

1 A bill to be entitled
2 An act relating to public lodging establishments and
3 public food service establishments; amending s. 509.013,
4 F.S.; excluding nonprofit organizations providing certain
5 housing from the definition of "public lodging
6 establishment"; amending s. 509.032, F.S.; conforming
7 provisions to changes made by the act; prohibiting local
8 governments from regulating, restricting, or prohibiting
9 vacation rentals based solely on their classification or
10 use; providing an exception; revising authority preempted
11 to the state with regard to regulation of public lodging
12 establishments and public food service establishments;
13 amending ss. 509.221 and 509.241, F.S.; conforming
14 provisions to changes made by the act; amending s.
15 509.242, F.S.; providing that public lodging
16 establishments formerly classified as resort condominiums
17 and resort dwellings are classified as vacation rentals;
18 defining the term "vacation rental"; amending s. 509.251,
19 F.S.; conforming provisions to changes made by the act;
20 amending s. 509.261, F.S.; revising penalties for public
21 lodging establishments and public food service
22 establishments operating without a valid license; amending
23 s. 509.291, F.S.; revising membership of the advisory
24 council of the Division of Hotels and Restaurants of the
25 Department of Business and Professional Regulation;
26 requiring the Florida Vacation Rental Managers Association
27 to designate a member to serve on the advisory council;
28 amending ss. 381.008 and 386.203, F.S.; conforming

29 provisions to changes made by the act; providing a short
 30 title; amending s. 509.144, F.S.; revising definitions;
 31 providing additional penalties for the offense of
 32 unlawfully distributing handbills in a public lodging
 33 establishment; specifying that certain items used in
 34 committing such offense are subject to seizure and
 35 forfeiture under the Florida Contraband Forfeiture Act;
 36 creating s. 901.1503, F.S.; authorizing a law enforcement
 37 officer to give a notice to appear to a person without a
 38 warrant when there is probable cause to believe the person
 39 violated s. 509.144, F.S., and the owner or manager of the
 40 public lodging establishment signs an affidavit containing
 41 information supporting the determination of probable
 42 cause; amending s. 932.701, F.S.; revising the definition
 43 of the term "contraband article"; providing that specified
 44 portions of the act do not affect or impede specified
 45 statutory provisions or any protection or right guaranteed
 46 by the Second Amendment to the United States Constitution;
 47 providing an effective date.

48
 49 Be It Enacted by the Legislature of the State of Florida:

50
 51 Section 1. Paragraph (b) of subsection (4) of section
 52 509.013, Florida Statutes, is amended to read:

- 53 (4)
- 54 (b) The following are excluded from the definitions in
 55 paragraph (a):
- 56 1. Any dormitory or other living or sleeping facility

57 maintained by a public or private school, college, or university
58 for the use of students, faculty, or visitors;

59 2. Any facility certified or licensed and regulated by the
60 Agency for Health Care Administration or the Department of
61 Children and Family Services or other similar place regulated
62 under s. 381.0072;

63 3. Any place renting four rental units or less, unless the
64 rental units are advertised or held out to the public to be
65 places that are regularly rented to transients;

66 4. Any unit or group of units in a condominium,
67 cooperative, or timeshare plan and any individually or
68 collectively owned one-family, two-family, three-family, or
69 four-family dwelling house or dwelling unit that is rented for
70 periods of at least 30 days or 1 calendar month, whichever is
71 less, and that is not advertised or held out to the public as a
72 place regularly rented for periods of less than 1 calendar
73 month, provided that no more than four rental units within a
74 single complex of buildings are available for rent;

75 5. Any migrant labor camp or residential migrant housing
76 permitted by the Department of Health; under ss. 381.008-
77 381.00895; ~~and~~

78 6. Any establishment inspected by the Department of Health
79 and regulated by chapter 513; and

80 7. Any nonprofit organization that operates a facility
81 providing housing only to patients, patients' families, and
82 patients' caregivers and not to the general public.

