

By the Committee on Budget

576-03485-11

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1                                   A bill to be entitled  
2           An act relating to consumer protection; amending s.  
3           20.14, F.S.; removing the Division of Dairy Industry  
4           within the department; amending s. 320.90, F.S.;  
5           requiring the Department of Legal Affairs, rather than  
6           the Department of Agriculture and Consumer Services,  
7           to distribute free of charge a motor vehicle  
8           consumer's rights pamphlet; amending s. 501.160, F.S.;  
9           providing for the state attorneys and the Department  
10          of Legal Affairs, rather than the Department of  
11          Agriculture and Consumer Services, to enforce the law  
12          prohibiting price gouging; reenacting s. 570.18, F.S.,  
13          relating to the organization of the Department of  
14          Agriculture and Consumer Services, to incorporate the  
15          amendment made to s. 570.29, F.S., in a reference  
16          thereto; amending s. 570.20, F.S.; removing the time  
17          limitations on provisions authorizing moneys in the  
18          General Inspection Trust Fund to be used for programs  
19          operated by the Department of Agriculture and Consumer  
20          Services; amending s. 570.29, F.S.; removing the  
21          Division of Dairy Industry, to conform, and adding the  
22          Division of Licensing as a division within the  
23          department; repealing ss. 570.40 and 570.41, F.S.,  
24          relating to the powers and duties of the Division of  
25          Dairy Industry; amending s. 570.50, F.S.; adding the  
26          inspection of dairy farms, milk plants, and milk  
27          product plants and other specified functions to the  
28          duties of the Division of Food Safety within the  
29          department; amending s. 601.15, F.S.; requiring review

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30 and approval by the Legislative Budget Commission of  
31 any proposal by the Citrus Commission to increase the  
32 box tax rate; repealing s. 681.102(7), F.S., relating  
33 to the definition of the term "division"; amending ss.  
34 681.103, 681.108, 681.109, 681.1095, 681.1096,  
35 681.110, 681.112, 681.114, 681.117, and 681.118, F.S.;  
36 providing for the Department of Legal Affairs, rather  
37 than the Division of Consumer Services of the  
38 Department of Agriculture and Consumer Services, to  
39 enforce the state Lemon Law; consolidating enforcement  
40 duties under the Motor Vehicle Warranty Enforcement  
41 Act within the Department of Legal Affairs; conforming  
42 provisions to changes made by the act; providing an  
43 effective date.

44  
45 Be It Enacted by the Legislature of the State of Florida:

46  
47 Section 1. Subsection (2) of section 20.14, Florida  
48 Statutes, is amended to read:

49 20.14 Department of Agriculture and Consumer Services.—  
50 There is created a Department of Agriculture and Consumer  
51 Services.

52 (2) The following divisions of the Department of  
53 Agriculture and Consumer Services are established:

- 54 (a) Administration.  
55 (b) Agricultural Environmental Services.  
56 (c) Animal Industry.  
57 (d) Aquaculture.  
58 (e) Consumer Services.

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- 59       ~~(f) Dairy Industry.~~
- 60       (f)~~(g)~~ Food Safety.
- 61       (g)~~(h)~~ Forestry.
- 62       (h)~~(i)~~ Fruit and Vegetables.
- 63       (i)~~(j)~~ Licensing.
- 64       (j)~~(k)~~ Marketing and Development.
- 65       (k)~~(l)~~ Plant Industry.
- 66       (l)~~(m)~~ Standards.

67       Section 2. Section 320.90, Florida Statutes, is amended to  
68 read:

69           320.90 Notification of consumer's rights.—The department  
70 shall develop a motor vehicle consumer's rights pamphlet which  
71 shall be distributed free of charge by the Department of Legal  
72 Affairs ~~Agriculture and Consumer Services~~ to the motor vehicle  
73 owner upon request. Such pamphlet must contain information  
74 relating to odometer fraud and provide a summary of the rights  
75 and remedies available to all purchasers of motor vehicles.

