A bill to be entitled
An act relating to the Department of Agriculture and
Consumer Services; amending s. 472.007, F.S.; revising
the composition of the Board of Professional Surveyors
and Mappers; amending s. 472.015, F.S.; requiring the
Department of Agriculture and Consumer Services to
waive the initial land surveying and mapping license
fee for certain veterans, the spouses of such
veterans, or certain business entities that have a
majority ownership held by such veterans or spouses;
amending s. 493.6105, F.S.; waiving the initial
application fee for veterans for certain private
investigative, private security, and repossession
service licenses; revising certain fees for initial
license applications; amending s. 493.6106, F.S.;
deleting a provision requiring that certain applicants
submit additional documentation establishing state
residency; amending s. 493.6107, F.S.; waiving the
initial license fees for veterans for certain private
investigative, private security, and repossession
service licenses; amending s. 493.6108, F.S.;
requiring the Department of Law Enforcement to retain
fingerprints submitted for private investigative,
private security, and repossession service licenses,
to enter such fingerprints into the statewide
automated biometric identification system and the

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Federal Bureau of Investigation's national retained print arrest notification program, and to report any arrest record information to the Department of Agriculture and Consumer Services; requiring the department to provide information about an arrest of a licensee for certain crime within the state to the agency that employs the licensee; amending s. 493.6113, F.S.; clarifying the renewal requirements for Class "K" licenses; requiring a person holding a private investigative, private security, or repossession service license issued before a certain date to submit, upon first renewal of the license, a full set of fingerprints and a fingerprint processing fee; amending ss. 493.6202, 493.6302, and 493.6402, F.S.; waiving initial license fees for veterans for certain private investigative, private security, and repossession service licenses; amending s. 501.0125, F.S.; revising the definition of the term "health studio"; defining the term "personal trainer"; amending s. 501.015, F.S.; requiring the department to waive the initial health studio registration fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such veterans or spouses; amending s. 501.605, F.S.; prohibiting the use of a mail drop as a street address for the principal location of a
commercial telephone seller; requiring the department
to waive the initial commercial telephone seller
license fee for certain veterans, the spouses of such
veterans, or certain business entities that have a
majority ownership held by such veterans or spouses;
amending s. 501.607, F.S.; requiring the department to
waive the initial telephone salesperson license fees
for certain veterans, the spouses of such veterans, or
certain business entities that have a majority
ownership held by such veterans or spouses; amending
s. 507.03, F.S.; requiring the department to waive the
initial registration fee for an intrastate mover for
certain veterans, the spouses of such veterans, or
certain business entities that have a majority
ownership held by such veterans or spouses; amending
s. 527.02, F.S.; requiring the department to waive the
original liquefied petroleum gas license fee for
certain veterans, the spouses of such veterans, or
certain business entities that have a majority
ownership held by such veterans or spouses; amending
s. 527.021, F.S.; deleting a provision requiring a fee
for registering transport vehicles; amending s.
531.37, F.S.; revising the definition of the term
"weights and measures"; amending s. 531.415, F.S.;
revising the fees for actual metrology laboratory
calibration and testing services; amending s. 531.60,
F.S.; clarifying the applicability of permits for commercially operated or tested weights or measures instruments or devices; requiring a new permit application if a new owner acquires and moves an instrument or a device; requiring a business to notify the department of certain information under certain circumstances; deleting a provision authorizing the department to test weights and measures instruments or devices under certain circumstances; amending s. 531.61, F.S.; clarifying provisions exempting certain instruments or devices from specified requirements; amending s. 531.62, F.S.; specifying that the commercial use permit fee is based upon the number and types of instruments or devices permitted; revising the expiration date of the commercial use permit; requiring annual and biennial commercial use permit renewals to meet the same requirements; amending s. 531.63, F.S.; revising the commercial use permit fees and fee structures; amending s. 531.65, F.S.; clarifying that the department may use one or more of the prescribed penalties for the unauthorized use of a weights and measures instrument or device; amending s. 539.001, F.S.; requiring the department to waive the initial pawnbroker license fee for certain veterans, the spouses of such veterans, or certain business entities that have a majority ownership held by such
veterans or spouses; amending s. 559.904, F.S.;
requiring the department to waive the initial motor
vehicle repair shop registration fee for certain
veterans, the spouses of such veterans, or certain
business entities that have a majority ownership held
by such veterans or spouses; amending s. 559.927,
F.S.; revising definitions; amending s. 559.928, F.S.;
requiring the department to waive the initial seller
of travel registration fee for certain veterans, the
spouses of such veterans, or certain business entities
that have a majority ownership held by such veterans
or spouses; requiring each advertisement, each
certificate, or any other travel document to include a
specified phrase; deleting a provision requiring an
advertisement to include a specified phrase; revising
the circumstances under which the department may deny
or refuse to renew a registration; authorizing the
department to revoke the registration of a seller of
travel under certain circumstances; amending s.
559.929, F.S.; revising certain security requirements;
amending s. 559.9295, F.S.; revising the requirements
that certain sellers of travel submit and disclose to
the department; deleting provisions relating to the
duties of the department; amending s. 559.932, F.S.;
requiring a specified typeface point size for certain
disclosures; requiring the department to review copies

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of certain certificates and contracts for compliance with disclosure requirements; amending s. 559.933, F.S.; making technical changes; amending s. 559.9335, F.S.; revising violations relating to the sale of travel; amending s. 559.935, F.S.; deleting a provision requiring an affidavit of exemption to obtain a seller of travel affiliate exemption; adding embezzlement as a crime for which the department may revoke certain exemptions; amending s. 559.936, F.S.; conforming cross-references; amending s. 616.242, F.S.; exempting water-related amusement rides operated by lodging and food service establishments and membership campgrounds, amusement rides at private, membership-only facilities, and nonprofit permanent facilities from certain safety standards; authorizing owners or managers of amusement rides to use alternative forms to record ride inspections and employee training; amending s. 790.06, F.S.; revising the requirements for issuance of a concealed weapon or firearm license; requiring directions for expedited processing requests in the license application form; revising the initial and renewal fees for a concealed weapon or firearm license; providing a process for expediting applications for servicemembers and veterans; requiring that notice of the suspension or revocation of a concealed weapon or firearm license or
the suspension of the processing of an application for
such license be given by personal delivery or first-
class mail; specifying deadlines for requests for a
hearing for suspensions or revocations; specifying
standards of proof for notice of suspensions or
revocations; requiring concealed weapon or firearm
license renewals to include an affidavit submitted
under oath and under penalty of perjury, rather than a
notarized affidavit; amending s. 790.0625, F.S.;
authorizing certain tax collector offices, upon
approval and confirmation of license issuance by the
department, to print and deliver concealed weapon or
firearm licenses; amending ss. 559.9285 and 559.937,
F.S.; conforming terminology; providing an
appropriation; providing effective dates.

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

Section 1. Subsection (1) of section 472.007, Florida
Statutes, is amended to read:

472.007 Board of Professional Surveyors and Mappers.—There
is created in the Department of Agriculture and Consumer
Services the Board of Professional Surveyors and Mappers.

(1) The board shall consist of nine members, six of
whom shall be registered surveyors and mappers primarily engaged
in the practice of surveying and mapping, one of whom shall be a
Section 2. Subsection (3) of section 472.015, Florida Statutes, is amended to read:

472.015 Licensure.—

(3) (a) Before the issuance of any license, the department may charge an initial license fee as determined by rule of the board. Upon receipt of the appropriate license fee, except as provided in subsection (6), the department shall issue a license to any person certified by the board, or its designee, as having met the applicable requirements imposed by law or rule. However, an applicant who is not otherwise qualified for licensure is not entitled to licensure solely based on a passing score on a required examination.

(b) The department shall waive the initial license fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of
identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 3. Paragraph (c) is added to subsection (1) of section 493.6105, Florida Statutes, and paragraph (j) of subsection (3) of that section is amended, to read:

493.6105 Initial application for license.—
(1) Each individual, partner, or principal officer in a corporation, shall file with the department a complete application accompanied by an application fee not to exceed $60, except that the applicant for a Class "D" or Class "G" license is not required to submit an application fee. The application fee is not refundable.
(c) The initial application fee for a veteran, as defined in s. 1.01, if he or she applies for a Class "C," Class "CC," Class "DI," Class "E," Class "EE," Class "K," Class "M," Class "MA," Class "MB," Class "MR," or Class "RI" license within 24 months after being discharged from a branch of the United States Armed Forces shall be waived. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs with his or her application in order to obtain a waiver.

(3) The application must contain the following information concerning the individual signing the application:

(j) A full set of fingerprints, a fingerprint processing fee, and a fingerprint retention fee. The fingerprint processing and retention fees shall be established by rule of the department based upon costs determined by state and federal agency charges and department processing costs, which must include the cost of retaining the fingerprints in the statewide automated biometric identification system established in s. 943.05(2)(b) and the cost of enrolling the fingerprints in the national retained print arrest notification program as required under s. 493.6108. An applicant who has, within the immediately preceding 6 months, submitted such fingerprints and fees for licensing purposes under this chapter and who still holds a valid license is not required to submit another set of fingerprints or another fingerprint processing fee. An applicant
who holds multiple licenses issued under this chapter is required to pay only a single fingerprint retention fee.

Section 4. Paragraph (f) of subsection (1) of section 493.6106, Florida Statutes, is amended to read:

493.6106 License requirements; posting.—

(1) Each individual licensed by the department must:

(f) Be a citizen or permanent legal resident alien of the United States or have appropriate authorization issued by the United States Citizenship and Immigration Services of the United States Department of Homeland Security.

1. An applicant for a Class "C," Class "CC," Class "D," Class "DI," Class "E," Class "EE," Class "M," Class "MA," Class "MB," Class "MR," or Class "RI" license who is not a United States citizen must submit proof of current employment authorization issued by the United States Citizenship and Immigration Services or proof that she or he is deemed a permanent legal resident alien by the United States Citizenship and Immigration Services.

