Representative Fischer offered the following:

Amendment (with title amendment)

Between lines 2830 and 2831, insert:

Section 98. Subsection (2) of section 212.03, Florida Statutes, is amended to read:

212.03 Transient rentals tax; rate, procedure, enforcement, exemptions.—

(2)(a) The tax provided for herein shall be in addition to the total amount of the rental, shall be charged by the lessor or person receiving the rent in and by said rental arrangement to the lessee or person paying the rental, and shall be due and payable at the time of the receipt of such rental payment by the
lessor or person, as defined in this chapter, who receives said rental or payment. The owner, lessor, or person receiving the rent shall remit the tax to the department at the times and in the manner hereinafter provided for dealers to remit taxes under this chapter. The same duties imposed by this chapter upon dealers in tangible personal property respecting the collection and remission of the tax; the making of returns; the keeping of books, records, and accounts; and the compliance with the rules and regulations of the department in the administration of this chapter shall apply to and be binding upon all persons who manage or operate hotels, apartment houses, roominghouses, tourist and trailer camps, and the rental of condominium units, and to all persons who collect or receive such rents on behalf of such owner or lessor taxable under this chapter.

(b) If a guest uses a payment system on or through an advertising platform, as defined in s. 509.013, to pay for the rental of a vacation rental located in this state, the advertising platform shall collect and remit taxes as provided in this paragraph.

1. An advertising platform, as defined in s. 509.013, that owns, operates, or manages a vacation rental, or that is within the meaning of s. 1504, s. 267(b), or s. 707(b) of the Internal Revenue Code of 1986, to a person that owns, operates, or manages a vacation rental shall collect and remit all taxes due
under this section and ss. 125.0104, 125.0108, 212.0305, and 212.055 related to the rental.

2. An advertising platform not subject to subparagraph 1. shall collect and remit all taxes due under this section and ss. 125.0104, 125.0108, 212.0305, and 212.055 on the total rental amount charged by the owner or operator for the use of the vacation rental under those sections.

In order to facilitate the remittance of such taxes, the department and counties that have elected to self-administer the taxes imposed under chapter 125 must allow advertising platforms to register, collect, and remit such taxes.

Section 99. Section 509.013, Florida Statutes, is amended to read:

509.013 Definitions.—As used in this chapter, the term:

(1) "Advertising platform" means a person who:

(a) Provides an online application, software, website, or system through which a vacation rental located in this state is advertised or held out to the public as available to rent for transient occupancy;

(b) Provides or maintains a marketplace for the renting by transient occupancy of a vacation rental; and

(c) Provides a reservation or payment system that facilitates a transaction for the renting by transient occupancy of a vacation rental and for which the person collects or
receives, directly or indirectly, a fee in connection with the
reservation or payment service provided for such transaction.

(2) "Director" means the Director of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation.

(3) "Division" means the Division of Hotels and Restaurants of the Department of Business and Professional Regulation.

(4) "Guest" means any patron, customer, tenant, lodger, boarder, or occupant of a public lodging establishment or public food service establishment.

(5) "Nontransient" means a guest in nontransient occupancy.

(6) "Nontransient establishment" means any public lodging establishment that is rented or leased to guests by an operator whose intention is that the dwelling unit occupied will be the sole residence of the guest.

(7) "Nontransient occupancy" means occupancy when it is the intention of the parties that the occupancy will not be temporary. There is a rebuttable presumption that, when the dwelling unit occupied is the sole residence of the guest, the occupancy is nontransient.

(8) "Operator" means the owner, licensee, proprietor, lessee, manager, assistant manager, or appointed agent of a
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public lodging establishment or public food service establishment.

(9)(a) "Public lodging establishment" includes a transient public lodging establishment as defined in subparagraph 1. and a nontransient public lodging establishment as defined in subparagraph 2.

1. "Transient public lodging establishment" means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

2. "Nontransient public lodging establishment" means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests for periods of at least 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests for periods of at least 30 days or 1 calendar month.

License classifications of public lodging establishments, and the definitions therefor, are set out in s. 509.242. For the purpose of licensure, the term does not include condominium common elements as defined in s. 718.103.
(b) The following are excluded from the definitions in paragraph (a):

1. Any dormitory or other living or sleeping facility maintained by a public or private school, college, or university for the use of students, faculty, or visitors.

2. Any facility certified or licensed and regulated by the Agency for Health Care Administration or the Department of Children and Families or other similar place regulated under s. 381.0072.

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

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

5. Any migrant labor camp or residential migrant housing permitted by the Department of Health under ss. 381.008-381.00895.
6. Any establishment inspected by the Department of Health and regulated by chapter 513.

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

8. Any apartment building inspected by the United States Department of Housing and Urban Development or other entity acting on the department's behalf that is designated primarily as housing for persons at least 62 years of age. The division may require the operator of the apartment building to attest in writing that such building meets the criteria provided in this subparagraph. The division may adopt rules to implement this requirement.