76       Section 3. Subsection (8) of section 501.160, Florida  
77 Statutes, is amended to read:

78           501.160 Rental or sale of essential commodities during a  
79 declared state of emergency; prohibition against unconscionable  
80 prices.—

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

84       Section 4. For the purpose of incorporating the amendment  
85 made by this act to section 570.29, Florida Statutes, in a  
86 reference thereto, section 570.18, Florida Statutes, is  
87 reenacted to read:

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88           570.18 Organization of departmental work.—In the assignment  
89 of functions to the 12 divisions of the department created in s.  
90 570.29, the department shall retain within the Division of  
91 Administration, in addition to executive functions, those powers  
92 and duties enumerated in s. 570.30. The department shall  
93 organize the work of the other 11 divisions in such a way as to  
94 secure maximum efficiency in the conduct of the department. The  
95 divisions created in s. 570.29 are solely to make possible the  
96 definite placing of responsibility. The department shall be  
97 conducted as a unit in which every employee, including each  
98 division director, is assigned a definite workload, and there  
99 shall exist between division directors a spirit of cooperative  
100 effort to accomplish the work of the department.

101           Section 5. Subsection (2) of section 570.20, Florida  
102 Statutes, is amended to read:

103           570.20 General Inspection Trust Fund.—

104           (2) ~~For the 2010-2011 fiscal year only and Notwithstanding~~  
105 ~~any other provision of law to the contrary, in addition to the~~  
106 ~~spending authorized in subsection (1),~~ moneys in the General  
107 Inspection Trust Fund may be appropriated for programs operated  
108 by the department which are related to the programs authorized  
109 by this chapter in addition to the spending authorized in  
110 subsection (1). ~~This subsection expires July 1, 2011.~~

111           Section 6. Section 570.29, Florida Statutes, is amended to  
112 read:

113           570.29 Departmental divisions.—The department shall include  
114 the following divisions:

115           (1) Administration.

116           (2) Agricultural Environmental Services.

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- 117 (3) Animal Industry.  
 118 (4) Aquaculture.  
 119 (5) Consumer Services.  
 120 ~~(6) Dairy Industry.~~  
 121 (6)~~(7)~~ Food Safety.  
 122 (7)~~(8)~~ Forestry.  
 123 (8)~~(9)~~ Fruit and Vegetables.  
 124 (9) Licensing.  
 125 (10) Marketing and Development.  
 126 (11) Plant Industry.  
 127 (12) Standards.

128 Section 7. Sections 570.40 and 570.41, Florida Statutes,  
 129 are repealed.

130 Section 8. Subsections (6) and (7) are added to section  
 131 570.50, Florida Statutes, to read:

132 570.50 Division of Food Safety; powers and duties.—The  
 133 duties of the Division of Food Safety include, but are not  
 134 limited to:

135 (6) Inspecting dairy farms of the state and enforcing those  
 136 provisions of chapter 502 as are authorized by the department  
 137 relating to the supervision of milking operations and the rules  
 138 adopted pursuant to such law.

139 (7) Inspecting milk plants, milk product plants, and plants  
 140 engaged in the manufacture and distribution of frozen desserts  
 141 and frozen dessert mixes; analyzing and testing samples of milk,  
 142 milk products, frozen desserts, and frozen dessert mixes which  
 143 are collected by the division; and enforcing those provisions of  
 144 chapter 502 or chapter 503 as are authorized by the department.

145 Section 9. Paragraph (e) of subsection (3) of section

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146 601.15, Florida Statutes, is amended to read:

147 601.15 Advertising campaign; methods of conducting; excise  
148 tax; emergency reserve fund; citrus research.—

149 (3)

150 (e) The commission, upon an affirmative vote of a majority  
151 of its members and by an order entered by it prior to November 1  
152 of any year, may set the tax rates up to the maximum rates  
153 specified in this subsection. The tax rate shall apply only to  
154 the citrus season which began on August 1 of the same calendar  
155 year. Such tax rate may be applied by variety and on the basis  
156 of whether the fruit enters the primary channel of trade for use  
157 in fresh or processed form. If the commission cannot agree on a  
158 box tax rate, the tax rate for the previous year shall remain in  
159 effect until the commission approves a new rate. Any proposal by  
160 the commission to increase the box tax rate from the previous  
161 year's rate is subject to review and approval by the Legislative  
162 Budget Commission.

