

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Fischer offered the following:

Amendment (with title amendment)

Between lines 2830 and 2831, insert:

Section 98. Subsection (2) of section 212.03, Florida Statutes, is amended to read:

212.03 Transient rentals tax; rate, procedure, enforcement, exemptions.—

(2) (a) The tax provided for herein shall be in addition to the total amount of the rental, shall be charged by the lessor or person receiving the rent in and by said rental arrangement to the lessee or person paying the rental, and shall be due and payable at the time of the receipt of such rental payment by the

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

14 lessor or person, as defined in this chapter, who receives said
15 rental or payment. The owner, lessor, or person receiving the
16 rent shall remit the tax to the department at the times and in
17 the manner hereinafter provided for dealers to remit taxes under
18 this chapter. The same duties imposed by this chapter upon
19 dealers in tangible personal property respecting the collection
20 and remission of the tax; the making of returns; the keeping of
21 books, records, and accounts; and the compliance with the rules
22 and regulations of the department in the administration of this
23 chapter shall apply to and be binding upon all persons who
24 manage or operate hotels, apartment houses, roominghouses,
25 tourist and trailer camps, and the rental of condominium units,
26 and to all persons who collect or receive such rents on behalf
27 of such owner or lessor taxable under this chapter.

28 (b) If a guest uses a payment system on or through an
29 advertising platform, as defined in s. 509.013, to pay for the
30 rental of a vacation rental located in this state, the
31 advertising platform shall collect and remit taxes as provided
32 in this paragraph.

33 1. An advertising platform, as defined in s. 509.013, that
34 owns, operates, or manages a vacation rental, or that is within
35 the meaning of s. 1504, s. 267(b), or s. 707(b) of the Internal
36 Revenue Code of 1986, to a person that owns, operates, or
37 manages a vacation rental shall collect and remit all taxes due

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

38 under this section and ss. 125.0104, 125.0108, 212.0305, and
39 212.055 related to the rental.

40 2. An advertising platform not subject to subparagraph 1.
41 shall collect and remit all taxes due under this section and ss.
42 125.0104, 125.0108, 212.0305, and 212.055 on the total rental
43 amount charged by the owner or operator for the use of the
44 vacation rental under those sections.

45
46 In order to facilitate the remittance of such taxes, the
47 department and counties that have elected to self-administer the
48 taxes imposed under chapter 125 must allow advertising platforms
49 to register, collect, and remit such taxes.

50 Section 99. Section 509.013, Florida Statutes, is amended
51 to read:

52 509.013 Definitions.—As used in this chapter, the term:

53 (1) "Advertising platform" means a person who:

54 (a) Provides an online application, software, website, or
55 system through which a vacation rental located in this state is
56 advertised or held out to the public as available to rent for
57 transient occupancy;

58 (b) Provides or maintains a marketplace for the renting by
59 transient occupancy of a vacation rental; and

60 (c) Provides a reservation or payment system that
61 facilitates a transaction for the renting by transient occupancy
62 of a vacation rental and for which the person collects or

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

63 receives, directly or indirectly, a fee in connection with the
64 reservation or payment service provided for such transaction.

65 (2)-(6) "Director" means the Director of the Division of
66 Hotels and Restaurants of the Department of Business and
67 Professional Regulation.

68 (3)-(1) "Division" means the Division of Hotels and
69 Restaurants of the Department of Business and Professional
70 Regulation.

71 (4)-(3) "Guest" means any patron, customer, tenant, lodger,
72 boarder, or occupant of a public lodging establishment or public
73 food service establishment.

74 (5)-(16) "Nontransient" means a guest in nontransient
75 occupancy.

76 (6)-(14) "Nontransient establishment" means any public
77 lodging establishment that is rented or leased to guests by an
78 operator whose intention is that the dwelling unit occupied will
79 be the sole residence of the guest.

80 (7)-(15) "Nontransient occupancy" means occupancy when it
81 is the intention of the parties that the occupancy will not be
82 temporary. There is a rebuttable presumption that, when the
83 dwelling unit occupied is the sole residence of the guest, the
84 occupancy is nontransient.

85 (8)-(2) "Operator" means the owner, licensee, proprietor,
86 lessee, manager, assistant manager, or appointed agent of a

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

87 public lodging establishment or public food service
88 establishment.

89 ~~(9) (a) (4) (a)~~ "Public lodging establishment" includes a
90 transient public lodging establishment as defined in
91 subparagraph 1. and a nontransient public lodging establishment
92 as defined in subparagraph 2.

93 1. "Transient public lodging establishment" means any
94 unit, group of units, dwelling, building, or group of buildings
95 within a single complex of buildings which is rented to guests
96 more than three times in a calendar year for periods of less
97 than 30 days or 1 calendar month, whichever is less, or which is
98 advertised or held out to the public as a place regularly rented
99 to guests.

100 2. "Nontransient public lodging establishment" means any
101 unit, group of units, dwelling, building, or group of buildings
102 within a single complex of buildings which is rented to guests
103 for periods of at least 30 days or 1 calendar month, whichever
104 is less, or which is advertised or held out to the public as a
105 place regularly rented to guests for periods of at least 30 days
106 or 1 calendar month.

107
108 License classifications of public lodging establishments, and
109 the definitions therefor, are set out in s. 509.242. For the
110 purpose of licensure, the term does not include condominium
111 common elements as defined in s. 718.103.

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

112 (b) The following are excluded from the definitions in
113 paragraph (a):

114 1. Any dormitory or other living or sleeping facility
115 maintained by a public or private school, college, or university
116 for the use of students, faculty, or visitors.

117 2. Any facility certified or licensed and regulated by the
118 Agency for Health Care Administration or the Department of
119 Children and Families or other similar place regulated under s.
120 381.0072.

121 3. Any place renting four rental units or less, unless the
122 rental units are advertised or held out to the public to be
123 places that are regularly rented to transients.

124 4. Any unit or group of units in a condominium,
125 cooperative, or timeshare plan and any individually or
126 collectively owned one-family, two-family, three-family, or
127 four-family dwelling house or dwelling unit that is rented for
128 periods of at least 30 days or 1 calendar month, whichever is
129 less, and that is not advertised or held out to the public as a
130 place regularly rented for periods of less than 1 calendar
131 month, provided that no more than four rental units within a
132 single complex of buildings are available for rent.