2. An applicant for a Class "G" or Class "K" license who is not a United States citizen must submit proof that she or he is deemed a permanent legal resident alien by the United States Citizenship and Immigration Services, together with additional documentation establishing that she or he has resided in the state of residence shown on the application for at least 90 consecutive days before the date that the application is submitted.
3. An applicant for an agency or school license who is not a United States citizen or permanent legal resident alien must submit documentation issued by the United States Citizenship and Immigration Services stating that she or he is lawfully in the United States and is authorized to own and operate the type of agency or school for which she or he is applying. An employment authorization card issued by the United States Citizenship and Immigration Services is not sufficient documentation.

Section 5. Subsection (6) is added to section 493.6107, Florida Statutes, to read:

493.6107 Fees.—

(6) The initial license fee for a veteran, as defined in s. 1.01, shall be waived if he or she applies for a Class "M" or Class "K" license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs with his or her application in order to obtain a waiver.

Section 6. Subsections (4) and (5) are added to section 493.6108, Florida Statutes, to read:

493.6108 Investigation of applicants by Department of Agriculture and Consumer Services.—

(4) Effective January 1, 2017, the Department of Law Enforcement shall:
(a) Retain and enter into the statewide automated biometric identification system established in s. 943.05(2)(b) all fingerprints submitted to the Department of Agriculture and Consumer Services pursuant to this chapter.

(b) When the Department of Law Enforcement begins participation in the Federal Bureau of Investigation's national retained print arrest notification program, enroll such fingerprints in the program. The fingerprints must thereafter be available for arrest notifications and all purposes and uses authorized for arrest fingerprint submissions entered into the statewide automated biometric identification system established in s. 943.05(2)(b).

(c) Search all arrest fingerprints against fingerprints retained.

(d) Report to the Department of Agriculture and Consumer Services any arrest record that it identifies or that is identified by the Federal Bureau of Investigation.

(5) If the department receives information about an arrest within the state of a person who holds a valid license issued under this chapter for a crime that could potentially disqualify the person from holding such a license, the department must provide the arrest information to the agency that employs the licensee.

Section 7. Subsections (1) and (3) of section 493.6113, Florida Statutes, are amended to read:

493.6113 Renewal application for licensure.—
(1) A license granted under the provisions of this chapter shall be renewed biennially by the department, except for Class "A," Class "B," Class "AB," Class "K," Class "R," and branch agency licenses, which shall be renewed every 3 years.

(3) Each licensee is responsible for renewing his or her license on or before its expiration by filing with the department an application for renewal accompanied by payment of the renewal fee and the fingerprint retention fee to cover the cost of ongoing retention in the statewide automated biometric identification system established in s. 943.05(2)(b). A person holding a valid license issued under this chapter before January 1, 2017, must submit, upon first renewal of the license, a full set of fingerprints and a fingerprint processing fee to cover the cost of entering the fingerprints into the statewide automated biometric identification system under s. 493.6108(4)(a) and the cost of enrollment in the Federal Bureau of Investigation's national retained print arrest notification program. Subsequent renewals may be completed without submission of a set of fingerprints prescribed license fee.

(a) Each Class "B" licensee shall additionally submit on a form prescribed by the department a certification of insurance that evidences that the licensee maintains coverage as required under s. 493.6110.

(b) Each Class "G" licensee shall additionally submit proof that he or she has received during each year of the license period a minimum of 4 hours of firearms recertification
training taught by a Class "K" licensee and has complied with such other health and training requirements that the department shall adopt by rule. Proof of completion of firearms recertification training shall be submitted to the department upon completion of the training. If the licensee fails to complete the required 4 hours of annual training during the first year of the 2-year term of the license, the license shall be automatically suspended. The licensee must complete the minimum number of hours of range and classroom training required at the time of initial licensure and submit proof of completion of such training to the department before the license may be reinstated. If the licensee fails to complete the required 4 hours of annual training during the second year of the 2-year term of the license, the licensee must complete the minimum number of hours of range and classroom training required at the time of initial licensure and submit proof of completion of such training to the department before the license may be renewed. The department may waive the firearms training requirement if:

1. The applicant provides proof that he or she is currently certified as a law enforcement officer or correctional officer under the Criminal Justice Standards and Training Commission and has completed law enforcement firearms requalification training annually during the previous 2 years of the licensure period;

2. The applicant provides proof that he or she is currently certified as a federal law enforcement officer and has
received law enforcement firearms training administered by a federal law enforcement agency annually during the previous 2 years of the licensure period; or

3. The applicant submits a valid firearm certificate among those specified in s. 493.6105(6)(a) and provides proof of having completed requalification training during the previous 2 years of the licensure period.

(c) Each Class "DS" or Class "RS" licensee shall additionally submit the current curriculum, examination, and list of instructors.

(d) Each Class "K" licensee shall additionally submit one of the certificates specified under s. 493.6105(6) as proof that he or she remains certified to provide firearms instruction.

Section 8. Subsection (4) is added to section 493.6202, Florida Statutes, to read:

493.6202 Fees.—

(4) The initial license fee for a veteran, as defined in s. 1.01, shall be waived if he or she applies for a Class "C," Class "CC," or Class "MA" license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs with his or her application in order to obtain a waiver.

Section 9. Subsection (4) is added to section 493.6302,
Florida Statutes, to read:

493.6302 Fees.—

(4) The initial license fee for a veteran, as defined in s. 1.01, shall be waived if he or she applies for a Class "D," Class "DI," or Class "MB" license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs with his or her application in order to obtain a waiver.

Section 10. Subsection (4) is added to section 493.6402, Florida Statutes, to read:

493.6402 Fees.—

(4) The initial license fee for a veteran, as defined in s. 1.01, shall be waived if he or she applies for a Class "E," Class "EE," Class "MR," or Class "RI" license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs with his or her application in order to obtain a waiver.

Section 11. Subsection (1) of section 501.0125, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

CODING: Words stricken are deletions; words underlined are additions.
501.0125 Health studios; definitions.—For purposes of ss. 501.012-501.019, the following terms shall have the following meanings:

(1) "Health studio" means any person who is engaged in the sale of services for instruction, training, or assistance in a program of physical exercise or in the sale of services for the right or privilege to use equipment or facilities in furtherance of a program of physical exercise. The term does not include an individual acting as a personal trainer.

(6) "Personal trainer" means an individual:

(a) Who does not have an established place of business for the primary purpose of the conducting of physical exercise;

(b) Whose provision of exercise equipment is incidental to the instruction provided; and

(c) Who does not accept payment for services that are to be rendered more than 30 days after the date of payment.

Section 12. Subsection (2) of section 501.015, Florida Statutes, is amended to read:

501.015 Health studios; registration requirements and fees.—Each health studio shall:

(2) Remit an annual registration fee of $300 to the department at the time of registration for each of the health studio's business locations. The department shall waive the initial registration fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a
veteran or spouse if the department receives an application, in
a format prescribed by the department, within 60 months after
the date of the veteran's discharge from any branch of the
United States Armed Forces. To qualify for the waiver, a veteran
must provide to the department a copy of his or her DD Form 214,
as issued by the United States Department of Defense, or another
acceptable form of identification as specified by the Department
of Veterans' Affairs; the spouse of a veteran must provide to
the department a copy of the veteran's DD Form 214, as issued by
the United States Department of Defense, or another acceptable
form of identification as specified by the Department of
Veterans' Affairs, and a copy of a valid marriage license or
certificate verifying that he or she was lawfully married to the
veteran at the time of discharge; or a business entity must
provide to the department proof that a veteran or the spouse of
a veteran holds a majority ownership in the business, a copy of
the veteran's DD Form 214, as issued by the United States
Department of Defense, or another acceptable form of
identification as specified by the Department of Veterans'
Affairs, and, if applicable, a copy of a valid marriage license
or certificate verifying that the spouse of the veteran was
lawfully married to the veteran at the time of discharge.

Section 13. Paragraph (j) of subsection (2) and paragraph
(b) of subsection (5) of section 501.605, Florida Statutes, are
amended to read:

501.605 Licensure of commercial telephone sellers.—
(2) An applicant for a license as a commercial telephone seller must submit to the department, in such form as it prescribes, a written application for the license. The application must set forth the following information:

(j) The complete street address of each location, designating the principal location, from which the applicant will be doing business. The street address may not be if any location is a mail drop, this shall be disclosed as such.

The application shall be accompanied by a copy of any: Script, outline, or presentation the applicant will require or suggest a salesperson to use when soliciting, or, if no such document is used, a statement to that effect; sales information or literature to be provided by the applicant to a salesperson; and sales information or literature to be provided by the applicant to a purchaser in connection with any solicitation.

(5) An application filed pursuant to this part must be verified and accompanied by:

(b) A fee for licensing in the amount of $1,500. The fee shall be deposited into the General Inspection Trust Fund. The department shall waive the initial license fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's
discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 14. Paragraph (b) of subsection (2) of section 501.607, Florida Statutes, is amended to read:

501.607 Licensure of salespersons.—
(2) An application filed pursuant to this section must be verified and be accompanied by:
(b) A fee for licensing in the amount of $50 per
salesperson. The fee shall be deposited into the General
Inspection Trust Fund. The fee for licensing may be paid after
the application is filed, but must be paid within 14 days after
the applicant begins work as a salesperson. The department shall
waive the initial license fee for an honorably discharged
veteran of the United States Armed Forces, the spouse of such a
veteran, or a business entity that has a majority ownership held
by such a veteran or spouse if the department receives an
application, in a format prescribed by the department, within 60
months after the date of the veteran’s discharge from any branch
of the United States Armed Forces. To qualify for the waiver, a
veteran must provide to the department a copy of his or her DD
Form 214, as issued by the United States Department of Defense,
or another acceptable form of identification as specified by the
Department of Veterans’ Affairs; the spouse of a veteran must
provide to the department a copy of the veteran’s DD Form 214,
as issued by the United States Department of Defense, or another
acceptable form of identification as specified by the Department
of Veterans’ Affairs, and a copy of a valid marriage license or
certificate verifying that he or she was lawfully married to the
veteran at the time of discharge; or a business entity must
provide to the department proof that a veteran or the spouse of
a veteran holds a majority ownership in the business, a copy of
the veteran’s DD Form 214, as issued by the United States
Department of Defense, or another acceptable form of
identification as specified by the Department of Veterans’
Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 15. Subsection (3) of section 507.03, Florida Statutes, is amended to read:

507.03 Registration.—

(3)(a) Registration fees shall be calculated at the rate of $300 per year per mover or moving broker. All amounts collected shall be deposited by the Chief Financial Officer to the credit of the General Inspection Trust Fund of the department for the sole purpose of administration of this chapter.

