

1 A bill to be entitled
2 An act relating to the consumer services functions of the
3 Department of Agriculture and Consumer Services; amending
4 s. 493.6105, F.S.; revising the application requirements
5 and procedures for certain private investigative, private
6 security, recovery agent, firearm, and firearm instructor
7 licenses; amending s. 493.6106, F.S.; revising citizenship
8 requirements and documentation for certain private
9 investigative, private security, and recovery agent
10 licenses; prohibiting the licensure of applicants for a
11 statewide firearm license or firearms instructor license
12 who are prohibited from purchasing or possessing firearms;
13 requiring that private investigative, security, and
14 recovery agencies notify the Department of Agriculture and
15 Consumer Services of changes to their branch office
16 locations; amending s. 493.6107, F.S.; revising
17 requirements for the method of payment of certain fees;
18 amending s. 493.6108, F.S.; revising requirements for
19 criminal history checks of license applicants whose
20 fingerprints are not legible; requiring the investigation
21 of the mental and emotional fitness of applicants for
22 firearms instructor licenses; amending s. 493.6111, F.S.;
23 requiring a security officer school or recovery agent
24 school to obtain the department's approval for use of a
25 fictitious name; specifying that a licensee may not
26 conduct business under more than one fictitious name;
27 amending s. 493.6113, F.S.; revising application renewal
28 procedures and requirements; amending s. 493.6115, F.S.;

29 conforming cross-references; amending s. 493.6118, F.S.;

30 authorizing disciplinary action against statewide firearm

31 licensees and firearms instructor licensees who are

32 prohibited from purchasing or possessing firearms;

33 amending s. 493.6121, F.S.; deleting provisions for the

34 department's access to certain criminal history records

35 provided to licensed gun dealers, manufacturers, and

36 exporters; amending s. 493.6202, F.S.; revising

37 requirements for the method of payment of certain fees;

38 amending s. 493.6203, F.S.; prohibiting bodyguard services

39 from being credited toward certain license requirements;

40 revising the training requirements for private

41 investigator intern license applicants; requiring the

42 automatic suspension of an intern's license under certain

43 circumstances; providing an exception; amending s.

44 493.6302, F.S.; revising requirements for the method of

45 payment of certain fees; amending s. 493.6303, F.S.;

46 revising the training requirements for security officer

47 license applicants; amending s. 493.6304, F.S.; revising

48 application requirements and procedures for security

49 officer school licenses; amending ss. 501.145, F.S.;

50 deleting authority for the department to bring actions for

51 injunctive relief under the Bedding Label Act; amending s.

52 525.01, F.S.; revising requirements for petroleum fuel

53 affidavits; amending s. 526.06, F.S.; revising prohibited

54 acts related to certain mixing, blending, compounding, or

55 adulterating of liquid fuels; deleting certain provisions

56 authorizing the sale of ethanol-blended fuels for use in

57 | motor vehicles; amending s. 526.203, F.S.; revising the
 58 | definition of "blended gasoline" for purposes of renewable
 59 | fuel standards; amending s. 559.935, F.S.; correcting
 60 | references; providing an effective date.

61 |
 62 | Be It Enacted by the Legislature of the State of Florida:

63 | Section 1. Section 493.6105, Florida Statutes, is amended
 64 | to read:

65 | 493.6105 Initial application for license.—

66 | (1) Each individual, partner, or principal officer in a
 67 | corporation, shall file with the department a complete
 68 | application accompanied by an application fee not to exceed \$60,
 69 | except that the applicant for a Class "D" or Class "G" license
 70 | is ~~shall~~ not be required to submit an application fee. The
 71 | application fee is ~~shall~~ not be refundable.

72 | (a) The application submitted by any individual, partner,
 73 | or corporate officer must ~~shall~~ be approved by the department
 74 | before the ~~prior to that~~ individual, partner, or corporate
 75 | officer assumes ~~assuming~~ his or her duties.

76 | (b) Individuals who invest in the ownership of a licensed
 77 | agency, but do not participate in, direct, or control the
 78 | operations of the agency are ~~shall~~ not be required to file an
 79 | application.

80 | (2) Each application must ~~shall~~ be signed and verified by
 81 | the individual under oath as provided in s. 92.525 ~~and shall be~~
 82 | ~~notarized~~.

