

BINGO

HB 187 — Evelyn Wiesman-Price Act

by Rep. Dean and others (CS/SB 272 by Regulated Industries Committee and Senator Geller)

The bill authorizes instant bingo games, a game played by purchasing a ticket for \$1 or less and removing a cover from the ticket to reveal a set of numbers, letters, objects, or patterns, some of which have been designated in advance as prize winners. The bill requires that each deal or package of instant bingo tickets have a minimum prize payout of at least 65 percent of the total receipts from the sale of the entire deal. The bill exempts instant bingo from current jackpot restrictions, such that instant bingo is not limited to three jackpots on any one day of play, and is not limited to a maximum value on jackpots of \$250. It also allows instant bingo tickets to be sold by any organization currently authorized under the statute to conduct bingo games. The bill provides the standards of the North American Gaming Regulators Association in relation to the sale of instant bingo tickets and requires the Department of the Lottery to keep a list of at least six qualified instant bingo ticket manufacturers that are authorized to sell instant bingo tickets in Florida. It also requires the Department of the Lottery to process all applications to be placed on the list of instant bingo ticket manufacturers pursuant to s. 120.60, F.S.

The bill was vetoed by the Governor on March 31, 2004.

Vote: Senate 34-5; House 103-11

CONSTRUCTION INDUSTRY

CS/CS/SB 562 — Electrical and Alarm System Contracting

by Appropriations Committee; Regulated Industries Committee; and Senator Bennett

The bill requires that alarm system contractors and electrical contractors engaged in alarm system contracting, who seek to renew their certificates or registrations, must have two hours of false alarm prevention education as part of their continuing education requirements. It requires, that in order to be employed by a licensed electrical or alarm system contractor, burglar alarm system agents must complete an additional two hours of training in false alarm prevention. It requires that licensed electrical or alarm system contractors furnish their burglar alarm system agents with a board approved identification card. The card is valid for two years and may be renewed subject to proof of compliance with continuing education requirements and an updated criminal background check from the Department of Law Enforcement. It requires fire alarm system agents to have at least two hours of training in the prevention of false alarms. It requires that each licensed electrical or alarm system contractor obtain an updated criminal background check from the Department of Law Enforcement for each fire alarm system agent who renews

certification. It requires that each fire alarm system agent have continuing education in false alarm prevention.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 38-0; House 117-0

SB 2132 — Construction Industries Fund

by Senator Argenziano

The bill renames the Construction Industries Recovery Fund as the “Florida Homeowners’ Recovery Fund.” The bill authorizes claims filed against Division I contractors (which include licensed general contractors, building contractors, and residential contractors) and removes the authority to file a claim against Division II contractors (which include in part, roofing contractors, swimming pool contractors and air-conditioning contractors). For contracts entered into after July 1, 2004, the bill increases the cap for individual claims from \$25,000 to \$50,000. Beginning on January 1, 2005, for contracts entered into after July 1, 2004, the bill increases the aggregate amount that may be paid as a result of the actions of any one contractor from \$250,000 to \$500,000 and removes the annual limit on claims against any one contractor.

The bill clarifies the statute of limitation provisions for filing claims, allows recovery for criminal judgments and arbitration awards, creates additional administrative procedures, establishes felony and fine provisions for fraudulent claims, and requires permit fee information relating to the one half cent assessment to be reported by local building permit authorities. The bill specifies that the Construction Industry Licensing Board may by rule delegate authority to the Department of Business and Professional Regulation to terminate proceedings on a claim when: a claimant is not qualified to make a claim for recovery from the recovery fund; after notice the claimant has failed to provide documentation in support of the claim; or the licensee has reached the aggregate limit.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 38-0; House 116-0

HB 129 — Emergency Elevator Access

by Rep. Kallinger and others (CS/CS/CS/SBs 672 and 680 by Comprehensive Planning Committee; Banking and Insurance Committee; Regulated Industries Committee; and Senators Constantine, Smith, and Lynn)

The bill (Chapter 2004-12, L.O.F.) mandates that elevators in buildings on which construction is begun after June 30, 2004, that are six or more stories in height, including hotels and condominiums, must be keyed or retrofitted with a master key to allow firefighters emergency access. It applies to all elevators that allow public access, including service and freight elevators, and requires that elevators be keyed so as to allow elevators within each of the Department of

Law Enforcement's seven emergency response regions to operate in fire emergency situations with one master elevator key. Buildings with six or more stories that have undergone substantial improvement must also comply with the elevator key requirement. Compliance with this requirement is required of existing buildings by July 1, 2007.

