



Business & Consumer Affairs Subcommittee

Action Packet

**Tuesday, March 22, 2011
8:30 AM – 11:30 AM
12 HOB**

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

Summary:

Business & Consumer Affairs Subcommittee

Tuesday March 22, 2011 08:30 am

| | | | |
|-----------------|-------------------------------------|----------|----------|
| HB 103 | Favorable | Yeas: 10 | Nays: 0 |
| CS/HB 423 | Favorable | Yeas: 13 | Nays: 0 |
| HB 837 | Favorable | Yeas: 14 | Nays: 1 |
| HB 877 | Unfavorable | Yeas: 1 | Nays: 12 |
| HB 1115 | Favorable With Committee Substitute | Yeas: 12 | Nays: 0 |
| HB 1303 | Favorable With Committee Substitute | Yeas: 13 | Nays: 0 |
| HB 4015 | Favorable | Yeas: 12 | Nays: 0 |
| CS/HB 4069 | Favorable | Yeas: 10 | Nays: 0 |
| HB 4107 | Favorable | Yeas: 13 | Nays: 0 |
| HB 4143 | Favorable With Committee Substitute | Yeas: 14 | Nays: 0 |
| HB 4213 | Temporarily Deferred | | |
| PCB BCAS 11-03 | Favorable | Yeas: 13 | Nays: 0 |
| PCS for HB 1145 | Favorable With Amendments (1) | Yeas: 14 | Nays: 1 |
| PCS for HB 217 | Favorable | Yeas: 10 | Nays: 5 |
| PCS for HB 63 | Favorable | Yeas: 13 | Nays: 0 |
| PCS for HB 849 | Favorable | Yeas: 12 | Nays: 0 |
| HB 1415 | Workshopped | | |

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE MEETING REPORT
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Location: 12 HOB

Attendance:

| | <i>Present</i> | <i>Absent</i> | <i>Excused</i> |
|---------------------------|----------------|---------------|----------------|
| Esteban Bovo, Jr. (Chair) | X | | |
| Joseph Abruzzo | X | | |
| Larry Ahern | X | | |
| Frank Artiles | X | | |
| Steve Crisafulli | X | | |
| Eric Eisnaugle | X | | |
| Tom Goodson | X | | |
| Mia Jones | X | | |
| Jeanette Nufiez | X | | |
| Jimmy Patronis | X | | |
| Kenneth Roberson | X | | |
| Darryl Rouson | X | | |
| Irving Slosberg | X | | |
| Cynthia Stafford | X | | |
| Dana Young | X | | |
| Totals: | 15 | 0 | 0 |

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COMMITTEE MEETING REPORT
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3/22/2011 8:30:00AM

Location: 12 HOB

HB 103 : State Lotteries

Favorable

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|---------------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Joseph Abruzzo | | | X | | |
| Larry Ahern | X | | | | |
| Frank Artiles | X | | | | |
| Steve Crisafulli | X | | | | |
| Eric Eisnaugle | | | X | | |
| Tom Goodson | X | | | | |
| Mia Jones | | | X | | |
| Jeanette Nuñez | X | | | | |
| Jimmy Patronis | | | X | | |
| Kenneth Roberson | X | | | | |
| Darryl Rouson | X | | | | |
| Irving Slosberg | X | | | | |
| Cynthia Stafford | X | | | | |
| Dana Young | | | X | | |
| Esteban Bovo, Jr. (Chair) | X | | | | |
| Total Yeas: 10 | | Total Nays: 0 | | | |

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COMMITTEE MEETING REPORT
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3/22/2011 8:30:00AM

Location: 12 HOB

CS/HB 423 : Mobile Home Park Lot Tenancies

Favorable

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|---------------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Joseph Abruzzo | X | | | | |
| Larry Ahern | X | | | | |
| Frank Artiles | X | | | | |
| Steve Crisafulli | X | | | | |
| Eric Eisnaugle | X | | | | |
| Tom Goodson | X | | | | |
| Mia Jones | | | X | | |
| Jeanette Nufiez | X | | | | |
| Jimmy Patronis | | | X | | |
| Kenneth Roberson | X | | | | |
| Darryl Rouson | X | | | | |
| Irving Slosberg | X | | | | |
| Cynthia Stafford | X | | | | |
| Dana Young | X | | | | |
| Esteban Bovo, Jr. (Chair) | X | | | | |
| Total Yeas: 13 | | Total Nays: 0 | | | |

Appearances:

Mobile Home Park Lot Tenancies
 Kenneth Pratt (Lobbyist) - Opponent
 Florida League of Cities
 301 S. Bronough Street, Suite 300
 Tallahassee FL 32303
 Phone: 850-701-3676

Mobile Home Park Lot Tenancies
 Nancy Stewart (Lobbyist) - Proponent
 FMO-Federation of Manufactured Home Owners of FL Inc.
 1535 Killearn Center Blvd.
 Tallahassee FL 32309
 Phone: 850-385-7805

Mobile Home Park Lot Tenancies
 Lori Killinger (Lobbyist) - Proponent
 Florida Manufactured Housing Assoc.
 2600 Cortenicel Place
 Tallahassee FL 32308
 Phone: 850-222-5702

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE MEETING REPORT
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3/22/2011 8:30:00AM

Location: 12 HOB

HB 837 : Production and Shipment of Wine

Favorable

| | Yea | Nay | No Vote | Absentee Yea | Absentee Nay |
|---------------------------|-----|----------------------|---------|-----------------|-----------------|
| Joseph Abruzzo | X | | | | |
| Larry Ahern | X | | | | |
| Frank Artiles | | X | | | |
| Steve Crisafulli | X | | | | |
| Eric Eisnaugle | X | | | | |
| Tom Goodson | X | | | | |
| Mia Jones | X | | | | |
| Jeanette Nuñez | X | | | | |
| Jimmy Patronis | X | | | | |
| Kenneth Roberson | X | | | | |
| Darryl Rouson | X | | | | |
| Irving Slosberg | X | | | | |
| Cynthia Stafford | X | | | | |
| Dana Young | X | | | | |
| Esteban Bovo, Jr. (Chair) | X | | | | |
| Total Yeas: 14 | | Total Nays: 1 | | | |

Appearances:

Production and Shipment of Wine
 Todd Steibly (Lobbyist) - Waive In Support
 Seavin Wineries
 301 S. Bronough St.
 Tallahassee FL 32309
 Phone: 850-577-9090

Production and Shipment of Wine
 Brechts Hevchan (Lobbyist) - Waive In Support
 Southern Wine & Spirits
 P.O. Box 10549
 Tallahassee FL 32302
 Phone: 850-702-0143

Production and Shipment of Wine
 Hunter Limbaugh, SE Counsel - Opponent
 Wine Institute
 413 E. Springs Rd.
 Columbia SC
 Phone: 803-237-9719

Production and Shipment of Wine
 Monica Rodrigue (Lobbyist) - Waive In Support
 Southern Wine & Spirits
 106 E. College Ave.
 Tallahassee FL

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COMMITTEE MEETING REPORT
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Location: 12 HOB

Production and Shipment of Wine

Scott Ashley, President & General Counsel (Lobbyist) - Proponent

Wine & Spirits Distributors of Florida

215 South Monroe Street, Suite 800-A

Tallahassee FL 32301

Phone: 850-681-8700

Production and Shipment of Wine

Scott Dick, Lobbyist (Lobbyist) - Waive In Support

Florida Retail Federation & ABC Fine Wine & Spirits

210 S. Monroe Street

Tallahassee FL 32301

Phone: 850-421-9100

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

HB 877 : Title Loans

Unfavorable

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|---------------------------|------------|-----------------------|----------------|-------------------------|-------------------------|
| Joseph Abruzzo | | X | | | |
| Larry Ahern | | X | | | |
| Frank Artiles | | X | | | |
| Steve Crisafulli | | X | | | |
| Eric Eisnaugle | | X | | | |
| Tom Goodson | X | | | | |
| Mia Jones | | X | | | |
| Jeanette Nuñez | | X | | | |
| Jimmy Patronis | | X | | | |
| Kenneth Roberson | | X | | | |
| Darryl Rouson | | | X | | |
| Irving Slosberg | | X | | | |
| Cynthia Stafford | | X | | | |
| Dana Young | | | X | | |
| Esteban Bovo, Jr. (Chair) | | X | | | |
| Total Yeas: 1 | | Total Nays: 12 | | | |

Appearances:

Title Loans

Ostha Domenicone, Director of Government Affairs - Proponent:

LoanMax

3440 Preston Ridge Road, Ste. 500

Alpharetta GA 30022

Phone: 678-823-4668

Title Loans

Tom Cardwell, Commissioner (Lobbyist) (State Employee) - Opponent

Office of Financial Regulation

200 E. Gaines St.

Tallahassee FL

Phone: 850-410-9601

Title Loans

Dorene Barker, Leg. Director (Lobbyist) - Waive In Opposition

Florida Legal Services

2425 Torrega Dr.

Tallahassee FL

Title Loans

Brewster Bevis, VP External Relations (Lobbyist) - Proponent

Associated Industries of Florida

516 N. Adams St.

Tallahassee FL 32301

Phone: 850-224-7173

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Business & Consumer Affairs Subcommittee

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Location: 12 HOB

Title Loans

Lynn Drysdale, Managing Attorney (Lobbyist) - Opponent

Florida Legal Services

126 West Adams Street

Jacksonville FL 32202

Phone: 904-356-8371 X306

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

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CHAMBER ACTION

Senate

House

Failed

Representative(s) Gibbons offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. The Division of Statutory Revision is requested to rename chapter 537, Florida Statutes, as "MOTOR VEHICLE TITLE LOANS."

