By Senator Crist

12-363A-07

A bill to be entitled 2 An act relating to sellers of travel; amending s. 559.935, F.S.; limiting an exemption from 3 4 registration requirements provided for sellers 5 of travel who offer vacation certificates and 6 who have contracted with the Airlines Reporting 7 Corporation to sellers of travel who are wholly owned, directly or indirectly, by a company 8 that is publicly traded on a nationally 9 10 recognized stock exchange; amending s. 559.927, F.S.; providing that certain vacation plans and 11 12 packages are not regulated as vacation 13 certificates if the seller of travel is wholly owned, directly or indirectly, by a company 14 that is publicly traded on a nationally 15 recognized stock exchange; providing an 16 17 effective date. 18 Be It Enacted by the Legislature of the State of Florida: 19 20 21 Section 1. Subsection (2) of section 559.935, Florida 22 Statutes, is amended to read: 23 559.935 Exemptions.--(2) Sections 559.928, 559.929, 559.9295, 559.931, and 2.4 559.932 do shall not apply to: 25 (a) Sellers of travel directly issuing airline tickets 26 27 who have contracted with the Airlines Reporting Corporation for the most recent consecutive 3 years or more under the same ownership and control and who do not offer vacation 29 30 certificates; or 31

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(b) Sellers of travel offering vacation certificates 2 who have contracted with the Airlines Reporting Corporation for the most recent consecutive 5 years or more, if the seller 3 of travel is wholly owned, directly or indirectly, by a 4 company that is publicly traded on a nationally recognized 5 stock exchange under the same ownership and control. 7 Section 2. Subsection (11) of section 559.927, Florida 8 Statutes, is amended to read: 9 559.927 Definitions.--For the purposes of this part, 10 the term: (11) "Vacation certificate" means any arrangement, 11 12 plan, program, or vacation package that promotes, discusses, 13 or discloses a destination or itinerary or type of travel, whereby a purchaser for consideration paid in advance is 14 entitled to the use of travel, accommodations, or facilities 15 16 for any number of days, whether certain or uncertain, during 17 the period in which the certificate can be exercised, and no 18 specific date or dates for its use are designated. Such an arrangement, plan, program, or vacation package may not be 19 regulated as a vacation certificate under this part if the 20 21 does not include prearranged travel, tourist related services, 22 or tour quide services when a seller of travel remits full 23 payment for the cost of such services to the provider or supplier within 10 business days of the purchaser's initial 2.4 payment to the seller of travel, or if the seller of travel is 25 26 wholly owned, directly or indirectly, by a company that is 27 publicly traded on a nationally recognized stock exchange. 2.8 Section 3. This act shall take effect July 1, 2007. 29 30

********* SENATE SUMMARY Limits an exemption for sellers of travel who offer vacation certificates and who have contracted with the Airlines Reporting Corporation to sellers of travel who are wholly owned, directly or indirectly, by a company that is publicly traded on a nationally recognized stock exchange. Provides that certain vacation plans and packages are not regulated as vacation certificates if the seller of travel is wholly owned, directly or indirectly, by a company that is publicly traded on a nationally recognized stock exchange.