

1 A bill to be entitled
2 An act relating to the Department of Business and
3 Professional Regulation; amending s. 210.09, F.S.;
4 requiring that certain reports relating to the
5 transportation or possession of cigarettes be filed
6 with the Division of Alcoholic Beverages and Tobacco
7 through the division's electronic data submission
8 system; providing that specified records relating to
9 cigarettes received, sold, or delivered within the
10 state may be kept in an electronic or paper format;
11 amending s. 210.55, F.S.; requiring that certain
12 entities file reports, rather than returns, relating
13 to tobacco products with the division; providing
14 requirements for such reports; amending s. 210.60,
15 F.S.; providing that specified records relating to
16 tobacco products may be kept in an electronic or paper
17 format; amending s. 489.109, F.S.; removing provisions
18 relating to an additional fee for application and
19 renewal, transfer of funds, recommendations by the
20 Construction Industry Licensing Board for use of such
21 funds, distribution of such funds by the department,
22 and required reports of the department, respectively;
23 amending s. 489.118, F.S.; removing an obsolete date;
24 amending s. 489.509, F.S.; removing provisions
25 relating to an additional fee for application and

26 | renewal, transfer of funds, recommendations by the
27 | Electrical Contractors' Licensing Board for use of
28 | such funds, distribution of such funds by the
29 | department, and required reports of the department,
30 | respectively; amending s. 499.01, F.S.; exempting
31 | certain persons from specified permit requirements
32 | under certain circumstances; requiring an exempt
33 | cosmetics manufacturer to provide, upon request, to
34 | the department specified documentation verifying his
35 | or her annual gross sales; authorizing an exempt
36 | cosmetics manufacturer to only manufacture and sell
37 | specified products; requiring specified labeling for
38 | each unit of cosmetics manufactured by an exempt
39 | cosmetic manufacturer; authorizing the department to
40 | investigate complaints and to enter and inspect the
41 | premises of an exempt cosmetics manufacturer;
42 | providing disciplinary actions; providing
43 | construction; amending s. 499.012, F.S.; authorizing
44 | specified establishments to submit a request for a
45 | temporary permit; requiring such establishments to
46 | submit the request to the department on specified
47 | forms; providing that upon authorization by the
48 | department for a temporary permit for a certain
49 | location, the existing permit for such location is
50 | immediately null and void; prohibiting a temporary

51 permit from being extended; providing for expiration
52 of a temporary permit; prohibiting an establishment
53 from operating under an expired temporary permit;
54 amending s. 499.066, F.S.; authorizing the department
55 to adopt rules to permit the issuance of remedial,
56 nondisciplinary citations; providing requirements for
57 such citations; providing for contest of and the
58 rescinding of a citation; authorizing the department
59 to recover specified costs relating to a citation;
60 providing a timeframe for when a citation may be
61 issued; providing requirements for the service of a
62 citation; authorizing the department to adopt and
63 amend rules, designate violations and monetary
64 assessments, and order remedial measures that must be
65 taken for such violations; amending s. 548.003, F.S.;
66 renaming the Florida State Boxing Commission as the
67 Florida Athletic Commission; amending s. 548.043,
68 F.S.; revising rulemaking requirements for the
69 commission relating to gloves; amending s. 553.841,
70 F.S.; conforming a provision to changes made by the
71 act; amending s. 561.01, F.S.; deleting the definition
72 of the term "permit carrier"; amending s. 561.17,
73 F.S.; revising a requirement related to the filing of
74 fingerprints with the division; requiring that
75 applications be accompanied by certain information

76 relating to right of occupancy; providing requirements
77 relating to contact information for licensees and
78 permittees; amending s. 561.19, F.S.; revising
79 provisions relating to the availability of beverage
80 licenses to include by reason of the cancellation of a
81 quota beverage license; amending s. 561.20, F.S.;
82 conforming cross-references; revising requirements for
83 issuing special licenses to certain food service
84 establishments; amending s. 561.42, F.S.; requiring
85 the division, and authorizing vendors, to use
86 electronic mail to give certain notice; amending s.
87 561.55, F.S.; revising requirements for reports
88 relating to alcoholic beverages; amending s. 562.455,
89 F.S.; removing grains of paradise as a form of
90 adulteration of liquor used or intended for drink;
91 amending s. 718.112, F.S.; providing the circumstances
92 under which a person is delinquent in the payment of
93 an assessment in the context of eligibility for
94 membership on certain condominium boards; requiring
95 that an annual budget be proposed to unit owners and
96 adopted by the board before a specified time; amending
97 s. 718.501, F.S.; authorizing the Division of Florida
98 Condominiums, Timeshares, and Mobile Homes to adopt
99 rules regarding the submission of complaints against a
100 condominium association; amending s. 718.5014, F.S.;

101 revising the location requirements for the principal
 102 office of the condominium ombudsman; amending ss.
 103 455.219, 548.002, 548.05, 548.071, and 548.077, F.S.;
 104 conforming provisions to changes made by the act;
 105 providing an effective date.

106
 107 Be It Enacted by the Legislature of the State of Florida:

108
 109 Section 1. Subsections (2) and (3) of section 210.09,
 110 Florida Statutes, are amended to read:

111 210.09 Records to be kept; reports to be made;
 112 examination.—

113 (2) The division is authorized to prescribe and promulgate
 114 by rules and regulations, which shall have the force and effect
 115 of the law, such records to be kept and reports to be made to
 116 the division by any manufacturer, importer, distributing agent,
 117 wholesale dealer, retail dealer, common carrier, or any other
 118 person handling, transporting or possessing cigarettes for sale
 119 or distribution within the state as may be necessary to collect
 120 and properly distribute the taxes imposed by s. 210.02. All
 121 reports shall be made on or before the 10th day of the month
 122 following the month for which the report is made, unless the
 123 division by rule or regulation shall prescribe that reports be
 124 made more often. All reports shall be filed with the division
 125 through the division's electronic data submission system.

126 (3) All manufacturers, importers, distributing agents,
 127 wholesale dealers, agents, or retail dealers shall maintain and
 128 keep for a period of 3 years at the place of business where any
 129 transaction takes place, such records of cigarettes received,
 130 sold, or delivered within the state as may be required by the
 131 division. Such records may be kept in an electronic or paper
 132 format. The division or its duly authorized representative is
 133 hereby authorized to examine the books, papers, invoices, and
 134 other records, the stock of cigarettes in and upon any premises
 135 where the same are placed, stored, and sold, and the equipment
 136 of any such manufacturers, importers, distributing agents,
 137 wholesale dealers, agents, or retail dealers, pertaining to the
 138 sale and delivery of cigarettes taxable under this part. To
 139 verify the accuracy of the tax imposed and assessed by this
 140 part, each person is hereby directed and required to give to the
 141 division or its duly authorized representatives the means,
 142 facilities, and opportunity for such examinations as are herein
 143 provided for and required.

144 Section 2. Section 210.55, Florida Statutes, is amended to
 145 read:

146 210.55 Distributors; monthly reports ~~returns~~.—

147 (1) On or before the 10th of each month, every taxpayer
 148 with a place of business in this state shall file a full and
 149 complete report ~~return~~ with the division showing the taxable
 150 price of each tobacco product brought or caused to be brought

151 into this state for sale, or made, manufactured, or fabricated
152 in this state for sale in this state, during the preceding
153 month. Every taxpayer outside this state shall file a full and
154 complete report with the division through the division's
155 electronic data submission system ~~return~~ showing the quantity
156 and taxable price of each tobacco product shipped or transported
157 to retailers in this state, to be sold by those retailers,
158 during the preceding month. Reports must ~~Returns shall~~ be made
159 upon forms furnished and prescribed by the division and must
160 ~~shall~~ contain any other information that the division requires.
161 Each report must ~~return shall~~ be accompanied by a remittance for
162 the full tax liability shown and be filed with the division
163 through the division's electronic data submission system.

164 (2) As soon as practicable after any report ~~return~~ is
165 filed, the division shall examine each report ~~return~~ and correct
166 it, if necessary, according to its best judgment and
167 information. If the division finds that any amount of tax is due
168 from the taxpayer and unpaid, it shall notify the taxpayer of
169 the deficiency, stating that it proposes to assess the amount
170 due together with interest and penalties. If a deficiency
171 disclosed by the division's examination cannot be allocated to
172 one or more particular months, the division shall notify the
173 taxpayer of the deficiency, stating its intention to assess the
174 amount due for a given period without allocating it to any
175 particular months.

176 (3) If, within 60 days after the mailing of notice of the
177 proposed assessment, the taxpayer files a protest to the
178 proposed assessment and requests a hearing on it, the division
179 shall give notice to the taxpayer of the time and place fixed
180 for the hearing, shall hold a hearing on the protest, and shall
181 issue a final assessment to the taxpayer for the amount found to
182 be due as a result of the hearing. If a protest is not filed
183 within 60 days, the division shall issue a final assessment to
184 the taxpayer. In any action or proceeding in respect to the
185 proposed assessment, the taxpayer shall have the burden of
186 establishing the incorrectness or invalidity of any final
187 assessment made by the division.

188 (4) If any taxpayer required to file any report ~~return~~
189 fails to do so within the time prescribed, the taxpayer shall,
190 on the written demand of the division, file the report ~~return~~
191 within 20 days after mailing of the demand and at the same time
192 pay the tax due on its basis. If the taxpayer fails within that
193 time to file the report ~~return~~, the division shall prepare the
194 report ~~return~~ from its own knowledge and from the information
195 that it obtains and on that basis shall assess a tax, which
196 shall be paid within 10 days after the division has mailed to
197 the taxpayer a written notice of the amount and a demand for its
198 payment. In any action or proceeding in respect to the
199 assessment, the taxpayer shall have the burden of establishing
200 the incorrectness or invalidity of any report ~~return~~ or

201 assessment made by the division because of the failure of the
 202 taxpayer to make a report ~~return~~.