83 | (3) The application must ~~shall~~ contain the following
 84 | information concerning the individual signing the application

85 ~~same:~~

86 (a) Name and any aliases.

87 (b) Age and date of birth.

88 (c) Place of birth.

89 (d) Social security number or alien registration number,
90 whichever is applicable.

91 (e) Current Present residence address and mailing address.
92 ~~and his or her residence addresses within the 5 years~~
93 ~~immediately preceding the submission of the application.~~

94 ~~(f) Occupations held presently and within the 5 years~~
95 ~~immediately preceding the submission of the application.~~

96 ~~(f)(g)~~ A statement of all criminal convictions, findings
97 of guilt, and pleas of guilty or nolo contendere, regardless of
98 adjudication of guilt. If the application is submitted for a
99 Class "G" or Class "K" license by an applicant who is younger
100 than 24 years of age, the application must also include a
101 statement of all findings of the applicant having committed a
102 delinquent act in any state, territory, or country which was
103 punishable by imprisonment for a term exceeding 1 year and which
104 would, if committed by an adult, have been a felony.

105 (g) One passport-type color photograph taken within the 6
106 months immediately preceding submission of the application.

107 (h) A statement whether he or she has ever been
108 adjudicated incompetent under chapter 744.

109 (i) A statement whether he or she has ever been committed
110 to a mental institution under chapter 394.

111 (j) A full set of fingerprints on a card provided by the
112 department and a fingerprint fee to be established by rule of

113 the department based upon costs determined by state and federal
 114 agency charges and department processing costs. An applicant who
 115 has, within the immediately preceding 6 months, submitted a
 116 fingerprint card and fee for licensing purposes under this
 117 chapter shall not be required to submit another fingerprint card
 118 or fee.

119 (k) A personal inquiry waiver which allows the department
 120 to conduct necessary investigations to satisfy the requirements
 121 of this chapter.

122 (l) Such further facts as may be required by the
 123 department to show that the individual signing the application
 124 is of good moral character and qualified by experience and
 125 training to satisfy the requirements of this chapter.

126 ~~(4) In addition to the application requirements outlined~~
 127 ~~in subsection (3), the applicant for a Class "C," Class "CC,"~~
 128 ~~Class "E," Class "EE," or Class "G" license shall submit two~~
 129 ~~color photographs taken within the 6 months immediately~~
 130 ~~preceding the submission of the application, which meet~~
 131 ~~specifications prescribed by rule of the department. All other~~
 132 ~~applicants shall submit one photograph taken within the 6 months~~
 133 ~~immediately preceding the submission of the application.~~

134 (4)~~(5)~~ In addition to the application requirements
 135 outlined under subsection (3), the applicant for a Class "C,"
 136 Class "E," Class "M," Class "MA," Class "MB," or Class "MR"
 137 license shall include a statement on a form provided by the
 138 department of the experience which he or she believes will
 139 qualify him or her for such license.

140 (5)~~(6)~~ In addition to the requirements outlined in

141 subsection (3), an applicant for a Class "G" license shall
 142 satisfy minimum training criteria for firearms established by
 143 rule of the department, which training criteria shall include,
 144 but is not limited to, 28 hours of range and classroom training
 145 taught and administered by a Class "K" licensee; however, no
 146 more than 8 hours of such training shall consist of range
 147 training. If the applicant can show proof that he or she is an
 148 active law enforcement officer currently certified under the
 149 Criminal Justice Standards and Training Commission or has
 150 completed the training required for that certification within
 151 the last 12 months, or if the applicant submits one of the
 152 certificates specified in paragraph (6) (a) ~~(7) (a)~~, the
 153 department may waive the foregoing firearms training
 154 requirement.

155 (a) Submit one of the following ~~certificates~~:

156 1. The Florida Criminal Justice Standards and Training
 157 Commission ~~Firearms Instructor's Certificate~~ and written
 158 confirmation by the commission that the applicant possesses
 159 active firearms certification.

160 ~~2. The National Rifle Association Law Enforcement Police~~
 161 ~~Firearms Instructor's Certificate.~~

162 ~~2.3.~~ The National Rifle Association Private Security
 163 ~~Firearms Instructor's Certificate.~~

164 ~~3.4.~~ A Firearms Instructor's Certificate issued by a
 165 federal law enforcement agency ~~from a federal, state, county, or~~
 166 ~~municipal police academy in this state recognized as such by the~~
 167 ~~Criminal Justice Standards and Training Commission or by the~~
 168 ~~Department of Education.~~

169
 170 (b) Pay the fee for and pass an examination administered
 171 by the department which shall be based upon, but is not
 172 necessarily limited to, a firearms instruction manual provided
 173 by the department.

