

By Senator McClain

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1 A bill to be entitled
2 An act relating to third-party restaurant reservation
3 platforms; creating s. 509.104, F.S.; defining terms;
4 prohibiting a third-party restaurant reservation
5 platform from listing, advertising, promoting, or
6 selling a reservation for a food service establishment
7 if no relationship or contract exists to offer or
8 arrange such services; authorizing the Division of
9 Hotels and Restaurants of the Department of Business
10 and Professional Regulation to impose a specified
11 civil penalty; providing an effective date.
12

13 Be It Enacted by the Legislature of the State of Florida:
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15 Section 1. Section 509.104, Florida Statutes, is created to
16 read:

17 509.104 Restaurant reservation platforms.—

18 (1) As used in this section, the term:

19 (a) "Food service establishment" has the same meaning as
20 the term "public food service establishment" as defined in s.
21 509.013(5).

22 (b) "Third-party restaurant reservation platform" means any
23 website, mobile application, or other Internet service that:

24 1. Offers or arranges for reservations for on-premises
25 service for a customer at a food service establishment; and

26 2. Is owned and operated by a person other than the owner
27 of such food service establishment.

28 (2) A third-party restaurant reservation platform may not
29 list, advertise, promote, or sell reservations for a food

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30 service establishment through the website, mobile application,
31 or other Internet service of such third-party restaurant
32 reservation platform if the platform has no contractual
33 relationship or agreement with the food service establishment,
34 or its contractual designee, to offer or arrange for
35 reservations for on-premises service at such food service
36 establishment.

37 (3) The division may impose a civil penalty on a third-
38 party restaurant reservation platform in an amount not to exceed
39 \$1,000 for each violation of this section or of a division rule
40 implementing this section. Violations under this subsection
41 accrue on a daily basis for each day and for each food service
42 establishment in which there has been a violation of this
43 section or a division rule.

44 Section 2. This act shall take effect upon becoming a law.