9. Any roominghouse, boardinghouse, or other living or sleeping facility that may not be classified as a hotel, motel, timeshare project, vacation rental, nontransient apartment, bed and breakfast inn, or transient apartment under s. 509.242.

(10)(a) "Public food service establishment" means any building, vehicle, place, or structure, or any room or division in a building, vehicle, place, or structure where food is prepared, served, or sold for immediate consumption on or in the vicinity of the premises; called for or taken out by customers; or prepared before being delivered to another location for consumption. The term includes a culinary education program, as defined in s. 381.0072(2), which offers,
prepares, serves, or sells food to the general public,
regardless of whether it is inspected by another state agency
for compliance with sanitation standards.

(b) The following are excluded from the definition in paragraph (a):

1. Any place maintained and operated by a public or private school, college, or university:
   a. For the use of students and faculty; or
   b. Temporarily to serve such events as fairs, carnivals, food contests, cook-offs, and athletic contests.

2. Any eating place maintained and operated by a church or a religious, nonprofit fraternal, or nonprofit civic organization:
   a. For the use of members and associates; or
   b. Temporarily to serve such events as fairs, carnivals, food contests, cook-offs, or athletic contests.

Upon request by the division, a church or a religious, nonprofit fraternal, or nonprofit civic organization claiming an exclusion under this subparagraph must provide the division documentation of its status as a church or a religious, nonprofit fraternal, or nonprofit civic organization.

3. Any eating place maintained and operated by an individual or entity at a food contest, cook-off, or a temporary event lasting from 1 to 3 days which is hosted by a church or a
religious, nonprofit fraternal, or nonprofit civic organization. Upon request by the division, the event host must provide the division documentation of its status as a church or a religious, nonprofit fraternal, or nonprofit civic organization.

4. Any eating place located on an airplane, train, bus, or watercraft which is a common carrier.

5. Any eating place maintained by a facility certified or licensed and regulated by the Agency for Health Care Administration or the Department of Children and Families or other similar place that is regulated under s. 381.0072.

6. Any place of business issued a permit or inspected by the Department of Agriculture and Consumer Services under s. 500.12.

7. Any place of business where the food available for consumption is limited to ice, beverages with or without garnishment, popcorn, or prepackaged items sold without additions or preparation.

8. Any theater, if the primary use is as a theater and if patron service is limited to food items customarily served to the admittees of theaters.

9. Any vending machine that dispenses any food or beverages other than potentially hazardous foods, as defined by division rule.
10. Any vending machine that dispenses potentially hazardous food and which is located in a facility regulated under s. 381.0072.

11. Any research and development test kitchen limited to the use of employees and which is not open to the general public.

(11) "Single complex of buildings" means all buildings or structures that are owned, managed, controlled, or operated under one business name and are situated on the same tract or plot of land that is not separated by a public street or highway.

(12) "Temporary food service event" means any event of 30 days or less in duration where food is prepared, served, or sold to the general public.

(13) "Theme park or entertainment complex" means a complex comprised of at least 25 contiguous acres owned and controlled by the same business entity and which contains permanent exhibitions and a variety of recreational activities and has a minimum of 1 million visitors annually.

(14) "Third-party provider" means, for purposes of s. 509.049, any provider of an approved food safety training program that provides training or such a training program to a public food service establishment that is not under common ownership or control with the provider.

(15) "Transient" means a guest in transient occupancy.

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(16) "Transient establishment" means any public lodging establishment that is rented or leased to guests by an operator whose intention is that such guests' occupancy will be temporary.

(17) "Transient occupancy" means occupancy when it is the intention of the parties that the occupancy will be temporary. There is a rebuttable presumption that, when the dwelling unit occupied is not the sole residence of the guest, the occupancy is transient.

Section 100. Paragraph (c) of subsection (3) and subsection (7) of section 509.032, Florida Statutes, are amended to read:

509.032 Duties.—

(3) SANITARY STANDARDS; EMERGENCIES; TEMPORARY FOOD SERVICE EVENTS.—The division shall:

(c) Administer a public notification process for temporary food service events and distribute educational materials that address safe food storage, preparation, and service procedures.

1. Sponsors of temporary food service events shall notify the division not less than 3 days before the scheduled event of the type of food service proposed, the time and location of the event, a complete list of food service vendors participating in the event, the number of individual food service facilities each vendor will operate at the event, and the identification number of each food service vendor's current license as a public food
service establishment or temporary food service event licensee. Notification may be completed orally, by telephone, in person, or in writing. A public food service establishment or food service vendor may not use this notification process to circumvent the license requirements of this chapter.

2. The division shall keep a record of all notifications received for proposed temporary food service events and shall provide appropriate educational materials to the event sponsors and notify the event sponsors of the availability of the food-recovery brochure developed under s. 595.420.

