

By Senator Richter

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1                                   A bill to be entitled  
2           An act relating to the Department of Agriculture and  
3           Consumer Services; amending s. 472.007, F.S.; revising  
4           the composition of the Board of Professional Surveyors  
5           and Mappers; amending s. 472.015, F.S.; requiring the  
6           Department of Agriculture and Consumer Services to  
7           waive the initial land surveying and mapping license  
8           fee for certain veterans, the spouses of such  
9           veterans, or certain business entities that have a  
10          majority ownership held by such veterans or spouses;  
11          amending s. 493.6105, F.S.; waiving the initial  
12          application fee for veterans for certain private  
13          investigative, private security, and repossession  
14          service licenses; revising certain fees for initial  
15          license applications; revising the submission  
16          requirements for a Class "K" license; amending s.  
17          493.6106, F.S.; deleting a provision requiring that  
18          certain applicants submit additional documentation  
19          establishing state residency; amending s. 493.6107,  
20          F.S.; waiving the initial license fees for veterans  
21          for certain private investigative, private security,  
22          and repossession service licenses; amending s.  
23          493.6108, F.S.; requiring the Department of Law  
24          Enforcement to retain fingerprints submitted for  
25          private investigative, private security, and  
26          repossession service licenses, to enter such  
27          fingerprints into the statewide automated biometric  
28          identification system and the Federal Bureau of  
29          Investigation's national retained print arrest

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30 notification program, and to report any arrest record  
31 information to the Department of Agriculture and  
32 Consumer Services; requiring the department to provide  
33 information about an arrest of a licensee for certain  
34 crime within the state to the agency that employs the  
35 licensee; amending s. 493.6113, F.S.; clarifying the  
36 renewal requirements for Class "K" licenses; requiring  
37 a person holding a private investigative, private  
38 security, or repossession service license issued  
39 before a certain date to submit, upon first renewal of  
40 the license, a full set of fingerprints and a  
41 fingerprint processing fee; amending ss. 493.6202,  
42 493.6302, and 493.6402, F.S.; waiving initial license  
43 fees for veterans for certain private investigative,  
44 private security, and repossession service licenses;  
45 amending s. 501.0125, F.S.; revising the definition of  
46 the term "health studio"; defining the term "personal  
47 trainer"; amending s. 501.015, F.S.; requiring the  
48 department to waive the initial health studio  
49 registration fee for certain veterans, the spouses of  
50 such veterans, or certain business entities that have  
51 a majority ownership held by such veterans or spouses;  
52 amending s. 501.605, F.S.; prohibiting the use of a  
53 mail drop as a street address for the principal  
54 location of a commercial telephone seller; requiring  
55 the department to waive the initial commercial  
56 telephone seller license fee for certain veterans, the  
57 spouses of such veterans, or certain business entities  
58 that have a majority ownership held by such veterans

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59 or spouses; amending s. 501.607, F.S.; requiring the  
60 department to waive the initial telephone salesperson  
61 license fees for certain veterans, the spouses of such  
62 veterans, or certain business entities that have a  
63 majority ownership held by such veterans or spouses;  
64 amending s. 507.03, F.S.; requiring the department to  
65 waive the initial registration fee for an intrastate  
66 mover for certain veterans, the spouses of such  
67 veterans, or certain business entities that have a  
68 majority ownership held by such veterans or spouses;  
69 amending s. 527.02, F.S.; requiring the department to  
70 waive the original liquefied petroleum gas license fee  
71 for certain veterans, the spouses of such veterans, or  
72 certain business entities that have a majority  
73 ownership held by such veterans or spouses; amending  
74 s. 527.021, F.S.; deleting a provision requiring a fee  
75 for registering transport vehicles; amending s.  
76 531.37, F.S.; revising the definition of the term  
77 "weights and measures"; amending s. 531.415, F.S.;  
78 revising the fees for actual metrology laboratory  
79 calibration and testing services; amending s. 531.60,  
80 F.S.; clarifying the applicability of permits for  
81 commercially operated or tested weights or measures  
82 instruments or devices; requiring a new permit  
83 application if a new owner acquires and moves an  
84 instrument or a device; requiring a business to notify  
85 the department of certain information under certain  
86 circumstances; deleting a provision authorizing the  
87 department to test weights and measures instruments or

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88 devices under certain circumstances; amending s.  
89 531.61, F.S.; clarifying provisions exempting certain  
90 instruments or devices from specified requirements;  
91 amending s. 531.62, F.S.; specifying that the  
92 commercial use permit fee is based upon the number and  
93 types of instruments or devices permitted; revising  
94 the expiration date of the commercial use permit;  
95 requiring annual and biennial commercial use permit  
96 renewals to meet the same requirements; amending s.  
97 531.63, F.S.; revising the commercial use permit fees  
98 and fee structures; amending s. 531.65, F.S.;  
99 clarifying that the department may use one or more of  
100 the prescribed penalties for the unauthorized use of a  
101 weights and measures instrument or device; amending s.  
102 539.001, F.S.; requiring the department to waive the  
103 initial pawnbroker license fee for certain veterans,  
104 the spouses of such veterans, or certain business  
105 entities that have a majority ownership held by such  
106 veterans or spouses; amending s. 559.904, F.S.;  
107 requiring the department to waive the initial motor  
108 vehicle repair shop registration fee for certain  
109 veterans, the spouses of such veterans, or certain  
110 business entities that have a majority ownership held  
111 by such veterans or spouses; amending s. 559.927,  
112 F.S.; revising definitions; amending s. 559.928, F.S.;  
113 revising the registration requirements for sellers of  
114 travel; requiring the department to waive the initial  
115 seller of travel registration fee for certain  
116 veterans, the spouses of such veterans, or certain

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117 business entities that have a majority ownership held  
118 by such veterans or spouses; requiring each  
119 advertisement, each certificate, or any other travel  
120 document to include a specified phrase; deleting a  
121 provision requiring an advertisement to include a  
122 specified phrase; revising the circumstances under  
123 which the department may deny or refuse to renew a  
124 registration; authorizing the department to revoke the  
125 registration of a seller of travel under certain  
126 circumstances; amending s. 559.929, F.S.; revising  
127 certain security requirements; amending s. 559.9295,  
128 F.S.; revising the requirements that certain sellers  
129 of travel submit and disclose to the department;  
130 deleting provisions relating to the duties of the  
131 department; amending s. 559.932, F.S.; requiring a  
132 specified typeface point size for certain disclosures;  
133 requiring the department to review copies of certain  
134 certificates and contracts for compliance with  
135 disclosure requirements; amending s. 559.933, F.S.;  
136 making technical changes; amending s. 559.9335, F.S.;  
137 revising violations relating to the sale of travel;  
138 amending s. 559.935, F.S.; deleting a provision  
139 requiring an affidavit of exemption to obtain a seller  
140 of travel affiliate exemption; adding embezzlement as  
141 a crime for which the department may revoke certain  
142 exemptions; amending s. 559.936, F.S.; conforming  
143 cross-references; amending s. 616.242, F.S.; exempting  
144 water-related amusement rides operated by lodging and  
145 food service establishments and membership

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146       campgrounds, amusement rides at private, membership-  
147       only facilities, and nonprofit permanent facilities  
148       from certain safety standards; authorizing owners or  
149       managers of amusement rides to use alternative forms  
150       to record ride inspections and employee training;  
151       amending s. 790.06, F.S.; revising the requirements  
152       for issuance of a concealed weapon or firearm license;  
153       requiring directions for expedited processing requests  
154       in the license application form; revising the initial  
155       and renewal fees for a concealed weapon or firearm  
156       license; providing a process for expediting  
157       applications for servicemembers and veterans;  
158       requiring that notice of the suspension or revocation  
159       of a concealed weapon or firearm license or the  
160       suspension of the processing of an application for  
161       such license be given by personal delivery or first-  
162       class mail; specifying deadlines for requests for a  
163       hearing for suspensions or revocations; specifying  
164       standards of proof for notice of suspensions or  
165       revocations; requiring concealed weapon or firearm  
166       license renewals to include an affidavit submitted  
167       under oath and under penalty of perjury, rather than a  
168       notarized affidavit; amending s. 790.0625, F.S.;  
169       authorizing certain tax collector offices, upon  
170       approval and confirmation of license issuance by the  
171       department, to print and deliver concealed weapon or  
172       firearm licenses; amending ss. 559.9285 and 559.937,  
173       F.S.; conforming terminology; providing effective  
174       dates.

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

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

180 472.007 Board of Professional Surveyors and Mappers.—There  
181 is created in the Department of Agriculture and Consumer  
182 Services the Board of Professional Surveyors and Mappers.

183 (1) The board shall consist of nine members, seven ~~six~~ of  
184 whom shall be registered surveyors and mappers primarily engaged  
185 in the practice of surveying and mapping, ~~one of whom shall be a~~  
186 ~~registered surveyor and mapper with the designation of~~  
187 ~~photogrammetrist~~, and two of whom shall be laypersons who are  
188 not and have never been surveyors and mappers or members of any  
189 closely related profession or occupation.

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

192 472.015 Licensure.—

193 (3) (a) Before the issuance of any license, the department  
194 may charge an initial license fee as determined by rule of the  
195 board. Upon receipt of the appropriate license fee, except as  
196 provided in subsection (6), the department shall issue a license  
197 to any person certified by the board, or its designee, as having  
198 met the applicable requirements imposed by law or rule. However,  
199 an applicant who is not otherwise qualified for licensure is not  
200 entitled to licensure solely based on a passing score on a  
201 required examination.

202 (b) The department shall waive the initial license fee for  
203 an honorably discharged veteran of the United States Armed

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204 Forces, the spouse of such a veteran, or a business entity that  
205 has a majority ownership held by such a veteran or spouse if the  
206 department receives an application, in a format prescribed by  
207 the department, within 60 months after the date of the veteran's  
208 discharge from any branch of the United States Armed Forces. To  
209 qualify for the waiver, a veteran must provide to the department  
210 a copy of his or her DD Form 214, as issued by the United States  
211 Department of Defense, or another acceptable form of  
212 identification as specified by the Department of Veterans'  
213 Affairs; the spouse of a veteran must provide to the department  
214 a copy of the veteran's DD Form 214, as issued by the United  
215 States Department of Defense, or another acceptable form of  
216 identification as specified by the Department of Veterans'  
217 Affairs, and a copy of a valid marriage license or certificate  
218 verifying that he or she was lawfully married to the veteran at  
219 the time of discharge; or a business entity must provide to the  
220 department proof that a veteran or the spouse of a veteran holds  
221 a majority ownership in the business, a copy of the veteran's DD  
222 Form 214, as issued by the United States Department of Defense,  
223 or another acceptable form of identification as specified by the  
224 Department of Veterans' Affairs, and, if applicable, a copy of a  
225 valid marriage license or certificate verifying that the spouse  
226 of the veteran was lawfully married to the veteran at the time  
227 of discharge.

228 Section 3. Paragraph (c) is added to subsection (1) of  
229 section 493.6105, Florida Statutes, and paragraph (j) of  
230 subsection (3) and paragraph (a) of subsection (6) of that  
231 section are amended, to read:

232 493.6105 Initial application for license.-



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

239 (c) The initial application fee for a veteran, as defined  
240 in s. 1.01, if he or she applies for a Class "C," Class "CC,"  
241 Class "DI," Class "E," Class "EE," Class "K," Class "M," Class  
242 "MA," Class "MB," Class "MR," or Class "RI" license within 24  
243 months after being discharged from a branch of the United States  
244 Armed Forces shall be waived. An eligible veteran must include a  
245 copy of his or her DD Form 214, as issued by the United States  
246 Department of Defense, or another acceptable form of  
247 identification as specified by the Department of Veterans'  
248 Affairs with his or her application in order to obtain a waiver.

249 (3) The application must contain the following information  
250 concerning the individual signing the application:

251 (j) A full set of fingerprints, a fingerprint processing  
252 fee, and a fingerprint retention fee. The fingerprint processing  
253 and retention fees shall ~~to~~ be established by rule of the  
254 department based upon costs determined by state and federal  
255 agency charges and department processing costs, which must  
256 include the cost of retaining the fingerprints in the statewide  
257 automated biometric identification system established in s.  
258 943.05(2)(b) and the cost of enrolling the fingerprints in the  
259 national retained print arrest notification program as required  
260 under s. 493.6108. An applicant who has, within the immediately  
261 preceding 6 months, submitted such fingerprints and fees ~~fee~~ for

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262 licensing purposes under this chapter and who still holds a  
263 valid license is not required to submit another set of  
264 fingerprints or another fingerprint processing fee. An applicant  
265 who holds multiple licenses issued under this chapter is  
266 required to pay only a single fingerprint retention fee.