Section 1. Section 537.001, Florida Statutes, is repealed.

Section 2. Section 537.002, Florida Statutes, is amended to read:

537.002 Preemption; legislative intent.—The regulation of the business of offering motor vehicle title loans is preempted to the state. It is the intent of the Legislature in the creation of this chapter that all title loans to consumers in this state, secured by a nonpurchase money security interest in a motor vehicle, be regulated under this chapter, which shall by

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17 | ~~the provisions of this act. The provisions of this act~~ supersede
18 | any other provisions of state law affecting such title loans to
19 | the extent of any conflict.

20 | Section 3. Section 537.003, Florida Statutes, is amended
21 | to read:

22 | 537.003 Definitions.—As used in this chapter act, the term
23 | ~~unless the context otherwise requires:~~

24 | (1) "Commercially reasonable" has the same meaning as used
25 | in part V of chapter 679. In addition, Nonpublic sales or
26 | disposal of personal property between a title loan lender and
27 | any business affiliates of a title loan lender or a member of a
28 | title loan lender's family are presumed not to be made in a
29 | commercially reasonable manner.

30 | (2) "Commission" means the Financial Services Commission.

31 | (3) "Consumer" means an individual borrowing money for
32 | personal, family, or household purposes.

33 | (4) "Office" means the Office of Financial Regulation of
34 | the commission.

35 | (5) "Executive officer" means the president, chief
36 | executive officer, chief financial officer, chief operating
37 | officer, executive vice president, senior vice president,
38 | secretary, and treasurer.

39 | (6) "Identification" means a government-issued
40 | photographic identification.

41 | (7) "Interest" means the cost of obtaining a title loan
42 | and includes any profit or advantage of any kind whatsoever
43 | which ~~that~~ a title loan lender may charge, contract for,

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44 collect, receive, or ~~in any way~~ obtain as a result of a title
45 loan.

46 (8) "License" means a permit issued under this chapter act
47 to make or service title loans ~~in accordance with this act~~ at a
48 single title loan office.

49 (9) "Licensee" means a person ~~who is~~ licensed as a title
50 loan lender under this chapter.

51 ~~(10) "Loan property" means any motor vehicle certificate~~
52 ~~of title that is deposited with a title loan lender as a~~
53 ~~security for a title loan in the course of the title loan~~
54 ~~lender's business.~~

55 ~~(9)-(11)~~ "Motor vehicle" means an automobile, motorcycle,
56 mobile home, truck, trailer, semitrailer, truck tractor and
57 semitrailer combination, or any other vehicle operated on the
58 public highways and streets of this state, used to transport
59 persons or property, and propelled by power other than muscular
60 power, but excluding a vehicle that ~~which~~ runs only upon a track
61 and a mobile home that is the primary residence of the owner.

62 ~~(10)-(12)~~ "Title loan" or "loan" means a loan of money to a
63 consumer secured by a non-purchase-money security interest in
64 bailment of a certificate of title to a motor vehicle. The term
65 does not include a, ~~except such~~ loan made by a person licensed
66 under chapter 516, chapter 520, chapter 655, chapter 657,
67 chapter 658, chapter 660, chapter 663, chapter 665, or chapter
68 667 or a person who complies with s. 687.03.

69 ~~(11)-(13)~~ "Title loan agreement" or "agreement" means a
70 written agreement in which a title loan lender agrees to make a
71 title loan to a borrower.

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72 | (12)(14) "Title loan lender" or "lender" means a any
73 | person who engages in the business of making or servicing title
74 | loans.

75 | (13)(15) "Title loan office" means the location at which,
76 | or premises from which, a title loan lender regularly conducts
77 | business under this chapter or any other location that is held
78 | out to the public as a location at which a lender makes or
79 | services title loans.

80 | ~~(16) "Titled personal property" means a motor vehicle that~~
81 | ~~has as evidence of ownership a state issued certificate of title~~
82 | ~~except for a mobile home that is the primary residence of the~~
83 | ~~borrower.~~

84 | (14)(17) "Ultimate equitable owner" means a person who,
85 | directly or indirectly, owns or controls an ownership interest
86 | in a corporation, a foreign corporation, an alien business
87 | organization, or any other form of business organization,
88 | regardless of whether such person owns or controls such
89 | ownership interest through one or more persons or one or more
90 | proxies, powers of attorney, nominees, corporations,
91 | associations, partnerships, trusts, joint stock companies, or
92 | other entities or devices, or any combination thereof.

93 | Section 4. Section 537.004, Florida Statutes, is amended
94 | to read:

95 | 537.004 License required; license fees.—

96 | (1) A person may not act as a title loan lender or own or
97 | operate a title loan office unless such person has an active
98 | ~~title loan lender~~ license issued by the office ~~under this act.~~

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99 (a) A person may not act as a title loan lender from any
100 office where any other kind of consumer loan is offered or made.
101 A person may not act as a title loan lender from any office that
102 is within 1000 feet of another office where title loans or any
103 other kind of loan is made, if that other office is owned or
104 operated by the person or an entity that shares a common
105 ultimate equitable owner with the person.

106 (b) A title loan lender may not own or operate more than
107 one title loan office unless the lender obtains a separate title
108 loan lender license for each title loan office.

109 (2) A person applying for licensure as a title loan lender
110 shall file with the office an application as provided under s.
111 537.005(1) and (2), the bond required by s. 537.005(3), a
112 nonrefundable application fee of \$1,200, a nonrefundable
113 investigation fee of \$200, and a complete set of fingerprints
114 taken by an authorized law enforcement officer. The office shall
115 submit such fingerprints to the Department of Law Enforcement
116 for state processing, and the Department of Law Enforcement
117 shall forward the fingerprints to the Federal Bureau of
118 Investigation for national processing.

119 (3) If the office determines that an applicant satisfies
120 the requirements of this chapter ~~an application should be~~
121 ~~approved~~, the office shall issue a license for up to a period
122 ~~not to exceed 2 years~~.

123 (4) A license shall be renewed biennially by filing a
124 renewal form and a nonrefundable renewal fee of \$1,200. A
125 license that is not renewed by the end of the biennial period
126 ~~shall~~ automatically reverts ~~revert~~ to inactive status. An

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127 inactive license may be reactivated within 6 months after
128 becoming inactive by filing a reactivation form, payment of the
129 nonrefundable \$1,200 renewal fee, and payment of a nonrefundable
130 reactivation fee of \$600. A license that is not reactivated
131 within 6 months after becoming inactive may not be reactivated
132 and the applicant must apply for a new license shall
133 ~~automatically expire~~. The commission shall adopt ~~establish~~ by
134 rule the procedures for application, renewal, and reactivation
135 of a license and the application, ~~shall adopt a renewal, form~~
136 and a reactivation forms form.

137 (5) Each license must be conspicuously displayed at the
138 title loan office. If ~~When~~ a licensee wishes to move a title
139 loan office to another location, the licensee shall provide
140 prior written notice to the office.

141 (6) A license ~~issued pursuant to this act~~ is not
142 transferable or assignable.

143 (7) Each licensee shall designate and maintain a
144 registered agent in this state for service of process.

145 (8) If ~~Whenever~~ a person or a group of persons, directly
146 or indirectly or acting by or through one or more persons,
147 proposes to purchase or acquire a 50 percent or more interest in
148 a licensee, such person or group shall submit an initial license
149 application before ~~for licensure under this act prior to~~ such
150 purchase or acquisition.

151 (9) The commission may adopt rules to allow for electronic
152 filing of applications, fees, and forms required by this chapter
153 act.

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154 (10) All moneys collected by the office under this chapter
155 ~~aet~~ shall be deposited into the Regulatory Trust Fund of the
156 office.

157 Section 5. Section 537.005, Florida Statutes, is amended
158 to read:

159 537.005 License application ~~for license~~.

160 (1) A verified license application ~~for licensure under~~
161 ~~this act~~, in the form prescribed by commission rule, must shall:

162 (a) Contain the name and the residence and business
163 address of the applicant. If the applicant is other than a
164 natural person, the application must shall contain the name and
165 the residence and business address of each ultimate equitable
166 owner of 10 percent or more of such entity and each director,
167 general partner, and executive officer of such entity.

168 (b) State whether any individual identified in paragraph
169 (a) has, within the last 10 years, pleaded nolo contendere to,
170 or has been convicted or found guilty of, a felony, regardless
171 of whether adjudication was withheld.

172 (c) Identify the county and municipality with the street
173 and number or location where the business is to be conducted.

174 (d) Contain additional information as the commission
175 determines by rule to be necessary to ensure compliance with
176 this chapter ~~aet~~.

177 (2) Notwithstanding subsection (1), the application need
178 not state the full name and address of each officer, director,
179 and shareholder if the applicant is owned directly or
180 beneficially by a person who as an issuer has a class of
181 securities registered pursuant to s. 12 of the Securities

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182 Exchange Act of 1934 or, pursuant to s. 13 or s. 15(d) of such
183 act, is an issuer of securities which is required to file
184 reports with the Securities and Exchange Commission, if the
185 person files with the office any information, documents, and
186 reports required ~~by such act~~ to be filed with the Securities and
187 Exchange Commission.