The master elevator key would be issued to the fire department as well as elevator owners, owners' agents, elevator contractors, state certified inspectors, and state agency representatives. If it is technically, financially, or physically impossible to bring a building into compliance with the elevator key requirements, the local fire marshal may allow substitute emergency measures that will provide reasonable emergency elevator access. The local fire marshal's decision can be appealed to the State Fire Marshal.

The bill authorizes the Division of State Fire Marshal within the Department of Financial Services (DFS) to enforce the requirements contained in this legislation. Persons who fail to comply with the elevator key mandate are subject to administrative penalties. The DFS is given rule making authority. The bill provides that a permit is not required to construct or repair an elevator when seeking to attain compliance with emergency elevator access requirements.

The bill recreates the Elevator Safety Technical Advisory Council within the DBPR, Division of Hotels and Restaurants, which council was terminated on December 31, 2003. The recreated council's membership would be increased from that of the previous committee from seven to eight members by adding one member who is a certified elevator inspector from a private inspection service.

These provisions were approved by the Governor and take effect upon becoming law.

Vote: Senate 40-0; House 116-0

HB 1899 — Construction Defects

by Judiciary Committee, Rep. Barreiro, and others (CS/SB 3046 by Regulated Industries Committee and Senator Bennett)

The bill amends ch. 558, F.S., which provides a process to resolve legal claims before a lawsuit is filed related to a construction defect arising out of the construction of a dwelling.

Under current law the pre-lawsuit process in ch. 558, F.S., is applicable to all actions involving a construction defect claim. The bill amends this requirement to limit its application only to contracts for the design, construction, or remodeling of a dwelling entered into on or after July 1, 2004, in which the construction professional elects the pre-lawsuit notice process.

The bill amends the definition of the term "claimant" to delete tenants from the definition of the term, and to include a subsequent owner who asserts a claim for indemnification. The bill also

excludes administrative proceedings asserting a claim for alleged personal injuries arising out an alleged construction defect from this pre-lawsuit resolution process.

The bill amends the time frames in the current law to provide separate time frames and notice periods for homeowners' associations representing 20 or more parcel owners. The bill provides for longer time frames for the pre-litigation procedures. It also extends from 60 days to 90 days the tolling of the applicable statute of limitations.

The bill provides a 60-day notice requirement before filing an action based on a construct defect for actions involving a single-family home, an association representing 20 or fewer residential parcels, a manufactured or modular home duplex, triplex, or quadruplex, (dwelling) or 120 days for associations representing more than 20 residential parcels (association). It increases the period within which a construction professional may inspect a dwelling after receiving a notice of claim from five to 30 days for a claim for a dwelling and 50 days for an association, increases the time from 5 to 15 days within which a construction professional must respond to the notice of claim from another construction professional after receiving a copy of the notice of claim for a dwelling and to 30 days for an association, and increases the time from 25 to 45 days within which a construction professional must respond to a claimant's notice of claim for a construction defect involving a dwelling and 75 days for an association. It provides extensive requirements when destructive testing is involved in evaluating a construction defect claim.

The bill requires that a written offer to compromise and settle the claim by monetary payment, that will not obligate the person's insurer, must present a timetable for making payment. The bill provides that, in the event of a partial settlement or compromise, the claimant may, without further notice, proceed with an action on the unresolved portions of the claim. The bill requires the claimant to reject or accept an offer of compromise, and requires that, before proceeding with an action, the claimant must first timely and properly serve a notice of the rejection of the settlement offer. The bill provides that the initial list of construction defects may be amended by the claimant to identify additional construction defects as they become known to the claimant. It provides that failure to remedy failure to offer a settlement or compromise is not admissible in any legal action.

The bill provides that a construction professional's written offer to compromise and settle a claim will not obligate the person's insurer, and it requires that a construction professional's written response to the claimant must include a statement related to insurance proceeds and insurer determinations. It also requires compliance with contractual provisions of liability insurance policies, provides that a notice of claim provided to an insurer does not constitute a claim for insurance purposes, and provides that s. 558.004, F.S., which provides the pre-lawsuit notice process, does not affect the insurance policy.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 39-0; House 116-0

CONDOMINIUMS AND COMMUNITY ASSOCIATIONS

CS/CS/SB 2984 — Condominium and Community Associations

by Comprehensive Planning Committee; Regulated Industries Committee; and Senator Atwater

The bill limits the application of any amendments that restrict a condominium unit owner's rights relating to unit rental to owners who consent to the amendment and to subsequent purchasers. It provides immunity from liability to condominium associations and their agents for providing information to persons in good faith. It prohibits insurers from requiring that community associations acquire medical malpractice liability as a condition for any other coverage carried by the association if the association acquires an automated external defibrillator. The bill provides notice requirement for condominium associations that vote to forego retrofitting of fire sprinkler systems in common areas. It includes the Frequently Asked Questions document in the nondeveloper disclosure information. It also provides a method for the revival of homeowners' associations expired declarations of covenants.