267 (6) In addition to the requirements under subsection (3),  
268 an applicant for a Class "K" license must:

269 (a) Submit one of the following:

270 1. The Florida Criminal Justice Standards and Training  
271 Commission Instructor Certificate and written confirmation by  
272 the commission that the applicant possesses an active firearms  
273 certification.

274 2. The National Rifle Association Private Security Firearm  
275 Instructor Certificate.

276 3. A firearms instructor certificate issued by a federal  
277 law enforcement agency.

278 4. An International Association of Law Enforcement Firearms  
279 Instructors certification.

280 5. A Second Amendment Foundation Training Division Firearms  
281 Instructors certification.

282 Section 4. Paragraph (f) of subsection (1) of section  
283 493.6106, Florida Statutes, is amended to read:

284 493.6106 License requirements; posting.—

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

286 (f) Be a citizen or permanent legal resident alien of the  
287 United States or have appropriate authorization issued by the  
288 United States Citizenship and Immigration Services of the United  
289 States Department of Homeland Security.

290 1. An applicant for a Class "C," Class "CC," Class "D,"

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291 Class "DI," Class "E," Class "EE," Class "M," Class "MA," Class  
 292 "MB," Class "MR," or Class "RI" license who is not a United  
 293 States citizen must submit proof of current employment  
 294 authorization issued by the United States Citizenship and  
 295 Immigration Services or proof that she or he is deemed a  
 296 permanent legal resident alien by the United States Citizenship  
 297 and Immigration Services.

298 2. An applicant for a Class "G" or Class "K" license who is  
 299 not a United States citizen must submit proof that she or he is  
 300 deemed a permanent legal resident alien by the United States  
 301 Citizenship and Immigration Services, ~~together with additional~~  
 302 ~~documentation establishing that she or he has resided in the~~  
 303 ~~state of residence shown on the application for at least 90~~  
 304 ~~consecutive days before the date that the application is~~  
 305 ~~submitted.~~

306 3. An applicant for an agency or school license who is not  
 307 a United States citizen or permanent legal resident alien must  
 308 submit documentation issued by the United States Citizenship and  
 309 Immigration Services stating that she or he is lawfully in the  
 310 United States and is authorized to own and operate the type of  
 311 agency or school for which she or he is applying. An employment  
 312 authorization card issued by the United States Citizenship and  
 313 Immigration Services is not sufficient documentation.

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

316 493.6107 Fees.—

317 (6) The initial license fee for a veteran, as defined in s.  
 318 1.01, shall be waived if he or she applies for a Class "M" or  
 319 Class "K" license within 24 months after being discharged from

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320 any branch of the United States Armed Forces. An eligible  
321 veteran must include a copy of his or her DD Form 214, as issued  
322 by the United States Department of Defense, or another  
323 acceptable form of identification as specified by the Department  
324 of Veterans' Affairs with his or her application in order to  
325 obtain a waiver.

326 Section 6. Subsections (4) and (5) are added to section  
327 493.6108, Florida Statutes, to read:

328 493.6108 Investigation of applicants by Department of  
329 Agriculture and Consumer Services.—

330 (4) The Department of Law Enforcement shall:

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

335 (b) When the Department of Law Enforcement begins  
336 participation in the Federal Bureau of Investigation's national  
337 retained print arrest notification program, enroll such  
338 fingerprints in the program. The fingerprints must thereafter be  
339 available for arrest notifications and all purposes and uses  
340 authorized for arrest fingerprint submissions entered into the  
341 statewide automated biometric identification system established  
342 in s. 943.05(2) (b).

343 (c) Search all arrest fingerprints against fingerprints  
344 retained.

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

348 (5) If the department receives information about an arrest

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349 within the state of a person who holds a valid license issued  
350 under this chapter for a crime that could potentially disqualify  
351 the person from holding such a license, the department must  
352 provide the arrest information to the agency that employs the  
353 licensee.

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

356 493.6113 Renewal application for licensure.—

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

361 (3) Each licensee is responsible for renewing his or her  
362 license on or before its expiration by filing with the  
363 department an application for renewal accompanied by payment of  
364 the renewal fee and the fingerprint retention fee to cover the  
365 cost of ongoing retention in the statewide automated biometric  
366 identification system established in s. 943.05(2) (b) ~~prescribed~~  
367 license fee. A person holding a valid license issued under this  
368 chapter before January 1, 2017, must submit, upon first renewal  
369 of the license, a full set of fingerprints and a fingerprint  
370 processing fee to cover the cost of entering the fingerprints  
371 into the statewide automated biometric identification system  
372 under s. 493.6108(4) (a). Subsequent renewals may be completed  
373 without submission of a set of fingerprints.

374 (a) Each Class "B" licensee shall additionally submit on a  
375 form prescribed by the department a certification of insurance  
376 that evidences that the licensee maintains coverage as required  
377 under s. 493.6110.

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378 (b) Each Class "G" licensee shall additionally submit proof  
379 that he or she has received during each year of the license  
380 period a minimum of 4 hours of firearms recertification training  
381 taught by a Class "K" licensee and has complied with such other  
382 health and training requirements that the department shall adopt  
383 by rule. Proof of completion of firearms recertification  
384 training shall be submitted to the department upon completion of  
385 the training. If the licensee fails to complete the required 4  
386 hours of annual training during the first year of the 2-year  
387 term of the license, the license shall be automatically  
388 suspended. The licensee must complete the minimum number of  
389 hours of range and classroom training required at the time of  
390 initial licensure and submit proof of completion of such  
391 training to the department before the license may be reinstated.  
392 If the licensee fails to complete the required 4 hours of annual  
393 training during the second year of the 2-year term of the  
394 license, the licensee must complete the minimum number of hours  
395 of range and classroom training required at the time of initial  
396 licensure and submit proof of completion of such training to the  
397 department before the license may be renewed. The department may  
398 waive the firearms training requirement if:

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

404 2. The applicant provides proof that he or she is currently  
405 certified as a federal law enforcement officer and has received  
406 law enforcement firearms training administered by a federal law

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407 enforcement agency annually during the previous 2 years of the  
408 licensure period; or

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

413 (c) Each Class "DS" or Class "RS" licensee shall  
414 additionally submit the current curriculum, examination, and  
415 list of instructors.

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

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

421 493.6202 Fees.—

422 (4) The initial license fee for a veteran, as defined in s.  
423 1.01, shall be waived if he or she applies for a Class "C,"  
424 Class "CC," or Class "MA" license within 24 months after being  
425 discharged from any branch of the United States Armed Forces. An  
426 eligible veteran must include a copy of his or her DD Form 214,  
427 as issued by the United States Department of Defense, or another  
428 acceptable form of identification as specified by the Department  
429 of Veterans' Affairs with his or her application in order to  
430 obtain a waiver.

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

433 493.6302 Fees.—

434 (4) The initial license fee for a veteran, as defined in s.  
435 1.01, shall be waived if he or she applies for a Class "D,"

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436 Class "DI," or Class "MB" license within 24 months after being  
437 discharged from any branch of the United States Armed Forces. An  
438 eligible veteran must include a copy of his or her DD Form 214,  
439 as issued by the United States Department of Defense, or another  
440 acceptable form of identification as specified by the Department  
441 of Veterans' Affairs with his or her application in order to  
442 obtain a waiver.

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

445 493.6402 Fees.—

446 (4) The initial license fee for a veteran, as defined in s.  
447 1.01, shall be waived if he or she applies for a Class "E,"  
448 Class "EE," Class "MR," or Class "RI" license within 24 months  
449 after being discharged from any branch of the United States  
450 Armed Forces. An eligible veteran must include a copy of his or  
451 her DD Form 214, as issued by the United States Department of  
452 Defense, or another acceptable form of identification as  
453 specified by the Department of Veterans' Affairs with his or her  
454 application in order to obtain a waiver.

455 Section 11. Subsection (1) of section 501.0125, Florida  
456 Statutes, is amended, and subsection (6) is added to that  
457 section, to read:

458 501.0125 Health studios; definitions.—For purposes of ss.  
459 501.012-501.019, the following terms shall have the following  
460 meanings:

461 (1) "Health studio" means any person who is engaged in the  
462 sale of services for instruction, training, or assistance in a  
463 program of physical exercise or in the sale of services for the  
464 right or privilege to use equipment or facilities in furtherance



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465 of a program of physical exercise. The term does not include an  
466 individual acting as a personal trainer.

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

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

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

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

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

476 501.015 Health studios; registration requirements and  
477 fees.—Each health studio shall:

478 (2) Remit an annual registration fee of \$300 to the  
479 department at the time of registration for each of the health  
480 studio's business locations. The department shall waive the  
481 initial license fee for an honorably discharged veteran of the  
482 United States Armed Forces, the spouse of such a veteran, or a  
483 business entity that has a majority ownership held by such a  
484 veteran or spouse if the department receives an application, in  
485 a format prescribed by the department, within 60 months after  
486 the date of the veteran's discharge from any branch of the  
487 United States Armed Forces. To qualify for the waiver, a veteran  
488 must provide to the department a copy of his or her DD Form 214,  
489 as issued by the United States Department of Defense, or another  
490 acceptable form of identification as specified by the Department  
491 of Veterans' Affairs; the spouse of a veteran must provide to  
492 the department a copy of the veteran's DD Form 214, as issued by  
493 the United States Department of Defense, or another acceptable

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494 form of identification as specified by the Department of  
495 Veterans' Affairs, and a copy of a valid marriage license or  
496 certificate verifying that he or she was lawfully married to the  
497 veteran at the time of discharge; or a business entity must  
498 provide to the department proof that a veteran or the spouse of  
499 a veteran holds a majority ownership in the business, a copy of  
500 the veteran's DD Form 214, as issued by the United States  
501 Department of Defense, or another acceptable form of  
502 identification as specified by the Department of Veterans'  
503 Affairs, and, if applicable, a copy of a valid marriage license  
504 or certificate verifying that the spouse of the veteran was  
505 lawfully married to the veteran at the time of discharge.

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

509 501.605 Licensure of commercial telephone sellers.—

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

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

518

519 The application shall be accompanied by a copy of any: Script,  
520 outline, or presentation the applicant will require or suggest a  
521 salesperson to use when soliciting, or, if no such document is  
522 used, a statement to that effect; sales information or

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523 literature to be provided by the applicant to a salesperson; and  
524 sales information or literature to be provided by the applicant  
525 to a purchaser in connection with any solicitation.

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

528 (b) A fee for licensing in the amount of \$1,500. The fee  
529 shall be deposited into the General Inspection Trust Fund. The  
530 department shall waive the initial license fee for an honorably  
531 discharged veteran of the United States Armed Forces, the spouse  
532 of such a veteran, or a business entity that has a majority  
533 ownership held by such a veteran or spouse if the department  
534 receives an application, in a format prescribed by the  
535 department, within 60 months after the date of the veteran's  
536 discharge from any branch of the United States Armed Forces. To  
537 qualify for the waiver, a veteran must provide to the department  
538 a copy of his or her DD Form 214, as issued by the United States  
539 Department of Defense, or another acceptable form of  
540 identification as specified by the Department of Veterans'  
541 Affairs; the spouse of a veteran must provide to the department  
542 a copy of the veteran's DD Form 214, as issued by the United  
543 States Department of Defense, or another acceptable form of  
544 identification as specified by the Department of Veterans'  
545 Affairs, and a copy of a valid marriage license or certificate  
546 verifying that he or she was lawfully married to the veteran at  
547 the time of discharge; or a business entity must provide to the  
548 department proof that a veteran or the spouse of a veteran holds  
549 a majority ownership in the business, a copy of the veteran's DD  
550 Form 214, as issued by the United States Department of Defense,  
551 or another acceptable form of identification as specified by the

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552 Department of Veterans' Affairs, and, if applicable, a copy of a  
553 valid marriage license or certificate verifying that the spouse  
554 of the veteran was lawfully married to the veteran at the time  
555 of discharge.