188 (3) An applicant for licensure shall file a bond with the
189 office ~~a bond~~, in the amount of \$100,000 for each license, with
190 a surety company qualified to do business in this state.
191 However, ~~in no event shall~~ the aggregate amount of the bond
192 required for a single title loan lender may not exceed \$1
193 million. In lieu of the bond, the applicant may establish and
194 file a certificate of deposit or an irrevocable letter of credit
195 in a financial institution, as defined in s. 655.005, in the
196 amount of the bond. ~~The original bond, certificate of deposit,~~
197 ~~or letter of credit shall be filed with the office, and the~~
198 office shall be the beneficiary to that document. ~~The bond,~~
199 ~~certificate of deposit, or letter of credit shall be in favor of~~
200 ~~the office~~ for the use and benefit of any consumer who is
201 injured pursuant to a title loan transaction by the fraud,
202 misrepresentation, breach of contract, financial failure, or
203 violation of any provision of this chapter ~~act~~ by the title loan
204 lender. Such liability may be enforced either by ~~proceeding in~~
205 an administrative action or by ~~filing a judicial suit at law in~~
206 ~~a court of competent jurisdiction~~. However, in such court suit,
207 the bond, certificate of deposit, or letter of credit posted
208 with the office is ~~shall~~ not be amenable or subject to any
209 judgment or other legal process issuing out of or from such

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210 court in connection with such lawsuit, but is ~~such bond,~~
211 ~~certificate of deposit, or letter of credit shall~~ be amenable to
212 and enforceable only by and through administrative proceedings
213 before the office. It is the intent of the Legislature that such
214 bond, certificate of deposit, or letter of credit ~~shall~~ be
215 applicable and liable only for the payment of claims duly
216 adjudicated by order of the office. The bond, certificate of
217 deposit, or letter of credit is ~~shall~~ be payable on a pro rata
218 basis as determined by the office, but the aggregate amount may
219 not exceed the amount of the bond, certificate of deposit, or
220 letter of credit.

221 ~~(4) The office shall approve an application and issue a~~
222 ~~license if the office determines that the applicant satisfies~~
223 ~~the requirements of this act.~~

224 Section 6. Section 537.006, Florida Statutes, is amended
225 to read:

226 537.006 Denial, suspension, or revocation of license.—

227 (1) The following acts are violations of this chapter act
228 and constitute grounds for ~~the~~ disciplinary actions specified in
229 subsection (2):

230 (a) Failure to comply with any provision of this chapter
231 ~~act~~, any rule or order adopted pursuant to this chapter act, or
232 any written agreement entered into with the office.

233 (b) Fraud, misrepresentation, deceit, or gross negligence
234 in any title loan transaction, regardless of reliance by or
235 damage to the borrower.

236 (c) Fraudulent misrepresentation, circumvention, or
237 concealment of any matter required to be stated or furnished to

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238 a borrower pursuant to this chapter act, regardless of reliance
239 by or damage to the borrower.

240 (d) Imposition of illegal or unauthorized excessive
241 charges in any title loan transaction.

242 (e) False, deceptive, or misleading advertising by a title
243 loan lender.

244 (f) Failure to maintain, preserve, and keep available for
245 examination all books, accounts, or other documents required by
246 this chapter act, ~~by~~ any rule or order adopted pursuant to this
247 chapter act, or ~~by~~ any agreement entered into with the office.

248 (g) Aiding, abetting, or conspiring by a title loan lender
249 with a person to circumvent or violate any of the requirements
250 of this chapter act.

251 (h) Refusal to provide information upon request of the
252 office, ~~to~~ permit inspection of books and records in an
253 investigation or examination by the office, or ~~to~~ comply with a
254 subpoena issued by the office.

255 (i) Pleading nolo contendere to or having been convicted
256 or found guilty, regardless of whether adjudication was
257 withheld, of a crime involving fraud, dishonest dealing, or any
258 act of moral turpitude or acting as an ultimate equitable owner
259 of 10 percent or more of a licensee who has pled nolo contendere
260 to or has been convicted or found guilty, regardless of whether
261 adjudication was withheld, of a crime involving fraud, dishonest
262 dealing, or any act of moral turpitude.

263 (j) Making or having made material misstatement of fact in
264 an initial or renewal license application ~~for a license~~.

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265 (k) Having been the subject of any decision, finding,
266 injunction, suspension, prohibition, revocation, denial,
267 judgment, or administrative order by any court of competent
268 jurisdiction or administrative law judge, or by any state or
269 federal agency, involving a violation of any federal or state
270 law relating to title loans or any rule ~~or regulation~~ adopted
271 under such law, or ~~has~~ been the subject of any injunction or
272 adverse administrative order by a state or federal agency
273 regulating banking, insurance, finance or small loan companies,
274 real estate, mortgage brokers, or other related or similar
275 industries for acts involving fraud, dishonest dealing, or any
276 act of moral turpitude.

277 (l) Failing to continuously maintain the bond, certificate
278 of deposit, or letter of credit required by s. 537.005(3).

279 (m) Failing to timely pay any fee, charge, or fine imposed
280 or assessed pursuant to this chapter act or rules adopted under
281 this chapter act.

282 (n) Having a license or registration, or the equivalent,
283 to practice any profession or occupation denied, suspended,
284 revoked, or otherwise acted against by a licensing authority in
285 any jurisdiction for fraud, dishonest dealing, or any act of
286 moral turpitude.

287 (o) Having demonstrated unworthiness, as defined by
288 commission rule, to transact the business of a title loan
289 lender.

290 (2) Upon a finding by the office that any person has
291 committed any of the acts set forth in subsection (1), the

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292 office may enter an order taking one or more of the following
293 actions:

294 (a) Denying an application for licensure under this
295 chapter act.

296 (b) Revoking or suspending a license previously granted
297 pursuant to this chapter act.

298 (c) Placing a licensee or an applicant for a license on
299 probation for a period of time and subject to such conditions as
300 the office specifies.

301 (d) Issuing a reprimand.

302 (e) Imposing an administrative fine of up to ~~not to exceed~~
303 \$5,000 for each separate act or violation.

304 (3) If a person seeking licensure is not ~~anything other~~
305 ~~than~~ a natural person, the eligibility requirements of this
306 section apply to each direct or ultimate equitable owner of 10
307 percent or more of the outstanding equity interest of such
308 entity and to each director, general partner, and executive
309 officer.

310 (4) It is sufficient cause for the office to take any of
311 the actions specified in subsection (2), as to any entity other
312 than a natural person, if the office finds grounds for such
313 action as to any member of such entity, ~~as to~~ any executive
314 officer or director of the entity, or ~~as to~~ any person with
315 power to direct the management or policies of the entity.

316 (5) Each licensee is subject to the provisions of
317 subsection (2) for the acts of employees and agents of the
318 licensee if the licensee knew or should have known about such
319 acts.

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320 (6) Licensure under this chapter act may be denied, ~~or any~~
321 ~~license issued under this act may be~~ suspended, or restricted if
322 an applicant or licensee is charged, in a pending enforcement
323 action or pending criminal prosecution, with any conduct that
324 would authorize denial or revocation under this section.

325 Section 7. Section 537.007, Florida Statutes, is amended
326 to read:

327 537.007 Remedies for title loans made without licensure.—
328 Any title loan made without benefit of a license is void, and in
329 ~~which case~~ the person making the title loan forfeits the right
330 to collect any moneys, including principal and interest charged
331 on the title loan, from the borrower in connection with the
332 title loan such agreement. The person making the void title loan
333 must shall return to the borrower the certificate of title
334 released loan property, the titled personal property pledged or
335 ~~the fair market value of such titled personal property, and all~~
336 principal and interest paid by the borrower. The borrower is
337 entitled to ~~receive~~ reasonable attorney's fees and costs in any
338 action brought by the borrower to recover the certificate of
339 title and any from the person making the title loan the loan
340 ~~property, the titled personal property, or the principal and~~
341 interest paid by the borrower from the person making the void
342 title loan.

344 Section 8. Section 537.008, Florida Statutes, is amended
345 to read:

346 537.008 Title loan agreement.—

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347 (1) At the time a title loan lender makes a title loan,
348 the lender and the borrower shall execute a title loan
349 agreement, which must ~~shall~~ be legibly typed or written in
350 indelible ink and completed as to all essential provisions
351 before ~~prior to~~ execution by the borrower and lender. The title
352 loan agreement must ~~shall~~ include the following information:

353 (a) The make, model, and year of the motor vehicle that
354 will serve as collateral for the loan ~~titled personal property~~
355 ~~to which the loan property relates.~~

356 (b) The vehicle identification number, or other comparable
357 identification number, along with the license plate number, if
358 applicable, of the motor vehicle that will serve as collateral
359 for the loan ~~titled personal property to which the loan property~~
360 ~~relates.~~

361 ~~(c) The name, residential address, date of birth, physical~~
362 ~~description, and social security number of the borrower.~~

363 ~~(c)(d)~~ (c) The date the title loan agreement is executed by
364 ~~the title loan lender and the borrower.~~

365 ~~(d)(e)~~ (d) The identification number and the type of
366 identification, including the issuing agency, accepted from the
367 borrower.

368 (e) The maturity date of the title loan agreement, which
369 must be at least 120 days but no later than 1 year after the
370 date the title loan agreement is executed.