203 (5) All taxes are due not later than the 10th day of the
 204 month following the calendar month in which they were incurred,
 205 and thereafter shall bear interest at the annual rate of 12
 206 percent. If the amount of tax due for a given period is assessed
 207 without allocating it to any particular month, the interest
 208 shall begin with the date of the assessment.

209 (6) In issuing its final assessment, the division shall
 210 add to the amount of tax found due and unpaid a penalty of 10
 211 percent, but if it finds that the taxpayer has made a false
 212 report ~~return~~ with intent to evade the tax, the penalty shall be
 213 50 percent of the entire tax as shown by the corrected report
 214 ~~return~~. In assessing a tax on the basis of a report ~~return~~ made
 215 under subsection (4), the division shall add to the amount of
 216 tax found due and unpaid a penalty of 25 percent.

217 (7) For the purpose of compensating the distributor for
 218 the keeping of prescribed records and the proper accounting and
 219 remitting of taxes imposed under this part, the distributor
 220 shall be allowed 1 percent of the amount of the tax due and
 221 accounted for and remitted to the division in the form of a
 222 deduction in submitting his or her report and paying the amount
 223 due; and the division shall allow such deduction of 1 percent of
 224 the amount of the tax to the person paying the same for
 225 remitting the tax in the manner herein provided, for paying the

226 amount due to be paid by him or her, and as further compensation
 227 to the distributor for the keeping of prescribed records and for
 228 collection of taxes and remitting the same.

229 (a) The collection allowance may not be granted, nor may
 230 any deduction be permitted, if the tax is delinquent at the time
 231 of payment.

232 (b) The division may reduce the collection allowance by 10
 233 percent or \$50, whichever is less, if a taxpayer files an
 234 incomplete report ~~return~~.

235 1. An "incomplete report ~~return~~" means ~~is~~, for purposes of
 236 this section ~~part~~, a report ~~return~~ which is lacking such
 237 uniformity, completeness, and arrangement that the physical
 238 handling, verification, or review of the report ~~return~~ may not
 239 be readily accomplished.

240 2. The division shall adopt rules requiring such
 241 information as it may deem necessary to ensure that the tax
 242 levied hereunder is properly collected, reviewed, compiled, and
 243 enforced, including, but not limited to: the amount of taxable
 244 sales; the amount of tax collected or due; the amount claimed as
 245 the collection allowance; the amount of penalty and interest;
 246 the amount due with the report ~~return~~; and such other
 247 information as the division may specify.

248 Section 3. Section 210.60, Florida Statutes, is amended to
 249 read:

250 210.60 Books, records, and invoices to be kept and

251 preserved; inspection by agents of division.—Every distributor
252 shall keep in each licensed place of business complete and
253 accurate records for that place of business, including itemized
254 invoices of tobacco products held, purchased, manufactured,
255 brought in or caused to be brought in from without the state, or
256 shipped or transported to retailers in this state, and of all
257 sales of tobacco products made, except sales to an ultimate
258 consumer. Such records shall show the names and addresses of
259 purchasers and other pertinent papers and documents relating to
260 the purchase, sale, or disposition of tobacco products. When a
261 licensed distributor sells tobacco products exclusively to
262 ultimate consumers at the addresses given in the license, no
263 invoice of those sales shall be required, but itemized invoices
264 shall be made of all tobacco products transferred to other
265 retail outlets owned or controlled by that licensed distributor.
266 All books, records and other papers, and other documents
267 required by this section to be kept shall be preserved for a
268 period of at least 3 years after the date of the documents, as
269 aforesaid, or the date of the entries thereof appearing in the
270 records, unless the division, in writing, authorizes their
271 destruction or disposal at an earlier date. At any time during
272 usual business hours, duly authorized agents or employees of the
273 division may enter any place of business of a distributor and
274 inspect the premises, the records required to be kept under this
275 part, and the tobacco products contained therein to determine

276 whether all the provisions of this part are being fully complied
277 with. Refusal to permit such inspection by a duly authorized
278 agent or employee of the division shall be grounds for
279 revocation of the license. Every person who sells tobacco
280 products to persons other than an ultimate consumer shall render
281 with each sale an itemized invoice showing the seller's name and
282 address, the purchaser's name and address, the date of sale, and
283 all prices and discounts. The seller shall preserve legible
284 copies of all such invoices for 3 years from the date of sale.
285 Every retailer shall produce itemized invoices of all tobacco
286 products purchased. The invoices shall show the name and address
287 of the seller and the date of purchase. The retailer shall
288 preserve a legible copy of each such invoice for 3 years from
289 the date of purchase. Invoices shall be available for inspection
290 by authorized agents or employees of the division at the
291 retailer's place of business. Any records required by this
292 section may be kept in an electronic or paper format.

293 Section 4. Subsection (3) of section 489.109, Florida
294 Statutes, is amended to read:

295 **489.109 Fees.—**

296 ~~(3) In addition to the fees provided in subsection (1) for~~
297 ~~application and renewal for certification and registration, all~~
298 ~~certificateholders and registrants must pay a fee of \$4 to the~~
299 ~~department at the time of application or renewal. The funds must~~
300 ~~be transferred at the end of each licensing period to the~~

301 ~~department to fund projects relating to the building~~
302 ~~construction industry or continuing education programs offered~~
303 ~~to persons engaged in the building construction industry in~~
304 ~~Florida, to be selected by the Florida Building Commission. The~~
305 ~~board shall, at the time the funds are transferred, advise the~~
306 ~~department on the most needed areas of research or continuing~~
307 ~~education based on significant changes in the industry's~~
308 ~~practices or on changes in the state building code or on the~~
309 ~~most common types of consumer complaints or on problems costing~~
310 ~~the state or local governmental entities substantial waste. The~~
311 ~~board's advice is not binding on the department. The department~~
312 ~~shall ensure the distribution of research reports and the~~
313 ~~availability of continuing education programs to all segments of~~
314 ~~the building construction industry to which they relate. The~~
315 ~~department shall report to the board in October of each year,~~
316 ~~summarizing the allocation of the funds by institution and~~
317 ~~summarizing the new projects funded and the status of previously~~
318 ~~funded projects.~~

319 Section 5. Section 489.118, Florida Statutes, is amended
320 to read:

321 489.118 Certification of registered contractors;
322 grandfathering provisions.—The board shall, upon receipt of a
323 completed application and appropriate fee, issue a certificate
324 in the appropriate category to any contractor registered under
325 this part who makes application to the board and can show that

326 he or she meets each of the following requirements:

327 (1) Currently holds a valid registered local license in
328 one of the contractor categories defined in s. 489.105(3)(a)-
329 (p).

330 (2) Has, for that category, passed a written examination
331 that the board finds to be substantially similar to the
332 examination required to be licensed as a certified contractor
333 under this part. For purposes of this subsection, a written,
334 proctored examination such as that produced by the National
335 Assessment Institute, Block and Associates, NAI/Block, Experior
336 Assessments, Professional Testing, Inc., or Assessment Systems,
337 Inc., shall be considered to be substantially similar to the
338 examination required to be licensed as a certified contractor.
339 The board may not impose or make any requirements regarding the
340 nature or content of these cited examinations.

341 (3) Has at least 5 years of experience as a contractor in
342 that contracting category, or as an inspector or building
343 administrator with oversight over that category, at the time of
344 application. For contractors, only time periods in which the
345 contractor license is active and the contractor is not on
346 probation shall count toward the 5 years required by this
347 subsection.

348 (4) Has not had his or her contractor's license revoked at
349 any time, had his or her contractor's license suspended within
350 the last 5 years, or been assessed a fine in excess of \$500

351 within the last 5 years.

352 (5) Is in compliance with the insurance and financial
353 responsibility requirements in s. 489.115(5).

354

355 ~~Applicants wishing to obtain a certificate pursuant to this~~
356 ~~section must make application by November 1, 2015.~~

357 Section 6. Subsection (3) of section 489.509, Florida
358 Statutes, is amended to read:

359 489.509 Fees.—

360 ~~(3) Four dollars of each fee under subsection (1) paid to~~
361 ~~the department at the time of application or renewal shall be~~
362 ~~transferred at the end of each licensing period to the~~
363 ~~department to fund projects relating to the building~~
364 ~~construction industry or continuing education programs offered~~
365 ~~to persons engaged in the building construction industry in~~
366 ~~Florida. The board shall, at the time the funds are transferred,~~
367 ~~advise the department on the most needed areas of research or~~
368 ~~continuing education based on significant changes in the~~
369 ~~industry's practices or on the most common types of consumer~~
370 ~~complaints or on problems costing the state or local~~
371 ~~governmental entities substantial waste. The board's advice is~~
372 ~~not binding on the department. The department shall ensure the~~
373 ~~distribution of research reports and the availability of~~
374 ~~continuing education programs to all segments of the building~~
375 ~~construction industry to which they relate. The department shall~~

376 ~~report to the board in October of each year, summarizing the~~
377 ~~allocation of the funds by institution and summarizing the new~~
378 ~~projects funded and the status of previously funded projects.~~

379 Section 7. Paragraph (p) of subsection (2) of section
380 499.01, Florida Statutes, is amended to read:

381 499.01 Permits.—

382 (2) The following permits are established:

383 (p) Cosmetic manufacturer permit.—A cosmetic manufacturer
384 permit is required for any person that manufactures or
385 repackages cosmetics in this state. A person that only labels or
386 changes the labeling of a cosmetic but does not open the
387 container sealed by the manufacturer of the product is exempt
388 from obtaining a permit under this paragraph. A person who
389 manufactures cosmetics and has annual gross sales of \$25,000 or
390 less is exempt from the permit requirements of this subsection.
391 Upon request, an exempt cosmetics manufacturer must provide to
392 the department written documentation to verify his or her annual
393 gross sales, including all sales of cosmetic products at any
394 location, regardless of the types of products sold or the number
395 of persons involved in the operation.