556 Section 14. Paragraph (b) of subsection (2) of section  
557 501.607, Florida Statutes, is amended to read:

558 501.607 Licensure of salespersons.—

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

561 (b) A fee for licensing in the amount of \$50 per  
562 salesperson. The fee shall be deposited into the General  
563 Inspection Trust Fund. The fee for licensing may be paid after  
564 the application is filed, but must be paid within 14 days after  
565 the applicant begins work as a salesperson. The department shall  
566 waive the initial license fee for an honorably discharged  
567 veteran of the United States Armed Forces, the spouse of such a  
568 veteran, or a business entity that has a majority ownership held  
569 by such a veteran or spouse if the department receives an  
570 application, in a format prescribed by the department, within 60  
571 months after the date of the veteran's discharge from any branch  
572 of the United States Armed Forces. To qualify for the waiver, a  
573 veteran must provide to the department a copy of his or her DD  
574 Form 214, as issued by the United States Department of Defense,  
575 or another acceptable form of identification as specified by the  
576 Department of Veterans' Affairs; the spouse of a veteran must  
577 provide to the department a copy of the veteran's DD Form 214,  
578 as issued by the United States Department of Defense, or another  
579 acceptable form of identification as specified by the Department  
580 of Veterans' Affairs, and a copy of a valid marriage license or

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581 certificate verifying that he or she was lawfully married to the  
582 veteran at the time of discharge; or a business entity must  
583 provide to the department proof that a veteran or the spouse of  
584 a veteran holds a majority ownership in the business, a copy of  
585 the veteran's DD Form 214, as issued by the United States  
586 Department of Defense, or another acceptable form of  
587 identification as specified by the Department of Veterans'  
588 Affairs, and, if applicable, a copy of a valid marriage license  
589 or certificate verifying that the spouse of the veteran was  
590 lawfully married to the veteran at the time of discharge.

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

593 507.03 Registration.—

594 (3) (a) Registration fees shall be calculated at the rate of  
595 \$300 per year per mover or moving broker. All amounts collected  
596 shall be deposited by the Chief Financial Officer to the credit  
597 of the General Inspection Trust Fund of the department for the  
598 sole purpose of administration of this chapter.

599 (b) The department shall waive the initial license fee for  
600 an honorably discharged veteran of the United States Armed  
601 Forces, the spouse of such a veteran, or a business entity that  
602 has a majority ownership held by such a veteran or spouse if the  
603 department receives an application, in a format prescribed by  
604 the department, within 60 months after the date of the veteran's  
605 discharge from any branch of the United States Armed Forces. To  
606 qualify for the waiver, a veteran must provide to the department  
607 a copy of his or her DD Form 214, as issued by the United States  
608 Department of Defense, or another acceptable form of  
609 identification as specified by the Department of Veterans'

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610 Affairs; the spouse of a veteran must provide to the department  
611 a copy of the veteran's DD Form 214, as issued by the United  
612 States Department of Defense, or another acceptable form of  
613 identification as specified by the Department of Veterans'  
614 Affairs, and a copy of a valid marriage license or certificate  
615 verifying that he or she was lawfully married to the veteran at  
616 the time of discharge; or a business entity must provide to the  
617 department proof that a veteran or the spouse of a veteran holds  
618 a majority ownership in the business, a copy of the veteran's DD  
619 Form 214, as issued by the United States Department of Defense,  
620 or another acceptable form of identification as specified by the  
621 Department of Veterans' Affairs, and, if applicable, a copy of a  
622 valid marriage license or certificate verifying that the spouse  
623 of the veteran was lawfully married to the veteran at the time  
624 of discharge.

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

627 527.02 License; penalty; fees.—

628 (3)(a) An ~~Any~~ applicant for an original license who submits  
629 an ~~whose~~ application ~~is submitted~~ during the last 6 months of  
630 the license year may have the original license fee reduced by  
631 one-half for the 6-month period. This provision applies ~~shall~~  
632 ~~apply~~ only to those companies applying for an original license  
633 and may ~~shall~~ not be applied to licensees who held a license  
634 during the previous license year and failed to renew the  
635 license. The department may refuse to issue an initial license  
636 to an ~~any~~ applicant who is under investigation in any  
637 jurisdiction for an action that would constitute a violation of  
638 this chapter until such time as the investigation is complete.

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639       (b) The department shall waive the initial license fee for  
640 an honorably discharged veteran of the United States Armed  
641 Forces, the spouse of such a veteran, or a business entity that  
642 has a majority ownership held by such a veteran or spouse if the  
643 department receives an application, in a format prescribed by  
644 the department, within 60 months after the date of the veteran's  
645 discharge from any branch of the United States Armed Forces. To  
646 qualify for the waiver, a veteran must provide to the department  
647 a copy of his or her DD Form 214, as issued by the United States  
648 Department of Defense or another acceptable form of  
649 identification as specified by the Department of Veterans'  
650 Affairs; the spouse of a veteran must provide to the department  
651 a copy of the veteran's DD Form 214, as issued by the United  
652 States Department of Defense, or another acceptable form of  
653 identification as specified by the Department of Veterans'  
654 Affairs, and a copy of a valid marriage license or certificate  
655 verifying that he or she was lawfully married to the veteran at  
656 the time of discharge; or a business entity must provide to the  
657 department proof that a veteran or the spouse of a veteran holds  
658 a majority ownership in the business, a copy of the veteran's DD  
659 Form 214, as issued by the United States Department of Defense,  
660 or another acceptable form of identification as specified by the  
661 Department of Veterans' Affairs, and, if applicable, a copy of a  
662 valid marriage license or certificate verifying that the spouse  
663 of the veteran was lawfully married to the veteran at the time  
664 of discharge.

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

667       527.021 Registration of transport vehicles.—

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668 ~~(4) An inspection fee of \$50 shall be assessed for each~~  
 669 ~~registered vehicle inspected by the department pursuant to s.~~  
 670 ~~527.061. All inspection fees collected in connection with this~~  
 671 ~~section shall be deposited in the General Inspection Trust Fund~~  
 672 ~~for the purpose of administering the provisions of this chapter.~~

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

675 531.37 Definitions.—As used in this chapter:

676 (1) "Weights and measures" means all weights and measures  
 677 of every kind, instruments, and devices for weighing and  
 678 measuring, and any appliance and accessories associated with any  
 679 or all such instruments and devices, excluding those weights and  
 680 measures used for the purpose of inspecting the accuracy of  
 681 devices used in conjunction with aviation fuel.

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

684 531.415 Fees.—

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

688 (a) For each mass standard that is tested or certified to  
 689 meet tolerances less stringent than American National Standards  
 690 Institute/American Society for Testing and Materials (ANSI/ASTM)  
 691 Standard E617 Class 4, ~~the department shall charge a fee of not~~  
 692 ~~more than:~~

Weight	Fee/Unit
0 - 2 lb.	\$6
3 - 10 lb.	\$8
11 - 50 lb.	\$12



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697	51 - 500 lb.	\$20
698	501 - 1000 lb.	\$30
699	1001 - 2500 lb.	\$40
700	2501 - 5000 lb.	\$50

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

	Weight	Fee/Unit
705	0 - 10 lb.	\$20
706	11 - 50 lb.	\$30
707	51 - 500 lb.	\$40
708	501 - 1000 lb.	\$50
709	1001 - 2500 lb.	\$60
710	2501 - 5000 lb.	\$75

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

	Weight	Fee/Unit
715	0 - 20 lb.	\$40
716	21 - 50 lb.	\$50
717	51 - 1000 lb.	\$70
718	1001 - 2500 lb.	\$150
719	2501 - 5000 lb.	\$250

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

	Vessel	Fee/Test Point
723	0 - 5 gal.	\$35
724	Over 5 gal.	Plus \$0.75 for each additional gallon

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

728 ~~(e)(f) For each linear measure test that is calibrated to~~  
729 ~~determine actual values, the department shall charge a fee of~~  
730 ~~\$75 not more than \$100.~~

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

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

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

740 (2) Each fee is payable to the department at the time the  
741 testing is done, regardless of whether the item tested is  
742 certified. The department may refuse to accept for testing any  
743 item deemed by the department to be unsuitable for its intended  
744 use or not to be in a condition ready for testing. The  
745 department shall deposit all fees collected under this section  
746 into the General Inspection Trust Fund.

747 Section 20. Section 531.60, Florida Statutes, is amended to  
748 read:

749 531.60 Permit for commercially operated or tested weights  
750 or measures instrument or devices.—

751 (1) A weights and measures instrument or device may not  
752 operate or be used for commercial purposes, as defined by  
753 department rule, within this state without first being permitted  
754 through a valid commercial use permit issued by the department

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755 to the person who owns the weights and measures device, unless  
756 exempted as provided in s. 531.61. Such permit applies only to  
757 the specific location and instrument types or device types  
758 listed on ~~for which the permit was issued~~. However, the  
759 department may allow such permit to be applicable to a  
760 replacement for the original instrument or device.

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

764 (a) Remain ~~Remains~~ in the same location, the permit  
765 transfers to the new owner and remains in effect until its  
766 original expiration date. Within 30 days after the change in  
767 ownership, the new owner shall notify the department of the  
768 change and provide the pertinent information regarding the  
769 change in ownership and an updated replacement permit shall be  
770 issued if needed.

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

775 (3) A person who holds a permit that has been issued under  
776 this section must notify the department within 30 days after a  
777 change in permit status or if a permit will not be renewed due  
778 to the termination in use or removal of all weighing and  
779 measuring instruments or devices from the permitted location  
780 ~~Weights and measures instruments or devices that are not used~~  
781 ~~commercially may be tested by the department under this chapter~~  
782 ~~only if they are permitted and appropriate fees paid as~~  
783 ~~prescribed by this section and adopted rules~~.

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784 Section 21. Section 531.61, Florida Statutes, is amended to  
785 read:

786 531.61 Exemptions from permit requirement.—Commercial  
787 weights or measures instruments or devices are exempt from the  
788 ~~permit~~ requirements of ss. 531.60-531.66 if:

789 (1) The device is a taximeter that is licensed, permitted,  
790 or registered by a municipality, county, or other local  
791 government and is tested for accuracy and compliance with state  
792 standards by the local government in cooperation with the state  
793 as authorized in s. 531.421.

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

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

799 Section 22. Subsections (1), (2), and (4) of section  
800 531.62, Florida Statutes, are amended to read:

801 531.62 Permit application and renewal.—

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

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

811 (4) A permit expires 2 years ~~1 year~~ following its date of  
812 issue and must be renewed biennially ~~annually~~. If a complete an

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813 application package for renewal is not received by the  
 814 department before the permit expires ~~within 30 days after its~~  
 815 ~~due date~~, a late fee of up to \$100 must be paid in addition to  
 816 the ~~annual~~ commercial use permit fee. However, a person may  
 817 elect to renew a commercial use permit on an annual basis rather  
 818 than a biennial basis. An annual renewal must meet the same  
 819 requirements and conditions as a biennial renewal.

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

822 531.63 Maximum permit fees.—The commercial use permit fees  
 823 established for weights or measures instruments or devices shall  
 824 be in an amount necessary to administer this chapter but may not  
 825 exceed the amounts provided in this section.

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

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

833	Number of devices	
834	in a single <u>category</u> <del>retail</del>	
835	<del>establishment</del>	Maximum Fee
836	1 to 5	\$60
837	6 to 10	\$150
838	11 to 30	\$200
839	More than 30	\$300

840 (2) For other measuring devices, the annual permit fees per  
 841 device may not exceed the following:

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842 (a) Mass flow meters having a maximum flow rate of up to  
843 150 pounds per minute.....\$100.

844 This includes all mass flow meters used to dispense compressed  
845 and liquefied natural gas for retail sale.

846 (b) Mass flow meters having a maximum flow rate greater  
847 than 150 pounds per minute.....\$500.

848 (c) Volumetric flow meters having a maximum flow rate of up  
849 to 20 gallons per minute.....\$50.

850 This includes all devices used to dispense diesel exhaust fluid  
851 for retail sale.

852 (d) Volumetric flow meters having a maximum flow rate  
853 greater than 20 gallons per minute.....\$100.

854 (e) Tanks, under 500 gallons capacity, used as measure  
855 containers, with or without gage rods or markers.....\$100.

856 (f) Tanks, 500 or more gallons capacity, used as measure  
857 containers, with or without gage rods or markers.....\$200.

858 (g) Taximeters.....\$50.

859 ~~(h) Grain moisture meters.....\$25.~~

860 (h) ~~(i)~~ Multiple-dimension measuring  
861 devices.....\$100.

862 (i) Liquefied petroleum gas bulk delivery vehicles with a  
863 meter owned or leased by a liquefied petroleum gas licensee.\$150.