83

84 Section 2. Paragraph (a) of subsection (2) and subsection
 85 (7) of section 509.032, Florida Statutes, are amended to read:

86 509.032 Duties.—

87 (2) INSPECTION OF PREMISES.—

88 (a) The division has responsibility and jurisdiction for
 89 all inspections required by this chapter. The division has
 90 responsibility for quality assurance. Each licensed
 91 establishment shall be inspected at least biannually, except for
 92 transient and nontransient apartments, which shall be inspected
 93 at least annually, and shall be inspected at such other times as
 94 the division determines is necessary to ensure the public's
 95 health, safety, and welfare. The division shall establish a
 96 system to determine inspection frequency. Public lodging units
 97 classified as vacation rentals ~~resort condominiums or resort~~
 98 ~~dwellings~~ are not subject to this requirement, but shall be made
 99 available to the division upon request. If, during the
 100 inspection of a public lodging establishment classified for
 101 renting to transient or nontransient tenants, an inspector
 102 identifies vulnerable adults who appear to be victims of
 103 neglect, as defined in s. 415.102, or, in the case of a building
 104 that is not equipped with automatic sprinkler systems, tenants
 105 or clients who may be unable to self-preserve in an emergency,
 106 the division shall convene meetings with the following agencies
 107 as appropriate to the individual situation: the Department of
 108 Health, the Department of Elderly Affairs, the area agency on
 109 aging, the local fire marshal, the landlord and affected tenants
 110 and clients, and other relevant organizations, to develop a plan
 111 which improves the prospects for safety of affected residents

112 and, if necessary, identifies alternative living arrangements
 113 such as facilities licensed under part II of chapter 400 or
 114 under chapter 429.

115 (7) PREEMPTION AUTHORITY.—

116 (a) The regulation of public lodging establishments and
 117 public food service establishments, including, but not limited
 118 to, ~~the inspection of public lodging establishments and public~~
 119 ~~food service establishments for compliance with the~~ sanitation
 120 standards, inspections, adopted under this section, and the
 121 ~~regulation of food safety protection standards for required~~
 122 ~~training and testing of food service establishment personnel,~~
 123 and matters related to the nutritional content and marketing of
 124 foods offered in such establishments, is ~~are~~ preempted to the
 125 state. This paragraph ~~subsection~~ does not preempt the authority
 126 of a local government or local enforcement district to conduct
 127 inspections of public lodging and public food service
 128 establishments for compliance with the Florida Building Code and
 129 the Florida Fire Prevention Code, pursuant to ss. 553.80 and
 130 633.022.

131 (b) A local law, ordinance, or regulation may not restrict
 132 the use of vacation rentals, prohibit vacation rentals, or
 133 regulate vacation rentals based solely on their classification,
 134 use, or occupancy. This paragraph does not apply to any local
 135 law, ordinance, or regulation adopted on or before June 1, 2011.

136 Section 3. Subsection (9) of section 509.221, Florida
 137 Statutes, is amended to read:

138 509.221 Sanitary regulations.—

139 (9) Subsections (2), (5), and (6) do not apply to any

140 facility or unit classified as a vacation rental or ~~resort~~
 141 ~~condominium,~~ nontransient apartment, ~~or resort dwelling~~ as
 142 described in s. 509.242(1)(c) and, (d), ~~and (g).~~

143 Section 4. Subsection (2) of section 509.241, Florida
 144 Statutes, is amended to read:

145 509.241 Licenses required; exceptions.—

146 (2) APPLICATION FOR LICENSE.—Each person who plans to open
 147 a public lodging establishment or a public food service
 148 establishment shall apply for and receive a license from the
 149 division prior to the commencement of operation. A condominium
 150 association, as defined in s. 718.103, which does not own any
 151 units classified as vacation rentals ~~resort condominiums~~ under
 152 s. 509.242(1)(c) is ~~shall~~ not ~~be~~ required to apply for or
 153 receive a public lodging establishment license.

154 Section 5. Subsection (1) of section 509.242, Florida
 155 Statutes, is amended to read:

156 509.242 Public lodging establishments; classifications.—

157 (1) A public lodging establishment shall be classified as
 158 a hotel, motel, ~~resort condominium,~~ nontransient apartment,
 159 transient apartment, roominghouse, bed and breakfast inn, or
 160 vacation rental ~~resort dwelling~~ if the establishment satisfies
 161 the following criteria:

162 (a) Hotel.—A hotel is any public lodging establishment
 163 containing sleeping room accommodations for 25 or more guests
 164 and providing the services generally provided by a hotel and
 165 recognized as a hotel in the community in which it is situated
 166 or by the industry.