163 Section 10. Subsection (7) of section 681.102, Florida  
164 Statutes, is repealed.

165 Section 11. Subsections (2) and (3) of section 681.103,  
166 Florida Statutes, are amended to read:

167 681.103 Duty of manufacturer to conform a motor vehicle to  
168 the warranty.—

169 (2) Each manufacturer shall provide to its consumers  
170 conspicuous notice of the address and phone number for its zone,  
171 district, or regional office for this state in the written  
172 warranty or owner's manual. By January 1 of each year, each  
173 manufacturer shall forward to the department ~~of Legal Affairs~~ a  
174 copy of the owner's manual and any written warranty for each

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175 make and model of motor vehicle that it sells in this state.

176 (3) At the time of acquisition, the manufacturer shall  
177 inform the consumer clearly and conspicuously in writing how and  
178 where to file a claim with a certified procedure if such  
179 procedure has been established by the manufacturer pursuant to  
180 s. 681.108. The nameplate manufacturer of a recreational vehicle  
181 shall, at the time of vehicle acquisition, inform the consumer  
182 clearly and conspicuously in writing how and where to file a  
183 claim with a program pursuant to s. 681.1096. The manufacturer  
184 shall provide to the dealer and, at the time of acquisition, the  
185 dealer shall provide to the consumer a written statement that  
186 explains the consumer's rights under this chapter. The written  
187 statement shall be prepared by the department ~~of Legal Affairs~~  
188 and shall contain a toll-free number for the department which  
189 ~~division that~~ the consumer can contact to obtain information  
190 regarding the consumer's rights and obligations under this  
191 chapter or to commence arbitration. If the manufacturer obtains  
192 a signed receipt for timely delivery of sufficient quantities of  
193 this written statement to meet the dealer's vehicle sales  
194 requirements, it shall constitute prima facie evidence of  
195 compliance with this subsection by the manufacturer. The  
196 consumer's signed acknowledgment of receipt of materials  
197 required under this subsection shall constitute prima facie  
198 evidence of compliance by the manufacturer and dealer. The form  
199 of the acknowledgments shall be approved by the department ~~of~~  
200 ~~Legal Affairs~~, and the dealer shall maintain the consumer's  
201 signed acknowledgment for 3 years.

202 Section 12. Subsections (1), (2), (3), (4), (5), and (8) of  
203 section 681.108, Florida Statutes, are amended to read:

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204 681.108 Dispute-settlement procedures.-

205 (1) If a manufacturer has established a procedure, which  
206 the department ~~division~~ has certified as substantially complying  
207 with the provisions of 16 C.F.R. part 703, in effect October 1,  
208 1983, and with the provisions of this chapter and the rules  
209 adopted under this chapter, and has informed the consumer how  
210 and where to file a claim with such procedure pursuant to s.  
211 681.103(3), the provisions of s. 681.104(2) apply to the  
212 consumer only if the consumer has first resorted to such  
213 procedure. The decisionmakers for a certified procedure shall,  
214 in rendering decisions, take into account all legal and  
215 equitable factors germane to a fair and just decision,  
216 including, but not limited to, the warranty; the rights and  
217 remedies conferred under 16 C.F.R. part 703, in effect October  
218 1, 1983; the provisions of this chapter; and any other equitable  
219 considerations appropriate under the circumstances.  
220 Decisionmakers and staff of a procedure shall be trained in the  
221 provisions of this chapter and in 16 C.F.R. part 703, in effect  
222 October 1, 1983. In an action brought by a consumer concerning  
223 an alleged nonconformity, the decision that results from a  
224 certified procedure is admissible in evidence.

225 (2) A manufacturer may apply to the department ~~division~~ for  
226 certification of its procedure. After receipt and evaluation of  
227 the application, the department ~~division~~ shall certify the  
228 procedure or notify the manufacturer of any deficiencies in the  
229 application or the procedure.

230 (3) A certified procedure or a procedure of an applicant  
231 seeking certification shall submit to the department ~~division~~ a  
232 copy of each settlement approved by the procedure or decision



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233 made by a decisionmaker within 30 days after the settlement is  
234 reached or the decision is rendered. The decision or settlement  
235 must contain at a minimum the:

236 (a) Name and address of the consumer;

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

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

241 (d) Relief requested by the consumer;

242 (e) Name of each decisionmaker rendering the decision or  
243 person approving the settlement;

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

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

246 (h) Statement of whether the decision was accepted or  
247 rejected by the consumer.