3.a. Unless excluded under s. 509.013(5)(b), a public food service establishment or other food service vendor must obtain one of the following classes of license from the division: an individual license, for a fee of no more than $105, for each temporary food service event in which it participates; or an annual license, for a fee of no more than $1,000, that entitles the licensee to participate in an unlimited number of food service events during the license period. The division shall establish license fees, by rule, and may limit the number of food service facilities a licensee may operate at a particular temporary food service event under a single license.

b. Public food service establishments holding current licenses from the division may operate under the regulations of such a license at temporary food service events.

(7) PREEMPTION AUTHORITY.—
(a) The regulation of public lodging establishments, including vacation rentals, and public food service establishments, including, but not limited to, sanitation standards, licensing, inspections, training and testing of personnel, and matters related to the nutritional content and marketing of foods offered in such establishments, is expressly preempted to the state. A local law, ordinance, or regulation may not allow or require the local inspection or licensing of public lodging establishments, including vacation rentals, or public food service establishments. This paragraph does not preempt the authority of a local government or local enforcement district to conduct inspections of public lodging and public food service establishments for compliance with the Florida Building Code and the Florida Fire Prevention Code pursuant to ss. 553.80 and 633.206.

(b) A local law, ordinance, or regulation may regulate activities that arise when a property is used as a vacation rental if the law, ordinance, or regulation applies uniformly to all residential properties without regard to whether the property is used as a vacation rental as defined in s. 509.242, the property is used as a long-term rental subject to chapter 83, or the property owner chooses not to rent the property. However, a local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. The prohibitions set forth in this
paragraph do does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011, including when such law, ordinance, or regulation is being amended to be less restrictive with regard to a prohibition, or duration, or frequency regulation.

(c) Paragraph (b) and the provisions of paragraph (a) relating to the licensing of vacation rentals do does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011, in any jurisdiction within exclusively relating to property valuation as a criterion for vacation rental if the local law, ordinance, or regulation is required to be approved by the state land planning agency pursuant to an area of critical state concern, as designated by s. 380.0552 or chapter 28-36, Florida Administrative Code. Any such local law, ordinance, or regulation may be amended so long as the amendment is not more restrictive than the existing local law, ordinance, or regulation.

(d) The regulation of advertising platforms is preempted to the state and shall be regulated under this chapter designation.

Section 101. Effective January 1, 2021, subsection (3) of section 509.241, Florida Statutes, is amended to read:

509.241 Licenses required; exceptions.—

(3) DISPLAY OF LICENSE.—Any license issued by the division must shall be conspicuously displayed to the public inside in
the office or lobby of the licensed establishment. Public food
service establishments that which offer catering services must
shall display their license number on all advertising for
catering services. The owner or operator of a vacation rental
offered for transient occupancy through an advertising platform
must also display the vacation rental license number and the
applicable Florida sales tax registration and tourist
development tax account numbers under which such taxes must be
paid for each rental of the property as a vacation rental.

Section 102. Effective January 1, 2021, section 509.243,
Florida Statutes, is created to read:

509.243 Advertising platforms.—
(1)(a) An advertising platform must require that a person
who places an advertisement for the rental of a vacation rental
for transient occupancy:

1. Include in the advertisement the vacation rental
license number and the applicable Florida sales tax registration
and tourist development tax account numbers under which such
taxes must be paid before the advertisement may be listed; and

2. Attest to the best of his or her knowledge that the
vacation rental license number and the applicable Florida sales
tax registration and tourist development tax account numbers are
current, valid, and accurately stated in the advertisement.

(b) An advertising platform must display the vacation
rental license number and the applicable Florida sales tax
registration and tourist development tax account numbers. The advertising platform must verify that the vacation rental license number provided by the owner or operator is valid and applies to the subject vacation rental before publishing the advertisement on its platform and again at the end of each calendar quarter that the advertisement remains on its platform.

(c) The division shall maintain vacation rental license information in a readily accessible electronic format that is sufficient to facilitate prompt compliance with the requirements of this subsection by an advertising platform or a person placing an advertisement on an advertising platform for rental of a vacation rental for transient occupancy.

(2) An advertising platform must provide to the division on a quarterly basis, by file transfer protocol or electronic data exchange file, a list of all vacation rentals located in this state that are advertised on its platform, along with the following information for each vacation rental:

(a) The uniform resource locator for the Internet address of the vacation rental advertisement.

(b) Unless otherwise stated in the vacation rental advertisement at the Internet address provided pursuant to paragraph (a), the physical address of the vacation rental, including any unit designation, the vacation rental license number provided by the owner or operator, and the applicable Florida sales tax registration and tourist development tax.
account numbers under which taxes will be remitted for the
rentals commenced through the advertisement.

(3) An advertising platform must remove from public view
an advertisement from its online application, software, website,
or system within 15 business days after being notified by the
division in writing that the subject advertisement for the
rental of a vacation rental located in this state fails to
display a valid vacation rental license number issued by the
division.