371 (f) The amount financed, finance charge, total number of
372 payments, and annual percentage rate, computed and disclosed in
373 accordance with the federal Truth in Lending Act and applicable
374 regulations.

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375 ~~(f) The amount of money advanced, designated as the~~
376 ~~"amount financed."~~

377 ~~(g) The maturity date of the title loan agreement, which~~
378 ~~shall be 30 days after the date the title loan agreement is~~
379 ~~executed by the title loan lender and the borrower.~~

380 ~~(h) The total title loan interest payable on the maturity~~
381 ~~date, designated as the "finance charge."~~

382 ~~(i) The amount financed plus finance charge, which must be~~
383 ~~paid to reclaim the loan property on the maturity date,~~
384 ~~designated as the "total amount of all payments."~~

385 ~~(j) The interest rate, computed in accordance with the~~
386 ~~regulations adopted by the Federal Reserve Board pursuant to the~~
387 ~~federal Truth in Lending Act, designated as the "annual~~
388 ~~percentage rate."~~

389 (2) The following information must ~~shall~~ also be printed
390 on all title loan agreements:

391 (a) The name and physical address of the title loan
392 office.

393 (b) The name and address of the department of Financial
394 Services as well as a telephone number to which consumers may
395 address complaints.

396 (c) The following statement immediately above the
397 borrower's signature in at least ~~not less than~~ 12-point type
398 that:

399

400 THIS IS A MOTOR VEHICLE TITLE LOAN AGREEMENT. IT
401 ALLOWS YOU TO RECEIVE LOAN PROCEEDS TO MEET YOUR

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402 IMMEDIATE CASH NEEDS AND IS NOT INTENDED TO MEET YOUR
403 LONG-TERM FINANCIAL NEEDS.

404
405 THE INTEREST RATE ON THIS LOAN IS HIGH. YOU SHOULD
406 CONSIDER WHETHER THERE ARE OTHER LOWER-COST LOANS
407 AVAILABLE TO YOU.

408
409 IF YOU DECIDE TO ACCEPT THIS LOAN, YOU SHOULD REQUEST
410 THE MINIMUM AMOUNT REQUIRED TO MEET YOUR IMMEDIATE
411 CASH NEEDS AND REPAY THE LOAN AS QUICKLY AS POSSIBLE
412 TO REDUCE THE AMOUNT OF INTEREST YOU ARE CHARGED.

413
414 YOU WILL BE REQUIRED TO PAY THE PRINCIPAL AND INTEREST
415 ON THE LOAN IN SUBSTANTIALLY EQUAL MONTHLY
416 INSTALLMENTS. YOU SHOULD TRY EACH MONTH TO PAY EVEN
417 MORE TOWARD YOUR PRINCIPAL BALANCE. DOING SO WILL SAVE
418 YOU MONEY BY REDUCING THE AMOUNT OF INTEREST OWED.

419
420 YOU MAY RESCIND THIS LOAN WITHOUT COST OR FURTHER
421 OBLIGATION IF YOU RETURN THE LOAN PROCEEDS, IN CASH OR
422 THE ORIGINAL LOAN CHECK, BEFORE THE CLOSE OF BUSINESS
423 ON THE NEXT BUSINESS DAY IMMEDIATELY FOLLOWING THE
424 EXECUTION OF THIS AGREEMENT.

425
426 YOU ARE PLEDGING YOUR MOTOR VEHICLE AS COLLATERAL FOR
427 THIS LOAN. IF YOU FAIL TO REPAY THE LOAN PURSUANT TO
428 THIS AGREEMENT, WE MAY REPOSSESS YOUR MOTOR VEHICLE.

429

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430 UNLESS YOU CONCEAL OR INTENTIONALLY DAMAGE THE MOTOR
431 VEHICLE, OR OTHERWISE IMPAIR OUR SECURITY INTEREST BY
432 PLEDGING THE MOTOR VEHICLE TO A THIRD PARTY OR
433 PLEDGING A MOTOR VEHICLE TO US WHICH IS ALREADY
434 SUBJECT TO AN UNDISCLOSED LIEN, YOUR LIABILITY FOR
435 DEFAULTING UNDER THIS LOAN IS LIMITED TO THE LOSS OF
436 THE MOTOR VEHICLE.

437
438 IF YOUR MOTOR VEHICLE IS SOLD DUE TO YOUR DEFAULT ON
439 THIS LOAN, YOU ARE ENTITLED TO ANY SURPLUS OBTAINED AT
440 SUCH SALE LESS WHAT IS OWED PURSUANT TO THIS AGREEMENT
441 AND ANY REASONABLE COSTS OF RECOVERY, STORAGE, AND
442 SALE.

443
444 ~~1. If the borrower fails to repay the full amount of the~~
445 ~~title loan on or before the end of the maturity date or any~~
446 ~~extension of the maturity date and fails to make a payment on~~
447 ~~the title loan within 30 days after the end of the maturity date~~
448 ~~or any extension of the maturity date, whichever is later, the~~
449 ~~title loan lender may take possession of the borrower's motor~~
450 ~~vehicle and sell the vehicle in the manner provided by law. If~~
451 ~~the vehicle is sold, the borrower is entitled to any proceeds of~~
452 ~~the sale in excess of the amount owed on the title loan and the~~
453 ~~reasonable expenses of repossession and sale.~~

454 ~~2. If the title loan agreement is lost, destroyed, or~~
455 ~~stolen, the borrower should immediately so advise the issuing~~
456 ~~title loan lender in writing.~~

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457 (d) The statement that "The borrower represents and
458 warrants that the motor vehicle serving as collateral for the
459 title loan ~~titled personal property to which the loan property~~
460 ~~relates~~ is not stolen and has no liens or encumbrances against
461 it, the borrower has the right to enter into this transaction,
462 and the borrower will not apply for a duplicate certificate of
463 title while the title loan agreement is in effect."

464 (e) A blank line for the signature of the borrower and the
465 title loan lender or the lender's agent. All owners of the motor
466 vehicle ~~titled personal property~~ must sign the title loan
467 agreement.

468 (3) At the time of the transaction, the title loan lender
469 shall deliver to the borrower an exact copy of the executed
470 title loan agreement.

471 (4) Upon execution of a title loan agreement, the title
472 loan lender shall ~~may~~ take possession of the certificate of
473 title to the motor vehicle serving as collateral for the loan,
474 and within 7 business days record its lien on such title as
475 provided by law. The title loan lender shall ~~loan property and~~
476 retain possession of the certificate of title ~~such property~~
477 until the title loan is fully repaid ~~such property is redeemed.~~
478 ~~The borrower shall have the exclusive right to redeem the loan~~
479 ~~property by repaying all amounts legally due under the~~
480 ~~agreement.~~ When the title loan property is fully repaid
481 redeemed, the lender shall immediately release its lien on the
482 certificate of title and return the certificate of title to the
483 borrower ~~loan property and commence action to release any~~
484 ~~security interest in the titled personal property.~~ During the

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485 ~~term of the agreement or any extension of the agreement, a title~~
486 ~~loan lender may retain physical possession of the loan property~~
487 ~~only.~~ A title loan lender may shall not require a borrower to
488 provide any additional collateral security or guaranty as a
489 condition to entering into a title loan transaction. A title
490 loan lender may not make a title loan if the certificate of
491 title to the motor vehicle that will serve as collateral for the
492 loan is security for another loan or is otherwise encumbered by
493 a lien.

494 Section 9. Section 537.0085, Florida Statutes, is created
495 to read:

496 537.0085 Rescission.—A licensee shall allow a borrower
497 under a title loan agreement to rescind the title loan without
498 cost or further obligation if the borrower returns the loan
499 proceeds in cash or the original loan check before the close of
500 business on the business day immediately following the execution
501 of the title loan agreement.

502 Section 10. Section 537.009, Florida Statutes, is amended
503 to read:

504 537.009 Recordkeeping; reporting; safekeeping of
505 ~~property.—~~

506 (1) Every title loan lender shall maintain, at the
507 lender's title loan office, such books, accounts, and records of
508 the business conducted under the license issued for such place
509 of business as will enable the office to determine the
510 licensee's compliance with this chapter act.

511 (2) The office may authorize the maintenance of books,
512 accounts, and records at a location other than the lender's

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513 title loan office. The office may require books, accounts, and
514 records to be produced and available at a reasonable and
515 convenient location in this state within a reasonable period of
516 time after such a request.

517 (3) The title loan lender shall maintain the original copy
518 of each completed title loan agreement on the title loan office
519 premises, and may ~~shall~~ not obliterate, discard, or destroy any
520 ~~such~~ original copy, for ~~a period of~~ at least 2 years after
521 making the final entry on a any loan recorded in the ~~such~~ office
522 ~~or after an examination by the Office of Financial Regulation,~~
523 ~~whichever is later.~~

524 (4) Certificates of title that are held by loan property
525 ~~which is delivered to~~ a title loan lender must ~~shall~~ be securely
526 stored and maintained at the title loan office unless the
527 certificate of title loan property has been forwarded to the
528 appropriate state agency for the purpose of having a lien
529 recorded or deleted.

530 (5) The commission may prescribe by rule the books,
531 accounts, documents, and records, and the minimum information to
532 be shown in the books, accounts, documents, and records, of
533 licensees necessary for ~~so that such records will enable~~ the
534 office to determine compliance with ~~the provisions of this~~
535 chapter act. ~~In addition,~~ The commission may prescribe by rule
536 requirements for the destruction of books, accounts, records,
537 and documents retained by the licensee after completion of the
538 time period specified in subsection (3).