396 1. An exempt cosmetics manufacturer may only:

397 a. Sell prepackaged cosmetics affixed with a label
398 containing information required by the United States Food and
399 Drug Administration.

400 b. Manufacture and sell cosmetics that are soaps, not

401 otherwise exempt from the definition of cosmetics, lotions,
402 moisturizers, and creams.

403 c. Sell cosmetics that are not adulterated or misbranded
404 in accordance with 21 U.S.C. ss. 361 and 362.

405 d. Sell cosmetic products that are stored on the premises
406 of the cosmetic manufacturing operation.

407 2. Each unit of cosmetics manufactured under this
408 paragraph must contain in contrasting color and not less than
409 10-point, the following statement: "Made by a manufacturer
410 exempt from Florida's cosmetic manufacturing permit
411 requirements."

412 3. The department may investigate any complaint which
413 alleges that an exempt cosmetics manufacturer has violated an
414 applicable provision of this chapter or rule adopted under this
415 chapter. The department's authorized officer or employee may
416 enter and inspect the premises of an exempt cosmetic
417 manufacturer to determine compliance with this chapter and
418 department rules, as applicable. A refusal to permit entry to
419 the premises or to conduct an inspection is grounds for
420 disciplinary action pursuant to s. 499.005.

421 4. This paragraph does not exempt any person from any
422 state or federal tax law, rule, regulation, or certificate, or
423 from any county or municipal law or ordinance that applies to
424 cosmetic manufacturing.

425 Section 8. Paragraph (d) is added to subsection (6) of

426 section 499.012, Florida Statutes, to read:

427 499.012 Permit application requirements.—

428 (6) A permit issued by the department is nontransferable.
429 Each permit is valid only for the person or governmental unit to
430 which it is issued and is not subject to sale, assignment, or
431 other transfer, voluntarily or involuntarily; nor is a permit
432 valid for any establishment other than the establishment for
433 which it was originally issued.

434 (d) When an establishment that requires a permit pursuant
435 to this part submits an application to the department for a
436 change of ownership or controlling interest or a change of
437 location with the required fees under this subsection, the
438 establishment may also submit a request for a temporary permit
439 granting the establishment authority to operate for no more than
440 90 calendar days. The establishment must submit the request for
441 a temporary permit to the department on a form provided by the
442 department and obtain authorization to operate with the
443 temporary permit before operating under the change of ownership
444 or operating at the new location. Upon authorization of a
445 temporary permit, the existing permit at the location for which
446 the temporary permit is submitted is immediately null and void.
447 A temporary permit may not be extended and shall expire and
448 become null and void by operation of law without further action
449 by the department at 12:01 a.m. on the 91st day after the
450 department authorizes such permit. Upon expiration of the

451 temporary permit, the establishment may not continue to operate
452 under such permit.

453

454 The department may revoke the permit of any person that fails to
455 comply with the requirements of this subsection.

456 Section 9. Subsection (8) is added to section 499.066,
457 Florida Statutes, to read:

458 499.066 Penalties; remedies.—In addition to other
459 penalties and other enforcement provisions:

460 (8)(a) The department shall adopt rules to authorize the
461 issuance of a remedial, nondisciplinary citation. A citation
462 shall be issued to the person alleged to have committed a
463 violation and contain the person's name, address, and license
464 number, if applicable; a brief factual statement; the sections
465 of the law allegedly violated; and the monetary assessment and
466 or other remedial measures imposed. The person shall have 30
467 days after the citation is served to contest the citation by
468 providing supplemental and clarifying information to the
469 department. The citation must clearly state that the person may
470 choose, in lieu of accepting the citation, to have the
471 department rescind the citation and conduct an investigation
472 pursuant to s. 499.051 of only those alleged violations
473 contained in the citation. The citation shall be rescinded by
474 the department if the person remedies or corrects the violations
475 or deficiencies contained in the citation within 30 days after

476 the citation is served. If the person does not successfully
477 contest the citation to the satisfaction of the department, or
478 complete remedial action pursuant to this paragraph, the
479 citation becomes a final order and does not constitute
480 discipline.

481 (b) The department is entitled to recover the costs of
482 investigation, in addition to any penalty provided according to
483 department rule, as part of the penalty levied pursuant to a
484 citation.

485 (c) A citation must be issued within 6 months after the
486 filing of the complaint that is the basis for the citation.

487 (d) Service of a citation may be made by personal service
488 or certified mail, restricted delivery, to the person at the
489 person's last known address of record with the department, or to
490 the person's Florida registered agent.

491 (e) The department may adopt rules to designate those
492 violations for which a person is subject to the issuance of a
493 citation and the monetary assessments and or other remedial
494 measures that must be taken for those violations. Violations
495 designated as subject to issuance of a citation shall include
496 violations for which there is no substantial threat to the
497 public health, safety, or welfare. The department has continuous
498 authority to amend its rules adopted pursuant to this section.

499 Section 10. Section 548.003, Florida Statutes, is amended
500 to read:

501 548.003 Florida Athletic ~~State Boxing~~ Commission.—

502 (1) The Florida Athletic ~~State Boxing~~ Commission is

503 created and is assigned to the Department of Business and

504 Professional Regulation for administrative and fiscal

505 accountability purposes only. The ~~Florida State Boxing~~

506 commission shall consist of five members appointed by the

507 Governor, subject to confirmation by the Senate. One member must

508 be a physician licensed under ~~pursuant to~~ chapter 458 or chapter

509 459, who must maintain an unencumbered license in good standing,

510 and who must, at the time of her or his appointment, have

511 practiced medicine for at least 5 years. Upon the expiration of

512 the term of a commissioner, the Governor shall appoint a

513 successor to serve for a 4-year term. A commissioner whose term

514 has expired shall continue to serve on the commission until such

515 time as a replacement is appointed. If a vacancy on the

516 commission occurs before ~~prior to~~ the expiration of the term, it

517 shall be filled for the unexpired portion of the term in the

518 same manner as the original appointment.

519 (2) The ~~Florida State Boxing~~ commission, as created by

520 subsection (1), shall administer the provisions of this chapter.

521 The commission has authority to adopt rules pursuant to ss.

522 120.536(1) and 120.54 to implement the provisions of this

523 chapter and to implement each of the duties and responsibilities

524 conferred upon the commission, including, but not limited to:

525 (a) Development of an ethical code of conduct for

526 commissioners, commission staff, and commission officials.

527 (b) Facility and safety requirements relating to the ring,
 528 floor plan and apron seating, emergency medical equipment and
 529 services, and other equipment and services necessary for the
 530 conduct of a program of matches.

531 (c) Requirements regarding a participant's apparel,
 532 bandages, handwraps, gloves, mouthpiece, and appearance during a
 533 match.

534 (d) Requirements relating to a manager's participation,
 535 presence, and conduct during a match.

536 (e) Duties and responsibilities of all licensees under
 537 this chapter.

538 (f) Procedures for hearings and resolution of disputes.

539 (g) Qualifications for appointment of referees and judges.

540 (h) Qualifications for and appointment of chief inspectors
 541 and inspectors and duties and responsibilities of chief
 542 inspectors and inspectors with respect to oversight and
 543 coordination of activities for each program of matches regulated
 544 under this chapter.

545 (i) Setting fee and reimbursement schedules for referees
 546 and other officials appointed by the commission or the
 547 representative of the commission.

548 (j) Establishment of criteria for approval, disapproval,
 549 suspension of approval, and revocation of approval of amateur
 550 sanctioning organizations for amateur boxing, kickboxing, and

551 mixed martial arts held in this state, including, but not
552 limited to, the health and safety standards the organizations
553 use before, during, and after the matches to ensure the health,
554 safety, and well-being of the amateurs participating in the
555 matches, including the qualifications and numbers of health care
556 personnel required to be present, the qualifications required
557 for referees, and other requirements relating to the health,
558 safety, and well-being of the amateurs participating in the
559 matches. The commission may adopt by rule, or incorporate by
560 reference into rule, the health and safety standards of USA
561 Boxing as the minimum health and safety standards for an amateur
562 boxing sanctioning organization, the health and safety standards
563 of the International Sport Kickboxing Association as the minimum
564 health and safety standards for an amateur kickboxing
565 sanctioning organization, and the minimum health and safety
566 standards for an amateur mixed martial arts sanctioning
567 organization. The commission shall review its rules for
568 necessary revision at least every 2 years and may adopt by rule,
569 or incorporate by reference into rule, the then-existing current
570 health and safety standards of USA Boxing and the International
571 Sport Kickboxing Association. The commission may adopt emergency
572 rules to administer this paragraph.

573 (3) The commission shall maintain an office in
574 Tallahassee. At the first meeting of the commission after June 1
575 of each year, the commission shall select a chair and a vice

576 chair from among its membership. Three members shall constitute
577 a quorum and the concurrence of at least three members is
578 necessary for official commission action.