133 5. Any migrant labor camp or residential migrant housing
134 permitted by the Department of Health under ss. 381.008-
135 381.00895.

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

136 6. Any establishment inspected by the Department of Health
137 and regulated by chapter 513.

138 7. Any nonprofit organization that operates a facility
139 providing housing only to patients, patients' families, and
140 patients' caregivers and not to the general public.

141 8. Any apartment building inspected by the United States
142 Department of Housing and Urban Development or other entity
143 acting on the department's behalf that is designated primarily
144 as housing for persons at least 62 years of age. The division
145 may require the operator of the apartment building to attest in
146 writing that such building meets the criteria provided in this
147 subparagraph. The division may adopt rules to implement this
148 requirement.

149 9. Any roominghouse, boardinghouse, or other living or
150 sleeping facility that may not be classified as a hotel, motel,
151 timeshare project, vacation rental, nontransient apartment, bed
152 and breakfast inn, or transient apartment under s. 509.242.

153 (10) (a) (5) (a) "Public food service establishment" means
154 any building, vehicle, place, or structure, or any room or
155 division in a building, vehicle, place, or structure where food
156 is prepared, served, or sold for immediate consumption on or in
157 the vicinity of the premises; called for or taken out by
158 customers; or prepared before ~~prior to~~ being delivered to
159 another location for consumption. The term includes a culinary
160 education program, as defined in s. 381.0072(2), which offers,

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

161 prepares, serves, or sells food to the general public,
162 regardless of whether it is inspected by another state agency
163 for compliance with sanitation standards.

164 (b) The following are excluded from the definition in
165 paragraph (a):

166 1. Any place maintained and operated by a public or
167 private school, college, or university:

168 a. For the use of students and faculty; or

169 b. Temporarily to serve such events as fairs, carnivals,
170 food contests, cook-offs, and athletic contests.

171 2. Any eating place maintained and operated by a church or
172 a religious, nonprofit fraternal, or nonprofit civic
173 organization:

174 a. For the use of members and associates; or

175 b. Temporarily to serve such events as fairs, carnivals,
176 food contests, cook-offs, or athletic contests.

177

178 Upon request by the division, a church or a religious, nonprofit
179 fraternal, or nonprofit civic organization claiming an exclusion
180 under this subparagraph must provide the division documentation
181 of its status as a church or a religious, nonprofit fraternal,
182 or nonprofit civic organization.

183 3. Any eating place maintained and operated by an
184 individual or entity at a food contest, cook-off, or a temporary
185 event lasting from 1 to 3 days which is hosted by a church or a

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

186 religious, nonprofit fraternal, or nonprofit civic organization.
187 Upon request by the division, the event host must provide the
188 division documentation of its status as a church or a religious,
189 nonprofit fraternal, or nonprofit civic organization.

190 4. Any eating place located on an airplane, train, bus, or
191 watercraft which is a common carrier.

192 5. Any eating place maintained by a facility certified or
193 licensed and regulated by the Agency for Health Care
194 Administration or the Department of Children and Families or
195 other similar place that is regulated under s. 381.0072.

196 6. Any place of business issued a permit or inspected by
197 the Department of Agriculture and Consumer Services under s.
198 500.12.

199 7. Any place of business where the food available for
200 consumption is limited to ice, beverages with or without
201 garnishment, popcorn, or prepackaged items sold without
202 additions or preparation.

203 8. Any theater, if the primary use is as a theater and if
204 patron service is limited to food items customarily served to
205 the admittees of theaters.

206 9. Any vending machine that dispenses any food or
207 beverages other than potentially hazardous foods, as defined by
208 division rule.

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

209 10. Any vending machine that dispenses potentially
210 hazardous food and which is located in a facility regulated
211 under s. 381.0072.

212 11. Any research and development test kitchen limited to
213 the use of employees and which is not open to the general
214 public.

215 ~~(11)(7)~~ "Single complex of buildings" means all buildings
216 or structures that are owned, managed, controlled, or operated
217 under one business name and are situated on the same tract or
218 plot of land that is not separated by a public street or
219 highway.

220 ~~(12)(8)~~ "Temporary food service event" means any event of
221 30 days or less in duration where food is prepared, served, or
222 sold to the general public.

223 ~~(13)(9)~~ "Theme park or entertainment complex" means a
224 complex comprised of at least 25 contiguous acres owned and
225 controlled by the same business entity and which contains
226 permanent exhibitions and a variety of recreational activities
227 and has a minimum of 1 million visitors annually.

228 ~~(14)(10)~~ "Third-party provider" means, for purposes of s.
229 509.049, any provider of an approved food safety training
230 program that provides training or such a training program to a
231 public food service establishment that is not under common
232 ownership or control with the provider.

233 ~~(15)(13)~~ "Transient" means a guest in transient occupancy.

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

234 ~~(16)-(11)~~ "Transient establishment" means any public
235 lodging establishment that is rented or leased to guests by an
236 operator whose intention is that such guests' occupancy will be
237 temporary.

238 ~~(17)-(12)~~ "Transient occupancy" means occupancy when it is
239 the intention of the parties that the occupancy will be
240 temporary. There is a rebuttable presumption that, when the
241 dwelling unit occupied is not the sole residence of the guest,
242 the occupancy is transient.

243 Section 100. Paragraph (c) of subsection (3) and
244 subsection (7) of section 509.032, Florida Statutes, are amended
245 to read:

246 509.032 Duties.—

247 (3) SANITARY STANDARDS; EMERGENCIES; TEMPORARY FOOD
248 SERVICE EVENTS.—The division shall:

249 (c) Administer a public notification process for temporary
250 food service events and distribute educational materials that
251 address safe food storage, preparation, and service procedures.

252 1. Sponsors of temporary food service events shall notify
253 the division not less than 3 days before the scheduled event of
254 the type of food service proposed, the time and location of the
255 event, a complete list of food service vendors participating in
256 the event, the number of individual food service facilities each
257 vendor will operate at the event, and the identification number
258 of each food service vendor's current license as a public food

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

259 service establishment or temporary food service event licensee.
260 Notification may be completed orally, by telephone, in person,
261 or in writing. A public food service establishment or food
262 service vendor may not use this notification process to
263 circumvent the license requirements of this chapter.

