

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; amending s. 210.55, F.S.; requiring that
9 certain entities file reports, rather than returns,
10 relating to tobacco products with the division;
11 providing requirements for such reports; amending s.
12 548.003, F.S.; renaming the Florida State Boxing
13 Commission as the Florida Athletic Commission;
14 amending s. 548.043, F.S.; revising rulemaking
15 requirements for the commission relating to gloves;
16 amending s. 561.01, F.S.; deleting the definition of
17 the term "permit carrier"; amending s. 561.17, F.S.;
18 revising a requirement related to the filing of
19 fingerprints with the division; requiring that
20 applications be accompanied by certain information
21 relating to right of occupancy; providing requirements
22 relating to contact information for licensees and
23 permittees; amending s. 561.20, F.S.; conforming
24 cross-references; revising requirements for issuing
25 special licenses to certain food service

26 establishments; amending s. 561.42, F.S.; requiring
27 the division, and authorizing vendors, to use
28 electronic mail to give certain notice; amending s.
29 561.55, F.S.; revising requirements for reports
30 relating to alcoholic beverages; amending s. 718.112,
31 F.S.; providing the circumstances under which a person
32 is delinquent in the payment of an assessment in the
33 context of eligibility for membership on certain
34 condominium boards; requiring that an annual budget be
35 proposed to unit owners and adopted by the board
36 before a specified time; amending s. 718.501, F.S.;
37 authorizing the Division of Florida Condominiums,
38 Timeshares, and Mobile Homes to adopt rules regarding
39 the submission of complaints against a condominium
40 association; amending s. 718.5014, F.S.; revising the
41 location requirements for the principal office of the
42 condominium ombudsman; amending ss. 455.219, 548.002,
43 548.05, 548.071, and 548.077, F.S.; conforming
44 provisions to changes made by the act; providing an
45 effective date.

46
47 Be It Enacted by the Legislature of the State of Florida:

48
49 Section 1. Subsection (2) of section 210.09, Florida
50 Statutes, is amended to read:

51 210.09 Records to be kept; reports to be made;
52 examination.—

53 (2) The division is authorized to prescribe and promulgate
54 by rules and regulations, which shall have the force and effect
55 of the law, such records to be kept and reports to be made to
56 the division by any manufacturer, importer, distributing agent,
57 wholesale dealer, retail dealer, common carrier, or any other
58 person handling, transporting or possessing cigarettes for sale
59 or distribution within the state as may be necessary to collect
60 and properly distribute the taxes imposed by s. 210.02. All
61 reports shall be made on or before the 10th day of the month
62 following the month for which the report is made, unless the
63 division by rule or regulation shall prescribe that reports be
64 made more often. All reports shall be filed with the division
65 through the division's electronic data submission system.

66 Section 2. Subsection (1) of section 210.55, Florida
67 Statutes, is amended to read:

68 210.55 Distributors; monthly returns.—

69 (1) On or before the 10th of each month, every taxpayer
70 with a place of business in this state shall file a full and
71 complete report ~~return~~ with the division showing the tobacco
72 products ~~taxable price of each tobacco product~~ brought or caused
73 to be brought into this state for sale, or made, manufactured,
74 or fabricated in this state for sale in this state, during the
75 preceding month. Every taxpayer outside this state shall file a

76 | full and complete report with the division through the
 77 | division's electronic data submission system ~~return~~ showing the
 78 | quantity and taxable price of each tobacco product shipped or
 79 | transported to retailers in this state, to be sold by those
 80 | retailers, during the preceding month. Reports must ~~Returns~~
 81 | ~~shall~~ be made upon forms furnished and prescribed by the
 82 | division and must ~~shall~~ contain any other information that the
 83 | division requires. Each report must ~~return shall~~ be accompanied
 84 | by a remittance for the full tax liability shown and be filed
 85 | with the division through the division's electronic data
 86 | submission system.

