

By Senator Hooper

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1 A bill to be entitled
2 An act relating to the Yacht and Ship Brokers' Act;
3 amending s. 326.002, F.S.; revising the definition of
4 the term "yacht"; amending s. 326.004, F.S.; exempting
5 a person who conducts business as a broker or
6 salesperson in another state from licensure in this
7 state for specified transactions; requiring, rather
8 than authorizing, the Division of Florida
9 Condominiums, Timeshares, and Mobile Homes of the
10 Department of Business and Professional Regulation to
11 deny licenses for applicants who fail to meet certain
12 requirements; revising requirements for licensure as a
13 broker; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Subsection (4) of section 326.002, Florida
18 Statutes, is amended to read:

19 326.002 Definitions.—As used in ss. 326.001-326.006, the
20 term:

21 (4) "Yacht" means any vessel that ~~which~~ is propelled by
22 sail or machinery in the water, which ~~which~~ exceeds 32 feet in length,
23 and is:

24 (a) Manufactured or operated primarily for pleasure; or

25 (b) Leased, rented, or chartered to someone other than the
26 owner for the other person's pleasure ~~which weighs less than 300~~
27 ~~gross tons.~~

28 Section 2. Subsections (6) and (8) of section 326.004,
29 Florida Statutes, are amended, and paragraph (f) is added to

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30 subsection (3) of that section, to read:

31 326.004 Licensing.—

32 (3) A license is not required for:

33 (f) A person who conducts business as a broker or
34 salesperson in another state as his or her primary profession
35 and engages in the purchase of a yacht under this act, if the
36 transaction is executed in its entirety with a broker or
37 salesperson licensed in this state.

38 (6) The division must ~~may~~ deny a license to any applicant
39 who does not meet all of the following requirements:

40 (a) Furnish proof satisfactory to the division that he or
41 she is of good moral character.

42 (b) Certify that he or she has never been convicted of a
43 felony.

44 (c) Post the bond required by the Yacht and Ship Brokers'
45 Act.

46 (d) Demonstrate that he or she is a resident of this state
47 or that he or she conducts business in this state.

48 (e) Furnish a full set of fingerprints taken within the 6
49 months immediately preceding the submission of the application.

50 (f) Have a current license and has operated as a broker or
51 salesperson without a license.

52 (8) A person may not be licensed as a broker unless he or
53 she has been licensed as a salesperson and can demonstrate that
54 he or she has been directly involved in at least four
55 transactions that resulted in the sale of a yacht or can certify
56 that he or she has obtained at least 20 continuing education
57 credits approved by the division ~~for at least 2 consecutive~~
58 ~~years, and may not be licensed as a broker unless he or she has~~

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59 ~~been licensed as a salesperson for at least 2 consecutive years.~~

60 Section 3. This act shall take effect October 1, 2024.