174 (7)~~(8)~~ In addition to the application requirements for
 175 individuals, partners, or officers outlined under subsection
 176 (3), the application for an agency license shall contain the
 177 following information:

178 (a) The proposed name under which the agency intends to
 179 operate.

180 (b) The street address, mailing address, and telephone
 181 numbers of the principal location at which business is to be
 182 conducted in this state.

183 (c) The street address, mailing address, and telephone
 184 numbers of all branch offices within this state.

185 (d) The names and titles of all partners or, in the case
 186 of a corporation, the names and titles of its principal
 187 officers.

188 (8)~~(9)~~ Upon submission of a complete application, a Class
 189 "CC," Class "C," Class "D," Class "EE," Class "E," Class "M,"
 190 Class "MA," Class "MB," or Class "MR" applicant may commence
 191 employment or appropriate duties for a licensed agency or branch
 192 office. However, the Class "C" or Class "E" applicant must work
 193 under the direction and control of a sponsoring licensee while
 194 his or her application is being processed. If the department
 195 denies application for licensure, the employment of the
 196 applicant must be terminated immediately, unless he or she

197 performs only unregulated duties.

198 Section 2. Paragraph (f) of subsection (1) and paragraph
 199 (a) of subsection (2) of section 493.6106, Florida Statutes, are
 200 amended, and paragraph (g) is added to subsection (1) of that
 201 section, to read:

202 493.6106 License requirements; posting.-

203 (1) Each individual licensed by the department must:

204 (f) Be a citizen or permanent legal resident alien of the
 205 United States or have appropriate ~~been granted~~ authorization
 206 issued to seek employment in this country by the United States
 207 Bureau of Citizenship and Immigration Services of the United
 208 States Department of Homeland Security.

209 (g) Not be prohibited from purchasing or possessing a
 210 firearm by state or federal law if the individual is applying
 211 for a Class "G" license or a Class "K" license.

212 (2) Each agency shall have a minimum of one physical
 213 location within this state from which the normal business of the
 214 agency is conducted, and this location shall be considered the
 215 primary office for that agency in this state.

216 (a) If an agency or branch office desires to change the
 217 physical location of the business, as it appears on the ~~agency~~
 218 license, the department must be notified within 10 days after ~~of~~
 219 the change, and, except upon renewal, the fee prescribed in s.
 220 493.6107 must be submitted for each license requiring revision.
 221 Each license requiring revision must be returned with such
 222 notification.

223 Section 3. Subsection (3) of section 493.6107, Florida
 224 Statutes, is amended to read:

225 493.6107 Fees.—

226 (3) The fees set forth in this section must be paid by
 227 ~~certified~~ check or money order or, at the discretion of the
 228 department, by electronic funds transfer ~~agency check~~ at the
 229 time the application is approved, except that the applicant for
 230 a Class "G" or Class "M" license must pay the license fee at the
 231 time the application is made. If a license is revoked or denied
 232 or if the application is withdrawn, the license fee shall not be
 233 refunded.

234 Section 4. Paragraph (a) of subsection (1) and subsection
 235 (3) of section 493.6108, Florida Statutes, are amended to read:

236 493.6108 Investigation of applicants by Department of
 237 Agriculture and Consumer Services.—

238 (1) Except as otherwise provided, prior to the issuance of
 239 a license under this chapter, the department shall make an
 240 investigation of the applicant for a license. The investigation
 241 shall include:

242 (a)1. An examination of fingerprint records and police
 243 records. When a criminal history analysis of any applicant under
 244 this chapter is performed by means of fingerprint card
 245 identification, the time limitations prescribed by s. 120.60(1)
 246 shall be tolled during the time the applicant's fingerprint card
 247 is under review by the Department of Law Enforcement or the
 248 United States Department of Justice, Federal Bureau of
 249 Investigation.