264 2. The division shall keep a record of all notifications
265 received for proposed temporary food service events and shall
266 provide appropriate educational materials to the event sponsors
267 and notify the event sponsors of the availability of the food-
268 recovery brochure developed under s. 595.420.

269 3.a. Unless excluded under s. 509.013 ~~s. 509.013(5)(b)~~, a
270 public food service establishment or other food service vendor
271 must obtain one of the following classes of license from the
272 division: an individual license, for a fee of no more than \$105,
273 for each temporary food service event in which it participates;
274 or an annual license, for a fee of no more than \$1,000, that
275 entitles the licensee to participate in an unlimited number of
276 food service events during the license period. The division
277 shall establish license fees, by rule, and may limit the number
278 of food service facilities a licensee may operate at a
279 particular temporary food service event under a single license.

280 b. Public food service establishments holding current
281 licenses from the division may operate under the regulations of
282 such a license at temporary food service events.

283 (7) PREEMPTION AUTHORITY.—

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

284 (a) The regulation of public lodging establishments,
285 including vacation rentals, and public food service
286 establishments, including, but not limited to, sanitation
287 standards, licensing, inspections, training and testing of
288 personnel, and matters related to the nutritional content and
289 marketing of foods offered in such establishments, is expressly
290 preempted to the state. A local law, ordinance, or regulation
291 may not allow or require the local inspection or licensing of
292 public lodging establishments, including vacation rentals, or
293 public food service establishments. This paragraph does not
294 preempt the authority of a local government or local enforcement
295 district to conduct inspections of public lodging and public
296 food service establishments for compliance with the Florida
297 Building Code and the Florida Fire Prevention Code, pursuant to
298 ss. 553.80 and 633.206.

299 (b) A local law, ordinance, or regulation may regulate
300 activities that arise when a property is used as a vacation
301 rental if the law, ordinance, or regulation applies uniformly to
302 all residential properties without regard to whether the
303 property is used as a vacation rental as defined in s. 509.242,
304 the property is used as a long-term rental subject to chapter
305 83, or the property owner chooses not to rent the property.
306 However, a local law, ordinance, or regulation may not prohibit
307 vacation rentals or regulate the duration or frequency of rental
308 of vacation rentals. The prohibitions set forth in this

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

309 paragraph ~~do~~ does not apply to any local law, ordinance, or
310 regulation adopted on or before June 1, 2011, including when
311 such law, ordinance, or regulation is being amended to be less
312 restrictive with regard to a prohibition, or duration, or
313 frequency regulation.

314 (c) Paragraph (b) and the provisions of paragraph (a)
315 relating to the licensing of vacation rentals do ~~does~~ not apply
316 to any local law, ordinance, or regulation adopted on or before
317 June 1, 2011, in any jurisdiction within ~~exclusively relating to~~
318 ~~property valuation as a criterion for vacation rental if the~~
319 ~~local law, ordinance, or regulation is required to be approved~~
320 ~~by the state land planning agency pursuant to an area of~~
321 ~~critical state concern, as designated by s. 380.0552 or chapter~~
322 ~~28-36, Florida Administrative Code. Any such local law,~~
323 ordinance, or regulation may be amended so long as the amendment
324 is not more restrictive than the existing local law, ordinance,
325 or regulation.

326 (d) The regulation of advertising platforms is preempted
327 to the state and shall be regulated under this chapter
328 designation.

329 Section 101. Effective January 1, 2021, subsection (3) of
330 section 509.241, Florida Statutes, is amended to read:

331 509.241 Licenses required; exceptions.—

332 (3) DISPLAY OF LICENSE.—Any license issued by the division
333 must ~~shall~~ be conspicuously displayed to the public inside ~~in~~

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

334 the ~~office or lobby of the~~ licensed establishment. Public food
335 service establishments that which offer catering services must
336 ~~shall~~ display their license number on all advertising for
337 catering services. The owner or operator of a vacation rental
338 offered for transient occupancy through an advertising platform
339 must also display the vacation rental license number and the
340 applicable Florida sales tax registration and tourist
341 development tax account numbers under which such taxes must be
342 paid for each rental of the property as a vacation rental.

343 Section 102. Effective January 1, 2021, section 509.243,
344 Florida Statutes, is created to read:

345 509.243 Advertising platforms.-

346 (1) (a) An advertising platform must require that a person
347 who places an advertisement for the rental of a vacation rental
348 for transient occupancy:

349 1. Include in the advertisement the vacation rental
350 license number and the applicable Florida sales tax registration
351 and tourist development tax account numbers under which such
352 taxes must be paid before the advertisement may be listed; and

353 2. Attest to the best of his or her knowledge that the
354 vacation rental license number and the applicable Florida sales
355 tax registration and tourist development tax account numbers are
356 current, valid, and accurately stated in the advertisement.

357 (b) An advertising platform must display the vacation
358 rental license number and the applicable Florida sales tax

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

359 registration and tourist development tax account numbers. The
360 advertising platform must verify that the vacation rental
361 license number provided by the owner or operator is valid and
362 applies to the subject vacation rental before publishing the
363 advertisement on its platform and again at the end of each
364 calendar quarter that the advertisement remains on its platform.

365 (c) The division shall maintain vacation rental license
366 information in a readily accessible electronic format that is
367 sufficient to facilitate prompt compliance with the requirements
368 of this subsection by an advertising platform or a person
369 placing an advertisement on an advertising platform for rental
370 of a vacation rental for transient occupancy.

371 (2) An advertising platform must provide to the division
372 on a quarterly basis, by file transfer protocol or electronic
373 data exchange file, a list of all vacation rentals located in
374 this state that are advertised on its platform, along with the
375 following information for each vacation rental:

376 (a) The uniform resource locator for the Internet address
377 of the vacation rental advertisement.

378 (b) Unless otherwise stated in the vacation rental
379 advertisement at the Internet address provided pursuant to
380 paragraph (a), the physical address of the vacation rental,
381 including any unit designation, the vacation rental license
382 number provided by the owner or operator, and the applicable
383 Florida sales tax registration and tourist development tax

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

384 account numbers under which taxes will be remitted for the
385 rentals commenced through the advertisement.

