation certificate. Any such promotional materials  
1091 that include terms such "free," "awarded," "prize," "absolutely  
1092 without charge," and "free of charge," or similar words or  
1093 groups of words, which might reasonably lead a person to believe  
1094 that he or she may receive, or has been selected to receive,  
1095 something of value without making full or partial compensation  
1096 in any form from the recipient must:

1097       (a) Clearly and conspicuously display the following  
1098 disclosure in at least 12-point type: "... (NAME OF FIRM) ... is  
1099 registered with the State of Florida as a seller of travel,  
1100 Registration No... THIS IS NOT A FREE OFFER. SEE TERMS AND  
1101 CONDITIONS VIA WWW. (OFFER WEBSITE).COM. RESPONSE TO THIS OFFER  
1102 DOES NOT GUARANTEE TRAVEL." The offer website referred to in the  
1103 disclosure must include, and clearly indicate, the terms and  
1104 conditions for such a vacation certificate offer.

1105       (b) Disclose the number of individuals who actually  
1106 traveled pursuant to the vacation certificate, as opposed to the  
1107 number of individuals who submitted or otherwise activated the  
1108 vacation certificate, in the 12 months preceding issuance of the  
1109 promotional material.

1110       ~~(17) Within 10 working days after receipt of any materials~~  
1111 ~~submitted subsequent to filing an initial registration~~  
1112 ~~application or any annual renewal thereof, the department shall~~



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1113 ~~determine whether such materials are adequate to meet the~~  
1114 ~~requirements of this section. The department shall notify the~~  
1115 ~~seller of travel that materials submitted are in substantial~~  
1116 ~~compliance, or shall notify the seller of travel of any specific~~  
1117 ~~deficiencies. If the department fails to notify the seller of~~  
1118 ~~travel of its determination within the period specified in this~~  
1119 ~~subsection, the materials shall be deemed in compliance;~~  
1120 ~~however, the failure of the department to send notification in~~  
1121 ~~either case will not relieve the seller of travel from the duty~~  
1122 ~~of complying with this section.~~

1123  
1124 Neither the submission of these materials nor the department's  
1125 response implies approval, recommendation, or endorsement by the  
1126 department or that the contents of said materials have been  
1127 verified by the department.

1128 Section 32. Section 559.932, Florida Statutes, is amended  
1129 to read:

1130 559.932 Vacation certificate disclosure.—

1131 (1) ~~A It shall be unlawful for any seller of travel must to~~  
1132 ~~fail to provide each person solicited with a contract that~~  
1133 ~~includes which shall include the following information, which~~  
1134 ~~shall be in 12-point type, unless otherwise specified:~~

1135 (a) A space for the date, name, address, and signature of  
1136 the purchaser.

1137 (b) The expiration date of the vacation certificate and the  
1138 terms and conditions of its extension or renewal, if available.

1139 (c) The name and business address of any seller of travel  
1140 who may solicit vacation certificate purchasers for further  
1141 purchases, and a full and complete statement as to the nature





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1142 and method of that solicitation.

1143 (d) The total financial obligation of the purchaser which  
1144 shall include the initial purchase price and any additional  
1145 charges to which the purchaser may be subject, including, but  
1146 not limited to, any per diem, seasonal, reservation, or  
1147 recreational charge.

1148 (e) The name and street address of any person who has the  
1149 right to alter, amend, or add to the charges to which the  
1150 purchaser may be subject and the terms and conditions under  
1151 which such charges may be imposed.

1152 (f) If any accommodation or facility which a purchaser  
1153 acquires the right to use pursuant to the vacation certificate  
1154 is not completed at the time the certificate is offered for  
1155 sale, the date of availability of each component of the  
1156 accommodation or facility.

1157 (g) By means of a section entitled "terms and conditions":

1158 1. All eligibility requirements for use of the vacation  
1159 certificate, including, but not limited to, age, sex, marital  
1160 status, group association, residency, or geographic limitations.

1161 2. All eligibility requirements for use of any discount or  
1162 complimentary coupon or ticket.

1163 3. A statement as to whether transportation and meals are  
1164 provided pursuant to use of the certificate.

1165 4. Any room deposit requirement, including all conditions  
1166 for its return or refund.

1167 5. The manner in which reservation requests are to be made  
1168 and the method by which they are to be confirmed.

1169 6. Any identification, credential, or other means by which  
1170 a purchaser must establish her or his entitlement to the rights,



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1171 benefits, or privileges of the vacation certificate.

1172 7. Any restriction or limitation upon transfer of the  
1173 vacation certificate or any right, benefit, or privilege  
1174 thereunder.

1175 8. Any other term, limitation, condition, or requirement  
1176 material to use of the vacation certificate or any right,  
1177 benefit, or privilege thereunder.

1178 (h) In immediate proximity to the space reserved in the  
1179 contract for the date and the name, address, and signature of  
1180 the purchaser, the following statement in boldfaced type of a  
1181 size of 10 points:

1182  
1183 "YOU MAY CANCEL THIS CONTRACT WITHOUT ANY PENALTY OR  
1184 OBLIGATION WITHIN 30 DAYS FROM THE DATE OF PURCHASE OR RECEIPT  
1185 OF THE VACATION CERTIFICATE, WHICHEVER OCCURS LATER."

1186 "YOU MAY ALSO CANCEL THIS CONTRACT IF ACCOMMODATIONS OR  
1187 FACILITIES ARE NOT AVAILABLE PURSUANT TO A REQUEST FOR USE AS  
1188 PROVIDED IN THE CONTRACT."

1189 "TO CANCEL THIS AGREEMENT, A SIGNED AND DATED COPY OF A  
1190 STATEMENT THAT YOU ARE CANCELING THE AGREEMENT SHOULD BE MAILED  
1191 AND POSTMARKED, OR DELIVERED TO ... (NAME) ... AT ... (ADDRESS) ...  
1192 NO LATER THAN MIDNIGHT OF .... (DATE) ....."

1193 ~~"IF YOU DECIDE TO CANCEL, YOU MUST NOTIFY THE SELLER IN~~  
1194 ~~WRITING OF YOUR INTENT TO CANCEL BY RETURNING THE CERTIFICATE~~  
1195 ~~AND SENDING NOTICE TO: ... (NAME OF SELLER) ... AT ... (SELLER'S~~  
1196 ~~ADDRESS) ....."~~

1197 (i) In immediate proximity to the statement required in  
1198 paragraph (h), the following statement in boldfaced type of a  
1199 size of 12 ~~10~~ points:



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1200  
1201 "NO PURCHASER SHOULD RELY UPON REPRESENTATIONS OTHER THAN  
1202 THOSE INCLUDED IN THIS CONTRACT."

1203  
1204 However, inclusion of this statement shall not impair any  
1205 purchaser's right to bring legal action based on verbal  
1206 statements.

1207 (j) In immediate proximity to the statement required in  
1208 paragraph (i), the following statement:

1209 "This contract is for the purchase of a vacation  
1210 certificate and puts all assignees on notice of the consumer's  
1211 right to cancel under section 559.933, Florida Statutes."

1212 (2) If a sale or agreement to purchase a vacation  
1213 certificate is completed over the telephone, the seller shall  
1214 inform the purchaser over the telephone that:

1215 (a) The purchaser may cancel the contract without any  
1216 penalty or obligation within 30 days from the date of purchase  
1217 or receipt of the vacation certificate, whichever occurs later.

1218 (b) The purchaser may also cancel the contract if  
1219 accommodations or facilities are not available upon request for  
1220 use as provided in the contract.

1221 (3) Upon receipt of a copy of a vacation certificate or  
1222 contract required pursuant to s. 559.9295, the department shall  
1223 review the certificate or contract for compliance with the  
1224 disclosures required under this section. The submission of the  
1225 certificate or contract, and the department's response, do not  
1226 imply approval, recommendation, or endorsement by the department  
1227 or that the contents of the certificate or contract have been  
1228 verified by the department.



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1229 Section 33. Section 559.933, Florida Statutes, is amended  
1230 to read:

1231 559.933 Vacation certificate cancellation and refund  
1232 provisions.—

1233 (1) A ~~It shall be unlawful for any~~ seller of travel or  
1234 assignee ~~must honor a purchaser's request to cancel a vacation~~  
1235 certificate if such request is made:

1236 ~~(1) To fail or refuse to honor a purchaser's vacation~~  
1237 ~~certificate request to cancel if such request is made:~~

1238 (a) Within 30 days after ~~from~~ the date of purchase or  
1239 receipt of the vacation certificate, whichever occurs later; or

1240 (b) At any time accommodations or facilities are not  
1241 available pursuant to a request for use as provided in the  
1242 contract, provided that:

1243 1. The contract may ~~shall~~ not require notice greater than  
1244 60 days in advance of the date requested for use;

1245 2. If acceptable to the purchaser, comparable alternate  
1246 accommodations or facilities in a city, or reservations for a  
1247 date different than that requested, may be provided.