87 | Section 3. Section 548.003, Florida Statutes, is amended
 88 | to read:

89 | 548.003 Florida Athletic ~~State Boxing~~ Commission.—

90 | (1) The Florida Athletic ~~State Boxing~~ Commission is
 91 | created and is assigned to the Department of Business and
 92 | Professional Regulation for administrative and fiscal
 93 | accountability purposes only. The ~~Florida State Boxing~~
 94 | commission shall consist of five members appointed by the
 95 | Governor, subject to confirmation by the Senate. One member must
 96 | be a physician licensed pursuant to chapter 458 or chapter 459,
 97 | who must maintain an unencumbered license in good standing, and
 98 | who must, at the time of her or his appointment, have practiced
 99 | medicine for at least 5 years. Upon the expiration of the term
 100 | of a commissioner, the Governor shall appoint a successor to

101 | serve for a 4-year term. A commissioner whose term has expired
102 | shall continue to serve on the commission until such time as a
103 | replacement is appointed. If a vacancy on the commission occurs
104 | prior to the expiration of the term, it shall be filled for the
105 | unexpired portion of the term in the same manner as the original
106 | appointment.

107 | (2) The ~~Florida State Boxing~~ commission, as created by
108 | subsection (1), shall administer the provisions of this chapter.
109 | The commission has authority to adopt rules pursuant to ss.
110 | 120.536(1) and 120.54 to implement the provisions of this
111 | chapter and to implement each of the duties and responsibilities
112 | conferred upon the commission, including, but not limited to:

113 | (a) Development of an ethical code of conduct for
114 | commissioners, commission staff, and commission officials.

115 | (b) Facility and safety requirements relating to the ring,
116 | floor plan and apron seating, emergency medical equipment and
117 | services, and other equipment and services necessary for the
118 | conduct of a program of matches.

119 | (c) Requirements regarding a participant's apparel,
120 | bandages, handwraps, gloves, mouthpiece, and appearance during a
121 | match.

122 | (d) Requirements relating to a manager's participation,
123 | presence, and conduct during a match.

124 | (e) Duties and responsibilities of all licensees under
125 | this chapter.

- 126 (f) Procedures for hearings and resolution of disputes.
- 127 (g) Qualifications for appointment of referees and judges.
- 128 (h) Qualifications for and appointment of chief inspectors
129 and inspectors and duties and responsibilities of chief
130 inspectors and inspectors with respect to oversight and
131 coordination of activities for each program of matches regulated
132 under this chapter.
- 133 (i) Designation and duties of a knockdown timekeeper.
- 134 (j) Setting fee and reimbursement schedules for referees
135 and other officials appointed by the commission or the
136 representative of the commission.
- 137 (k) Establishment of criteria for approval, disapproval,
138 suspension of approval, and revocation of approval of amateur
139 sanctioning organizations for amateur boxing, kickboxing, and
140 mixed martial arts held in this state, including, but not
141 limited to, the health and safety standards the organizations
142 use before, during, and after the matches to ensure the health,
143 safety, and well-being of the amateurs participating in the
144 matches, including the qualifications and numbers of health care
145 personnel required to be present, the qualifications required
146 for referees, and other requirements relating to the health,
147 safety, and well-being of the amateurs participating in the
148 matches. The commission may adopt by rule, or incorporate by
149 reference into rule, the health and safety standards of USA
150 Boxing as the minimum health and safety standards for an amateur

151 boxing sanctioning organization, the health and safety standards
152 of the International Sport Kickboxing Association as the minimum
153 health and safety standards for an amateur kickboxing
154 sanctioning organization, and the minimum health and safety
155 standards for an amateur mixed martial arts sanctioning
156 organization. The commission shall review its rules for
157 necessary revision at least every 2 years and may adopt by rule,
158 or incorporate by reference into rule, the then-existing current
159 health and safety standards of USA Boxing and the International
160 Sport Kickboxing Association. The commission may adopt emergency
161 rules to administer this paragraph.

162 (3) The commission shall maintain an office in
163 Tallahassee. At the first meeting of the commission after June 1
164 of each year, the commission shall select a chair and a vice
165 chair from among its membership. Three members shall constitute
166 a quorum and the concurrence of at least three members is
167 necessary for official commission action.

168 (4) Three consecutive unexcused absences or absences
169 constituting 50 percent or more of the commission's meetings
170 within any 12-month period shall cause the commission membership
171 of the member in question to become void, and the position shall
172 be considered vacant. The commission shall, by rule, define
173 unexcused absences.

174 (5) Each commission member shall be accountable to the
175 Governor for the proper performance of duties as a member of the

176 | commission. The Governor shall cause to be investigated any
 177 | complaint or unfavorable report received by the Governor or the
 178 | department concerning an action of the commission or any member
 179 | and shall take appropriate action thereon. The Governor may
 180 | remove from office any member for malfeasance, unethical
 181 | conduct, misfeasance, neglect of duty, incompetence, permanent
 182 | inability to perform official duties, or pleading guilty or nolo
 183 | contendere to or being found guilty of a felony.