386 (3) An advertising platform must remove from public view
387 an advertisement from its online application, software, website,
388 or system within 15 business days after being notified by the
389 division in writing that the subject advertisement for the
390 rental of a vacation rental located in this state fails to
391 display a valid vacation rental license number issued by the
392 division.

393 (4) If a guest uses a payment system on or through an
394 advertising platform to pay for the rental of a vacation rental
395 located in this state, the advertising platform shall collect
396 and remit all taxes imposed under ss. 125.0104, 125.0108,
397 212.03, 212.0305, and 212.055 related to the rental as provided
398 in s. 212.03(2) (b).

399 (5) If the division has probable cause to believe that a
400 person not licensed by the division has violated this chapter,
401 or any rule adopted pursuant to this chapter, the division may
402 issue and deliver to such person a notice to cease and desist
403 from the violation. The issuance of a notice to cease and desist
404 does not constitute agency action for which a hearing under ss.
405 120.569 and 120.57 may be sought. For the purpose of enforcing a
406 cease and desist notice, the division may file a proceeding in
407 the name of the state seeking the issuance of an injunction or a
408 writ of mandamus against any person who violates any provision

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

409 of the notice. If the department is required to seek enforcement
410 of the notice for a penalty pursuant to s. 120.569, it is
411 entitled to collect its attorney fees and costs, together with
412 any cost of collection.

413 (6) Advertising platforms must adopt an antidiscrimination
414 policy to help prevent discrimination among their users and must
415 inform all users of their services that it is illegal to refuse
416 accommodation to an individual based on race, creed, color, sex,
417 pregnancy, physical disability, or national origin pursuant to
418 s. 509.092.

419 Section 103. Paragraphs (n) and (o) of subsection (2) and
420 paragraph (e) of subsection (6) of section 775.21, Florida
421 Statutes, are amended to read:

422 775.21 The Florida Sexual Predators Act.—

423 (2) DEFINITIONS.—As used in this section, the term:

424 (n) "Temporary residence" means a place where a the person
425 abides, lodges, or resides, including, but not limited to,
426 vacation, business, or personal travel destinations in or out of
427 this state, for a period of 3 or more days in the aggregate
428 during any calendar year and which is not the person's permanent
429 address or, for a person whose permanent residence is not in
430 this state, a place where the person is employed, practices a
431 vocation, or is enrolled as a student for any period of time in
432 this state. The term includes a place where a person lodges in a
433 vacation rental, as defined in s. 509.242, for 24 hours or more.

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

434 (o) "Transient residence" means a county where a person
435 lives, remains, or is located for a period of 3 or more days in
436 the aggregate during a calendar year and which is not the
437 person's permanent or temporary address. The term includes, but
438 is not limited to, a place where the person sleeps or seeks
439 shelter and a location that has no specific street address. The
440 term also includes a county where a person lodges in a vacation
441 rental, as defined in s. 509.242, for 24 hours or more.

442 (6) REGISTRATION.—

443 (e)1. If the sexual predator is not in the custody or
444 control of, or under the supervision of, the Department of
445 Corrections or is not in the custody of a private correctional
446 facility, the sexual predator shall register in person:

447 a. At the sheriff's office in the county where he or she
448 establishes or maintains a residence within 24 hours after
449 establishing or maintaining a temporary residence or transient
450 residence in a vacation rental or 48 hours after establishing or
451 maintaining any other a residence in this state; and

452 b. At the sheriff's office in the county where he or she
453 was designated a sexual predator by the court within 48 hours
454 after such finding is made.

455 2. Any change that occurs after the sexual predator
456 registers in person at the sheriff's office as provided in
457 subparagraph 1. in any of the following information related to
458 the sexual predator must be reported as provided in paragraphs

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

459 (g), (i), and (j): permanent, temporary, or transient residence;
460 name; vehicles owned; electronic mail addresses; Internet
461 identifiers and each Internet identifier's corresponding website
462 homepage or application software name; home and cellular
463 telephone numbers; employment information; and change in status
464 at an institution of higher education. When a sexual predator
465 registers with the sheriff's office, the sheriff shall take a
466 photograph, a set of fingerprints, and palm prints of the
467 predator and forward the photographs, palm prints, and
468 fingerprints to the department, along with the information that
469 the predator is required to provide pursuant to this section.

470 Section 104. Subsection (12) of section 159.27, Florida
471 Statutes, is amended to read:

472 159.27 Definitions.—The following words and terms, unless
473 the context clearly indicates a different meaning, shall have
474 the following meanings:

475 (12) "Public lodging or restaurant facility" means
476 property used for any public lodging establishment as defined in
477 s. 509.242 or public food service establishment as defined in s.
478 509.013 ~~s. 509.013(5)~~ if it is part of the complex of, or
479 necessary to, another facility qualifying under this part.

480 Section 105. Paragraph (jj) of subsection (7) of section
481 212.08, Florida Statutes, is amended to read:

482 212.08 Sales, rental, use, consumption, distribution, and
483 storage tax; specified exemptions.—The sale at retail, the

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

484 rental, the use, the consumption, the distribution, and the
485 storage to be used or consumed in this state of the following
486 are hereby specifically exempt from the tax imposed by this
487 chapter.

488 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
489 entity by this chapter do not inure to any transaction that is
490 otherwise taxable under this chapter when payment is made by a
491 representative or employee of the entity by any means,
492 including, but not limited to, cash, check, or credit card, even
493 when that representative or employee is subsequently reimbursed
494 by the entity. In addition, exemptions provided to any entity by
495 this subsection do not inure to any transaction that is
496 otherwise taxable under this chapter unless the entity has
497 obtained a sales tax exemption certificate from the department
498 or the entity obtains or provides other documentation as
499 required by the department. Eligible purchases or leases made
500 with such a certificate must be in strict compliance with this
501 subsection and departmental rules, and any person who makes an
502 exempt purchase with a certificate that is not in strict
503 compliance with this subsection and the rules is liable for and
504 shall pay the tax. The department may adopt rules to administer
505 this subsection.