1248 (2) A seller of travel or assignee must ~~To fail to~~ refund  
1249 any and all payments made by the vacation certificate purchaser  
1250 within 30 days after receipt of the certificate and notice of  
1251 cancellation made pursuant to this section, if the purchaser has  
1252 not received any benefits pursuant to the vacation certificate.

1253 (3) A seller of travel or assignee must, if the purchaser  
1254 has received any benefits pursuant to the vacation certificate,  
1255 ~~to fail to~~ refund within 30 days after receipt of the  
1256 certificate and notice of cancellation made pursuant to this  
1257 section any and all payments made by the purchaser which exceed



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1258 a pro rata portion of the total price, representing the portion  
1259 of any benefits actually received by the vacation certificate  
1260 purchaser during the time preceding cancellation.

1261 (4) ~~If where~~ any purchaser has received confirmation of  
1262 reservations in advance and is refused accommodations upon  
1263 arrival, a seller of travel or assignee must ~~to fail to~~ procure  
1264 comparable alternate accommodations for the purchaser in the  
1265 same city at no expense to the purchaser, or ~~to fail to~~ fully  
1266 compensate the purchaser for the room rate incurred in securing  
1267 comparable alternate accommodations himself or herself.

1268 (5) A seller of travel or assignee may not ~~To~~ collect more  
1269 than the full contract price from the purchaser.

1270 (6) A seller of travel or assignee may not ~~To~~ sell, assign,  
1271 or otherwise transfer any interest in a seller of travel  
1272 business, or ~~to~~ sell, assign, or otherwise transfer to a third  
1273 party any interest in any vacation certificate unless:

1274 (a) The third party agrees in writing to fully honor the  
1275 rights of vacation certificate purchasers to cancel and to  
1276 receive an appropriate refund or reimbursement as provided in  
1277 this section.

1278 (b) The third party agrees in writing to comply with all  
1279 other provisions of this part for as long as the third party  
1280 continues the sale of vacation certificates or for the duration  
1281 of the period of validity of outstanding vacation certificates,  
1282 whichever is longer in time.

1283 (c) The seller of travel agrees to be liable for and fully  
1284 indemnify a purchaser from any loss occasioned by the failure of  
1285 the third party to honor the purchaser's right to cancel and  
1286 failure to make prompt and complete refund to the purchaser of



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1287 all sums paid to the third party, or occasioned by the third  
1288 party's failure to comply with the provisions of this part.

1289 (7) A seller of travel or assignee must ~~To fail to~~ fulfill  
1290 the terms of a vacation certificate within 18 months after ~~of~~  
1291 the initial payment of any consideration by the purchaser to a  
1292 seller of travel or third party.

1293 Section 34. Section 559.9335, Florida Statutes, is amended  
1294 to read:

1295 559.9335 Violations.—It is a violation of this part for any  
1296 seller of travel, independent agent, assignee, or other person:

1297 (1) To conduct business as a seller of travel without  
1298 registering annually with the department unless exempt pursuant  
1299 to s. 559.935.

1300 (2) To conduct business as a seller of travel without an  
1301 annual purchase of a performance bond in the amount set by the  
1302 department unless exempt pursuant to s. 559.935.

1303 (3) Knowingly to make any false statement, representation,  
1304 or certification in any application, document, or record  
1305 required to be submitted or retained under this part or in any  
1306 response to an inquiry or investigation conducted by the  
1307 department or any other governmental agency.

1308 (4) Knowingly to sell or market any ~~number of~~ vacation  
1309 certificates that exceed the number disclosed to the department  
1310 pursuant to this section.

1311 (5) Knowingly to sell or market vacation certificates with  
1312 an expiration date of more than 18 months from the date of  
1313 issuance.

1314 ~~(6) Knowingly to require, request, encourage, or suggest,~~  
1315 ~~directly or indirectly, that payment for the right to obtain a~~



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1316 ~~travel contract, certificate, or vacation package must be by~~  
1317 ~~credit card authorization or to otherwise announce a preference~~  
1318 ~~for that method of payment over any other when no correct and~~  
1319 ~~true explanation for such preference is likewise stated.~~

1320       (6)~~(7)~~ Knowingly to state, represent, indicate, suggest, or  
1321 imply, directly or indirectly, that the travel contract,  
1322 certificate, or vacation package being offered by the seller of  
1323 travel cannot be purchased at some later time or may not  
1324 otherwise be available after the initial contact, or that  
1325 callbacks by the prospective purchaser are not accepted, when no  
1326 such restrictions or limitations in fact exist.

1327       (7)~~(8)~~ To misrepresent ~~in any manner~~ the purchaser's right  
1328 to cancel and to receive an appropriate refund or reimbursement  
1329 as provided by this part.

1330       (8)~~(9)~~ To sell any vacation certificate the duration of  
1331 which exceeds the duration of any agreement between the seller  
1332 and any business entity obligated thereby to provide  
1333 accommodations or facilities pursuant to the vacation  
1334 certificate.

1335       (9)~~(10)~~ To misrepresent or deceptively represent:

1336           (a) The amount of time or period of time accommodations or  
1337 facilities will be available.

1338           (b) The location of accommodations or facilities offered.

1339           (c) The price, size, nature, extent, qualities, or  
1340 characteristics of accommodations or facilities offered.

1341           (d) The nature or extent of other goods, services, or  
1342 amenities offered.

1343           (e) A purchaser's rights, privileges, or benefits.

1344           (f) The conditions under which the purchaser may obtain a



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1345 reservation for the use of offered accommodations or facilities.

1346 (g) That the recipient of an advertisement or promotional  
1347 materials is a winner, or has been selected, or is otherwise  
1348 being involved in a select group for receipt, of a gift, award,  
1349 or prize, unless this fact is the truth.

1350 (10)~~(11)~~ To fail to inform a purchaser of a nonrefundable  
1351 cancellation policy before ~~prior to~~ the seller of travel  
1352 accepting any fee, commission, or other valuable consideration.

1353 (11)~~(12)~~ To fail to include, when offering to sell a  
1354 vacation certificate, in any advertisement or promotional  
1355 material, the following statement: "This is an offer to sell  
1356 travel."

1357 (12)~~(13)~~ To fail to honor and comply with all provisions of  
1358 the vacation certificate regarding the purchaser's rights,  
1359 benefits, and privileges thereunder.

1360 (13)~~(14)~~ (a) To include in any vacation certificate or  
1361 contract any provision purporting to waive or limit any right or  
1362 benefit provided to purchasers under this part; or

1363 (b) To seek or solicit such waiver or acceptance of  
1364 limitation from a purchaser concerning rights or benefits  
1365 provided under this part.

1366 (14)~~(15)~~ To offer vacation certificates for any  
1367 accommodation or facility for which there is no contract with  
1368 the owner of the accommodation or facility securing the  
1369 purchaser's right to occupancy and use, unless the seller is the  
1370 owner.

1371 (15)~~(16)~~ To use a local mailing address, registration  
1372 facility, drop box, or answering service in the promotion,  
1373 advertising, solicitation, or sale of vacation certificates,





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1374 unless the seller's fixed business address is clearly disclosed  
1375 during any telephone solicitation and is prominently and  
1376 conspicuously disclosed on all solicitation materials and on the  
1377 contract.

1378 (16)~~(17)~~ To use any registered trademark, trade name, or  
1379 trade logo in any promotional, advertising, or solicitation  
1380 materials without written authorization from the holder of such  
1381 trademark, trade name, or trade logo.

1382 (17)~~(18)~~ To represent, directly or by implication, any  
1383 affiliation with, or endorsement by, any governmental,  
1384 charitable, educational, medical, religious, fraternal, or civic  
1385 organization or body, or any individual, in the promotion,  
1386 advertisement, solicitation, or sale of vacation certificates  
1387 without express written authorization.

1388 (18)~~(19)~~ To sell a vacation certificate to any purchaser  
1389 who is ineligible for its use.

1390 (19)~~(20)~~ To sell any ~~number of~~ vacation certificates in  
1391 excess of exceeding the number of available accommodations  
1392 ~~disclosed pursuant to this part.~~

1393 (20)~~(21)~~ During the period of a vacation certificate's  
1394 validity, in the event, for any reason whatsoever, of lapse or  
1395 breach of an agreement for the provision of accommodations or  
1396 facilities to purchasers, to fail to procure similar agreement  
1397 for the provision of comparable alternate accommodations or  
1398 facilities in the same city or surrounding area.