The bill revises the Uniform Community Development District Act of 1980 to allow a community development district (CDD) governing board to enforce deed restrictions in specified circumstances, and to correct deficiencies in the district dissolution process and elections policies and procedures.

The bill amends several substantive provisions of ch. 720, F.S., relating to homeowners' associations. The bill provides that parcel owners and members have the right to attend all meetings, and the right to speak for at least three minutes at meetings, provided that the parcel owner or member submits a request to speak prior to the commencement of the meeting. The bill requires notice to parcel owners and members of all board meetings, and requires an association's board to address an item of business if 20 percent of the total voting interests petition the board. The board would have to take up the petitioned item at its next meeting or special meeting.

The bill requires associations to maintain a copy of their governing documents and records, and to provide parcel owners with copies requested, if a copy machine is available, during an inspection if the entire request is limited to no more than 25 pages. It requires associations to adopt reasonable rules that govern the inspection of the associations' records. The bill establishes financial reporting requirements and the format of financial statements.

The bill establishes notice requirements for removal of directors. It provides the procedure for certification of the recall vote, for resolving a defective recall, for replacement of a recalled director and establishes dispute resolution procedures for recall and election disputes.

The bill expands flag display rights to include the right to display the official State of Florida and flags of the U.S. Armed Services. It prohibits "Strategic Lawsuits Against Public Participation" or "SLAPP" suits, requires courts to award the prevailing party reasonable attorney's fees and

costs, and bars associations from expending association funds in prosecuting a SLAPP suit against a parcel owner. It allows any parcel owner to construct an access ramp in certain circumstances. The bill also provides that parcel owners may display, within 10 feet of any entrance to the home, a sign of reasonable size provided by a contractor for security services.

The bill provides that a fine by an association against any member, tenant, guest, or invitee cannot become a lien against a parcel. It provides that in any action to recover a fine, the prevailing party is entitled to collect reasonable attorney's fees and costs. The bill establishes requirements for associations' contracts for products and services. The bill provides disclosure requirements for sellers of property in a community governed by a homeowners' association.

The bill provides a cause of action to rescind the contract for sale or for damages against developers for false or misleading material statements. The bill grants the county courts original jurisdiction over disputes occurring in homeowners' associations, and provides for concurrent jurisdiction in the circuit courts.

If approved by the Governor, these provisions take effect October 1, 2004.

Vote: Senate 24-12; House 102-13

HB 325 — Mobile Home Parks

by Rep. Fiorentino and others (CS/SB 1340 by Appropriations Committee and Senator Lynn)

The bill (Chapter 2004-13, L.O.F.) amends s. 723.0612(7), F.S., to require that the mobile home park owner must pay \$1,375 for a single section and \$2,750 for a multisection into the Florida Mobile Home Relocation Corporation (the corporation). It deletes the provision that requires a mobile home park owner to pay the corporation an amount equal to one-fourth of the maximum allowable moving expenses if the home owner chooses the option to abandon the mobile home in lieu of moving the mobile home.

These provisions were approved by the Governor and took effect April 6, 2004.

Vote: Senate 40-0; House 118-0

FUNERAL DIRECTORS AND CEMETERIES

CS/CS/SB 528 — Funeral and Cemetery Services

by Banking and Insurance Committee; Regulated Industries Committee; and Senators Pruitt, Haridopolos, Posey, Lynn, King, Alexander, Argenziano, Aronberg, Atwater, Bennett, Bullard, Campbell, Carlton, Clary, Constantine, Cowin, Crist, Dawson, Diaz de la Portilla, Dockery, Fasano, Garcia, Geller, Hill, Jones, Klein, Lawson, Lee, Margolis, Miller, Peaden, Saunders, Sebesta, Siplin, Smith, Villalobos, Wasserman Schultz, Webster, Wilson, and Wise

The bill merges funeral and cemetery regulation into one board under the Department of Financial Services, and consolidates all cemetery and funeral provisions into one chapter. The bill provides that this act may be cited as the “Senator Howard E. Futch Act.”

