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# **ECONOMIC AFFAIRS COMMITTEE**

## **Action Packet**

**Thursday, April 7, 2011**

**8:00 a.m.**

**Reed Hall (102 HOB)**

**Dean Cannon  
Speaker**

**Dorothy L. Hukill  
Chair**

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

**Location:** Reed Hall (102 HOB)

### Summary:

#### Economic Affairs Committee

Thursday April 07, 2011 08:00 am

CS/HB 281	Favorable With Committee Substitute Amendment 1 Adopted Without Objection	Yeas: 11	Nays: 0
CS/HB 407	Favorable	Yeas: 11	Nays: 0
HB 431	Favorable	Yeas: 10	Nays: 0
HB 535	Favorable	Yeas: 10	Nays: 0
HB 657	Favorable	Yeas: 10	Nays: 0
HB 659	Favorable	Yeas: 10	Nays: 0
CS/HB 701	Favorable With Committee Substitute Amendment 1 Adopted Without Objection	Yeas: 16	Nays: 0
CS/HB 703	Favorable	Yeas: 11	Nays: 0
CS/HB 745	Favorable	Yeas: 11	Nays: 0
HB 767	Favorable	Yeas: 11	Nays: 0
HB 861	Favorable	Yeas: 11	Nays: 0
HB 867	Favorable	Yeas: 12	Nays: 0
CS/CS/HB 883	Favorable With Committee Substitute Amendment 1 Adopted Without Objection Amendment 2 Adopted Without Objection Amendment 3 Adopted Without Objection	Yeas: 7	Nays: 3
CS/HB 885	Favorable	Yeas: 7	Nays: 4
CS/HB 913	Favorable	Yeas: 10	Nays: 0
HB 985	Favorable	Yeas: 10	Nays: 0
HB 1087	Temporarily Deferred		
HB 1165	Favorable	Yeas: 11	Nays: 0

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

**Location:** Reed Hall (102 HOB)

CS/HB 1243	Favorable With Committee Substitute	Yeas: 10	Nays: 6
Amendment 1	Adopted Without Objection		
CS/HB 1293	Favorable	Yeas: 10	Nays: 0
HB 1307	Favorable	Yeas: 10	Nays: 0
CS/HB 1345	Favorable	Yeas: 11	Nays: 0
HB 4015	Favorable	Yeas: 11	Nays: 0
HB 4197	Favorable	Yeas: 11	Nays: 0
HB 7185	Favorable With Committee Substitute	Yeas: 7	Nays: 3
Amendment 1	Adopted Without Objection		
HB 7201	Favorable	Yeas: 11	Nays: 0
HB 7209	Favorable With Committee Substitute	Yeas: 10	Nays: 0
Amendment 1	Adopted Without Objection		
HB 7213	Favorable With Committee Substitute	Yeas: 12	Nays: 0
Amendment 1	Adopted Without Objection		

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

**Location:** Reed Hall (102 HOB)

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Dorothy Hukill (Chair)	X		
Joseph Abruzzo		X	
Frank Artiles	X		
Jim Boyd	X		
Chris Dorworth	X		
Brad Drake	X		
Doug Holder	X		
Evan Jenne	X		
Peter Nehr	X		
Bryan Nelson	X		
Jeanette Nuñez	X		
Steven Perman	X		
Ronald Renuart	X		
Kenneth Roberson	X		
Irving Slosberg	X		
Geraldine Thompson	X		
James Waldman	X		
Ritch Workman	X		
<b>Totals:</b>	<b>17</b>	<b>1</b>	<b>0</b>

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

### CS/HB 281 : Value Adjustment Boards

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

### CS/HB 281 Amendments

#### Amendment 1

Adopted Without Objection

### Appearances:

Value Adjustment Boards

Book, Ronald (Lobbyist) - Proponent

Miami-Dade County Schoolboard

104 W Jefferson Street

Tallahassee FL 32301

Phone: 850-224-3427

Value Adjustment Boards

Weber, Vicki - Attorney, Hopping, Green (Lobbyist) - Information Only

Florida Realtors & Florida Chamber of Commerce

119 South Monroe Street #300

Tallahassee Florida 32301

Phone: 850-222-7500

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 281 (2011)

Amendment No. |

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative(s) Logan offered the following:

3

4 **Amendment**

5 Remove line 21 and insert:

6 valorem assessments and make a partial payment of at least 50

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

CS/HB 407 : Residential Building Permits

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

### Appearances:

Residential Building Permits

November, John - Lobbyist (Lobbyist) - Waive In Support

Botsford Builders

647 Beach Avenue

Atlantic Beach FL 32233

Phone: 904-525-3042

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

### HB 431 : Driver's Licenses and Identification Cards

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman				X	
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

### Appearances:

Driver's Licenses and Identification Cards

Mirabella, Frank (Lobbyist) - Waive In Support

Disabled American Veterans

521 N Adams St

Tallahassee FL 32301

Phone: 850-222-1877

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM



# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

HB 535 : Hurricane Loss Mitigation Program

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman				X	
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

### Appearances:

Hurricane Loss Mitigation Program  
Stewart, Nancy (Lobbyist) - Waive In Support  
Federation of Manufactured Home Owners of Florida, Inc  
1535 Killearn Center Boulevard  
Tallahassee FL 32309  
Phone: 850-385-7805

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

HB 657 : Martin County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman				X	
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

**Location:** Reed Hall (102 HOB)

**HB 659 : Martin County**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman				X	
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

CS/HB 701 : Property Rights

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo			X		
Frank Artiles	X				
Jim Boyd				X	
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nufiez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 16</b>		<b>Total Nays: 0</b>			

### CS/HB 701 Amendments

#### Amendment 1

Adopted Without Objection

#### Appearances:

Property Rights

Stengle, Dan (Lobbyist) - Waive In Support

Property Rights Coalition

119 S Monroe Street, Suite 300

Tallahassee FL 32301

Phone: 850-222-7500

Property Rights

Saviak, Carol (Lobbyist) - Information Only

Executive Director, Coalition for Property Rights

2878 S Osceola Ave

Orlando FL 32806

Phone: 321-231-6085(407)481-2289

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

**Location:** Reed Hall (102 HOB)

Property Rights

Bevis, Brewster (Lobbyist) - Waive In Support

Vice President, External Relations, Associated Industries of Florida

516 N. Adams St.

Tallahassee FL 32301

Phone: 850-224-7173

Property Rights

James, Stephen (Lobbyist) - Proponent

Legislative Staff Attorney, Florida Association of Counties

100 S Monroe Street

Tallahassee FL 32301

Phone: 850-922-4300

Property Rights

Matthews, Ryan - Legislative Advocate (Lobbyist) - Information Only

Florida League of Cities

301 S Bronough Street

Tallahassee FL

Phone: 850-222-9684

Property Rights

Spratt, James - Director of Government Affairs (Lobbyist) - Waive In Support

Florida Nursery Growers and Landscape Association

310 W College Avenue

Tallahassee FL 32301

Phone: 407-383-7204

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 701 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative Eisnaugle offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:  
6 Section 1. Paragraphs (b) and (e) of subsection (3), paragraphs  
7 (a) and (c) of subsection (4), and subsections (5), (6), (11),  
8 and (13) of section 70.001, Florida Statutes, are amended to  
9 read:

10 70.001 Private property rights protection.—

11 (3) For purposes of this section:

12 (b) The term "existing use" means:

13 1. Aan actual, present use or activity on the real  
14 property, including periods of inactivity which are normally  
15 associated with, or are incidental to, the nature or type of  
16 use; or

17 2. Aactivity or such reasonably foreseeable, nonspeculative  
18 land uses which are suitable for the subject real property and  
19 compatible with adjacent land uses and which have created an

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 701 (2011)

Amendment No. 1

20 existing fair market value in the property greater than the fair  
21 market value of the actual, present use or activity on the real  
22 property.

23 (e) The terms "inordinate burden" and ~~or~~ "inordinately  
24 burdened" mean:

25 1. ~~T~~hat an action of one or more governmental entities has  
26 directly restricted or limited the use of real property such  
27 that the property owner is permanently unable to attain the  
28 reasonable, investment-backed expectation for the existing use  
29 of the real property or a vested right to a specific use of the  
30 real property with respect to the real property as a whole, or  
31 that the property owner is left with existing or vested uses  
32 that are unreasonable such that the property owner bears  
33 permanently a disproportionate share of a burden imposed for the  
34 good of the public, which in fairness should be borne by the  
35 public at large.

36 2. The terms "inordinate burden" and ~~or~~ "inordinately  
37 burdened" do not include temporary impacts to real property;  
38 impacts to real property occasioned by governmental abatement,  
39 prohibition, prevention, or remediation of a public nuisance at  
40 common law or a noxious use of private property; or impacts to  
41 real property caused by an action of a governmental entity taken  
42 to grant relief to a property owner under this section; however,  
43 a temporary impact on development, as defined in s. 380.04, that  
44 is in effect for longer than 1 year may, depending upon the  
45 circumstances, constitute an "inordinate burden" as provided in  
46 this paragraph.

Amendment No. 1

47       3. In determining whether reasonable, investment-backed  
48 expectations are inordinately burdened, consideration may be  
49 given to the factual circumstances leading to the time elapsed  
50 between enactment of the law or regulation and its first  
51 application to the subject property.

52       (4) (a) Not less than 150 ~~180~~ days prior to filing an  
53 action under this section against a governmental entity, a  
54 property owner who seeks compensation under this section must  
55 present the claim in writing to the head of the governmental  
56 entity, except that if the property is classified as  
57 agricultural pursuant to s. 193.461, the notice period is 90  
58 days. The property owner must submit, along with the claim, a  
59 bona fide, valid appraisal that supports the claim and  
60 demonstrates the loss in fair market value to the real property.  
61 If the action of government is the culmination of a process that  
62 involves more than one governmental entity, or if a complete  
63 resolution of all relevant issues, in the view of the property  
64 owner or in the view of a governmental entity to whom a claim is  
65 presented, requires the active participation of more than one  
66 governmental entity, the property owner shall present the claim  
67 as provided in this section to each of the governmental  
68 entities.

69       (c) During the 90-day-notice period or the 150~~180~~-day-  
70 notice period, unless extended by agreement of the parties, the  
71 governmental entity shall make a written settlement offer to  
72 effectuate:

73       1. An adjustment of land development or permit standards  
74 or other provisions controlling the development or use of land.



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 701 (2011)

Amendment No. 1

75 2. Increases or modifications in the density, intensity,  
76 or use of areas of development.

77 3. The transfer of developmental rights.

78 4. Land swaps or exchanges.

79 5. Mitigation, including payments in lieu of onsite  
80 mitigation.

81 6. Location on the least sensitive portion of the  
82 property.

83 7. Conditioning the amount of development or use  
84 permitted.

85 8. A requirement that issues be addressed on a more  
86 comprehensive basis than a single proposed use or development.

87 9. Issuance of the development order, a variance, special  
88 exception, or other extraordinary relief.

89 10. Purchase of the real property, or an interest therein,  
90 by an appropriate governmental entity or payment of  
91 compensation.

92 11. No changes to the action of the governmental entity.  
93

94 If the property owner accepts the settlement offer, the  
95 governmental entity may implement the settlement offer by  
96 appropriate development agreement; by issuing a variance,  
97 special exception, or other extraordinary relief; or by other  
98 appropriate method, subject to paragraph (d).

99 (5)(a) During the 90-day-notice period or the 150~~180~~-day-  
100 notice period, unless a settlement offer is accepted by the  
101 property owner, each of the governmental entities provided  
102 notice pursuant to paragraph (4)(a) shall issue a written

## COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 701 (2011)

Amendment No. 1

103 statement of allowable uses ~~ripeness decision~~ identifying the  
104 allowable uses to which the subject property may be put. The  
105 failure of the governmental entity to issue a statement of  
106 allowable uses ~~written ripeness decision~~ during the applicable  
107 90-day-notice period or ~~150~~180-day-notice period shall be deemed  
108 a denial for purposes of allowing a property owner to file an  
109 action in the circuit court under this Act. If a written  
110 statement of allowable uses is issued, it to ripen the prior  
111 ~~action of the governmental entity, and shall operate as a~~  
112 ~~ripeness decision that has been rejected by the property owner.~~  
113 ~~The ripeness decision, as a matter of law, constitutes the last~~  
114 ~~prerequisite to judicial review, and the matter shall be deemed~~  
115 ~~ripe or final~~ for the purposes of the judicial proceeding  
116 created by this section, notwithstanding the availability of  
117 other administrative remedies.

118 (b) If the property owner rejects the settlement offer and  
119 the statement of allowable uses ~~ripeness decision~~ of the  
120 governmental entity or entities, the property owner may file a  
121 claim for compensation in the circuit court, a copy of which  
122 shall be served contemporaneously on the head of each of the  
123 governmental entities that made a settlement offer and a  
124 statement of allowable uses ~~ripeness decision~~ that was rejected  
125 by the property owner. Actions under this section shall be  
126 brought only in the county where the real property is located.

127 (6) (a) The circuit court shall determine whether an  
128 existing use of the real property or a vested right to a  
129 specific use of the real property existed and, if so, whether,  
130 considering the settlement offer and statement of allowable uses

## COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 701 (2011)

Amendment No. 1

131 | ~~ripeness decision~~, the governmental entity or entities have  
132 | inordinately burdened the real property. If the actions of more  
133 | than one governmental entity, considering any settlement offers  
134 | and statement of allowable uses ripeness decisions, are  
135 | responsible for the action that imposed the inordinate burden on  
136 | the real property of the property owner, the court shall  
137 | determine the percentage of responsibility each such  
138 | governmental entity bears with respect to the inordinate burden.  
139 | A governmental entity may take an interlocutory appeal of the  
140 | court's determination that the action of the governmental entity  
141 | has resulted in an inordinate burden. An interlocutory appeal  
142 | does not automatically stay the proceedings; however, the court  
143 | may stay the proceedings during the pendency of the  
144 | interlocutory appeal. If the governmental entity does not  
145 | prevail in the interlocutory appeal, the court shall award to  
146 | the prevailing property owner the costs and a reasonable  
147 | attorney fee incurred by the property owner in the interlocutory  
148 | appeal.

149 | (b) Following its determination of the percentage of  
150 | responsibility of each governmental entity, and following the  
151 | resolution of any interlocutory appeal, the court shall impanel  
152 | a jury to determine the total amount of compensation to the  
153 | property owner for the loss in value due to the inordinate  
154 | burden to the real property. The award of compensation shall be  
155 | determined by calculating the difference in the fair market  
156 | value of the real property, as it existed at the time of the  
157 | governmental action at issue, as though the owner had the  
158 | ability to attain the reasonable investment-backed expectation

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 701 (2011)

Amendment No. 1

159 or was not left with uses that are unreasonable, whichever the  
 160 case may be, and the fair market value of the real property, as  
 161 it existed at the time of the governmental action at issue, as  
 162 inordinately burdened, considering the settlement offer together  
 163 with the statement of allowable uses ~~ripeness decision~~, of the  
 164 governmental entity or entities. In determining the award of  
 165 compensation, consideration may not be given to business damages  
 166 relative to any development, activity, or use that the action of  
 167 the governmental entity or entities, considering the settlement  
 168 offer together with the statement of allowable uses ~~ripeness~~  
 169 ~~decision~~ has restricted, limited, or prohibited. The award of  
 170 compensation shall include a reasonable award of prejudgment  
 171 interest from the date the claim was presented to the  
 172 governmental entity or entities as provided in subsection (4).