1399 (21)~~(22)~~ To offer to sell, at wholesale or retail,  
1400 prearranged travel or, tourist-related services, ~~or tour-guide~~  
1401 ~~services~~ for individuals or groups directly to any terrorist  
1402 state and which originate in Florida, without disclosing such



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1403 business activities in a certification filed under s.  
1404 559.9285(1) (b) or (c).

1405 ~~(22)~~~~(23)~~ To violate any state or federal law restricting or  
1406 prohibiting commerce with terrorist states.

1407 ~~(23)~~~~(24)~~ To engage in ~~de~~ any other fraudulent action that  
1408 ~~act which~~ constitutes fraud, misrepresentation, or failure to  
1409 disclose a material fact, or to commit any other violation of,  
1410 or fail to comply with, this part.

1411 ~~(24)~~~~(25)~~ To refuse or fail, or for any of its principal  
1412 officers to refuse or fail, after notice, to produce any  
1413 document or record or disclose any information required to be  
1414 produced or disclosed.

1415 ~~(25)~~~~(26)~~ Knowingly to make a material false statement in  
1416 response to any request or investigation by the department, the  
1417 Department of Legal Affairs, or the state attorney.

1418 Section 35. Subsections (3) and (4) of section 559.935,  
1419 Florida Statutes, are amended to read:

1420 559.935 Exemptions.—

1421 (3) Sections 559.928, 559.929, 559.9295, 559.931, and  
1422 559.932 ~~shall~~ also do not apply to a seller of travel that is an  
1423 affiliate of an entity exempt pursuant to subsection (2) subject  
1424 to the following conditions:

1425 (a) If ~~In the event~~ the department finds the affiliate does  
1426 not have a satisfactory consumer complaint history or the  
1427 affiliate fails to respond to a consumer complaint within 30  
1428 days, the related seller of travel exempt pursuant to subsection  
1429 (2) is ~~shall be~~ liable for the actions of the affiliate, subject  
1430 to the remedies provided in ss. 559.9355 and 559.936.

1431 (b) If ~~In the event~~ the department is unable to locate an



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1432 affiliate, the related seller of travel exempt pursuant to  
1433 subsection (2) is ~~shall be~~ fully liable for the actions of the  
1434 affiliate, subject to the remedies provided in ss. 559.9355 and  
1435 559.936.

1436 ~~(c) In order to obtain an exemption under this subsection,~~  
1437 ~~the affiliate shall file an affidavit of exemption on a form~~  
1438 ~~prescribed by the department and shall certify its business~~  
1439 ~~activities under s. 559.9285(1) (a). The affidavit of exemption~~  
1440 ~~shall be executed by a person who exercises identical control~~  
1441 ~~over the seller of travel exempt pursuant to subsection (2) and~~  
1442 ~~the affiliate. Failure to file an affidavit of exemption or~~  
1443 ~~certification under s. 559.9285(1) (a) prior to engaging in~~  
1444 ~~seller of travel activities shall subject the affiliate to the~~  
1445 ~~remedies provided in ss. 559.9355 and 559.936.~~

1446 ~~(c)~~(d) Revocation by the department of an exemption  
1447 provided to a seller of travel under subsection (2) shall  
1448 constitute automatic revocation by law of an exemption obtained  
1449 by an affiliate under the subsection.

1450 ~~(d)~~(e) This subsection does ~~shall~~ not apply to:

1451 1. An affiliate that independently qualifies for another  
1452 exemption under this section.

1453 2. An affiliate that sells, or offers for sale, vacation  
1454 certificates.

1455 3. An affiliate that certifies its business activities  
1456 under s. 559.9285(1) (b) or (c).

1457 ~~(e)~~(f) For purposes of this section, the term ~~an~~  
1458 "affiliate" means an entity that meets the following:

1459 1. The entity has the identical ownership as the seller of  
1460 travel that is exempt under subsection (2).



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1461           2. The ownership controlling the seller of travel that is  
1462 exempt under subsection (2) also exercises identical control  
1463 over the entity.

1464           3. The owners of the affiliate hold the identical  
1465 percentage of voting shares as they hold in the seller of travel  
1466 that is exempt under subsection (2).

1467           (4) The department may revoke the exemption provided in  
1468 subsection (2) or subsection (3) if the department finds that  
1469 the seller of travel does not have a satisfactory consumer  
1470 complaint history, has been convicted of a crime involving  
1471 fraud, theft, embezzlement, misappropriation of property,  
1472 deceptive or unfair trade practices, or moral turpitude, or has  
1473 not complied with the terms of any order or settlement agreement  
1474 arising out of an administrative or enforcement action brought  
1475 by a governmental agency or private person based on conduct  
1476 involving fraud, theft, embezzlement, misappropriation of  
1477 property, deceptive or unfair trade practices, or moral  
1478 turpitude.

1479           Section 36. Subsection (3) of section 559.936, Florida  
1480 Statutes, is amended to read:

1481           559.936 Civil penalties; remedies.—

1482           (3) The department may seek a civil penalty in the Class  
1483 III category pursuant to s. 570.971 for each act or omission in  
1484 violation of s. 559.9335(21) or (22) ~~s. 559.9335(22) or (23)~~.

1485           Section 37. Paragraph (b) of subsection (5), paragraph (a)  
1486 of subsection (10), and subsections (15) and (16) of section  
1487 616.242, Florida Statutes, are amended to read:

1488           616.242 Safety standards for amusement rides.—

1489           (5) ANNUAL PERMIT.—



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1490 (b) To apply for an annual permit, an owner must submit to  
1491 the department a written application on a form prescribed by  
1492 rule of the department, which must include the following:

1493 1. The legal name, address, and primary place of business  
1494 of the owner.

1495 2. A description, manufacturer's name, serial number, model  
1496 number and, if previously assigned, the United States Amusement  
1497 Identification Number of the amusement ride.

1498 3. A valid certificate of insurance ~~or bond~~ for each  
1499 amusement ride.

1500 4. An affidavit of compliance that the amusement ride was  
1501 inspected in person by the affiant and that the amusement ride  
1502 is in general conformance with the requirements of this section  
1503 and all applicable rules adopted by the department. The  
1504 affidavit must be executed by a professional engineer or a  
1505 qualified inspector no earlier than 60 days before, but not  
1506 later than, the date of the filing of the application with the  
1507 department. The owner shall request inspection and permitting of  
1508 the amusement ride within 60 days of the date of filing the  
1509 application with the department. The department shall inspect  
1510 and permit the amusement ride within 60 days after filing the  
1511 application with the department.

1512 5. If required by subsection (6), an affidavit of  
1513 nondestructive testing dated and executed no earlier than 60  
1514 days before ~~prior to~~, but not later than, the date of the filing  
1515 of the application with the department. The owner shall request  
1516 inspection and permitting of the amusement ride within 60 days  
1517 of the date of filing the application with the department. The  
1518 department shall inspect and permit the amusement ride within 60



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1519 days after filing the application with the department.

1520 6. A request for inspection.

1521 7. Upon request, the owner shall, at no cost to the  
1522 department, provide the department a copy of the manufacturer's  
1523 current recommended operating instructions in the possession of  
1524 the owner, the owner's operating fact sheet, and any written  
1525 bulletins in the possession of the owner concerning the safety,  
1526 operation, or maintenance of the amusement ride.

1527 (10) EXEMPTIONS.—

1528 (a) This section does not apply to:

1529 1. Permanent facilities that employ at least 1,000 full-  
1530 time employees and that maintain full-time, in-house safety  
1531 inspectors. Furthermore, the permanent facilities must file an  
1532 affidavit of the annual inspection with the department, on a  
1533 form prescribed by rule of the department. Additionally, the  
1534 Department of Agriculture and Consumer Services may consult  
1535 annually with the permanent facilities regarding industry safety  
1536 programs.

1537 2. Any playground operated by a school, local government,  
1538 or business licensed under chapter 509, if the playground is an  
1539 incidental amenity and the operating entity is not primarily  
1540 engaged in providing amusement, pleasure, thrills, or  
1541 excitement.

1542 3. Museums or other institutions principally devoted to the  
1543 exhibition of products of agriculture, industry, education,  
1544 science, religion, or the arts.

1545 4. Conventions or trade shows for the sale or exhibit of  
1546 amusement rides if there are a minimum of 15 amusement rides on  
1547 display or exhibition, and if any operation of such amusement



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1548 rides is limited to the registered attendees of the convention  
1549 or trade show.

1550 5. Skating rinks, arcades, laser ~~lazer~~ or paint ball war  
1551 games, bowling alleys, miniature golf courses, mechanical bulls,  
1552 inflatable rides, trampolines, ball crawls, exercise equipment,  
1553 jet skis, paddle boats, airboats, helicopters, airplanes,  
1554 parasails, hot air or helium balloons whether tethered or  
1555 untethered, theatres, batting cages, stationary spring-mounted  
1556 fixtures, rider-propelled merry-go-rounds, games, side shows,  
1557 live animal rides, or live animal shows.