864 Section 24. Section 531.65, Florida Statutes, is amended to  
865 read:

866 531.65 Unauthorized use; penalties.—If a weights or  
867 measures instrument or device is used commercially without a  
868 valid commercial use permit, the department may do one or more  
869 of the following:

870 (1) Prohibit the further commercial use of the unpermitted

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871 instrument or device until the proper permit has been issued.~~†~~

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

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

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

881 Section 25. Paragraph (c) of subsection (3) of section  
882 539.001, Florida Statutes, is amended to read:

883 539.001 The Florida Pawnbroking Act.—

884 (3) LICENSE REQUIRED.—

885 (c) Each license is valid for a period of 1 year unless it  
886 is earlier relinquished, suspended, or revoked. Each license  
887 shall be renewed annually, and each licensee shall, initially  
888 and annually thereafter, pay to the agency a license fee of \$300  
889 for each license held. The agency shall waive the initial  
890 license fee for an honorably discharged veteran of the United  
891 States Armed Forces, the spouse of such a veteran, or a business  
892 entity that has a majority ownership held by such a veteran or  
893 spouse if the agency receives an application, in a format  
894 prescribed by the agency, within 60 months after the date of the  
895 veteran's discharge from any branch of the United States Armed  
896 Forces. To qualify for the waiver, a veteran must provide to the  
897 agency a copy of his or her DD Form 214, as issued by the United  
898 States Department of Defense, or another acceptable form of  
899 identification as specified by the Department of Veterans'

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900 Affairs; the spouse of a veteran must provide to the agency a  
901 copy of the veteran's DD Form 214, as issued by the United  
902 States Department of Defense, or another acceptable form of  
903 identification as specified by the Department of Veterans'  
904 Affairs, and a copy of a valid marriage license or certificate  
905 verifying that he or she was lawfully married to the veteran at  
906 the time of discharge; or a business entity must provide to the  
907 agency proof that a veteran or the spouse of a veteran holds a  
908 majority ownership in the business, a copy of the veteran's DD  
909 Form 214, as issued by the United States Department of Defense,  
910 or another acceptable form of identification as specified by the  
911 Department of Veterans' Affairs, and, if applicable, a copy of a  
912 valid marriage license or certificate verifying that the spouse  
913 of the veteran was lawfully married to the veteran at the time  
914 of discharge.

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

917 559.904 Motor vehicle repair shop registration;  
918 application; exemption.—

919 (3) (a) Each application for registration must be  
920 accompanied by a registration fee calculated on a per-year basis  
921 as follows:

922 1. ~~(a)~~ If the place of business has 1 to 5 employees: \$50.  
923 2. ~~(b)~~ If the place of business has 6 to 10 employees: \$150.  
924 3. ~~(c)~~ If the place of business has 11 or more employees:  
925 \$300.

926 (b) The department shall waive the initial registration fee  
927 for an honorably discharged veteran of the United States Armed  
928 Forces, the spouse of such a veteran, or a business entity that



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929 has a majority ownership held by such a veteran or spouse if the  
930 department receives an application, in a format prescribed by  
931 the department, within 60 months after the date of the veteran's  
932 discharge from any branch of the United States Armed Forces. To  
933 qualify for the waiver, a veteran must provide to the department  
934 a copy of his or her DD Form 214, as issued by the United States  
935 Department of Defense, or another acceptable form of  
936 identification as specified by the Department of Veterans'  
937 Affairs; the spouse of a veteran must provide to the department  
938 a copy of the veteran's DD Form 214, as issued by the United  
939 States Department of Defense, or another acceptable form of  
940 identification as specified by the Department of Veterans'  
941 Affairs, and a copy of a valid marriage license or certificate  
942 verifying that he or she was lawfully married to the veteran at  
943 the time of discharge; or a business entity must provide to the  
944 department proof that a veteran or the spouse of a veteran holds  
945 a majority ownership in the business, a copy of the veteran's DD  
946 Form 214, as issued by the United States Department of Defense  
947 or another acceptable form of identification as specified by the  
948 Department of Veterans' Affairs, and, if applicable, a copy of a  
949 valid marriage license or certificate verifying that the spouse  
950 of the veteran was lawfully married to the veteran at the time  
951 of discharge.

952 Section 27. Subsections (1), (7), (8), (10), (11), and (13)  
953 of section 559.927, Florida Statutes, are amended to read:

954 559.927 Definitions.—For the purposes of this part, the  
955 term:

956 (1) "Accommodations" means any hotel or motel room,  
957 condominium or cooperative unit, cabin, lodge, or apartment; any

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958 other commercial structure designed for occupancy by one or more  
959 individuals; or any lodging establishment as provided by law.  
960 The term does not include long-term home rentals covered under a  
961 lease pursuant to chapter 83.

962 (7) "Prearranged travel or ~~tourist-related services, or~~  
963 ~~tour guide services~~" includes, but is not limited to, car  
964 rentals, lodging, transfers, and ~~sightseeing tours~~ and all other  
965 such services that ~~which~~ are reasonably related to air, sea,  
966 rail, motor coach, or other medium of transportation, or  
967 accommodations for which a purchaser receives a premium or  
968 contracts or pays before ~~prior to~~ or after departure. This term  
969 ~~These terms~~ also includes ~~include~~ services for which a  
970 purchaser, whose legal residence is outside the United States,  
971 contracts or pays before ~~prior to~~ departure, and any arrangement  
972 by which a purchaser prepays for, receives a reservation or any  
973 other commitment to provide services before ~~prior to~~ departure  
974 for, or otherwise arranges for travel directly to a terrorist  
975 state and which originates in Florida.

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

980 (10) "Satisfactory consumer complaint history" means no  
981 unresolved complaints regarding prearranged travel or ~~tourist-~~  
982 ~~related services, or tour guide services~~ are on file with the  
983 department. A complaint is unresolved when a seller of travel  
984 does not respond to the department's efforts to mediate the  
985 complaint or a complaint where the department has determined  
986 that a violation of this part has occurred and the complainant

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987 ~~complaint~~ has not been satisfied by the seller of travel.

988 (11) "Seller of travel" means any ~~resident or nonresident~~  
989 person, firm, corporation, or business entity who offers for  
990 sale, directly or indirectly, at wholesale or retail,  
991 prearranged travel or, tourist-related services, ~~or tour guide~~  
992 ~~services~~ for individuals or groups, including, but not limited  
993 to, vacation ~~or tour~~ packages, or vacation certificates in  
994 exchange for a fee, commission, or other valuable consideration.  
995 The term includes any business entity offering membership in a  
996 travel club or travel services for an advance fee or payment,  
997 even if no travel contracts or certificates or vacation or tour  
998 packages are sold by the business entity.

999 (13) "Vacation certificate" means any advance travel  
1000 purchase arrangement, ~~plan, program, or vacation package that~~  
1001 ~~promotes, discusses, or discloses a destination or itinerary or~~  
1002 ~~type of travel~~, whereby a purchaser ~~for consideration paid in~~  
1003 ~~advance~~ is entitled to the use of travel, accommodations, or  
1004 facilities for any number of days, whether certain or uncertain,  
1005 during the period in which the certificate can be exercised, and  
1006 no specific date or dates for its use are designated. A vacation  
1007 certificate does not include prearranged travel or, tourist-  
1008 related services, ~~or tour guide services~~ when a seller of travel  
1009 remits full payment for the cost of such services to the  
1010 provider or supplier within 10 business days of the purchaser's  
1011 initial payment to the seller of travel. The term does not  
1012 include travel if exact travel dates are selected, guaranteed,  
1013 and paid for at the time of the purchase.

1014 Section 28. Section 559.928, Florida Statutes, is amended  
1015 to read:

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1016 559.928 Registration.—

1017 (1) Each seller of travel shall annually register with the  
1018 department, providing: its legal business or trade name, mailing  
1019 address, and business locations; the full names, addresses, and  
1020 telephone numbers of its owners or corporate officers and  
1021 directors and the Florida agent of the corporation; a statement  
1022 whether it is a domestic or foreign corporation, its state and  
1023 date of incorporation, its charter number, and, if a foreign  
1024 corporation, the date it registered with this state, and  
1025 business tax receipt where applicable; ~~the date on which a~~  
1026 ~~seller of travel registered its fictitious name if the seller of~~  
1027 ~~travel is operating under a fictitious or trade name;~~ the name  
1028 of all other corporations, business entities, and trade names  
1029 through which each owner of the seller of travel operated, was  
1030 known, or did business as a seller of travel within the  
1031 preceding 5 years; a list of all authorized independent agents,  
1032 including the agent's trade name, full name, mailing address,  
1033 business address, and telephone numbers; the business location  
1034 and address of each branch office and full name and address of  
1035 the manager or supervisor; the certification required under s.  
1036 559.9285; and proof of purchase of adequate bond as required in  
1037 this part. A certificate evidencing proof of registration shall  
1038 be issued by the department and must be prominently displayed in  
1039 the seller of travel's primary place of business.

1040 (2) (a) Registration fees shall be as follows:

1041 1. Three hundred dollars per year per registrant certifying  
1042 its business activities under s. 559.9285(1) (a).

1043 2. One thousand dollars per year per registrant certifying  
1044 its business activities under s. 559.9285(1) (b).

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1045 3. Twenty-five hundred dollars per year per registrant  
1046 certifying its business activities under s. 559.9285(1)(c).

1047 (b) All amounts collected shall be deposited by the Chief  
1048 Financial Officer to the credit of the General Inspection Trust  
1049 Fund of the Department of Agriculture and Consumer Services  
1050 pursuant to s. 570.20, for the sole purpose of administration of  
1051 this part.

1052 (c) The department shall waive the initial registration fee  
1053 for an honorably discharged veteran of the United States Armed  
1054 Forces, the spouse of such a veteran, or a business entity that  
1055 has a majority ownership held by such a veteran or spouse if the  
1056 department receives an application, in a format prescribed by  
1057 the department, within 60 months after the date of the veteran's  
1058 discharge from any branch of the United States Armed Forces. To  
1059 qualify for the waiver, a veteran must provide to the department  
1060 a copy of his or her DD Form 214, as issued by the United States  
1061 Department of Defense, or another acceptable form of  
1062 identification as specified by the Department of Veterans'  
1063 Affairs; the spouse of a veteran must provide to the department  
1064 a copy of the veteran's DD Form 214, as issued by the United  
1065 States Department of Defense, or another acceptable form of  
1066 identification as specified by the Department of Veterans'  
1067 Affairs, and a copy of a valid marriage license or certificate  
1068 verifying that he or she was lawfully married to the veteran at  
1069 the time of discharge; or a business entity must provide to the  
1070 department proof that a veteran or the spouse of a veteran holds  
1071 a majority ownership in the business, a copy of the veteran's DD  
1072 Form 214, as issued by the United States Department of Defense,  
1073 or another acceptable form of identification as specified by the

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1074 Department of Veterans' Affairs, and, if applicable, a copy of a  
1075 valid marriage license or certificate verifying that the spouse  
1076 of the veteran was lawfully married to the veteran at the time  
1077 of discharge.

1078 (3) Each independent agent shall annually file an affidavit  
1079 with the department before ~~prior to~~ engaging in business in this  
1080 state. This affidavit must include the independent agent's full  
1081 name, legal business or trade name, mailing address, business  
1082 address, telephone number, and the name and address of each  
1083 seller of travel represented by the independent agent. A letter  
1084 evidencing proof of filing must be issued by the department and  
1085 must be prominently displayed in the independent agent's primary  
1086 place of business. Each independent agent must also submit an  
1087 annual registration fee of \$50. All moneys collected pursuant to  
1088 the imposition of the fee shall be deposited by the Chief  
1089 Financial Officer into the General Inspection Trust Fund of the  
1090 Department of Agriculture and Consumer Services for the sole  
1091 purpose of administrating this part. As used in this subsection,  
1092 the term "independent agent" means a person who represents a  
1093 seller of travel by soliciting persons on its behalf; who has a  
1094 written contract with a seller of travel which is operating in  
1095 compliance with this part and any rules adopted thereunder; who  
1096 does not receive a fee, commission, or other valuable  
1097 consideration directly from the purchaser for the seller of  
1098 travel; who does not at any time have any unissued ticket stock  
1099 or travel documents in his or her possession; and who does not  
1100 have the ability to issue tickets, vacation certificates, or any  
1101 other travel document. The term "independent agent" does not  
1102 include an affiliate of the seller of travel, as that term is

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1103 used in s. 559.935(3), or the employees of the seller of travel  
 1104 or of such affiliates.

1105 (4) Any person applying for or renewing a local business  
 1106 tax receipt to engage in business as a seller of travel must  
 1107 exhibit a current registration certificate from the department  
 1108 before the local business tax receipt may be issued or reissued.

1109 (5) Each contract, advertisement, or certificate, or any  
 1110 other travel document, of a seller of travel must include the  
 1111 phrase "... (NAME OF FIRM)... is registered with the State of  
 1112 Florida as a Seller of Travel. Registration No....."