(4) If a guest uses a payment system on or through an
advertising platform to pay for the rental of a vacation rental
located in this state, the advertising platform shall collect
and remit all taxes imposed under ss. 125.0104, 125.0108,
212.03, 212.0305, and 212.055 related to the rental as provided
in s. 212.03(2)(b).

(5) If the division has probable cause to believe that a
person not licensed by the division has violated this chapter,
or any rule adopted pursuant to this chapter, the division may
issue and deliver to such person a notice to cease and desist
from the violation. The issuance of a notice to cease and desist
does not constitute agency action for which a hearing under ss.
120.569 and 120.57 may be sought. For the purpose of enforcing a
cease and desist notice, the division may file a proceeding in
the name of the state seeking the issuance of an injunction or a
writ of mandamus against any person who violates any provision

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of the notice. If the department is required to seek enforcement of the notice for a penalty pursuant to s. 120.569, it is entitled to collect its attorney fees and costs, together with any cost of collection.

(6) Advertising platforms must adopt an antidiscrimination policy to help prevent discrimination among their users and must inform all users of their services that it is illegal to refuse accommodation to an individual based on race, creed, color, sex, pregnancy, physical disability, or national origin pursuant to s. 509.092.

Section 103. Paragraphs (n) and (o) of subsection (2) and paragraph (e) of subsection (6) of section 775.21, Florida Statutes, are amended to read:

775.21 The Florida Sexual Predators Act.—

(2) DEFINITIONS.—As used in this section, the term:

(n) "Temporary residence" means a place where a the person abides, lodges, or resides, including, but not limited to, vacation, business, or personal travel destinations in or out of this state, for a period of 3 or more days in the aggregate during any calendar year and which is not the person's permanent address or, for a person whose permanent residence is not in this state, a place where the person is employed, practices a vocation, or is enrolled as a student for any period of time in this state. The term includes a place where a person lodges in a vacation rental, as defined in s. 509.242, for 24 hours or more.
(o) "Transient residence" means a county where a person lives, remains, or is located for a period of 3 or more days in the aggregate during a calendar year and which is not the person's permanent or temporary address. The term includes, but is not limited to, a place where the person sleeps or seeks shelter and a location that has no specific street address. The term also includes a county where a person lodges in a vacation rental, as defined in s. 509.242, for 24 hours or more.

(6) REGISTRATION.—

(e)1. If the sexual predator is not in the custody or control of, or under the supervision of, the Department of Corrections or is not in the custody of a private correctional facility, the sexual predator shall register in person:

a. At the sheriff's office in the county where he or she establishes or maintains a residence within 24 hours after establishing or maintaining a temporary residence or transient residence in a vacation rental or 48 hours after establishing or maintaining any other a residence in this state; and

b. At the sheriff's office in the county where he or she was designated a sexual predator by the court within 48 hours after such finding is made.

2. Any change that occurs after the sexual predator registers in person at the sheriff's office as provided in subparagraph 1. in any of the following information related to the sexual predator must be reported as provided in paragraphs
(g), (i), and (j): permanent, temporary, or transient residence; name; vehicles owned; electronic mail addresses; Internet identifiers and each Internet identifier's corresponding website homepage or application software name; home and cellular telephone numbers; employment information; and change in status at an institution of higher education. When a sexual predator registers with the sheriff's office, the sheriff shall take a photograph, a set of fingerprints, and palm prints of the predator and forward the photographs, palm prints, and fingerprints to the department, along with the information that the predator is required to provide pursuant to this section.

Section 104. Subsection (12) of section 159.27, Florida Statutes, is amended to read:

159.27 Definitions.—The following words and terms, unless the context clearly indicates a different meaning, shall have the following meanings:

(12) “Public lodging or restaurant facility” means property used for any public lodging establishment as defined in s. 509.242 or public food service establishment as defined in s. 509.013 s. 509.012(5) if it is part of the complex of, or necessary to, another facility qualifying under this part.

Section 105. Paragraph (jj) of subsection (7) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the
rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the entity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(jj) Complimentary meals.—Also exempt from the tax imposed by this chapter are food or drinks that are furnished as part of a packaged room rate by any person offering for rent or lease
any transient living accommodations as described in s. 509.013
s. 509.013(4)(a) which are licensed under part I of chapter 509
and which are subject to the tax under s. 212.03, if a separate
charge or specific amount for the food or drinks is not shown.
Such food or drinks are considered to be sold at retail as part
of the total charge for the transient living accommodations.
Moreover, the person offering the accommodations is not
considered to be the consumer of items purchased in furnishing
such food or drinks and may purchase those items under
conditions of a sale for resale.

Section 106. Paragraph (b) of subsection (4) of section
316.1955, Florida Statutes, is amended to read:
316.1955 Enforcement of parking requirements for persons
who have disabilities.—

(4)

(b) Notwithstanding paragraph (a), a theme park or an
entertainment complex as defined in s. 509.013 s. 509.013(9)
which provides parking in designated areas for persons who have
disabilities may allow any vehicle that is transporting a person
who has a disability to remain parked in a space reserved for
persons who have disabilities throughout the period the theme
park is open to the public for that day.

