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CS/HB 327, Engrossed 1

2017 Legislature

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 2 An act relating to household movers and moving
 3 brokers; amending s. 507.03, F.S.; requiring the
 4 Department of Agriculture and Consumer Services to
 5 deny or refuse to renew the registration of a mover or
 6 a moving broker under certain circumstances; amending
 7 s. 507.07, F.S.; prohibiting a mover or moving broker
 8 from knowingly refusing or failing to disclose in
 9 writing specified criminal information under certain
 10 circumstances; amending ss. 507.09 and 507.10, F.S.,
 11 relating to administrative remedies and civil
 12 penalties, respectively; requiring the department to
 13 impose either a civil penalty or an administrative
 14 fine for failure to disclose in writing specified
 15 criminal information; providing an effective date.

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

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 19 Section 1. Present subsections (9) and (10) of section
 20 507.03, Florida Statutes, are redesignated as subsections (10)
 21 and (11), respectively, and a new subsection (9) is added to
 22 that section to read:

23 507.03 Registration.—

24 (9) The department shall deny or refuse to renew the
 25 registration of a mover or a moving broker or deny a

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26 | registration or renewal request by any of the mover's or moving
 27 | broker's directors, officers, owners, or general partners if the
 28 | mover or moving broker has not satisfied a civil penalty or
 29 | administrative fine for a violation of s. 507.07(9).

30 | Section 2. Subsection (9) is added to section 507.07,
 31 | Florida Statutes, to read:

32 | 507.07 Violations.—It is a violation of this chapter:

33 | (9) For a mover or a moving broker to knowingly refuse or
 34 | fail to disclose in writing to a customer before a household
 35 | move that the mover, or an employee or subcontractor of the
 36 | mover or moving broker, who has access to the dwelling or
 37 | property of the customer, including access to give a quote for
 38 | the move, has been convicted of a felony listed
 39 | in s. 775.21(4)(a)1. or convicted of a similar offense of
 40 | another jurisdiction, regardless of when such felony offense was
 41 | committed.

42 | Section 3. Paragraph (b) of subsection (1) of section
 43 | 507.09, Florida Statutes, is amended to read:

44 | 507.09 Administrative remedies; penalties.—

45 | (1) The department may enter an order doing one or more of
 46 | the following if the department finds that a mover or moving
 47 | broker, or a person employed or contracted by a mover or broker,
 48 | has violated or is operating in violation of this chapter or the
 49 | rules or orders issued pursuant to this chapter:

50 | (b) Imposing an administrative fine in the Class II

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51 category pursuant to s. 570.971 for each act or omission.
52 However, the department must impose an administrative fine in
53 the Class IV category for each violation of s. 507.07(9) if the
54 department does not seek a civil penalty for the same offense.

55 Section 4. Subsection (2) of section 507.10, Florida
56 Statutes, is amended to read:

57 507.10 Civil penalties; remedies.—

58 (2) The department may seek a civil penalty in the Class
59 II category pursuant to s. 570.971 for each violation of this
60 chapter. However, the department must seek a civil penalty in
61 the Class IV category for each violation of s. 507.07(9) if the
62 department does not impose an administrative fine for the same
63 offense.

64 Section 5. This act shall take effect October 1, 2017.