173 (c)1. In any action filed pursuant to this section, the  
 174 property owner is entitled to recover reasonable costs and  
 175 attorney fees incurred by the property owner, from the  
 176 governmental entity or entities, according to their  
 177 proportionate share as determined by the court, from the date of  
 178 the filing of the circuit court action, if the property owner  
 179 prevails in the action and the court determines that the  
 180 settlement offer, including the statement of allowable uses  
 181 ~~ripeness decision~~, of the governmental entity or entities did  
 182 not constitute a bona fide offer to the property owner which  
 183 reasonably would have resolved the claim, based upon the  
 184 knowledge available to the governmental entity or entities and  
 185 the property owner during the 90-day-notice period or the  
 186 150~~180~~-day-notice period.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 701 (2011)

Amendment No. 1

187           2. In any action filed pursuant to this section, the  
188 governmental entity or entities are entitled to recover  
189 reasonable costs and attorney fees incurred by the governmental  
190 entity or entities from the date of the filing of the circuit  
191 court action, if the governmental entity or entities prevail in  
192 the action and the court determines that the property owner did  
193 not accept a bona fide settlement offer, including the statement  
194 of allowable uses ~~ripeness decision~~, which reasonably would have  
195 resolved the claim fairly to the property owner if the  
196 settlement offer had been accepted by the property owner, based  
197 upon the knowledge available to the governmental entity or  
198 entities and the property owner during the 90-day-notice period  
199 or the 150~~180~~-day-notice period.

200           3. The determination of total reasonable costs and  
201 attorney fees pursuant to this paragraph shall be made by the  
202 court and not by the jury. Any proposed settlement offer or any  
203 proposed ~~ripeness~~ decision, except for the final written  
204 settlement offer or the final written statement of allowable  
205 uses ~~ripeness decision~~, and any negotiations or rejections in  
206 regard to the formulation either of the settlement offer or the  
207 statement of allowable uses ~~ripeness decision~~, are inadmissible  
208 in the subsequent proceeding established by this section except  
209 for the purposes of the determination pursuant to this  
210 paragraph.

211           (d) Within 15 days after the execution of any settlement  
212 pursuant to this section, or the issuance of any judgment  
213 pursuant to this section, the governmental entity shall provide

Amendment No. 1

214 a copy of the settlement or judgment to the Department of Legal  
215 Affairs.

216 (11) A cause of action may not be commenced under this  
217 section if the claim is presented more than 1 year after a law  
218 or regulation is first applied by the governmental entity to the  
219 property at issue.

220 (a) For purposes of determining when this 1 year claim  
221 period accrues, a law or regulation is first applied:

222 1. Upon enactment and notice as provided for herein, if  
223 the impact of the law or regulation on the real property is  
224 clear and unequivocal in its terms, and notice is provided by  
225 mail to the affected property owner or registered agent at the  
226 address referenced in the jurisdiction's most current ad valorem  
227 tax records. The fact that the law or regulation could be  
228 modified, varied, or altered under any other process or  
229 procedure does not preclude the impact of the law or regulation  
230 on a property from being clear or unequivocal pursuant to this  
231 paragraph. Any notice under this paragraph shall be provided  
232 after the enactment of the law or regulation, and shall inform  
233 the property owner or registered agent that the law or  
234 regulation may impact the property owner's existing property  
235 rights, and that they may have only one year from receipt of the  
236 notice to pursue any rights established under this Act.

237 2. Otherwise, the law or regulation is first applied to  
238 the property when there is a formal denial of a written request  
239 for development or variance.

240 (b) If an owner seeks relief from the governmental action  
241 through lawfully available administrative or judicial

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 701 (2011)

Amendment No. 1

242 proceedings, the time for bringing an action under this section  
243 is tolled until the conclusion of such proceedings.

244 (13) In accordance with s. 13, Art. X of the State  
245 Constitution, the state, for itself and for its agencies or  
246 political subdivisions, waives sovereign immunity for causes of  
247 action based upon the application of any law, regulation, or  
248 ordinance subject to this section, but only to the extent  
249 specified in this section. This section does not affect the  
250 sovereign immunity of government.

251 Section 2. The amendments to s. 70.001, Florida Statutes,  
252 made by this act apply prospectively only and do not apply to  
253 any claim or action filed under s. 70.001, Florida Statutes,  
254 which is pending on the effective date of this act.

255 Section 3. This act shall take effect July 1, 2011.

256

257

258

259

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

261

Remove the entire title and insert:

262

A bill to be entitled

263

An act relating to property rights; amending s. 70.001, F.S.;

264

revising definitions; shortening a notice period for certain

265

actions; revising procedures for determining a governmental

266

entity's final decision identifying the allowable uses for a

267

property; defining what constitutes first application of a law

268

or regulation; clarifying the waiver of sovereign immunity for

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 701 (2011)

Amendment No. 1

269 liability; providing for prospective application; providing an  
270 effective date.

271



# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

CS/HB 703 : Liability of Spaceflight Entities

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nufiez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

### Appearances:

Liability of Spaceflight Entities

Snow, Chris (Lobbyist) - Waive In Support

Director of Government Relations, Space Florida

1580 Waldo Palmer Lane

Tallahassee FL 32301

Phone: 321-474-9754

Liability of Spaceflight Entities

Reeves, Teye (Lobbyist) - Waive In Support

Florida Chamber of Commerce

136 S. Bronough Street

Tallahassee FL 32301

Phone: 850-521-1235

Liability of Spaceflight Entities

Wester, Gerald (Lobbyist) - Waive In Support

Associated Industries of Florida

101 E College Avenue

Tallahassee FL 32304

Phone: 850-222-9075

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

CS/HB 745 : Polk County Historical Commission, Polk County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

### Appearances:

Polk County Historical Commission  
Brainerd, Jim (Lobbyist) - Waive In Support  
Attorney, Polk County  
2814 Rabbit Hill Road  
Tallahassee FL 32308  
Phone: 850-508-6716

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

HB 767 : Local Government

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

### Appearances:

Local Government

McCarty, Jess (Lobbyist) - Waive In Support

Miami-Dade County

111 NW 1st St

Miami FL 33128

Phone: 305-375-1634

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

HB 861 : North Springs Improvement District, Broward County

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

### Appearances:

North Springs Improvement District  
Adams, Howard "Gene" - Attorney (Lobbyist) - Waive In Support  
North Springs Improvement  
215 S Monroe St  
Tallahassee FL 32301  
Phone: 850-222-3533

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

HB 867 : Broward County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd	X				
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

CS/CS/HB 883 : Public Lodging Establishments and Public Food Service Establishments

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne		X			
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman			X		
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson		X			
James Waldman		X			
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 7</b>		<b>Total Nays: 3</b>			

### CS/CS/HB 883 Amendments

#### Amendment 1

Adopted Without Objection

#### Amendment 2

Adopted Without Objection

#### Amendment 3

Adopted Without Objection

### Appearances:

Carmody, Christopher (Lobbyist) - Proponent  
Central Florida Hotel & Lodging Association  
301 S Pine Street, Suite 1400  
Orlando FL 32819  
Phone: 407-843-8880

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# **COMMITTEE MEETING REPORT**

## **Economic Affairs Committee**

**4/7/2011 8:00:00AM**

**Location:** Reed Hall (102 HOB)

Public Lodging & Public Food Service Establishments

Stuart, Robert (Lobbyist) - Proponent

Orange County Sheriff

301 E Pine Street

Orlando FL 32801

Phone: 321-217-6207

Public Lodging & Public Food Service Establishments

Bibeau, Brian (Lobbyist) - Waive In Support

American Resort Development Association

Tallahassee FL 32301

Phone: 850-222-7500

Public Lodging & Public Food Service Establishments

Killinger, Lori (Lobbyist) - Waive In Support

Florida Vacation Rental Managers Association

2600 Centennial Boulevard, Suite 100

Tallahassee FL 32308

Phone: 850-222-5702

**Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM**

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 883 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION  (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative(s) Horner offered the following:

3  
4 **Amendment (with title amendment)**

5 Between lines 267 and 268, insert:

6 Section 10. This act may be cited as the "Tourist Safety  
7 Act of 2011."

8 Section 11. Section 509.144, Florida Statutes, is amended  
9 to read:

10 509.144 Prohibited handbill distribution in a public  
11 lodging establishment; penalties.—

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

13 (a) "Handbill" means a flier, leaflet, pamphlet, or other  
14 written material that advertises, promotes, or informs persons  
15 about a person ~~an individual~~, business, company, or food service  
16 establishment, but does ~~shall~~ not include employee  
17 communications permissible under the National Labor Relations  
18 Act, other communications protected by the First Amendment to  
19 the United States Constitution, or communications that relate to



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 883 (2011)

Amendment No. 1

20 the public health, safety, or welfare that are distributed by a  
21 federal, state, or local governmental entity or a public or  
22 private utility.

23 (b) "Without permission" means without the expressed  
24 written ~~or oral~~ permission of the owner, manager, or agent of  
25 the owner or manager of the public lodging establishment where a  
26 sign is posted prohibiting advertising or solicitation in the  
27 manner provided in subsection (5) ~~(4)~~.

28 (c) "At or in a public lodging establishment" means any  
29 property under the sole ownership or control of a public lodging  
30 establishment.

31 (2) Any person individual, agent, contractor, or volunteer  
32 who is acting on behalf of a person an individual, business,  
33 company, or food service establishment and who, without  
34 permission, delivers, distributes, or places, or attempts to  
35 deliver, distribute, or place, a handbill at or in a public  
36 lodging establishment commits a misdemeanor of the first degree,  
37 punishable as provided in s. 775.082 or s. 775.083.

38 (3) Any person who, without permission, directs another  
39 person to deliver, distribute, or place, or attempts to deliver,  
40 distribute, or place, a handbill at or in a public lodging  
41 establishment commits a misdemeanor of the first degree,  
42 punishable as provided in s. 775.082 or s. 775.083. Any person  
43 sentenced under this subsection shall be ordered to pay a  
44 minimum fine of \$500 in addition to any other penalty imposed by  
45 the court.

46 (4) In addition to any other penalty imposed by the court,  
47 a person who violates subsection (2) or subsection (3):

Amendment No. 1

48        (a) A second time shall be ordered to pay a minimum fine  
49 of \$2,000.

50        (b) A third or subsequent time shall be ordered to pay a  
51 minimum fine of \$3,000.

52        ~~(5)(4)~~ For purposes of this section, a public lodging  
53 establishment that intends to prohibit advertising or  
54 solicitation, as described in this section, at or in such  
55 establishment must comply with the following requirements when  
56 posting a sign prohibiting such solicitation or advertising:

57        (a) There must appear prominently on any sign referred to  
58 in this subsection, in letters of not less than 2 inches in  
59 height, the terms "no advertising" or "no solicitation" or terms  
60 that indicate the same meaning.

61        (b) The sign must be posted conspicuously.

62        (c) If the main office of the public lodging establishment  
63 is immediately accessible by entering the office through a door  
64 from a street, parking lot, grounds, or other area outside such  
65 establishment, the sign must be placed on a part of the main  
66 office, such as a door or window, and the sign must face the  
67 street, parking lot, grounds, or other area outside such  
68 establishment.

69        (d) If the main office of the public lodging establishment  
70 is not immediately accessible by entering the office through a  
71 door from a street, parking lot, grounds, or other area outside  
72 such establishment, the sign must be placed in the immediate  
73 vicinity of the main entrance to such establishment, and the  
74 sign must face the street, parking lot, grounds, or other area  
75 outside such establishment.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 883 (2011)

Amendment No. 1

76       (6) Any personal property, including, but not limited to,  
77       any vehicle of any kind, item, object, tool, device, weapon,  
78       machine, money, security, book, or record, that is used or  
79       attempted to be used as an instrumentality in the commission of,  
80       or in aiding and abetting in the commission of, a person's third  
81       or subsequent violation of this section, whether or not  
82       comprising an element of the offense, is subject to seizure and  
83       forfeiture under the Florida Contraband Forfeiture Act.

84       Section 12. Section 901.1503, Florida Statutes, is created  
85       to read:

86       901.1503 When notice to appear by officer without warrant  
87       is lawful.—A law enforcement officer may give a notice to appear  
88       to a person without a warrant when the officer has determined  
89       that he or she has probable cause to believe that a violation of  
90       s. 509.144 has been committed and the owner or manager of the  
91       public lodging establishment in which the violation occurred  
92       signs an affidavit containing information that supports the  
93       officer's determination of probable cause.

94       Section 13. Paragraph (a) of subsection (2) of section  
95       932.701, Florida Statutes, is amended to read:

96       932.701 Short title; definitions.—

97       (2) As used in the Florida Contraband Forfeiture Act:

98       (a) "Contraband article" means:

99       1. Any controlled substance as defined in chapter 893 or  
100       any substance, device, paraphernalia, or currency or other means  
101       of exchange that was used, was attempted to be used, or was  
102       intended to be used in violation of any provision of chapter  
103       893, if the totality of the facts presented by the state is

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 883 (2011)

Amendment No. 1

104 clearly sufficient to meet the state's burden of establishing  
105 probable cause to believe that a nexus exists between the  
106 article seized and the narcotics activity, whether or not the  
107 use of the contraband article can be traced to a specific  
108 narcotics transaction.

109 2. Any gambling paraphernalia, lottery tickets, money,  
110 currency, or other means of exchange which was used, was  
111 attempted, or intended to be used in violation of the gambling  
112 laws of the state.

113 3. Any equipment, liquid or solid, which was being used,  
114 is being used, was attempted to be used, or intended to be used  
115 in violation of the beverage or tobacco laws of the state.

116 4. Any motor fuel upon which the motor fuel tax has not  
117 been paid as required by law.

118 5. Any personal property, including, but not limited to,  
119 any vessel, aircraft, item, object, tool, substance, device,  
120 weapon, machine, vehicle of any kind, money, securities, books,  
121 records, research, negotiable instruments, or currency, which  
122 was used or was attempted to be used as an instrumentality in  
123 the commission of, or in aiding or abetting in the commission  
124 of, any felony, whether or not comprising an element of the  
125 felony, or which is acquired by proceeds obtained as a result of  
126 a violation of the Florida Contraband Forfeiture Act.

127 6. Any real property, including any right, title,  
128 leasehold, or other interest in the whole of any lot or tract of  
129 land, which was used, is being used, or was attempted to be used  
130 as an instrumentality in the commission of, or in aiding or  
131 abetting in the commission of, any felony, or which is acquired

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 883 (2011)

Amendment No. 1

132 by proceeds obtained as a result of a violation of the Florida  
133 Contraband Forfeiture Act.

134 7. Any personal property, including, but not limited to,  
135 equipment, money, securities, books, records, research,  
136 negotiable instruments, currency, or any vessel, aircraft, item,  
137 object, tool, substance, device, weapon, machine, or vehicle of  
138 any kind in the possession of or belonging to any person who  
139 takes aquaculture products in violation of s. 812.014(2)(c).

140 8. Any motor vehicle offered for sale in violation of s.  
141 320.28.

142 9. Any motor vehicle used during the course of committing  
143 an offense in violation of s. 322.34(9)(a).

144 10. Any photograph, film, or other recorded image,  
145 including an image recorded on videotape, a compact disc,  
146 digital tape, or fixed disk, that is recorded in violation of s.  
147 810.145 and is possessed for the purpose of amusement,  
148 entertainment, sexual arousal, gratification, or profit, or for  
149 the purpose of degrading or abusing another person.