184 | (6) Each member of the commission shall be compensated at
 185 | the rate of \$50 for each day she or he attends a commission
 186 | meeting and shall be reimbursed for other expenses as provided
 187 | in s. 112.061.

188 | (7) The commission shall be authorized to join and
 189 | participate in the activities of the Association of Boxing
 190 | Commissions (ABC).

191 | (8) The department shall provide all legal and
 192 | investigative services necessary to implement this chapter. The
 193 | department may adopt rules as provided in ss. 120.536(1) and
 194 | 120.54 to carry out its duties under this chapter.

195 | Section 4. Subsection (3) of section 548.043, Florida
 196 | Statutes, is amended to read:

197 | 548.043 Weights and classes, limitations; gloves.—

198 | (3) The commission shall establish by rule the need for
 199 | gloves, if any, and the weight of any such gloves to be used in
 200 | each pugilistic match ~~the appropriate weight of gloves to be~~

201 ~~used in each boxing match; however, all participants in boxing~~
202 ~~matches shall wear gloves weighing not less than 8 ounces each~~
203 ~~and participants in mixed martial arts matches shall wear gloves~~
204 ~~weighing 4 to 8 ounces each.~~ Participants shall wear such
205 protective devices as the commission deems necessary.

206 Section 5. Subsection (20) of section 561.01, Florida
207 Statutes, is amended to read:

208 561.01 Definitions.—As used in the Beverage Law:

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

211 Section 6. Subsections (1) and (2) of section 561.17,
212 Florida Statutes, are amended, and subsection (5) is added to
213 that section, to read:

214 561.17 License and registration applications; approved
215 person.—

216 (1) Any person, before engaging in the business of
217 manufacturing, bottling, distributing, selling, or in any way
218 dealing in alcoholic beverages, shall file, with the district
219 licensing personnel of the district of the division in which the
220 place of business for which a license is sought is located, a
221 sworn application in the format prescribed by the division. The
222 applicant must be a legal or business entity, person, or persons
223 and must include all persons, officers, shareholders, and
224 directors of such legal or business entity that have a direct or
225 indirect interest in the business seeking to be licensed under

226 | this part. However, the applicant does not include any person
227 | that derives revenue from the license solely through a
228 | contractual relationship with the licensee, the substance of
229 | which contractual relationship is not related to the control of
230 | the sale of alcoholic beverages. Before any application is
231 | approved, the division may require the applicant to file a set
232 | of fingerprints electronically through an approved electronic
233 | fingerprinting vendor or on ~~regular United States Department of~~
234 | Justice forms prescribed by the Florida Department of Law
235 | Enforcement for herself or himself and for any person or persons
236 | interested directly or indirectly with the applicant in the
237 | business for which the license is being sought, when required by
238 | the division. If the applicant or any person who is interested
239 | with the applicant either directly or indirectly in the business
240 | or who has a security interest in the license being sought or
241 | has a right to a percentage payment from the proceeds of the
242 | business, either by lease or otherwise, is not qualified, the
243 | division shall deny the application. However, any company
244 | regularly traded on a national securities exchange and not over
245 | the counter; any insurer, as defined in the Florida Insurance
246 | Code; or any bank or savings and loan association chartered by
247 | this state, another state, or the United States which has an
248 | interest, directly or indirectly, in an alcoholic beverage
249 | license is not required to obtain the division's approval of its
250 | officers, directors, or stockholders or any change of such

251 | positions or interests. A shopping center with five or more
252 | stores, one or more of which has an alcoholic beverage license
253 | and is required under a lease common to all shopping center
254 | tenants to pay no more than 10 percent of the gross proceeds of
255 | the business holding the license to the shopping center, is not
256 | considered as having an interest, directly or indirectly, in the
257 | license. A performing arts center, as defined in s. 561.01,
258 | which has an interest, directly or indirectly, in an alcoholic
259 | beverage license is not required to obtain division approval of
260 | its volunteer officers or directors or of any change in such
261 | positions or interests.

262 | (2) All applications for any alcoholic beverage license
263 | must be accompanied by proof of the applicant's right of
264 | occupancy for the entire premises sought to be licensed. All
265 | applications for alcoholic beverage licenses for consumption on
266 | the premises shall be accompanied by a certificate of the
267 | Division of Hotels and Restaurants of the Department of Business
268 | and Professional Regulation, the Department of Agriculture and
269 | Consumer Services, the Department of Health, the Agency for
270 | Health Care Administration, or the county health department that
271 | the place of business wherein the business is to be conducted
272 | meets all of the sanitary requirements of the state.