250 2. If a legible set of fingerprints, as determined by the
 251 Department of Law Enforcement or the Federal Bureau of
 252 Investigation, cannot be obtained after two attempts, the

253 Department of Agriculture and Consumer Services may determine
 254 the applicant's eligibility based upon a criminal history record
 255 check under the applicant's name conducted by the Department of
 256 Law Enforcement if the ~~and the Federal Bureau of Investigation.~~
 257 ~~A set of fingerprints~~ are taken by a law enforcement agency or
 258 the department and the applicant submits a written statement
 259 signed by the fingerprint technician or a licensed physician
 260 stating that there is a physical condition that precludes
 261 obtaining a legible set of fingerprints or that the fingerprints
 262 taken are the best that can be obtained ~~is sufficient to meet~~
 263 ~~this requirement.~~

264 (3) The department shall also investigate the mental
 265 history and current mental and emotional fitness of any Class
 266 "G" or Class "K" applicant, and may deny a Class "G" or Class
 267 "K" license to anyone who has a history of mental illness or
 268 drug or alcohol abuse.

269 Section 5. Subsection (4) of section 493.6111, Florida
 270 Statutes, is amended to read:

271 493.6111 License; contents; identification card.—

272 (1) All licenses issued pursuant to this chapter shall be
 273 on a form prescribed by the department and shall include the
 274 licensee's name, license number, expiration date of the license,
 275 and any other information the department deems necessary. Class
 276 "C," Class "CC," Class "D," Class "E," Class "EE," Class "M,"
 277 Class "MA," Class "MB," Class "MR," and Class "G" licenses shall
 278 be in the possession of individual licensees while on duty.

279 (2) Licenses shall be valid for a period of 2 years, except for
 280 the Class "K" Firearms Instructor license, and Class "A," Class

281 "B," Class "AB," Class "R," and branch agency licenses, which
 282 shall be valid for a period of 3 years.

283 (3) The department shall, upon complete application and payment
 284 of the appropriate fees, issue a separate license to each branch
 285 office for which application is made.

286 (4) Notwithstanding the existence of a valid Florida corporate
 287 registration, an ~~ne~~ agency or school licensee may not conduct
 288 activities regulated under this chapter under any fictitious
 289 name without prior written authorization from the department to
 290 use that name in the conduct of activities regulated under this
 291 chapter. The department may not authorize the use of a name
 292 which is so similar to that of a public officer or agency, or of
 293 that used by another licensee, that the public may be confused
 294 or misled thereby. The authorization for the use of a fictitious
 295 name shall require, as a condition precedent to the use of such
 296 name, the filing of a certificate of engaging in business under
 297 a fictitious name under s. 865.09. A ~~No~~ licensee may not ~~shall~~
 298 ~~be permitted to~~ conduct business under more than one fictitious
 299 name except as separately licensed nor shall the license be
 300 valid to protect any licensee who is engaged in ~~the~~ business
 301 under any name other than that specified in the license. An
 302 agency desiring to change its licensed name shall notify the
 303 department and, except upon renewal, pay a fee not to exceed \$30
 304 for each license requiring revision including those of all
 305 licensed employees except Class "D" or Class "G" licensees. Upon
 306 the return of such licenses to the department, revised licenses
 307 shall be provided.

308 Section 6. Subsection (2) and paragraph (a) of subsection

309 (3) of section 493.6113, Florida Statutes, are amended to read:

310 493.6113 Renewal application for licensure.—

311 (2) At least ~~No less than~~ 90 days before ~~prior to~~ the
 312 expiration date of the license, the department shall mail a
 313 written notice to the last known mailing ~~residence~~ address of
 314 the licensee for individual licensees ~~and to the last known~~
 315 ~~agency address for agencies.~~

316 (3) Each licensee shall be responsible for renewing his or
 317 her license on or before its expiration by filing with the
 318 department an application for renewal accompanied by payment of
 319 the prescribed license fee.

320 (a) Each Class "B" ~~Class "A," Class "B," or Class "R"~~
 321 licensee shall additionally submit on a form prescribed by the
 322 department a certification of insurance which evidences that the
 323 licensee maintains coverage as required under s. 493.6110.

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

328 Section 7. Subsection (8), paragraph (d) of subsection
 329 (12), and subsection (16) of section 493.6115, Florida Statutes,
 330 are amended to read:

331 493.6115 Weapons and firearms.—

332 (8) A Class "G" applicant must satisfy the minimum
 333 training criteria as set forth in s. 493.6105 (5) ~~(6)~~ and as
 334 established by rule of the department.