150 11. Any real property, including any right, title,  
151 leasehold, or other interest in the whole of any lot or tract of  
152 land, which is acquired by proceeds obtained as a result of  
153 Medicaid fraud under s. 409.920 or s. 409.9201; any personal  
154 property, including, but not limited to, equipment, money,  
155 securities, books, records, research, negotiable instruments, or  
156 currency; or any vessel, aircraft, item, object, tool,  
157 substance, device, weapon, machine, or vehicle of any kind in  
158 the possession of or belonging to any person which is acquired

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 883 (2011)

Amendment No. 1

159 by proceeds obtained as a result of Medicaid fraud under s.  
160 409.920 or s. 409.9201.

161 12. Any personal property, including, but not limited to,  
162 any vehicle of any kind, item, object, tool, device, weapon,  
163 machine, money, security, book, or record, that is used or  
164 attempted to be used as an instrumentality in the commission of,  
165 or in aiding and abetting in the commission of, a person's third  
166 or subsequent violation of s. 509.144, whether or not comprising  
167 an element of the offense.

168 Section 14. The amendments to ss. 509.144 and 932.701,  
169 Florida Statutes, and the creation of s. 901.1503, Florida  
170 Statutes, by this act do not affect or impede the provisions of  
171 s. 790.251, Florida Statutes, or any other protection or right  
172 guaranteed by the Second Amendment to the United States  
173 Constitution.

-----  
174  
175  
176  
177 T I T L E A M E N D M E N T

178 Remove line 26 and insert:  
179 changes made by the act; providing a short title; amending s.  
180 509.144, F.S.; revising definitions; providing additional  
181 penalties for the offense of unlawfully distributing handbills  
182 in a public lodging establishment; specifying that certain  
183 items used in committing such offense are subject to seizure  
184 and forfeiture under the Florida Contraband Forfeiture Act;  
185 creating s. 901.1503, F.S.; authorizing a law enforcement  
186 officer to give a notice to appear to a person without a

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 883 (2011)

Amendment No. 1

187 | warrant when there is probable cause to believe the person  
188 | violated s. 509.144, F.S., and the owner or manager of the  
189 | public lodging establishment signs an affidavit containing  
190 | information supporting the determination of probable cause;  
191 | amending s. 932.701, F.S.; revising the definition of the term  
192 | "contraband article"; providing that specified portions of this  
193 | act do not affect or impede specified statutory provisions or  
194 | any protection or right guaranteed by the Second Amendment to  
195 | the United States Constitution; providing an effective date.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 883 (2011)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION  (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative(s) Horner offered the following:

4 **Amendment (with title amendment)**

5 Remove lines 77-81 and insert:

6 (b) A local law, ordinance, or regulation may not restrict  
7 the use of vacation rentals, prohibit vacation rentals, or  
8 regulate vacation rentals based solely on their classification,  
9 use, or occupancy. This paragraph does not apply to any local  
10 law, ordinance or regulation adopted on or before June 1, 2011.

13 -----  
14 **T I T L E A M E N D M E N T**

15 Remove lines 5-7 and insert:

16 prohibiting local governments from regulating, restricting or  
17 prohibiting vacation rentals based solely on their  
18 classification or use; providing an exception; revising  
19 authority preempted to the state



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 883 (2011)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative(s) Horner offered the following:

3

4 **Substitute Amendment for Amendment (3) by Representative**  
5 **Horner**

6 Remove line 268 and insert:

7 Section 10. This act shall take effect upon becoming law.

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

CS/HB 885 : Residential Property Insurance

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne		X			
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman		X			
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson		X			
James Waldman		X			
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 7</b>		<b>Total Nays: 4</b>			

### Appearances:

Residential Property Insurance

Stevens, Monte - Director of Government Affairs (Lobbyist) (State Employee) - Waive In Support

Office of Insurance Regulation

200 E Gaines Street

Tallahassee FL 32399

Phone: 850-413-2571

Residential Property Insurance

Reeves, Teye - Policy Director (Lobbyist) - Waive In Support

Florida Chamber of Commerce

136 S. Bronough Street

Tallahassee FL 32301

Phone: 850-521-1235

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

CS/HB 913 : Pub. Rec./Records Held by Public Airports

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman				X	
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

### Appearances:

Pub. Rec/Records Held by Public Airports

Johnston, John (Lobbyist) - Waive In Support

Florida Airports Council  
117 S Gadsden Street  
Tallahassee FL 32301  
Phone: 850-591-4904

Pub. Rec/Records Held by Public Airports

Foster, Darcy - Director of Governmental & Legislative Affairs (Lobbyist) - Waive In Support

Tampa International Airport  
P.O. Box 22287  
Tampa FL 33622  
Phone: 813-929-8346

Pub. Rec/Records Held by Public Airports

Blakely, Wardd (Lobbyist) - Waive In Support

Jacksonville Aviation Authority  
115 E Park Avenue  
Tallahassee FL 32301  
Phone: 850-681-6400

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

HB 985 : Hillsborough County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman				X	
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

### Appearances:

Hillsborough County

Wagner, Brandon (Lobbyist) - Waive In Support

Hillsborough County Government

601 E. Kennedy Blvd.

Tampa FL 33602

Phone: (813)276-2640

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

**Location:** Reed Hall (102 HOB)

**HB 1087 : Persons Designated To Receive Insurer Notifications**

*Temporarily Deferred*

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

HB 1165 : Driver's Licenses and Identification Cards

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

### Appearances:

Driver's Licenses and Identification Cards

Delseni, Brad - Legislative Assistant (State Employee) - Waive In Support

Department of Veterans Affairs

705, The Capitol

Tallahassee FL

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

CS/HB 1243 : Citizens Property Insurance Corporation

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo			X		
Frank Artiles		X			
Jim Boyd	X				
Chris Dorworth	X				
Brad Drake	X				
Doug Holder	X				
Evan Jenne		X			
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman		X			
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg		X			
Geraldine Thompson		X			
James Waldman		X			
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 6</b>			

### CS/HB 1243 Amendments

#### Amendment 1

Adopted Without Objection

#### Appearances:

Citizens Property Insurance Corporation  
Brown, Donald (Lobbyist) - Information Only  
Consultant  
P. O. Box 866  
DeFuniak Springs FL 32435  
Phone: 850-865-9280

Citizens Property Insurance Corporation  
Gonzalez, Jose - Vice President (Lobbyist) - Proponent  
Associated Industries of Florida  
516 N Adams Street  
Tallahassee FL 32301  
Phone: 850-224-7173

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

**Location:** Reed Hall (102 HOB)

Citizens Property Insurance Corporation  
Reeves, Teye - Policy Director (Lobbyist) - Proponent  
Florida Chamber of Commerce  
136 S. Bronough Street  
Tallahassee FL 32301  
Phone: 850-521-1235

Citizens Property Insurance Corporation  
Stevens, Monte - Director of Government Affairs (Lobbyist) (State Employee) - Information Only  
Office of Insurance Regulation  
200 E Gaines Street  
Tallahassee FL 32399  
Phone: 850-413-2571

Citizens Property Insurance Corporation  
Jess, Paul (Lobbyist) - Opponent  
Florida Justice Association  
218 S Monroe St  
Tallahassee FL 32301  
Phone: (850)224-9403

Citizens Property Insurance Corporation  
Ulrich, Kyle (Lobbyist) - Waive In Support  
Florida Association of Insurance Agents  
3159 Shamrock S  
Tallahassee FL 32309  
Phone: 850-893-4155

Citizens Property Insurance Corporation  
Wester, Gerald (Lobbyist) - Proponent  
American Insurance Association  
101 E College Avenue  
Tallahassee FL 32301  
Phone: 850-222-9075

Citizens Property Insurance Corporation  
Ashburn, Christine (Lobbyist) - Waive In Support  
Citizens Property Insurance Corporation  
101 N Monroe St Ste 1000  
Tallahassee FL 32301  
Phone: (850)513-3746

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1243 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

---

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative(s) Boyd offered the following:

3

4 **Amendment**

5 Remove line 1170 and insert:

6 year, which may not exceed 15

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

CS/HB 1293 : Brevard County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman				X	
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

HB 1307 : City of Mount Dora, Lake County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne				X	
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

CS/HB 1345 : Charlotte County Airport Authority, Charlotte County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nufiez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

HB 4015 : Telemarketing

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

HB 4197 : Okaloosa County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne				X	
Peter Nehr	X				
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

**Location:** Reed Hall (102 HOB)

**HB 7185 : Corporate Income Tax**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne				X	
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman		X			
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson		X			
James Waldman		X			
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 7</b>		<b>Total Nays: 3</b>			

**HB 7185 Amendments**

**Amendment 1**

Adopted Without Objection

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7185 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative Precourt offered the following:

3  
4 **Amendment**

5 Remove line 116 and insert:

6 Section 4. For the 2010-2011 fiscal year, the sum of  
7 \$99,740 in nonrecurring funds is appropriated from the General  
8 Revenue Fund to the Department of Revenue for purposes of  
9 implementing the provisions of this act. Funds remaining  
10 unexpended or unencumbered from this appropriation as of June  
11 30, 2011, shall revert and be reappropriated for the same  
12 purpose in the 2011-2012 fiscal year.

13 Section 5. This act shall take effect upon becoming a law,



# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

HB 7201 : Repeal of Workers' Compensation Reporting Requirement

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

HB 7209 : Consumer Services Functions of the Department of Agriculture and Consumer Services

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd				X	
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr				X	
Bryan Nelson	X				
Jeanette Nuñez	X				
Steven Perman				X	
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg			X		
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

### HB 7209 Amendments

#### Amendment 1

Adopted Without Objection

#### Appearances:

Consumer Services Functions of Department of  
Lovett, Grace - Director of Legislative Affairs (Lobbyist) (State Employee) - Waive In Support  
Department of Agriculture & Consumer Services  
PL 10, The Capitol  
Tallahassee FL 32399-3000  
Phone: 850-488-3022

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7209 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION  (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative(s) Crisafulli offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Section 320.90, Florida Statutes, is amended to  
7 read:

8 320.90 Notification of consumer's rights.—The department  
9 shall develop a motor vehicle consumer's rights pamphlet which  
10 shall be distributed free of charge ~~by the Department of~~  
11 ~~Agriculture and Consumer Services~~ to the motor vehicle owner  
12 upon request. Such pamphlet must contain information relating to  
13 odometer fraud and provide a summary of the rights and remedies  
14 available to all purchasers of motor vehicles.

15 Section 2. Section 493.6105, Florida Statutes, is amended  
16 to read:

17 493.6105 Initial application for license.—

18 (1) Each individual, partner, or principal officer in a  
19 corporation, shall file with the department a complete

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7209 (2011)

Amendment No. 1

20 application accompanied by an application fee not to exceed \$60,  
21 except that the applicant for a Class "D" or Class "G" license  
22 ~~is shall~~ not be required to submit an application fee. The  
23 application fee ~~is shall~~ not be refundable.

24 (a) The application submitted by any individual, partner,  
25 or corporate officer must ~~shall~~ be approved by the department  
26 before the ~~prior to that~~ individual, partner, or corporate  
27 officer assumes ~~assuming~~ his or her duties.

28 (b) Individuals who invest in the ownership of a licensed  
29 agency, but do not participate in, direct, or control the  
30 operations of the agency are ~~shall~~ not be required to file an  
31 application.

32 (2) Each application must ~~shall~~ be signed and verified by  
33 the individual under oath as provided in s. 92.525 ~~and shall be~~  
34 ~~notarized~~.

35 (3) The application must ~~shall~~ contain the following  
36 information concerning the individual signing the application  
37 ~~same~~:

38 (a) Name and any aliases.

39 (b) Age and date of birth.

40 (c) Place of birth.

41 (d) Social security number or alien registration number,  
42 whichever is applicable.

43 (e) Current Present residence address and mailing address  
44 ~~his or her residence addresses within the 5 years immediately~~  
45 ~~preceding the submission of the application.~~

46 ~~(f) Occupations held presently and within the 5 years~~  
47 ~~immediately preceding the submission of the application.~~

Amendment No. 1

48        (f)-(g) A statement of all criminal convictions, findings  
49 of guilt, and pleas of guilty or nolo contendere, regardless of  
50 adjudication of guilt. An applicant for a Class "G" or Class "K"  
51 license who is younger than 24 years of age shall also include a  
52 statement regarding any finding of having committed a delinquent  
53 act in any state, territory, or country which would be a felony  
54 if committed by an adult and which is punishable by imprisonment  
55 for a term exceeding 1 year.

56        (g) One passport-type color photograph taken within the 6  
57 months immediately preceding submission of the application.

58        (h) A statement whether he or she has ever been  
59 adjudicated incompetent under chapter 744.

60        (i) A statement whether he or she has ever been committed  
61 to a mental institution under chapter 394.

62        (j) A full set of fingerprints on a card provided by the  
63 department and a fingerprint fee to be established by rule of  
64 the department based upon costs determined by state and federal  
65 agency charges and department processing costs. An applicant who  
66 has, within the immediately preceding 6 months, submitted a  
67 fingerprint card and fee for licensing purposes under this  
68 chapter ~~is shall~~ not be required to submit another fingerprint  
69 card or fee.

70        (k) A personal inquiry waiver that ~~which~~ allows the  
71 department to conduct necessary investigations to satisfy the  
72 requirements of this chapter.

73        (l) Such further facts as may be required by the  
74 department to show that the individual signing the application

Amendment No. 1

75 is of good moral character and qualified by experience and  
76 training to satisfy the requirements of this chapter.

77 ~~(4) In addition to the application requirements outlined~~  
78 ~~in subsection (3), the applicant for a Class "C," Class "CC,"~~  
79 ~~Class "E," Class "EE," or Class "G" license shall submit two~~  
80 ~~color photographs taken within the 6 months immediately~~  
81 ~~preceding the submission of the application, which meet~~  
82 ~~specifications prescribed by rule of the department. All other~~  
83 ~~applicants shall submit one photograph taken within the 6 months~~  
84 ~~immediately preceding the submission of the application.~~

85 (4)~~(5)~~ In addition to the application requirements  
86 outlined under subsection (3), the applicant for a Class "C,"  
87 Class "E," Class "M," Class "MA," Class "MB," or Class "MR"  
88 license must ~~shall~~ include a statement on a form provided by the  
89 department of the experience that ~~which~~ he or she believes will  
90 qualify him or her for such license.

91 (5)~~(6)~~ In addition to the requirements outlined in  
92 subsection (3), an applicant for a Class "G" license must ~~shall~~  
93 satisfy minimum training criteria for firearms established by  
94 rule of the department, which training criteria includes ~~shall~~  
95 ~~include~~, but is not limited to, 28 hours of range and classroom  
96 training taught and administered by a Class "K" licensee;  
97 however, no more than 8 hours of such training shall consist of  
98 range training. If the applicant submits ~~can show~~ proof that he  
99 or she is an active law enforcement officer currently certified  
100 under the Criminal Justice Standards and Training Commission or  
101 has completed the training required for that certification  
102 within the last 12 months, or if the applicant submits one of

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7209 (2011)

Amendment No. 1

103 the certificates specified in paragraph (6)(a) ~~(7)(a)~~, the  
104 department may waive the foregoing firearms training  
105 requirement.

106 ~~(6)(7)~~ In addition to the requirements under subsection  
107 (3), an applicant for a Class "K" license must ~~shall~~:

108 (a) Submit one of the following certificates:

109 1. The Florida Criminal Justice Standards and Training  
110 Commission Instructor Firearms Instructor's Certificate and  
111 written confirmation by the commission that the applicant  
112 possesses an active firearms certification.