(b) The department shall waive the initial registration fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form
of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 16. Subsection (3) of section 527.02, Florida Statutes, is amended to read:

527.02 License; penalty; fees.—

(3)(a) An applicant for an original license who submits an application is submitted during the last 6 months of the license year may have the original license fee reduced by one-half for the 6-month period. This provision applies only to those companies applying for an original license and may not be applied to licensees who held a license during the previous license year and failed to renew the license. The department may refuse to issue an initial license to any applicant who is under investigation in any jurisdiction for an action that would constitute a violation of this chapter until such time as the investigation is complete.
(b) The department shall waive the initial license fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.
Section 17. Subsection (4) of section 527.021, Florida Statutes, is amended to read:

527.021 Registration of transport vehicles.—

(4) An inspection fee of $50 shall be assessed for each registered vehicle inspected by the department pursuant to s. 527.061. All inspection fees collected in connection with this section shall be deposited in the General Inspection Trust Fund for the purpose of administering the provisions of this chapter.

Section 18. Subsection (1) of section 531.37, Florida Statutes, is amended to read:

531.37 Definitions.—As used in this chapter:

(1) "Weights and measures" means all weights and measures of every kind, instruments, and devices for weighing and measuring, and any appliance and accessories associated with any or all such instruments and devices, excluding those weights and measures used for the purpose of inspecting the accuracy of devices used in conjunction with aviation fuel.

Section 19. Subsections (1) and (2) of section 531.415, Florida Statutes, are amended to read:

531.415 Fees.—

(1) The department shall charge and collect fees of not more than the following fees for actual metrology laboratory calibration and testing services rendered:

(a) For each mass standard that is tested or certified to meet tolerances less stringent than American National Standards Institute/American Society for Testing and Materials (ANSI/ASTM)
Standard E617 Class 4, the department shall charge a fee of not more than:

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<td>0 - 2 lb.</td>
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</tr>
<tr>
<td>11 - 50 lb.</td>
<td>$12</td>
</tr>
<tr>
<td>51 - 500 lb.</td>
<td>$20</td>
</tr>
<tr>
<td>501 - 1000 lb.</td>
<td>$30</td>
</tr>
<tr>
<td>1001 - 2500 lb.</td>
<td>$40</td>
</tr>
<tr>
<td>2501 - 5000 lb.</td>
<td>$50</td>
</tr>
</tbody>
</table>

(b) For each mass standard that is tested or certified to meet ANSI/ASTM Standard Class 4 or National Institute of Standards and Technology Class P tolerances, the department shall charge a fee of not more than:

<table>
<thead>
<tr>
<th>Weight</th>
<th>Fee/Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 20 lb.</td>
<td>$20</td>
</tr>
<tr>
<td>11 - 50 lb.</td>
<td>$30</td>
</tr>
<tr>
<td>51 - 500 lb.</td>
<td>$40</td>
</tr>
<tr>
<td>501 - 1000 lb.</td>
<td>$50</td>
</tr>
<tr>
<td>1001 - 2500 lb.</td>
<td>$60</td>
</tr>
<tr>
<td>2501 - 5000 lb.</td>
<td>$75</td>
</tr>
</tbody>
</table>

(c) For each mass standard that is calibrated to determine actual mass or apparent mass values, the department shall charge a fee of not more than:

<table>
<thead>
<tr>
<th>Weight</th>
<th>Fee/Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 20 lb.</td>
<td>$40</td>
</tr>
</tbody>
</table>
(d) For each volumetric flask, graduate, or test measure, the department shall charge a fee of not more than:

<table>
<thead>
<tr>
<th>Vessel Fee/Test Point</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 5 gal.</td>
<td>$35</td>
</tr>
<tr>
<td>Over 5 gal.</td>
<td>Plus $0.75 for each additional gallon</td>
</tr>
</tbody>
</table>

(e) For each linear measure that is tested or certified, the department shall charge a fee of not more than $75.

(f) For each linear measure test that is calibrated to determine actual values, the department shall charge a fee of $75 not more than $100.

(g) For each liquid-in-glass or electronic thermometer that is tested or certified, the department shall charge a fee of not more than $50.

(h) For each temperature measuring device, liquid-in-glass or electronic thermometer that is calibrated to determine actual values, the department shall charge a fee of not more than $100.

(i) For each special test or special preparation, the department shall charge a fee of not more than $50 per hour.

(2) Each fee is payable to the department at the time the testing is done, regardless of whether the item tested is certified. The department may refuse to accept for testing any
item deemed by the department to be unsuitable for its intended use or not to be in a condition ready for testing. The department shall deposit all fees collected under this section into the General Inspection Trust Fund.

Section 20. Section 531.60, Florida Statutes, is amended to read:

531.60 Permit for commercially operated or tested weights or measures instrument or devices.—

(1) A weights and measures instrument or device may not operate or be used for commercial purposes, as defined by department rule, within this state without first being permitted through a valid commercial use permit issued by the department to the person who owns the weights and measures device, unless exempted as provided in s. 531.61. Such permit applies only to the specific location and instrument types or device types listed on for which the permit was issued. However, the department may allow such permit to be applicable to a replacement for the original instrument or device.

(2) If ownership of a business an instrument or device for which a permit has been issued changes and the instruments or devices affected by the permit instrument or device:

(a) Remain Remains in the same location, the permit transfers to the new owner and remains in effect until its original expiration date. Within 30 days after the change in ownership, the new owner shall notify the department of the change and provide the pertinent information regarding the
change in ownership and an updated replacement permit shall be
issued if needed.

(b) Moves to a new location, the permit automatically
expires and a new permit must be applied for by the new owner of
the instruments or devices issued which will expire 1 year
following the date of issuance.

(3) A person who holds a permit that has been issued under
this section must notify the department within 30 days after a
change in permit status or if a permit will not be renewed due
to the termination in use or removal of all weighing and
measuring instruments or devices from the permitted location
Weights and measures instruments or devices that are not used
commercially may be tested by the department under this chapter
only if they are permitted and appropriate fees paid as
prescribed by this section and adopted rules.

Section 21. Section 531.61, Florida Statutes, is amended
to read:

531.61 Exemptions from permit requirement.—Commercial
weights or measures instruments or devices are exempt from the
permit requirements of ss. 531.60-531.66 if:

(1) The device is a taximeter that is licensed, permitted,
or registered by a municipality, county, or other local
government and is tested for accuracy and compliance with state
standards by the local government in cooperation with the state
as authorized in s. 531.421.

(2) The device is used exclusively for weighing railroad
cars and is tested for accuracy and compliance with state standards by a private testing agency.

(3) The device is used exclusively for measuring aviation fuel or petroleum products inspected under chapter 525.

Section 22. Subsections (1), (2), and (4) of section 531.62, Florida Statutes, are amended to read:

531.62 Permit application and renewal.—

(1) An application for a commercial use permit shall be submitted to the department on a form prescribed and furnished by the department and must contain such information as the department may require by rule.

(2) The application must be accompanied by a fee in an amount determined by the number and types of instruments or devices covered by the permit as provided by department rule. However, the fee for each instrument or device listed on the permit may not exceed the maximum limits set forth in s. 531.63.

(4) A permit expires 2 years following its date of issue and must be renewed biennially. If a complete application package for renewal is not received by the department before the permit expires within 30 days after its due date, a late fee of up to $100 must be paid in addition to the annual commercial use permit fee. However, a person may elect to renew a commercial use permit on an annual basis rather than a biennial basis. An annual renewal must meet the same requirements and conditions as a biennial renewal.

Section 23. Paragraph (a) of subsection (1) and subsection 22.
(2) of section 531.63, Florida Statutes, are amended to read:

531.63 Maximum permit fees.—The commercial use permit fees established for weights or measures instruments or devices shall be in an amount necessary to administer this chapter but may not exceed the amounts provided in this section.

(1) For weighing devices, the fees must be based on the manufacturer's rated capacity or the device's design and use and whether measuring by inch or pounds or the metric equivalent:

(a) For weighing devices of up to and including the 100-pound capacity which are used during any portion of the period covered by the permit, the maximum annual fees per category of device retail establishment may not exceed the following:

<table>
<thead>
<tr>
<th>Number of devices in a single category retail establishment</th>
<th>Maximum Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 5</td>
<td>$60</td>
</tr>
<tr>
<td>6 to 10</td>
<td>$150</td>
</tr>
<tr>
<td>11 to 30</td>
<td>$200</td>
</tr>
<tr>
<td>More than 30</td>
<td>$300</td>
</tr>
</tbody>
</table>

(2) For other measuring devices, the annual permit fees per device may not exceed the following:

(a) Mass flow meters having a maximum flow rate of up to 150 pounds per minute..................................$100.

This includes all mass flow meters used to dispense compressed and liquefied natural gas for retail sale.

(b) Mass flow meters having a maximum flow rate greater
than 150 pounds per minute. $500.

(c) Volumetric flow meters having a maximum flow rate of
up to 20 gallons per minute. $50.

This includes all devices used to dispense diesel exhaust fluid
for retail sale.