539 Section 11. Section 537.011, Florida Statutes, is amended
540 to read:

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541 (Substantial rewording of section. See
542 s. 537.011, F.S., for present text.)

543 537.011 Title loan charges.—

544 (1) A licensee may charge and collect interest on a title
545 loan at rates up to the following amounts:

546 (a) Twenty-two percent per month on the portion of the
547 principal that does not exceed \$700;

548 (b) Eighteen percent per month on the portion of the
549 principal that exceeds \$700 but does not exceed \$1,400; and

550 (c) Fifteen percent per month on the portion of the
551 principal that exceeds \$1,400.

552 (2) The interest shall be charged only upon the
553 outstanding principal balance. Interest may not be charged on an
554 add-on basis and may not be compounded or paid, deducted, or
555 received in advance. On title loans in excess of \$700, a
556 licensee may accrue interest using a single blended interest
557 rate if the maximum charge allowed under subsection (1) is not
558 exceeded.

559 (3) Notwithstanding subsection (1) or the title loan
560 agreement, interest may not accrue on the principal balance of a
561 title loan from and after:

562 (a) The date that the motor vehicle securing the title
563 loan is repossessed by the licensee making the loan, unless the
564 licensee allows the borrower to redeem the vehicle with a loan
565 balance still owing, in which case interest accrual may restart
566 upon the borrower regaining possession of the motor vehicle; or

567 (b) Sixty days after the borrower has failed to make a
568 monthly payment on a title loan as required by the loan

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569 agreement, unless the borrower has not surrendered the motor
570 vehicle and the borrower is concealing the motor vehicle. If the
571 borrower cures the default after the 60th day but before the
572 lender repossesses the motor vehicle, interest accrual may
573 restart upon such cure and any missing days of interest may be
574 added back to the account.

575 (4) Every title loan is a term loan providing for
576 repayment of the principal and interest in substantially equal
577 monthly installments of principal and interest. However, a loan
578 agreement may provide for an odd first payment period, and an
579 odd first payment greater than other monthly payments because of
580 such odd first payment period.

581 (5) A title loan agreement may not be extended, renewed,
582 or refinanced.

583 (6) The licensee must credit payments on the date
584 received.

585 (7) Other than the loan principal, and interest and fees
586 permitted under this section, a licensee may not directly or
587 indirectly charge, contract for, collect, receive, recover, or
588 require a borrower to pay any further or other fee, charge, or
589 amount except for the licensee's:

590 (a) Actual cost of perfecting its security interest in the
591 motor vehicle securing the borrower's obligations under the
592 title loan agreement; and

593 (b) Reasonable and actual costs of repossession, storage,
594 and sale of the motor vehicle if the borrower defaults under the
595 terms of the title loan agreement.

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596 (8) If any excess interest or fee is charged and such
597 charge resulted from a bona fide error by the title loan lender,
598 or an agent of the title loan lender, the lender shall refund
599 the excess interest or fee to the borrower within 30 days after
600 discovery by the lender or borrower of the error or within 30
601 days after notice of the error from the borrower, whichever
602 occurs first.

603 (9) If any excess interest or fee is charged by the title
604 loan lender, or an agent of the title loan lender, in an effort
605 to intentionally circumvent the maximum title loan interest and
606 fees allowed by this chapter, the title loan agreement is void
607 and the lender shall refund to the borrower any interest paid on
608 the title loan and return to the borrower the certificate of
609 title with the lender's lien released. In such event, the title
610 loan lender forfeits the lender's right to collect any principal
611 owed by the borrower on the title loan.

612 (10) The commission may require a title loan lender, or an
613 agent of the title loan lender, to comply with subsections (8)
614 and (9).

615 Section 12. Section 537.012, Florida Statutes, is amended
616 to read:

617 (Substantial rewording of section. See
618 s. 537.012, F.S., for present text.)

619 537.012 Repossession.—Except as provided in subsection
620 (5), a licensee taking a security interest in a motor vehicle
621 pursuant to this chapter upon default by the borrower is limited
622 to seeking repossession of, preparing for sale, and selling the
623 motor vehicle securing the title loan in a commercially

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624 reasonable matter, all in accordance with Article 9 of the
625 Uniform Commercial Code.

626 (1) A licensee shall not repossess a motor vehicle unless
627 the borrower fails to make a required payment on the title loan
628 within 30 days after its due date.

629 (2) The licensee shall, at least 10 days before
630 repossessing the motor vehicle, send to the borrower, by first-
631 class mail, written notice advising the borrower that they are
632 in default under the terms of the title loan agreement and
633 stating that the motor vehicle securing the borrower's title
634 loan may be repossessed unless the past due principal and
635 interest are paid within ten days of the date of the notice. A
636 licensee may not repossess the motor vehicle before the date
637 specified in the notice. Except as provided in subsection (5), a
638 licensee may not seek or obtain a personal money judgment
639 against a borrower for any amount owed under a loan agreement or
640 any deficiency resulting after the sale of a motor vehicle. The
641 notice requirements of this subsection do not apply if the
642 borrower voluntarily surrenders the motor vehicle.

643 (2) At least 15 days before the sale of a motor vehicle, a
644 licensee shall notify the borrower of the date and time after
645 which the motor vehicle is subject to sale and provide the
646 borrower with a written accounting of the principal amount due,
647 interest accrued through the date that the licensee took
648 possession of the motor vehicle, and any reasonable expenses
649 incurred to date by the licensee in taking possession of,
650 preparing for sale, storing, and selling the motor vehicle. At
651 any time before such sale, the borrower may redeem the motor

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652 vehicle by tendering cash, a certified check, or money order for
653 the amount owed to the licensee.

654 (3) Within 60 days after the licensee's receipt of
655 proceeds from the sale of a motor vehicle, the borrower is
656 entitled to receive that portion of the proceeds which are in
657 excess of the principal amount due to the licensee, interest
658 accrued through the date the licensee took possession, and the
659 reasonable expenses incurred by the licensee in taking
660 possession of, storing, preparing for sale, and selling the
661 motor vehicle.

662 (4) Except in the case of fraud or a voluntary surrender
663 of the motor vehicle, a licensee may not take possession of a
664 motor vehicle until a borrower is in default under the loan
665 agreement.

666 (5) Notwithstanding any other provision of law, upon
667 default by a borrower, a licensee may seek a personal money
668 judgment against the borrower for any amounts owed under a loan
669 agreement if the borrower impairs the licensee's security
670 interest by intentionally damaging or destroying the motor
671 vehicle, intentionally concealing the motor vehicle, giving the
672 licensee a lien in a motor vehicle that is already encumbered by
673 an undisclosed prior lien, or subsequently giving a security
674 interest in, or selling, a motor vehicle that secures a title
675 loan to a third party, without the licensee's written consent.

676 Section 13. Section 537.013, Florida Statutes, is amended
677 to read:

678 537.013 Prohibited acts.—

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679 ~~(1)~~ A title loan lender, or any agent or employee of a
680 title loan lender, may shall not:

681 (1)(a) Falsify or fail to make an entry of any material
682 matter in a title loan agreement ~~or any extension of such~~
683 agreement.

684 (2)(b) Refuse to allow the office to inspect completed
685 title loan agreements and supporting documentation, ~~extensions~~
686 ~~of such agreements, or loan property~~ during the ordinary
687 operating hours of the title loan lender's business or other
688 times acceptable to both parties.

689 (3)(c) Enter into a title loan agreement with a person
690 under ~~the age of~~ 18 years of age.

691 (4)(d) Make any agreement requiring or allowing for the
692 personal liability of a borrower beyond that allowed under s.
693 537.012 or the waiver of any provision ~~of the provisions~~ of this
694 chapter act.

695 (5)(e) Knowingly enter into a title loan agreement with
696 any person who is under the influence of drugs or alcohol if
697 ~~when~~ such condition is visible or apparent, or with any person
698 using a name other than the such person's own name or the
699 registered name of the person's business.

700 (6)(f) Fail to exercise reasonable care, as defined by
701 commission rule, in the safekeeping of certificates of title
702 ~~loan property~~ or of motor vehicles ~~titled personal property~~
703 repossessed pursuant to this chapter act.

704 (7)(g) Fail to return the borrower's certificate of title
705 and the borrower's motor vehicle if it has been repossessed loan
706 ~~property or repossessed titled personal property to a borrower,~~

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707 with any and all of the title loan lender's liens on the
708 property properly released, upon payment of the full amount due
709 the title loan lender, unless the property has been seized or
710 impounded by an authorized law enforcement agency, taken into
711 custody by a court, or otherwise disposed of by court order. If
712 the borrower fully repays the loan and the certificate of title
713 is not in the title loan lender's possession because the lender
714 sent the title to have the lender's lien recorded and the title
715 has not yet been returned, the lender must release its lien and
716 return the title to the borrower within 3 days after regaining
717 possession of the certificate.

718 (8)-(h) Sell or otherwise charge for any type of insurance
719 in connection with a title loan agreement.

720 (9)-(i) Intentionally charge or receive any finance charge,
721 interest, or fees that which are not authorized pursuant to this
722 chapter, or fail to timely refund any finance charge, interest,
723 or fee not authorized pursuant to this chapter but received due
724 to a bona fide error ~~act~~.