113 ~~2. The National Rifle Association Police Firearms~~  
114 ~~Instructor's Certificate.~~

115 ~~2.3.~~ The National Rifle Association Private Security  
116 Firearm Instructor Firearms Instructor's Certificate.

117 ~~3.4.~~ A firearms instructor instructor's certificate issued  
118 by from a federal law enforcement agency, state, county, or  
119 municipal police academy in this state recognized as such by the  
120 Criminal Justice Standards and Training Commission or by the  
121 Department of Education.

122 (b) Pay the fee for and pass an examination administered  
123 by the department which shall be based upon, but is not  
124 necessarily limited to, a firearms instruction manual provided  
125 by the department.

126 ~~(7)(8)~~ In addition to the application requirements for  
127 individuals, partners, or officers outlined under subsection  
128 (3), the application for an agency license must ~~shall~~ contain  
129 the following information:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7209 (2011)

Amendment No. 1

130 (a) The proposed name under which the agency intends to  
131 operate.

132 (b) The street address, mailing address, and telephone  
133 numbers of the principal location at which business is to be  
134 conducted in this state.

135 (c) The street address, mailing address, and telephone  
136 numbers of all branch offices within this state.

137 (d) The names and titles of all partners or, in the case  
138 of a corporation, the names and titles of its principal  
139 officers.

140 ~~(8)-(9)~~ Upon submission of a complete application, a Class  
141 "CC," Class "C," Class "D," Class "EE," Class "E," Class "M,"  
142 Class "MA," Class "MB," or Class "MR" applicant may commence  
143 employment or appropriate duties for a licensed agency or branch  
144 office. However, the Class "C" or Class "E" applicant must work  
145 under the direction and control of a sponsoring licensee while  
146 his or her application is being processed. If the department  
147 denies application for licensure, the employment of the  
148 applicant must be terminated immediately, unless he or she  
149 performs only unregulated duties.

150 Section 3. Paragraph (f) of subsection (1) and paragraph  
151 (a) of subsection (2) of section 493.6106, Florida Statutes, are  
152 amended, and paragraph (g) is added to subsection (1) of that  
153 section, to read:

154 493.6106 License requirements; posting.—

155 (1) Each individual licensed by the department must:

156 (f) Be a citizen or permanent legal resident alien of the  
157 United States or have appropriate ~~been granted~~ authorization



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7209 (2011)

Amendment No. 1

158 issued to seek employment in this country by the United States  
159 Bureau of Citizenship and Immigration Services of the United  
160 States Department of Homeland Security.

161 1. An applicant for a Class "C," Class "CC," Class "D,"  
162 Class "DI," Class "E," Class "EE," Class "M," Class "MA," Class  
163 "MB," Class "MR," or Class "RI" license who is not a United  
164 States citizen must submit proof of current employment  
165 authorization issued by the United States Citizenship and  
166 Immigration Services or proof that she or he is deemed a  
167 permanent legal resident alien by the United States Citizenship  
168 and Immigration Services.

169 2. An applicant for a Class "G" or Class "K" license who  
170 is not a United States citizen must submit proof that she or he  
171 is deemed a permanent legal resident alien by the United States  
172 Citizenship and Immigration Services, together with additional  
173 documentation establishing that she or he has resided in the  
174 state of residence shown on the application for at least 90  
175 consecutive days before the date that the application is  
176 submitted.

177 3. An applicant for an agency or school license who is not  
178 a United States citizen or permanent legal resident alien must  
179 submit documentation issued by the United States Citizenship and  
180 Immigration Services stating that she or he is lawfully in the  
181 United States and is authorized to own and operate the type of  
182 agency or school for which she or he is applying. An employment  
183 authorization card issued by the United States Citizenship and  
184 Immigration Services is not sufficient documentation.

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185        (g) Not be prohibited from purchasing or possessing a  
186 firearm by state or federal law if the individual is applying  
187 for a Class "G" license or a Class "K" license.

188        (2) Each agency shall have a minimum of one physical  
189 location within this state from which the normal business of the  
190 agency is conducted, and this location shall be considered the  
191 primary office for that agency in this state.

192        (a) If an agency or branch office desires to change the  
193 physical location of the business, as it appears on the agency  
194 license, the department must be notified within 10 days of the  
195 change, and, except upon renewal, the fee prescribed in s.  
196 493.6107 must be submitted for each license requiring revision.  
197 Each license requiring revision must be returned with such  
198 notification.

199        Section 4. Subsection (3) of section 493.6107, Florida  
200 Statutes, is amended to read:

201        493.6107 Fees.—

202        (3) The fees set forth in this section must be paid by  
203 ~~certified~~ check or money order or, at the discretion of the  
204 department, by electronic funds transfer ~~agency check~~ at the  
205 time the application is approved, except that the applicant for  
206 a Class "G" or Class "M" license must pay the license fee at the  
207 time the application is made. If a license is revoked or denied  
208 or if the application is withdrawn, the license fee is  
209 nonrefundable ~~shall not be refunded~~.

210        Section 5. Subsections (1) and (3) of section 493.6108,  
211 Florida Statutes, are amended to read:

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212 493.6108 Investigation of applicants by Department of  
213 Agriculture and Consumer Services.-

214 (1) Except as otherwise provided, ~~prior to the issuance of~~  
215 ~~a license under this chapter,~~ the department must investigate an  
216 ~~shall make an investigation of the applicant for a license under~~  
217 this chapter before it may issue the license. The investigation  
218 must ~~shall~~ include:

219 (a)1. An examination of fingerprint records and police  
220 records. If ~~When~~ a criminal history record check analysis of any  
221 applicant under this chapter is performed by means of  
222 fingerprint card identification, the time limitations prescribed  
223 by s. 120.60(1) shall be tolled during the time the applicant's  
224 fingerprint card is under review by the Department of Law  
225 Enforcement or the United States Department of Justice, Federal  
226 Bureau of Investigation.

227 2. If a legible set of fingerprints, as determined by the  
228 Department of Law Enforcement or the Federal Bureau of  
229 Investigation, cannot be obtained after two attempts, the  
230 Department of Agriculture and Consumer Services may determine  
231 the applicant's eligibility based upon a criminal history record  
232 check under the applicant's name conducted by the Department of  
233 Law Enforcement if the ~~and the Federal Bureau of Investigation.~~  
234 ~~A set of fingerprints~~ are taken by a law enforcement agency or  
235 the department and the applicant submits a written statement  
236 signed by the fingerprint technician or a licensed physician  
237 stating that there is a physical condition that precludes  
238 obtaining a legible set of fingerprints or that the fingerprints

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239 taken are the best that can be obtained ~~is sufficient to meet~~  
240 ~~this requirement.~~

241 (b) An inquiry to determine if the applicant has been  
242 adjudicated incompetent under chapter 744 or has been committed  
243 to a mental institution under chapter 394.

244 (c) Such other investigation of the individual as the  
245 department may deem necessary.

246 (3) The department must ~~shall~~ also investigate the mental  
247 history and current mental and emotional fitness of any Class  
248 "G" or Class "K" applicant, and may deny a Class "G" or Class  
249 "K" license to anyone who has a history of mental illness or  
250 drug or alcohol abuse.

251 Section 6. Subsections (2) and (4) of section 493.6111,  
252 Florida Statutes, are amended to read:

253 493.6111 License; contents; identification card.—

254 (2) Licenses shall be valid for a period of 2 years,  
255 except for Class "A," Class "B," Class "AB," Class "K," Class  
256 "R," and branch agency licenses, which shall be valid for a  
257 period of 3 years.

258 (4) Notwithstanding the existence of a valid Florida  
259 corporate registration, an ~~ne~~ agency or school licensee may not  
260 conduct activities regulated under this chapter under any  
261 fictitious name without prior written authorization from the  
262 department to use that name in the conduct of activities  
263 regulated under this chapter. The department may not authorize  
264 the use of a name that ~~which~~ is so similar to that of a public  
265 officer or agency, or of that used by another licensee, that the  
266 public may be confused or misled thereby. The authorization for

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267 the use of a fictitious name must ~~shall~~ require, as a condition  
268 precedent to the use of such name, the filing of a certificate  
269 of engaging in business under a fictitious name under s. 865.09.  
270 A No licensee may not ~~shall be permitted to~~ conduct business  
271 under more than one name except as separately licensed nor shall  
272 the license be valid to protect any licensee who is engaged in  
273 the business under any name other than that specified in the  
274 license. An agency desiring to change its licensed name must  
275 ~~shall~~ notify the department and, except upon renewal, pay a fee  
276 not to exceed \$30 for each license requiring revision including  
277 those of all licensed employees except Class "D" or Class "G"  
278 licensees. Upon the return of such licenses to the department,  
279 revised licenses shall be provided.

80 Section 7. Subsections (2) and (3) of section 493.6113,  
281 Florida Statutes, are amended to read:

282 493.6113 Renewal application for licensure.-

283 (2) At least ~~No less than~~ 90 days before ~~prior to~~ the  
284 expiration date of the license, the department shall mail a  
285 written notice to the last known mailing residence address of  
286 the licensee for individual licensees and to the last known  
287 agency address for agencies.

288 (3) Each licensee is ~~shall be~~ responsible for renewing his  
289 or her license on or before its expiration by filing with the  
290 department an application for renewal accompanied by payment of  
291 the prescribed license fee.

292 (a) Each Class "B" ~~Class "A," Class "B," or Class "R"~~  
293 licensee shall additionally submit on a form prescribed by the  
294 department a certification of insurance that ~~which~~ evidences

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295 that the licensee maintains coverage as required under s.  
296 493.6110.

297 (b) Each Class "G" licensee shall additionally submit  
298 proof that he or she has received during each year of the  
299 license period a minimum of 4 hours of firearms recertification  
300 training taught by a Class "K" licensee and has complied with  
301 such other health and training requirements which the department  
302 may adopt by rule. If proof of a minimum of 4 hours of annual  
303 firearms recertification training cannot be provided, the  
304 renewal applicant shall complete the minimum number of hours of  
305 range and classroom training required at the time of initial  
306 licensure.

307 (c) Each Class "DS" or Class "RS" licensee shall  
308 additionally submit the current curriculum, examination, and  
309 list of instructors.

310 (d) Each Class "K" firearms instructor licensee shall  
311 additionally submit one of the certificates specified under s.  
312 493.6105(6) as proof that he or she remains certified to provide  
313 firearms instruction.

314 Section 8. Subsection (8), paragraph (d) of subsection  
315 (12), and subsection (16) of section 493.6115, Florida Statutes,  
316 are amended to read:

317 493.6115 Weapons and firearms.—

318 (8) A Class "G" applicant must satisfy the minimum  
319 training criteria as set forth in s. 493.6105(5) ~~493.6105(6)~~ and  
320 as established by rule of the department.

321 (12) The department may issue a temporary Class "G"  
322 license, on a case-by-case basis, if:

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323 (d) The applicant has received approval from the  
324 department subsequent to its conduct of a criminal history  
325 record check as authorized in s. 493.6108(1) ~~493.6121(6)~~.

326 (16) If the criminal history record check program  
327 referenced in s. 493.6108(1) ~~493.6121(6)~~ is inoperable, the  
328 department may issue a temporary "G" license on a case-by-case  
329 basis, provided that the applicant has met all statutory  
330 requirements for the issuance of a temporary "G" license as  
331 specified in subsection (12), excepting the criminal history  
332 record check stipulated there; provided, that the department  
333 requires that the licensed employer of the applicant conduct a  
334 criminal history record check of the applicant pursuant to  
335 standards set forth in rule by the department, and provide to  
36 the department an affidavit containing such information and  
337 statements as required by the department, including a statement  
338 that the criminal history record check did not indicate the  
339 existence of any criminal history that would prohibit licensure.  
340 Failure to properly conduct such a check, or knowingly providing  
341 incorrect or misleading information or statements in the  
342 affidavit constitutes ~~shall constitute~~ grounds for disciplinary  
343 action against the licensed agency, including revocation of  
344 license.

345 Section 9. Present paragraph (u) of subsection (1) of  
346 section 493.6118, Florida Statutes, is redesignated as paragraph  
347 (v), and a new paragraph (u) is added to that subsection to  
348 read:

349 493.6118 Grounds for disciplinary action.-

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350 (1) The following constitute grounds for which  
351 disciplinary action specified in subsection (2) may be taken by  
352 the department against any licensee, agency, or applicant  
353 regulated by this chapter, or any unlicensed person engaged in  
354 activities regulated under this chapter.

355 (u) For a Class "G" or a Class "K" applicant or licensee,  
356 being prohibited from purchasing or possessing a firearm by  
357 state or federal law.

358 Section 10. Present subsections (7) and (8) of section  
359 493.6121, Florida Statutes, are renumbered as subsections (6)  
360 and (7), respectively, and subsection (6) of that section is  
361 amended, to read:

362 493.6121 Enforcement; investigation.—

363 ~~(6) The department shall be provided access to the program~~  
364 ~~that is operated by the Department of Law Enforcement, pursuant~~  
365 ~~to s. 790.065, for providing criminal history record information~~  
366 ~~to licensed gun dealers, manufacturers, and exporters. The~~  
367 ~~department may make inquiries, and shall receive responses in~~  
368 ~~the same fashion as provided under s. 790.065. The department~~  
369 ~~shall be responsible for payment to the Department of Law~~  
370 ~~Enforcement of the same fees as charged to others afforded~~  
371 ~~access to the program.~~

372 Section 11. Subsection (3) of section 493.6202, Florida  
373 Statutes, is amended to read:

374 493.6202 Fees.—

375 (3) The fees set forth in this section must be paid by  
376 certified check or money order or, at the discretion of the  
377 department, by electronic funds transfer agency check at the



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378 time the application is approved, except that the applicant for  
379 a Class "G," Class "C," Class "CC," Class "M," or Class "MA"  
380 license must pay the license fee at the time the application is  
381 made. If a license is revoked or denied or if the application is  
382 withdrawn, the license fee is nonrefundable ~~shall not be~~  
383 ~~refunded~~.

384 Section 12. Subsections (2), (4), and (6) of section  
385 493.6203, Florida Statutes, are amended to read:

386 493.6203 License requirements.—In addition to the license  
387 requirements set forth elsewhere in this chapter, each  
388 individual or agency shall comply with the following additional  
389 requirements:

390 (2) An applicant for a Class "MA" license must ~~shall~~ have  
391 2 years of lawfully gained, verifiable, full-time experience, or  
392 training in:

393 (a) Private investigative work or related fields of work  
394 that provided equivalent experience or training;

395 (b) Work as a Class "CC" licensed intern;

396 (c) Any combination of paragraphs (a) and (b);

397 (d) Experience described in paragraph (a) for 1 year and  
398 experience described in paragraph (e) for 1 year;

399 (e) No more than 1 year using:

400 1. College coursework related to criminal justice,  
401 criminology, or law enforcement administration; or

402 2. Successfully completed law enforcement-related training  
403 received from any federal, state, county, or municipal agency;

404 or

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405 (f) Experience described in paragraph (a) for 1 year and  
406 work in a managerial or supervisory capacity for 1 year.

407

408 However, experience in performing bodyguard services is not  
409 creditable toward the requirements of this subsection.

410 (4) An applicant for a Class "C" license shall have 2  
411 years of lawfully gained, verifiable, full-time experience, or  
412 training in one, or a combination of more than one, of the  
413 following:

414 (a) Private investigative work or related fields of work  
415 that provided equivalent experience or training.