(d) Volumetric flow meters having a maximum flow rate
greater than 20 gallons per minute. $100.

(e) Tanks, under 500 gallons capacity, used as measure
containers, with or without gage rods or markers. $100.

(f) Tanks, 500 or more gallons capacity, used as measure
containers, with or without gage rods or markers. $200.

(g) Taximeters. $50.

(h) Grain moisture meters. $25.

(h)(i) Multiple-dimension measuring
devices. $100.

(i) Liquefied petroleum gas bulk delivery vehicles with a
meter owned or leased by a liquefied petroleum gas licensee. $150.

Section 24. Section 531.65, Florida Statutes, is amended
to read:

531.65 Unauthorized use; penalties.—If a weights or
measures instrument or device is used commercially without a
valid commercial use permit, the department may do one or more
of the following:

(1) Prohibit the further commercial use of the unpermitted
instrument or device until the proper permit has been issued.

(2) Employ and attach to the instrument or device such
form, notice, tag, or seal to prevent the continued unauthorized use of the instrument or device.

(3) In addition to the permit fees prescribed by rule for the commercial use of a weights and measures instrument or device, assess the late fee authorized under s. 531.62.

(4) Impose penalties as prescribed in s. 531.50 in addition to the payment of appropriate permit fees for the commercial use of a weights and measures instrument or device.

Section 25. Paragraph (c) of subsection (3) of section 539.001, Florida Statutes, is amended to read:

539.001 The Florida Pawnbroking Act.—

(3) LICENSE REQUIRED.—

(c) Each license is valid for a period of 1 year unless it is earlier relinquished, suspended, or revoked. Each license shall be renewed annually, and each licensee shall, initially and annually thereafter, pay to the agency a license fee of $300 for each license held. The agency shall waive the initial license fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the agency receives an application, in a format prescribed by the agency, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the agency a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of
identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the agency a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the agency proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 26. Subsection (3) of section 559.904, Florida Statutes, is amended to read:

559.904 Motor vehicle repair shop registration; application; exemption.—

(3) (a) Each application for registration must be accompanied by a registration fee calculated on a per-year basis as follows:

1. (a) If the place of business has 1 to 5 employees: $50.

2. (b) If the place of business has 6 to 10 employees: $150.
3. (c) If the place of business has 11 or more employees:

911 $300.

(b) The department shall waive the initial registration fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse
of the veteran was lawfully married to the veteran at the time of discharge.

Section 27. Subsections (1), (7), (8), (10), (11), and (13) of section 559.927, Florida Statutes, are amended to read:

559.927 Definitions.—For the purposes of this part, the term:

(1) "Accommodations" means any hotel or motel room, condominium or cooperative unit, cabin, lodge, or apartment; any other commercial structure designed for occupancy by one or more individuals; or any lodging establishment as provided by law. The term does not include long-term home rentals covered under a lease pursuant to chapter 83.

(7) "Prearranged travel or tourist-related services, or tour-guide services" includes, but is not limited to, car rentals, lodging, transfers, and sightseeing tours and all other such services that are reasonably related to air, sea, rail, motor coach, or other medium of transportation, or accommodations for which a purchaser receives a premium or contracts or pays before or after departure. This term includes services for which a purchaser, whose legal residence is outside the United States, contracts or pays before departure, and any arrangement by which a purchaser prepays for, receives a reservation or any other commitment to provide services before departure for, or otherwise arranges for travel directly to a terrorist state and which originates in Florida.
(8) "Purchaser" means the purchaser of, or person otherwise entitled to receive, prearranged travel or tourist-related services, or tour-guide services, for a fee or commission, or who has acquired a vacation certificate for personal use.

(10) "Satisfactory consumer complaint history" means no unresolved complaints regarding prearranged travel or tourist-related services, or tour-guide services, are on file with the department. A complaint is unresolved when a seller of travel does not respond to the department's efforts to mediate the complaint or a complaint where the department has determined that a violation of this part has occurred and the complaint has not been satisfied by the seller of travel.

(11) "Seller of travel" means any resident or nonresident person, firm, corporation, or business entity that offers for sale, directly or indirectly, at wholesale or retail, prearranged travel or tourist-related services, or tour-guide services, for individuals or groups, including, but not limited to, vacation or tour packages, or vacation certificates in exchange for a fee, commission, or other valuable consideration. The term includes such person, firm, corporation, or business entity who sells a vacation certificate to third-party merchants for a fee, or in exchange for a commission, or who offers such certificates to consumers in exchange for attendance at sales presentations. The term also includes any business entity offering membership in a travel club or travel services for an
advance fee or payment, even if no travel contracts or certificates or vacation or tour packages are sold by the business entity. The term does not include a third party who may offer prearranged travel or tourist-related services but does not participate in travel fulfillment or vacation certificate redemption.

(13) "Vacation certificate" means any arrangement, plan, program, or vacation package, or advance travel purchase that promotes, discusses, or discloses a destination or itinerary or type of travel, whereby a purchaser for consideration paid in advance is entitled to the use of travel, accommodations, or facilities for any number of days, whether certain or uncertain, during the period in which the certificate can be exercised, and no specific date or dates for its use are designated. A vacation certificate does not include prearranged travel or tourist-related services, or tour-guide services when a seller of travel remits full payment for the cost of such services to the provider or supplier within 10 business days of the purchaser's initial payment to the seller of travel. The term does not include travel if exact travel dates are selected, guaranteed, and paid for at the time of the purchase.

Section 28. Present subsections (2) through (9) of section 559.928, Florida Statutes, are amended, and a new subsection (9) is added to that section, to read:

559.928 Registration.—

(2)(a) Registration fees shall be as follows:
1. Three hundred dollars per year per registrant certifying its business activities under s. 559.9285(1)(a).

2. One thousand dollars per year per registrant certifying its business activities under s. 559.9285(1)(b).

3. Twenty-five hundred dollars per year per registrant certifying its business activities under s. 559.9285(1)(c).

(b) All amounts collected shall be deposited by the Chief Financial Officer to the credit of the General Inspection Trust Fund of the Department of Agriculture and Consumer Services pursuant to s. 570.20, for the sole purpose of administration of this part.

(c) The department shall waive the initial registration fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces. To qualify for the waiver, a veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs; the spouse of a veteran must provide to the department a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs.
Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or a business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran's DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

(3) Each independent agent shall annually file an application affidavit with the department before prior to engaging in business in this state. This application affidavit must include the independent agent's full name, legal business or trade name, mailing address, business address, telephone number, and the name and address of each seller of travel represented by the independent agent. A letter evidencing proof of filing must be issued by the department and must be prominently displayed in the independent agent's primary place of business. Each independent agent must also submit an annual registration fee of $50. All moneys collected pursuant to the imposition of the fee shall be deposited by the Chief Financial Officer into the General Inspection Trust Fund of the Department of Agriculture and Consumer Services for the sole purpose of administrating this part. As used in this subsection, the term
"independent agent" means a person who represents a seller of
travel by soliciting persons on its behalf; who has a written
contract with a seller of travel which is operating in
compliance with this part and any rules adopted thereunder; who
does not receive a fee, commission, or other valuable
consideration directly from the purchaser for the seller of
travel; who does not at any time have any unissued ticket stock
or travel documents in his or her possession; and who does not
have the ability to issue tickets, vacation certificates, or any
other travel document. The term "independent agent" does not
include an affiliate of the seller of travel, as that term is
used in s. 559.935(3), or the employees of the seller of travel
or of such affiliates.

(4) Any person applying for or renewing a local business
tax receipt to engage in business as a seller of travel must
exhibit a current registration certificate from the department
before the local business tax receipt may be issued or reissued.

(5) Each contract, advertisement, certificate, or travel
document, of a seller of travel must include the phrase
"...(NAME OF FIRM)... is registered with the State of Florida as
a Seller of Travel. Registration No......"

(6) Each advertisement of a seller of travel must include
the phrase "Fla. Seller of Travel Reg. No......"

(6) A registration is not valid for any
seller of travel transacting business at any place other than
that designated in its application, unless the department is
first notified in writing in advance of any change of location.  

A Nor shall the registration be valid for an affiliate of  
the seller of travel who engages in the prearranged travel and  
tourist business. A registration issued under this part may  
shall not be assignable, and the seller of travel may shall not  
be permitted to conduct business under more than one name except  
as registered. A seller of travel desiring to change its  
registered name or location or designated agent for service of  
process at a time other than upon renewal of registration shall  
notify the department of such change.  

(7)(8) Applications under this section are shall be  
subject to the provisions of s. 120.60.  

(8)(9) The department may deny, or refuse to renew, or  
revoke the registration of any seller of travel based upon a  
determination that the seller of travel, or any of its  
directors, officers, owners, or general partners while acting on  
behalf of the seller of travel:  

(a) Has failed to meet the requirements for registration  
as provided in this part;  
(b) Has been convicted of a crime involving fraud, theft,  
embezzlement, dishonest dealing, or any other act of moral  
turpitude or any other act arising out of conduct as a seller of  
travel;  
(c) Has not satisfied a civil fine or penalty arising out  
of any administrative or enforcement action brought by any  
governmental agency or private person based upon conduct
involving fraud, theft, embezzlement, dishonest dealing, or any
violation of this part; or

(d) Has pending against her or him any criminal,
administrative, or enforcement proceedings in any jurisdiction,
based upon conduct involving fraud, dishonest dealing, or any
other act of moral turpitude; or

(d)(e) Has had a judgment entered against her or him in
any action brought by the department or the Department of Legal
Affairs pursuant to ss. 501.201-501.213 or this act part.

(9) The department may deny or refuse to renew the
registration of any seller of travel based upon a determination
by the department that the seller of travel, or any of its
directors, officers, owners, or general partners while acting on
behalf of the seller of travel has pending against him or her
any criminal, administrative, or enforcement proceedings in any
jurisdiction, based upon conduct involving fraud, theft,
embezzlement, dishonest dealing, or any other act of moral
turpitude.