The bill merges the provisions of chs. 470 and 497, F.S., into ch. 497, F.S. It duplicates and incorporates into ch. 497, F.S., relevant provisions from ch. 455, F.S., relating to the current ch. 470, F.S., professions. The bill also consolidates and eliminates duplicative provisions from the two chapters. It creates the Board of Funeral, Cemetery, and Consumer Services (board) and the Division of Funeral, Cemetery, and Consumer Services within the Department of Financial Services.

The bill divides ch. 497, F.S., into six parts with each part corresponding to similar regulatory issues, i.e., part I relates to general provisions common to all parts, part II relates to cemetery regulation, part III relates to funeral directors and embalmers, part IV relates to preneed sales, part V relates to monument establishments, and part VI relates to cremation, crematories and direct disposition. The bill also abolishes the Board of Funeral Directors and Embalmers within the Department of Business and Professional Regulation and the Board of Funeral and Cemetery Services within the Department of Financial Services (department).

The bill sets forth the authority of the board and the department, including each entity’s rulemaking authority. It provides a procedure for providing for receivership for cemeteries with a revoked license. It includes the process of closing the affairs of the cemetery and protecting the interests of consumers and family members of the deceased. It also provides extensive investigatory and examination authority to the department and board.

The bill requires the proper identification of dead human remains in the casket, alternative container, or cremation container. The bill provides minimum dimension standards for adult grave spaces. The bill also requires that licensed cemeteries prepare a map documenting the survey reference markers to show the number of grave spaces available for sale, the location of each grave space, the number designation assigned each grave space, and the dimensions of a standard adult grave space.

The bill provides for the regulation of preneed contract sales by requiring a certificate of authority to conduct such sales. The bill also provides for the regulation of monument establishments, including minimum financial requirements for licensure.

If approved by the Governor, these provisions take effect October 1, 2005.

Vote: Senate 40-0; House 110-3

PARI-MUTUEL WAGERING

HB 941 — Greyhound Adoption

by Rep. Prieguez and others (CS/SB 176 by Regulated Industries Committee and Senators Wasserman Shultz, Fasano, and Crist)

The bill (Chapter 2004-23, L.O.F.) requires and specifies the criteria by which greyhound-racing permitholders are to provide information at each dogracing facility concerning the adoption of a greyhound. Each dogracing permitholder operating a facility in this state must provide for a greyhound adoption booth at the facility to be operated on weekends. The bill requires that the racing program contain adoption information and identify greyhounds in a race that will become available for adoption. The permitholder is authorized to hold an additional charity day, designated as “Greyhound Adopt-A-Pet Day,” and use the profits from the charity day to fund activities promoting greyhound adoptions. It provides for penalties for violating the section. The bill defines the term “bona fide organization that promotes or encourages the adoption of greyhounds” and requires as a condition of adoption that such organization provide sterilization of greyhounds by a licensed veterinarian before relinquishing custody of the greyhound to the adopter.

These provisions were approved by the Governor and take effect July 1, 2004.

Vote: Senate 39-0; House 115-3

PROFESSIONS

CS/CS/SB 1530 — Cosmetology

by Finance and Taxation Committee; Regulated Industries Committee; and Senator Sebesta

The bill would permit persons who are not licensed to provide cosmetology services to provide makeup, special effects, or cosmetology services to an actor, musician, extra, or other talent during a production recognized by the Office of Film and Entertainment as a “qualified production” as defined in s. 288.1254(2)(d), F.S. The bill also permits persons who are not licensed cosmetologists to provide makeup or special effects services in a theme park or entertainment complex to an actor, stunt person, musician, extra, or other talent, or to provide makeup or special effects services to the general public for no compensation.

The bill authorizes the Board of Cosmetology within the Department of Business and Professional Regulation to adopt, by rule, health and safety restrictions established by U.S. Food and Drug Administration regulations related to cosmetology. The bill would also prohibit the use or possession of products containing methyl methacrylate (MMA) in the practice of cosmetology.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 37-0; House 112-5

CS/CS/SB 2026 — Professions Regulation/DBPR

by Governmental Oversight and Productivity Committee; Regulated Industries Committee; and Senator Pruitt

The bill substantially amends the provisions of the Management Privatization Act in s. 455.32, F.S., to establish a model for the privatization of the regulation of professionals when requested by any board of the Department of Business and Professional Regulation (DBPR). The bill defines “board” to mean any board, commission, or council created within the department pursuant to ch. 20, F.S.