416 (b) College coursework related to criminal justice,  
417 criminology, or law enforcement administration, or successful  
418 completion of any law enforcement-related training received from  
419 any federal, state, county, or municipal agency, except that no  
420 more than 1 year may be used from this category.

421 (c) Work as a Class "CC" licensed intern.

422

423 However, experience in performing bodyguard services is not  
424 creditable toward the requirements of this subsection.

425 (6) (a) A Class "CC" licensee must ~~shall~~ serve an  
426 internship under the direction and control of a designated  
427 sponsor, who is a Class "C," Class "MA," or Class "M" licensee.

428 (b) Effective January 1, 2012 ~~September 1, 2008~~, before  
429 submission of an application to the department, the an applicant  
430 for a Class "CC" license must have completed a minimum of 40 at  
431 ~~least 24~~ hours of professional training ~~a 40-hour course~~  
432 pertaining to general investigative techniques and this chapter,

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433 which course is offered by a state university or by a school,  
434 community college, college, or university under the purview of  
435 the Department of Education, and the applicant must pass an  
436 examination. The training must be provided in two parts, one 24-  
437 hour course and one 16-hour course. The certificate evidencing  
438 satisfactory completion of the 40 ~~at least 24~~ hours of  
439 professional training a 40-hour course must be submitted with  
440 the application for a Class "CC" license. ~~The remaining 16 hours~~  
441 ~~must be completed and an examination passed within 180 days. If~~  
442 ~~documentation of completion of the required training is not~~  
443 ~~submitted within the specified timeframe, the individual's~~  
444 ~~license is automatically suspended or his or her authority to~~  
445 ~~work as a Class "CC" pursuant to s. 493.6105(9) is rescinded~~  
446 ~~until such time as proof of certificate of completion is~~  
447 ~~provided to the department.~~ The training course specified in  
448 this paragraph may be provided by face-to-face presentation,  
449 online technology, or a home study course in accordance with  
450 rules and procedures of the Department of Education. The  
451 administrator of the examination must verify the identity of  
452 each applicant taking the examination.

453 1. Upon an applicant's successful completion of each part  
454 of the approved training course and passage of any required  
455 examination, the school, community college, college, or  
456 university shall issue a certificate of completion to the  
457 applicant. The certificates must be on a form established by  
458 rule of the department.

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459 2. The department shall establish by rule the general  
460 content of the professional training course and the examination  
461 criteria.

462 3. If the license of an applicant for relicensure is has  
463 ~~been~~ invalid for more than 1 year, the applicant must complete  
464 the required training and pass any required examination.

465 (c) An individual who submits an application for a Class  
466 "CC" license on or after September 1, 2008, through December 31,  
467 2011, who has not completed the 16-hour course must submit proof  
468 of successful completion of the course within 180 days after the  
469 date the application is submitted. If documentation of  
470 completion of the required training is not submitted by that  
471 date, the individual's license shall be automatically suspended  
472 until proof of the required training is submitted to the  
473 department. An individual licensed on or before August 31, 2008,  
474 is not required to complete additional training hours in order  
475 to renew an active license beyond the total required hours, and  
476 the timeframe for completion in effect at the time he or she was  
477 licensed applies.

478 Section 13. Subsection (3) of section 493.6302, Florida  
479 Statutes, is amended to read:

480 493.6302 Fees.—

481 (3) The fees set forth in this section must be paid by  
482 ~~certified~~ check or money order or, at the discretion of the  
483 department, by electronic funds transfer ~~agency check~~ at the  
484 time the application is approved, except that the applicant for  
485 a Class "D," Class "G," Class "M," or Class "MB" license must  
486 pay the license fee at the time the application is made. If a

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487 license is revoked or denied or if the application is withdrawn,  
488 the license fee is nonrefundable ~~shall not be refunded~~.

489 Section 14. Subsection (4) of section 493.6303, Florida  
490 Statutes, is amended to read:

491 493.6303 License requirements.—In addition to the license  
492 requirements set forth elsewhere in this chapter, each  
493 individual or agency must ~~shall~~ comply with the following  
494 additional requirements:

495 (4) (a) Effective January 1, 2012, an applicant for a Class  
496 "D" license must submit proof of successful completion of  
497 complete a minimum of 40 hours of professional training at a  
498 school or training facility licensed by the department. The  
499 training must be provided in two parts, one 24-hour course and  
500 one 16-hour course. The department shall by rule establish the  
501 general content and number of hours of each subject area to be  
502 taught.

503 (b) An individual who submits an application for a Class  
504 "D" license on or after January 1, 2007, through December 31,  
505 2011, who has not completed the 16-hour course must submit proof  
506 of successful completion of the course within 180 days after the  
507 date the application is submitted. If documentation of  
508 completion of the required training is not submitted by that  
509 date, the individual's license shall be automatically suspended  
510 until proof of the required training is submitted to the  
511 department. A person licensed before January 1, 2007, is not  
512 required to complete additional training hours in order to renew  
513 an active license beyond the total required hours, and the  
514 timeframe for completion in effect at the time he or she was

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515 licensed applies. ~~An applicant may fulfill the training~~  
516 ~~requirement prescribed in paragraph (a) by submitting proof of:~~

517 ~~1. Successful completion of the total number of required~~  
518 ~~hours of training before initial application for a Class "D"~~  
519 ~~license; or~~

520 ~~2. Successful completion of 24 hours of training before~~  
521 ~~initial application for a Class "D" license and successful~~  
522 ~~completion of the remaining 16 hours of training within 180 days~~  
523 ~~after the date that the application is submitted. If~~  
524 ~~documentation of completion of the required training is not~~  
525 ~~submitted within the specified timeframe, the individual's~~  
526 ~~license is automatically suspended until such time as proof of~~  
527 ~~the required training is provided to the department.~~

528 ~~(c) An individual~~ However, any person whose license is  
529 ~~suspended or has been revoked,~~ suspended pursuant to paragraph  
530 (b) subparagraph 2., or is expired for at least 1 year, or  
531 ~~longer~~ is considered, upon reapplication for a license, an  
532 initial applicant and must submit proof of successful completion  
533 of 40 hours of professional training at a school or training  
534 facility licensed by the department as provided ~~prescribed~~ in  
535 paragraph (a) before a license is ~~will be~~ issued. Any person  
536 whose license was issued before January 1, 2007, and whose  
537 license has been expired for less than 1 year must, upon  
538 reapplication for a license, submit documentation of completion  
539 of the total number of hours of training prescribed by law at  
540 the time her or his initial license was issued before another  
541 license will be issued. This subsection does not require an  
542 individual licensed before January 1, 2007, to complete

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543 ~~additional training hours in order to renew an active license,~~  
544 ~~beyond the required total amount of training within the~~  
545 ~~timeframe prescribed by law at the time she or he was licensed.~~

546 Section 15. Subsection (2) of section 493.6304, Florida  
547 Statutes, is amended to read:

548 493.6304 Security officer school or training facility.—

549 (2) The application shall be signed and verified by the  
550 applicant under oath as provided in s. 92.525 notarized and must  
551 ~~shall~~ contain, at a minimum, the following information:

552 (a) The name and address of the school or training  
553 facility and, if the applicant is an individual, her or his  
554 name, address, and social security or alien registration number.

555 (b) The street address of the place at which the training  
556 is to be conducted.

557 (c) A copy of the training curriculum and final  
558 examination to be administered.

559 Section 16. Subsections (7) and (8) of section 493.6401,  
560 Florida Statutes, are amended to read:

561 493.6401 Classes of licenses.—

562 (7) Any person who operates a recovery agent ~~repossessor~~  
563 school or training facility or who conducts an Internet-based  
564 training course or a correspondence training course must have a  
565 Class "RS" license.

566 (8) Any individual who teaches or instructs at a Class  
567 "RS" recovery agent ~~repossessor~~ school or training facility  
568 shall have a Class "RI" license.

569 Section 17. Subsections (1) and (3) of section 493.6402,  
570 Florida Statutes, are amended to read:

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571 493.6402 Fees.—

572 (1) The department shall establish by rule biennial  
573 license fees that ~~which~~ shall not exceed the following:

574 (a) Class "R" license—recovery agency: \$450.

575 (b) Class "RR" license—branch office: \$125.

576 (c) Class "MR" license—recovery agency manager: \$75.

577 (d) Class "E" license—recovery agent: \$75.

578 (e) Class "EE" license—recovery agent intern: \$60.

579 (f) Class "RS" license-recovery agent ~~license-repossessor~~  
580 school or training facility: \$60.

581 (g) Class "RI" license-recovery agent ~~license-repossessor~~  
582 school or training facility instructor: \$60.

583 (3) The fees set forth in this section must be paid by  
584 ~~certified~~ check or money order, or, at the discretion of the  
585 department, by or electronic funds transfer ~~agency check~~ at the  
586 time the application is approved, except that the applicant for  
587 a Class "E," Class "EE," or Class "MR" license must pay the  
588 license fee at the time the application is made. If a license is  
589 revoked or denied, or if an application is withdrawn, the  
590 license fee is nonrefundable ~~shall not be refunded~~.

591 Section 18. Section 493.6406, Florida Statutes, is amended  
592 to read:

593 493.6406 Recovery agent ~~Repossession services~~ school or  
594 training facility.—

595 (1) Any school, training facility, or instructor who  
596 offers the training outlined in s. 493.6403(2) for Class "E" or  
597 Class "EE" applicants shall, before licensure of such school,  
598 training facility, or instructor, file with the department an



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599 application accompanied by an application fee in an amount to be  
600 determined by rule, not to exceed \$60. The fee shall not be  
601 refundable. This training may be offered as face-to-face  
602 training, Internet-based training, or correspondence training.

603 (2) The application must ~~shall~~ be signed and verified by  
604 the applicant under oath as provided in s. 92.525 ~~notarized~~ and  
605 shall contain, at a minimum, the following information:

606 (a) The name and address of the school or training  
607 facility and, if the applicant is an individual, his or her  
608 name, address, and social security or alien registration number.

609 (b) The street address of the place at which the training  
610 is to be conducted or the street address of the Class "RS"  
611 school offering Internet-based or correspondence training.

612 (c) A copy of the training curriculum and final  
613 examination to be administered.

614 (3) The department shall adopt rules establishing the  
615 criteria for approval of schools, training facilities, and  
616 instructors.

617 Section 19. Paragraphs (j) through (z) of subsection (1)  
618 of section 500.03, Florida Statutes, are redesignated as  
619 paragraphs (l) through (bb), respectively, present paragraphs  
620 (n) and (p) are amended, and new paragraphs (j) and (k) are  
621 added to that subsection, to read:

622 500.03 Definitions; construction; applicability.—

623 (1) For the purpose of this chapter, the term:

624 (j) "Cottage food operation" means a natural person who  
625 produces or packages cottage food products at his or her  
626 residence and sells such products in accordance with s. 500.80.

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627        (k) "Cottage food product" means food that is not a  
628 potentially hazardous food as defined by department rule which  
629 is sold by a cottage food operation in accordance with s.  
630 500.80.

631        (p) ~~(n)~~ "Food establishment" means any factory, food  
632 outlet, or any other facility manufacturing, processing,  
633 packing, holding, or preparing food or selling food at wholesale  
634 or retail. The term does not include any business or activity  
635 that is regulated under s. 500.80, chapter 509, or chapter 601.  
636 The term includes tomato packinghouses and repackers but does  
637 not include any other establishments that pack fruits and  
638 vegetables in their raw or natural states, including those  
639 fruits or vegetables that are washed, colored, or otherwise  
640 treated in their unpeeled, natural form before they are  
641 marketed.

642        (r) ~~(p)~~ "Food service establishment" means any place where  
643 food is prepared and intended for individual portion service,  
644 and includes the site at which individual portions are provided.  
645 The term includes any such place regardless of whether  
646 consumption is on or off the premises and regardless of whether  
647 there is a charge for the food. The term includes delicatessens  
648 that offer prepared food in individual service portions. The  
649 term does not include schools, institutions, fraternal  
650 organizations, private homes where food is prepared or served  
651 for individual family consumption, retail food stores, the  
652 location of food vending machines, cottage food operations, and  
653 supply vehicles, nor does the term include a research and  
654 development test kitchen limited to the use of employees and

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655 which is not open to the general public.

656 Section 20. Subsection (1) of section 500.121, Florida  
657 Statutes, is amended to read:

658 500.121 Disciplinary procedures.—

659 (1) In addition to the suspension procedures provided in  
660 s. 500.12, if applicable, the department may impose a fine not  
661 to exceed exceeding \$5,000 against any retail food store, or  
662 food establishment, or cottage food operation that violates has  
663 violated this chapter, which fine, when imposed and paid, shall  
664 be deposited by the department into the General Inspection Trust  
665 Fund. The department may revoke or suspend the permit of any  
666 such retail food store or food establishment if it is satisfied  
667 that the retail food store or food establishment has:

668 (a) Violated any of the provisions of this chapter.

669 (b) Violated or aided or abetted in the violation of any  
670 law of this state governing or applicable to retail food stores  
671 or food establishments or any lawful rules of the department.

672 (c) Knowingly committed, or been a party to, any material  
673 fraud, misrepresentation, conspiracy, collusion, trick, scheme,  
674 or device whereby any other person, lawfully relying upon the  
675 word, representation, or conduct of a retail food store or food  
676 establishment, acts to her or his injury or damage.

677 (d) Committed any act or conduct of the same or different  
678 character than that enumerated which constitutes fraudulent or  
679 dishonest dealing.

680 Section 21. Section 500.80, Florida Statutes, is created  
681 to read:

682 500.80 Cottage food operations.—

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683 (1) (a) A cottage food operation must comply with the  
684 applicable requirements of this chapter but is exempt from the  
685 permitting requirements of s. 500.12 if the cottage food  
686 operation complies with this section and has annual gross sales  
687 of cottage food products that do not exceed \$15,000.

688 (b) For purposes of this subsection, a cottage food  
689 operation's annual gross sales include all sales of cottage food  
690 products at any location, regardless of the types of products  
691 sold or the number of persons involved in the operation. A  
692 cottage food operation must provide the department, upon  
693 request, with written documentation to verify the operation's  
694 annual gross sales.

695 (2) A cottage food operation may not sell or offer for  
696 sale cottage food products over the Internet, by mail order, or  
697 at wholesale.

698 (3) A cottage food operation may only sell cottage food  
699 products which are prepackaged with a label affixed that  
700 contains the following information:

701 (a) The name and address of the cottage food operation.

702 (b) The name of the cottage food product.

703 (c) The ingredients of the cottage food product, in  
704 descending order of predominance by weight.

705 (d) The net weight or net volume of the cottage food  
706 product.

707 (e) Allergen information as specified by federal labeling  
708 requirements.

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709 (f) If any nutritional claim is made, appropriate  
710 nutritional information as specified by federal labeling  
711 requirements.

712 (g) The following statement printed in at least 10-point  
713 type in a color that provides a clear contrast to the background  
714 of the label: "Made in a cottage food operation that is not  
715 subject to Florida's food safety regulations."

716 (4) A cottage food operation may only sell cottage food  
717 products that it stores on the premises of the cottage food  
718 operation.

719 (5) This section does not exempt a cottage food operation  
720 from any state or federal tax law, rule, regulation, or  
721 certificate that applies to all cottage food operations.