579 (4) Three consecutive unexcused absences or absences
580 constituting 50 percent or more of the commission's meetings
581 within any 12-month period shall cause the commission membership
582 of the member in question to become void, and the position shall
583 be considered vacant. The commission shall, by rule, define
584 unexcused absences.

585 (5) Each commission member shall be accountable to the
586 Governor for the proper performance of duties as a member of the
587 commission. The Governor shall cause to be investigated any
588 complaint or unfavorable report received by the Governor or the
589 department concerning an action of the commission or any member
590 and shall take appropriate action thereon. The Governor may
591 remove from office any member for malfeasance, unethical
592 conduct, misfeasance, neglect of duty, incompetence, permanent
593 inability to perform official duties, or pleading guilty or nolo
594 contendere to or being found guilty of a felony.

595 (6) Each member of the commission shall be compensated at
596 the rate of \$50 for each day she or he attends a commission
597 meeting and shall be reimbursed for other expenses as provided
598 in s. 112.061.

599 (7) The commission shall be authorized to join and
600 participate in the activities of the Association of Boxing

601 Commissions (ABC).

602 (8) The department shall provide all legal and
 603 investigative services necessary to implement this chapter. The
 604 department may adopt rules as provided in ss. 120.536(1) and
 605 120.54 to carry out its duties under this chapter.

606 Section 11. Subsection (3) of section 548.043, Florida
 607 Statutes, is amended to read:

608 548.043 Weights and classes, limitations; gloves.-

609 (3) The commission shall establish by rule the need for
 610 gloves, if any, and the weight of any such gloves to be used in
 611 each pugilistic match ~~the appropriate weight of gloves to be~~
 612 ~~used in each boxing match; however, all participants in boxing~~
 613 ~~matches shall wear gloves weighing not less than 8 ounces each~~
 614 ~~and participants in mixed martial arts matches shall wear gloves~~
 615 ~~weighing 4 to 8 ounces each.~~ Participants shall wear such
 616 protective devices as the commission deems necessary.

617 Section 12. Subsection (5) of section 553.841, Florida
 618 Statutes, is amended to read:

619 553.841 Building code compliance and mitigation program.-

620 ~~(5) Each biennium, upon receipt of funds by the Department~~
 621 ~~of Business and Professional Regulation from the Construction~~
 622 ~~Industry Licensing Board and the Electrical Contractors'~~
 623 ~~Licensing Board provided under ss. 489.109(3) and 489.509(3),~~
 624 ~~the department shall determine the amount of funds available for~~
 625 ~~the Florida Building Code Compliance and Mitigation Program.~~

626 Section 13. Subsection (20) of section 561.01, Florida
 627 Statutes, is amended to read:

628 561.01 Definitions.—As used in the Beverage Law:

629 ~~(20) "Permit carrier" means a licensee authorized to make~~
 630 ~~deliveries as provided in s. 561.57.~~

631 Section 14. Subsections (1) and (2) of section 561.17,
 632 Florida Statutes, are amended, and subsection (5) is added to
 633 that section, to read:

634 561.17 License and registration applications; approved
 635 person.—

636 (1) Any person, before engaging in the business of
 637 manufacturing, bottling, distributing, selling, or in any way
 638 dealing in alcoholic beverages, shall file, with the district
 639 licensing personnel of the district of the division in which the
 640 place of business for which a license is sought is located, a
 641 sworn application in the format prescribed by the division. The
 642 applicant must be a legal or business entity, person, or persons
 643 and must include all persons, officers, shareholders, and
 644 directors of such legal or business entity that have a direct or
 645 indirect interest in the business seeking to be licensed under
 646 this part. However, the applicant does not include any person
 647 that derives revenue from the license solely through a
 648 contractual relationship with the licensee, the substance of
 649 which contractual relationship is not related to the control of
 650 the sale of alcoholic beverages. Before any application is

651 approved, the division may require the applicant to file a set
652 of fingerprints electronically through an approved electronic
653 fingerprinting vendor or on ~~regular United States Department of~~
654 ~~Justice~~ forms prescribed by the Florida Department of Law
655 Enforcement for herself or himself and for any person or persons
656 interested directly or indirectly with the applicant in the
657 business for which the license is being sought, when required by
658 the division. If the applicant or any person who is interested
659 with the applicant either directly or indirectly in the business
660 or who has a security interest in the license being sought or
661 has a right to a percentage payment from the proceeds of the
662 business, either by lease or otherwise, is not qualified, the
663 division shall deny the application. However, any company
664 regularly traded on a national securities exchange and not over
665 the counter; any insurer, as defined in the Florida Insurance
666 Code; or any bank or savings and loan association chartered by
667 this state, another state, or the United States which has an
668 interest, directly or indirectly, in an alcoholic beverage
669 license is not required to obtain the division's approval of its
670 officers, directors, or stockholders or any change of such
671 positions or interests. A shopping center with five or more
672 stores, one or more of which has an alcoholic beverage license
673 and is required under a lease common to all shopping center
674 tenants to pay no more than 10 percent of the gross proceeds of
675 the business holding the license to the shopping center, is not

676 considered as having an interest, directly or indirectly, in the
677 license. A performing arts center, as defined in s. 561.01,
678 which has an interest, directly or indirectly, in an alcoholic
679 beverage license is not required to obtain division approval of
680 its volunteer officers or directors or of any change in such
681 positions or interests.

682 (2) All applications for any alcoholic beverage license
683 must be accompanied by proof of the applicant's right of
684 occupancy for the entire premises sought to be licensed. All
685 applications for alcoholic beverage licenses for consumption on
686 the premises shall be accompanied by a certificate of the
687 Division of Hotels and Restaurants of the Department of Business
688 and Professional Regulation, the Department of Agriculture and
689 Consumer Services, the Department of Health, the Agency for
690 Health Care Administration, or the county health department that
691 the place of business wherein the business is to be conducted
692 meets all of the sanitary requirements of the state.

693 (5) Any person or entity licensed or permitted by the
694 division must provide an electronic mail address to the division
695 to function as the primary contact for all communication by the
696 division to the licensee or permittees. Licensees and permittees
697 are responsible for maintaining accurate contact information on
698 file with the division.

699 Section 15. Paragraph (a) of subsection (2) of section
700 561.19, Florida Statutes, is amended to read:

701 561.19 License issuance upon approval of division.—
702 (2) (a) When beverage licenses become available by reason
703 of an increase in the population of a county, by reason of a
704 county permitting the sale of intoxicating beverages when such
705 sale had been prohibited, or by reason of the cancellation or
706 revocation of a quota beverage license, the division, if there
707 are more applicants than the number of available licenses, shall
708 provide a method of double random selection by public drawing to
709 determine which applicants shall be considered for issuance of
710 licenses. The double random selection drawing method shall allow
711 each applicant whose application is complete and does not
712 disclose on its face any matter rendering the applicant
713 ineligible an equal opportunity of obtaining an available
714 license. After all applications are filed with the director, the
715 director shall then determine by random selection drawing the
716 order in which each applicant's name shall be matched with a
717 number selected by random drawing, and that number shall
718 determine the order in which the applicant will be considered
719 for a license. This paragraph does not prohibit a person holding
720 a perfected lien or security interest in a quota alcoholic
721 beverage license, in accordance with s. 561.65, from enforcing
722 the lien or security interest against the license within 180
723 days after a final order of revocation or suspension. A revoked
724 quota alcoholic beverage license encumbered by a lien or
725 security interest, perfected pursuant to s. 561.65, may not be

726 | issued under this subsection until the 180-day period has
 727 | elapsed or until such enforcement proceeding is final.

728 | Section 16. Paragraph (a) of subsection (2) of section
 729 | 561.20, Florida Statutes, is amended to read:

730 | 561.20 Limitation upon number of licenses issued.—

731 | (2) (a) The limitation of the number of licenses as
 732 | provided in this section does not prohibit the issuance of a
 733 | special license to:

734 | 1. Any bona fide hotel, motel, or motor court of not fewer
 735 | than 80 guest rooms in any county having a population of less
 736 | than 50,000 residents, and of not fewer than 100 guest rooms in
 737 | any county having a population of 50,000 residents or greater;
 738 | or any bona fide hotel or motel located in a historic structure,
 739 | as defined in s. 561.01(20) ~~s. 561.01(21)~~, with fewer than 100
 740 | guest rooms which derives at least 51 percent of its gross
 741 | revenue from the rental of hotel or motel rooms, which is
 742 | licensed as a public lodging establishment by the Division of
 743 | Hotels and Restaurants; provided, however, that a bona fide
 744 | hotel or motel with no fewer than 10 and no more than 25 guest
 745 | rooms which is a historic structure, as defined in s. 561.01(20)
 746 | ~~s. 561.01(21)~~, in a municipality that on the effective date of
 747 | this act has a population, according to the University of
 748 | Florida's Bureau of Economic and Business Research Estimates of
 749 | Population for 1998, of no fewer than 25,000 and no more than
 750 | 35,000 residents and that is within a constitutionally chartered

751 county may be issued a special license. This special license
752 shall allow the sale and consumption of alcoholic beverages only
753 on the licensed premises of the hotel or motel. In addition, the
754 hotel or motel must derive at least 60 percent of its gross
755 revenue from the rental of hotel or motel rooms and the sale of
756 food and nonalcoholic beverages; provided that this subparagraph
757 shall supersede local laws requiring a greater number of hotel
758 rooms;

759 2. Any condominium accommodation of which no fewer than
760 100 condominium units are wholly rentable to transients and
761 which is licensed under chapter 509, except that the license
762 shall be issued only to the person or corporation that operates
763 the hotel or motel operation and not to the association of
764 condominium owners;