248 (4) Any manufacturer establishing or applying to establish  
249 a certified procedure must file with the department ~~division~~ a  
250 copy of the annual audit required under the provisions of 16  
251 C.F.R. part 703, in effect October 1, 1983, together with any  
252 additional information required for purposes of certification,  
253 including the number of refunds and replacements made in this  
254 state pursuant to the provisions of this chapter by the  
255 manufacturer during the period audited.

256 (5) The department ~~division~~ shall review each certified  
257 procedure at least annually, prepare an annual report evaluating  
258 the operation of certified procedures established by motor  
259 vehicle manufacturers and procedures of applicants seeking  
260 certification, and, for a period not to exceed 1 year, shall  
261 grant certification to, or renew certification for, those

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262 manufacturers whose procedures substantially comply with the  
263 provisions of 16 C.F.R. part 703, in effect October 1, 1983, and  
264 with the provisions of this chapter and rules adopted under this  
265 chapter. If certification is revoked or denied, the department  
266 ~~division~~ shall state the reasons for such action. The reports  
267 and records of actions taken with respect to certification shall  
268 be public records.

269 (8) The department ~~division~~ shall adopt rules to implement  
270 this section.

271 Section 13. Subsections (1), (2), (3), (5), (6), and (7) of  
272 section 681.109, Florida Statutes, are amended to read:

273 681.109 Florida New Motor Vehicle Arbitration Board;  
274 dispute eligibility.—

275 (1) If a manufacturer has a certified procedure, a consumer  
276 claim arising during the Lemon Law rights period must be filed  
277 with the certified procedure no later than 60 days after the  
278 expiration of the Lemon Law rights period. If a decision is not  
279 rendered by the certified procedure within 40 days after ~~of~~  
280 filing, the consumer may apply to the department ~~division~~ to  
281 have the dispute removed to the board for arbitration.

282 (2) If a manufacturer has a certified procedure, a consumer  
283 claim arising during the Lemon Law rights period must be filed  
284 with the certified procedure no later than 60 days after the  
285 expiration of the Lemon Law rights period. If a consumer is not  
286 satisfied with the decision or the manufacturer's compliance  
287 therewith, the consumer may apply to the department ~~division~~ to  
288 have the dispute submitted to the board for arbitration. A  
289 manufacturer may not seek review of a decision made under its  
290 procedure.

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291 (3) If a manufacturer has no certified procedure or if a  
292 certified procedure does not have jurisdiction to resolve the  
293 dispute, a consumer may apply directly to the department  
294 ~~division~~ to have the dispute submitted to the board for  
295 arbitration.

296 (5) The department ~~division~~ shall screen all requests for  
297 arbitration before the board to determine eligibility. The  
298 consumer's request for arbitration before the board shall be  
299 made on a form prescribed by the department. The department  
300 ~~division~~ shall forward to the board all disputes that the  
301 department ~~division~~ determines are potentially entitled to  
302 relief under this chapter.

303 (6) The department ~~division~~ may reject a dispute that it  
304 determines to be fraudulent or outside the scope of the board's  
305 authority. Any dispute deemed by the department ~~division~~ to be  
306 ineligible for arbitration by the board due to insufficient  
307 evidence may be reconsidered upon the submission of new  
308 information regarding the dispute. Following a second review,  
309 the department ~~division~~ may reject a dispute if the evidence is  
310 clearly insufficient to qualify for relief. If a ~~Any~~ dispute is  
311 rejected by the department, the department shall send ~~division~~  
312 ~~shall be forwarded to the department and a copy shall be sent~~ by  
313 registered mail to the consumer and the manufacturer, ~~containing~~  
314 a brief explanation as to the reason for rejection.

315 (7) If the department ~~division~~ rejects a dispute, the  
316 consumer may file a lawsuit to enforce the remedies provided  
317 under this chapter. In any civil action arising under this  
318 chapter and relating to a matter considered by the department  
319 ~~division~~, any determination made to reject a dispute is

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320 admissible in evidence.