1558 6. Go-karts operated in competitive sporting events if  
1559 participation is not open to the public.

1560 7. Nonmotorized playground equipment that is not required  
1561 to have a manager.

1562 8. Coin-actuated amusement rides designed to be operated by  
1563 depositing coins, tokens, credit cards, debit cards, bills, or  
1564 other cash money and which are not required to have a manager,  
1565 and which have a capacity of six persons or less.

1566 9. Facilities described in s. 549.09(1)(a) when such  
1567 facilities are operating cars, trucks, or motorcycles only.

1568 10. Battery-powered cars or other vehicles that are  
1569 designed to be operated by children 7 years of age or under and  
1570 that cannot exceed a speed of 4 miles per hour.

1571 11. Mechanically driven vehicles that pull train cars,  
1572 carts, wagons, or other similar vehicles, that are not confined  
1573 to a metal track or confined to an area but are steered by an  
1574 operator and do not exceed a speed of 4 miles per hour.

1575 12. A water-related amusement ride operated by a business  
1576 licensed under chapter 509 if the water-related amusement ride



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1577 is an incidental amenity and the operating business is not  
1578 primarily engaged in providing amusement, pleasure, thrills, or  
1579 excitement and does not offer day rates.

1580 13. An amusement ride at a private, membership-only  
1581 facility if the amusement ride is an incidental amenity and the  
1582 facility is not open to the general public; is not primarily  
1583 engaged in providing amusement, pleasure, thrills, or  
1584 excitement; and does not offer day rates.

1585 14. A nonprofit permanent facility registered under chapter  
1586 496 which is not open to the general public.

1587 (15) INSPECTION BY OWNER OR MANAGER.—Before ~~Prior to~~  
1588 opening on each day of operation and before ~~prior to~~ any  
1589 inspection by the department, the owner or manager of an  
1590 amusement ride must inspect and test the amusement ride to  
1591 ensure compliance with all requirements of this section. Each  
1592 inspection must be recorded on a form prescribed by rule of the  
1593 department and signed by the person who conducted the  
1594 inspection. In lieu of the form prescribed by rule of the  
1595 department, the owner or manager may request approval of an  
1596 alternative form if the alternative form includes, at a minimum,  
1597 the information required on the form prescribed by rule of the  
1598 department. Inspection records of the last 14 daily inspections  
1599 must be kept on site by the owner or manager and made  
1600 immediately available to the department upon request.

1601 (16) TRAINING OF EMPLOYEES.—The owner or manager of an ~~any~~  
1602 amusement ride shall maintain a record of employee training for  
1603 each employee authorized to operate, assemble, disassemble,  
1604 transport, or conduct maintenance on an amusement ride, ~~on a~~  
1605 form prescribed by rule of the department. In lieu of the form





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1606 prescribed by rule of the department, the owner or manager may  
1607 request approval of an alternative form if the alternative form  
1608 includes, at a minimum, the information required on the form  
1609 prescribed by rule of the department. The training record must  
1610 be kept on site by the owner or manager and made immediately  
1611 available to the department upon request. Training may not be  
1612 conducted when an amusement ride is open to the public unless  
1613 the training is conducted under the supervision of an employee  
1614 who is trained in the operation of that ride. The owner or  
1615 manager shall certify that each employee is trained, as required  
1616 by this section and any rules adopted thereunder, on the  
1617 amusement ride for which the employee is responsible.

1618 Section 38. Subsections (1), (2), (5), (7), and (13) of  
1619 section 713.585, Florida Statutes, are amended to read:

1620 713.585 Enforcement of lien by sale of motor vehicle.—A  
1621 person claiming a lien under s. 713.58 for performing labor or  
1622 services on a motor vehicle may enforce such lien by sale of the  
1623 vehicle in accordance with the following procedures:

1624 (1) The lienor must give notice, by certified mail, return  
1625 receipt requested, within 7 ~~15~~ business days, excluding Saturday  
1626 and Sunday, from the beginning date of the assessment of storage  
1627 charges on said motor vehicle, to the registered owner of the  
1628 vehicle, to the customer as indicated on the order for repair,  
1629 and to all other persons claiming an interest in or lien  
1630 thereon, as disclosed by the records of the Department of  
1631 Highway Safety and Motor Vehicles or as disclosed by the records  
1632 of any corresponding agency of any other state in which the  
1633 vehicle is identified through a records check of the National  
1634 Motor Vehicle Title Information System or an equivalent



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1635 commercially available system as being the current state where  
1636 the vehicle is titled. Such notice must contain:

1637 (a) A description of the vehicle, including, at minimum,  
1638 its ~~(year, make, vehicle identification number,)~~ and the  
1639 vehicle's ~~its~~ location.

1640 (b) The name and address of the owner of the vehicle, the  
1641 customer as indicated on the order for repair, and any person  
1642 claiming an interest in or lien thereon.

1643 (c) The name, address, and telephone number of the lienor.

1644 (d) Notice that the lienor claims a lien on the vehicle for  
1645 labor and services performed and storage charges, if any, and  
1646 the cash sum which, if paid to the lienor, would be sufficient  
1647 to redeem the vehicle from the lien claimed by the lienor.

1648 (e) Notice that the lien claimed by the lienor is subject  
1649 to enforcement pursuant to this section and that the vehicle may  
1650 be sold to satisfy the lien.

1651 (f) If known, the date, time, and location of any proposed  
1652 or scheduled sale of the vehicle. A ~~No~~ vehicle may not be sold  
1653 earlier than 60 days after completion of the repair work.

1654 (g) Notice that the owner of the vehicle or any person  
1655 claiming an interest in or lien thereon has a right to a hearing  
1656 at any time before ~~prior to~~ the scheduled date of sale by filing  
1657 a demand for hearing with the clerk of the circuit court in the  
1658 county in which the vehicle is held and mailing copies of the  
1659 demand for hearing to all other owners and lienors as reflected  
1660 on the notice.

1661 (h) Notice that the owner of the vehicle has a right to  
1662 recover possession of the vehicle without instituting judicial  
1663 proceedings by posting bond in accordance with ~~the provisions of~~



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1664 s. 559.917.

1665 (i) Notice that any proceeds from the sale of the vehicle  
1666 remaining after payment of the amount claimed to be due and  
1667 owing to the lienor will be deposited with the clerk of the  
1668 circuit court for disposition upon court order pursuant to  
1669 subsection (8).

1670 (j) Notice that a lienholder, if any, has the right, as  
1671 specified in subsection (5), to demand a hearing or to post a  
1672 bond.

1673 (2) If attempts to locate the owner or lienholder are  
1674 unsuccessful after a check of the records of the Department of  
1675 Highway Safety and Motor Vehicles and any state disclosed by the  
1676 check of the National Motor Vehicle Title Information System or  
1677 an equivalent commercially available system, the lienor must  
1678 notify the local law enforcement agency in writing by certified  
1679 mail or acknowledged hand delivery that the lienor has been  
1680 unable to locate the owner or lienholder, that a physical search  
1681 of the vehicle has disclosed no ownership information, and that  
1682 a good faith effort, including records checks of the Department  
1683 of Highway Safety and Motor Vehicles database and the National  
1684 Motor Vehicle Title Information System or an equivalent  
1685 commercially available system, has been made. A description of  
1686 the motor vehicle which includes the year, make, and  
1687 identification number must be given on the notice. This  
1688 notification must take place within 7 ~~15~~ business days,  
1689 excluding Saturday and Sunday, from the beginning date of the  
1690 assessment of storage charges on said motor vehicle. For  
1691 purposes of this paragraph, the term "good faith effort" means  
1692 that the following checks have been performed by the company to



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1693 establish the prior state of registration and title:  
1694       (a) A check of the Department of Highway Safety and Motor  
1695 Vehicles database for the owner and any lienholder;  
1696       (b) A check of the federally mandated electronic National  
1697 Motor Vehicle Title Information System or an equivalent  
1698 commercially available system to determine the state of  
1699 registration when there is not a current title or registration  
1700 record for the vehicle on file with the Department of Highway  
1701 Safety and Motor Vehicles;  
1702       (c) A check of vehicle for any type of tag, tag record,  
1703 temporary tag, or regular tag;  
1704       (d) A check of vehicle for inspection sticker or other  
1705 stickers and decals that could indicate the state of possible  
1706 registration; and  
1707       (e) A check of the interior of the vehicle for any papers  
1708 that could be in the glove box, trunk, or other areas for the  
1709 state of registration.  
1710       (5) At any time before ~~prior to~~ the proposed or scheduled  
1711 date of sale of a vehicle, the owner of the vehicle, or any  
1712 person claiming an interest in the vehicle or a lien thereon,  
1713 may post a bond following the procedures outlined in s. 559.917  
1714 or file a demand for hearing with the clerk of the circuit court  
1715 in the county in which the vehicle is held to determine whether  
1716 the vehicle has been wrongfully taken or withheld from her or  
1717 him. Any person who files a demand for hearing shall mail copies  
1718 of the demand to all other owners and lienors as reflected on  
1719 the notice required in subsection (1).  
1720       (a) Upon the filing of a demand for hearing, a hearing  
1721 shall be held before ~~prior to~~ the proposed or scheduled date of



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1722 sale of the vehicle.