765 3. Any condominium accommodation of which no fewer than 50
766 condominium units are wholly rentable to transients, which is
767 licensed under chapter 509, and which is located in any county
768 having home rule under s. 10 or s. 11, Art. VIII of the State
769 Constitution of 1885, as amended, and incorporated by reference
770 in s. 6(e), Art. VIII of the State Constitution, except that the
771 license shall be issued only to the person or corporation that
772 operates the hotel or motel operation and not to the association
773 of condominium owners;

774 4. A food service establishment that has 2,500 square feet
775 of service area, is equipped to serve meals to 150 persons at

776 one time, and derives at least 51 percent of its gross food and
777 beverage revenue from the sale of food and nonalcoholic
778 beverages during the first 120-day ~~60-day~~ operating period and
779 the first ~~each~~ 12-month operating period thereafter. Subsequent
780 audit timeframes must be based upon the audit percentage
781 established by the most recent audit and conducted on a
782 staggered scale as follows: level 1, 51 percent to 60 percent,
783 every year; level 2, 61 percent to 75 percent, every 2 years;
784 level 3, 76 percent to 90 percent, every 3 years; and level 4,
785 91 percent to 100 percent, every 4 years. A food service
786 establishment granted a special license on or after January 1,
787 1958, pursuant to general or special law may not operate as a
788 package store and may not sell intoxicating beverages under such
789 license after the hours of serving or consumption of food have
790 elapsed. Failure by a licensee to meet the required percentage
791 of food and nonalcoholic beverage gross revenues during the
792 covered operating period shall result in revocation of the
793 license or denial of the pending license application. A licensee
794 whose license is revoked or an applicant whose pending
795 application is denied, or any person required to qualify on the
796 special license application, is ineligible to have any interest
797 in a subsequent application for such a license for a period of
798 120 days after the date of the final denial or revocation;
799 5. Any caterer, deriving at least 51 percent of its gross
800 food and beverage revenue from the sale of food and nonalcoholic

801 beverages at each catered event, licensed by the Division of
802 Hotels and Restaurants under chapter 509. This subparagraph does
803 not apply to a culinary education program, as defined in s.
804 381.0072(2), which is licensed as a public food service
805 establishment by the Division of Hotels and Restaurants and
806 provides catering services. Notwithstanding any law to the
807 contrary, a licensee under this subparagraph shall sell or serve
808 alcoholic beverages only for consumption on the premises of a
809 catered event at which the licensee is also providing prepared
810 food, and shall prominently display its license at any catered
811 event at which the caterer is selling or serving alcoholic
812 beverages. A licensee under this subparagraph shall purchase all
813 alcoholic beverages it sells or serves at a catered event from a
814 vendor licensed under s. 563.02(1), s. 564.02(1), or licensed
815 under s. 565.02(1) subject to the limitation imposed in
816 subsection (1), as appropriate. A licensee under this
817 subparagraph may not store any alcoholic beverages to be sold or
818 served at a catered event. Any alcoholic beverages purchased by
819 a licensee under this subparagraph for a catered event that are
820 not used at that event must remain with the customer; provided
821 that if the vendor accepts unopened alcoholic beverages, the
822 licensee may return such alcoholic beverages to the vendor for a
823 credit or reimbursement. Regardless of the county or counties in
824 which the licensee operates, a licensee under this subparagraph
825 shall pay the annual state license tax set forth in s.

826 565.02(1)(b). A licensee under this subparagraph must maintain
827 for a period of 3 years all records and receipts for each
828 catered event, including all contracts, customers' names, event
829 locations, event dates, food purchases and sales, alcoholic
830 beverage purchases and sales, nonalcoholic beverage purchases
831 and sales, and any other records required by the department by
832 rule to demonstrate compliance with the requirements of this
833 subparagraph. Notwithstanding any law to the contrary, any
834 vendor licensed under s. 565.02(1) subject to the limitation
835 imposed in subsection (1), may, without any additional licensure
836 under this subparagraph, serve or sell alcoholic beverages for
837 consumption on the premises of a catered event at which prepared
838 food is provided by a caterer licensed under chapter 509. If a
839 licensee under this subparagraph also possesses any other
840 license under the Beverage Law, the license issued under this
841 subparagraph may ~~shall~~ not authorize the holder to conduct
842 activities on the premises to which the other license or
843 licenses apply that would otherwise be prohibited by the terms
844 of that license or the Beverage Law. Nothing in this section
845 shall permit the licensee to conduct activities that are
846 otherwise prohibited by the Beverage Law or local law. The
847 Division of Alcoholic Beverages and Tobacco is hereby authorized
848 to adopt rules to administer the license created in this
849 subparagraph, to include rules governing licensure,
850 recordkeeping, and enforcement. The first \$300,000 in fees

851 collected by the division each fiscal year pursuant to this
852 subparagraph shall be deposited in the Department of Children
853 and Families' Operations and Maintenance Trust Fund to be used
854 only for alcohol and drug abuse education, treatment, and
855 prevention programs. The remainder of the fees collected shall
856 be deposited into the Hotel and Restaurant Trust Fund created
857 pursuant to s. 509.072; or

858 6. A culinary education program as defined in s.
859 381.0072(2) which is licensed as a public food service
860 establishment by the Division of Hotels and Restaurants.

861 a. This special license shall allow the sale and
862 consumption of alcoholic beverages on the licensed premises of
863 the culinary education program. The culinary education program
864 shall specify designated areas in the facility where the
865 alcoholic beverages may be consumed at the time of application.
866 Alcoholic beverages sold for consumption on the premises may be
867 consumed only in areas designated pursuant to s. 561.01(11) and
868 may not be removed from the designated area. Such license shall
869 be applicable only in and for designated areas used by the
870 culinary education program.

871 b. If the culinary education program provides catering
872 services, this special license shall also allow the sale and
873 consumption of alcoholic beverages on the premises of a catered
874 event at which the licensee is also providing prepared food. A
875 culinary education program that provides catering services is

876 | not required to derive at least 51 percent of its gross revenue
877 | from the sale of food and nonalcoholic beverages.
878 | Notwithstanding any law to the contrary, a licensee that
879 | provides catering services under this sub-subparagraph shall
880 | prominently display its beverage license at any catered event at
881 | which the caterer is selling or serving alcoholic beverages.
882 | Regardless of the county or counties in which the licensee
883 | operates, a licensee under this sub-subparagraph shall pay the
884 | annual state license tax set forth in s. 565.02(1)(b). A
885 | licensee under this sub-subparagraph must maintain for a period
886 | of 3 years all records required by the department by rule to
887 | demonstrate compliance with the requirements of this sub-
888 | subparagraph.

889 | c. If a licensee under this subparagraph also possesses
890 | any other license under the Beverage Law, the license issued
891 | under this subparagraph does not authorize the holder to conduct
892 | activities on the premises to which the other license or
893 | licenses apply that would otherwise be prohibited by the terms
894 | of that license or the Beverage Law. Nothing in this
895 | subparagraph shall permit the licensee to conduct activities
896 | that are otherwise prohibited by the Beverage Law or local law.
897 | Any culinary education program that holds a license to sell
898 | alcoholic beverages shall comply with the age requirements set
899 | forth in ss. 562.11(4), 562.111(2), and 562.13.

900 | d. The Division of Alcoholic Beverages and Tobacco may

901 adopt rules to administer the license created in this
902 subparagraph, to include rules governing licensure,
903 recordkeeping, and enforcement.

904 e. A license issued pursuant to this subparagraph does not
905 permit the licensee to sell alcoholic beverages by the package
906 for off-premises consumption.

907
908 However, any license heretofore issued to any such hotel, motel,
909 motor court, or restaurant or hereafter issued to any such
910 hotel, motel, or motor court, including a condominium
911 accommodation, under the general law shall not be moved to a new
912 location, such license being valid only on the premises of such
913 hotel, motel, motor court, or restaurant. Licenses issued to
914 hotels, motels, motor courts, or restaurants under the general
915 law and held by such hotels, motels, motor courts, or
916 restaurants on May 24, 1947, shall be counted in the quota
917 limitation contained in subsection (1). Any license issued for
918 any hotel, motel, or motor court under this law shall be issued
919 only to the owner of the hotel, motel, or motor court or, in the
920 event the hotel, motel, or motor court is leased, to the lessee
921 of the hotel, motel, or motor court; and the license shall
922 remain in the name of the owner or lessee so long as the license
923 is in existence. Any special license now in existence heretofore
924 issued under this law cannot be renewed except in the name of
925 the owner of the hotel, motel, motor court, or restaurant or, in

926 the event the hotel, motel, motor court, or restaurant is
927 leased, in the name of the lessee of the hotel, motel, motor
928 court, or restaurant in which the license is located and must
929 remain in the name of the owner or lessee so long as the license
930 is in existence. Any license issued under this section shall be
931 marked "Special," and nothing herein provided shall limit,
932 restrict, or prevent the issuance of a special license for any
933 restaurant or motel which shall hereafter meet the requirements
934 of the law existing immediately prior to the effective date of
935 this act, if construction of such restaurant has commenced prior
936 to the effective date of this act and is completed within 30
937 days thereafter, or if an application is on file for such
938 special license at the time this act takes effect; and any such
939 licenses issued under this proviso may be annually renewed as
940 now provided by law. Nothing herein prevents an application for
941 transfer of a license to a bona fide purchaser of any hotel,
942 motel, motor court, or restaurant by the purchaser of such
943 facility or the transfer of such license pursuant to law.