Section 107. Subsection (5) of section 404.056, Florida
Statutes, is amended to read:
404.056 Environmental radiation standards and projects; certification of persons performing measurement or mitigation services; mandatory testing; notification on real estate documents; rules.—

(5) NOTIFICATION ON REAL ESTATE DOCUMENTS.—Notification shall be provided on at least one document, form, or application executed at the time of, or prior to, contract for sale and purchase of any building or execution of a rental agreement for any building. Such notification shall contain the following language:

"RADON GAS: Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your county health department."

The requirements of this subsection do not apply to any residential transient occupancy, as described in s. 509.013(12), provided that such occupancy is 45 days or less in duration.

Section 108. Subsection (6) of section 477.0135, Florida Statutes, is amended to read:

477.0135 Exemptions.—
(6) A license is not required of any individual providing makeup or special effects services in a theme park or entertainment complex to an actor, stunt person, musician, extra, or other talent, or providing makeup or special effects services to the general public. The term "theme park or entertainment complex" has the same meaning as in s. 509.013.

Section 109. Paragraph (b) of subsection (2) of section 509.221, Florida Statutes, is amended to read:

509.221 Sanitary regulations.—

(2)

(b) Within a theme park or entertainment complex as defined in s. 509.013, the bathrooms are not required to be in the same building as the public food service establishment, so long as they are reasonably accessible.

Section 110. Paragraph (b) of subsection (5) of section 553.5041, Florida Statutes, is amended to read:

553.5041 Parking spaces for persons who have disabilities.—

(5) Accessible perpendicular and diagonal accessible parking spaces and loading zones must be designed and located to conform to ss. 502 and 503 of the standards.

(b) If there are multiple entrances or multiple retail stores, the parking spaces must be dispersed to provide parking at the nearest accessible entrance. If a theme park or an

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entertainment complex as defined in s. 509.013(9). It provides parking in several lots or areas from which access to the theme park or entertainment complex is provided, a single lot or area may be designated for parking by persons who have disabilities, if the lot or area is located on the shortest accessible route to an accessible entrance to the theme park or entertainment complex or to transportation to such an accessible entrance.

Section 111. Subsection (2) of section 705.17, Florida Statutes, is amended to read:

705.17 Exceptions.—
(2) Sections 705.1015-705.106 do not apply to any personal property lost or abandoned on premises located within a theme park or entertainment complex, as defined in s. 509.013(9), or operated as a zoo, a museum, or an aquarium, or on the premises of a public food service establishment or a public lodging establishment licensed under part I of chapter 509, if the owner or operator of such premises elects to comply with s. 705.185.

Section 112. Section 705.185, Florida Statutes, is amended to read:

705.185 Disposal of personal property lost or abandoned on the premises of certain facilities.—When any lost or abandoned personal property is found on premises located within a theme park or entertainment complex, as defined in s. 509.013(9).
509.013(9), or operated as a zoo, a museum, or an aquarium, or on the premises of a public food service establishment or a public lodging establishment licensed under part I of chapter 509, if the owner or operator of such premises elects to comply with this section, any lost or abandoned property must be delivered to such owner or operator, who must take charge of the property and make a record of the date such property was found. If the property is not claimed by its owner within 30 days after it is found, or a longer period of time as may be deemed appropriate by the owner or operator of the premises, the owner or operator of the premises may not sell and must dispose of the property or donate it to a charitable institution that is exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code for sale or other disposal as the charitable institution deems appropriate. The rightful owner of the property may reclaim the property from the owner or operator of the premises at any time before the disposal or donation of the property in accordance with this section and the established policies and procedures of the owner or operator of the premises. A charitable institution that accepts an electronic device, as defined in s. 815.03(9), access to which is not secured by a password or other personal identification technology, shall make a reasonable effort to delete all personal data from the electronic device before its sale or disposal.
Section 113. Section 717.1355, Florida Statutes, is amended to read:

717.1355 Theme park and entertainment complex tickets.—This chapter does not apply to any tickets for admission to a theme park or entertainment complex as defined in s. 509.013 s. 509.013(9), or to any tickets to a permanent exhibition or recreational activity within such theme park or entertainment complex.

Section 114. Subsection (8) of section 877.24, Florida Statutes, is amended to read:

877.24 Nonapplication of s. 877.22.—Section 877.22 does not apply to a minor who is:

(8) Attending an organized event held at and sponsored by a theme park or entertainment complex as defined in s. 509.013 s. 509.013(9).

Section 115. The application of this act may not supersede any current or future declaration of condominium adopted pursuant to chapter 718, Florida Statutes, cooperative documents adopted pursuant to chapter 719, Florida Statutes, or declaration of covenants adopted pursuant to chapter 720, Florida Statutes.