506 (jj) Complimentary meals.—Also exempt from the tax imposed
507 by this chapter are food or drinks that are furnished as part of
508 a packaged room rate by any person offering for rent or lease

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

509 any transient living accommodations as described in s. 509.013
510 ~~s. 509.013(4)(a)~~ which are licensed under part I of chapter 509
511 and which are subject to the tax under s. 212.03, if a separate
512 charge or specific amount for the food or drinks is not shown.
513 Such food or drinks are considered to be sold at retail as part
514 of the total charge for the transient living accommodations.
515 Moreover, the person offering the accommodations is not
516 considered to be the consumer of items purchased in furnishing
517 such food or drinks and may purchase those items under
518 conditions of a sale for resale.

519 Section 106. Paragraph (b) of subsection (4) of section
520 316.1955, Florida Statutes, is amended to read:

521 316.1955 Enforcement of parking requirements for persons
522 who have disabilities.—

523 (4)

524 (b) Notwithstanding paragraph (a), a theme park or an
525 entertainment complex as defined in s. 509.013 ~~s. 509.013(9)~~
526 which provides parking in designated areas for persons who have
527 disabilities may allow any vehicle that is transporting a person
528 who has a disability to remain parked in a space reserved for
529 persons who have disabilities throughout the period the theme
530 park is open to the public for that day.

531 Section 107. Subsection (5) of section 404.056, Florida
532 Statutes, is amended to read:

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

533 404.056 Environmental radiation standards and projects;
534 certification of persons performing measurement or mitigation
535 services; mandatory testing; notification on real estate
536 documents; rules.—

537 (5) NOTIFICATION ON REAL ESTATE DOCUMENTS.—Notification
538 shall be provided on at least one document, form, or application
539 executed at the time of, or prior to, contract for sale and
540 purchase of any building or execution of a rental agreement for
541 any building. Such notification shall contain the following
542 language:

543 "RADON GAS: Radon is a naturally occurring radioactive gas
544 that, when it has accumulated in a building in sufficient
545 quantities, may present health risks to persons who are exposed
546 to it over time. Levels of radon that exceed federal and state
547 guidelines have been found in buildings in Florida. Additional
548 information regarding radon and radon testing may be obtained
549 from your county health department."

550 The requirements of this subsection do not apply to any
551 residential transient occupancy, as described in s. 509.013 ~~s.~~
552 ~~509.013(12)~~, provided that such occupancy is 45 days or less in
553 duration.

554 Section 108. Subsection (6) of section 477.0135, Florida
555 Statutes, is amended to read:

556 477.0135 Exemptions.—

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

557 (6) A license is not required of any individual providing
558 makeup or special effects services in a theme park or
559 entertainment complex to an actor, stunt person, musician,
560 extra, or other talent, or providing makeup or special effects
561 services to the general public. The term "theme park or
562 entertainment complex" has the same meaning as in s. 509.013 ~~s.~~
563 ~~509.013(9)~~.

564 Section 109. Paragraph (b) of subsection (2) of section
565 509.221, Florida Statutes, is amended to read:

566 509.221 Sanitary regulations.—

567 (2)

568 (b) Within a theme park or entertainment complex as
569 defined in s. 509.013 ~~s. 509.013(9)~~, the bathrooms are not
570 required to be in the same building as the public food service
571 establishment, so long as they are reasonably accessible.

572 Section 110. Paragraph (b) of subsection (5) of section
573 553.5041, Florida Statutes, is amended to read:

574 553.5041 Parking spaces for persons who have
575 disabilities.—

576 (5) Accessible perpendicular and diagonal accessible
577 parking spaces and loading zones must be designed and located to
578 conform to ss. 502 and 503 of the standards.

579 (b) If there are multiple entrances or multiple retail
580 stores, the parking spaces must be dispersed to provide parking
581 at the nearest accessible entrance. If a theme park or an

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

582 entertainment complex as defined in s. 509.013 ~~s. 509.013(9)~~
583 provides parking in several lots or areas from which access to
584 the theme park or entertainment complex is provided, a single
585 lot or area may be designated for parking by persons who have
586 disabilities, if the lot or area is located on the shortest
587 accessible route to an accessible entrance to the theme park or
588 entertainment complex or to transportation to such an accessible
589 entrance.

590 Section 111. Subsection (2) of section 705.17, Florida
591 Statutes, is amended to read:

592 705.17 Exceptions.—

593 (2) Sections 705.1015-705.106 do not apply to any personal
594 property lost or abandoned on premises located within a theme
595 park or entertainment complex, as defined in s. 509.013 ~~s.~~
596 ~~509.013(9)~~, or operated as a zoo, a museum, or an aquarium, or
597 on the premises of a public food service establishment or a
598 public lodging establishment licensed under part I of chapter
599 509, if the owner or operator of such premises elects to comply
600 with s. 705.185.

601 Section 112. Section 705.185, Florida Statutes, is amended
602 to read:

603 705.185 Disposal of personal property lost or abandoned on
604 the premises of certain facilities.—When any lost or abandoned
605 personal property is found on premises located within a theme
606 park or entertainment complex, as defined in s. 509.013 ~~s.~~

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

607 ~~509.013(9)~~, or operated as a zoo, a museum, or an aquarium, or
608 on the premises of a public food service establishment or a
609 public lodging establishment licensed under part I of chapter
610 509, if the owner or operator of such premises elects to comply
611 with this section, any lost or abandoned property must be
612 delivered to such owner or operator, who must take charge of the
613 property and make a record of the date such property was found.
614 If the property is not claimed by its owner within 30 days after
615 it is found, or a longer period of time as may be deemed
616 appropriate by the owner or operator of the premises, the owner
617 or operator of the premises may not sell and must dispose of the
618 property or donate it to a charitable institution that is exempt
619 from federal income tax under s. 501(c)(3) of the Internal
620 Revenue Code for sale or other disposal as the charitable
621 institution deems appropriate. The rightful owner of the
622 property may reclaim the property from the owner or operator of
623 the premises at any time before the disposal or donation of the
624 property in accordance with this section and the established
625 policies and procedures of the owner or operator of the
626 premises. A charitable institution that accepts an electronic
627 device, as defined in s. 815.03(9), access to which is not
628 secured by a password or other personal identification
629 technology, shall make a reasonable effort to delete all
630 personal data from the electronic device before its sale or
631 disposal.