944 Section 17. Subsection (4) of section 561.42, Florida
945 Statutes, is amended to read:

946 561.42 Tied house evil; financial aid and assistance to
947 vendor by manufacturer, distributor, importer, primary American
948 source of supply, brand owner or registrant, or any broker,
949 sales agent, or sales person thereof, prohibited; procedure for
950 enforcement; exception.—

951 (4) Before the division shall so declare and prohibit such
952 sales to such vendor, ~~it shall~~, within 2 days after receipt of
953 such notice, the division shall give ~~written~~ notice to such
954 vendor by electronic mail of the receipt by the division of such
955 notification of delinquency and such vendor shall be directed to
956 forthwith make payment thereof or, upon failure to do so, to
957 show cause before the division why further sales to such vendor
958 may shall not be prohibited. Good and sufficient cause to
959 prevent such action by the division may be made by showing
960 payment, failure of consideration, or any other defense which
961 would be considered sufficient in a common-law action. The
962 vendor shall have 5 days after service receipt of such notice
963 via electronic mail within which to show such cause, and he or
964 she may demand a hearing thereon, provided he or she does so in
965 writing within said 5 days, such written demand to be delivered
966 to the division either in person, by electronic mail, or by due
967 course of mail within such 5 days. If no such demand for hearing
968 is made, the division shall thereupon declare in writing to such
969 vendor and to all manufacturers and distributors within the
970 state that all further sales to such vendor are prohibited until
971 such time as the division certifies in writing that such vendor
972 has fully paid for all liquors previously purchased. In the
973 event such prohibition of sales and declaration thereof to the
974 vendor, manufacturers, and distributors is ordered by the
975 division, the vendor may seek review of such decision by the

976 Department of Business and Professional Regulation within 5
 977 days. In the event application for such review is filed within
 978 such time, such prohibition of sales may ~~shall~~ not be made,
 979 published, or declared until final disposition of such review by
 980 the department.

981 Section 18. Subsection (2) of section 561.55, Florida
 982 Statutes, is amended to read:

983 561.55 Manufacturers', distributors', brokers', sales
 984 agents', importers', vendors', and exporters' records and
 985 reports.—

986 (2) Each manufacturer, distributor, broker, sales agent,
 987 and importer shall make a full and complete report by the 10th
 988 day of each month for the previous calendar month. The report
 989 must be ~~shall be made out in triplicate; two copies shall be~~
 990 ~~sent to the division, and the third copy shall be retained for~~
 991 ~~the manufacturer's, distributor's, broker's, sales agent's, or~~
 992 ~~importer's record. Reports shall be made on forms prepared and~~
 993 ~~furnished by the division~~ and filed with the division through
 994 the division's electronic data submission system.

995 Section 19. Section 562.455, Florida Statutes, is amended
 996 to read:

997 562.455 Adulterating liquor; penalty.—Whoever adulterates,
 998 for the purpose of sale, any liquor, used or intended for drink,
 999 with cocculus indicus, vitriol, ~~grains of paradise,~~ opium, alum,
 1000 capsicum, copperas, laurel water, logwood, brazil wood,

1001 cochineal, sugar of lead, or any other substance which is
 1002 poisonous or injurious to health, and whoever knowingly sells
 1003 any liquor so adulterated, commits ~~shall be guilty of~~ a felony
 1004 of the third degree, punishable as provided in s. 775.082, s.
 1005 775.083, or s. 775.084.

1006 Section 20. Paragraphs (d) and (f) of subsection (2) of
 1007 section 718.112, Florida Statutes, are amended to read:

1008 718.112 Bylaws.—

1009 (2) REQUIRED PROVISIONS.—The bylaws shall provide for the
 1010 following and, if they do not do so, shall be deemed to include
 1011 the following:

1012 (d) *Unit owner meetings.*—

1013 1. An annual meeting of the unit owners must be held at
 1014 the location provided in the association bylaws and, if the
 1015 bylaws are silent as to the location, the meeting must be held
 1016 within 45 miles of the condominium property. However, such
 1017 distance requirement does not apply to an association governing
 1018 a timeshare condominium.

1019 2. Unless the bylaws provide otherwise, a vacancy on the
 1020 board caused by the expiration of a director's term must be
 1021 filled by electing a new board member, and the election must be
 1022 by secret ballot. An election is not required if the number of
 1023 vacancies equals or exceeds the number of candidates. For
 1024 purposes of this paragraph, the term "candidate" means an
 1025 eligible person who has timely submitted the written notice, as

1026 described in sub-subparagraph 4.a., of his or her intention to
1027 become a candidate. Except in a timeshare or nonresidential
1028 condominium, or if the staggered term of a board member does not
1029 expire until a later annual meeting, or if all members' terms
1030 would otherwise expire but there are no candidates, the terms of
1031 all board members expire at the annual meeting, and such members
1032 may stand for reelection unless prohibited by the bylaws. Board
1033 members may serve terms longer than 1 year if permitted by the
1034 bylaws or articles of incorporation. A board member may not
1035 serve more than 8 consecutive years unless approved by an
1036 affirmative vote of unit owners representing two-thirds of all
1037 votes cast in the election or unless there are not enough
1038 eligible candidates to fill the vacancies on the board at the
1039 time of the vacancy. If the number of board members whose terms
1040 expire at the annual meeting equals or exceeds the number of
1041 candidates, the candidates become members of the board effective
1042 upon the adjournment of the annual meeting. Unless the bylaws
1043 provide otherwise, any remaining vacancies shall be filled by
1044 the affirmative vote of the majority of the directors making up
1045 the newly constituted board even if the directors constitute
1046 less than a quorum or there is only one director. In a
1047 residential condominium association of more than 10 units or in
1048 a residential condominium association that does not include
1049 timeshare units or timeshare interests, co-owners of a unit may
1050 not serve as members of the board of directors at the same time

1051 unless they own more than one unit or unless there are not
 1052 enough eligible candidates to fill the vacancies on the board at
 1053 the time of the vacancy. A unit owner in a residential
 1054 condominium desiring to be a candidate for board membership must
 1055 comply with sub-subparagraph 4.a. and must be eligible to be a
 1056 candidate to serve on the board of directors at the time of the
 1057 deadline for submitting a notice of intent to run in order to
 1058 have his or her name listed as a proper candidate on the ballot
 1059 or to serve on the board. A person who has been suspended or
 1060 removed by the division under this chapter, or who is delinquent
 1061 in the payment of any assessment ~~monetary obligation~~ due to the
 1062 association, is not eligible to be a candidate for board
 1063 membership and may not be listed on the ballot. For purposes of
 1064 this paragraph, a person is delinquent if a payment is not made
 1065 by the due date as specifically identified in the declaration of
 1066 condominium, bylaws, or articles of incorporation. If a due date
 1067 is not specifically identified in the declaration of
 1068 condominium, bylaws, or articles of incorporation, the due date
 1069 is the first day of the assessment period. A person who has been
 1070 convicted of any felony in this state or in a United States
 1071 District or Territorial Court, or who has been convicted of any
 1072 offense in another jurisdiction which would be considered a
 1073 felony if committed in this state, is not eligible for board
 1074 membership unless such felon's civil rights have been restored
 1075 for at least 5 years as of the date such person seeks election

1076 to the board. The validity of an action by the board is not
1077 affected if it is later determined that a board member is
1078 ineligible for board membership due to having been convicted of
1079 a felony. This subparagraph does not limit the term of a member
1080 of the board of a nonresidential or timeshare condominium.

1081 3. The bylaws must provide the method of calling meetings
1082 of unit owners, including annual meetings. Written notice must
1083 include an agenda, must be mailed, hand delivered, or
1084 electronically transmitted to each unit owner at least 14 days
1085 before the annual meeting, and must be posted in a conspicuous
1086 place on the condominium property at least 14 continuous days
1087 before the annual meeting. Upon notice to the unit owners, the
1088 board shall, by duly adopted rule, designate a specific location
1089 on the condominium property where all notices of unit owner
1090 meetings must be posted. This requirement does not apply if
1091 there is no condominium property for posting notices. In lieu
1092 of, or in addition to, the physical posting of meeting notices,
1093 the association may, by reasonable rule, adopt a procedure for
1094 conspicuously posting and repeatedly broadcasting the notice and
1095 the agenda on a closed-circuit cable television system serving
1096 the condominium association. However, if broadcast notice is
1097 used in lieu of a notice posted physically on the condominium
1098 property, the notice and agenda must be broadcast at least four
1099 times every broadcast hour of each day that a posted notice is
1100 otherwise required under this section. If broadcast notice is

1101 provided, the notice and agenda must be broadcast in a manner
1102 and for a sufficient continuous length of time so as to allow an
1103 average reader to observe the notice and read and comprehend the
1104 entire content of the notice and the agenda. In addition to any
1105 of the authorized means of providing notice of a meeting of the
1106 board, the association may, by rule, adopt a procedure for
1107 conspicuously posting the meeting notice and the agenda on a
1108 website serving the condominium association for at least the
1109 minimum period of time for which a notice of a meeting is also
1110 required to be physically posted on the condominium property.
1111 Any rule adopted shall, in addition to other matters, include a
1112 requirement that the association send an electronic notice in
1113 the same manner as a notice for a meeting of the members, which
1114 must include a hyperlink to the website where the notice is
1115 posted, to unit owners whose e-mail addresses are included in
1116 the association's official records. Unless a unit owner waives
1117 in writing the right to receive notice of the annual meeting,
1118 such notice must be hand delivered, mailed, or electronically
1119 transmitted to each unit owner. Notice for meetings and notice
1120 for all other purposes must be mailed to each unit owner at the
1121 address last furnished to the association by the unit owner, or
1122 hand delivered to each unit owner. However, if a unit is owned
1123 by more than one person, the association must provide notice to
1124 the address that the developer identifies for that purpose and
1125 thereafter as one or more of the owners of the unit advise the

1126 association in writing, or if no address is given or the owners
1127 of the unit do not agree, to the address provided on the deed of
1128 record. An officer of the association, or the manager or other
1129 person providing notice of the association meeting, must provide
1130 an affidavit or United States Postal Service certificate of
1131 mailing, to be included in the official records of the
1132 association affirming that the notice was mailed or hand
1133 delivered in accordance with this provision.