1723 (b) Upon the posting of the bond and payment of the  
1724 applicable fee set forth in s. 28.24, the clerk of the court  
1725 shall issue a certificate notifying the lienor of the posting of  
1726 the bond and directing the lienor to release the vehicle to the  
1727 lienholder or the owner, based upon whomever posted the bond.

1728 (c) If a lienholder obtains the vehicle and the owner of  
1729 the vehicle is not in default under the installment sales  
1730 contract or title loan at the time the lienholder has possession  
1731 of the vehicle, the lienholder must return the vehicle to the  
1732 owner within 5 days after the owner repays the lienholder for  
1733 the amount of the bond, or makes arrangements to repay the  
1734 lienholder for the bond under terms agreeable to the lienholder.

1735 A lienholder may retain possession of the vehicle if the owner  
1736 is in default until such time as the default is cured and the  
1737 amount of the bond is repaid by the owner, or an arrangement  
1738 agreeable to the lienholder is made with the owner.

1739 (7) At a ~~the~~ hearing on a complaint relating to the  
1740 requirements of this section ~~on the complaint~~, the court shall  
1741 ~~forthwith~~ issue an ~~its~~ order determining:

1742 (a) Whether the vehicle is subject to a valid lien by the  
1743 lienor and the amount thereof;

1744 (b) The priority of the lien of the lienor as against any  
1745 existing security interest in the vehicle;

1746 (c) The distribution of any proceeds of the sale by the  
1747 clerk of the circuit court;

1748 (d) The awarding of damages, if any;

1749 (e) ~~(d)~~ The award of reasonable attorney ~~attorney's~~ fees and  
1750 costs, at the court's discretion, to the prevailing party; and



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1751            (f)~~(e)~~ The reasonableness of storage charges.

1752

1753 A final order, by the court, must also provide for immediate  
1754 payment of any proceeds or awards, and the immediate release of  
1755 the bond to the posting party, if applicable.

1756            (13) A failure to make good faith efforts as defined in  
1757 subsection (2) precludes the imposition of any storage charges  
1758 against the vehicle. If a lienor fails to provide notice to any  
1759 person claiming a lien on a vehicle under subsection (1) within  
1760 7 ~~15~~ business days after the assessment of storage charges has  
1761 begun, then the lienor is precluded from charging for more than  
1762 7 ~~15~~ days of storage, but failure to provide timely notice does  
1763 not affect charges made for repairs, adjustments, or  
1764 modifications to the vehicle or the priority of liens on the  
1765 vehicle.

1766            Section 39. Subsections (2), (4), (5), and (10) of section  
1767 790.06, Florida Statutes, are amended, and paragraph (f) is  
1768 added to subsection (6) of that section, to read:

1769            790.06 License to carry concealed weapon or firearm.—

1770            (2) The Department of Agriculture and Consumer Services  
1771 shall issue a license if the applicant:

1772            (a) Is a resident of the United States and a citizen of the  
1773 United States or a permanent resident alien of the United  
1774 States, as determined by the United States Bureau of Citizenship  
1775 and Immigration Services, or is a consular security official of  
1776 a foreign government that maintains diplomatic relations and  
1777 treaties of commerce, friendship, and navigation with the United  
1778 States and is certified as such by the foreign government and by  
1779 the appropriate embassy in this country;



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1780           (b) Is 21 years of age or older;

1781           (c) Does not suffer from a physical infirmity which  
1782 prevents the safe handling of a weapon or firearm;

1783           (d) Is not ineligible to possess a firearm pursuant to s.  
1784 790.23 by virtue of having been convicted of a felony;

1785           (e) Has not been committed for the abuse of a controlled  
1786 substance or been found guilty of a crime under the provisions  
1787 of chapter 893 or similar laws of any other state relating to  
1788 controlled substances within a 3-year period immediately  
1789 preceding the date on which the application is submitted;

1790           (f) Does not chronically and habitually use alcoholic  
1791 beverages or other substances to the extent that his or her  
1792 normal faculties are impaired. It shall be presumed that an  
1793 applicant chronically and habitually uses alcoholic beverages or  
1794 other substances to the extent that his or her normal faculties  
1795 are impaired if the applicant has been committed under chapter  
1796 397 or under the provisions of former chapter 396 or has been  
1797 convicted under s. 790.151 or has been deemed a habitual  
1798 offender under s. 856.011(3), or has had two or more convictions  
1799 under s. 316.193 or similar laws of any other state, within the  
1800 3-year period immediately preceding the date on which the  
1801 application is submitted;

1802           (g) Desires a legal means to carry a concealed weapon or  
1803 firearm for lawful self-defense;

1804           (h) Demonstrates competence with a firearm by any one of  
1805 the following:

1806           1. Completion of any hunter education or hunter safety  
1807 course approved by the Fish and Wildlife Conservation Commission  
1808 or a similar agency of another state;



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1809           2. Completion of any National Rifle Association firearms  
1810 safety or training course;

1811           3. Completion of any firearms safety or training course or  
1812 class available to the general public offered by a law  
1813 enforcement agency, junior college, college, or private or  
1814 public institution or organization or firearms training school,  
1815 using ~~utilizing~~ instructors certified by the National Rifle  
1816 Association, Criminal Justice Standards and Training Commission,  
1817 or the Department of Agriculture and Consumer Services;

1818           4. Completion of any law enforcement firearms safety or  
1819 training course or class offered for security guards,  
1820 investigators, special deputies, or any division or subdivision  
1821 of a law enforcement agency or security enforcement;

1822           5. Presents evidence of equivalent experience with a  
1823 firearm through participation in organized shooting competition  
1824 or military service;

1825           6. Is licensed or has been licensed to carry a firearm in  
1826 this state or a county or municipality of this state, unless  
1827 such license has been revoked for cause; or

1828           7. Completion of any firearms training or safety course or  
1829 class conducted by a state-certified or National Rifle  
1830 Association certified firearms instructor;

1831

1832 A photocopy of a certificate of completion of any of the courses  
1833 or classes; ~~or~~ an affidavit from the instructor, school, club,  
1834 organization, or group that conducted or taught such ~~said~~ course  
1835 or class attesting to the completion of the course or class by  
1836 the applicant; or a copy of any document that ~~which~~ shows  
1837 completion of the course or class or evidences participation in





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1838 firearms competition shall constitute evidence of qualification  
1839 under this paragraph. ~~A; any~~ person who conducts a course  
1840 pursuant to subparagraph 2., subparagraph 3., or subparagraph  
1841 7., or who, as an instructor, attests to the completion of such  
1842 courses, must maintain records certifying that he or she  
1843 observed the student safely handle and discharge the firearm in  
1844 his or her physical presence and that the discharge of the  
1845 firearm included live fire using a firearm and ammunition as  
1846 defined in s. 790.001;

1847 (i) Has not been adjudicated an incapacitated person under  
1848 s. 744.331, or similar laws of any other state, unless 5 years  
1849 have elapsed since the applicant's restoration to capacity by  
1850 court order;

1851 (j) Has not been committed to a mental institution under  
1852 chapter 394, or similar laws of any other state, unless the  
1853 applicant produces a certificate from a licensed psychiatrist  
1854 that he or she has not suffered from disability for at least 5  
1855 years before ~~prior to~~ the date of submission of the application;

1856 (k) Has not had adjudication of guilt withheld or  
1857 imposition of sentence suspended on any felony ~~or misdemeanor~~  
1858 ~~crime of domestic violence~~ unless 3 years have elapsed since  
1859 probation or any other conditions set by the court have been  
1860 fulfilled, or expunction has occurred ~~the record has been sealed~~  
1861 ~~or expunged;~~

1862 (l) Has not had adjudication of guilt withheld or  
1863 imposition of sentence suspended on any misdemeanor crime of  
1864 domestic violence unless 3 years have elapsed since probation or  
1865 any other conditions set by the court have been fulfilled, or  
1866 the record has been sealed or expunged;



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1867            (m)~~(l)~~ Has not been issued an injunction that is currently  
1868 in force and effect and that restrains the applicant from  
1869 committing acts of domestic violence or acts of repeat violence;  
1870 and

1871            (n)~~(m)~~ Is not prohibited from purchasing or possessing a  
1872 firearm by any other provision of Florida or federal law.