725 (10)-(j) Act as a title loan lender without an active
726 license issued under this chapter ~~act~~.

727 (11)-(k) Refuse to accept partial payments toward
728 satisfying any obligation owed under a title loan agreement or
729 extension of such agreement.

730 (12)-(l) Charge a prepayment penalty.

731 (13)-(m) Engage in the business of selling new or used
732 motor vehicles, or parts for motor vehicles.

733 (14)-(n) Act as a title loan lender ~~under this act~~ within a
734 place of business in which the licensee solicits or engages in

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735 business outside the scope of this chapter ~~aet~~ if the office
736 determines that the licensee's operation of and conduct
737 pertaining to such other business results in an evasion of this
738 chapter ~~aet~~. Upon making such a determination, the office shall
739 order the licensee to cease and desist from such evasion. A~~r~~
740 ~~provided, no licensee may not shall~~ engage in the ~~pawnbroker~~
741 ~~business other consumer loan businesses.~~

742 (15) Cause any borrower to be obligated on a title loan in
743 a principal amount that exceeds 50 percent of the retail value
744 of the motor vehicle in which the licensee is taking a security
745 interest, which value shall be determined by reference to the
746 retail value for the motor vehicle specified in a recognized
747 pricing guide if the motor vehicle is included in a recognized
748 pricing guide.

749 (16) Violate section 670 of the John Warner National
750 Defense Authorization Act for fiscal year 2007 (P.L. 109-364;
751 120 Stat. 2083).

752 ~~(2) Title loan companies may not advertise using the words~~
753 ~~"interest free loans" or "no finance charges."~~

754 Section 14. Section 537.014, Florida Statutes, is
755 repealed.

756 Section 15. Section 537.015, Florida Statutes, is amended
757 to read:

758 537.015 Criminal penalties.—

759 (1) Any person who acts as a title loan lender without
760 first securing the license prescribed by this chapter ~~aet~~
761 commits a felony of the third degree, punishable as provided in
762 s. 775.082, s. 775.083, or s. 775.084.

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763 (2) In addition to any other applicable penalty, any
764 person who willfully violates any provision of this chapter act
765 or who willfully makes a false entry in any record specifically
766 required by this chapter act commits a misdemeanor of the first
767 degree, punishable as provided in s. 775.082 or s. 775.083.

768 Section 16. Section 537.016, Florida Statutes, is amended
769 to read:

770 537.016 Subpoenas; enforcement actions; rules.—

771 (1) The office may issue and serve subpoenas to compel the
772 attendance of witnesses and the production of documents, papers,
773 books, records, and other evidence ~~before the office~~ in any
774 matter pertaining to this chapter act. The office may administer
775 oaths and affirmations to any person whose testimony is
776 required. If any person refuses to testify; produce books,
777 records, and documents; or otherwise refuses to obey a subpoena
778 issued under this section, the office may enforce the subpoena
779 in the same manner as subpoenas issued under the Administrative
780 Procedure Act are enforced. Witnesses are entitled to the same
781 fees and mileage as they are entitled to by law for attending as
782 witnesses in the circuit court, unless such examination or
783 investigation is held at the place of business or residence of
784 the witness.

785 (2) In addition to any other powers conferred upon the
786 office to enforce or administer this chapter act, the office
787 may:

788 (a) Bring a civil ~~an action in any court of competent~~
789 ~~jurisdiction~~ to enforce or administer this chapter act, any rule
790 or order adopted under this chapter act, or any written

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791 agreement entered into with the office. In such action, the
792 office may seek any relief at law or equity, including a
793 temporary or permanent injunction, appointment of a receiver or
794 administrator, or an order of restitution.

795 (b) Issue and serve upon a person an order requiring such
796 person to cease and desist and take corrective action if
797 ~~whenever~~ the office finds that such person is violating, has
798 violated, or is about to violate any provision of this chapter
799 ~~aet~~, any rule or order adopted under this chapter ~~aet~~, or any
800 written agreement entered into with the office.

801 (c) If ~~Whenever~~ the office finds that conduct described in
802 paragraph (b) presents an immediate danger to the public health,
803 safety, or welfare requiring an immediate final order, ~~the~~
804 ~~office may~~ issue an emergency cease and desist order reciting
805 with particularity the facts underlying such findings. The
806 ~~emergency cease and desist~~ order is effective immediately upon
807 service of a copy of the order on the respondent named in the
808 order and remains ~~shall remain~~ effective for 90 days. If the
809 office begins nonemergency proceedings under paragraph (b), the
810 ~~emergency cease and desist~~ order remains effective until the
811 conclusion of the proceedings under ss. 120.569 and 120.57.

812 (3) The commission may adopt rules to administer this
813 chapter ~~aet~~.

814 Section 17. Section 537.017, Florida Statutes, is amended
815 to read:

816 537.017 Investigations and complaints.—

817 (1) The office may make any investigation and examination
818 of any licensee or other person the office deems necessary to

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819 determine compliance with this chapter ~~aet.~~ For such purposes,
820 the office may examine the books, accounts, records, and other
821 documents or matters of any licensee or other person. The office
822 may compel the production of all relevant books, records, and
823 other documents and materials relative to an examination or
824 investigation. Examinations may ~~shall~~ not be made more ~~often~~
825 than once during any 12-month period unless the office has
826 reason to believe the licensee is not complying with the
827 provisions of this chapter ~~aet.~~

828 (2) The office shall conduct all examinations at a
829 convenient location in this state unless the office determines
830 that it is more effective or cost-efficient to perform an
831 examination at the licensee's out-of-state location. For an
832 examination performed at the licensee's out-of-state location,
833 the licensee shall pay the travel expense and per diem
834 subsistence at the rate provided by law for up to thirty 8-hour
835 days per year for each office examiner who participates in such
836 an examination. However, if the examination involves or reveals
837 possible fraudulent conduct by the licensee, the licensee shall
838 pay the travel expenses and per diem subsistence provided by
839 law, without limitation, for each participating examiner.

840 (3) Any person having reason to believe that any provision
841 of this chapter ~~aet~~ has been violated may file with the
842 department ~~of Financial Services~~ or the office a written
843 complaint setting forth the details of the ~~such~~ alleged
844 violation, and the office may investigate such complaint.

845 Section 18. Section 537.018, Florida Statutes, is
846 repealed.

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847 Section 19. Section 494.00797, Florida Statutes, is
848 amended to read:

849 494.00797 General rule.—All counties and municipalities of
850 this state are prohibited from enacting and enforcing
851 ordinances, resolutions, and rules regulating financial or
852 lending activities, including ordinances, resolutions, and rules
853 disqualifying persons from doing business with a ~~city,~~ county,
854 or municipality based upon lending interest rates or imposing
855 reporting requirements or any other obligations upon persons
856 regarding financial services or lending practices of persons or
857 entities, and any subsidiaries or affiliates thereof, who:

858 (1) Are subject to the jurisdiction of the office,
859 including ~~for~~ activities subject to this chapter, ~~except~~
860 ~~entities licensed under s. 537.004;~~

861 (2) Are subject to the jurisdiction of the Office of
862 Thrift Supervision, the Office of the Comptroller of the
863 Currency, the National Credit Union Administration, the Federal
864 Deposit Insurance Corporation, the Federal Trade Commission, or
865 the United States Department of Housing and Urban Development;

866 (3) Originate, purchase, sell, assign, secure, or service
867 property interests or obligations created by financial
868 transactions or loans made, executed, or originated by persons
869 referred to in subsection (1) or subsection (2) to assist or
870 facilitate such transactions;

871 (4) Are chartered by the United States Congress to engage
872 in secondary market mortgage transactions; or

873 (5) Are created by the Florida Housing Finance
874 Corporation.

Amendment No. 1

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Proof of noncompliance with this part act can be used by a ~~city,~~
~~county,~~ or municipality ~~of this state~~ to disqualify a vendor or
contractor from doing business with a ~~city,~~ ~~county,~~ or
municipality ~~of this state~~.

Section 20. This act shall take effect July 1, 2011.

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

Remove the entire title and insert:

An act relating to motor vehicle title loans; providing a
directive to the Division of Statutory Revision; repealing s.
537.001, F.S., relating to a short title; amending s. 537.002,
F.S.; preempting the regulation of motor vehicle title loans to
the state; amending s. 537.003, F.S.; revising definitions;
providing that title loans are secured by a nonpurchase money
security interest in a motor vehicle; amending s. 537.004, F.S.;
prohibiting a title loan lender from also providing other
consumer loans; amending ss. 537.005, 537.006, and 537.007,
F.S.; conforming provisions to changes made by the act; amending
s. 537.008, F.S.; revising the information that must be in a
title loan agreement; specifying the maturity timeframe for a
title loan; requiring that a statement relating to the cost of
the loan be included in the title loan agreement; revising
provisions relating to the title loan lender's actions upon
executing an agreement; creating s. 537.0085, F.S.; allowing a

Amendment No. 1

903 borrower to rescind a loan under certain circumstances; amending
904 s. 537.009, F.S.; revising provisions relating to recordkeeping;
905 conforming provisions to changes made by the act; amending s.
906 537.011, F.S.; revising provisions relating to title loan
907 charges; prohibiting a title loan from being extended; amending
908 s. 537.012, F.S.; revising provisions relating to the
909 repossession of a motor vehicle for loan default; requiring
910 prior notice to the borrower; prohibiting a title loan lender
911 from seeking a money judgment against a borrower except in
912 certain circumstances; amending s. 537.013, F.S.; revising
913 prohibited acts; requiring a lender to return a certificate of
914 title 3 days after regaining possession of it; prohibiting a
915 lender from loaning a principal amount that exceeds 50 percent
916 of the retail value of the motor vehicle; repealing s. 537.014,
917 F.S., relating to the right to reclaim the loan property;
918 amending ss. 537.015, 537.016, and 537.017, F.S.; conforming
919 provisions to changes made by the act; repealing s. 537.018,
920 F.S., relating to authorization for county and municipal
921 ordinances; amending s. 494.00797, F.S.; conforming provisions
922 to changes made by the act; providing an effective date.