321 Section 14. Subsections (1) through (6) and subsection (11)  
322 of section 681.1095, Florida Statutes, are amended to read:

323 681.1095 Florida New Motor Vehicle Arbitration Board;  
324 creation and function.—

325 (1) There is established within the department ~~of Legal~~  
326 ~~Affairs~~, the Florida New Motor Vehicle Arbitration Board,  
327 consisting of members appointed by the Attorney General for an  
328 initial term of 1 year. Board members may be reappointed for  
329 additional terms of 2 years. Each board member is accountable to  
330 the Attorney General for the performance of the member's duties  
331 and is exempt from civil liability for any act or omission that  
332 ~~which~~ occurs while acting in the member's official capacity. The  
333 department ~~of Legal Affairs~~ shall defend a member in any action  
334 against the member or the board which arises from any such act  
335 or omission. The Attorney General may establish as many regions  
336 of the board as necessary to carry out the provisions of this  
337 chapter.

338 (2) The boards shall hear cases in various locations  
339 throughout the state so any consumer whose dispute is approved  
340 for arbitration by the department ~~division~~ may attend an  
341 arbitration hearing at a reasonably convenient location and  
342 present a dispute orally. Hearings shall be conducted by panels  
343 of three board members assigned by the department. A majority  
344 vote of the three-member board panel shall be required to render  
345 a decision. Arbitration proceedings under this section shall be  
346 open to the public on reasonable and nondiscriminatory terms.

347 (3) Each region of the board shall consist of up to eight  
348 members. The members of the board shall construe and apply the

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349 provisions of this chapter, and rules adopted thereunder, in  
350 making their decisions. An administrator and a secretary shall  
351 be assigned to each board by the department ~~of Legal Affairs~~. At  
352 least one member of each board must be a person with expertise  
353 in motor vehicle mechanics. A member must not be employed by a  
354 manufacturer or a franchised motor vehicle dealer or be a staff  
355 member, a decisionmaker, or a consultant for a procedure. Board  
356 members shall be trained in the application of this chapter and  
357 any rules adopted under this chapter, shall be reimbursed for  
358 travel expenses pursuant to s. 112.061, and shall be compensated  
359 at a rate or wage prescribed by the Attorney General.

360 (4) Before filing a civil action on a matter subject to s.  
361 681.104, the consumer must first submit the dispute to the  
362 department division, and to the board if such dispute is deemed  
363 eligible for arbitration.

364 (5) Manufacturers shall submit to arbitration conducted by  
365 the board if such arbitration is requested by a consumer and the  
366 dispute is deemed eligible for arbitration by the department  
367 ~~division~~ pursuant to s. 681.109.

368 (6) The board shall hear the dispute within 40 days and  
369 render a decision within 60 days after the date the request for  
370 arbitration is approved. The board may continue the hearing on  
371 its own motion or upon the request of a party for good cause  
372 shown. A request for continuance by the consumer constitutes  
373 waiver of the time periods set forth in this subsection. The  
374 department ~~of Legal Affairs~~, at the board's request, may  
375 investigate disputes, and may issue subpoenas for the attendance  
376 of witnesses and for the production of records, documents, and  
377 other evidence before the board. The failure of the board to

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378 hear a dispute or render a decision within the prescribed  
379 periods does not invalidate the decision.

380 (11) All provisions in this section and s. 681.109  
381 pertaining to compulsory arbitration before the board, the  
382 dispute eligibility screening by the department ~~division~~, the  
383 proceedings and decisions of the board, and any appeals thereof,  
384 are exempt from the provisions of chapter 120.

385 Section 15. Subsections (2) and (4) of section 681.1096,  
386 Florida Statutes, are amended to read:

387 681.1096 RV Mediation and Arbitration Program; creation and  
388 qualifications.—

389 (2) Each manufacturer of a recreational vehicle involved in  
390 a dispute that is determined eligible under this chapter,  
391 including chassis and component manufacturers which separately  
392 warrant the chassis and components and which otherwise meet the  
393 definition of manufacturer set forth in s. 681.102(13)  
394 ~~681.102(14)~~, shall participate in a mediation and arbitration  
395 program that is deemed qualified by the department.

396 (4) The department shall monitor the program for compliance  
397 with this chapter. If the program is determined not qualified or  
398 if qualification is revoked, then disputes shall be subject to  
399 the provisions of ss. 681.109 and 681.1095. If the program is  
400 determined not qualified or if qualification is revoked as to a  
401 manufacturer, all those manufacturers potentially involved in  
402 the eligible consumer dispute shall be required to submit to  
403 arbitration conducted by the board if such arbitration is  
404 requested by a consumer and the dispute is deemed eligible for  
405 arbitration by the department ~~division~~ pursuant to s. 681.109. A  
406 consumer having a dispute involving one or more manufacturers

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407 for which the program has been determined not qualified, or for  
408 which qualification has been revoked, is not required to submit  
409 the dispute to the program irrespective of whether the program  
410 may be qualified as to some of the manufacturers potentially  
411 involved in the dispute.