335 (12) The department may issue a temporary Class "G"
 336 license, on a case-by-case basis, if:

337 (d) The applicant has received approval from the
 338 department subsequent to its conduct of a criminal history
 339 record check as authorized in s. 493.6108(1)(a)1. ~~493.6121(6).~~

340 (16) If the criminal history record check program
 341 referenced in s. 493.6108(1)(a)1 ~~493.6121(6)~~ is inoperable, the
 342 department may issue a temporary "G" license on a case-by-case
 343 basis, provided that the applicant has met all statutory
 344 requirements for the issuance of a temporary "G" license as
 345 specified in subsection (12), excepting the criminal history
 346 record check stipulated there; provided, that the department
 347 requires that the licensed employer of the applicant conduct a
 348 criminal history record check of the applicant pursuant to
 349 standards set forth in rule by the department, and provide to
 350 the department an affidavit containing such information and
 351 statements as required by the department, including a statement
 352 that the criminal history record check did not indicate the
 353 existence of any criminal history that would prohibit licensure.
 354 Failure to properly conduct such a check, or knowingly providing
 355 incorrect or misleading information or statements in the
 356 affidavit shall constitute grounds for disciplinary action
 357 against the licensed agency, including revocation of license.

358 Section 8. Paragraph (u) of subsection (1) of section
 359 493.6118, Florida Statutes, is redesignated as paragraph (v),
 360 and a new paragraph (u) is added to that subsection to read:

361 493.6118 Grounds for disciplinary action.—

362 (1) The following constitute grounds for which
 363 disciplinary action specified in subsection (2) may be taken by
 364 the department against any licensee, agency, or applicant

365 regulated by this chapter, or any unlicensed person engaged in
 366 activities regulated under this chapter.

367 (u) For a Class "G" or a Class "K" applicant or licensee,
 368 being prohibited from purchasing or possessing a firearm by
 369 state or federal law.

370 Section 9. Subsections (7) and (8) of section 493.6121,
 371 Florida Statutes, are renumbered as subsections (6) and (7),
 372 respectively, and present subsection (6) of that section is
 373 amended, to read:

374 493.6121 Enforcement; investigation.—

375 ~~(6) The department shall be provided access to the program~~
 376 ~~that is operated by the Department of Law Enforcement, pursuant~~
 377 ~~to s. 790.065, for providing criminal history record information~~
 378 ~~to licensed gun dealers, manufacturers, and exporters. The~~
 379 ~~department may make inquiries, and shall receive responses in~~
 380 ~~the same fashion as provided under s. 790.065. The department~~
 381 ~~shall be responsible for payment to the Department of Law~~
 382 ~~Enforcement of the same fees as charged to others afforded~~
 383 ~~access to the program.~~

384 Section 10. Subsection (3) of section 493.6202, Florida
 385 Statutes, is amended to read:

386 493.6202 Fees.—

387 (3) The fees set forth in this section must be paid by
 388 ~~certified~~ check or money order or, at the discretion of the
 389 department, by electronic funds transfer ~~agency check~~ at the
 390 time the application is approved, except that the applicant for
 391 a Class "G," Class "C," Class "CC," Class "M," or Class "MA"
 392 license must pay the license fee at the time the application is

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393 made. If a license is revoked or denied or if the application is
 394 withdrawn, the license fee shall not be refunded.

395 Section 11. Subsections (2), (4), and (6) of section
 396 493.6203, Florida Statutes, are amended to read:

397 493.6203 License requirements.—In addition to the license
 398 requirements set forth elsewhere in this chapter, each
 399 individual or agency shall comply with the following additional
 400 requirements:

401 (2) An applicant for a Class "MA" license shall have 2
 402 years of lawfully gained, verifiable, full-time experience, or
 403 training in:

404 (a) Private investigative work or related fields of work
 405 that provided equivalent experience or training;

406 (b) Work as a Class "CC" licensed intern;

407 (c) Any combination of paragraphs (a) and (b);

408 (d) Experience described in paragraph (a) for 1 year and
 409 experience described in paragraph (e) for 1 year;

410 (e) No more than 1 year using:

411 1. College coursework related to criminal justice,
 412 criminology, or law enforcement administration; or

413 2. Successfully completed law enforcement-related training
 414 received from any federal, state, county, or municipal agency;
 415 or

416 (f) Experience described in paragraph (a) for 1 year and
 417 work in a managerial or supervisory capacity for 1 year.