The bill requires that a board’s privatization request must contain a needs assessment and financial feasibility study. The bill provides that a corporation providing support services to a board must be a Florida corporation not for profit, and operate under a fiscal year of July 1 through June 30. It provides for the appointment and removal of the corporation’s board members.

The bill requires that the corporation must have its articles of incorporation and bylaws approved by the department, and operate under a written contract with the department. The corporation must also provide a faithful performance bond for all persons charged with receiving and depositing fee and fine revenue.

The bill requires that the corporation keep financial and statistical information and be the sole source and depository for the board’s records, which must be maintained in accordance with the guidelines of the Department of State.

The bill requires that the professional board provide by rule for the security and monitoring of licensure examinations. It requires that the corporation maintain the current act’s continuing education reporting requirements. The bill deletes the DBPR’s authority to privatize continuing education monitoring, and establishes limits for fines that may be imposed for violations by licensees and providers. The bill provides for the approval of continuing education courses by the DBPR.

The bill provides methods and mechanisms to resolve any noncompliance of the contract and the return of records and property to the department.

The bill provides requirements for insurance coverage and the payment of certain legal and contract costs by the corporation. The corporation's staff are not public employees for the purposes of ch. 110 or ch. 112, F.S., which relates to state employment and public officers, respectively. However, it provides that the per diem, travel expenses, and the code of ethics provisions apply to the corporation's staff.

The bill requires a financial model and business case for the corporation with projected costs for the first two years. The business case must be approved by the Governor. The bill provides that the corporation may use interest derived by it to offset the costs associated with the use of credit cards.

The bill authorizes the corporation to initiate disciplinary investigations, and authorizes the department to delegate to the corporation the authority to issue emergency suspension or restriction orders.

The bill also amends ch. 509, F.S., relating to the regulation of public food service establishments, to provide that licensed public food service establishments must report to the Division of Hotels and Restaurants within the Department of Business and Professional Regulation proof upon request of the establishment's food safety training of its employees. The bill also establishes reporting and record keeping requirements for third party providers that provide food safety training.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 37-0; House 115-0

SB 2276 — Professional Geology

by Senator Clary

The bill clarifies and makes consistent the use of the terms the "practice of professional geology" and "professional geologist" throughout ch. 492, F.S. The bill provides that a violation of a rule of the Board of Professional Geologist (board) or any order of the board previously entered in a disciplinary hearing is grounds for discipline. The bill also transfers certain duties from the Department of Business and Professional Regulation to the board relating to discipline.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 40-0; House 116-0

CS/SB 2720 — Public Accountancy

by Government Oversight and Productivity Committee and Senator Atwater

The bill provides an alternative method for waiving the fifth year education requirement for licensure as a Certified Public Accountant (CPA) for applications made before October 1, 2008. To qualify for the waiver, an applicant must have at least five years of experience as an auditor or accountant in the employment of a unit of federal, state, or local government, the employment must have required the use of accounting skills as a substantial part of the applicant's duties, and the applicant must have been under the supervision of a certified public accountant licensed by a state or territory of the United States. The experience must be while licensed as a CPA by another state or territory.

The bill requires, as a condition for renewal of a CPA license, completion of an ethics continuing professional education requirement that is not less than five percent of the total hours of continuing professional education required by the Board of Accountancy in the Department of Business and Professional Regulation. The ethics education must be applicable to the practice of public accounting, and it must include a review of the provisions of chs. 455 and 473, F.S., and the related administrative rules. The ethics requirement must be completed before taking the license renewal examination. The bill provides that this requirement must be administered by providers approved by the Board of Accountancy.

If approved by the Governor, these provisions take effect on July 1, 2004.

Vote: Senate 37-0; House 117-1

HB 419 — Engineering

by Rep. Allen (CS/SB 1368 by Regulated Industries Committee and Senator Saunders)

This bill amends the law regulating engineers by increasing the number of members on the Board of Professional Engineers in the Department of Business and Professional Regulation from nine to eleven. It requires the two new members of the board to be a licensed structural engineer and a licensed industrial engineer.

It provides that an applicant for licensure as an engineer will be deemed to have passed the fundamentals examination if the applicant has received a doctorate degree in engineering from an institution that has an accredited undergraduate engineering program and has taught engineering full-time for at least 3 years.

It decreases from five to three the number of times an engineer applicant may take the fundamentals examination or the principles and practice examination.