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

HB 1115 : Cemeteries

Favorable With Committee Substitute

| | Yea | Nay | No Vote | Absentee Yea | Absentee Nay |
|---------------------------|-----|----------------------|---------|-----------------|-----------------|
| Joseph Abruzzo | X | | | | |
| Larry Ahern | X | | | | |
| Frank Artiles | X | | | | |
| Steve Crisafulli | X | | | | |
| Eric Eisnaugle | X | | | | |
| Tom Goodson | X | | | | |
| Mia Jones | | | X | | |
| Jeanette Nuñez | X | | | | |
| Jimmy Patronis | | | X | | |
| Kenneth Roberson | X | | | | |
| Darryl Rouson | X | | | | |
| Irving Slosberg | X | | | | |
| Cynthia Stafford | X | | | | |
| Dana Young | | | X | | |
| Esteban Bovo, Jr. (Chair) | X | | | | |
| Total Yeas: 12 | | Total Nays: 0 | | | |

Appearances:

Cemeteries

Towson Fraser (Lobbyist) - Waive In Support

International Speedway Corporation

120 S. Monroe

Tallahassee FL 32301

Phone: 850-671-4401

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1115 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|-------------------------------------|-------|
| ADOPTED | <input checked="" type="checkbox"/> | (Y/N) |
| ADOPTED AS AMENDED | <input type="checkbox"/> | (Y/N) |
| ADOPTED W/O OBJECTION | <input 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: Business & Consumer
2 Affairs Subcommittee

3 Representative(s) Davis offered the following:

4
5 **Amendment**

6
7 Delete line 22 and insert:

8
9 Defined in s. 549.10 in Volusia County. The owner, as defined
10 in s. 549.10, who
11
12

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

HB 1303 : Consumer Protection

Favorable With Committee Substitute

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|---------------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Joseph Abruzzo | X | | | | |
| Larry Ahern | X | | | | |
| Frank Artiles | X | | | | |
| Steve Crisafulli | X | | | | |
| Eric Eisnaugle | X | | | | |
| Tom Goodson | X | | | | |
| Mia Jones | | | X | | |
| Jeanette Nuñez | X | | | | |
| Jimmy Patronis | | | X | | |
| Kenneth Roberson | X | | | | |
| Darryl Rouson | X | | | | |
| Irving Slosberg | X | | | | |
| Cynthia Stafford | X | | | | |
| Dana Young | X | | | | |
| Esteban Bovo, Jr. (Chair) | X | | | | |
| Total Yeas: 13 | | Total Nays: 0 | | | |

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1303 (2011)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|-------------------------------------|-------|
| ADOPTED | <input checked="" type="checkbox"/> | (Y/N) |
| ADOPTED AS AMENDED | <input type="checkbox"/> | (Y/N) |
| ADOPTED W/O OBJECTION | <input 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: Business & Consumer
2 Affairs Subcommittee
3 Representative(s) Eisnaugle offered the following:

Amendment

6 Remove line 99 and insert:

7 (5) A posttransaction third party seller may not change its
8 vendor code, or otherwise change the way the posttransaction
9 third party seller is identified on the consumer's account, more
10 than once per year, unless the posttransaction third party
11 seller sends a notice of the change via U.S. Mail or e-mail.

12 (6) Violations of the act - A violation of this act shall
13 be deemed an unfair or deceptive trade practice within the
14 meaning of part II of chapter 501. Violators shall be subject to
15 the penalties and remedies provided therein.

16 Section 2. This act shall take effect July 1, 2011.

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 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 | | | | |
| Larry Ahern | X | | | | |
| Frank Artiles | X | | | | |
| Steve Crisafulli | X | | | | |
| Eric Eisnaugle | X | | | | |
| Tom Goodson | X | | | | |
| Mia Jones | | | X | | |
| Jeanette Nuñez | X | | | | |
| Jimmy Patronis | | | X | | |
| Kenneth Roberson | X | | | | |
| Darryl Rouson | X | | | | |
| Irving Slosberg | X | | | | |
| Cynthia Stafford | X | | | | |
| Dana Young | | | X | | |
| Esteban Bovo, Jr. (Chair) | X | | | | |
| Total Yeas: 12 Total Nays: 0 | | | | | |

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

CS/HB 4069 : Firearms Purchases

Favorable

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|---------------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Joseph Abruzzo | | | X | | |
| Larry Ahern | X | | | | |
| Frank Artiles | X | | | | |
| Steve Crisafulli | X | | | | |
| Eric Eisnaugle | | | X | | |
| Tom Goodson | X | | | | |
| Mia Jones | | | X | | |
| Jeanette Nuñez | X | | | | |
| Jimmy Patronis | | | X | | |
| Kenneth Roberson | X | | | | |
| Darryl Rouson | X | | | | |
| Irving Slosberg | X | | | | |
| Cynthia Stafford | X | | | | |
| Dana Young | | | X | | |
| Esteban Bovo, Jr. (Chair) | X | | | | |
| Total Yeas: 10 | | Total Nays: 0 | | | |

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

HB 4107 : Journeymen

Favorable

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|---------------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Joseph Abruzzo | X | | | | |
| Larry Ahern | X | | | | |
| Frank Artiles | | | X | | |
| Steve Crisafulli | X | | | | |
| Eric Eisnaugle | X | | | | |
| Tom Goodson | | | X | | |
| Mia Jones | X | | | | |
| Jeanette Nuñez | X | | | | |
| Jimmy Patronis | X | | | | |
| Kenneth Roberson | X | | | | |
| Darryl Rouson | X | | | | |
| Irving Slosberg | X | | | | |
| Cynthia Stafford | X | | | | |
| Dana Young | X | | | | |
| Esteban Bovo, Jr. (Chair) | X | | | | |
| Total Yeas: 13 | | Total Nays: 0 | | | |

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

HB 4143 : Restaurants Licensed to Sell Wine on the Premises

Favorable With Committee Substitute

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|---------------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Joseph Abruzzo | X | | | | |
| Larry Ahern | X | | | | |
| Frank Artiles | X | | | | |
| Steve Crisafulli | X | | | | |
| Eric Eisnaugle | X | | | | |
| Tom Goodson | X | | | | |
| Mia Jones | | | X | | |
| Jeanette Nuñez | X | | | | |
| Jimmy Patronis | X | | | | |
| Kenneth Roberson | X | | | | |
| Darryl Rouson | X | | | | |
| Irving Slosberg | X | | | | |
| Cynthia Stafford | X | | | | |
| Dana Young | X | | | | |
| Esteban Bovo, Jr. (Chair) | X | | | | |
| Total Yeas: 14 | | Total Nays: 0 | | | |

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 4143 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

| | |
|-----------------------|---|
| ADOPTED | <input checked="" type="checkbox"/> (Y/N) |
| ADOPTED AS AMENDED | <input type="checkbox"/> (Y/N) |
| ADOPTED W/O OBJECTION | <input 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: Business and Consumer
2 Affairs Subcommittee
3 Representative(s) Broduer offered the following:

4
5 **Amendment**

6
7 Delete lines 16 through 18 and insert:

8
9 premises if the patron has purchased a ~~full course~~ meal
10 ~~consisting of a salad or vegetable, entree, a beverage, and~~
11 ~~bread~~ and consumed a portion of the bottle of wine with such

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

HB 4213 : Liquor

Temporarily Deferred

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

PCB BCAS 11-03 : Relating to the consumer services functions of the Department of Agriculture and Consumer Services

Favorable

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|---------------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Joseph Abruzzo | X | | | | |
| Larry Ahern | X | | | | |
| Frank Artiles | X | | | | |
| Steve Crisafulli | X | | | | |
| Eric Eisnaugle | X | | | | |
| Tom Goodson | X | | | | |
| Mia Jones | | | X | | |
| Jeanette Nufiez | X | | | | |
| Jimmy Patronis | | | X | | |
| Kenneth Roberson | X | | | | |
| Darryl Rouson | X | | | | |
| Irving Slosberg | X | | | | |
| Cynthia Stafford | X | | | | |
| Dana Young | X | | | | |
| Esteban Bovo, Jr. (Chair) | X | | | | |
| Total Yeas: 13 | | Total Nays: 0 | | | |