Section 116. (1) The Department of Revenue is authorized, and all conditions are deemed to be met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the
(2) Notwithstanding any other provision of law, emergency rules adopted pursuant to subsection (1) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(3) This section expires January 1, 2023.

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

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to the Department of Business and Professional Regulation; providing a short title; amending s. 287.055, F.S.; conforming provisions to changes made by the act; amending s. 322.57, F.S.; defining the term "servicemember"; requiring the Department of Highway Safety and Motor Vehicles to waive certain commercial driver license requirements for servicemembers and veterans under certain circumstances; requiring rulemaking; amending s. 326.004, F.S.; deleting the requirement for a yacht broker to maintain a separate license for each branch office; deleting the requirement for the division to

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establish a fee; amending s. 447.02, F.S.; conforming provisions to changes made by the act; repealing ss. 447.04, 447.041, 447.045, and 447.046, F.S., relating to licensure and permit requirements for business agents, hearings for persons or labor organizations denied licensure as a business agent, confidential information obtained during the application process, and required registration of labor organizations, respectively; amending s. 447.09, F.S.; deleting certain prohibited actions relating to the right of franchise of a member of a labor organization; repealing ss. 447.12 and 447.16, F.S., relating to registration fees and applicability; amending s. 447.305, F.S.; deleting a provision that requires notification of registrations and renewals to the department; amending s. 455.213, F.S.; requiring the Department of Business and Professional Regulation or a board to seek reciprocal licensing agreements with other states under certain circumstances; providing requirements; creating s. 455.2278, F.S.; providing definitions; prohibiting the department or a board from suspending or revoking a person's license solely on the basis of a delinquency or default in the payment of his or her student loan; prohibiting the department or a board from suspending or revoking a
person's license solely on the basis of a default in satisfying the requirements of his or her work-
conditional scholarship; amending s. 456.072, F.S.; providing that failing to repay a student loan issued
or guaranteed by the state or the Federal Government in accordance with the terms of the loan is not
considered a failure to perform a statutory or legal obligation; repealing s. 456.0721, F.S., relating to practitioners in default on student loan or scholarship obligations; amending s. 456.074; removing the requirements for immediate suspension of a health care practitioner for default on a specified student loan; amending s. 468.401, F.S.; revising definitions; repealing ss. 468.402, 468.403, 468.404, and 468.405, F.S., relating to duties and authority of the Department of Business and Professional Regulation with regard to licensure of talent agencies, licensure requirements, license fees and renewals, and qualification for a talent agency license, respectively; amending s. 468.406, F.S.; requiring an owner or operator of a talent agency to post an itemized schedule of fees, charges, and commissions in a specified place; repealing s. 468.407, F.S., relating to the form and posting requirements for a license; amending s. 468.408, F.S.; conforming
provisions to changes made by the act; prohibiting certain bonds from being issued or renewed by a bonding agency to an owner or operator of a talent agency unless the bonding agency verifies that each owner or operator has not been convicted of specified crimes; amending s. 468.409, F.S.; deleting a requirement for record inspection; amending s. 468.410, F.S.; deleting a requirement to include specified information in a contract between a talent agency and applicant; amending s. 468.412, F.S.; deleting recordkeeping and posting requirements; amending s. 468.413, F.S.; revising criminal penalties; conforming provisions to changes made by the act; repealing s. 468.414, F.S., relating to the deposit of certain funds in the Professional Regulation Trust Fund; amending s. 468.415, F.S.; prohibiting any agent, owner, or operator who commits sexual misconduct in the operation of a talent agency from acting as an agent, owner, or operator of a Florida talent agency; amending s. 468.505, F.S.; providing that certain unlicensed persons are not prohibited or restricted from his or her practice, services, or activities in dietetics and nutrition under certain circumstances; amending 468.524, F.S.; deleting specified exemptions from the time
restriction for an employee leasing company to reapply for licensure; amending s. 468.603, F.S.; revising a definition; amending s. 468.609, F.S.; revising certain experience requirements for a person to take the examination for certification; revising the time period a provisional certificate is valid; amending s. 468.613, F.S.; providing for waiver of specified requirements for certification under certain circumstances; amending s. 468.8314, F.S.; requiring an applicant for a license by endorsement to maintain a specified insurance policy; requiring the department to certify an applicant who holds a specified license issued by another state or territory of the United States under certain circumstances; amending s. 471.015, F.S.; revising licensure requirements for engineers who hold specified licenses in another state; amending s. 473.308, F.S.; deleting continuing education requirements for license by endorsement for certified public accountants; amending s. 474.202, F.S.; revising the definition of the term "limited-service veterinary medical practice" to include certain vaccinations or immunizations; amending s. 474.203, F.S.; providing an exemption for a person whose work is solely confined to microchip implantation in dogs and cats; amending s. 474.207,
F.S.; revising education requirements for licensure by
examination; amending s. 474.217, F.S.; requiring the
Department of Business and Professional Regulation to
issue a license by endorsement to certain applicants
who successfully complete a specified examination;
amending s. 476.114, F.S.; revising training
requirements for licensure as a barber; amending s.
476.144, F.S.; requiring the department to license an
applicant who is licensed to practice barbering in
another state; amending s. 477.013, F.S.; revising the
definition of the term "hair braiding"; repealing s.
477.0132, F.S., relating to registration for hair
braiding, hair wrapping, and body wrapping; amending
s. 477.0135, F.S.; providing additional exemptions
from license or registration requirements for
specified occupations or practices; amending s.
477.019, F.S.; conforming provisions to changes made
by the act; amending s. 477.0201, F.S.; providing
requirements for registration as a specialist;
amending s. 477.026, F.S.; conforming provisions to
changes made by the act; amending s. 477.0263, F.S.;
authorizing certain persons to perform specified
cosmetology services in a location other than a
licensed salon under certain circumstances; amending
ss. 477.0265 and 477.029, F.S.; conforming provisions