1134 4. The members of the board of a residential condominium
1135 shall be elected by written ballot or voting machine. Proxies
1136 may not be used in electing the board in general elections or
1137 elections to fill vacancies caused by recall, resignation, or
1138 otherwise, unless otherwise provided in this chapter. This
1139 subparagraph does not apply to an association governing a
1140 timeshare condominium.

1141 a. At least 60 days before a scheduled election, the
1142 association shall mail, deliver, or electronically transmit, by
1143 separate association mailing or included in another association
1144 mailing, delivery, or transmission, including regularly
1145 published newsletters, to each unit owner entitled to a vote, a
1146 first notice of the date of the election. A unit owner or other
1147 eligible person desiring to be a candidate for the board must
1148 give written notice of his or her intent to be a candidate to
1149 the association at least 40 days before a scheduled election.
1150 Together with the written notice and agenda as set forth in

1151 | subparagraph 3., the association shall mail, deliver, or
1152 | electronically transmit a second notice of the election to all
1153 | unit owners entitled to vote, together with a ballot that lists
1154 | all candidates. Upon request of a candidate, an information
1155 | sheet, no larger than 8 1/2 inches by 11 inches, which must be
1156 | furnished by the candidate at least 35 days before the election,
1157 | must be included with the mailing, delivery, or transmission of
1158 | the ballot, with the costs of mailing, delivery, or electronic
1159 | transmission and copying to be borne by the association. The
1160 | association is not liable for the contents of the information
1161 | sheets prepared by the candidates. In order to reduce costs, the
1162 | association may print or duplicate the information sheets on
1163 | both sides of the paper. The division shall by rule establish
1164 | voting procedures consistent with this sub-subparagraph,
1165 | including rules establishing procedures for giving notice by
1166 | electronic transmission and rules providing for the secrecy of
1167 | ballots. Elections shall be decided by a plurality of ballots
1168 | cast. There is no quorum requirement; however, at least 20
1169 | percent of the eligible voters must cast a ballot in order to
1170 | have a valid election. A unit owner may not authorize any other
1171 | person to vote his or her ballot, and any ballots improperly
1172 | cast are invalid. A unit owner who violates this provision may
1173 | be fined by the association in accordance with s. 718.303. A
1174 | unit owner who needs assistance in casting the ballot for the
1175 | reasons stated in s. 101.051 may obtain such assistance. The

1176 regular election must occur on the date of the annual meeting.
1177 Notwithstanding this sub-subparagraph, an election is not
1178 required unless more candidates file notices of intent to run or
1179 are nominated than board vacancies exist.

1180 b. Within 90 days after being elected or appointed to the
1181 board of an association of a residential condominium, each newly
1182 elected or appointed director shall certify in writing to the
1183 secretary of the association that he or she has read the
1184 association's declaration of condominium, articles of
1185 incorporation, bylaws, and current written policies; that he or
1186 she will work to uphold such documents and policies to the best
1187 of his or her ability; and that he or she will faithfully
1188 discharge his or her fiduciary responsibility to the
1189 association's members. In lieu of this written certification,
1190 within 90 days after being elected or appointed to the board,
1191 the newly elected or appointed director may submit a certificate
1192 of having satisfactorily completed the educational curriculum
1193 administered by a division-approved condominium education
1194 provider within 1 year before or 90 days after the date of
1195 election or appointment. The written certification or
1196 educational certificate is valid and does not have to be
1197 resubmitted as long as the director serves on the board without
1198 interruption. A director of an association of a residential
1199 condominium who fails to timely file the written certification
1200 or educational certificate is suspended from service on the

1201 board until he or she complies with this sub-subparagraph. The
1202 board may temporarily fill the vacancy during the period of
1203 suspension. The secretary shall cause the association to retain
1204 a director's written certification or educational certificate
1205 for inspection by the members for 5 years after a director's
1206 election or the duration of the director's uninterrupted tenure,
1207 whichever is longer. Failure to have such written certification
1208 or educational certificate on file does not affect the validity
1209 of any board action.

1210 c. Any challenge to the election process must be commenced
1211 within 60 days after the election results are announced.

1212 5. Any approval by unit owners called for by this chapter
1213 or the applicable declaration or bylaws, including, but not
1214 limited to, the approval requirement in s. 718.111(8), must be
1215 made at a duly noticed meeting of unit owners and is subject to
1216 all requirements of this chapter or the applicable condominium
1217 documents relating to unit owner decisionmaking, except that
1218 unit owners may take action by written agreement, without
1219 meetings, on matters for which action by written agreement
1220 without meetings is expressly allowed by the applicable bylaws
1221 or declaration or any law that provides for such action.

1222 6. Unit owners may waive notice of specific meetings if
1223 allowed by the applicable bylaws or declaration or any law.
1224 Notice of meetings of the board of administration, unit owner
1225 meetings, except unit owner meetings called to recall board

1226 members under paragraph (j), and committee meetings may be given
1227 by electronic transmission to unit owners who consent to receive
1228 notice by electronic transmission. A unit owner who consents to
1229 receiving notices by electronic transmission is solely
1230 responsible for removing or bypassing filters that block receipt
1231 of mass emails sent to members on behalf of the association in
1232 the course of giving electronic notices.

1233 7. Unit owners have the right to participate in meetings
1234 of unit owners with reference to all designated agenda items.
1235 However, the association may adopt reasonable rules governing
1236 the frequency, duration, and manner of unit owner participation.

1237 8. A unit owner may tape record or videotape a meeting of
1238 the unit owners subject to reasonable rules adopted by the
1239 division.

1240 9. Unless otherwise provided in the bylaws, any vacancy
1241 occurring on the board before the expiration of a term may be
1242 filled by the affirmative vote of the majority of the remaining
1243 directors, even if the remaining directors constitute less than
1244 a quorum, or by the sole remaining director. In the alternative,
1245 a board may hold an election to fill the vacancy, in which case
1246 the election procedures must conform to sub-subparagraph 4.a.
1247 unless the association governs 10 units or fewer and has opted
1248 out of the statutory election process, in which case the bylaws
1249 of the association control. Unless otherwise provided in the
1250 bylaws, a board member appointed or elected under this section

1251 shall fill the vacancy for the unexpired term of the seat being
 1252 filled. Filling vacancies created by recall is governed by
 1253 paragraph (j) and rules adopted by the division.

1254 10. This chapter does not limit the use of general or
 1255 limited proxies, require the use of general or limited proxies,
 1256 or require the use of a written ballot or voting machine for any
 1257 agenda item or election at any meeting of a timeshare
 1258 condominium association or nonresidential condominium
 1259 association.

1260
 1261 Notwithstanding subparagraph (b)2. and sub-subparagraph 4.a., an
 1262 association of 10 or fewer units may, by affirmative vote of a
 1263 majority of the total voting interests, provide for different
 1264 voting and election procedures in its bylaws, which may be by a
 1265 proxy specifically delineating the different voting and election
 1266 procedures. The different voting and election procedures may
 1267 provide for elections to be conducted by limited or general
 1268 proxy.

1269 (f) *Annual budget.*—

1270 1. The proposed annual budget of estimated revenues and
 1271 expenses must be detailed and must show the amounts budgeted by
 1272 accounts and expense classifications, including, at a minimum,
 1273 any applicable expenses listed in s. 718.504(21). The annual
 1274 budget must be proposed to unit owners and adopted by the board
 1275 of directors no later than 30 days before the beginning of the

1276 fiscal year. A multicondominium association shall adopt a
1277 separate budget of common expenses for each condominium the
1278 association operates and shall adopt a separate budget of common
1279 expenses for the association. In addition, if the association
1280 maintains limited common elements with the cost to be shared
1281 only by those entitled to use the limited common elements as
1282 provided for in s. 718.113(1), the budget or a schedule attached
1283 to it must show the amount budgeted for this maintenance. If,
1284 after turnover of control of the association to the unit owners,
1285 any of the expenses listed in s. 718.504(21) are not applicable,
1286 they need not be listed.

1287 2.a. In addition to annual operating expenses, the budget
1288 must include reserve accounts for capital expenditures and
1289 deferred maintenance. These accounts must include, but are not
1290 limited to, roof replacement, building painting, and pavement
1291 resurfacing, regardless of the amount of deferred maintenance
1292 expense or replacement cost, and any other item that has a
1293 deferred maintenance expense or replacement cost that exceeds
1294 \$10,000. The amount to be reserved must be computed using a
1295 formula based upon estimated remaining useful life and estimated
1296 replacement cost or deferred maintenance expense of each reserve
1297 item. The association may adjust replacement reserve assessments
1298 annually to take into account any changes in estimates or
1299 extension of the useful life of a reserve item caused by
1300 deferred maintenance. This subsection does not apply to an

1301 adopted budget in which the members of an association have
 1302 determined, by a majority vote at a duly called meeting of the
 1303 association, to provide no reserves or less reserves than
 1304 required by this subsection.