Section 29. Present subsections (2) through (6) of section
559.929, Florida Statutes, are amended, and a new subsection (4)
is added to that section, to read:

559.929 Security requirements.—

(2) The bond must be filed with the department on a form
adopted by department rule and must be in favor of the
department for the use and benefit of a consumer traveler who is
injured by the fraud, misrepresentation, breach of contract, or
financial failure, or any other violation of this part by the
seller of travel. Such liability may be enforced by proceeding
in an administrative action as specified in subsection (3) or by
filing a civil action. However, in such civil action the bond
posted with the department shall not be amenable or subject to a
judgment or other legal process issuing out of or from such
court in connection with such civil action, but such bond shall
be amenable to and enforceable only by and through
administrative proceedings before the department. It is the
intent of the Legislature that such bond be applicable and
liable only for the payment of claims duly adjudicated by order
of the department. The bond must be open to successive claims,
but the aggregate amount awarded may not exceed the amount of
the bond. In addition to the foregoing, a bond provided by a
registrant or applicant for registration which certifies its
business activities under s. 559.9285(1)(b) or (c) must be in
favor of the department, with payment in the following order of
priority:

(a) The expenses for prosecuting the registrant or
applicant in an administrative or civil action under this part,
including attorney fees and fees for other professionals, court
costs or other costs of the proceedings, and all other expenses
incidental to the action.

(b) The costs and expenses of investigation before the
commencement of an administrative or civil action under this
part.
(c) An unpaid administrative fine imposed by final order or an unpaid civil penalty imposed by final judgment under this part.

(d) Damages or compensation for a consumer traveler injured as provided in this subsection.

(3) A consumer traveler may file a claim against the bond. Such claim, which must be submitted in writing on an affidavit form adopted by department rule, must be submitted to the department within 120 days after an alleged injury has occurred or is discovered to have occurred or a judgment has been entered. The proceedings shall be conducted pursuant to chapter 120. For proceedings conducted pursuant to ss. 120.569 and 120.57, the agency shall act only as a nominal party.

(4) A consumer who is injured by the seller of travel, or the department or another governmental agency acting on behalf of the injured consumer, may bring and maintain an action to recover against the bond.

(5) Any indebtedness determined by final order of the department shall be paid by the seller of travel to the department within 30 days after the order is entered for disbursement to the consumer. If the seller of travel fails to make payment within 30 days, the agency shall make a demand for payment upon the surety which includes an institution issuing a letter of credit or depository on a certificate of deposit. Upon failure of a surety to comply with a demand for payment pursuant to a final order, the department may file an action in circuit court.
court to recover payment, up to the amount of the bond or other form of security, pursuant to s. 120.69. If the department prevails, the department may recover court costs and reasonable attorney fees.

(6) If the seller of travel is currently the subject of an administrative, civil, or criminal action by the department, the Department of Legal Affairs, or the state attorney relating to compliance with this part, the right to proceed against the bond as provided in subsection (3) is suspended until any enforcement action becomes final.

(7) The department may waive the bond requirement on an annual basis if the seller of travel has had 5 or more consecutive years of experience as a seller of travel in this state in compliance with this part, has not had a civil, criminal, or administrative action instituted against the seller of travel in the vacation and travel business by a governmental agency or an action involving fraud, theft, misappropriation of property, violation of a statute pertaining to business or commerce with a terrorist state, or moral turpitude, or other violation of this part and has a satisfactory consumer complaint history with the department, and certifies its business activities under s. 559.9285. Such waiver may be revoked if the seller of travel violates this part. A seller of travel which certifies its business activities under s. 559.9285(1)(b) or (c) is not entitled to the waiver provided in this subsection.
Florida Statutes, are amended to read:

559.9295 Submission of vacation certificate documents.—

Sellers of travel who offer vacation certificates must submit and disclose to the department with the application for registration, and any time such document is changed, but prior to the sale of any vacation certificate, the following materials:

(2) A copy of each promotional brochure, pamphlet, form letter, registration form, or any other written material disseminated in connection with the advertising, promotion, or sale of any vacation certificate. Any such promotional materials that include terms such as "free," "awarded," "prize," "absolutely without charge," and "free of charge," or similar words or phrases that might reasonably lead a person to believe that he or she may receive, or has been selected to receive, something of value without making full or partial compensation in any form from the recipient must:

(a) Clearly and conspicuously display the following disclosure in at least 12-point type: "....(NAME OF FIRM).... is registered with the State of Florida as a seller of travel, Registration No.... THIS IS NOT A FREE OFFER. SEE TERMS AND CONDITIONS VIA WWW.(OFFER WEBSITE).COM. RESPONSE TO THIS OFFER DOES NOT GUARANTEE TRAVEL." The offer website referred to in the disclosure must include, and clearly indicate, the terms and conditions for such a vacation certificate offer.

(b) Disclose the number of individuals who actually
traveled pursuant to the vacation certificate, as opposed to the number of individuals who submitted or otherwise activated the vacation certificate, in the 12 months preceding issuance of the promotional material.

(17) Within 10 working days after receipt of any materials submitted subsequent to filing an initial registration application or any annual renewal thereof, the department shall determine whether such materials are adequate to meet the requirements of this section. The department shall notify the seller of travel that materials submitted are in substantial compliance, or shall notify the seller of travel of any specific deficiencies. If the department fails to notify the seller of travel of its determination within the period specified in this subsection, the materials shall be deemed in compliance; however, the failure of the department to send notification in either case will not relieve the seller of travel from the duty of complying with this section.

Neither the submission of these materials nor the department's response implies approval, recommendation, or endorsement by the department or that the contents of said materials have been verified by the department.

Section 31. Section 559.932, Florida Statutes, is amended to read:

559.932  Vacation certificate disclosure.—

(1)  It shall be unlawful for any seller of travel must
to fail to provide each person solicited with a contract that includes the following information, which must be in at least 12-point type, unless otherwise specified:

(a) A space for the date, name, address, and signature of the purchaser.
(b) The expiration date of the vacation certificate and the terms and conditions of its extension or renewal, if available.
(c) The name and business address of any seller of travel who may solicit vacation certificate purchasers for further purchases, and a full and complete statement as to the nature and method of that solicitation.
(d) The total financial obligation of the purchaser which shall include the initial purchase price and any additional charges to which the purchaser may be subject, including, but not limited to, any per diem, seasonal, reservation, or recreational charge.
(e) The name and street address of any person who has the right to alter, amend, or add to the charges to which the purchaser may be subject and the terms and conditions under which such charges may be imposed.
(f) If any accommodation or facility which a purchaser acquires the right to use pursuant to the vacation certificate is not completed at the time the certificate is offered for sale, the date of availability of each component of the accommodation or facility.
(g) By means of a section entitled "terms and conditions":

1. All eligibility requirements for use of the vacation certificate, including, but not limited to, age, sex, marital status, group association, residency, or geographic limitations.

2. All eligibility requirements for use of any discount or complimentary coupon or ticket.

3. A statement as to whether transportation and meals are provided pursuant to use of the certificate.

4. Any room deposit requirement, including all conditions for its return or refund.

5. The manner in which reservation requests are to be made and the method by which they are to be confirmed.

6. Any identification, credential, or other means by which a purchaser must establish her or his entitlement to the rights, benefits, or privileges of the vacation certificate.

7. Any restriction or limitation upon transfer of the vacation certificate or any right, benefit, or privilege thereunder.

8. Any other term, limitation, condition, or requirement material to use of the vacation certificate or any right, benefit, or privilege thereunder.

(h) In immediate proximity to the space reserved in the contract for the date and the name, address, and signature of the purchaser, the following statement in boldfaced type of a size of 10 points:
"YOU MAY CANCEL THIS CONTRACT WITHOUT ANY PENALTY OR
OBLIGATION WITHIN 30 DAYS FROM THE DATE OF PURCHASE OR RECEIPT
OF THE VACATION CERTIFICATE, WHICHERSOEVER OCCURS LATER."

"YOU MAY ALSO CANCEL THIS CONTRACT IF ACCOMMODATIONS OR
FACILITIES ARE NOT AVAILABLE PURSUANT TO A REQUEST FOR USE AS
PROVIDED IN THE CONTRACT."

"TO CANCEL THIS AGREEMENT, A SIGNED AND DATED COPY OF A
STATEMENT THAT YOU ARE CANCELING THE AGREEMENT SHOULD BE MAILED
AND POSTMARKED, OR DELIVERED TO ...(NAME)... AT ...(ADDRESS)...
NO LATER THAN MIDNIGHT OF ....(DATE)....."

"IF YOU DECIDE TO CANCEL, YOU MUST NOTIFY THE SELLER IN
WRITING OF YOUR INTENT TO CANCEL BY RETURNING THE CERTIFICATE
AND SENDING NOTICE TO: ...(NAME OF SELLER)... AT ...(SELLER'S
ADDRESS)....."

(i) In immediate proximity to the statement required in
paragraph (h), the following statement in boldfaced type of a
size of 12 points:

"NO PURCHASER SHOULD RELY UPON REPRESENTATIONS OTHER THAN
THOSE INCLUDED IN THIS CONTRACT."

However, inclusion of this statement shall not impair any
purchaser's right to bring legal action based on verbal
statements.

(j) In immediate proximity to the statement required in
paragraph (i), the following statement:

"This contract is for the purchase of a vacation certificate and puts all assignees on notice of the consumer's right to cancel under section 559.933, Florida Statutes."

(2) If a sale or agreement to purchase a vacation certificate is completed over the telephone, the seller shall inform the purchaser over the telephone that:

(a) The purchaser may cancel the contract without any penalty or obligation within 30 days from the date of purchase or receipt of the vacation certificate, whichever occurs later.

(b) The purchaser may also cancel the contract if accommodations or facilities are not available upon request for use as provided in the contract.