722 (6) A cottage food operation must comply with all  
723 applicable county and municipal laws and ordinances regulating  
724 the preparation, processing, storage, and sale of cottage food  
725 products by a cottage food operation or from a person's  
726 residence.

727 (7) (a) The department may investigate any complaint which  
728 alleges that a cottage food operation has violated an applicable  
729 provision of this chapter or rule adopted under this chapter.

730 (b) Only upon receipt of a complaint, the department's  
731 authorized officer or employee may enter and inspect the  
732 premises of a cottage food operation to determine compliance  
733 with this chapter and department rules, as applicable. A cottage  
734 food operation's refusal to permit the department's authorized  
735 officer or employee entry to the premises or to conduct the

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736 inspection is grounds for disciplinary action pursuant to s.  
737 500.121.

738 (8) This section does not apply to a person operating  
739 under a food permit issued pursuant to s. 500.12.

740 Section 22. Subsection (2) of section 501.145, Florida  
741 Statutes, is amended to read:

742 501.145 Bedding Label Act.—

743 (2) DEFINITIONS.—For the purpose of this section, the  
744 term:

745 (a) "Bedding" means any mattress, box spring, pillow, or  
746 cushion made of leather or any other material which is or can be  
747 stuffed or filled in whole or in part with any substance or  
748 material, which can be used by any human being for sleeping or  
749 reclining purposes.

750 ~~(b) "Department" means the Department of Agriculture and~~  
751 ~~Consumer Services.~~

752 ~~(b)(e)~~ "Enforcing authority" means the Department of  
753 Agriculture and Consumer Services or the Department of Legal  
754 Affairs.

755 Section 23. Paragraph (b) of subsection (1) and subsection  
756 (8) of section 501.160, Florida Statutes, is amended to read:

757 501.160 Rental or sale of essential commodities during a  
758 declared state of emergency; prohibition against unconscionable  
759 prices.—

760 (1) As used in this section:

761 (b) It is prima facie evidence that a price is  
762 unconscionable if:

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763 1. The amount charged represents a gross disparity between  
764 the price of the commodity or rental or lease of any dwelling  
765 unit or self-storage facility that is the subject of the offer  
766 or transaction and the average price at which that commodity or  
767 dwelling unit or self-storage facility was rented, leased, sold,  
768 or offered for rent or sale in the usual course of business  
769 during the 30 days immediately prior to a declaration of a state  
770 of emergency, unless ~~and~~ the increase in the amount charged is  
771 ~~not~~ attributable to additional costs incurred in connection with  
772 the rental or sale of the commodity or rental or lease of any  
773 dwelling unit or self-storage facility, or regional, national or  
774 international market trends; or

775 2. The amount charged grossly exceeds the average price at  
776 which the same or similar commodity was readily obtainable in  
777 the trade area during the 30 days immediately prior to a  
778 declaration of a state of emergency, unless ~~and~~ the increase in  
779 the amount charged is ~~not~~ attributable to additional costs  
780 incurred in connection with the rental or sale of the commodity  
781 or rental or lease of any dwelling unit or self-storage  
782 facility, or regional, national or international market trends.

783 (8) Any violation of this section may be enforced by the  
784 ~~Department of Agriculture and Consumer Services, the office of~~  
785 ~~the state attorney,~~ or the Department of Legal Affairs.

786 Section 24. Subsection (2) of section 525.01, Florida  
787 Statutes, is amended to read:

788 525.01 Gasoline and oil to be inspected.-

789 (2) All petroleum fuels are ~~shall be~~ subject to inspection  
790 and analysis by the department. Before selling or offering for

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791 sale in this state any petroleum fuel, all manufacturers,  
792 terminal suppliers, wholesalers, and importers as defined in s.  
793 206.01 ~~jobbers~~ shall file with the department:

794 (a) An affidavit stating that they desire to do business  
795 in this state, and the name and address of the manufacturer of  
796 the petroleum fuel.

797 (b) An affidavit stating that the petroleum fuel is in  
798 conformity with the standards prescribed by department rule.

799 Section 25. Section 526.06, Florida Statutes, is amended  
800 to read:

801 526.06 Mixing, blending, compounding, or adulteration of  
802 liquid fuels of same manufacturer prohibited; ~~sale of gasoline~~  
803 ~~blended with ethanol. A It is unlawful for any person may not to~~  
804 mix, blend, compound, or adulterate the liquid fuel, lubricating  
805 oil, grease, or similar product of a manufacturer or distributor  
806 with a liquid fuel, lubricating oil, grease, or similar product  
807 of the same manufacturer or distributor of a character or nature  
808 different from the character or nature of the liquid fuel,  
809 lubricating oil, grease, or similar product so mixed, blended,  
810 compounded, or adulterated, and expose for sale, offer for sale,  
811 or sell the same as the unadulterated product of such  
812 manufacturer or distributor or as the unadulterated product of  
813 any other manufacturer or distributor. However, ~~nothing in this~~  
814 chapter does not shall be construed to prevent the lawful owner  
815 of such products from applying his, her, or its own trademark,  
816 trade name, or symbol to any product or material. ~~Ethanol-~~  
817 ~~blended fuels which contain unleaded gasoline and up to 10~~  
818 ~~percent denatured ethanol by volume may be sold at retail~~



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819 ~~service stations for use in motor vehicles. To provide retail~~  
820 ~~service stations flexibility during the transition period to~~  
821 ~~ethanol blended fuels, the T50 and TV/L specifications for~~  
822 ~~gasoline containing between 9 and 10 percent ethanol shall be~~  
823 ~~applied to all gasoline containing between 1 and 10 percent~~  
824 ~~ethanol by volume provided the last three or fewer deliveries~~  
825 ~~contained between 9 and 10 percent ethanol by volume. If there~~  
826 ~~is no reasonable availability of ethanol or the price of ethanol~~  
827 ~~exceeds the price of gasoline, the T50 and TV/L specifications~~  
828 ~~for gasoline containing between 9 and 10 percent ethanol shall~~  
829 ~~be applicable for gasoline containing between 1 and 10 percent~~  
830 ~~ethanol for up to three deliveries of fuel.~~

831 Section 26. Paragraph (f) of subsection (3) of section  
832 539.001, Florida Statutes, is amended to read:

833 539.001 The Florida Pawnbroking Act.—

834 (3) LICENSE REQUIRED.—

835 (f) Any person applying for or renewing a local  
836 occupational license to engage in business as a pawnbroker must  
837 exhibit a current license from the agency before the local  
838 business tax receipt occupational license may be issued or  
839 reissued.

840 Section 27. Subsection (7) of section 681.102, Florida  
841 Statutes, is amended, and present subsections (8) through (23)  
842 of that subsection are renumbered as subsections (7) through  
843 (22), respectively, to read:

844 681.102 Definitions.—As used in this chapter, the term:

845 ~~(7) "Division" means the Division of Consumer Services of~~  
846 ~~the Department of Agriculture and Consumer Services.~~

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847 Section 28. Subsection (3) of section 681.103, Florida  
848 Statutes, is amended to read:

849 681.103 Duty of manufacturer to conform a motor vehicle to  
850 the warranty.—

851 (3) At the time of acquisition, the manufacturer shall  
852 inform the consumer clearly and conspicuously in writing how and  
853 where to file a claim with a certified procedure if such  
854 procedure has been established by the manufacturer pursuant to  
855 s. 681.108. The nameplate manufacturer of a recreational vehicle  
856 shall, at the time of vehicle acquisition, inform the consumer  
857 clearly and conspicuously in writing how and where to file a  
858 claim with a program pursuant to s. 681.1096. The manufacturer  
859 shall provide to the dealer and, at the time of acquisition, the  
860 dealer shall provide to the consumer a written statement that  
861 explains the consumer's rights under this chapter. The written  
862 statement shall be prepared by the Department of Legal Affairs  
863 and shall contain a toll-free number for the department which  
864 ~~division that~~ the consumer can contact to obtain information  
865 regarding the consumer's rights and obligations under this  
866 chapter or to commence arbitration. If the manufacturer obtains  
867 a signed receipt for timely delivery of sufficient quantities of  
868 this written statement to meet the dealer's vehicle sales  
869 requirements, it shall constitute prima facie evidence of  
870 compliance with this subsection by the manufacturer. The  
871 consumer's signed acknowledgment of receipt of materials  
872 required under this subsection shall constitute prima facie  
873 evidence of compliance by the manufacturer and dealer. The form  
874 of the acknowledgments shall be approved by the Department of

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875 Legal Affairs, and the dealer shall maintain the consumer's  
876 signed acknowledgment for 3 years.

877 Section 29. Section 681.108, Florida Statutes, is amended  
878 to read:

879 681.108 Dispute-settlement procedures.—

880 (1) If a manufacturer has established a procedure that,  
881 ~~which~~ the department division has certified as substantially  
882 complying with the provisions of 16 C.F.R. part 703, in effect  
883 October 1, 1983, and with the provisions of this chapter and the  
884 rules adopted under this chapter, and has informed the consumer  
885 how and where to file a claim with such procedure pursuant to s.  
886 681.103(3), the provisions of s. 681.104(2) apply to the  
887 consumer only if the consumer has first resorted to such  
888 procedure. The decisionmakers for a certified procedure shall,  
889 in rendering decisions, take into account all legal and  
890 equitable factors germane to a fair and just decision,  
891 including, but not limited to, the warranty; the rights and  
892 remedies conferred under 16 C.F.R. part 703, in effect October  
893 1, 1983; the provisions of this chapter; and any other equitable  
894 considerations appropriate under the circumstances.

895 Decisionmakers and staff of a procedure shall be trained in the  
896 provisions of this chapter and in 16 C.F.R. part 703, in effect  
897 October 1, 1983. In an action brought by a consumer concerning  
898 an alleged nonconformity, the decision that results from a  
899 certified procedure is admissible in evidence.

900 (2) A manufacturer may apply to the department division  
901 for certification of its procedure. After receipt and evaluation  
902 of the application, the department division shall certify the

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903 procedure or notify the manufacturer of any deficiencies in the  
904 application or the procedure.

905 (3) A certified procedure or a procedure of an applicant  
906 seeking certification shall submit to the department ~~division~~ a  
907 copy of each settlement approved by the procedure or decision  
908 made by a decisionmaker within 30 days after the settlement is  
909 reached or the decision is rendered. The decision or settlement  
910 must contain at a minimum the:

911 (a) Name and address of the consumer;

912 (b) Name of the manufacturer and address of the dealership  
913 from which the motor vehicle was purchased;

914 (c) Date the claim was received and the location of the  
915 procedure office that handled the claim;

916 (d) Relief requested by the consumer;

917 (e) Name of each decisionmaker rendering the decision or  
918 person approving the settlement;

919 (f) Statement of the terms of the settlement or decision;

920 (g) Date of the settlement or decision; and

921 (h) Statement of whether the decision was accepted or  
922 rejected by the consumer.

923 (4) Any manufacturer establishing or applying to establish  
924 a certified procedure must file with the department ~~division~~ a  
925 copy of the annual audit required under the provisions of 16  
926 C.F.R. part 703, in effect October 1, 1983, together with any  
927 additional information required for purposes of certification,  
928 including the number of refunds and replacements made in this  
929 state pursuant to the provisions of this chapter by the  
930 manufacturer during the period audited.

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931 (5) The department ~~division~~ shall review each certified  
932 procedure at least annually, prepare an annual report evaluating  
933 the operation of certified procedures established by motor  
934 vehicle manufacturers and procedures of applicants seeking  
935 certification, and, for a period not to exceed 1 year, shall  
936 grant certification to, or renew certification for, those  
937 manufacturers whose procedures substantially comply with the  
938 provisions of 16 C.F.R. part 703, in effect October 1, 1983, and  
939 with the provisions of this chapter and rules adopted under this  
940 chapter. If certification is revoked or denied, the department  
941 ~~division~~ shall state the reasons for such action. The reports  
942 and records of actions taken with respect to certification shall  
943 be public records.

944 (6) A manufacturer whose certification is denied or  
945 revoked is entitled to a hearing pursuant to chapter 120.

946 (7) If federal preemption of state authority to regulate  
947 procedures occurs, the provisions of subsection (1) concerning  
948 prior resort do not apply.

949 (8) The department ~~may division shall~~ adopt rules to  
950 administer ~~implement~~ this section.

951 Section 30. Section 681.109, Florida Statutes, is amended  
952 to read:

953 681.109 Florida New Motor Vehicle Arbitration Board;  
954 dispute eligibility.—

955 (1) If a manufacturer has a certified procedure, a  
956 consumer claim arising during the Lemon Law rights period must  
957 be filed with the certified procedure no later than 60 days  
958 after the expiration of the Lemon Law rights period. If a

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959 decision is not rendered by the certified procedure within 40  
960 days of filing, the consumer may apply to the department  
961 ~~division~~ to have the dispute removed to the board for  
962 arbitration.

963 (2) If a manufacturer has a certified procedure, a  
964 consumer claim arising during the Lemon Law rights period must  
965 be filed with the certified procedure no later than 60 days  
966 after the expiration of the Lemon Law rights period. If a  
967 consumer is not satisfied with the decision or the  
968 manufacturer's compliance therewith, the consumer may apply to  
969 the department ~~division~~ to have the dispute submitted to the  
970 board for arbitration. A manufacturer may not seek review of a  
971 decision made under its procedure.

972 (3) If a manufacturer does not have a ~~has no~~ certified  
973 procedure or if the a certified procedure does not have  
974 jurisdiction to resolve the dispute, a consumer may apply  
975 directly to the department ~~division~~ to have the dispute  
976 submitted to the board for arbitration.

977 (4) A consumer must request arbitration before the board  
978 with respect to a claim arising during the Lemon Law rights  
979 period no later than 60 days after the expiration of the Lemon  
980 Law rights period, or within 30 days after the final action of a  
981 certified procedure, whichever date occurs later.

982 (5) The department ~~division~~ shall screen all requests for  
983 arbitration before the board to determine eligibility. The  
984 consumer's request for arbitration before the board shall be  
985 made on a form prescribed by the department. The department  
986 ~~division~~ shall forward to the board all disputes that the

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987 department division determines are potentially entitled to  
988 relief under this chapter.

989 (6) The department division may reject a dispute that it  
990 determines to be fraudulent or outside the scope of the board's  
991 authority. Any dispute deemed by the department division to be  
992 ineligible for arbitration by the board due to insufficient  
993 evidence may be reconsidered upon the submission of new  
994 information regarding the dispute. Following a second review,  
995 the department division may reject a dispute if the evidence is  
996 clearly insufficient to qualify for relief. If the department  
997 rejects a dispute, it must provide notice of the rejection and a  
998 brief explanation of the reason for rejection ~~Any dispute~~  
999 ~~rejected by the division shall be forwarded to the department~~  
1000 ~~and a copy shall be sent by registered mail to the consumer and~~  
1001 ~~to the manufacturer, containing a brief explanation as to the~~  
1002 ~~reason for rejection.~~

1003 (7) If the department division rejects a dispute, the  
1004 consumer may file a lawsuit to enforce the remedies provided  
1005 under this chapter. In any civil action arising under this  
1006 chapter and relating to a matter considered by the department  
1007 division, any determination made to reject a dispute is  
1008 admissible in evidence.