1113 ~~(6) Each advertisement of a seller of travel must include~~  
 1114 ~~the phrase "Fla. Seller of Travel Reg. No....."~~

1115 (6) ~~(7)~~ A ~~No~~ registration is not ~~shall~~ be valid for any  
 1116 seller of travel transacting business at any place other than  
 1117 that designated in its application, unless the department is  
 1118 first notified in writing in advance of any change of location.  
 1119 A ~~Nor shall the~~ registration is not ~~be~~ valid for an affiliate of  
 1120 the seller of travel who engages in the prearranged travel and  
 1121 tourist business. A registration issued under this part may  
 1122 ~~shall~~ not be assignable, and the seller of travel may ~~shall~~ not  
 1123 be permitted to conduct business under more than one name except  
 1124 as registered. A seller of travel desiring to change its  
 1125 registered name or location or designated agent for service of  
 1126 process at a time other than upon renewal of registration shall  
 1127 notify the department of such change.

1128 (7) ~~(8)~~ Applications under this section are ~~shall be~~ subject  
 1129 to ~~the provisions of~~ s. 120.60.

1130 (8) ~~(9)~~ The department may deny, ~~or~~ refuse to renew, or  
 1131 revoke the registration of any seller of travel based upon a

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1132 determination that the seller of travel, or any of its  
1133 directors, officers, owners, or general partners:

1134 (a) Has failed to meet the requirements for registration as  
1135 provided in this part;

1136 (b) Has been convicted of a crime involving fraud, theft,  
1137 embezzlement, dishonest dealing, or any other act of moral  
1138 turpitude or any other act arising out of conduct as a seller of  
1139 travel;

1140 (c) Has not satisfied a civil fine or penalty arising out  
1141 of any administrative or enforcement action brought by any  
1142 governmental agency or private person based upon conduct  
1143 involving fraud, theft, embezzlement, dishonest dealing, or any  
1144 violation of this part;

1145 (d) Has pending against her or him any criminal,  
1146 administrative, or enforcement proceedings in any jurisdiction,  
1147 based upon conduct involving fraud, theft, embezzlement,  
1148 dishonest dealing, or any other act of moral turpitude or any  
1149 other act arising out of conduct as a seller of travel; or

1150 (e) Has had a judgment entered against her or him in any  
1151 action brought by the department or the Department of Legal  
1152 Affairs pursuant to ss. 501.201-501.213 or this act ~~part~~.

1153 Section 29. Subsections (2) and (6) of section 559.929,  
1154 Florida Statutes, are amended to read:

1155 559.929 Security requirements.—

1156 (2) The bond must be filed with the department on a form  
1157 adopted by department rule and must be in favor of the  
1158 department for the use and benefit of a traveler who is injured  
1159 by the fraud, misrepresentation, breach of contract, or  
1160 financial failure, or any other violation of this part by the



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1161 seller of travel. Such liability may be enforced by proceeding  
1162 in an administrative action as specified in subsection (3) or by  
1163 filing a civil action. However, in such civil action the bond  
1164 posted with the department may ~~shall~~ not be amenable or subject  
1165 to a judgment or other legal process issuing out of or from such  
1166 court in connection with such civil action, but such bond shall  
1167 be amenable to and enforceable only by and through  
1168 administrative proceedings before the department. It is the  
1169 intent of the Legislature that such bond be applicable and  
1170 liable only for the payment of claims duly adjudicated by order  
1171 of the department. The bond must be open to successive claims,  
1172 but the aggregate amount awarded may not exceed the amount of  
1173 the bond. In addition to the foregoing, a bond provided by a  
1174 registrant or applicant for registration which certifies its  
1175 business activities under s. 559.9285(1)(b) or (c) must be in  
1176 favor of the department, with payment in the following order of  
1177 priority:

1178 (a) The expenses for prosecuting the registrant or  
1179 applicant in an administrative or civil action under this part,  
1180 including attorney fees and fees for other professionals, court  
1181 costs or other costs of the proceedings, and all other expenses  
1182 incidental to the action.

1183 (b) The costs and expenses of investigation before the  
1184 commencement of an administrative or civil action under this  
1185 part.

1186 (c) An unpaid administrative fine imposed by final order or  
1187 an unpaid civil penalty imposed by final judgment under this  
1188 part.

1189 (d) Damages or compensation for a traveler injured as

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1190 provided in this subsection.

1191 (6) The department may waive the bond requirement on an  
 1192 annual basis if the seller of travel has had 5 or more  
 1193 consecutive years of experience as a seller of travel in this  
 1194 state in compliance with this part, has not had a civil,  
 1195 criminal, or administrative action instituted against the seller  
 1196 of travel in the vacation and travel business by a governmental  
 1197 agency or an action involving fraud, theft, misappropriation of  
 1198 property, violation of a statute pertaining to business or  
 1199 commerce with a terrorist state, ~~or~~ moral turpitude, or other  
 1200 violation of this part and has a satisfactory consumer complaint  
 1201 history with the department, and certifies its business  
 1202 activities under s. 559.9285. Such waiver may be revoked if the  
 1203 seller of travel violates this part. A seller of travel which  
 1204 certifies its business activities under s. 559.9285(1)(b) or (c)  
 1205 is not entitled to the waiver provided in this subsection.

1206 Section 30. Subsections (10), (14), and (17) of section  
 1207 559.9295, Florida Statutes, are amended to read:

1208 559.9295 Submission of vacation certificate documents.—  
 1209 Sellers of travel who offer vacation certificates must submit  
 1210 and disclose to the department with the application for  
 1211 registration, and any time such document is changed, but prior  
 1212 to the sale of any vacation certificate, the following  
 1213 materials:

1214 ~~(10) A statement of the number of certificates to be issued~~  
 1215 ~~and the date of their expiration.~~

1216 (13) ~~(14)~~ A listing of the full name, address, and telephone  
 1217 number of each person through which the distribution and sale of  
 1218 vacation certificates is to be carried out, ~~including the number~~

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1219 ~~of vacation certificates allocated or sold to each such person~~  
1220 and the name and address of a Florida registered agent for  
1221 service of process.

1222 ~~(17) Within 10 working days after receipt of any materials~~  
1223 ~~submitted subsequent to filing an initial registration~~  
1224 ~~application or any annual renewal thereof, the department shall~~  
1225 ~~determine whether such materials are adequate to meet the~~  
1226 ~~requirements of this section. The department shall notify the~~  
1227 ~~seller of travel that materials submitted are in substantial~~  
1228 ~~compliance, or shall notify the seller of travel of any specific~~  
1229 ~~deficiencies. If the department fails to notify the seller of~~  
1230 ~~travel of its determination within the period specified in this~~  
1231 ~~subsection, the materials shall be deemed in compliance;~~  
1232 ~~however, the failure of the department to send notification in~~  
1233 ~~either case will not relieve the seller of travel from the duty~~  
1234 ~~of complying with this section. Neither the submission of these~~  
1235 ~~materials nor the department's response implies approval,~~  
1236 ~~recommendation, or endorsement by the department or that the~~  
1237 ~~contents of said materials have been verified by the department.~~

1238 Section 31. Section 559.932, Florida Statutes, is amended  
1239 to read:

1240 559.932 Vacation certificate disclosure.—

1241 (1) A ~~It shall be unlawful for any~~ seller of travel must ~~to~~  
1242 ~~fail to~~ provide each person solicited with a contract that  
1243 includes ~~which shall include~~ the following in a 10-point font,  
1244 unless otherwise specified:

1245 (a) A space for the date, name, address, and signature of  
1246 the purchaser.

1247 (b) The expiration date of the vacation certificate and the

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1248 terms and conditions of its extension or renewal, if available.

1249 (c) The name and business address of any seller of travel  
1250 who may solicit vacation certificate purchasers for further  
1251 purchases, and a full and complete statement as to the nature  
1252 and method of that solicitation.

1253 (d) The total financial obligation of the purchaser which  
1254 shall include the initial purchase price and any additional  
1255 charges to which the purchaser may be subject, including, but  
1256 not limited to, any per diem, seasonal, reservation, or  
1257 recreational charge.

1258 (e) The name and street address of any person who has the  
1259 right to alter, amend, or add to the charges to which the  
1260 purchaser may be subject and the terms and conditions under  
1261 which such charges may be imposed.

1262 (f) If any accommodation or facility which a purchaser  
1263 acquires the right to use pursuant to the vacation certificate  
1264 is not completed at the time the certificate is offered for  
1265 sale, the date of availability of each component of the  
1266 accommodation or facility.

1267 (g) By means of a section entitled "terms and conditions":

1268 1. All eligibility requirements for use of the vacation  
1269 certificate, including, but not limited to, age, sex, marital  
1270 status, group association, residency, or geographic limitations.

1271 2. All eligibility requirements for use of any discount or  
1272 complimentary coupon or ticket.

1273 3. A statement as to whether transportation and meals are  
1274 provided pursuant to use of the certificate.

1275 4. Any room deposit requirement, including all conditions  
1276 for its return or refund.

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1277 5. The manner in which reservation requests are to be made  
1278 and the method by which they are to be confirmed.

1279 6. Any identification, credential, or other means by which  
1280 a purchaser must establish her or his entitlement to the rights,  
1281 benefits, or privileges of the vacation certificate.

1282 7. Any restriction or limitation upon transfer of the  
1283 vacation certificate or any right, benefit, or privilege  
1284 thereunder.

1285 8. Any other term, limitation, condition, or requirement  
1286 material to use of the vacation certificate or any right,  
1287 benefit, or privilege thereunder.

1288 (h) In immediate proximity to the space reserved in the  
1289 contract for the date and the name, address, and signature of  
1290 the purchaser, the following statement in boldfaced type of a  
1291 size of 10 points:

1292  
1293 "YOU MAY CANCEL THIS CONTRACT WITHOUT ANY PENALTY OR  
1294 OBLIGATION WITHIN 30 DAYS FROM THE DATE OF PURCHASE OR RECEIPT  
1295 OF THE VACATION CERTIFICATE, WHICHEVER OCCURS LATER."

1296 "YOU MAY ALSO CANCEL THIS CONTRACT IF ACCOMMODATIONS OR  
1297 FACILITIES ARE NOT AVAILABLE PURSUANT TO A REQUEST FOR USE AS  
1298 PROVIDED IN THE CONTRACT."

1299 "IF YOU DECIDE TO CANCEL, YOU MUST NOTIFY THE SELLER IN  
1300 WRITING OF YOUR INTENT TO CANCEL BY RETURNING THE CERTIFICATE  
1301 AND SENDING NOTICE TO: ... (NAME OF SELLER) ... AT ... (SELLER'S  
1302 ADDRESS) ...."

1303  
1304 (i) In immediate proximity to the statement required in  
1305 paragraph (h), the following statement in boldfaced type of a

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1306 size of 12 ~~10~~ points:

1307

1308 "NO PURCHASER SHOULD RELY UPON REPRESENTATIONS OTHER THAN  
1309 THOSE INCLUDED IN THIS CONTRACT."

1310

1311 However, inclusion of this statement shall not impair any  
1312 purchaser's right to bring legal action based on verbal  
1313 statements.

1314 (j) In immediate proximity to the statement required in  
1315 paragraph (i), the following statement:

1316 "This contract is for the purchase of a vacation  
1317 certificate and puts all assignees on notice of the consumer's  
1318 right to cancel under section 559.933, Florida Statutes."

1319 (2) If a sale or agreement to purchase a vacation  
1320 certificate is completed over the telephone, the seller shall  
1321 inform the purchaser over the telephone that:

1322 (a) The purchaser may cancel the contract without any  
1323 penalty or obligation within 30 days from the date of purchase  
1324 or receipt of the vacation certificate, whichever occurs later.

1325 (b) The purchaser may also cancel the contract if  
1326 accommodations or facilities are not available upon request for  
1327 use as provided in the contract.

1328 (3) Upon receipt of a copy of a vacation certificate or  
1329 contract required pursuant to s. 559.9295, the department must  
1330 review the certificate or contract for compliance with the  
1331 disclosures required under this section.

1332 Section 32. Section 559.933, Florida Statutes, is amended  
1333 to read:

1334 559.933 Vacation certificate cancellation and refund

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1335 provisions.-

1336 (1) A ~~It shall be unlawful for any~~ seller of travel or  
1337 assignee ~~must honor a purchaser's request to cancel a vacation~~  
1338 certificate if such request is made:

1339 ~~(1) To fail or refuse to honor a purchaser's vacation~~  
1340 ~~certificate request to cancel if such request is made:~~

1341 (a) Within 30 days after ~~from~~ the date of purchase or  
1342 receipt of the vacation certificate, whichever occurs later; or

1343 (b) At any time accommodations or facilities are not  
1344 available pursuant to a request for use as provided in the  
1345 contract, provided that:

1346 1. The contract may ~~shall~~ not require notice greater than  
1347 60 days in advance of the date requested for use;

1348 2. If acceptable to the purchaser, comparable alternate  
1349 accommodations or facilities in a city, or reservations for a  
1350 date different than that requested, may be provided.