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

632 Section 113. Section 717.1355, Florida Statutes, is
633 amended to read:

634 717.1355 Theme park and entertainment complex tickets.—
635 This chapter does not apply to any tickets for admission to a
636 theme park or entertainment complex as defined in s. 509.013 ~~s.~~
637 ~~509.013(9)~~, or to any tickets to a permanent exhibition or
638 recreational activity within such theme park or entertainment
639 complex.

640 Section 114. Subsection (8) of section 877.24, Florida
641 Statutes, is amended to read:

642 877.24 Nonapplication of s. 877.22.—Section 877.22 does
643 not apply to a minor who is:

644 (8) Attending an organized event held at and sponsored by
645 a theme park or entertainment complex as defined in s. 509.013
646 ~~s. 509.013(9)~~.

647 Section 115. The application of this act may not supersede
648 any current or future declaration of condominium adopted
649 pursuant to chapter 718, Florida Statutes, cooperative documents
650 adopted pursuant to chapter 719, Florida Statutes, or
651 declaration of covenants adopted pursuant to chapter 720,
652 Florida Statutes.

653 Section 116. (1) The Department of Revenue is authorized,
654 and all conditions are deemed to be met, to adopt emergency
655 rules pursuant to s. 120.54(4), Florida Statutes, for the

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

656 purpose of implementing s. 212.03, Florida Statutes, including
657 establishing procedures to facilitate the remittance of taxes.

658 (2) Notwithstanding any other provision of law, emergency
659 rules adopted pursuant to subsection (1) are effective for 6
660 months after adoption and may be renewed during the pendency of
661 procedures to adopt permanent rules addressing the subject of
662 the emergency rules.

663 (3) This section expires January 1, 2023.

664
665 -----

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

666 Remove everything before the enacting clause and insert:

667 A bill to be entitled

668 An act relating to the Department of Business and
669 Professional Regulation; providing a short title;
670 amending s. 287.055, F.S.; conforming provisions to
671 changes made by the act; amending s. 322.57, F.S.;
672 defining the term "servicemember"; requiring the
673 Department of Highway Safety and Motor Vehicles to
674 waive certain commercial driver license requirements
675 for servicemembers and veterans under certain
676 circumstances; requiring rulemaking; amending s.
677 326.004, F.S.; deleting the requirement for a yacht
678 broker to maintain a separate license for each branch
679 office; deleting the requirement for the division to
680

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

681 establish a fee; amending s. 447.02, F.S.; conforming
682 provisions to changes made by the act; repealing ss.
683 447.04, 447.041, 447.045, and 447.046, F.S., relating
684 to licensure and permit requirements for business
685 agents, hearings for persons or labor organizations
686 denied licensure as a business agent, confidential
687 information obtained during the application process,
688 and required registration of labor organizations,
689 respectively; amending s. 447.09, F.S.; deleting
690 certain prohibited actions relating to the right of
691 franchise of a member of a labor organization;
692 repealing ss. 447.12 and 447.16, F.S., relating to
693 registration fees and applicability; amending s.
694 447.305, F.S.; deleting a provision that requires
695 notification of registrations and renewals to the
696 department; amending s. 455.213, F.S.; requiring the
697 Department of Business and Professional Regulation or
698 a board to seek reciprocal licensing agreements with
699 other states under certain circumstances; providing
700 requirements; creating s. 455.2278, F.S.; providing
701 definitions; prohibiting the department or a board
702 from suspending or revoking a person's license solely
703 on the basis of a delinquency or default in the
704 payment of his or her student loan; prohibiting the
705 department or a board from suspending or revoking a

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

706 person's license solely on the basis of a default in
707 satisfying the requirements of his or her work-
708 conditional scholarship; amending s. 456.072, F.S.;
709 providing that failing to repay a student loan issued
710 or guaranteed by the state or the Federal Government
711 in accordance with the terms of the loan is not
712 considered a failure to perform a statutory or legal
713 obligation; repealing s. 456.0721, F.S., relating to
714 practitioners in default on student loan or
715 scholarship obligations; amending s. 456.074; removing
716 the requirements for immediate suspension of a health
717 care practitioner for default on a specified student
718 loan; amending s. 468.401, F.S.; revising definitions;
719 repealing ss. 468.402, 468.403, 468.404, and 468.405,
720 F.S., relating to duties and authority of the
721 Department of Business and Professional Regulation
722 with regard to licensure of talent agencies, licensure
723 requirements, license fees and renewals, and
724 qualification for a talent agency license,
725 respectively; amending s. 468.406, F.S.; requiring an
726 owner or operator of a talent agency to post an
727 itemized schedule of fees, charges, and commissions in
728 a specified place; repealing s. 468.407, F.S.,
729 relating to the form and posting requirements for a
730 license; amending s. 468.408, F.S.; conforming

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

731 provisions to changes made by the act; prohibiting
732 certain bonds from being issued or renewed by a
733 bonding agency to an owner or operator of a talent
734 agency unless the bonding agency verifies that each
735 owner or operator has not been convicted of specified
736 crimes; amending s. 468.409, F.S.; deleting a
737 requirement for record inspection; amending s.
738 468.410, F.S.; deleting a requirement to include
739 specified information in a contract between a talent
740 agency and applicant; amending s. 468.412, F.S.;
741 deleting recordkeeping and posting requirements;
742 amending s. 468.413, F.S.; revising criminal
743 penalties; conforming provisions to changes made by
744 the act; repealing s. 468.414, F.S., relating to the
745 deposit of certain funds in the Professional
746 Regulation Trust Fund; amending s. 468.415, F.S.;
747 prohibiting any agent, owner, or operator who commits
748 sexual misconduct in the operation of a talent agency
749 from acting as an agent, owner, or operator of a
750 Florida talent agency; amending s. 468.505, F.S.;
751 providing that certain unlicensed persons are not
752 prohibited or restricted from his or her practice,
753 services, or activities in dietetics and nutrition
754 under certain circumstances; amending 468.524, F.S.;
755 deleting specified exemptions from the time