1305 b. Before turnover of control of an association by a
 1306 developer to unit owners other than a developer pursuant to s.
 1307 718.301, the developer may vote the voting interests allocated
 1308 to its units to waive the reserves or reduce the funding of
 1309 reserves through the period expiring at the end of the second
 1310 fiscal year after the fiscal year in which the certificate of a
 1311 surveyor and mapper is recorded pursuant to s. 718.104(4)(e) or
 1312 an instrument that transfers title to a unit in the condominium
 1313 which is not accompanied by a recorded assignment of developer
 1314 rights in favor of the grantee of such unit is recorded,
 1315 whichever occurs first, after which time reserves may be waived
 1316 or reduced only upon the vote of a majority of all nondeveloper
 1317 voting interests voting in person or by limited proxy at a duly
 1318 called meeting of the association. If a meeting of the unit
 1319 owners has been called to determine whether to waive or reduce
 1320 the funding of reserves and no such result is achieved or a
 1321 quorum is not attained, the reserves included in the budget
 1322 shall go into effect. After the turnover, the developer may vote
 1323 its voting interest to waive or reduce the funding of reserves.

1324 3. Reserve funds and any interest accruing thereon shall
 1325 remain in the reserve account or accounts, and may be used only

1326 for authorized reserve expenditures unless their use for other
1327 purposes is approved in advance by a majority vote at a duly
1328 called meeting of the association. Before turnover of control of
1329 an association by a developer to unit owners other than the
1330 developer pursuant to s. 718.301, the developer-controlled
1331 association may not vote to use reserves for purposes other than
1332 those for which they were intended without the approval of a
1333 majority of all nondeveloper voting interests, voting in person
1334 or by limited proxy at a duly called meeting of the association.

1335 4. The only voting interests that are eligible to vote on
1336 questions that involve waiving or reducing the funding of
1337 reserves, or using existing reserve funds for purposes other
1338 than purposes for which the reserves were intended, are the
1339 voting interests of the units subject to assessment to fund the
1340 reserves in question. Proxy questions relating to waiving or
1341 reducing the funding of reserves or using existing reserve funds
1342 for purposes other than purposes for which the reserves were
1343 intended must contain the following statement in capitalized,
1344 bold letters in a font size larger than any other used on the
1345 face of the proxy ballot: **WAIVING OF RESERVES, IN WHOLE OR IN
1346 PART, OR ALLOWING ALTERNATIVE USES OF EXISTING RESERVES MAY
1347 RESULT IN UNIT OWNER LIABILITY FOR PAYMENT OF UNANTICIPATED
1348 SPECIAL ASSESSMENTS REGARDING THOSE ITEMS.**

1349 Section 21. Paragraph (m) of subsection (1) of section
1350 718.501, Florida Statutes, is amended to read:

1351 718.501 Authority, responsibility, and duties of Division
 1352 of Florida Condominiums, Timeshares, and Mobile Homes.—

1353 (1) The division may enforce and ensure compliance with
 1354 the provisions of this chapter and rules relating to the
 1355 development, construction, sale, lease, ownership, operation,
 1356 and management of residential condominium units. In performing
 1357 its duties, the division has complete jurisdiction to
 1358 investigate complaints and enforce compliance with respect to
 1359 associations that are still under developer control or the
 1360 control of a bulk assignee or bulk buyer pursuant to part VII of
 1361 this chapter and complaints against developers, bulk assignees,
 1362 or bulk buyers involving improper turnover or failure to
 1363 turnover, pursuant to s. 718.301. However, after turnover has
 1364 occurred, the division has jurisdiction to investigate
 1365 complaints related only to financial issues, elections, and unit
 1366 owner access to association records pursuant to s. 718.111(12).

1367 (m) If a complaint is made, the division must conduct its
 1368 inquiry with due regard for the interests of the affected
 1369 parties. Within 30 days after receipt of a complaint, the
 1370 division shall acknowledge the complaint in writing and notify
 1371 the complainant whether the complaint is within the jurisdiction
 1372 of the division and whether additional information is needed by
 1373 the division from the complainant. The division shall conduct
 1374 its investigation and, within 90 days after receipt of the
 1375 original complaint or of timely requested additional

1376 information, take action upon the complaint. However, the
1377 failure to complete the investigation within 90 days does not
1378 prevent the division from continuing the investigation,
1379 accepting or considering evidence obtained or received after 90
1380 days, or taking administrative action if reasonable cause exists
1381 to believe that a violation of this chapter or a rule has
1382 occurred. If an investigation is not completed within the time
1383 limits established in this paragraph, the division shall, on a
1384 monthly basis, notify the complainant in writing of the status
1385 of the investigation. When reporting its action to the
1386 complainant, the division shall inform the complainant of any
1387 right to a hearing pursuant to ss. 120.569 and 120.57. The
1388 division may adopt rules regarding the submission of a complaint
1389 against an association.

1390 Section 22. Section 718.5014, Florida Statutes, is amended
1391 to read:

1392 718.5014 Ombudsman location.—The ombudsman shall maintain
1393 his or her principal office at a ~~in Leon County on the premises~~
1394 ~~of the division or, if suitable space cannot be provided there,~~
1395 ~~at another~~ place convenient to the offices of the division which
1396 will enable the ombudsman to expeditiously carry out the duties
1397 and functions of his or her office. The ombudsman may establish
1398 branch offices elsewhere in the state upon the concurrence of
1399 the Governor.

1400 Section 23. Subsection (1) of section 455.219, Florida

1401 Statutes, is amended to read:

1402 455.219 Fees; receipts; disposition; periodic management
1403 reports.-

1404 (1) Each board within the department shall determine by
1405 rule the amount of license fees for its profession, based upon
1406 department-prepared long-range estimates of the revenue required
1407 to implement all provisions of law relating to the regulation of
1408 professions by the department and any board; however, when the
1409 department has determined, based on the long-range estimates of
1410 such revenue, that a profession's trust fund moneys are in
1411 excess of the amount required to cover the necessary functions
1412 of the board, or the department when there is no board, the
1413 department may adopt rules to implement a waiver of license
1414 renewal fees for that profession for a period not to exceed 2
1415 years, as determined by the department. Each board, or the
1416 department when there is no board, shall ensure license fees are
1417 adequate to cover all anticipated costs and to maintain a
1418 reasonable cash balance, as determined by rule of the
1419 department, with advice of the applicable board. If sufficient
1420 action is not taken by a board within 1 year of notification by
1421 the department that license fees are projected to be inadequate,
1422 the department shall set license fees on behalf of the
1423 applicable board to cover anticipated costs and to maintain the
1424 required cash balance. The department shall include recommended
1425 fee cap increases in its annual report to the Legislature.

1426 Further, it is legislative intent that no regulated profession
 1427 operate with a negative cash balance. The department may provide
 1428 by rule for the advancement of sufficient funds to any
 1429 profession or the Florida Athletic State~~Boxing~~ Commission
 1430 operating with a negative cash balance. Such advancement may be
 1431 for a period not to exceed 2 consecutive years and shall require
 1432 interest to be paid by the regulated profession. Interest shall
 1433 be calculated at the current rate earned on Professional
 1434 Regulation Trust Fund investments. Interest earned shall be
 1435 allocated to the various funds in accordance with the allocation
 1436 of investment earnings during the period of the advance.

1437 Section 24. Subsection (4) of section 548.002, Florida
 1438 Statutes, is amended to read:

1439 548.002 Definitions.—As used in this chapter, the term:

1440 (4) "Commission" means the Florida Athletic State~~Boxing~~
 1441 Commission.

1442 Section 25. Subsections (3) and (4) of section 548.05,
 1443 Florida Statutes, are amended to read:

1444 548.05 Control of contracts.—

1445 (3) The commission may require that each contract contain
 1446 language authorizing the ~~Florida State Boxing~~ commission to
 1447 withhold any or all of any manager's share of a purse in the
 1448 event of a contractual dispute as to entitlement to any portion
 1449 of a purse. The commission may establish rules governing the
 1450 manner of resolution of such dispute. In addition, if the

1451 commission deems it appropriate, the commission is hereby
1452 authorized to implead interested parties over any disputed funds
1453 into the appropriate circuit court for resolution of the dispute
1454 before ~~prior to~~ release of all or any part of the funds.

1455 (4) Each contract subject to this section shall contain
1456 the following clause: "This agreement is subject to the
1457 provisions of chapter 548, Florida Statutes, and to the rules of
1458 the Florida Athletic ~~State Boxing~~ Commission and to any future
1459 amendments of either."

1460 Section 26. Subsection (12) of section 548.071, Florida
1461 Statutes, is amended to read:

1462 548.071 Suspension or revocation of license or permit by
1463 commission.—The commission may suspend or revoke a license or
1464 permit if the commission finds that the licensee or permittee:

1465 (12) Has been disciplined by the ~~Florida State Boxing~~
1466 commission or similar agency or body of any jurisdiction.

1467 Section 27. Section 548.077, Florida Statutes, is amended
1468 to read:

1469 548.077 Florida Athletic ~~State Boxing~~ Commission;
1470 collection and disposition of moneys.—All fees, fines,
1471 forfeitures, and other moneys collected under the provisions of
1472 this chapter shall be paid by the commission to the Chief
1473 Financial Officer who, after the expenses of the commission are
1474 paid, shall deposit them in the Professional Regulation Trust
1475 Fund to be used for the administration and operation of the

1476 | commission and to enforce the laws and rules under its
1477 | jurisdiction. In the event the unexpended balance of such moneys
1478 | collected under the provisions of this chapter exceeds \$250,000,
1479 | any excess of that amount shall be deposited in the General
1480 | Revenue Fund.

1481 | Section 28. This act shall take effect July 1, 2021.