

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing PCS: Economic Affairs Committee  
 2 Representative Plakon offered the following:

**Amendment (with title amendment)**

5 Between lines 51 and 52, insert:

6 Section 2. (1) All of the statutory powers, duties,  
 7 functions, records, personnel, administrative authority;  
 8 administrative rules; pending issues; and filings,  
 9 certifications, and existing contracts for administration and  
 10 enforcement of section 849.094, Florida Statutes, relating to  
 11 game promotions in connection with sale of consumer products or  
 12 services, are transferred by a type two transfer, as defined in  
 13 section 20.06(2), Florida Statutes, from the Department of  
 14 Agriculture and Consumer Services to the Department of Business  
 15 and Professional Regulation.

16 (2) The transfer of regulatory authority under section  
 17 849.094, Florida Statutes, provided by this section shall not  
 18 affect the validity of any judicial or administrative action  
 19 pending as of 11:59 p.m. on the day before the effective date of

Amendment No. 1

20 this section to which the Department of Agriculture and Consumer  
 21 Services is at that time a party, and the Department of Business  
 22 and Professional Regulation shall be substituted as a party in  
 23 interest in any such action.

24 (3) All lawful orders issued by the Department of  
 25 Agriculture and Consumer Services implementing or enforcing or  
 26 otherwise in regard to any provision of section 849.094, Florida  
 27 Statutes, issued prior to the effective date of this section  
 28 shall remain in effect and be enforceable after the effective  
 29 date of this section unless thereafter modified in accordance  
 30 with law.

31 (4) The rules of the Department of Agriculture and  
 32 Consumer Services relating to the implementation of section  
 33 849.094, Florida Statutes, that were in effect at 11:59 p.m. on  
 34 the day prior to the effective date of this section shall become  
 35 the rules of the Department of Business and Professional  
 36 Regulation and shall remain in effect until amended or repealed  
 37 in the manner provided by law.

38

39

40

41

42

-----

43

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

44

Remove line 5 and insert:

45

legislative findings and intent; transferring administrative and  
 46 regulatory authority under specified provisions relating to  
 47 certain game promotions from the Department of Agriculture and

PCS for CS/HB 3a1

Published On: 02/01/2012 11:30:00 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCS for CS/HB 3(2012)

Amendment No. 1

48 Consumer Services to the Department of Business and Professional  
49 Regulation; amending s. 849.0935,

50