1009 (8) The department ~~may shall have the authority to~~ adopt  
1010 ~~reasonable rules to~~ administer ~~carry out the provisions of this~~  
1011 ~~section.~~

1012 Section 31. Subsections (2), (3), (4), (5), (9), (11), and  
1013 (12) of section 681.1095, Florida Statutes, are amended, and  
1014 subsection (17) is added to that section, to read:

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1015 681.1095 Florida New Motor Vehicle Arbitration Board;  
1016 creation and function.—

1017 (2) The board boards shall hear cases in various locations  
1018 throughout the state so that any consumer whose dispute is  
1019 approved for arbitration by the department division may attend  
1020 an arbitration hearing at a reasonably convenient location and  
1021 present a dispute orally. Hearings shall be conducted by panels  
1022 of three board members assigned by the department. A majority  
1023 vote of the three-member board panel shall be required to render  
1024 a decision. Arbitration proceedings under this section shall be  
1025 open to the public on reasonable and nondiscriminatory terms.

1026 (3) Each region of the board shall consist of up to eight  
1027 members. The members of the board shall construe and apply the  
1028 provisions of this chapter, and rules adopted thereunder, in  
1029 making their decisions. An administrator and a secretary shall  
1030 be assigned to each region of the board by the Department of  
1031 Legal Affairs. At least one member of the each board in each  
1032 region must have be a person with expertise in motor vehicle  
1033 mechanics. A member may must not be employed by a manufacturer  
1034 or a franchised motor vehicle dealer or be a staff member, a  
1035 decisionmaker, or a consultant for a procedure. Board members  
1036 shall be trained in the application of this chapter and any  
1037 rules adopted under this chapter. Members of the board, shall be  
1038 ~~reimbursed for travel expenses pursuant to s. 112.061, and shall~~  
1039 ~~be compensated at a rate or wage prescribed by the Attorney~~  
1040 ~~General and are entitled to reimbursement for per diem and~~  
1041 travel expenses pursuant to s. 112.061.



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1042 (4) Before filing a civil action on a matter subject to s.  
1043 681.104, the consumer must first submit the dispute to the  
1044 department division, and to the board if such dispute is deemed  
1045 eligible for arbitration.

1046 (5) Manufacturers shall submit to arbitration conducted by  
1047 the board if such arbitration is requested by a consumer and the  
1048 dispute is deemed eligible for arbitration by the department  
1049 division pursuant to s. 681.109.

1050 (9) The decision of the board shall be sent by any method  
1051 providing a delivery confirmation ~~registered mail~~ to the  
1052 consumer and the manufacturer, and shall contain written  
1053 findings of fact and rationale for the decision. If the decision  
1054 is in favor of the consumer, the manufacturer must, within 40  
55 days after receipt of the decision, comply with the terms of the  
1056 decision. Compliance occurs on the date the consumer receives  
1057 delivery of an acceptable replacement motor vehicle or the  
1058 refund specified in the arbitration award. In any civil action  
1059 arising under this chapter and relating to a dispute arbitrated  
1060 before the board, any decision by the board is admissible in  
1061 evidence.

1062 (11) ~~All provisions in~~ This section and s. 681.109  
1063 pertaining to compulsory arbitration before the board, the  
1064 dispute eligibility screening by the department division, the  
1065 proceedings and decisions of the board, and any appeals thereof,  
1066 are exempt from ~~the provisions of~~ chapter 120.

1067 (12) An appeal of a decision by the board to the circuit  
1068 court by a consumer or a manufacturer shall be by trial de novo.  
1069 In a written petition to appeal a decision by the board, the

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1070 appealing party must state the action requested and the grounds  
1071 relied upon for appeal. Within 15 ~~30~~ days after ~~of~~ final  
1072 disposition of the appeal, the appealing party shall furnish the  
1073 department with ~~notice of such disposition and, upon request,~~  
1074 ~~shall furnish the department with~~ a copy of the settlement or  
1075 the order or judgment of the court.

1076 (17) The department may adopt rules to administer this  
1077 section.

1078 Section 32. Subsections (2) and (4) of section 681.1096,  
1079 Florida Statutes, are amended to read:

1080 681.1096 RV Mediation and Arbitration Program; creation  
1081 and qualifications.-

1082 (2) Each manufacturer of a recreational vehicle involved  
1083 in a dispute that is determined eligible under this chapter,  
1084 including chassis and component manufacturers that ~~which~~  
1085 separately warrant the chassis and components and that ~~which~~  
1086 otherwise meet the definition of manufacturer set forth in s.  
1087 681.102(13) ~~681.102(14)~~, shall participate in a mediation and  
1088 arbitration program that is deemed qualified by the department.

1089 (4) The department shall monitor the program for  
1090 compliance with this chapter. If the program is determined not  
1091 qualified or if qualification is revoked, then disputes shall be  
1092 subject to the provisions of ss. 681.109 and 681.1095. If the  
1093 program is determined not qualified or if qualification is  
1094 revoked as to a manufacturer, all those manufacturers  
1095 potentially involved in the eligible consumer dispute shall be  
1096 required to submit to arbitration conducted by the board if such  
1097 arbitration is requested by a consumer and the dispute is deemed

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1098 eligible for arbitration by the department ~~division~~ pursuant to  
1099 s. 681.109. A consumer having a dispute involving one or more  
1100 manufacturers for which the program has been determined not  
1101 qualified, or for which qualification has been revoked, is not  
1102 required to submit the dispute to the program irrespective of  
1103 whether the program may be qualified as to some of the  
1104 manufacturers potentially involved in the dispute.

1105 Section 33. Subsection (2) of section 681.112, Florida  
1106 Statutes, is amended to read:

1107 681.112 Consumer remedies.—

1108 (2) An action brought under this chapter must be commenced  
1109 within 1 year after the expiration of the Lemon Law rights  
1110 period, or, if a consumer resorts to an informal dispute-  
1111 settlement procedure or submits a dispute to the department  
1112 ~~division~~ or board, within 1 year after the final action of the  
1113 procedure, department ~~division~~, or board.

1114 Section 34. Subsection (1) of section 681.117, Florida  
1115 Statutes, is amended to read:

1116 681.117 Fee.—

1117 (1) A \$2 fee shall be collected by a motor vehicle dealer,  
1118 or by a person engaged in the business of leasing motor  
1119 vehicles, from the consumer at the consummation of the sale of a  
1120 motor vehicle or at the time of entry into a lease agreement for  
1121 a motor vehicle. Such fees shall be remitted to the county tax  
1122 collector or private tag agency acting as agent for the  
1123 Department of Revenue. If the purchaser or lessee removes the  
1124 motor vehicle from the state for titling and registration  
1125 outside this state, the fee shall be remitted to the Department

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1126 of Revenue. All fees, less the cost of administration, shall be  
1127 transferred monthly to the Department of Legal Affairs for  
1128 deposit into the Motor Vehicle Warranty Trust Fund. ~~The~~  
1129 ~~Department of Legal Affairs shall distribute monthly an amount~~  
1130 ~~not exceeding one fourth of the fees received to the Division of~~  
1131 ~~Consumer Services of the Department of Agriculture and Consumer~~  
1132 ~~Services to carry out the provisions of ss. 681.108 and 681.109.~~  
1133 ~~The Department of Legal Affairs shall contract with the Division~~  
1134 ~~of Consumer Services for payment of services performed by the~~  
1135 ~~division pursuant to ss. 681.108 and 681.109.~~

1136 Section 35. This act shall take effect July 1, 2011.

1137

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1139

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1141

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

1142

Remove the entire title and insert:

1143

1144 An act relating to the Consumer Service Functions of the  
1145 Department of Agriculture and Consumer Services; amending s.  
1146 320.90, F.S.; deleting a reference to the Department of  
1147 Agriculture and Consumer Services; amending s. 493.6105, F.S. ;  
1148 revising the information that a person must supply in an  
1149 application for licensure as a private investigator, private  
1150 security service, or repossession service; deleting a  
1151 requirement that certain applicants supply photographs along  
1152 with an application; revising the certificates that a person  
1153 applying for a class "K" firearms instructor's license must  
supply along with an application for the license; making

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1154 technical and grammatical changes; amending s. 493.6106, F.S.;

1155 providing that applicants for certain licenses as a private

1156 investigator, private security service or repossession service

1157 must meet certain citizenship or immigration requirements and

1158 not be prohibited by law from purchasing a firearm; making

1159 grammatical and technical changes; amending s. 493.6107, F.S.;

1160 authorizing a Class "M," Class "G," and Class "K" licensee or

1161 applicant to pay examination fees and license fees by personal

1162 check or, if authorized by the department, by electronic funds

1163 transfer; amending s. 493.6108, F.S.; requiring the department

1164 to investigate the mental fitness of an applicant of a Class "K"

1165 firearms instructor license; amending s. 493.6111, F.S.;

1166 providing that Class "K" firearms instructor licenses are valid

1167 for 3 years; requiring an applicant for a recovery school or

1168 security officer school to receive approval from the department

1169 before operating under a fictitious name; making technical and

1170 grammatical changes; amending s. 493.6113, F.S.; deleting a

1171 requirement that Class "A" private investigative agency

1172 licensees and Class "R" recovery agency licensees provide

1173 evidence of certain insurance coverage with an application to

1174 renew a license; requiring a Class "K" firearms instructor

1175 licensee to submit proof of certification to provide firearms

1176 instruction; amending s. 493.6115, F.S.; conforming cross-

1177 references to changes made by the act; making technical and

1178 grammatical changes; amending s. 493.6118, F.S.; authorizing the

1179 department to take disciplinary action against a Class "G"

1180 statewide firearms licensee or applicant or a Class "K" firearms

1181 instructor licensee or applicant if the person is prohibited

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1182 from purchasing a firearm by law; amending s. 493.6121, F.S.;

1183 deleting a provision authorizing the department to have access

1184 to certain criminal history information of a purchaser of a

1185 firearm; amending s. 493.6202, F.S.; authorizing a Class "A,"

1186 Class "AA," Class "MA," Class "C," or Class "CC" licensee or

1187 applicant to pay examination fees and license fees by personal

1188 check or, if authorized by the department, by electronic funds

1189 transfer; amending s. 493.6203, F.S.; providing that experience

1190 as a bodyguard does not qualify as experience or training for

1191 purposes of a Class "MA" or Class "C" license; requiring an

1192 initial applicant for a Class "CC" license to complete specified

1193 training courses; making technical and grammatical changes and

1194 conforming a cross-reference; amending s. 493.6302, F.S.;

1195 authorizing a Class "B," Class "BB," Class "MB," Class "D,"

1196 Class "DS," or Class "DI" licensee or applicant to pay

1197 examination fees and license fees by personal check or, if

1198 authorized by the department, by electronic funds transfer;

1199 amending s. 493.6303, F.S.; requiring an applicant for an

1200 initial Class "D" license to complete specified training

1201 courses; making technical and grammatical changes; amending s.

1202 493.6304, F.S.; requiring an application for a security officer

1203 school or training facility to be verified under oath; amending

1204 ss. 493.6401 and 493.6402, F.S.; renaming reposessors as

1205 "recovery agents"; authorizing a Class "R," Class "RR," Class

1206 "MR," Class "E," Class "EE," Class "RS," or Class "RI" licensee

1207 or applicant to pay examination fees and license fees by

1208 personal check or, if authorized by the department, by

1209 electronic funds transfer; amending s. 493.6406, F.S.; requiring

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1210 recovery agent schools or instructors to be licensed by the  
1211 department to offer training to Class "E" licensees and  
1212 applicants; amending s. 500.03, F.S.; providing and revising  
1213 definitions for purposes of the Florida Food Safety Act;  
1214 amending s. 500.121, F.S.; providing penalties for food safety  
1215 violations committed by cottage food operations; creating s.  
1216 500.80, F.S.; exempting cottage food operations from food  
1217 permitting requirements; limiting the annual gross sales of  
1218 cottage food operations and the methods by which cottage food  
1219 products may be sold or offered for sale; requiring certain  
1220 packaging and labeling of cottage food products; limiting the  
1221 sale of cottage food products to certain locations; providing  
1222 for application; authorizing the Department of Agriculture and  
1223 Consumer Services to investigate complaints and enter into the  
1224 premises of a cottage food operation; amending s. 501.145, F.S.;  
1225 deleting a reference to the department as an enforcing authority  
1226 in the Bedding Label Act; amending s. 501.160, F.S.; deleting  
1227 authorization for the department to enforce certain prohibitions  
1228 against unconscionable practices during a declared state of  
1229 emergency; amending s. 525.01, F.S.; revising requirements for  
1230 petroleum fuel affidavits; amending s. 526.06, F.S.; revising  
1231 prohibited acts related to certain mixing, blending,  
1232 compounding, or adulterating of liquid fuels; deleting certain  
1233 provisions authorizing the sale of ethanol-blended fuels for use  
1234 in motor vehicles; amending s. 539.001, F.S.; correcting a  
1235 reference to a local business tax receipt; amending s. 681.102,  
1236 F.S.; deleting a reference to the division in the Motor Vehicle  
1237 Warranty Enforcement Act; amending ss. 681.103, 681.108, and

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1238 | 681.109, F.S.; transferring certain responsibilities under the  
1239 | Lemon Law to the department from the Division of Consumer  
1240 | Services; amending s. 681.1095, F.S.; transferring certain  
1241 | responsibilities relating to the New Motor Vehicle Arbitration  
1242 | Board to the department from the Division of Consumer Services;  
1243 | authorizing the board to send its decisions by any method  
1244 | providing a delivery confirmation; authorizing the department to  
1245 | adopt rules; amending s. 681.1096, F.S.; conforming a cross-  
1246 | reference; amending s. 681.112, F.S.; transferring certain  
1247 | responsibilities relating to the Lemon Law to the department  
1248 | from the Division of Consumer Services; amending s. 681.117,  
1249 | F.S.; deleting a provision requiring the Department of Legal  
1250 | Affairs to contract with the Division of Consumer Services for  
1251 | services relating to dispute settlement procedures and the New  
1252 | Motor Vehicle Arbitration Board; providing an effective date.



# COMMITTEE MEETING REPORT

## Economic Affairs Committee

4/7/2011 8:00:00AM

Location: Reed Hall (102 HOB)

### HB 7213 : Road and Bridge Designations

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo			X		
Frank Artiles				X	
Jim Boyd	X				
Chris Dorworth			X		
Brad Drake				X	
Doug Holder	X				
Evan Jenne	X				
Peter Nehr	X				
Bryan Nelson			X		
Jeanette Nufiez				X	
Steven Perman	X				
Ronald Renuart	X				
Kenneth Roberson	X				
Irving Slosberg	X				
Geraldine Thompson	X				
James Waldman	X				
Ritch Workman	X				
Dorothy Hukill (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

### HB 7213 Amendments

#### Amendment 1

Adopted Without Objection

Committee meeting was reported out: Thursday, April 07, 2011 3:55:23PM

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COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
2 Representative(s) Drake offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Edna S. Hargrett-Thrower Avenue designated;  
7 Department of Transportation to erect suitable markers.-

8 (1) That portion of Orange Blossom Trail between Gore  
9 Street and Church Street in Orange County is designated as "Edna  
10 S. Hargrett-Thrower Avenue."

11 (2) The Department of Transportation is directed to erect  
12 suitable markers designating Edna S. Hargrett-Thrower Avenue as  
13 described in subsection (1).

14 Section 2. SP4 Thomas Berry Corbin Memorial Highway  
15 designated; Department of Transportation to erect suitable  
16 markers.-

17 (1) That portion of U.S. Highway 19/27A/98/State Road 55  
18 between the Suwannee River Bridge and N.E. 592nd Street/Chavous

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19 Road/Kate Green Road in Dixie County is designated as "SP4  
20 Thomas Berry Corbin Memorial Highway."