418

419 However, experience in performing bodyguard services is not
 420 creditable toward the requirements of this subsection.

421 (4) An applicant for a Class "C" license shall have 2
 422 years of lawfully gained, verifiable, full-time experience, or
 423 training in one, or a combination of more than one, of the
 424 following:

425 (a) Private investigative work or related fields of work
 426 that provided equivalent experience or training.

427 (b) College coursework related to criminal justice,
 428 criminology, or law enforcement administration, or successful
 429 completion of any law enforcement-related training received from
 430 any federal, state, county, or municipal agency, except that no
 431 more than 1 year may be used from this category.

432 (c) Work as a Class "CC" licensed intern.
 433

434 However, experience in performing bodyguard services is not
 435 creditable toward the requirements of this subsection.

436 (6) (a) A Class "CC" licensee shall serve an internship
 437 under the direction and control of a designated sponsor, who is
 438 a Class "C," Class "MA," or Class "M" licensee.

439 (b) Effective January 1, 2012 ~~September 1, 2008~~, before
 440 submission of an application to the department, the an applicant
 441 for a Class "CC" license must have completed a minimum of 40 at
 442 least 24 hours of professional training a 40-hour course
 443 pertaining to general investigative techniques and this chapter,
 444 which course is offered by a state university or by a school,
 445 community college, college, or university under the purview of
 446 the Department of Education, and the applicant must pass an
 447 examination. The training must be provided in two parts, one 24-
 448 hour course and one 16-hour course. The certificate evidencing

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449 satisfactory completion of the 40 ~~at least 24~~ hours of
450 professional training ~~a 40-hour course~~ must be submitted with
451 the application for a Class "CC" license. ~~The remaining 16 hours~~
452 ~~must be completed and an examination passed within 180 days. If~~
453 ~~documentation of completion of the required training is not~~
454 ~~submitted within the specified timeframe, the individual's~~
455 ~~license is automatically suspended or his or her authority to~~
456 ~~work as a Class "CC" pursuant to s. 493.6105(9) is rescinded~~
457 ~~until such time as proof of certificate of completion is~~
458 ~~provided to the department.~~ The training ~~course~~ specified in
459 this paragraph may be provided by face-to-face presentation,
460 online technology, or a home study course in accordance with
461 rules and procedures of the Department of Education. The
462 administrator of the examination must verify the identity of
463 each applicant taking the examination.

464 (c) An individual who submits an application for a Class
465 "CC" license on or after September 1, 2008, through December 31,
466 2011, who has not completed the 16-hour course must submit proof
467 of successful completion of the course within 180 days after the
468 date the application is submitted. If documentation of
469 completion of the required training is not submitted by that
470 date, the individual's license is automatically suspended until
471 proof of the required training is submitted to the department.
472 An individual licensed on or before August 31, 2008, is not
473 required to complete additional training hours in order to renew
474 an active license beyond the required total amount of training,
475 and within the timeframe, in effect at the time he or she was
476 licensed.

477
478 1. Upon an applicant's successful completion of each part
479 of the approved training ~~course~~ and passage of any required
480 examination, the school, community college, college, or
481 university shall issue a certificate of completion to the
482 applicant. The certificates must be on a form established by
483 rule of the department.

484 2. The department shall establish by rule the general
485 content of the professional training ~~course~~ and the examination
486 criteria.

487 3. If the license of an applicant for relicensure is ~~has~~
488 ~~been~~ invalid for more than 1 year, the applicant must complete
489 the required training and pass any required examination.

490 Section 12. Subsection (3) of section 493.6302,
491 Florida Statutes, is amended to read:

492 493.6302 Fees.—

493 (3) The fees set forth in this section must be paid by
494 ~~certified~~ check or money order or, at the discretion of the
495 department, by electronic funds transfer ~~agency check~~ at the
496 time the application is approved, except that the applicant for
497 a Class "D," Class "G," Class "M," or Class "MB" license must
498 pay the license fee at the time the application is made. If a
499 license is revoked or denied or if the application is withdrawn,
500 the license fee shall not be refunded.