It removes the requirement that the applicant take college-level courses *in the areas of deficiency, as determined by the board*, if an applicant fails either examination three times. The applicant must still take college-level education courses in order to reapply for examination.

It provides an exemption from the prohibition on use of the title “engineer.” The exemption applies to a person who is exempt from licensure because the person provides design or fabrication of manufactured products and servicing of the products for a corporation not engaged in the practice of engineering, or the person is a subordinate of a licensed engineer who is in responsible charge. Additionally, the person must be a graduate of an approved engineering curriculum of 4 years or more in a school, college, or university which has been approved by the board.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 119-0

HB 1457 — Land Surveying and Mapping

by Rep. Evers (CS/SB 2248 by Regulated Industries Committee and Senator Peaden)

The bill provides that the Board of Professional Surveyors and Mappers (board) shall reinstate and the Department of Business and Professional Regulation (department) shall reissue by July 1, 2005, the license of an individual whose license has become null provided that the following statutorily specified circumstances and qualifications are met: the license of the individual was scheduled to be renewed during the biennium period beginning in 2001; the license of the individual was in good standing at the time of the beginning of the renewal cycle; the individual properly petitioned the department for relief relating to the circumstances under which the license became null; and no felony or practice act or unlicensed activity penalties have been imposed upon the individual for violations occurring during the period the license was null.

The individual must submit an application to the board for reinstatement in a manner prescribed by rules of the board and shall pay the appropriate application fees in an amount equal to the fees imposed for current applicants for new licensure. The provisions of the act expire on July 1, 2005.

If approved by the Governor, these provisions take effect upon becoming a law.

Vote: Senate 37-1; House 116-0

PUGILISTIC EXHIBITIONS

CS/SB 538 — Stacy Young Act

by Regulated Industries Committee and Senator Lynn

The bill amends ch. 548, F.S., to provide for the regulation of amateur boxing and kickboxing matches by the Florida Boxing Commission (the commission). The bill provides that this act may be cited as the Stacy Young Act. The bill prohibits amateur matches that are not sanctioned and supervised by an amateur sanctioning organization approved by the commission. The bill prohibits matches that utilize strikes to the head unless it is sanctioned and supervised by an amateur sanctioning organization approved by the commission.

The bill also prohibits amateur mixed martial arts matches. It exempts matches conducted or sponsored for participants of a bona fide nonprofit boxing, kickboxing, or martial arts school or education program, and exempts matches for members of the Florida National Guard conducted or sponsored by any company or detachment of the Guard.

It grants the commission rule making authority, including emergency rulemaking authority, to establish criteria for the approval, disapproval, suspension of approval, and revocation of amateur sanctioning organizations for amateur boxing and kickboxing matches. It grants the commission the exclusive jurisdiction over the approval, disapproval, suspension of disapproval, and revocation of approval of all amateur sanctioning organizations for amateur boxing matches held in this state. The commission must, at least biennially, review its approval of an amateur sanctioning organization.

The bill grants the commission the authority to make periodic compliance checks, and provides that any member of the commission or the executive director of the commission may suspend the approval of a sanctioning organization if it fails to comply with health and safety standards. Any member of the commission, or commission representative, may immediately stop a boxing or kickboxing match if it appears the match violates the health and safety standards required by rule. It authorizes law enforcement personnel to assist in enforcing the order to stop the match.

The bill also deletes the restriction that prohibits promoters from having a financial interest in a match participant.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 28-10; House 110-2

REAL ESTATE

CS/SB 1208 — Timeshare Plans

by Comprehensive Planning Committee and Senator Webster

The bill revises provisions in ch. 721, F.S., (Florida Vacation Plan and Timesharing Act) to tailor regulation of personal property timeshare plans offered in Florida. Personal property timeshares are timeshare interests not permanently affixed to real property, such as cruise ships, houseboats, and recreational vehicles. The bill clarifies language with respect to exchange programs and incidental benefit disclosures and addresses the issues of automatic renewal for timeshare plans, disclosure provisions, advertising, exchange programs, and incidental benefits.

It provides that a timeshare developer may voluntarily file advertising material with the Division of Florida Land Sales, Condominiums, and Mobile Homes (division), Department of Business and Professional Regulation, and requires the division to review and comment on any filed advertising deficiencies within 10 days. It provides that notices and other information sent by the timeshare board may be sent via electronic mail. It provides timeframes for review of exchange filings, amendments, and advertising. It provides conforming, clean-up and technical corrections.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 114-0