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to changes made by the act; amending s. 481.201, F.S.;
deleting legislative findings relating to the practice
of interior design; amending s. 481.203, F.S.;
revising definitions; amending s. 481.205, F.S.;
conforming provisions to changes made by the act;
amending s. 481.207, F.S.; revising certain fees for
interior designers; amending s. 481.209, F.S.;
providing requirements for a certificate of
registration and a seal for interior designers;
conforming provisions to changes made by the act;
amending s. 481.213, F.S.; revising requirements for
certification of licensure by endorsement for certain
licensees to engage in the practice of architecture;
providing that registration is not required for
specified persons to practice; amending s. 481.2131,
F.S.; requiring certain interior designers to include
a specified seal when submitting documents for the
issuance of a building permit; amending s. 481.215,
F.S.; revising the number of hours of specified
courses the board must require for the renewal of a
license or certificate of registration; authoring
licensees to complete certain courses online; amending
s. 481.217, F.S.; conforming provisions to changes
made by the act; amending s. 481.219, F.S.; deleting
provisions permitting the practice of or offer to
practice interior design through certain business organizations; deleting provisions requiring certificates of authorization for certain business organizations offering interior design services to the public; requiring a licensee or applicant in the practice of architecture to qualify a business organization; providing requirements; amending 481.221, F.S.; requiring registered architects and certain business organizations to display their license number in specified advertisements; amending s. 481.223, F.S.; providing construction; amending s. 481.2251, F.S.; revising acts that constitute grounds for disciplinary actions relating to interior designers; amending ss. 481.229 and 481.231, F.S.; conforming provisions to changes made by the act; amending s. 481.303, F.S.; deleting the definition of the term "certificate of authorization"; amending s. 481.310, F.S.; providing that an applicant who holds a specified degree is not required to demonstrate 1 year of practical experience for licensure; amending s. 481.311, F.S.; requiring the Board of Landscape Architecture to certify an applicant who holds a specified license issued by another state or territory of the United States under certain circumstances; conforming provisions; amending s. 481.313, F.S.;
House Amendment

Bill No. CS/HB 1193 (2020)

Amendment No.

Authorizing a landscape architect to receive hour-for-hour credit for certain approved continuing education courses under certain circumstances; 481.317, F.S.; conforming provisions; amending s. 481.319, F.S.; deleting the requirement for a certificate of authorization; authorizing landscape architects to practice through a corporation or partnership; amending s. 481.321, F.S.; requiring a landscape architect to display their certificate number in specified advertisements; amending s. 481.329, F.S.; conforming a cross-reference; amending s. 489.103, F.S.; revising certain contract prices for exemption; amending s. 489.111, F.S.; providing that an applicant who is exempt from a specified examination is eligible for licensure; amending s. 489.113, F.S.; providing that an applicant holding a specified degree does not have to pass a certain examination; amending s. 489.115, F.S.; requiring the Construction Industry Licensing Board to certify any applicant who holds a specified license to practice contracting issued by another state or territory of the United States under or certain persons licensed by endorsement or reciprocity under certain circumstances; amending s. 489.511, F.S.; requiring the board to certify as qualified for certification by endorsement any
applicant who holds a specified license to practice electrical or alarm system contracting issued by another state or territory of the United States under certain circumstances; amending s. 489.517, F.S.; providing a reduction in certain continuing education hours required for certain contractors; amending s. 489.518, F.S.; requiring a person to have completed a specified amount of training within a certain time period to perform the duties of an alarm system agent; amending s. 492.104, F.S.; conforming provisions to changes made by the act; amending 492.108, F.S.; requiring the department to issue a license by endorsement to any applicant who has held a specified license to practice geology in another state, territory, or possession of the United States for a certain period of time; providing that an applicant may take the examination required by the board if they have not met the specified examination requirement; amending s. 492.111, F.S.; deleting the requirements for a certificate of authorization for a professional geologist; amending ss. 492.113 and 492.115, F.S.; conforming provisions; creating s. 509.102, F.S.; providing a definition for the term "mobile food dispensing vehicles"; prohibiting a municipality, county, or other local government entity from
requiring a separate license, registration, or permit
or fee or from operating within the jurisdiction;
providing applicability; amending s. 548.003, F.S.;
deleting the requirement that the Florida State Boxing
Commission adopt rules relating to a knockdown
timekeeper; amending s. 548.017, F.S.; deleting the
licensure requirement for a timekeeper or announcer;
amending s. 553.5141, F.S.; conforming provisions to
changes made by the act; amending s. 553.74, F.S.;
revising the membership and qualifications of the
Florida Building Commission; amending s. 558.002,
F.S.; conforming provisions to changes made by the
act; amending s. 823.15, F.S.; authorizing certain
persons to implant dogs and cats with specified radio
frequency identification devices under certain
circumstances; authorizing such persons to contact the
owner of record listed on such devices; amending s.
561.221, F.S.; authorizing the division to issue
vendor licenses to certain craft distilleries for the
sale of alcoholic beverages on the distillery's
licensed premises; requiring that the licensed vendor
premises be included on certain sketches and diagrams
under certain circumstances; requiring that all
revisions to sketches or diagrams be approved by the
division; requiring the division to issue permits to
Amendment No.