1351 (2) A seller of travel or assignee must ~~To fail to~~ refund  
1352 any and all payments made by the vacation certificate purchaser  
1353 within 30 days after receipt of the certificate and notice of  
1354 cancellation made pursuant to this section, if the purchaser has  
1355 not received any benefits pursuant to the vacation certificate.

1356 (3) A seller of travel or assignee must, if the purchaser  
1357 has received any benefits pursuant to the vacation certificate,  
1358 ~~to fail to~~ refund within 30 days after receipt of the  
1359 certificate and notice of cancellation made pursuant to this  
1360 section any and all payments made by the purchaser which exceed  
1361 a pro rata portion of the total price, representing the portion  
1362 of any benefits actually received by the vacation certificate  
1363 purchaser during the time preceding cancellation.

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1364 (4) ~~If~~ Where any purchaser has received confirmation of  
1365 reservations in advance and is refused accommodations upon  
1366 arrival, a seller of travel or assignee must ~~to fail to~~ procure  
1367 comparable alternate accommodations for the purchaser in the  
1368 same city at no expense to the purchaser, or ~~to fail to~~ fully  
1369 compensate the purchaser for the room rate incurred in securing  
1370 comparable alternate accommodations himself or herself.

1371 (5) A seller of travel or assignee may not ~~to~~ collect more  
1372 than the full contract price from the purchaser.

1373 (6) A seller of travel or assignee may not ~~to~~ sell, assign,  
1374 or otherwise transfer any interest in a seller of travel  
1375 business, or ~~to~~ sell, assign, or otherwise transfer to a third  
1376 party any interest in any vacation certificate unless:

1377 (a) The third party agrees in writing to fully honor the  
1378 rights of vacation certificate purchasers to cancel and to  
1379 receive an appropriate refund or reimbursement as provided in  
1380 this section.

1381 (b) The third party agrees in writing to comply with all  
1382 other provisions of this part for as long as the third party  
1383 continues the sale of vacation certificates or for the duration  
1384 of the period of validity of outstanding vacation certificates,  
1385 whichever is longer in time.

1386 (c) The seller of travel agrees to be liable for and fully  
1387 indemnify a purchaser from any loss occasioned by the failure of  
1388 the third party to honor the purchaser's right to cancel and  
1389 failure to make prompt and complete refund to the purchaser of  
1390 all sums paid to the third party, or occasioned by the third  
1391 party's failure to comply with the provisions of this part.

1392 (7) A seller of travel or assignee must ~~to fail to~~ fulfill



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1393 the terms of a vacation certificate within 18 months after ~~of~~  
1394 the initial payment of any consideration by the purchaser to a  
1395 seller of travel or third party.

1396 Section 33. Section 559.9335, Florida Statutes, is amended  
1397 to read:

1398 559.9335 Violations.—It is a violation of this part for any  
1399 seller of travel, independent agent, or other person:

1400 (1) To conduct business as a seller of travel without  
1401 registering annually with the department unless exempt pursuant  
1402 to s. 559.935.

1403 (2) To conduct business as a seller of travel without an  
1404 annual purchase of a performance bond in the amount set by the  
1405 department unless exempt pursuant to s. 559.935.

1406 (3) Knowingly to make any false statement, representation,  
1407 or certification in any application, document, or record  
1408 required to be submitted or retained under this part or in any  
1409 response to an inquiry or investigation conducted by the  
1410 department or any other governmental agency.

1411 (4) Knowingly to sell or market any ~~number of~~ vacation  
1412 certificates that exceed the accommodations available at the  
1413 time of sale ~~the number disclosed to the department pursuant to~~  
1414 ~~this section.~~

1415 (5) Knowingly to sell or market vacation certificates with  
1416 an expiration date of more than 18 months from the date of  
1417 issuance.

1418 ~~(6) Knowingly to require, request, encourage, or suggest,~~  
1419 ~~directly or indirectly, that payment for the right to obtain a~~  
1420 ~~travel contract, certificate, or vacation package must be by~~  
1421 ~~credit card authorization or to otherwise announce a preference~~

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1422 ~~for that method of payment over any other when no correct and~~  
1423 ~~true explanation for such preference is likewise stated.~~

1424 (6)~~(7)~~ Knowingly to state, represent, indicate, suggest, or  
1425 imply, directly or indirectly, that the travel contract,  
1426 certificate, or vacation package being offered by the seller of  
1427 travel cannot be purchased at some later time or may not  
1428 otherwise be available after the initial contact, or that  
1429 callbacks by the prospective purchaser are not accepted, when no  
1430 such restrictions or limitations in fact exist.

1431 (7)~~(8)~~ To misrepresent ~~in any manner~~ the purchaser's right  
1432 to cancel and to receive an appropriate refund or reimbursement  
1433 as provided by this part.

1434 (8)~~(9)~~ To sell any vacation certificate the duration of  
1435 which exceeds the duration of any agreement between the seller  
1436 and any business entity obligated thereby to provide  
1437 accommodations or facilities pursuant to the vacation  
1438 certificate.

1439 (9)~~(10)~~ To misrepresent or deceptively represent:

1440 (a) The amount of time or period of time accommodations or  
1441 facilities will be available.

1442 (b) The location of accommodations or facilities offered.

1443 (c) The price, size, nature, extent, qualities, or  
1444 characteristics of accommodations or facilities offered.

1445 (d) The nature or extent of other goods, services, or  
1446 amenities offered.

1447 (e) A purchaser's rights, privileges, or benefits.

1448 (f) The conditions under which the purchaser may obtain a  
1449 reservation for the use of offered accommodations or facilities.

1450 (g) That the recipient of an advertisement or promotional

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1451 materials is a winner, or has been selected, or is otherwise  
1452 being involved in a select group for receipt, of a gift, award,  
1453 or prize, unless this fact is the truth.

1454 (10)~~(11)~~ To fail to inform a purchaser of a nonrefundable  
1455 cancellation policy before ~~prior to~~ the seller of travel  
1456 accepting any fee, commission, or other valuable consideration.

1457 ~~(12) To fail to include, when offering to sell a vacation~~  
1458 ~~certificate, in any advertisement or promotional material, the~~  
1459 ~~following statement: "This is an offer to sell travel."~~

1460 (11)~~(13)~~ To fail to honor and comply with all provisions of  
1461 the vacation certificate regarding the purchaser's rights,  
1462 benefits, and privileges thereunder.

1463 (12)~~(14)~~(a) To include in any vacation certificate or  
1464 contract any provision purporting to waive or limit any right or  
1465 benefit provided to purchasers under this part; or

1466 (b) To seek or solicit such waiver or acceptance of  
1467 limitation from a purchaser concerning rights or benefits  
1468 provided under this part.

1469 (13)~~(15)~~ To offer vacation certificates for any  
1470 accommodation or facility for which there is no contract with  
1471 the owner of the accommodation or facility securing the  
1472 purchaser's right to occupancy and use, unless the seller is the  
1473 owner.

1474 ~~(16) To use a local mailing address, registration facility,~~  
1475 ~~drop box, or answering service in the promotion, advertising,~~  
1476 ~~solicitation, or sale of vacation certificates, unless the~~  
1477 ~~seller's fixed business address is clearly disclosed during any~~  
1478 ~~telephone solicitation and is prominently and conspicuously~~  
1479 ~~disclosed on all solicitation materials and on the contract.~~

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1480        (14)~~(17)~~ To use any registered trademark, trade name, or  
1481 trade logo in any promotional, advertising, or solicitation  
1482 materials without written authorization from the holder of such  
1483 trademark, trade name, or trade logo.

1484        (15)~~(18)~~ To represent, directly or by implication, any  
1485 affiliation with, or endorsement by, any governmental,  
1486 charitable, educational, medical, religious, fraternal, or civic  
1487 organization or body, or any individual, in the promotion,  
1488 advertisement, solicitation, or sale of vacation certificates  
1489 without express written authorization.

1490        (16)~~(19)~~ To sell a vacation certificate to any purchaser  
1491 who is ineligible for its use.

1492        ~~(20) To sell any number of vacation certificates exceeding~~  
1493 ~~the number disclosed pursuant to this part.~~

1494        (17)~~(21)~~ During the period of a vacation certificate's  
1495 validity, in the event, for any reason whatsoever, of lapse or  
1496 breach of an agreement for the provision of accommodations or  
1497 facilities to purchasers, to fail to procure similar agreement  
1498 for the provision of comparable alternate accommodations or  
1499 facilities in the same city or surrounding area.

1500        (18)~~(22)~~ To offer to sell, at wholesale or retail,  
1501 prearranged travel or~~7~~ tourist-related services, ~~or tour-guide~~  
1502 ~~services~~ for individuals or groups directly to any terrorist  
1503 state and which originate in Florida, without disclosing such  
1504 business activities in a certification filed under s.  
1505 559.9285(1)(b) or (c).

1506        (19)~~(23)~~ To violate any state or federal law restricting or  
1507 prohibiting commerce with terrorist states.

1508        (20)~~(24)~~ To engage in ~~de~~ any other fraudulent action that

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1509 ~~act which~~ constitutes fraud, misrepresentation, or failure to  
1510 disclose a material fact, or to commit any other violation of,  
1511 or fail to comply with, this part.

1512 (21)~~(25)~~ To refuse or fail, or for any of its principal  
1513 officers to refuse or fail, after notice, to produce any  
1514 document or record or disclose any information required to be  
1515 produced or disclosed.

1516 (22)~~(26)~~ Knowingly to make a material false statement in  
1517 response to any request or investigation by the department, the  
1518 Department of Legal Affairs, or the state attorney.

1519 Section 34. Subsections (3) and (4) of section 559.935,  
1520 Florida Statutes, are amended to read:

1521 559.935 Exemptions.—

1522 (3) Sections 559.928, 559.929, 559.9295, 559.931, and  
1523 559.932 ~~shall~~ also do not apply to a seller of travel that is an  
1524 affiliate of an entity exempt pursuant to subsection (2) subject  
1525 to the following conditions:

1526 (a) ~~If In the event~~ the department finds the affiliate does  
1527 not have a satisfactory consumer complaint history or the  
1528 affiliate fails to respond to a consumer complaint within 30  
1529 days, the related seller of travel exempt pursuant to subsection  
1530 (2) is ~~shall be~~ liable for the actions of the affiliate, subject  
1531 to the remedies provided in ss. 559.9355 and 559.936.

1532 (b) ~~If In the event~~ the department is unable to locate an  
1533 affiliate, the related seller of travel exempt pursuant to  
1534 subsection (2) is ~~shall be~~ fully liable for the actions of the  
1535 affiliate, subject to the remedies provided in ss. 559.9355 and  
1536 559.936.

1537 ~~(c) In order to obtain an exemption under this subsection,~~

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1538 ~~the affiliate shall file an affidavit of exemption on a form~~  
1539 ~~prescribed by the department and shall certify its business~~  
1540 ~~activities under s. 559.9285(1)(a). The affidavit of exemption~~  
1541 ~~shall be executed by a person who exercises identical control~~  
1542 ~~over the seller of travel exempt pursuant to subsection (2) and~~  
1543 ~~the affiliate. Failure to file an affidavit of exemption or~~  
1544 ~~certification under s. 559.9285(1)(a) prior to engaging in~~  
1545 ~~seller of travel activities shall subject the affiliate to the~~  
1546 ~~remedies provided in ss. 559.9355 and 559.936.~~

1547 ~~(c)~~(d) Revocation by the department of an exemption  
1548 provided to a seller of travel under subsection (2) shall  
1549 constitute automatic revocation by law of an exemption obtained  
1550 by an affiliate under the subsection.

1551 ~~(d)~~(e) This subsection does ~~shall~~ not apply to:

1552 1. An affiliate that independently qualifies for another  
1553 exemption under this section.

1554 2. An affiliate that sells, or offers for sale, vacation  
1555 certificates.

1556 3. An affiliate that certifies its business activities  
1557 under s. 559.9285(1)(b) or (c).

1558 ~~(e)~~(f) For purposes of this section, the term an  
1559 "affiliate" means an entity that meets the following:

1560 1. The entity has the identical ownership as the seller of  
1561 travel that is exempt under subsection (2).