167 (b) Motel.—A motel is any public lodging establishment

168 | which offers rental units with an exit to the outside of each
169 | rental unit, daily or weekly rates, offstreet parking for each
170 | unit, a central office on the property with specified hours of
171 | operation, a bathroom or connecting bathroom for each rental
172 | unit, and at least six rental units, and which is recognized as
173 | a motel in the community in which it is situated or by the
174 | industry.

175 | (c) Vacation rental ~~Resort condominium~~.—A vacation rental
176 | ~~resort condominium~~ is any unit or group of units in a
177 | condominium, cooperative, or timeshare plan or any individually
178 | or collectively owned single-family, two-family, or four-family
179 | house or dwelling unit that is also a transient public lodging
180 | establishment ~~which is rented more than three times in a~~
181 | ~~calendar year for periods of less than 30 days or 1 calendar~~
182 | ~~month, whichever is less, or which is advertised or held out to~~
183 | ~~the public as a place regularly rented for periods of less than~~
184 | ~~30 days or 1 calendar month, whichever is less.~~

185 | (d) Nontransient apartment or roominghouse.—A nontransient
186 | apartment or roominghouse is a building or complex of buildings
187 | in which 75 percent or more of the units are available for rent
188 | to nontransient tenants.

189 | (e) Transient apartment or roominghouse.—A transient
190 | apartment or roominghouse is a building or complex of buildings
191 | in which more than 25 percent of the units are advertised or
192 | held out to the public as available for transient occupancy.

193 | (f) Roominghouse.—A roominghouse is any public lodging
194 | establishment that may not be classified as a hotel, motel,
195 | ~~resort condominium~~, nontransient apartment, bed and breakfast

196 inn, vacation rental, or transient apartment under this section.

197 A roominghouse includes, but is not limited to, a boardinghouse.

198 ~~(g) Resort dwelling. A resort dwelling is any individually~~
 199 ~~or collectively owned one family, two family, three family, or~~
 200 ~~four family dwelling house or dwelling unit which is rented more~~
 201 ~~than three times in a calendar year for periods of less than 30~~
 202 ~~days or 1 calendar month, whichever is less, or which is~~
 203 ~~advertised or held out to the public as a place regularly rented~~
 204 ~~for periods of less than 30 days or 1 calendar month, whichever~~
 205 ~~is less.~~

206 (g) ~~(h)~~ Bed and breakfast inn.—A bed and breakfast inn is a
 207 family home structure, with no more than 15 sleeping rooms,
 208 which has been modified to serve as a transient public lodging
 209 establishment, which provides the accommodation and meal
 210 services generally offered by a bed and breakfast inn, and which
 211 is recognized as a bed and breakfast inn in the community in
 212 which it is situated or by the hospitality industry.

213 Section 6. Subsection (1) of section 509.251, Florida
 214 Statutes, is amended to read:

215 509.251 License fees.—

216 (1) The division shall adopt, by rule, a schedule of fees
 217 to be paid by each public lodging establishment as a
 218 prerequisite to issuance or renewal of a license. Such fees
 219 shall be based on the number of rental units in the
 220 establishment. The aggregate fee per establishment charged any
 221 public lodging establishment shall not exceed \$1,000; however,
 222 the fees described in paragraphs (a) and (b) may not be included
 223 as part of the aggregate fee subject to this cap. Vacation

224 rental ~~Resort condominium~~ units within separate buildings or at
225 separate locations but managed by one licensed agent may be
226 combined in a single license application, and the division shall
227 charge a license fee as if all units in the application are in a
228 single licensed establishment. ~~Resort dwelling units may be~~
229 ~~licensed in the same manner as condominium units.~~ The fee
230 schedule shall require an establishment which applies for an
231 initial license to pay the full license fee if application is
232 made during the annual renewal period or more than 6 months
233 prior to the next such renewal period and one-half of the fee if
234 application is made 6 months or less prior to such period. The
235 fee schedule shall include fees collected for the purpose of
236 funding the Hospitality Education Program, pursuant to s.
237 509.302, which are payable in full for each application
238 regardless of when the application is submitted.