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

756 restriction for an employee leasing company to reapply
757 for licensure; amending s. 468.603, F.S.; revising a
758 definition; amending s. 468.609, F.S.; revising
759 certain experience requirements for a person to take
760 the examination for certification; revising the time
761 period a provisional certificate is valid; amending s.
762 468.613, F.S.; providing for waiver of specified
763 requirements for certification under certain
764 circumstances; amending s. 468.8314, F.S.; requiring
765 an applicant for a license by endorsement to maintain
766 a specified insurance policy; requiring the department
767 to certify an applicant who holds a specified license
768 issued by another state or territory of the United
769 States under certain circumstances; amending s.
770 471.015, F.S.; revising licensure requirements for
771 engineers who hold specified licenses in another
772 state; amending s. 473.308, F.S.; deleting continuing
773 education requirements for license by endorsement for
774 certified public accountants; amending s. 474.202,
775 F.S.; revising the definition of the term "limited-
776 service veterinary medical practice" to include
777 certain vaccinations or immunizations; amending s.
778 474.203, F.S.; providing an exemption for a person
779 whose work is solely confined to microchip
780 implantation in dogs and cats; amending s. 474.207,

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

781 F.S.; revising education requirements for licensure by
782 examination; amending s. 474.217, F.S.; requiring the
783 Department of Business and Professional Regulation to
784 issue a license by endorsement to certain applicants
785 who successfully complete a specified examination;
786 amending s. 476.114, F.S.; revising training
787 requirements for licensure as a barber; amending s.
788 476.144, F.S.; requiring the department to license an
789 applicant who is licensed to practice barbering in
790 another state; amending s. 477.013, F.S.; revising the
791 definition of the term "hair braiding"; repealing s.
792 477.0132, F.S., relating to registration for hair
793 braiding, hair wrapping, and body wrapping; amending
794 s. 477.0135, F.S.; providing additional exemptions
795 from license or registration requirements for
796 specified occupations or practices; amending s.
797 477.019, F.S.; conforming provisions to changes made
798 by the act; amending s. 477.0201, F.S.; providing
799 requirements for registration as a specialist;
800 amending s. 477.026, F.S.; conforming provisions to
801 changes made by the act; amending s. 477.0263, F.S.;
802 authorizing certain persons to perform specified
803 cosmetology services in a location other than a
804 licensed salon under certain circumstances; amending
805 ss. 477.0265 and 477.029, F.S.; conforming provisions

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

806 to changes made by the act; amending s. 481.201, F.S.;

807 deleting legislative findings relating to the practice

808 of interior design; amending s. 481.203, F.S.;

809 revising definitions; amending s. 481.205, F.S.;

810 conforming provisions to changes made by the act;

811 amending s. 481.207, F.S.; revising certain fees for

812 interior designers; amending s. 481.209, F.S.;

813 providing requirements for a certificate of

814 registration and a seal for interior designers;

815 conforming provisions to changes made by the act;

816 amending s. 481.213, F.S.; revising requirements for

817 certification of licensure by endorsement for certain

818 licensees to engage in the practice of architecture;

819 providing that registration is not required for

820 specified persons to practice; amending s. 481.2131,

821 F.S.; requiring certain interior designers to include

822 a specified seal when submitting documents for the

823 issuance of a building permit; amending s. 481.215,

824 F.S.; revising the number of hours of specified

825 courses the board must require for the renewal of a

826 license or certificate of registration; authoring

827 licensees to complete certain courses online; amending

828 s. 481.217, F.S.; conforming provisions to changes

829 made by the act; amending s. 481.219, F.S.; deleting

830 provisions permitting the practice of or offer to

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

831 practice interior design through certain business
832 organizations; deleting provisions requiring
833 certificates of authorization for certain business
834 organizations offering interior design services to the
835 public; requiring a licensee or applicant in the
836 practice of architecture to qualify a business
837 organization; providing requirements; amending
838 481.221, F.S.; requiring registered architects and
839 certain business organizations to display their
840 license number in specified advertisements; amending
841 s. 481.223, F.S.; providing construction; amending s.
842 481.2251, F.S.; revising acts that constitute grounds
843 for disciplinary actions relating to interior
844 designers; amending ss. 481.229 and 481.231, F.S.;
845 conforming provisions to changes made by the act;
846 amending s. 481.303, F.S.; deleting the definition of
847 the term "certificate of authorization"; amending s.
848 481.310, F.S.; providing that an applicant who holds a
849 specified degree is not required to demonstrate 1 year
850 of practical experience for licensure; amending s.
851 481.311, F.S.; requiring the Board of Landscape
852 Architecture to certify an applicant who holds a
853 specified license issued by another state or territory
854 of the United States under certain circumstances;
855 conforming provisions; amending s. 481.313, F.S.;

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

856 | authorizing a landscape architect to receive hour-for-
857 | hour credit for certain approved continuing education
858 | courses under certain circumstances; 481.317, F.S.;
859 | conforming provisions; amending s. 481.319, F.S.;
860 | deleting the requirement for a certificate of
861 | authorization; authorizing landscape architects to
862 | practice through a corporation or partnership;
863 | amending s. 481.321, F.S.; requiring a landscape
864 | architect to display their certificate number in
865 | specified advertisements; amending s. 481.329, F.S.;
866 | conforming a cross-reference; amending s. 489.103,
867 | F.S.; revising certain contract prices for exemption;
868 | amending s. 489.111, F.S.; providing that an applicant
869 | who is exempt from a specified examination is eligible
870 | for licensure; amending s. 489.113, F.S.; providing
871 | that an applicant holding a specified degree does not
872 | have to pass a certain examination; amending s.
873 | 489.115, F.S.; requiring the Construction Industry
874 | Licensing Board to certify any applicant who holds a
875 | specified license to practice contracting issued by
876 | another state or territory of the United States under
877 | or certain persons licensed by endorsement or
878 | reciprocity under certain circumstances; amending s.
879 | 489.511, F.S.; requiring the board to certify as
880 | qualified for certification by endorsement any

