

BILL

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1 A bill to be entitled
 2 An act relating to Department of Business and Professional
 3 Regulation Division of Hotels and Restaurants' enforcement
 4 of the Florida Building Code and the Florida Fire
 5 Prevention Code; amending s. 509.032; providing an
 6 effective date.

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

9 Section 1. Paragraph (d) of subsection (2) of section
 10 509.032, Florida Statutes, is amended to read:

11 509.032 Duties.--

12 (2) INSPECTION OF PREMISES.--

13 (d) The division shall adopt and enforce sanitation rules
 14 consistent with law to ensure the protection of the public from
 15 food-borne illness in those establishments licensed under this
 16 chapter. These rules shall provide the standards and
 17 requirements for obtaining, storing, preparing, processing,
 18 serving, or displaying food in public food service
 19 establishments, approving public food service establishment
 20 facility plans, conducting necessary public food service
 21 establishment inspections for compliance with sanitation
 22 regulations, cooperating and coordinating with the Department of
 23 Health in epidemiological investigations, and initiating
 24 enforcement actions, and for other such responsibilities deemed
 25 necessary by the division. The division may not establish by
 26 rule any regulation governing the design, construction,
 27 erection, alteration, modification, repair, or demolition of any
 28 public lodging or public food service establishment. It is the

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29 | intent of the Legislature to preempt that function to the
 30 | Florida Building Commission and the State Fire Marshal through
 31 | adoption and maintenance of the Florida Building Code and the
 32 | Florida Fire Prevention Code. ~~The division shall provide~~
 33 | ~~technical assistance to the commission and the State Fire~~
 34 | ~~Marshal in updating the construction standards of the Florida~~
 35 | ~~Building Code and the Florida Fire Prevention Code which govern~~
 36 | ~~public lodging and public food service establishments. Further,~~
 37 | ~~the division shall enforce the provisions of the Florida~~
 38 | ~~Building Code and the Florida Fire Prevention Code which apply~~
 39 | ~~to public lodging and public food service establishments in~~
 40 | ~~conducting any inspections authorized by this part.~~

41 | Section 2. This act shall take effect July 1, 2008.