239 (a) Upon making initial application or an application for
240 change of ownership, the applicant shall pay to the division a
241 fee as prescribed by rule, not to exceed \$50, in addition to any
242 other fees required by law, which shall cover all costs
243 associated with initiating regulation of the establishment.

244 (b) A license renewal filed with the division within 30
245 days after the expiration date shall be accompanied by a
246 delinquent fee as prescribed by rule, not to exceed \$50, in
247 addition to the renewal fee and any other fees required by law.
248 A license renewal filed with the division more than 30 but not
249 more than 60 days after the expiration date shall be accompanied
250 by a delinquent fee as prescribed by rule, not to exceed \$100,
251 in addition to the renewal fee and any other fees required by

252 law.

253 Section 7. Subsection (1) of section 509.261, Florida
 254 Statutes, is amended to read:

255 509.261 Revocation or suspension of licenses; fines;
 256 procedure.—

257 (1) Any public lodging establishment or public food
 258 service establishment that has operated or is operating in
 259 violation of this chapter or the rules of the division,
 260 operating without a license, or operating with a suspended or
 261 revoked license may be subject by the division to:

262 (a) Fines not to exceed \$1,000 per offense;

263 (b) Mandatory completion attendance, at personal expense,
 264 of a remedial at-an educational program administered sponsored
 265 by a food safety training program provider approved by the
 266 division, as provided in s. 509.049 the Hospitality Education
 267 Program; and

268 (c) The suspension, revocation, or refusal of a license
 269 issued pursuant to this chapter.

270 Section 8. Subsection (1) of section 509.291, Florida
 271 Statutes, is amended to read:

272 509.291 Advisory council.—

273 (1) There is created a 10-member advisory council.

274 (a) The Secretary of Business and Professional Regulation
 275 shall appoint six ~~seven~~ voting members to the advisory council.
 276 Each member appointed by the secretary must be an operator of an
 277 establishment licensed under this chapter and shall represent
 278 the industries regulated by the division, except that one member
 279 appointed by the secretary must be a layperson representing the

280 general public and one member must be a hospitality education
 281 administrator from an institution of higher education of this
 282 state. Such members of the council shall serve staggered terms
 283 of 4 years.

284 (b) The Florida Restaurant and Lodging Association shall
 285 designate one representative to serve as a voting member of the
 286 council. The Florida Vacation Rental Managers Association shall
 287 designate one representative to serve as a voting member of the
 288 council. The Florida Apartment Association and the Florida
 289 Association of Realtors shall each designate one representative
 290 to serve as a voting member of the council.

291 (c) Any member who fails to attend three consecutive
 292 council meetings without good cause may be removed from the
 293 council by the secretary.

294 Section 9. Paragraph (c) of subsection (8) of section
 295 381.008, Florida Statutes, is amended to read:

296 381.008 Definitions of terms used in ss. 381.008-
 297 381.00897.—As used in ss. 381.008-381.00897, the following words
 298 and phrases mean:

299 (8) "Residential migrant housing"—A building, structure,
 300 mobile home, barracks, or dormitory, and any combination thereof
 301 on adjacent property which is under the same ownership,
 302 management, or control, and the land appertaining thereto, that
 303 is rented or reserved for occupancy by five or more seasonal or
 304 migrant farmworkers, except:

305 (c) A hotel, or motel, or resort condominium, as described
 306 ~~defined~~ in chapter 509, that is furnished for transient
 307 occupancy.

308 Section 10. Subsection (4) of section 386.203, Florida
 309 Statutes, is amended to read:

310 386.203 Definitions.—As used in this part:

311 (4) "Designated smoking guest rooms at public lodging
 312 establishments" means the sleeping rooms and directly associated
 313 private areas, such as bathrooms, living rooms, and kitchen
 314 areas, if any, rented to guests for their exclusive transient
 315 occupancy in public lodging establishments, including hotels,
 316 motels, vacation rentals ~~resort condominiums~~, transient
 317 apartments, transient lodging establishments, rooming houses,
 318 boarding houses, ~~resort dwellings~~, bed and breakfast inns, and
 319 the like; and designated by the person or persons having
 320 management authority over such public lodging establishment as
 321 rooms in which smoking may be permitted.