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

PCS for HB 1145 : Decoupling Gaming Activities From Live Greyhound Racing

Favorable With Amendments (1)

| | Yea | Nay | No Vote | Absentee Yea | Absentee Nay |
|---------------------------|-----|----------------------|---------|-----------------|-----------------|
| Joseph Abruzzo | X | | | | |
| Larry Ahern | X | | | | |
| Frank Artiles | X | | | | |
| Steve Crisafulli | X | | | | |
| Eric Eisnaugle | | X | | | |
| Tom Goodson | X | | | | |
| Mia Jones | X | | | | |
| Jeanette Nuñez | X | | | | |
| Jimmy Patronis | X | | | | |
| Kenneth Roberson | X | | | | |
| Darryl Rouson | X | | | | |
| Irving Slosberg | X | | | | |
| Cynthia Stafford | X | | | | |
| Dana Young | X | | | | |
| Esteban Bovo, Jr. (Chair) | X | | | | |
| Total Yeas: 14 | | Total Nays: 1 | | | |

Appearances:

Pari-mutuel Permitholders

Cory, Jack (Lobbyist) - Opponent

Florida Greyhound Association

110 E. College Ave.

Tallahassee FL

Phone: (850)893-0997

Pari-mutuel Permitholders

Gary Rutledge (Lobbyist) - Proponent

Derby Lane

641 Forest Lair

Tallahassee FL 32312

Phone: 850-681-6788

Pari-mutuel Permitholders

Christine A. Dorchak, Esq., President, Greyzk USA - Proponent

Greyhound Protection Group

P.O. Box 442117

Somerville MA 02144

Phone: 866-247-3925

Pari-mutuel Permitholders

James Blanchard, Vice President National Greyhound Assoc. - Waive In Opposition

National Greyhound Association

190 W. 6th St.

Bonita Springs FL 34134

Phone: 239-287-5026

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

Pari-mutuel Permitholders
Calvin J. Holland, President - Waive In Opposition
Tampa Bay Greyhound Association
5285 88th Terrace
Pinellas Park FL 33782
Phone: 727-577-9650

Pari-mutuel Permitholders
Raymond Maury (Lobbyist) - Waive In Opposition
FL Greyhound Assoc.
514 E. College
Tallahassee FL
Phone: 850-222-1568

Pari-mutuel Permitholders
Jennifer Hobgood, State Director - Proponent
The Humane Society of the United States
Tallahassee FL

Pari-mutuel Permitholders
Alexander Lewy, City Commissioner - Proponent
City of Hallandale Beach
401 NE 14 Ave.
Hallandale Beach FL 33009
Phone: 954-357-0777

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1145 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

| | |
|-----------------------|---|
| ADOPTED | <input checked="" type="checkbox"/> (Y/N) |
| ADOPTED AS AMENDED | <input type="checkbox"/> (Y/N) |
| ADOPTED W/O OBJECTION | <input 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: Business & Consumer
2 Affairs Subcommittee

3 Representative(s) Young offered the following:

4

5 **Amendment**

6 Remove line 367 and insert:

7 preceding year; any greyhound permitholder that has held an
8 annual license to conduct pari-mutuel wagering in each of the
9 preceding ten years; or any greyhound permitholder converted
10 pursuant to s. 550.054(14) ~~conducted a full schedule of~~

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

PCS for HB 217 : Prohibition of Simulated Gambling Devices

Favorable

| | Yea | Nay | No Vote | Absentee Yea | Absentee Nay |
|---------------------------|-----|----------------------|---------|-----------------|-----------------|
| Joseph Abruzzo | | X | | | |
| Larry Ahern | X | | | | |
| Frank Artilles | | X | | | |
| Steve Crisafulli | X | | | | |
| Eric Eisnaugle | X | | | | |
| Tom Goodson | X | | | | |
| Mia Jones | | X | | | |
| Jeanette Nuñez | X | | | | |
| Jimmy Patronis | X | | | | |
| Kenneth Roberson | X | | | | |
| Darryl Rouson | X | | | | |
| Irving Slosberg | | X | | | |
| Cynthia Stafford | | X | | | |
| Dana Young | X | | | | |
| Esteban Bovo, Jr. (Chair) | X | | | | |
| Total Yeas: 10 | | Total Nays: 5 | | | |

Appearances:

Prohibition of Simulated Gambling Devices

Bill Helmich (Lobbyist) - Opponent
 Veterans of Foreign Wars Foundation
 303 Johns Dr.
 Tallahassee FL 32301

Prohibition of Simulated Gambling Devices

April Kirsheman, General Counsel (State Employee) - Opponent
 Seminole County Sheriff's Office
 100 Bush Blvd.
 Sanford FL 32773
 Phone: 407-665-6672

Prohibition of Simulated Gambling Devices

Jerry Bass, National Commander - Waive In Opposition
 Allied Veterans
 1965 SR 16
 St. Augustine FL
 Phone: 904-583-6253

Prohibition of Simulated Gambling Devices

Melissa Barfield, Manager - Opponent
 Children's Cancer Cooperative
 1341 College Park Road
 Summerville SC 29483
 Phone: 843-832-8167

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

Prohibition of Simulated Gambling Devices

Kent Perez, Attorney General's Office (Lobbyist) (State Employee) - Waive In Support

PL-02 Capitol

Tallahassee FL

Prohibition of Simulated Gambling Devices

Eric Dietrich, Captain - Waive In Support

Volusia County Sheriff's Office

123 W. Indiana Ave.

Deland FL 32720

Phone: 386-736-5999

Prohibition of Simulated Gambling Devices

Robert L. "Skip" Jarvis, State Attorney-3rd Judicial Circuit (State Employee) - Waive In Support

Florida Prosecuting Attorneys

100 S.E. Court Street

Live Oak FL 32060

Phone: 386-362-2330

Prohibition of Simulated Gambling Devices

Armondo Asulan, FOP President - Opponent

Fraternal Order of Police

710 SW 12 Avenue

Miami FL 33130

Phone: 305-588-5761

Prohibition of Simulated Gambling Devices

Williams Field, Commander American Legion Post 24 - Proponent

American Legion Post 24

2000 75th St. West

Bradenton FL 34209

Phone: 941-794-3489

Prohibition of Simulated Gambling Devices

Nick Iarossi (Lobbyist) - Opponent

Allied Veterans of the World

101 E. College Ave. Ste. 303

Tallahassee FL 32301

Phone: 850-222-9075

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

PCS for HB 63 : Public Lodging Establishments

Favorable

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|---------------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Joseph Abruzzo | X | | | | |
| Larry Ahern | X | | | | |
| Frank Artiles | X | | | | |
| Steve Crisafulli | X | | | | |
| Eric Eisnaugle | X | | | | |
| Tom Goodson | X | | | | |
| Mia Jones | | | X | | |
| Jeanette Nuñez | X | | | | |
| Jimmy Patronis | | | X | | |
| Kenneth Roberson | X | | | | |
| Darryl Rouson | X | | | | |
| Irving Slosberg | X | | | | |
| Cynthia Stafford | X | | | | |
| Dana Young | X | | | | |
| Esteban Bovo, Jr. (Chair) | X | | | | |
| Total Yeas: 13 | | Total Nays: 0 | | | |

Appearances:

Public Lodging Establishments

Monesia Brown (Lobbyist) - Waive In Support

Florida Restaurant & Lodging Assoc.

215 S. Monroe

Tallahassee FL

Phone: 850-205-9000

Public Lodging Establishments

Rich Maladecki, President/CEO - Waive In Support

Central Florida Hotel & Lodging Association

7380 W. Sand Lake Rd., Suite 300

Orlando FL 32819

Phone: 407-313-5000

Public Lodging Establishments

Chris Carmody, Attorney (Lobbyist) - Waive In Support

Central Florida Hotel & Lodging Association

301 E. Pine Street

Orlando FL 32814

Phone: 352-514-2196

Public Lodging Establishments

Brian Bibeau, Attorney (Lobbyist) - Proponent

American Resort Development Assn.

119 S. Monroe

Tallahassee FL 32309

Phone: 850-222-7500

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

PCS for HB 849 : Building Construction and Inspection

Favorable

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|---------------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Joseph Abruzzo | X | | | | |
| Larry Ahern | X | | | | |
| Frank Artiles | X | | | | |
| Steve Crisafulli | X | | | | |
| Eric Eisnaugle | X | | | | |
| Tom Goodson | X | | | | |
| Mia Jones | | | X | | |
| Jeanette Nuñez | X | | | | |
| Jimmy Patronis | | | X | | |
| Kenneth Roberson | X | | | | |
| Darryl Rouson | X | | | | |
| Irving Slosberg | X | | | | |
| Cynthia Stafford | X | | | | |
| Dana Young | | | X | | |
| Esteban Bovo, Jr. (Chair) | X | | | | |
| Total Yeas: 12 | | Total Nays: 0 | | | |

Appearances:

Building Construction and Inspection
 Ramba, David (Lobbyist) - Waive In Support
 International Codes Council
 101 S. Monroe Street
 Tallahassee FL 32301
 Phone: (850)727-7087

Building Construction and Inspection
 Kari Hebrank (Lobbyist) - Waive In Support
 Florida Building Material Assoc.
 7711 Deepwood Trail
 Tallahassee FL 32317
 Phone: 850-566-7824

Building Construction and Inspection
 Doug Buck (Lobbyist) - Waive In Support
 Florida Home Builders Assn.
 201 E. Park Ave.
 Tallahassee FL 32301
 Phone: 850-224-4316

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM

COMMITTEE MEETING REPORT
Business & Consumer Affairs Subcommittee

3/22/2011 8:30:00AM

Location: 12 HOB

Workshop

HB 1415:

Workshopped

Committee meeting was reported out: Tuesday, March 22, 2011 5:50:20PM