501 Section 13. Subsection (4) of section 493.6303, Florida
502 Statutes, is amended to read:

503 493.6303 License requirements.—In addition to the license
504 requirements set forth elsewhere in this chapter, each

505 individual or agency shall comply with the following additional
 506 requirements:

507 (4) (a) Effective January 1, 2012, an applicant for a Class
 508 "D" license must submit proof of successful completion of
 509 ~~complete~~ a minimum of 40 hours of professional training at a
 510 school or training facility licensed by the department. The
 511 training must be provided in two parts, one 24-hour course and
 512 one 16-hour course. The department shall by rule establish the
 513 general content and number of hours of each subject area to be
 514 taught.

515 (b) An individual who submits an application for a Class
 516 "D" license on or after January 1, 2007, through December 31,
 517 2011, who has not completed the 16-hour course must submit proof
 518 of successful completion of the course within 180 days after the
 519 date the application is submitted. If documentation of
 520 completion of the required training is not submitted by that
 521 date, the individual's license is automatically suspended until
 522 proof of the required training is submitted to the department.
 523 This section does not require a person licensed before January
 524 1, 2007, to complete additional training hours in order to renew
 525 an active license beyond the required total amount of training
 526 within the timeframe prescribed by law at the time he or she was
 527 licensed. An applicant may fulfill the training requirement
 528 ~~prescribed in paragraph (a) by submitting proof of:~~

- 529 1. ~~Successful completion of the total number of required~~
 530 ~~hours of training before initial application for a Class "D"~~
 531 ~~license; or~~
 532 2. ~~Successful completion of 24 hours of training before~~

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533 ~~initial application for a Class "D" license and successful~~
 534 ~~completion of the remaining 16 hours of training within 180 days~~
 535 ~~after the date that the application is submitted. If~~
 536 ~~documentation of completion of the required training is not~~
 537 ~~submitted within the specified timeframe, the individual's~~
 538 ~~license is automatically suspended until such time as proof of~~
 539 ~~the required training is provided to the department.~~

540 (c) An individual ~~However, any person~~ whose license is
 541 suspended or has been ~~revoked, suspended~~ pursuant to paragraph
 542 (b) subparagraph 2., or is expired for at least 1 year, or
 543 ~~longer~~ is considered, upon reapplication for a license, an
 544 initial applicant and must submit proof of successful completion
 545 of 40 hours of professional training at a school or training
 546 facility licensed by the department as provided ~~prescribed~~ in
 547 paragraph (a) before a license is ~~will be~~ issued. Any person
 548 ~~whose license was issued before January 1, 2007, and whose~~
 549 ~~license has been expired for less than 1 year must, upon~~
 550 ~~reapplication for a license, submit documentation of completion~~
 551 ~~of the total number of hours of training prescribed by law at~~
 552 ~~the time her or his initial license was issued before another~~
 553 ~~license will be issued. This subsection does not require an~~
 554 ~~individual licensed before January 1, 2007, to complete~~
 555 ~~additional training hours in order to renew an active license,~~
 556 ~~beyond the required total amount of training within the~~
 557 ~~timeframe prescribed by law at the time she or he was licensed.~~

558 Section 14. Subsection (2) of section 493.6304, Florida
 559 Statutes, is amended to read:

560 493.6304 Security officer school or training facility.—

561 (2) The application shall be signed and verified by the
 562 applicant under oath as provided in s. 92.525 ~~notarized~~ and
 563 shall contain, at a minimum, the following information:

564 (a) The name and address of the school or training
 565 facility and, if the applicant is an individual, her or his
 566 name, address, and social security or alien registration number.

567 (b) The street address of the place at which the training
 568 is to be conducted.

569 (c) A copy of the training curriculum and final
 570 examination to be administered.

571 Section 15. Subsections (2) and (4) of section 501.145,
 572 Florida Statutes, are amended to read:

573 501.145 Bedding Label Act.—

574 (2) DEFINITIONS.—As used in ~~For the purpose of~~ this
 575 section, the term—

576 ~~(a)~~ "bedding" means any mattress, box spring, pillow, or
 577 cushion made of leather or any other material which is or can be
 578 stuffed or filled in whole or in part with any substance or
 579 material, which can be used by any human being for sleeping or
 580 reclining purposes.

