

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Horner offered the following:

2

3 **Amendment (with title amendment)**

4 Between lines 60 and 61, insert:

5 Section 1. Subsections (4) and (5) of section 210.16,
6 Florida Statutes, are renumbered as subsections (5) and (6),
7 respectively, and a new subsection (4) is added to that section
8 to read:

9 210.16 Revocation or suspension of permit.—

10 (4) At the discretion of the wholesale dealer making the
11 sale, credit for the sale of tobacco products may be extended to
12 a retail dealer that has been issued a permit pursuant to
13 chapter 569. Upon submission of proof to the division by a
14 wholesale dealer, the division shall suspend or deny the renewal
15 of a retail permit to any person or, if a corporation, to any
16 officer or stockholder of the corporation who has failed to

480355

Approved For Filing: 2/21/2012 10:47:05 AM

Amendment No.

17 satisfy the terms of a civil judgment obtained against the
18 person, corporation, officer, or stockholder for failure to pay
19 for tobacco products purchased from a wholesale dealer. The
20 permit shall remain suspended until the retail dealer submits
21 proof to the division that it has entered into an agreed payment
22 plan with the wholesale dealer or satisfied the civil judgment
23 in full.

24 Section 2. Subsection (1) of section 210.181, Florida
25 Statutes, is amended to read:

26 210.181 Civil penalties.—

27 (1) Except as provided in s. 210.16(6) ~~210.16(5)~~, whoever
28 knowingly omits, neglects, or refuses to comply with any duty
29 imposed upon him or her by this part, or to do or cause to be
30 done any of the things required by this part, or does anything
31 prohibited by this part shall, in addition to any other penalty
32 provided in this part, be liable for a fine of \$1,000 or five
33 times the retail value of the cigarettes involved, whichever is
34 greater.

35
36
37 -----

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

38 Remove line 3 and insert:
39 regulation; amending s. 210.16, F.S.; authorizing
40 credit for the sale of tobacco products to be extended
41 to a retail dealer under specified conditions;
42 providing for the suspension of the sale of tobacco
43 products to retail dealers delinquent in their credit
44

480355

Approved For Filing: 2/21/2012 10:47:05 AM

Amendment No.

45 payments until certain conditions are met; amending s.
46 210.181, F.S.; conforming a cross-reference; amending
47 s. 455.213, F.S.; waiving initial

48