1873            (4) The application shall be completed, under oath, on a  
1874 form adopted ~~promulgated~~ by the Department of Agriculture and  
1875 Consumer Services and shall include:

1876            (a) The name, address, place of birth, ~~and~~ date of birth,  
1877 and race, ~~and occupation~~ of the applicant;

1878            (b) A statement that the applicant is in compliance with  
1879 criteria contained within subsections (2) and (3);

1880            (c) A statement that the applicant has been furnished a  
1881 copy of this chapter and is knowledgeable of its provisions;

1882            (d) A conspicuous warning that the application is executed  
1883 under oath and that a false answer to any question, or the  
1884 submission of any false document by the applicant, subjects the  
1885 applicant to criminal prosecution under s. 837.06; ~~and~~

1886            (e) A statement that the applicant desires a concealed  
1887 weapon or firearms license as a means of lawful self-defense;  
1888 and

1889            (f) Directions for an applicant who is a servicemember, as  
1890 defined in s. 250.01, or a veteran, as defined in s. 1.01, to  
1891 request expedited processing of his or her application.

1892            (5) The applicant shall submit to the Department of  
1893 Agriculture and Consumer Services or an approved tax collector  
1894 pursuant to s. 790.0625:

1895            (a) A completed application as described in subsection (4).



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1896 (b) A nonrefundable license fee of up to \$60 ~~\$70~~ if he or  
1897 she has not previously been issued a statewide license or of up  
1898 to \$50 ~~\$60~~ for renewal of a statewide license. The cost of  
1899 processing fingerprints as required in paragraph (c) shall be  
1900 borne by the applicant. However, an individual holding an active  
1901 certification from the Criminal Justice Standards and Training  
1902 Commission as a law enforcement officer, correctional officer,  
1903 or correctional probation officer as defined in s. 943.10(1),  
1904 (2), (3), (6), (7), (8), or (9) is exempt from the licensing  
1905 requirements of this section. If such individual wishes to  
1906 receive a concealed weapon ~~weapons~~ or firearm ~~firearms~~ license,  
1907 he or she is exempt from the background investigation and all  
1908 background investigation fees, but must pay the current license  
1909 fees regularly required to be paid by nonexempt applicants.  
1910 Further, a law enforcement officer, a correctional officer, or a  
1911 correctional probation officer as defined in s. 943.10(1), (2),  
1912 or (3) is exempt from the required fees and background  
1913 investigation for ~~a period of~~ 1 year after his or her  
1914 retirement.

1915 (c) A full set of fingerprints of the applicant  
1916 administered by a law enforcement agency or the Division of  
1917 Licensing of the Department of Agriculture and Consumer Services  
1918 or an approved tax collector pursuant to s. 790.0625 together  
1919 with any personal identifying information required by federal  
1920 law to process fingerprints.

1921 (d) A photocopy of a certificate, affidavit, or document as  
1922 described in paragraph (2)(h).

1923 (e) A full frontal view color photograph of the applicant  
1924 taken within the preceding 30 days, in which the head, including



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1925 hair, measures 7/8 of an inch wide and 1 1/8 inches high.  
1926 (f) For expedited processing of an application:  
1927 1. A servicemember shall submit a copy of the Common Access  
1928 Card, United States Uniformed Services Identification Card, or  
1929 current deployment orders.  
1930 2. A veteran shall submit a copy of the DD Form 214, issued  
1931 by the United States Department of Defense, or another  
1932 acceptable form of identification as specified by the Department  
1933 of Veterans' Affairs.  
1934 (6)  
1935 (f) The Department of Agriculture and Consumer Services  
1936 shall, upon receipt of a completed application and the  
1937 identifying information required under paragraph (5) (f),  
1938 expedite the processing of a servicemember's or a veteran's  
1939 concealed weapon or firearm license application.  
1940 (10) A license issued under this section shall be suspended  
1941 or revoked pursuant to chapter 120 if the licensee:  
1942 (a) Is found to be ineligible under the criteria set forth  
1943 in subsection (2);  
1944 (b) Develops or sustains a physical infirmity which  
1945 prevents the safe handling of a weapon or firearm;  
1946 (c) Is convicted of a felony which would make the licensee  
1947 ineligible to possess a firearm pursuant to s. 790.23;  
1948 (d) Is found guilty of a crime under the provisions of  
1949 chapter 893, or similar laws of any other state, relating to  
1950 controlled substances;  
1951 (e) Is committed as a substance abuser under chapter 397,  
1952 or is deemed a habitual offender under s. 856.011(3), or similar  
1953 laws of any other state;



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1954 (f) Is convicted of a second violation of s. 316.193, or a  
1955 similar law of another state, within 3 years after ~~of~~ a first  
1956 ~~previous~~ conviction of such section, or similar law of another  
1957 state, even though the first violation may have occurred before  
1958 ~~prior to~~ the date on which the application was submitted;

1959 (g) Is adjudicated an incapacitated person under s.  
1960 744.331, or similar laws of any other state; or

1961 (h) Is committed to a mental institution under chapter 394,  
1962 or similar laws of any other state.

1963

1964 Notwithstanding s. 120.60(5), service of a notice of the  
1965 suspension or revocation of a concealed weapon or firearm  
1966 license must be given by either certified mail, return receipt  
1967 requested, to the licensee at his or her last known mailing  
1968 address furnished to the Department of Agriculture and Consumer  
1969 Services, or by personal service. If a notice given by certified  
1970 mail is returned as undeliverable, a second attempt must be made  
1971 to provide notice to the licensee at that address, by either  
1972 first-class mail in an envelope, postage prepaid, addressed to  
1973 the licensee at his or her last known mailing address furnished  
1974 to the department, or, if the licensee has provided an e-mail  
1975 address to the department, by e-mail. Such mailing by the  
1976 department constitutes notice, and any failure by the licensee  
1977 to receive such notice does not stay the effective date or term  
1978 of the suspension or revocation. A request for hearing must be  
1979 filed with the department within 21 days after notice is  
1980 received by personal delivery, or within 26 days after the date  
1981 the department deposits the notice in the United States mail (21  
1982 days plus 5 days for mailing). The department shall document its



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1983 attempts to provide notice and such documentation is admissible  
1984 in the courts of this state and constitutes sufficient proof  
1985 that notice was given.

1986 Section 40. Effective upon this act becoming a law,  
1987 paragraph (a) of subsection (11) of section 790.06, Florida  
1988 Statutes, is amended to read:

1989 790.06 License to carry concealed weapon or firearm.-

1990 (11) (a) At least ~~No less than~~ 90 days before the expiration  
1991 date of the license, the Department of Agriculture and Consumer  
1992 Services shall mail to each licensee a written notice of the  
1993 expiration and a renewal form prescribed by the Department of  
1994 Agriculture and Consumer Services. The licensee must renew his  
1995 or her license on or before the expiration date by filing with  
1996 the Department of Agriculture and Consumer Services the renewal  
1997 form containing an a-notarized affidavit submitted under oath  
1998 and under penalty of perjury stating that the licensee remains  
1999 qualified pursuant to the criteria specified in subsections (2)  
2000 and (3), a color photograph as specified in paragraph (5) (e),  
2001 and the required renewal fee. Out-of-state residents must also  
2002 submit a complete set of fingerprints and fingerprint processing  
2003 fee. The license shall be renewed upon receipt of the completed  
2004 renewal form, color photograph, appropriate payment of fees,  
2005 and, if applicable, fingerprints. Additionally, a licensee who  
2006 fails to file a renewal application on or before its expiration  
2007 date must renew his or her license by paying a late fee of \$15.  
2008 A license may not be renewed 180 days or more after its  
2009 expiration date, and such a license is deemed to be permanently  
2010 expired. A person whose license has been permanently expired may  
2011 reapply for licensure; however, an application for licensure and



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2012 fees under subsection (5) must be submitted, and a background  
2013 investigation shall be conducted pursuant to this section. A  
2014 person who knowingly files false information under this  
2015 subsection is subject to criminal prosecution under s. 837.06.

2016 Section 41. Subsection (8) is added to section 790.0625,  
2017 Florida Statutes, to read:

2018 790.0625 Appointment of tax collectors to accept  
2019 applications for a concealed weapon or firearm license; fees;  
2020 penalties.—

2021 (8) Upon receipt of a completed renewal application, a new  
2022 color photograph, and appropriate payment of fees, a tax  
2023 collector authorized to accept renewal applications for  
2024 concealed weapon or firearm licenses under this section may,  
2025 upon approval and confirmation of license issuance by the  
2026 department, print and deliver a concealed weapon or firearm  
2027 license to a licensee renewing his or her license at the tax  
2028 collector's office.