(3) Upon receipt of a copy of a vacation certificate or contract required pursuant to s. 559.9295, the department shall review the certificate or contract for compliance with the disclosures required under this section. The submission of the certificate or contract, and the department's response, do not imply approval, recommendation, or endorsement by the department or that the contents of the certificate or contract have been verified by the department.

Section 32. Section 559.933, Florida Statutes, is amended to read:

559.933 Vacation certificate cancellation and refund provisions.—

(1) It shall be unlawful for any seller of travel or
assignee must honor a purchaser's request to cancel a vacation certificate if such request is made:

(1) To fail or refuse to honor a purchaser's vacation certificate request to cancel if such request is made:

   (a) Within 30 days after from the date of purchase or receipt of the vacation certificate, whichever occurs later; or

   (b) At any time accommodations or facilities are not available pursuant to a request for use as provided in the contract, provided that:

       1. The contract may shall not require notice greater than 60 days in advance of the date requested for use;

       2. If acceptable to the purchaser, comparable alternate accommodations or facilities in a city, or reservations for a date different than that requested, may be provided.

(2) A seller of travel or assignee must fail to refund any and all payments made by the vacation certificate purchaser within 30 days after receipt of the certificate and notice of cancellation made pursuant to this section, if the purchaser has not received any benefits pursuant to the vacation certificate.

(3) A seller of travel or assignee must, if the purchaser has received any benefits pursuant to the vacation certificate, to fail to refund within 30 days after receipt of the certificate and notice of cancellation made pursuant to this section any and all payments made by the purchaser which exceed a pro rata portion of the total price, representing the portion of any benefits actually received by the vacation certificate.
purchaser during the time preceding cancellation.

(4) If any purchaser has received confirmation of reservations in advance and is refused accommodations upon arrival, a seller of travel or assignee must fail to procure comparable alternate accommodations for the purchaser in the same city at no expense to the purchaser, or fail to fully compensate the purchaser for the room rate incurred in securing comparable alternate accommodations himself or herself.

(5) A seller of travel or assignee may not collect more than the full contract price from the purchaser.

(6) A seller of travel or assignee may not sell, assign, or otherwise transfer any interest in a seller of travel business, or sell, assign, or otherwise transfer to a third party any interest in any vacation certificate unless:

(a) The third party agrees in writing to fully honor the rights of vacation certificate purchasers to cancel and to receive an appropriate refund or reimbursement as provided in this section.

(b) The third party agrees in writing to comply with all other provisions of this part for as long as the third party continues the sale of vacation certificates or for the duration of the period of validity of outstanding vacation certificates, whichever is longer in time.

(c) The seller of travel agrees to be liable for and fully indemnify a purchaser from any loss occasioned by the failure of the third party to honor the purchaser's right to cancel and
failure to make prompt and complete refund to the purchaser of all sums paid to the third party, or occasioned by the third party's failure to comply with the provisions of this part.

(7) **A seller of travel or assignee must** fail to fulfill the terms of a vacation certificate within 18 months **after** of the initial payment of any consideration by the purchaser to a seller of travel or third party.

Section 33. Section 559.9335, Florida Statutes, is amended to read:

559.9335 **Violations.**—It is a violation of this part for any seller of travel, independent agent, assignee, or other person:

(1) **To conduct business as a seller of travel without registering annually with the department unless exempt pursuant to s. 559.935.**

(2) **To conduct business as a seller of travel without an annual purchase of a performance bond in the amount set by the department unless exempt pursuant to s. 559.935.**

(3) Knowingly to make any false statement, representation, or certification in any application, document, or record required to be submitted or retained under this part or in any response to an inquiry or investigation conducted by the department or any other governmental agency.

(4) Knowingly to sell or market any number of vacation certificates that exceed the number disclosed to the department pursuant to this section.
(5) Knowingly to sell or market vacation certificates with an expiration date of more than 18 months from the date of issuance.

(6) Knowingly to require, request, encourage, or suggest, directly or indirectly, that payment for the right to obtain a travel contract, certificate, or vacation package must be by credit card authorization or to otherwise announce a preference for that method of payment over any other when no correct and true explanation for such preference is likewise stated.

(6)(7) Knowingly to state, represent, indicate, suggest, or imply, directly or indirectly, that the travel contract, certificate, or vacation package being offered by the seller of travel cannot be purchased at some later time or may not otherwise be available after the initial contact, or that callbacks by the prospective purchaser are not accepted, when no such restrictions or limitations in fact exist.

(7)(8) To misrepresent in any manner the purchaser's right to cancel and to receive an appropriate refund or reimbursement as provided by this part.

(8)(9) To sell any vacation certificate the duration of which exceeds the duration of any agreement between the seller and any business entity obligated thereby to provide accommodations or facilities pursuant to the vacation certificate.

(9)(10) To misrepresent or deceptively represent:

(a) The amount of time or period of time accommodations or
facilities will be available.

(b) The location of accommodations or facilities offered.

(c) The price, size, nature, extent, qualities, or characteristics of accommodations or facilities offered.

(d) The nature or extent of other goods, services, or amenities offered.

(e) A purchaser's rights, privileges, or benefits.

(f) The conditions under which the purchaser may obtain a reservation for the use of offered accommodations or facilities.

(g) That the recipient of an advertisement or promotional materials is a winner, or has been selected, or is otherwise being involved in a select group for receipt, of a gift, award, or prize, unless this fact is the truth.

(10) To fail to inform a purchaser of a nonrefundable cancellation policy before the seller of travel accepting any fee, commission, or other valuable consideration.

(11) To fail to include, when offering to sell a vacation certificate, in any advertisement or promotional material, the following statement: "This is an offer to sell travel."

(12) To fail to honor and comply with all provisions of the vacation certificate regarding the purchaser's rights, benefits, and privileges thereunder.

(a) To include in any vacation certificate or contract any provision purporting to waive or limit any right or benefit provided to purchasers under this part; or
(b) To seek or solicit such waiver or acceptance of limitation from a purchaser concerning rights or benefits provided under this part.

(14)(15) To offer vacation certificates for any accommodation or facility for which there is no contract with the owner of the accommodation or facility securing the purchaser's right to occupancy and use, unless the seller is the owner.

(15)(16) To use a local mailing address, registration facility, drop box, or answering service in the promotion, advertising, solicitation, or sale of vacation certificates, unless the seller's fixed business address is clearly disclosed during any telephone solicitation and is prominently and conspicuously disclosed on all solicitation materials and on the contract.

(16)(17) To use any registered trademark, trade name, or trade logo in any promotional, advertising, or solicitation materials without written authorization from the holder of such trademark, trade name, or trade logo.

(17)(18) To represent, directly or by implication, any affiliation with, or endorsement by, any governmental, charitable, educational, medical, religious, fraternal, or civic organization or body, or any individual, in the promotion, advertisement, solicitation, or sale of vacation certificates without express written authorization.

(18)(19) To sell a vacation certificate to any purchaser
who is ineligible for its use.

(19) (20) To sell any number of vacation certificates in excess of exceeding the number of available accommodations disclosed pursuant to this part.

(20) (21) During the period of a vacation certificate's validity, in the event, for any reason whatsoever, of lapse or breach of an agreement for the provision of accommodations or facilities to purchasers, to fail to procure similar agreement for the provision of comparable alternate accommodations or facilities in the same city or surrounding area.

(21) (22) To offer to sell, at wholesale or retail, prearranged travel or tourist-related services, or tour-guide services for individuals or groups directly to any terrorist state and which originate in Florida, without disclosing such business activities in a certification filed under s. 559.9285(1)(b) or (c).

(22) (23) To violate any state or federal law restricting or prohibiting commerce with terrorist states.

(23) (24) To engage in do any other action that act which constitutes fraud, misrepresentation, or failure to disclose a material fact, or to commit any other violation of, or fail to comply with, this part.

(24) (25) To refuse or fail, or for any of its principal officers to refuse or fail, after notice, to produce any document or record or disclose any information required to be produced or disclosed.
(25)(26) Knowingly to make a material false statement in response to any request or investigation by the department, the Department of Legal Affairs, or the state attorney.

Section 34. Subsections (3) and (4) of section 559.935, Florida Statutes, are amended to read:

559.935 Exemptions.—

(3) Sections 559.928, 559.929, 559.9295, 559.931, and 559.932 shall also do not apply to a seller of travel that is an affiliate of an entity exempt pursuant to subsection (2) subject to the following conditions:

(a) If the department finds the affiliate does not have a satisfactory consumer complaint history or the affiliate fails to respond to a consumer complaint within 30 days, the related seller of travel exempt pursuant to subsection (2) shall be liable for the actions of the affiliate, subject to the remedies provided in ss. 559.9355 and 559.936.

(b) If the department is unable to locate an affiliate, the related seller of travel exempt pursuant to subsection (2) shall be fully liable for the actions of the affiliate, subject to the remedies provided in ss. 559.9355 and 559.936.

(c) In order to obtain an exemption under this subsection, the affiliate shall file an affidavit of exemption on a form prescribed by the department and shall certify its business activities under s. 559.9285(1)(a). The affidavit of exemption shall be executed by a person who exercises identical control
over the seller of travel exempt pursuant to subsection (2) and
the affiliate. Failure to file an affidavit of exemption or
certification under s. 559.9285(1)(a) prior to engaging in
seller of travel activities shall subject the affiliate to the
remedies provided in ss. 559.9355 and 559.936.

(c)(e) Revocation by the department of an exemption
provided to a seller of travel under subsection (2) shall
constitute automatic revocation by law of an exemption obtained
by an affiliate under the subsection.

(d)(e) This subsection does shall not apply to:

1. An affiliate that independently qualifies for another
exemption under this section.

2. An affiliate that sells, or offers for sale, vacation
certificates.

3. An affiliate that certifies its business activities
under s. 559.9285(1)(b) or (c).

(e)(f) For purposes of this section, the term
"affiliate" means an entity that meets the following:

1. The entity has the identical ownership as the seller of
travel that is exempt under subsection (2).

2. The ownership controlling the seller of travel that is
exempt under subsection (2) also exercises identical control
over the entity.