412 Section 16. Section 681.110, Florida Statutes, is amended  
413 to read:

414 681.110 Compliance and disciplinary actions.—The department  
415 ~~of Legal Affairs~~ may enforce and ensure compliance with the  
416 provisions of this chapter and rules adopted thereunder, may  
417 issue subpoenas requiring the attendance of witnesses and  
418 production of evidence, and may seek relief in the circuit court  
419 to compel compliance with such subpoenas. The department ~~of~~  
420 ~~Legal Affairs~~ may impose a civil penalty against a manufacturer  
421 not to exceed \$1,000 for each count or separate offense. The  
422 proceeds from the fine imposed herein shall be placed in the  
423 Motor Vehicle Warranty Trust Fund in the department ~~Department~~  
424 ~~of Legal Affairs~~ for implementation and enforcement of this  
425 chapter.

426 Section 17. Subsection (2) of section 681.112, Florida  
427 Statutes, is amended to read:

428 681.112 Consumer remedies.—

429 (2) An action brought under this chapter must be commenced  
430 within 1 year after the expiration of the Lemon Law rights  
431 period, or, if a consumer resorts to an informal dispute-  
432 settlement procedure or submits a dispute to the department  
433 ~~division~~ or board, within 1 year after the final action of the  
434 procedure, department ~~division~~, or board.

435 Section 18. Subsection (2) of section 681.114, Florida

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436 Statutes, is amended to read:

437 681.114 Resale of returned vehicles.—

438 (2) A person shall not knowingly lease, sell at wholesale  
439 or retail, or transfer a title to a motor vehicle returned by  
440 reason of a settlement, determination, or decision pursuant to  
441 this chapter or similar statute of another state unless the  
442 nature of the nonconformity is clearly and conspicuously  
443 disclosed to the prospective transferee, lessee, or buyer, and  
444 the manufacturer warrants to correct such nonconformity for a  
445 term of 1 year or 12,000 miles, whichever occurs first. The  
446 department ~~of Legal Affairs~~ shall prescribe by rule the form,  
447 content, and procedure pertaining to such disclosure statement.

448 Section 19. Subsection (1) of section 681.117, Florida  
449 Statutes, is amended to read:

450 681.117 Fee.—

451 (1) A \$2 fee shall be collected by a motor vehicle dealer,  
452 or by a person engaged in the business of leasing motor  
453 vehicles, from the consumer at the consummation of the sale of a  
454 motor vehicle or at the time of entry into a lease agreement for  
455 a motor vehicle. Such fees shall be remitted to the county tax  
456 collector or private tag agency acting as agent for the  
457 Department of Revenue. If the purchaser or lessee removes the  
458 motor vehicle from the state for titling and registration  
459 outside this state, the fee shall be remitted to the Department  
460 of Revenue. All fees, less the cost of administration, shall be  
461 transferred monthly to the department ~~of Legal Affairs~~ for  
462 deposit into the Motor Vehicle Warranty Trust Fund. ~~The~~  
463 ~~Department of Legal Affairs shall distribute monthly an amount~~  
464 ~~not exceeding one-fourth of the fees received to the Division of~~



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465 ~~Consumer Services of the Department of Agriculture and Consumer~~  
466 ~~Services to carry out the provisions of ss. 681.108 and 681.109.~~  
467 ~~The Department of Legal Affairs shall contract with the Division~~  
468 ~~of Consumer Services for payment of services performed by the~~  
469 ~~division pursuant to ss. 681.108 and 681.109.~~

470 Section 20. Section 681.118, Florida Statutes, is amended  
471 to read:

472 681.118 Rulemaking authority.—The department ~~of Legal~~  
473 ~~Affairs~~ shall adopt rules pursuant to ss. 120.536(1) and 120.54  
474 to implement the provisions of this chapter.

475 Section 21. This act shall take effect July 1, 2011.