2029 Section 42. Subsections (1) through (4) of section 559.917,  
2030 Florida Statutes, are amended to read:

2031 559.917 Bond to release possessory lien claimed by motor  
2032 vehicle repair shop.—

2033 (1) As used in this section, the term:

2034 (a) "Lienholder" means a person claiming an interest in or  
2035 a lien on a vehicle pursuant to s. 713.585(5).

2036 (b) "Lienor" means a person claiming a lien for motor  
2037 vehicle repair shop work under part II of chapter 713.

2038 (2) ~~(1)~~(a) A lienholder or Any customer may obtain the  
2039 release of a ~~her or his~~ motor vehicle for which the lienholder  
2040 or customer has a lien or ownership rights, respectively, from



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2041 any lien claimed under part II of chapter 713 by a motor vehicle  
2042 repair shop for repair work performed under a written repair  
2043 estimate by filing with the clerk of the court in the circuit in  
2044 which the disputed transaction occurred a cash or surety bond,  
2045 payable to the person claiming the lien and conditioned for the  
2046 payment of any judgment which may be entered on the lien. The  
2047 bond shall be in the amount stated on the invoice required by s.  
2048 559.911, plus accrued storage charges, if any, less any amount  
2049 paid to the motor vehicle repair shop as indicated on the  
2050 invoice. The lienholder or customer shall not be required to  
2051 institute judicial proceedings in order to post the bond in the  
2052 registry of the court, nor shall the lienholder or customer be  
2053 required to use a particular form for posting the bond, unless  
2054 the clerk provides ~~shall provide~~ such form to the lienholder or  
2055 customer for filing. Upon the posting of such bond, the clerk of  
2056 the court shall automatically issue a certificate notifying the  
2057 lienor of the posting of the bond and directing the lienor to  
2058 release the lienholder's or customer's motor vehicle.

2059 (b) The lienor shall have 60 days to file suit to recover  
2060 the bond. The prevailing party in that action may be entitled to  
2061 damages plus court costs and reasonable attorney ~~attorney's~~  
2062 fees. If the lienor fails to file suit within 60 days after the  
2063 posting of such bond, the bond shall be discharged.

2064 (3)-(2) The failure of a lienor to release or return to the  
2065 lienholder or customer the motor vehicle upon which any lien is  
2066 claimed, upon receiving a copy of a certificate giving notice of  
2067 the posting of the bond and directing release of the motor  
2068 vehicle, shall subject the lienor to judicial proceedings which  
2069 may be brought by the lienholder or customer to compel





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2070 compliance with the certificate. ~~If Whenever~~ a lienholder  
2071 pursuant to s. 713.585 or customer brings an action to compel  
2072 compliance with the certificate, the lienholder or customer need  
2073 only establish that:

2074 (a) Bond in the amount of the invoice, plus accrued storage  
2075 charges, if any, less any amount paid to the motor vehicle  
2076 repair shop as indicated on the invoice, was posted;

2077 (b) A certificate was issued pursuant to this section;

2078 (c) The motor vehicle repair shop, or any employee or agent  
2079 thereof who is authorized to release the motor vehicle, received  
2080 a copy of a certificate issued pursuant to this section; and

2081 (d) The motor vehicle repair shop or employee authorized to  
2082 release the motor vehicle failed to release the motor vehicle.

2083  
2084 The lienholder or customer, upon a judgment in her or his favor  
2085 in an action brought under this subsection, may be entitled to  
2086 damages plus court costs and reasonable attorney ~~attorney's~~ fees  
2087 sustained by her or him by reason of such wrongful detention or  
2088 retention. Upon a judgment in favor of the motor vehicle repair  
2089 shop, the shop may be entitled to reasonable attorney ~~attorney's~~  
2090 fees.

2091 ~~(4)(3)~~ Any motor vehicle repair shop that ~~which~~, or any  
2092 employee or agent thereof who is authorized to release the motor  
2093 vehicle who, upon receiving a copy of a certificate giving  
2094 notice of the posting of the bond in the required amount and  
2095 directing release of the motor vehicle, fails to release or  
2096 return the property to the lienholder or customer pursuant to  
2097 this section commits ~~is guilty of~~ a misdemeanor of the second  
2098 degree, punishable as provided in s. 775.082 or s. 775.083.



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2099           (5)~~(4)~~ Any lienholder or customer who stops payment on a  
2100 credit card charge or a check drawn in favor of a motor vehicle  
2101 repair shop on account of an invoice, or who fails to post a  
2102 cash or surety bond pursuant to this section, shall be  
2103 prohibited from any recourse under this section with respect to  
2104 the motor vehicle repair shop.

2105           Section 43. Subsection (1) and paragraph (d) of subsection  
2106 (3) of section 559.9285, Florida Statutes, are amended to read:  
2107           559.9285 Certification of business activities.—

2108           (1) Each certifying party, as defined in s. 559.927(2):

2109           (a) Which does not offer for sale, at wholesale or retail,  
2110 prearranged travel or, ~~tourist-related services, or tour-guide~~  
2111 ~~services~~ for individuals or groups directly to any terrorist  
2112 state and which originate in Florida;

2113           (b) Which offers for sale, at wholesale or retail, only  
2114 prearranged travel or, ~~tourist-related services, or tour-guide~~  
2115 ~~services~~ for individuals or groups directly to any terrorist  
2116 state and which originate in Florida, but engages in no other  
2117 business dealings or commerce with any terrorist state; or

2118           (c) Which offers for sale, at wholesale or retail,  
2119 prearranged travel or, ~~tourist-related services, or tour-guide~~  
2120 ~~services~~ for individuals or groups directly to any terrorist  
2121 state and which originate in Florida, and also engages in any  
2122 other business dealings or commerce with any terrorist state,

2123  
2124 shall annually certify its business activities by filing a  
2125 disclosure statement with the department which accurately  
2126 represents the scope of the seller's business activities  
2127 according to the criteria provided in paragraph (a), paragraph



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2128 (b), or paragraph (c).

2129 (3) The department shall specify by rule the form of each  
2130 certification under this section which shall include the  
2131 following information:

2132 (d) The type of all prearranged travel or tourist-related  
2133 services, ~~or tour-guide services~~ that the certifying party  
2134 offers for sale to individuals or groups traveling directly to  
2135 any terrorist state and that originate in Florida, and the  
2136 frequency with which such services are offered.

2137 Section 44. Subsection (2) of section 559.937, Florida  
2138 Statutes, is amended to read:

2139 559.937 Criminal penalties.—Any person or business that  
2140 violates this part:

2141 (2) Which violation directly or indirectly pertains to an  
2142 offer to sell, at wholesale or retail, prearranged travel or  
2143 tourist-related services, ~~or tour-guide services~~ for individuals  
2144 or groups directly to any terrorist state and which originate in  
2145 Florida, commits a felony of the third degree, punishable as  
2146 provided in s. 775.082 or s. 775.083.

2147 Section 45. For the 2016-2017 fiscal year, the sum of  
2148 \$2,610,195 in nonrecurring funds from the Division of Licensing  
2149 Trust Fund is appropriated to the Department of Agriculture and  
2150 Consumer Services for the purpose of implementing s. 493.6108,  
2151 Florida Statutes, regarding the collection and subsequent  
2152 payment of fingerprint retention and processing fees to the  
2153 Florida Department of Law Enforcement.

2154 Section 46. Except as otherwise expressly provided in this  
2155 act, this act shall take effect July 1, 2016.

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2157 ===== T I T L E A M E N D M E N T =====

2158 And the title is amended as follows:

2159 Delete everything before the enacting clause

2160 and insert:

2161 A bill to be entitled

2162 An act relating to regulated service providers;  
2163 amending s. 472.007, F.S.; revising the composition of  
2164 the Board of Professional Surveyors and Mappers;  
2165 amending s. 472.015, F.S.; requiring the Department of  
2166 Agriculture and Consumer Services to waive the initial  
2167 land surveying and mapping license fee for certain  
2168 veterans, the spouses of such veterans, or certain  
2169 business entities that have a majority ownership held  
2170 by such veterans or spouses; amending s. 493.6105,  
2171 F.S.; waiving the initial application fee for veterans  
2172 for certain private investigative, private security,  
2173 and repossession service licenses; revising certain  
2174 fees for initial license applications; amending s.  
2175 493.6106, F.S.; deleting a provision requiring that  
2176 certain applicants submit additional documentation  
2177 establishing state residency; amending s. 493.6107,  
2178 F.S.; waiving the initial license fees for veterans  
2179 for certain private investigative, private security,  
2180 and repossession service licenses; amending s.  
2181 493.6108, F.S.; beginning on a specified date,  
2182 requiring the Department of Law Enforcement to retain  
2183 fingerprints submitted for private investigative,  
2184 private security, and repossession service licenses,  
2185 to enter such fingerprints into the statewide