1562 2. The ownership controlling the seller of travel that is  
1563 exempt under subsection (2) also exercises identical control  
1564 over the entity.

1565 3. The owners of the affiliate hold the identical  
1566 percentage of voting shares as they hold in the seller of travel

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1567 that is exempt under subsection (2).

1568 (4) The department may revoke the exemption provided in  
1569 subsection (2) or subsection (3) if the department finds that  
1570 the seller of travel does not have a satisfactory consumer  
1571 complaint history, has been convicted of a crime involving  
1572 fraud, theft, embezzlement, misappropriation of property,  
1573 deceptive or unfair trade practices, or moral turpitude, or has  
1574 not complied with the terms of any order or settlement agreement  
1575 arising out of an administrative or enforcement action brought  
1576 by a governmental agency or private person based on conduct  
1577 involving fraud, theft, embezzlement, misappropriation of  
1578 property, deceptive or unfair trade practices, or moral  
1579 turpitude.

1580 Section 35. Subsection (3) of section 559.936, Florida  
1581 Statutes, is amended to read:

1582 559.936 Civil penalties; remedies.—

1583 (3) The department may seek a civil penalty in the Class  
1584 III category pursuant to s. 570.971 for each act or omission in  
1585 violation of s. 559.9335(18) or (19) ~~s. 559.9335(22) or (23)~~.

1586 Section 36. Paragraph (b) of subsection (5), paragraph (a)  
1587 of subsection (10), and subsections (15) and (16) of section  
1588 616.242, Florida Statutes, are amended to read:

1589 616.242 Safety standards for amusement rides.—

1590 (5) ANNUAL PERMIT.—

1591 (b) To apply for an annual permit, an owner must submit to  
1592 the department a written application on a form prescribed by  
1593 rule of the department, which must include the following:

1594 1. The legal name, address, and primary place of business  
1595 of the owner.

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1596           2. A description, manufacturer's name, serial number, model  
1597 number and, if previously assigned, the United States Amusement  
1598 Identification Number of the amusement ride.

1599           3. A valid certificate of insurance ~~or bond~~ for each  
1600 amusement ride.

1601           4. An affidavit of compliance that the amusement ride was  
1602 inspected in person by the affiant and that the amusement ride  
1603 is in general conformance with the requirements of this section  
1604 and all applicable rules adopted by the department. The  
1605 affidavit must be executed by a professional engineer or a  
1606 qualified inspector no earlier than 60 days before, but not  
1607 later than, the date of the filing of the application with the  
1608 department. The owner shall request inspection and permitting of  
1609 the amusement ride within 60 days of the date of filing the  
1610 application with the department. The department shall inspect  
1611 and permit the amusement ride within 60 days after filing the  
1612 application with the department.

1613           5. If required by subsection (6), an affidavit of  
1614 nondestructive testing dated and executed no earlier than 60  
1615 days before ~~prior to~~, but not later than, the date of the filing  
1616 of the application with the department. The owner shall request  
1617 inspection and permitting of the amusement ride within 60 days  
1618 of the date of filing the application with the department. The  
1619 department shall inspect and permit the amusement ride within 60  
1620 days after filing the application with the department.

1621           6. A request for inspection.

1622           7. Upon request, the owner shall, at no cost to the  
1623 department, provide the department a copy of the manufacturer's  
1624 current recommended operating instructions in the possession of



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1625 the owner, the owner's operating fact sheet, and any written  
1626 bulletins in the possession of the owner concerning the safety,  
1627 operation, or maintenance of the amusement ride.

1628 (10) EXEMPTIONS.—

1629 (a) This section does not apply to:

1630 1. Permanent facilities that employ at least 1,000 full-  
1631 time employees and that maintain full-time, in-house safety  
1632 inspectors. Furthermore, the permanent facilities must file an  
1633 affidavit of the annual inspection with the department, on a  
1634 form prescribed by rule of the department. Additionally, the  
1635 Department of Agriculture and Consumer Services may consult  
1636 annually with the permanent facilities regarding industry safety  
1637 programs.

1638 2. Any playground operated by a school, local government,  
1639 or business licensed under chapter 509, if the playground is an  
1640 incidental amenity and the operating entity is not primarily  
1641 engaged in providing amusement, pleasure, thrills, or  
1642 excitement.

1643 3. Museums or other institutions principally devoted to the  
1644 exhibition of products of agriculture, industry, education,  
1645 science, religion, or the arts.

1646 4. Conventions or trade shows for the sale or exhibit of  
1647 amusement rides if there are a minimum of 15 amusement rides on  
1648 display or exhibition, and if any operation of such amusement  
1649 rides is limited to the registered attendees of the convention  
1650 or trade show.

1651 5. Skating rinks, arcades, laser ~~lazer~~ or paint ball war  
1652 games, bowling alleys, miniature golf courses, mechanical bulls,  
1653 inflatable rides, trampolines, ball crawls, exercise equipment,

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1654 jet skis, paddle boats, airboats, helicopters, airplanes,  
1655 parasails, hot air or helium balloons whether tethered or  
1656 untethered, theatres, batting cages, stationary spring-mounted  
1657 fixtures, rider-propelled merry-go-rounds, games, side shows,  
1658 live animal rides, or live animal shows.

1659 6. Go-karts operated in competitive sporting events if  
1660 participation is not open to the public.

1661 7. Nonmotorized playground equipment that is not required  
1662 to have a manager.

1663 8. Coin-actuated amusement rides designed to be operated by  
1664 depositing coins, tokens, credit cards, debit cards, bills, or  
1665 other cash money and which are not required to have a manager,  
1666 and which have a capacity of six persons or less.

1667 9. Facilities described in s. 549.09(1)(a) when such  
1668 facilities are operating cars, trucks, or motorcycles only.

1669 10. Battery-powered cars or other vehicles that are  
1670 designed to be operated by children 7 years of age or under and  
1671 that cannot exceed a speed of 4 miles per hour.

1672 11. Mechanically driven vehicles that pull train cars,  
1673 carts, wagons, or other similar vehicles, that are not confined  
1674 to a metal track or confined to an area but are steered by an  
1675 operator and do not exceed a speed of 4 miles per hour.

1676 12. A water-related amusement ride operated by a business  
1677 licensed under chapter 509 if the water-related amusement ride  
1678 is an incidental amenity and the operating business is not  
1679 primarily engaged in providing amusement, pleasure, thrills, or  
1680 excitement and does not offer day rates.

1681 13. An amusement ride at a private, membership-only  
1682 facility if the amusement ride is an incidental amenity and the

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1683 facility is not open to the general public; is not primarily  
1684 engaged in providing amusement, pleasure, thrills, or  
1685 excitement; and does not offer day rates.

1686 14. A nonprofit permanent facility registered under chapter  
1687 496 which is not open to the general public.

1688 (15) INSPECTION BY OWNER OR MANAGER.—~~Before~~ Prior to  
1689 opening on each day of operation and before ~~prior to~~ any  
1690 inspection by the department, the owner or manager of an  
1691 amusement ride must inspect and test the amusement ride to  
1692 ensure compliance with all requirements of this section. Each  
1693 inspection must be recorded on a form prescribed by rule of the  
1694 department and signed by the person who conducted the  
1695 inspection. In lieu of the form prescribed by rule of the  
1696 department, the owner or manager may request approval of an  
1697 alternative form if the alternative form includes, at a minimum,  
1698 the information required on the form prescribed by rule of the  
1699 department. Inspection records of the last 14 daily inspections  
1700 must be kept on site by the owner or manager and made  
1701 immediately available to the department upon request.

1702 (16) TRAINING OF EMPLOYEES.—The owner or manager of an ~~any~~  
1703 amusement ride shall maintain a record of employee training for  
1704 each employee authorized to operate, assemble, disassemble,  
1705 transport, or conduct maintenance on an amusement ride, ~~on a~~  
1706 form prescribed by rule of the department. In lieu of the form  
1707 prescribed by rule of the department, the owner or manager may  
1708 request approval of an alternative form if the alternative form  
1709 includes, at a minimum, the information required on the form  
1710 prescribed by rule of the department. The training record must  
1711 be kept on site by the owner or manager and made immediately

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1712 available to the department upon request. Training may not be  
1713 conducted when an amusement ride is open to the public unless  
1714 the training is conducted under the supervision of an employee  
1715 who is trained in the operation of that ride. The owner or  
1716 manager shall certify that each employee is trained, as required  
1717 by this section and any rules adopted thereunder, on the  
1718 amusement ride for which the employee is responsible.

1719 Section 37. Subsections (2), (4), and (5) of section  
1720 790.06, Florida Statutes, are amended, paragraph (f) is added to  
1721 subsection (6) of that section, and subsection (10) of that  
1722 section is amended, to read:

1723 790.06 License to carry concealed weapon or firearm.—

1724 (2) The Department of Agriculture and Consumer Services  
1725 shall issue a license if the applicant:

1726 (a) Is a resident of the United States and a citizen of the  
1727 United States or a permanent resident alien of the United  
1728 States, as determined by the United States Bureau of Citizenship  
1729 and Immigration Services, or is a consular security official of  
1730 a foreign government that maintains diplomatic relations and  
1731 treaties of commerce, friendship, and navigation with the United  
1732 States and is certified as such by the foreign government and by  
1733 the appropriate embassy in this country;

1734 (b) Is 21 years of age or older;

1735 (c) Does not suffer from a physical infirmity which  
1736 prevents the safe handling of a weapon or firearm;

1737 (d) Is not ineligible to possess a firearm pursuant to s.  
1738 790.23 by virtue of having been convicted of a felony;

1739 (e) Has not been committed for the abuse of a controlled  
1740 substance or been found guilty of a crime under the provisions

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1741 of chapter 893 or similar laws of any other state relating to  
1742 controlled substances within a 3-year period immediately  
1743 preceding the date on which the application is submitted;

1744 (f) Does not chronically and habitually use alcoholic  
1745 beverages or other substances to the extent that his or her  
1746 normal faculties are impaired. It shall be presumed that an  
1747 applicant chronically and habitually uses alcoholic beverages or  
1748 other substances to the extent that his or her normal faculties  
1749 are impaired if the applicant has been committed under chapter  
1750 397 or under the provisions of former chapter 396 or has been  
1751 convicted under s. 790.151 or has been deemed a habitual  
1752 offender under s. 856.011(3), or has had two or more convictions  
1753 under s. 316.193 or similar laws of any other state, within the  
1754 3-year period immediately preceding the date on which the  
1755 application is submitted;

1756 (g) Desires a legal means to carry a concealed weapon or  
1757 firearm for lawful self-defense;

1758 (h) Demonstrates competence with a firearm by any one of  
1759 the following:

1760 1. Completion of any hunter education or hunter safety  
1761 course approved by the Fish and Wildlife Conservation Commission  
1762 or a similar agency of another state;

1763 2. Completion of any National Rifle Association firearms  
1764 safety or training course;

1765 3. Completion of any firearms safety or training course or  
1766 class available to the general public offered by a law  
1767 enforcement agency, junior college, college, or private or  
1768 public institution or organization or firearms training school,  
1769 using ~~utilizing~~ instructors certified by the National Rifle

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1770 Association, Criminal Justice Standards and Training Commission,  
1771 or the Department of Agriculture and Consumer Services;

1772 4. Completion of any law enforcement firearms safety or  
1773 training course or class offered for security guards,  
1774 investigators, special deputies, or any division or subdivision  
1775 of a law enforcement agency or security enforcement;

1776 5. Presents evidence of equivalent experience with a  
1777 firearm through participation in organized shooting competition  
1778 or military service;

1779 6. Is licensed or has been licensed to carry a firearm in  
1780 this state or a county or municipality of this state, unless  
1781 such license has been revoked for cause; or

1782 7. Completion of any firearms training or safety course or  
1783 class conducted by a state-certified or National Rifle  
1784 Association certified firearms instructor;

1785  
1786 A photocopy of a certificate of completion of any of the courses  
1787 or classes; ~~or~~ an affidavit from the instructor, school, club,  
1788 organization, or group that conducted or taught such ~~said~~ course  
1789 or class attesting to the completion of the course or class by  
1790 the applicant; or a copy of any document that ~~which~~ shows  
1791 completion of the course or class or evidences participation in  
1792 firearms competition shall constitute evidence of qualification  
1793 under this paragraph. A; ~~any~~ person who conducts a course  
1794 pursuant to subparagraph 2., subparagraph 3., or subparagraph  
1795 7., or who, as an instructor, attests to the completion of such  
1796 courses, must maintain records certifying that he or she  
1797 observed the student safely handle and discharge the firearm in  
1798 his or her physical presence and that the discharge of the

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1799 firearm included live fire using a firearm and ammunition as  
1800 defined in s. 790.001;

1801 (i) Has not been adjudicated an incapacitated person under  
1802 s. 744.331, or similar laws of any other state, unless 5 years  
1803 have elapsed since the applicant's restoration to capacity by  
1804 court order;

1805 (j) Has not been committed to a mental institution under  
1806 chapter 394, or similar laws of any other state, unless the  
1807 applicant produces a certificate from a licensed psychiatrist  
1808 that he or she has not suffered from disability for at least 5  
1809 years before ~~prior to~~ the date of submission of the application;

1810 (k) Has not had adjudication of guilt withheld or  
1811 imposition of sentence suspended on any felony ~~or misdemeanor~~  
1812 ~~crime of domestic violence~~ unless 3 years have elapsed since  
1813 probation or any other conditions set by the court have been  
1814 fulfilled, or expunction has occurred ~~the record has been sealed~~  
1815 ~~or expunged;~~

1816 (l) Has not had adjudication of guilt withheld or  
1817 imposition of sentence suspended on any misdemeanor crime of  
1818 domestic violence unless 3 years have elapsed since probation or  
1819 any other conditions set by the court have been fulfilled, or  
1820 the record has been sealed or expunged;

1821 (m) ~~(l)~~ Has not been issued an injunction that is currently  
1822 in force and effect and that restrains the applicant from  
1823 committing acts of domestic violence or acts of repeat violence;  
1824 and

1825 (n) ~~(m)~~ Is not prohibited from purchasing or possessing a  
1826 firearm by any other provision of Florida or federal law.