581 ~~(b)~~ "Department" means ~~the Department of Agriculture and~~
 582 ~~Consumer Services.~~

583 ~~(c)~~ "Enforcing authority" means ~~the Department of~~
 584 ~~Agriculture and Consumer Services or the Department of Legal~~
 585 ~~Affairs.~~

586 (4) PENALTIES.—The Department of Legal Affairs ~~enforcing~~
 587 ~~authority~~ may bring an action for injunctive relief against any
 588 person who violates the provisions of this section. Any person

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589 | who knowingly sells bedding which contains used material that is
 590 | not labeled in accordance with this section commits a
 591 | misdemeanor of the second degree, punishable as provided in s.
 592 | 775.082 or s. 775.083.

593 | Section 16. Subsection (2) of section 525.01, Florida
 594 | Statutes, is amended to read:

595 | 525.01 Gasoline and oil to be inspected.-

596 | (2) All petroleum fuels are ~~shall be~~ subject to inspection
 597 | and analysis by the department. Before selling or offering for
 598 | sale in this state any petroleum fuel, all manufacturers,
 599 | terminal suppliers, wholesalers, and importers as defined in s.
 600 | 206.01 ~~jobbers~~ shall file with the department:

601 | (a) An affidavit stating that they desire to do business
 602 | in this state, and the name and address of the manufacturer of
 603 | the petroleum fuel.

604 | (b) An affidavit stating that the petroleum fuel is in
 605 | conformity with the standards prescribed by department rule.

606 | Section 17. Section 526.06, Florida Statutes, is amended
 607 | to read:

608 | 526.06 Mixing, blending, compounding, or adulteration of
 609 | liquid fuels of same manufacturer prohibited; ~~sale of gasoline~~
 610 | ~~blended with ethanol.~~ A ~~It is unlawful for any person may not to~~
 611 | mix, blend, compound, or adulterate the liquid fuel, lubricating
 612 | oil, grease, or similar product of a manufacturer or distributor
 613 | with a liquid fuel, lubricating oil, grease, or similar product
 614 | of the same manufacturer or distributor of a character or nature
 615 | different from the character or nature of the liquid fuel,
 616 | lubricating oil, grease, or similar product so mixed, blended,

617 | compounded, or adulterated, and expose for sale, offer for sale,
 618 | or sell the same as the unadulterated product of such
 619 | manufacturer or distributor or as the unadulterated product of
 620 | any other manufacturer or distributor. However, ~~nothing in this~~
 621 | chapter does not ~~shall be construed to~~ prevent the lawful owner
 622 | of such products from applying his, her, or its own trademark,
 623 | trade name, or symbol to any product or material. ~~Ethanol-~~
 624 | ~~blended fuels which contain unleaded gasoline and up to 10~~
 625 | ~~percent denatured ethanol by volume may be sold at retail~~
 626 | ~~service stations for use in motor vehicles. To provide retail~~
 627 | ~~service stations flexibility during the transition period to~~
 628 | ~~ethanol-blended fuels, the T50 and TV/L specifications for~~
 629 | ~~gasoline containing between 9 and 10 percent ethanol shall be~~
 630 | ~~applied to all gasoline containing between 1 and 10 percent~~
 631 | ~~ethanol by volume provided the last three or fewer deliveries~~
 632 | ~~contained between 9 and 10 percent ethanol by volume. If there~~
 633 | ~~is no reasonable availability of ethanol or the price of ethanol~~
 634 | ~~exceeds the price of gasoline, the T50 and TV/L specifications~~
 635 | ~~for gasoline containing between 9 and 10 percent ethanol shall~~
 636 | ~~be applicable for gasoline containing between 1 and 10 percent~~
 637 | ~~ethanol for up to three deliveries of fuel.~~

638 | Section 18. Paragraph (b) of subsection (1) of section
 639 | 526.203, Florida Statutes, is amended to read:

640 | 526.203 Renewable fuel standard.—

641 | (1) DEFINITIONS.—As used in this act:

642 | (b) "Blended gasoline" means a mixture of ~~90 to~~ 91 percent
 643 | or less gasoline and 9 ~~to~~ 10 percent or more fuel ethanol, by
 644 | volume, that meets the specifications as adopted by the

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645 | department. The fuel ethanol portion may be derived from any
646 | agricultural source.

647 | Section 20. This act shall take effect July 1, 2011.