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2186 automated biometric identification system and the  
2187 Federal Bureau of Investigation's national retained  
2188 print arrest notification program, and to report any  
2189 arrest record information to the Department of  
2190 Agriculture and Consumer Services; requiring the  
2191 department to provide information about an arrest of a  
2192 licensee for certain crime within the state to the  
2193 agency that employs the licensee; amending s.  
2194 493.6113, F.S.; clarifying the renewal requirements  
2195 for Class "K" licenses; requiring a person holding a  
2196 private investigative, private security, or  
2197 repossession service license issued before a certain  
2198 date to submit, upon first renewal of the license, a  
2199 full set of fingerprints and a fingerprint processing  
2200 fee; amending ss. 493.6202, 493.6302, and 493.6402,  
2201 F.S.; waiving initial license fees for veterans for  
2202 certain private investigative, private security, and  
2203 repossession service licenses; amending s. 501.0125,  
2204 F.S.; revising the definition of the term "health  
2205 studio"; defining the term "personal trainer";  
2206 amending s. 501.015, F.S.; requiring the department to  
2207 waive the initial health studio registration fee for  
2208 certain veterans, the spouses of such veterans, or  
2209 certain business entities that have a majority  
2210 ownership held by such veterans or spouses; amending  
2211 s. 501.605, F.S.; prohibiting the use of a mail drop  
2212 as a street address for the principal location of a  
2213 commercial telephone seller; requiring the department  
2214 to waive the initial commercial telephone seller



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2215 license fee for certain veterans, the spouses of such  
2216 veterans, or certain business entities that have a  
2217 majority ownership held by such veterans or spouses;  
2218 amending s. 501.607, F.S.; requiring the department to  
2219 waive the initial telephone salesperson license fees  
2220 for certain veterans, the spouses of such veterans, or  
2221 certain business entities that have a majority  
2222 ownership held by such veterans or spouses; amending  
2223 s. 507.03, F.S.; requiring the department to waive the  
2224 initial registration fee for an intrastate mover for  
2225 certain veterans, the spouses of such veterans, or  
2226 certain business entities that have a majority  
2227 ownership held by such veterans or spouses; amending  
2228 s. 527.02, F.S.; requiring the department to waive the  
2229 original liquefied petroleum gas license fee for  
2230 certain veterans, the spouses of such veterans, or  
2231 certain business entities that have a majority  
2232 ownership held by such veterans or spouses; amending  
2233 s. 527.021, F.S.; deleting a provision requiring a fee  
2234 for registering transport vehicles; amending s.  
2235 531.37, F.S.; revising the definition of the term  
2236 "weights and measures"; amending s. 531.415, F.S.;  
2237 revising the fees for actual metrology laboratory  
2238 calibration and testing services; amending s. 531.60,  
2239 F.S.; clarifying the applicability of permits for  
2240 commercially operated or tested weights or measures  
2241 instruments or devices; requiring a new permit  
2242 application if a new owner acquires and moves an  
2243 instrument or a device; requiring a business to notify



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2244 the department of certain information under certain  
2245 circumstances; deleting a provision authorizing the  
2246 department to test weights and measures instruments or  
2247 devices under certain circumstances; amending s.  
2248 531.61, F.S.; clarifying provisions exempting certain  
2249 instruments or devices from specified requirements;  
2250 amending s. 531.62, F.S.; specifying that the  
2251 commercial use permit fee is based upon the number and  
2252 types of instruments or devices permitted; revising  
2253 the expiration date of the commercial use permit;  
2254 requiring annual and biennial commercial use permit  
2255 renewals to meet the same requirements; amending s.  
2256 531.63, F.S.; revising the commercial use permit fees  
2257 and fee structures; amending s. 531.65, F.S.;  
2258 clarifying that the department may use one or more of  
2259 the prescribed penalties for the unauthorized use of a  
2260 weights and measures instrument or device; amending s.  
2261 539.001, F.S.; requiring the department to waive the  
2262 initial pawnbroker license fee for certain veterans,  
2263 the spouses of such veterans, or certain business  
2264 entities that have a majority ownership held by such  
2265 veterans or spouses; amending s. 559.904, F.S.;  
2266 requiring the department to waive the initial motor  
2267 vehicle repair shop registration fee for certain  
2268 veterans, the spouses of such veterans, or certain  
2269 business entities that have a majority ownership held  
2270 by such veterans or spouses; creating s. 559.9191,  
2271 F.S.; requiring motor vehicle repair shops to obtain  
2272 consent before seeking certain funds from insurers;



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2273 requiring such shops to meet certain conditions before  
2274 filing certain actions against insurers; providing  
2275 requirements for certain customer consent; amending s.  
2276 559.927, F.S.; revising definitions; amending s.  
2277 559.928, F.S.; requiring the department to waive the  
2278 initial seller of travel registration fee for certain  
2279 veterans, the spouses of such veterans, or certain  
2280 business entities that have a majority ownership held  
2281 by such veterans or spouses; requiring independent  
2282 agents to annually file an application, rather than an  
2283 affidavit; requiring each advertisement or certificate  
2284 and other travel documents to include a specified  
2285 phrase; deleting a provision requiring an  
2286 advertisement to include a specified phrase; revising  
2287 the circumstances under which the department may deny  
2288 or refuse to renew a registration; authorizing the  
2289 department to revoke the registration of a seller of  
2290 travel under certain circumstances; amending s.  
2291 559.929, F.S.; revising certain security requirements;  
2292 amending s. 559.9295, F.S.; revising the documents  
2293 that certain sellers of travel are required to submit  
2294 and disclose to the department; deleting provisions  
2295 relating to the duties of the department; amending s.  
2296 559.932, F.S.; requiring that certain disclosures be  
2297 made in a specified type size; revising the language  
2298 that must be included in certain disclosures;  
2299 requiring the department to review copies of certain  
2300 certificates and contracts for compliance with  
2301 disclosure requirements; specifying that the





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2302 submission of certain materials or department response  
2303 does not constitute approval, recommendation,  
2304 endorsement, or verification; amending s. 559.933,  
2305 F.S.; making technical changes; amending s. 559.9335,  
2306 F.S.; revising violations relating to the sale of  
2307 travel; amending s. 559.935, F.S.; deleting a  
2308 provision requiring an affiliate to file an affidavit  
2309 of exemption in order to obtain a specified exemption;  
2310 adding embezzlement as a crime for which the  
2311 department may revoke certain exemptions; amending s.  
2312 559.936, F.S.; conforming cross-references; amending  
2313 s. 616.242, F.S.; exempting water-related amusement  
2314 rides operated by lodging and food service  
2315 establishments and membership campgrounds, amusement  
2316 rides at private, membership-only facilities, and  
2317 nonprofit permanent facilities from certain safety  
2318 standards; authorizing owners or managers of amusement  
2319 rides to use alternative forms to record ride  
2320 inspections and employee training; amending s.  
2321 713.585, F.S.; revising certain notice requirements;  
2322 authorizing the owner of a vehicle or a person  
2323 claiming an interest in the vehicle or in a lien  
2324 thereon to post a bond to recover possession of a  
2325 vehicle held by a lienor; requiring the clerk of the  
2326 court to issue a certificate notifying the lienor of  
2327 the posting of bond; establishing procedures and  
2328 requirements for a vehicle owner to reclaim such  
2329 vehicles recovered by a lienholder; authorizing courts  
2330 to award damages based on claims relating to the



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2331 enforcement of certain lien and recovery rights;  
2332 requiring courts to provide for the immediate payment  
2333 of proceeds and awards and immediate release of bonds;  
2334 amending s. 790.06, F.S.; revising the requirements  
2335 for issuance of a concealed weapon or firearm license;  
2336 requiring directions for expedited processing requests  
2337 in the license application form; revising the initial  
2338 and renewal fees for a concealed weapon or firearm  
2339 license; providing a process for expediting  
2340 applications for servicemembers and veterans;  
2341 requiring that notice of the suspension or revocation  
2342 of a concealed weapon or firearm license or the  
2343 suspension of the processing of an application for  
2344 such license be given by personal delivery or first-  
2345 class mail; specifying deadlines for requests for a  
2346 hearing for suspensions or revocations; specifying  
2347 standards of proof for notice of suspensions or  
2348 revocations; requiring concealed weapon or firearm  
2349 license renewals to include an affidavit submitted  
2350 under oath and under penalty of perjury, rather than a  
2351 notarized affidavit, as of a specified date; amending  
2352 s. 790.0625, F.S.; authorizing certain tax collector  
2353 offices, upon approval and confirmation of license  
2354 issuance by the department, to print and deliver  
2355 concealed weapon or firearm licenses; amending ss.  
2356 559.917, 559.9285, and 559.937, F.S.; conforming  
2357 provisions; providing an appropriation; providing  
2358 effective dates.