1827 (4) The application shall be completed, under oath, on a

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1828 form adopted ~~promulgated~~ by the Department of Agriculture and  
1829 Consumer Services and shall include:

1830 (a) The name, address, place of birth, ~~and~~ date of birth,  
1831 and race, ~~and occupation~~ of the applicant;

1832 (b) A statement that the applicant is in compliance with  
1833 criteria contained within subsections (2) and (3);

1834 (c) A statement that the applicant has been furnished a  
1835 copy of this chapter and is knowledgeable of its provisions;

1836 (d) A conspicuous warning that the application is executed  
1837 under oath and that a false answer to any question, or the  
1838 submission of any false document by the applicant, subjects the  
1839 applicant to criminal prosecution under s. 837.06; ~~and~~

1840 (e) A statement that the applicant desires a concealed  
1841 weapon or firearms license as a means of lawful self-defense;  
1842 and.

1843 (f) Directions for an applicant who is a servicemember, as  
1844 defined in s. 250.01, or a veteran, as defined in s. 1.01, to  
1845 request expedited processing of his or her application.

1846 (5) The applicant shall submit to the Department of  
1847 Agriculture and Consumer Services or an approved tax collector  
1848 pursuant to s. 790.0625:

1849 (a) A completed application as described in subsection (4).

1850 (b) A nonrefundable license fee of up to \$60 ~~\$70~~ if he or  
1851 she has not previously been issued a statewide license or of up  
1852 to \$50 ~~\$60~~ for renewal of a statewide license. The cost of  
1853 processing fingerprints as required in paragraph (c) shall be  
1854 borne by the applicant. However, an individual holding an active  
1855 certification from the Criminal Justice Standards and Training  
1856 Commission as a law enforcement officer, correctional officer,



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1857 or correctional probation officer as defined in s. 943.10(1),  
1858 (2), (3), (6), (7), (8), or (9) is exempt from the licensing  
1859 requirements of this section. If such individual wishes to  
1860 receive a concealed weapon ~~weapons~~ or firearm ~~firearms~~ license,  
1861 he or she is exempt from the background investigation and all  
1862 background investigation fees, but must pay the current license  
1863 fees regularly required to be paid by nonexempt applicants.  
1864 Further, a law enforcement officer, a correctional officer, or a  
1865 correctional probation officer as defined in s. 943.10(1), (2),  
1866 or (3) is exempt from the required fees and background  
1867 investigation for ~~a period of~~ 1 year after his or her  
1868 retirement.

1869 (c) A full set of fingerprints of the applicant  
1870 administered by a law enforcement agency or the Division of  
1871 Licensing of the Department of Agriculture and Consumer Services  
1872 or an approved tax collector pursuant to s. 790.0625 together  
1873 with any personal identifying information required by federal  
1874 law to process fingerprints.

1875 (d) A photocopy of a certificate, affidavit, or document as  
1876 described in paragraph (2)(h).

1877 (e) A full frontal view color photograph of the applicant  
1878 taken within the preceding 30 days, in which the head, including  
1879 hair, measures 7/8 of an inch wide and 1 1/8 inches high.

1880 (f) For expedited processing of an application:

1881 1. A servicemember shall submit a copy of the Common Access  
1882 Card, United States Uniformed Services Identification Card, or  
1883 current deployment orders.

1884 2. A veteran shall submit a copy of the DD Form 214, issued  
1885 by the United States Department of Defense, or another

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1886 acceptable form of identification as specified by the Department  
1887 of Veterans' Affairs.

1888 (6)

1889 (f) The Department of Agriculture and Consumer Services  
1890 shall, upon receipt of a completed application and the  
1891 identifying information required under paragraph (5) (f),  
1892 expedite the processing of a servicemember's or a veteran's  
1893 concealed weapon or firearm license application.

1894 (10) A license issued under this section shall be suspended  
1895 or revoked pursuant to chapter 120 if the licensee:

1896 (a) Is found to be ineligible under the criteria set forth  
1897 in subsection (2);

1898 (b) Develops or sustains a physical infirmity which  
1899 prevents the safe handling of a weapon or firearm;

1900 (c) Is convicted of a felony which would make the licensee  
1901 ineligible to possess a firearm pursuant to s. 790.23;

1902 (d) Is found guilty of a crime under the provisions of  
1903 chapter 893, or similar laws of any other state, relating to  
1904 controlled substances;

1905 (e) Is committed as a substance abuser under chapter 397,  
1906 or is deemed a habitual offender under s. 856.011(3), or similar  
1907 laws of any other state;

1908 (f) Is convicted of a second violation of s. 316.193, or a  
1909 similar law of another state, within 3 years after ~~of~~ a first  
1910 ~~previous~~ conviction of such section, or similar law of another  
1911 state, even though the first violation may have occurred before  
1912 ~~prior to~~ the date on which the application was submitted;

1913 (g) Is adjudicated an incapacitated person under s.  
1914 744.331, or similar laws of any other state; or

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1915 (h) Is committed to a mental institution under chapter 394,  
 1916 or similar laws of any other state.

1917  
 1918 Notwithstanding s. 120.60(5), notice by the Department of  
 1919 Agriculture and Consumer Services of the suspension or  
 1920 revocation of a concealed weapon or firearm license of this  
 1921 state or the suspension of the processing of an application for  
 1922 such license must be by personal delivery to the licensee or  
 1923 applicant or by mail in an envelope, first class, postage  
 1924 prepaid, addressed to the licensee or applicant at his or her  
 1925 last known mailing address provided to the department. Such  
 1926 mailing by the department constitutes notice, and any failure by  
 1927 the person to receive the mailed notice does not stay the  
 1928 effective date or term of the suspension or revocation. A  
 1929 request for a hearing must be filed with the department within  
 1930 21 days if notice was received by personal delivery, or within  
 1931 26 days after the date the department deposited the notice in  
 1932 the United States mail (21 days plus 5 days for mailing). Proof  
 1933 of the giving of notice shall be made by entry in the records of  
 1934 the department that such notice was given. The entry is  
 1935 admissible in the courts of this state and constitutes  
 1936 sufficient proof that notice was given.

1937 Section 38. Effective upon this act becoming a law,  
 1938 paragraph (a) of subsection (11) of section 790.06, Florida  
 1939 Statutes, is amended to read:

1940 790.06 License to carry concealed weapon or firearm.—

1941 (11) (a) At least ~~No less than~~ 90 days before the expiration  
 1942 date of the license, the Department of Agriculture and Consumer  
 1943 Services shall mail to each licensee a written notice of the

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1944 expiration and a renewal form prescribed by the Department of  
 1945 Agriculture and Consumer Services. The licensee must renew his  
 1946 or her license on or before the expiration date by filing with  
 1947 the Department of Agriculture and Consumer Services the renewal  
 1948 form containing an a-notarized affidavit submitted under oath  
 1949 and under penalty of perjury stating that the licensee remains  
 1950 qualified pursuant to the criteria specified in subsections (2)  
 1951 and (3), a color photograph as specified in paragraph (5)(e),  
 1952 and the required renewal fee. Out-of-state residents must also  
 1953 submit a complete set of fingerprints and fingerprint processing  
 1954 fee. The license shall be renewed upon receipt of the completed  
 1955 renewal form, color photograph, appropriate payment of fees,  
 1956 and, if applicable, fingerprints. Additionally, a licensee who  
 1957 fails to file a renewal application on or before its expiration  
 1958 date must renew his or her license by paying a late fee of \$15.  
 1959 A license may not be renewed 180 days or more after its  
 1960 expiration date, and such a license is deemed to be permanently  
 1961 expired. A person whose license has been permanently expired may  
 1962 reapply for licensure; however, an application for licensure and  
 1963 fees under subsection (5) must be submitted, and a background  
 1964 investigation shall be conducted pursuant to this section. A  
 1965 person who knowingly files false information under this  
 1966 subsection is subject to criminal prosecution under s. 837.06.

1967 Section 39. Subsection (8) is added to section 790.0625,  
 1968 Florida Statutes, to read:

1969 790.0625 Appointment of tax collectors to accept  
 1970 applications for a concealed weapon or firearm license; fees;  
 1971 penalties.—

1972 (8) Upon receipt of a completed renewal application, a new

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1973 color photograph, and appropriate payment of fees, a tax  
 1974 collector authorized to accept renewal applications for  
 1975 concealed weapon or firearm licenses under this section may,  
 1976 upon approval and confirmation of license issuance by the  
 1977 department, print and deliver a concealed weapon or firearm  
 1978 license to a licensee renewing his or her license at the tax  
 1979 collector's office.

1980 Section 40. Subsection (1) and paragraph (d) of subsection  
 1981 (3) of section 559.9285, Florida Statutes, are amended to read:  
 1982 559.9285 Certification of business activities.—

1983 (1) Each certifying party, as defined in s. 559.927(2):

1984 (a) Which does not offer for sale, at wholesale or retail,  
 1985 prearranged travel or ~~tourist-related services, or tour-guide~~  
 1986 ~~services~~ for individuals or groups directly to any terrorist  
 1987 state and which originate in Florida;

1988 (b) Which offers for sale, at wholesale or retail, only  
 1989 prearranged travel or ~~tourist-related services, or tour-guide~~  
 1990 ~~services~~ for individuals or groups directly to any terrorist  
 1991 state and which originate in Florida, but engages in no other  
 1992 business dealings or commerce with any terrorist state; or

1993 (c) Which offers for sale, at wholesale or retail,  
 1994 prearranged travel or ~~tourist-related services, or tour-guide~~  
 1995 ~~services~~ for individuals or groups directly to any terrorist  
 1996 state and which originate in Florida, and also engages in any  
 1997 other business dealings or commerce with any terrorist state,

1998  
 1999 shall annually certify its business activities by filing a  
 2000 disclosure statement with the department which accurately  
 2001 represents the scope of the seller's business activities

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2002 according to the criteria provided in paragraph (a), paragraph  
2003 (b), or paragraph (c).

2004 (3) The department shall specify by rule the form of each  
2005 certification under this section which shall include the  
2006 following information:

2007 (d) The type of all prearranged travel or tourist-related  
2008 services, ~~or tour-guide services~~ that the certifying party  
2009 offers for sale to individuals or groups traveling directly to  
2010 any terrorist state and that originate in Florida, and the  
2011 frequency with which such services are offered.

2012 Section 41. Subsection (2) of section 559.937, Florida  
2013 Statutes, is amended to read:

2014 559.937 Criminal penalties.—Any person or business that  
2015 violates this part:

2016 (2) Which violation directly or indirectly pertains to an  
2017 offer to sell, at wholesale or retail, prearranged travel or  
2018 tourist-related services, ~~or tour-guide services~~ for individuals  
2019 or groups directly to any terrorist state and which originate in  
2020 Florida, commits a felony of the third degree, punishable as  
2021 provided in s. 775.082 or s. 775.083.

2022 Section 42. Except as otherwise expressly provided in this  
2023 act, this act shall take effect July 1, 2016.