3. The owners of the affiliate hold the identical
percentage of voting shares as they hold in the seller of travel
that is exempt under subsection (2).
(4) The department may revoke the exemption provided in subsection (2) or subsection (3) if the department finds that the seller of travel does not have a satisfactory consumer complaint history, has been convicted of a crime involving fraud, theft, embezzlement, misappropriation of property, deceptive or unfair trade practices, or moral turpitude, or has not complied with the terms of any order or settlement agreement arising out of an administrative or enforcement action brought by a governmental agency or private person based on conduct involving fraud, theft, embezzlement, misappropriation of property, deceptive or unfair trade practices, or moral turpitude.

Section 35. Subsection (3) of section 559.936, Florida Statutes, is amended to read:

559.936 Civil penalties; remedies.—
(3) The department may seek a civil penalty in the Class III category pursuant to s. 570.971 for each act or omission in violation of s. 559.9335(21) or (22) s. 559.9335(22) or (23).

Section 36. Paragraph (b) of subsection (5), paragraph (a) of subsection (10), and subsections (15) and (16) of section 616.242, Florida Statutes, are amended to read:

616.242 Safety standards for amusement rides.—
(5) ANNUAL PERMIT.—
(b) To apply for an annual permit, an owner must submit to the department a written application on a form prescribed by rule of the department, which must include the following:
1. The legal name, address, and primary place of business
   of the owner.

2. A description, manufacturer's name, serial number,
   model number and, if previously assigned, the United States
   Amusement Identification Number of the amusement ride.

3. A valid certificate of insurance or bond for each
   amusement ride.

4. An affidavit of compliance that the amusement ride was
   inspected in person by the affiant and that the amusement ride
   is in general conformance with the requirements of this section
   and all applicable rules adopted by the department. The
   affidavit must be executed by a professional engineer or a
   qualified inspector no earlier than 60 days before, but not
   later than, the date of the filing of the application with the
   department. The owner shall request inspection and permitting of
   the amusement ride within 60 days of the date of filing the
   application with the department. The department shall inspect
   and permit the amusement ride within 60 days after filing the
   application with the department.

5. If required by subsection (6), an affidavit of
   nondestructive testing dated and executed no earlier than 60
   days before, but not later than, the date of the filing
   of the application with the department. The owner shall request
   inspection and permitting of the amusement ride within 60 days
   of the date of filing the application with the department. The
   department shall inspect and permit the amusement ride within 60
6. A request for inspection.

7. Upon request, the owner shall, at no cost to the department, provide the department a copy of the manufacturer's current recommended operating instructions in the possession of the owner, the owner's operating fact sheet, and any written bulletins in the possession of the owner concerning the safety, operation, or maintenance of the amusement ride.

(10) EXEMPTIONS.—

(a) This section does not apply to:

1. Permanent facilities that employ at least 1,000 full-time employees and that maintain full-time, in-house safety inspectors. Furthermore, the permanent facilities must file an affidavit of the annual inspection with the department, on a form prescribed by rule of the department. Additionally, the Department of Agriculture and Consumer Services may consult annually with the permanent facilities regarding industry safety programs.

2. Any playground operated by a school, local government, or business licensed under chapter 509, if the playground is an incidental amenity and the operating entity is not primarily engaged in providing amusement, pleasure, thrills, or excitement.

3. Museums or other institutions principally devoted to the exhibition of products of agriculture, industry, education, science, religion, or the arts.
4. Conventions or trade shows for the sale or exhibit of amusement rides if there are a minimum of 15 amusement rides on display or exhibition, and if any operation of such amusement rides is limited to the registered attendees of the convention or trade show.

5. Skating rinks, arcades, laser or paint ball war games, bowling alleys, miniature golf courses, mechanical bulls, inflatable rides, trampolines, ball crawls, exercise equipment, jet skis, paddle boats, airboats, helicopters, airplanes, parasails, hot air or helium balloons whether tethered or untethered, theatres, batting cages, stationary spring-mounted fixtures, rider-propelled merry-go-rounds, games, side shows, live animal rides, or live animal shows.

6. Go-karts operated in competitive sporting events if participation is not open to the public.

7. Nonmotorized playground equipment that is not required to have a manager.

8. Coin-actuated amusement rides designed to be operated by depositing coins, tokens, credit cards, debit cards, bills, or other cash money and which are not required to have a manager, and which have a capacity of six persons or less.

9. Facilities described in s. 549.09(1)(a) when such facilities are operating cars, trucks, or motorcycles only.

10. Battery-powered cars or other vehicles that are designed to be operated by children 7 years of age or under and that cannot exceed a speed of 4 miles per hour.
11. Mechanically driven vehicles that pull train cars, carts, wagons, or other similar vehicles, that are not confined to a metal track or confined to an area but are steered by an operator and do not exceed a speed of 4 miles per hour.

12. A water-related amusement ride operated by a business licensed under chapter 509 if the water-related amusement ride is an incidental amenity and the operating business is not primarily engaged in providing amusement, pleasure, thrills, or excitement and does not offer day rates.

13. An amusement ride at a private, membership-only facility if the amusement ride is an incidental amenity and the facility is not open to the general public; is not primarily engaged in providing amusement, pleasure, thrills, or excitement; and does not offer day rates.

14. A nonprofit permanent facility registered under chapter 496 which is not open to the general public.

(15) INSPECTION BY OWNER OR MANAGER.—Before opening on each day of operation and before any inspection by the department, the owner or manager of an amusement ride must inspect and test the amusement ride to ensure compliance with all requirements of this section. Each inspection must be recorded on a form prescribed by rule of the department and signed by the person who conducted the inspection. In lieu of the form prescribed by rule of the department, the owner or manager may request approval of an alternative form if the alternative form includes, at a minimum,
the information required on the form prescribed by rule of the
department. Inspection records of the last 14 daily inspections
must be kept on site by the owner or manager and made
immediately available to the department upon request.

(16) TRAINING OF EMPLOYEES.—The owner or manager of any
amusement ride shall maintain a record of employee training for
each employee authorized to operate, assemble, disassemble,
transport, or conduct maintenance on an amusement ride on a
form prescribed by rule of the department. In lieu of the form
prescribed by rule of the department, the owner or manager may
request approval of an alternative form if the alternative form
includes, at a minimum, the information required on the form
prescribed by rule of the department. The training record must
be kept on site by the owner or manager and made immediately
available to the department upon request. Training may not be
conducted when an amusement ride is open to the public unless
the training is conducted under the supervision of an employee
who is trained in the operation of that ride. The owner or
manager shall certify that each employee is trained, as required
by this section and any rules adopted thereunder, on the
amusement ride for which the employee is responsible.

Section 37. Subsections (2), (4), (5), and (10) of section
790.06, Florida Statutes, are amended, and paragraph (f) is
added to subsection (6) of that section, to read:

790.06 License to carry concealed weapon or firearm.—
(2) The Department of Agriculture and Consumer Services
shall issue a license if the applicant:

(a) Is a resident of the United States and a citizen of the United States or a permanent resident alien of the United States, as determined by the United States Bureau of Citizenship and Immigration Services, or is a consular security official of a foreign government that maintains diplomatic relations and treaties of commerce, friendship, and navigation with the United States and is certified as such by the foreign government and by the appropriate embassy in this country;

(b) Is 21 years of age or older;

(c) Does not suffer from a physical infirmity which prevents the safe handling of a weapon or firearm;

(d) Is not ineligible to possess a firearm pursuant to s. 790.23 by virtue of having been convicted of a felony;

(e) Has not been committed for the abuse of a controlled substance or been found guilty of a crime under the provisions of chapter 893 or similar laws of any other state relating to controlled substances within a 3-year period immediately preceding the date on which the application is submitted;

(f) Does not chronically and habitually use alcoholic beverages or other substances to the extent that his or her normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses alcoholic beverages or other substances to the extent that his or her normal faculties are impaired if the applicant has been committed under chapter 397 or under the provisions of former chapter 396 or has been
convicted under s. 790.151 or has been deemed a habitual offender under s. 856.011(3), or has had two or more convictions under s. 316.193 or similar laws of any other state, within the 3-year period immediately preceding the date on which the application is submitted;

(g) Desires a legal means to carry a concealed weapon or firearm for lawful self-defense;

(h) Demonstrates competence with a firearm by any one of the following:

1. Completion of any hunter education or hunter safety course approved by the Fish and Wildlife Conservation Commission or a similar agency of another state;

2. Completion of any National Rifle Association firearms safety or training course;

3. Completion of any firearms safety or training course or class available to the general public offered by a law enforcement agency, junior college, college, or private or public institution or organization or firearms training school, using instructors certified by the National Rifle Association, Criminal Justice Standards and Training Commission, or the Department of Agriculture and Consumer Services;

4. Completion of any law enforcement firearms safety or training course or class offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement agency or security enforcement;

5. Presents evidence of equivalent experience with a
firearm through participation in organized shooting competition
or military service;

6. Is licensed or has been licensed to carry a firearm in
this state or a county or municipality of this state, unless
such license has been revoked for cause; or

7. Completion of any firearms training or safety course or
class conducted by a state-certified or National Rifle
Association certified firearms instructor;

A photocopy of a certificate of completion of any of the courses
or classes; or an affidavit from the instructor, school, club,
organization, or group that conducted or taught such said course
or class attesting to the completion of the course or class by
the applicant; or a copy of any document that which shows
completion of the course or class or evidences participation in
firearms competition shall constitute evidence of qualification
under this paragraph. Any person who conducts a course
pursuant to subparagraph 2., subparagraph 3., or subparagraph
7., or who, as an instructor, attests to the completion of such
courses, must maintain records certifying that he or she
observed the student safely handle and discharge the firearm in
his or her physical presence and that the discharge of the
firearm included live fire using a firearm and ammunition as
defined in s. 790.001;

(i) Has not been adjudicated an incapacitated person under
s. 744.331, or similar laws of any other state, unless 5 years

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have elapsed since the applicant's restoration to capacity by court order;

  (j) Has not been committed to a mental institution under chapter 394, or similar laws of any other state, unless the applicant produces a certificate from a licensed psychiatrist that he or she has not suffered from disability for at least 5 years before prior to the date of submission of the application;

  (k) Has not had adjudication of guilt withheld or imposition of sentence suspended on any felony or misdemeanor crime of domestic violence unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, or expunction has occurred the record has been sealed or expunged;

  (l) Has not had adjudication of guilt withheld or imposition of sentence suspended on any misdemeanor crime of domestic violence unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, or the record has been expunged;

  (m) Has not been issued an injunction that is currently in force and effect and that restrains the applicant from committing acts of domestic violence or acts of repeat violence; and

  (n) Is not prohibited from purchasing or possessing a firearm by any other provision of Florida or federal law.