322 Section 11. Sections 11 through 14 of this act may be
 323 cited as the "Tourist Safety Act of 2011."

324 Section 12. Section 509.144, Florida Statutes, is amended
 325 to read:

326 509.144 Prohibited handbill distribution in a public
 327 lodging establishment; penalties.—

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

329 (a) "Handbill" means a flier, leaflet, pamphlet, or other
 330 written material that advertises, promotes, or informs persons
 331 about a person ~~an individual~~, business, company, or food service
 332 establishment, but does ~~shall~~ not include employee
 333 communications permissible under the National Labor Relations
 334 Act, other communications protected by the First Amendment to
 335 the United States Constitution, or communications about public

336 health, safety, or welfare distributed by a federal, state, or
 337 local governmental entity or a public or private utility.

338 (b) "Without permission" means without the expressed
 339 written ~~or oral~~ permission of the owner, manager, or agent of
 340 the owner or manager of the public lodging establishment where a
 341 sign is posted prohibiting advertising or solicitation in the
 342 manner provided in subsection (5) ~~(4)~~.

343 (c) "At or in a public lodging establishment" means any
 344 property under the sole ownership or control of a public lodging
 345 establishment.

346 (2) Any person ~~individual~~, agent, contractor, or volunteer
 347 who is acting on behalf of a person ~~an individual~~, business,
 348 company, or food service establishment and who, without
 349 permission, delivers, distributes, or places, or attempts to
 350 deliver, distribute, or place, a handbill at or in a public
 351 lodging establishment commits a misdemeanor of the first degree,
 352 punishable as provided in s. 775.082 or s. 775.083.

353 (3) Any person who, without permission, directs another
 354 person to deliver, distribute, or place, or attempts to deliver,
 355 distribute, or place, a handbill at or in a public lodging
 356 establishment commits a misdemeanor of the first degree,
 357 punishable as provided in s. 775.082 or s. 775.083. Any person
 358 sentenced under this subsection shall be ordered to pay a
 359 minimum fine of \$500 in addition to any other penalty imposed by
 360 the court.

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

363 (a) Shall pay a minimum fine of \$2,000 for a second

364 violation.

365 (b) Shall pay a minimum fine of \$3,000 for a third or
 366 subsequent violation.

367 (5)~~(4)~~ For purposes of this section, a public lodging
 368 establishment that intends to prohibit advertising or
 369 solicitation, as described in this section, at or in such
 370 establishment must comply with the following requirements when
 371 posting a sign prohibiting such solicitation or advertising:

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

376 (b) The sign must be posted conspicuously.

377 (c) If the main office of the public lodging establishment
 378 is immediately accessible by entering the office through a door
 379 from a street, parking lot, grounds, or other area outside such
 380 establishment, the sign must be placed on a part of the main
 381 office, such as a door or window, and the sign must face the
 382 street, parking lot, grounds, or other area outside such
 383 establishment.

384 (d) If the main office of the public lodging establishment
 385 is not immediately accessible by entering the office through a
 386 door from a street, parking lot, grounds, or other area outside
 387 such establishment, the sign must be placed in the immediate
 388 vicinity of the main entrance to such establishment, and the
 389 sign must face the street, parking lot, grounds, or other area
 390 outside such establishment.

391 (6) Any personal property, including, but not limited to,

392 any vehicle, item, object, tool, device, weapon, machine, money,
 393 security, book, or record, that is used or attempted to be used
 394 as an instrumentality in the commission of, or in aiding and
 395 abetting in the commission of, a person's third or subsequent
 396 violation of this section, whether or not comprising an element
 397 of the offense, is subject to seizure and forfeiture under the
 398 Florida Contraband Forfeiture Act.

399 Section 13. Section 901.1503, Florida Statutes, is created
 400 to read:

401 901.1503 When notice to appear by officer without warrant
 402 is lawful.—A law enforcement officer may give a notice to appear
 403 to a person without a warrant when the officer has determined
 404 that he or she has probable cause to believe that a violation of
 405 s. 509.144 has been committed and the owner or manager of the
 406 public lodging establishment in which the violation occurred
 407 signs an affidavit containing information that supports the
 408 officer's determination of probable cause.

