

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:

16  
 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~~ 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  
 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 or sale of a yacht under this act if  
 36 | the 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

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

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