21 (2) The Department of Transportation is directed to erect  
22 suitable markers designating SP4 Thomas Berry Corbin Memorial  
23 Highway as described in subsection (1).

24 Section 3. U.S. Navy BMC Samuel Calhoun Chavous, Jr.  
25 Memorial Highway designated; Department of Transportation to  
26 erect suitable markers.-

27 (1) That portion of U.S. Highway 19/98/State Road 55  
28 between N.E. 592nd Street/Chavous Road/Kate Green Road and N.E.  
29 170th Street in Dixie County is designated as "U.S. Navy BMC  
30 Samuel Calhoun Chavous, Jr. Memorial Highway."

31 (2) The Department of Transportation is directed to erect  
32 suitable markers designating U.S. Navy BMC Samuel Calhoun  
33 Chavous, Jr. Memorial Highway as described in subsection (1).

34 Section 4. Marine Lance Corporal Brian R. Buesing Memorial  
35 Highway designated; Department of Transportation to erect  
36 suitable markers.-

37 (1) That portion of State Road 24 between County Road 347  
38 and Bridge Number 340053 in Levy County is designated as "Marine  
39 Lance Corporal Brian R. Buesing Memorial Highway."

40 (2) The Department of Transportation is directed to erect  
41 suitable markers designating Marine Lance Corporal Brian R.  
42 Buesing Memorial Highway as described in subsection (1).

43 Section 5. United States Army Sergeant Karl A. Campbell  
44 Memorial Highway designated; Department of Transportation to  
45 erect suitable markers.-

Amendment No. 1

46       (1) That portion of U.S. Highway 19/98/State Road 55/S.  
47 Main Street between N.W. 1st Avenue and S.E. 2nd Avenue in Levy  
48 County is designated as "United States Army Sergeant Karl A.  
49 Campbell Memorial Highway."

50       (2) The Department of Transportation is directed to erect  
51 suitable markers designating United States Army Sergeant Karl A.  
52 Campbell Memorial Highway as described in subsection (1).

53       Section 6. U.S. Army SPC James A. Page Memorial Highway  
54 designated; Department of Transportation to erect suitable  
55 markers.-

56       (1) That portion of U.S. Highway 27A/State Road  
57 500/Hathaway Avenue between State Road 24/Thrasher Drive and  
58 Town Court in Levy County is designated as "U.S. Army SPC James  
59 A. Page Memorial Highway."

60       (2) The Department of Transportation is directed to erect  
61 suitable markers designating U.S. Army SPC James A. Page  
62 Memorial Highway as described in subsection (1).

63       Section 7. Veterans Memorial Highway designated;  
64 Department of Transportation to erect suitable markers.-

65       (1) That portion of State Road 19 between U.S. Highway  
66 17/State Road 15 and Carriage Drive in the City of Palatka in  
67 Putnam County is designated as "Veterans Memorial Highway."

68       (2) The Department of Transportation is directed to erect  
69 suitable markers designating Veterans Memorial Highway as  
70 described in subsection (1).

71       Section 8. Ben G. Watts Highway designated; Department of  
72 Transportation to erect suitable markers.-

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73       (1) That portion of U.S. Highway 90/State Road 10 between  
74 the Holmes County Line and the Jackson County Line in Washington  
75 County is designated as "Ben G. Watts Highway."

76       (2) The Department of Transportation is directed to erect  
77 suitable markers designating Ben G. Watts Highway as described  
78 in subsection (1).

79       Section 9. Mardi Gras Way designated; Department of  
80 Transportation to erect suitable markers.-

81       (1) That portion of State Road 824 between Interstate 95  
82 and U.S. Highway 1 in Broward County is designated as "Mardi  
83 Gras Way."

84       (2) The Department of Transportation is directed to erect  
85 suitable markers designating Mardi Gras Way as described in  
86 subsection (1).

87       Section 10. West Park Boulevard designated; Department of  
88 Transportation to erect suitable markers.-

89       (1) That portion of State Road 7 between Pembroke Road and  
90 County Line Road in Broward County is designated as "West Park  
91 Boulevard."

92       (2) The Department of Transportation is directed to erect  
93 suitable markers designating West Park Boulevard as described in  
94 subsection (1).

95       Section 11. Pembroke Park Boulevard designated; Department  
96 of Transportation to erect suitable markers.-

97       (1) That portion of State Road 858/Hallandale Beach  
98 Boulevard between Interstate 95 and U.S. Highway 441/State Road  
99 7 in Broward County is designated as "Pembroke Park Boulevard."

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100       (2) The Department of Transportation is directed to erect  
101 suitable markers designating Pembroke Park Boulevard as  
102 described in subsection (1).

103       Section 12. Stark Memorial Drive designated; Department of  
104 Transportation to erect suitable markers.-

105       (1) That portion of State Road 101/Mayoport Road between  
106 State Road A1A and Wonderwood Connector in Duval County is  
107 designated as "Stark Memorial Drive."

108       (2) The Department of Transportation is directed to erect  
109 suitable markers designating Stark Memorial Drive as described  
110 in subsection (1).

111       Section 13. Duval County Law Enforcement Memorial Overpass  
112 designated; Department of Transportation to erect suitable  
113 markers.-

114       (1) The Interstate 295/State Road 9A overpass (Bridge  
115 Numbers 720256 and 720347) over Interstate 10/State Road 8 in  
116 Duval County is designated as "Duval County Law Enforcement  
117 Memorial Overpass."

118       (2) The Department of Transportation is directed to erect  
119 suitable markers designating Duval County Law Enforcement  
120 Memorial Overpass as described in subsection (1).

121       Section 14. Verna Bell Way designated; Department of  
122 Transportation to erect suitable markers.-

123       (1) That portion of State Road 200 between Lime Street and  
124 Beech Street in the City of Fernandina Beach in Nassau County is  
125 designated as "Verna Bell Way."

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126       (2) The Department of Transportation is directed to erect  
127 suitable markers designating Verna Bell Way as described in  
128 subsection (1).

129       Section 15. Deputy Hal P. Croft and Deputy Ronald Jackson  
130 Memorial Highway designated; Department of Transportation to  
131 erect suitable markers.-

132       (1) That portion of State Road 100 East in Union County  
133 between the Bradford County line and the Columbia County line is  
134 designated as "Deputy Hal P. Croft and Deputy Ronald Jackson  
135 Memorial Highway."

136       (2) The Department of Transportation is directed to erect  
137 suitable markers designating Deputy Hal P. Croft and Deputy  
138 Ronald Jackson Memorial Highway as described in subsection (1).

139       Section 16. Dr. Oscar Elias Biscet Boulevard designated;  
140 Department of Transportation to erect suitable markers.-

141       (1) That portion of Coral Way between S.W. 32nd Avenue and  
142 S.W. 37th Avenue in Miami-Dade County is designated as "Dr.  
143 Oscar Elias Biscet Boulevard."

144       (2) The Department of Transportation is directed to erect  
145 suitable markers designating Dr. Oscar Elias Biscet Boulevard as  
146 described in subsection (1).

147       Section 17. Hugh Anderson Boulevard designated; Department  
148 of Transportation to erect suitable markers.-

149       (1) That portion of Biscayne Boulevard between N.E. 88th  
150 Street and N.E. 105th Street in Miami Shores Village in Miami-  
151 Dade County is designated as "Hugh Anderson Boulevard."

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152 (2) The Department of Transportation is directed to erect  
153 suitable markers designating Hugh Anderson Boulevard as  
154 described in subsection (1).

155 Section 18. Palmetto General Hospital Way designated;  
156 Department of Transportation to erect suitable markers.-

157 (1) That portion of West 20th Avenue between West 68th  
158 Street and West 73rd Street in Miami-Dade County is designated  
159 as "Palmetto General Hospital Way."

160 (2) The Department of Transportation is directed to erect  
161 suitable markers designating Palmetto General Hospital Way as  
162 described in subsection (1).

163 Section 19. Senator Javier D. Souto Way designated;  
164 Department of Transportation to erect suitable markers.-

165 (1) That portion of State Road 976/Bird Road between S.W.  
166 87th Ave and the Palmetto Expressway Ramp in Miami-Dade County  
167 is designated as "Senator Javier D. Souto Way."

168 (2) The Department of Transportation is directed to erect  
169 suitable markers designating Javier D. Souto Way as described  
170 subsection (1).

171 Section 20. Reverend Max Salvadore Avenue designated;  
172 Department of Transportation to erect suitable markers.-

173 (1) That portion of Southwest 27th Avenue from Southwest  
174 8th Street to Southwest 13th Street in the City of Miami in  
175 Miami-Dade County is designated as "Reverend Max Salvadore  
176 Avenue."

177 (2) The Department of Transportation is directed to erect  
178 suitable markers designating Reverend Max Salvadore Avenue as  
179 described in subsection (1).



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180 Section 21. Brigada 2506 Street, Carlos Rodriguez Santana  
181 designated; Department of Transportation to erect suitable  
182 markers.-

183 (1) That portion of Southwest 8th Street from Southwest  
184 10th Avenue to Southwest 12th Avenue in the City of Miami in  
185 Miami-Dade County is designated as "Brigada 2506 Street, Carlos  
186 Rodriguez Santana."

187 (2) The Department of Transportation is directed to erect  
188 suitable markers designating Brigada 2506 Street, Carlos  
189 Rodriguez Santana as described in subsection (1).

190 Section 22. Rev. Jorge Comesanas Way designated;  
191 Department of Transportation to erect suitable markers.-

192 (1) That portion of Southwest 87th Avenue from Southwest  
193 8th Street to Southwest 24th Street in Miami-Dade County is  
194 designated as "Rev. Jorge Comesanas Way."

195 (2) The Department of Transportation is directed to erect  
196 suitable markers designating Rev. Jorge Comesanas Way as  
197 described in subsection (1).

198 Section 23. Alma Lee Loy Bridge designated; Department of  
199 Transportation to erect suitable markers.-

200 (1) Bridge No. 880077 on State Road 656 between State Road  
201 A1A and Indian River Boulevard in the City of Vero Beach in  
202 Indian River County is designated as "Alma Lee Loy Bridge."

203 (2) The Department of Transportation is directed to erect  
204 suitable markers designating Alma Lee Loy Bridge as described  
205 subsection (1).

206 Section 24. Samuel B. Love Memorial Highway designated;  
207 Department of Transportation to erect suitable markers.-

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208       (1) That portion of Sunset Harbor Road between S.E. 105th  
209 Avenue and S.E. 115th Avenue in Marion County is designated as  
210 "Samuel B. Love Memorial Highway."

211       (2) The Department of Transportation is directed to erect  
212 suitable markers designating Samuel B. Love Memorial Highway as  
213 described in subsection (1).

214       Section 25. Elvin Martinez Road designated; Department of  
215 Transportation to erect suitable markers.-

216       (1) That portion of Tampa Bay Boulevard between Armenia  
217 Avenue and Himes Avenue in Hillsborough County is designated as  
218 "Elvin Martinez Road."

219       (2) The Department of Transportation is directed to erect  
220 suitable markers designating Elvin Martinez Road as described in  
221 subsection (1).

222       Section 26. Whale Harbor Joe Roth Jr. Bridge designated;  
223 Department of Transportation to erect suitable markers.-

224       (1) Whale Harbor Bridge (Bridge No. 900076) on U.S.  
225 Highway 1/State Road 5 in Monroe County is designated as "Whale  
226 Harbor Joe Roth Jr. Bridge."

227       (2) The Department of Transportation is directed to erect  
228 suitable markers designating Whale Harbor Joe Roth Jr. Bridge as  
229 designated in subsection (1).

230       Section 27. Florida Highway Patrol Trooper Sgt. Nicholas  
231 G. Sottile Memorial designated; Department of Transportation to  
232 erect suitable markers.-

233       (1) Milepost 22.182 on U.S. 27 in Highlands County is  
234 designated as "Florida Highway Patrol Trooper Sgt. Nicholas G.  
235 Sottile Memorial."

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236       (2) The Department of Transportation is directed to erect  
237 suitable markers designating the Florida Highway Patrol Trooper  
238 Sgt. Nicholas G. Sottile Memorial as described subsection (1).

239       Section 28. Section 24 of chapter 2010-230, Laws of  
240 Florida, is amended to read:

241       Section 24. Miss Lillie Williams Boulevard designated;  
242 Department of Transportation to erect suitable markers.-

243       (1) That portion of N.W. 79th Street between N.W. 6th  
244 Avenue and N.W. 7th E. ~~12th~~ Avenue in Miami-Dade County is  
245 designated as "Miss Lillie Williams Boulevard."

246       (2) The Department of Transportation is directed to erect  
247 suitable markers designating Miss Lillie Williams Boulevard as  
248 described in subsection (1).

249       Section 29. Section 45 of chapter 2010-230, Laws of  
250 Florida, is amended to read:

251       Section 45. Father Gerard Jean-Juste Street designated;  
252 Department of Transportation to erect suitable markers.-

253       (1) That portion of N.W. 54th Street in Miami-Dade County  
254 between N.W. 2nd Avenue and N.E. ~~N.W.~~ 3rd Avenue in Little Haiti  
255 is designated "Father Gerard Jean-Juste Street."

256       (2) The Department of Transportation is directed to erect  
257 suitable markers designating Father Gerard Jean-Juste Street as  
258 described in subsection (1).

259       Section 30. This act shall take effect July 1, 2011.

260

261

262

263

Amendment No. 1

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

265 Remove the entire title and insert:

266 An act relating to road and bridge designations; designating  
267 Edna S. Hargrett-Thrower Avenue in Orange County; designating  
268 SP4 Thomas Berry Corbin Memorial Highway and U.S. Navy BMC  
269 Samuel Calhoun Chavous, Jr. Memorial Highway in Dixie County;  
270 designating Marine Lance Corporal Brian R. Buesing Memorial  
271 Highway, United States Army Sergeant Karl A. Campbell Memorial  
272 Highway, and U.S. Army SPC James A. Page Memorial Highway in  
273 Levy County; designating Veterans Memorial Highway in Putnam  
274 County; designating Ben G. Watts Highway in Washington County;  
275 designating Mardi Gras Way, West Park Boulevard, and Pembroke  
276 Park Boulevard in Broward County; designating Stark Memorial  
77 Drive and Duval County Law Enforcement Memorial Overpass in  
278 Duval County; designating Verna Bell Way in Nassau County;  
279 designating Deputy Hal P. Croft and Deputy Ronald Jackson  
280 Memorial Highway in Union County; designating Dr. Oscar Elias  
281 Biscet Boulevard, Hugh Anderson Boulevard, Palmetto General  
282 Hospital Way, Senator Javier D. Souto Way, Reverend Max  
283 Salvadore Avenue, Brigada 2506 Street, Carlos Rodriguez Santana,  
284 and Rev. Jorge Comesanas Way in Miami-Dade County; designating  
285 Alma Lee Loy Bridge in Indian River County; designating Samuel  
286 B. Love Memorial Highway in Marion County; designating Elvin  
287 Martinez Road in Hillsborough County; designating Whale Harbor  
288 Joe Roth Jr. Bridge in Monroe County; designating the Florida  
289 Highway Patrol Trooper Sgt. Nicholas G. Sottile Memorial in  
290 Highlands County; amending ss. 24 and 45, ch. 2010-230, Laws of  
291 Florida; revising the designation for Miss Lillie Williams

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292 Boulevard and Father Gerard Jean-Juste Street in Miami-Dade  
293 County; directing the Department of Transportation to erect  
294 suitable markers; providing an effective date.