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

881 applicant who holds a specified license to practice
882 electrical or alarm system contracting issued by
883 another state or territory of the United States under
884 certain circumstances; amending s. 489.517, F.S.;
885 providing a reduction in certain continuing education
886 hours required for certain contractors; amending s.
887 489.518, F.S.; requiring a person to have completed a
888 specified amount of training within a certain time
889 period to perform the duties of an alarm system agent;
890 amending s. 492.104, F.S.; conforming provisions to
891 changes made by the act; amending 492.108, F.S.;
892 requiring the department to issue a license by
893 endorsement to any applicant who has held a specified
894 license to practice geology in another state,
895 territory, or possession of the United States for a
896 certain period of time; providing that an applicant
897 may take the examination required by the board if they
898 have not met the specified examination requirement;
899 amending s. 492.111, F.S.; deleting the requirements
900 for a certificate of authorization for a professional
901 geologist; amending ss. 492.113 and 492.115, F.S.;
902 conforming provisions; creating s. 509.102, F.S.;
903 providing a definition for the term "mobile food
904 dispensing vehicles"; prohibiting a municipality,
905 county, or other local government entity from

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

906 requiring a separate license, registration, or permit
907 or fee or from operating within the jurisdiction;
908 providing applicability; amending s. 548.003, F.S.;
909 deleting the requirement that the Florida State Boxing
910 Commission adopt rules relating to a knockdown
911 timekeeper; amending s. 548.017, F.S.; deleting the
912 licensure requirement for a timekeeper or announcer;
913 amending s. 553.5141, F.S.; conforming provisions to
914 changes made by the act; amending s. 553.74, F.S.;
915 revising the membership and qualifications of the
916 Florida Building Commission; amending s. 558.002,
917 F.S.; conforming provisions to changes made by the
918 act; amending s. 823.15, F.S.; authorizing certain
919 persons to implant dogs and cats with specified radio
920 frequency identification devices under certain
921 circumstances; authorizing such persons to contact the
922 owner of record listed on such devices; amending s.
923 561.221, F.S.; authorizing the division to issue
924 vendor licenses to certain craft distilleries for the
925 sale of alcoholic beverages on the distillery's
926 licensed premises; requiring that the licensed vendor
927 premises be included on certain sketches and diagrams
928 under certain circumstances; requiring that all
929 revisions to sketches or diagrams be approved by the
930 division; requiring the division to issue permits to

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

931 craft distilleries for conducting tastings and sales
932 at certain events; requiring craft distilleries to pay
933 entry fees for such events and have a representative
934 of the distillery present at each event; requiring
935 that certain alcoholic beverages be obtained through a
936 licensed distributor, a licensed broker or sales
937 agent, or a licensed importer; amending s. 561.24,
938 F.S.; authorizing a craft distillery to be licensed as
939 a distributor under certain circumstances; amending s.
940 561.42, F.S.; prohibiting certain entities and persons
941 from directly or indirectly assisting or providing
942 specified items, monies, or services to a licensed
943 vendor; prohibiting a licensed vendor from accepting
944 specified items, monies, or services from certain
945 entities or persons; authorizing the Division of
946 Alcoholic Beverages and Tobacco adopt rules and
947 require reports to enforce, and to impose
948 administrative sanctions for a violation of
949 limitations established under the Beverage Law on
950 specified items, monies, or services; prohibiting a
951 vendor from displaying certain signs in the window or
952 windows of his or her licensed premises; authorizing
953 certain entities and persons to furnish, supply, sell,
954 rent, lend, or give certain advertising material to
955 certain vendors; defining the term "decalcomania";

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

956 providing exemptions relating to tied house evil for
957 certain sales and purchases of merchandise; providing
958 conditions for the exemptions; defining the term
959 "merchandise"; prohibiting the sale of certain
960 advertising specialties at a price higher than the
961 actual cost to the industry member; authorizing a
962 manufacturer or importer of malt beverages and a
963 vendor to enter into a written agreement for certain
964 purposes; providing requirements for such agreement;
965 defining the term "negotiated at arm's length";
966 specifying that a brand-naming rights agreement does
967 not obligate or place responsibility upon a
968 distributor; providing civil penalties; prohibiting
969 the division from imposing certain civil penalties;
970 creating s. 562.65, F.S.; providing definitions;
971 authorizing certain licensed vendors of alcoholic
972 beverages to allow dogs in certain designated areas on
973 licensed premises under specified conditions;
974 providing for liability; authorizing the Division of
975 Alcoholic Beverages and Tobacco of the Department of
976 Business and Professional Regulation to adopt rules;
977 creating s. 563.061, F.S.; providing definitions;
978 prohibiting consignment sales of malt beverages
979 between a distributor and vendor; authorizing bona
980 fide returns of malt beverages under certain

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

981 conditions; providing applicability; authorizing
982 distributors to accept returns of certain products
983 under specified conditions; providing distributor
984 requirements for such returns; providing requirements
985 for exchanges of product; providing recordkeeping
986 requirements; specifying that authorized returns are
987 not gifts, loans, or other prohibited forms of
988 financial aid or assistance; providing penalties;
989 providing for rulemaking; repealing ss. 564.05 and
990 564.055, F.S., relating to limitations on the size of
991 individual wine containers and individual cider
992 containers; amending s. 564.09, F.S.; revising
993 provisions that authorize a restaurant to allow
994 patrons to remove partially consumed bottles of wine
995 from the restaurant for off-premises consumption;
996 amending s. 565.03, F.S.; redefining the terms
997 "branded product" and "craft distillery"; revising the
998 requirements for the sale of branded products by a
999 licensed craft distillery to consumers; deleting a
1000 provision that prohibits a craft distillery from
1001 selling more than six individual containers of a
1002 branded product to a consumer; revising requirements
1003 relating to the shipping of distilled spirits to
1004 consumers by a craft distillery; deleting requirements
1005 relating to the transfer of certain distillery

300173

Approved For Filing: 3/4/2020 3:57:13 PM

Amendment No.

1006 licenses and ownership therein; deleting a prohibition
1007 against certain affiliations; authorizing a craft
1008 distillery to transfer specified quantities of
1009 specified distilled spirits from certain locations to
1010 its souvenir gift shop; requiring a craft distillery
1011 making such transfers to submit certain excise taxes
1012 with its monthly report to the Division of Alcoholic
1013 Beverages and Tobacco of the Department of Business
1014 and Professional Regulation; amending s. 565.17, F.S.;
1015 authorizing a craft distillery to conduct spirituous
1016 beverage tastings on specified licensed premises under
1017 certain circumstances; providing effective dates.

300173

Approved For Filing: 3/4/2020 3:57:13 PM