craft distilleries for conducting tastings and sales at certain events; requiring craft distilleries to pay entry fees for such events and have a representative of the distillery present at each event; requiring that certain alcoholic beverages be obtained through a licensed distributor, a licensed broker or sales agent, or a licensed importer; amending s. 561.24, F.S.; authorizing a craft distillery to be licensed as a distributor under certain circumstances; amending s. 561.42, F.S.; prohibiting certain entities and persons from directly or indirectly assisting or providing specified items, monies, or services to a licensed vendor; prohibiting a licensed vendor from accepting specified items, monies, or services from certain entities or persons; authorizing the Division of Alcoholic Beverages and Tobacco adopt rules and require reports to enforce, and to impose administrative sanctions for a violation of limitations established under the Beverage Law on specified items, monies, or services; prohibiting a vendor from displaying certain signs in the window or windows of his or her licensed premises; authorizing certain entities and persons to furnish, supply, sell, rent, lend, or give certain advertising material to certain vendors; defining the term "decalcomania";
providing exemptions relating to tied house evil for
certain sales and purchases of merchandise; providing
conditions for the exemptions; defining the term
"merchandise"; prohibiting the sale of certain
advertising specialties at a price higher than the
actual cost to the industry member; authorizing a
manufacturer or importer of malt beverages and a
vendor to enter into a written agreement for certain
purposes; providing requirements for such agreement;
defining the term "negotiated at arm's length";
specifying that a brand-naming rights agreement does
not obligate or place responsibility upon a
distributor; providing civil penalties; prohibiting
the division from imposing certain civil penalties;
creating s. 562.65, F.S.; providing definitions;
authorizing certain licensed vendors of alcoholic
beverages to allow dogs in certain designated areas on
licensed premises under specified conditions;
providing for liability; authorizing the Division of
Alcoholic Beverages and Tobacco of the Department of
Business and Professional Regulation to adopt rules;
creating s. 563.061, F.S.; providing definitions;
prohibiting consignment sales of malt beverages
between a distributor and vendor; authorizing bona
fide returns of malt beverages under certain
conditions; providing applicability; authorizing distributors to accept returns of certain products under specified conditions; providing distributor requirements for such returns; providing requirements for exchanges of product; providing recordkeeping requirements; specifying that authorized returns are not gifts, loans, or other prohibited forms of financial aid or assistance; providing penalties; providing for rulemaking; repealing ss. 564.05 and 564.055, F.S., relating to limitations on the size of individual wine containers and individual cider containers; amending s. 564.09, F.S.; revising provisions that authorize a restaurant to allow patrons to remove partially consumed bottles of wine from the restaurant for off-premises consumption; amending s. 565.03, F.S.; redefining the terms "branded product" and "craft distillery"; revising the requirements for the sale of branded products by a licensed craft distillery to consumers; deleting a provision that prohibits a craft distillery from selling more than six individual containers of a branded product to a consumer; revising requirements relating to the shipping of distilled spirits to consumers by a craft distillery; deleting requirements relating to the transfer of certain distillery
licenses and ownership therein; deleting a prohibition
against certain affiliations; authorizing a craft
distillery to transfer specified quantities of
specified distilled spirits from certain locations to
its souvenir gift shop; requiring a craft distillery
making such transfers to submit certain excise taxes
with its monthly report to the Division of Alcoholic
Beverages and Tobacco of the Department of Business
and Professional Regulation; amending s. 565.17, F.S.;
authorizing a craft distillery to conduct spirituous
beverage tastings on specified licensed premises under
certain circumstances; providing effective dates.