409 Section 14. Paragraph (a) of subsection (2) of section
 410 932.701, Florida Statutes, is amended to read:

411 932.701 Short title; definitions.—

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

413 (a) "Contraband article" means:

414 1. Any controlled substance as defined in chapter 893 or
 415 any substance, device, paraphernalia, or currency or other means
 416 of exchange that was used, was attempted to be used, or was
 417 intended to be used in violation of any provision of chapter
 418 893, if the totality of the facts presented by the state is
 419 clearly sufficient to meet the state's burden of establishing

420 | probable cause to believe that a nexus exists between the
 421 | article seized and the narcotics activity, whether or not the
 422 | use of the contraband article can be traced to a specific
 423 | narcotics transaction.

424 | 2. Any gambling paraphernalia, lottery tickets, money,
 425 | currency, or other means of exchange which was used, was
 426 | attempted, or intended to be used in violation of the gambling
 427 | laws of the state.

428 | 3. Any equipment, liquid or solid, which was being used,
 429 | is being used, was attempted to be used, or intended to be used
 430 | in violation of the beverage or tobacco laws of the state.

431 | 4. Any motor fuel upon which the motor fuel tax has not
 432 | been paid as required by law.

433 | 5. Any personal property, including, but not limited to,
 434 | any vessel, aircraft, item, object, tool, substance, device,
 435 | weapon, machine, vehicle of any kind, money, securities, books,
 436 | records, research, negotiable instruments, or currency, which
 437 | was used or was attempted to be used as an instrumentality in
 438 | the commission of, or in aiding or abetting in the commission
 439 | of, any felony, whether or not comprising an element of the
 440 | felony, or which is acquired by proceeds obtained as a result of
 441 | a violation of the Florida Contraband Forfeiture Act.

442 | 6. Any real property, including any right, title,
 443 | leasehold, or other interest in the whole of any lot or tract of
 444 | land, which was used, is being used, or was attempted to be used
 445 | as an instrumentality in the commission of, or in aiding or
 446 | abetting in the commission of, any felony, or which is acquired
 447 | by proceeds obtained as a result of a violation of the Florida

448 Contraband Forfeiture Act.

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

455 8. Any motor vehicle offered for sale in violation of s.
456 320.28.

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

459 10. Any photograph, film, or other recorded image,
460 including an image recorded on videotape, a compact disc,
461 digital tape, or fixed disk, that is recorded in violation of s.
462 810.145 and is possessed for the purpose of amusement,
463 entertainment, sexual arousal, gratification, or profit, or for
464 the purpose of degrading or abusing another person.

465 11. Any real property, including any right, title,
466 leasehold, or other interest in the whole of any lot or tract of
467 land, which is acquired by proceeds obtained as a result of
468 Medicaid fraud under s. 409.920 or s. 409.9201; any personal
469 property, including, but not limited to, equipment, money,
470 securities, books, records, research, negotiable instruments, or
471 currency; or any vessel, aircraft, item, object, tool,
472 substance, device, weapon, machine, or vehicle of any kind in
473 the possession of or belonging to any person which is acquired
474 by proceeds obtained as a result of Medicaid fraud under s.
475 409.920 or s. 409.9201.

476 12. Any personal property, including, but not limited to,
477 any vehicle, item, object, tool, device, weapon, machine, money,
478 security, book, or record, that is used or attempted to be used
479 as an instrumentality in the commission of, or in aiding and
480 abetting in the commission of, a person's third or subsequent
481 violation of s. 509.144, whether or not comprising an element of
482 the offense.

483 Section 15. The amendments made to ss. 509.144 and
484 932.701, Florida Statutes, and the creation of s. 901.1503,
485 Florida Statutes, by this act do not affect or impede the
486 provisions of s. 790.251, Florida Statutes, or any other
487 protection or right guaranteed by the Second Amendment to the
488 United States Constitution.

489 Section 16. This act shall take effect upon becoming a
490 law.