(4) The application shall be completed, under oath, on a form adopted promulgated by the Department of Agriculture and
Consumer Services and shall include:

(a) The name, address, place of birth, and date of birth, and race, and occupation of the applicant;

(b) A statement that the applicant is in compliance with criteria contained within subsections (2) and (3);

(c) A statement that the applicant has been furnished a copy of this chapter and is knowledgeable of its provisions;

(d) A conspicuous warning that the application is executed under oath and that a false answer to any question, or the submission of any false document by the applicant, subjects the applicant to criminal prosecution under s. 837.06; and

(e) A statement that the applicant desires a concealed weapon or firearms license as a means of lawful self-defense;

(f) Directions for an applicant who is a servicemember, as defined in s. 250.01, or a veteran, as defined in s. 1.01, to request expedited processing of his or her application.

(5) The applicant shall submit to the Department of Agriculture and Consumer Services or an approved tax collector pursuant to s. 790.0625:

(a) A completed application as described in subsection (4).

(b) A nonrefundable license fee of up to $60 $70 if he or she has not previously been issued a statewide license or of up to $50 $60 for renewal of a statewide license. The cost of processing fingerprints as required in paragraph (c) shall be
borne by the applicant. However, an individual holding an active
certification from the Criminal Justice Standards and Training
Commission as a law enforcement officer, correctional officer,
or correctional probation officer as defined in s. 943.10(1),
(2), (3), (6), (7), (8), or (9) is exempt from the licensing
requirements of this section. If such individual wishes to
receive a concealed weapon or firearm license, he or she is exempt from the background investigation and all
background investigation fees, but must pay the current license
fees regularly required to be paid by nonexempt applicants.
Further, a law enforcement officer, a correctional officer, or a
correctional probation officer as defined in s. 943.10(1), (2),
or (3) is exempt from the required fees and background
investigation for a period of 1 year after his or her
retirement.

(c) A full set of fingerprints of the applicant
administered by a law enforcement agency or the Division of
Licensing of the Department of Agriculture and Consumer Services
or an approved tax collector pursuant to s. 790.0625 together
with any personal identifying information required by federal
law to process fingerprints.

(d) A photocopy of a certificate, affidavit, or document
as described in paragraph (2)(h).

(e) A full frontal view color photograph of the applicant
taken within the preceding 30 days, in which the head, including
hair, measures 7/8 of an inch wide and 1 1/8 inches high.
(f) For expedited processing of an application:
1. A servicemember shall submit a copy of the Common Access Card, United States Uniformed Services Identification Card, or current deployment orders.
2. A veteran shall submit a copy of the DD Form 214, issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs.

(6)

(f) The Department of Agriculture and Consumer Services shall, upon receipt of a completed application and the identifying information required under paragraph (5)(f), expedite the processing of a servicemember's or a veteran's concealed weapon or firearm license application.

(10) A license issued under this section shall be suspended or revoked pursuant to chapter 120 if the licensee:
   (a) Is found to be ineligible under the criteria set forth in subsection (2);
   (b) Develops or sustains a physical infirmity which prevents the safe handling of a weapon or firearm;
   (c) Is convicted of a felony which would make the licensee ineligible to possess a firearm pursuant to s. 790.23;
   (d) Is found guilty of a crime under the provisions of chapter 893, or similar laws of any other state, relating to controlled substances;
   (e) Is committed as a substance abuser under chapter 397,
or is deemed a habitual offender under s. 856.011(3), or similar
laws of any other state;

(f) Is convicted of a second violation of s. 316.193, or a
similar law of another state, within 3 years after of a first
previous conviction of such section, or similar law of another
state, even though the first violation may have occurred before
prior to the date on which the application was submitted;

(g) Is adjudicated an incapacitated person under s.
744.331, or similar laws of any other state; or

(h) Is committed to a mental institution under chapter
394, or similar laws of any other state.

Notwithstanding s. 120.60(5), service of a notice of the
suspension or revocation of a concealed weapon or firearm
license must be given by either certified mail, return receipt
requested, to the licensee at his or her last known mailing
address furnished to the Department of Agriculture and Consumer
Services, or by personal service. If a notice given by certified
mail is returned as undeliverable, a second attempt must be made
to provide notice to the licensee at that address, by either
first-class mail in an envelope, postage prepaid, addressed to
the licensee at his or her last known mailing address furnished
to the department, or, if the licensee has provided an e-mail
address to the department, by e-mail. Such mailing by the
department constitutes notice, and any failure by the licensee
to receive such notice does not stay the effective date or term
of the suspension or revocation. A request for hearing must be
filed with the department within 21 days after notice is
received by personal delivery, or within 26 days after the date
the department deposits the notice in the United States mail (21
days plus 5 days for mailing). The department shall document its
attempts to provide notice and such documentation is admissible
in the courts of this state and constitutes sufficient proof
that notice was given.

Section 38. Effective upon this act becoming a law,
paragraph (a) of subsection (11) of section 790.06, Florida
Statutes, is amended to read:

790.06 License to carry concealed weapon or firearm.—

(11)(a) At least 90 days before the expiration date of the license, the Department of Agriculture
and Consumer Services shall mail to each licensee a written
notice of the expiration and a renewal form prescribed by the
Department of Agriculture and Consumer Services. The licensee
must renew his or her license on or before the expiration date
by filing with the Department of Agriculture and Consumer
Services the renewal form containing an affidavit submitted under oath and under penalty of perjury stating that
the licensee remains qualified pursuant to the criteria
specified in subsections (2) and (3), a color photograph as
specified in paragraph (5)(e), and the required renewal fee.
Out-of-state residents must also submit a complete set of
fingerprints and fingerprint processing fee. The license shall
be renewed upon receipt of the completed renewal form, color
photograph, appropriate payment of fees, and, if applicable,
fingerprints. Additionally, a licensee who fails to file a
renewal application on or before its expiration date must renew
his or her license by paying a late fee of $15. A license may
not be renewed 180 days or more after its expiration date, and
such a license is deemed to be permanently expired. A person
whose license has been permanently expired may reapply for
licensure; however, an application for licensure and fees under
subsection (5) must be submitted, and a background investigation
shall be conducted pursuant to this section. A person who
knowingly files false information under this subsection is
subject to criminal prosecution under s. 837.06.

Section 39. Subsection (8) is added to section 790.0625,
Florida Statutes, to read:

790.0625 Appointment of tax collectors to accept
applications for a concealed weapon or firearm license; fees;
penalties.—

(8) Upon receipt of a completed renewal application, a new
color photograph, and appropriate payment of fees, a tax
collector authorized to accept renewal applications for
concealed weapon or firearm licenses under this section may,
upon approval and confirmation of license issuance by the
department, print and deliver a concealed weapon or firearm
license to a licensee renewing his or her license at the tax
collector's office.
Section 40. Subsection (1) and paragraph (d) of subsection (3) of section 559.9285, Florida Statutes, are amended to read:

559.9285 Certification of business activities.—
(1) Each certifying party, as defined in s. 559.927(2):
(a) Which does not offer for sale, at wholesale or retail, prearranged travel or tourist-related services, or tour guide services for individuals or groups directly to any terrorist state and which originate in Florida;
(b) Which offers for sale, at wholesale or retail, only prearranged travel or tourist-related services, or tour guide services for individuals or groups directly to any terrorist state and which originate in Florida, but engages in no other business dealings or commerce with any terrorist state; or
(c) Which offers for sale, at wholesale or retail, prearranged travel or tourist-related services, or tour guide services for individuals or groups directly to any terrorist state and which originate in Florida, and also engages in any other business dealings or commerce with any terrorist state,

shall annually certify its business activities by filing a disclosure statement with the department which accurately represents the scope of the seller's business activities according to the criteria provided in paragraph (a), paragraph (b), or paragraph (c).

(3) The department shall specify by rule the form of each certification under this section which shall include the

CODING: Words stricken are deletions; words underlined are additions.
following information:

(d) The type of all prearranged travel or tourist-related services, or tour guide services that the certifying party offers for sale to individuals or groups traveling directly to any terrorist state and that originate in Florida, and the frequency with which such services are offered.

Section 41. Subsection (2) of section 559.937, Florida Statutes, is amended to read:

559.937 Criminal penalties.—Any person or business that violates this part:

(2) Which violation directly or indirectly pertains to an offer to sell, at wholesale or retail, prearranged travel or tourist-related services, or tour guide services for individuals or groups directly to any terrorist state and which originate in Florida, commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

Section 42. For the 2016-2017 fiscal year, the sum of $1,305,097 in nonrecurring funds from the Division of Licensing Trust Fund is appropriated to the Department of Agriculture and Consumer Services for the purpose of implementing the amendments made by this act to s. 493.6108, Florida Statutes, relating to the collection of fingerprints and the subsequent payment of fingerprint processing and retention fees to the Department of Law Enforcement.

Section 43. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2016.