273 | (5) Any person or entity licensed or permitted by the
274 | division must provide an electronic mail address to the division
275 | to function as the primary contact for all communication by the

276 division to the licensee or permittees. Licensees and permittees
277 are responsible for maintaining accurate contact information on
278 file with the division.

279 Section 7. Paragraph (a) of subsection (2) of section
280 561.20, Florida Statutes, is amended to read:

281 561.20 Limitation upon number of licenses issued.—

282 (2) (a) The limitation of the number of licenses as
283 provided in this section does not prohibit the issuance of a
284 special license to:

285 1. Any bona fide hotel, motel, or motor court of not fewer
286 than 80 guest rooms in any county having a population of less
287 than 50,000 residents, and of not fewer than 100 guest rooms in
288 any county having a population of 50,000 residents or greater;
289 or any bona fide hotel or motel located in a historic structure,
290 as defined in s. 561.01(20) ~~s. 561.01(21)~~, with fewer than 100
291 guest rooms which derives at least 51 percent of its gross
292 revenue from the rental of hotel or motel rooms, which is
293 licensed as a public lodging establishment by the Division of
294 Hotels and Restaurants; provided, however, that a bona fide
295 hotel or motel with no fewer than 10 and no more than 25 guest
296 rooms which is a historic structure, as defined in s. 561.01(20)
297 ~~s. 561.01(21)~~, in a municipality that on the effective date of
298 this act has a population, according to the University of
299 Florida's Bureau of Economic and Business Research Estimates of
300 Population for 1998, of no fewer than 25,000 and no more than

301 35,000 residents and that is within a constitutionally chartered
302 county may be issued a special license. This special license
303 shall allow the sale and consumption of alcoholic beverages only
304 on the licensed premises of the hotel or motel. In addition, the
305 hotel or motel must derive at least 60 percent of its gross
306 revenue from the rental of hotel or motel rooms and the sale of
307 food and nonalcoholic beverages; provided that this subparagraph
308 shall supersede local laws requiring a greater number of hotel
309 rooms;

310 2. Any condominium accommodation of which no fewer than
311 100 condominium units are wholly rentable to transients and
312 which is licensed under chapter 509, except that the license
313 shall be issued only to the person or corporation that operates
314 the hotel or motel operation and not to the association of
315 condominium owners;

316 3. Any condominium accommodation of which no fewer than 50
317 condominium units are wholly rentable to transients, which is
318 licensed under chapter 509, and which is located in any county
319 having home rule under s. 10 or s. 11, Art. VIII of the State
320 Constitution of 1885, as amended, and incorporated by reference
321 in s. 6(e), Art. VIII of the State Constitution, except that the
322 license shall be issued only to the person or corporation that
323 operates the hotel or motel operation and not to the association
324 of condominium owners;

325 4. A food service establishment that has 2,500 square feet

326 of service area, is equipped to serve meals to 150 persons at
327 one time, and derives at least 51 percent of its gross food and
328 beverage revenue from the sale of food and nonalcoholic
329 beverages during the first 120-day ~~60-day~~ operating period and
330 the first ~~each~~ 12-month operating period thereafter. Subsequent
331 audit timeframes must be based upon the audit percentage
332 established by the most recent audit and conducted on a
333 staggered scale as follows: level 1, 51 percent to 60 percent,
334 every year; level 2, 61 percent to 75 percent, every 2 years;
335 level 3, 76 percent to 90 percent, every 3 years; and level 4,
336 91 percent to 100 percent, every 4 years. A food service
337 establishment granted a special license on or after January 1,
338 1958, pursuant to general or special law may not operate as a
339 package store and may not sell intoxicating beverages under such
340 license after the hours of serving or consumption of food have
341 elapsed. Failure by a licensee to meet the required percentage
342 of food and nonalcoholic beverage gross revenues during the
343 covered operating period shall result in revocation of the
344 license or denial of the pending license application. A licensee
345 whose license is revoked or an applicant whose pending
346 application is denied, or any person required to qualify on the
347 special license application, is ineligible to have any interest
348 in a subsequent application for such a license for a period of
349 120 days after the date of the final denial or revocation;
350 5. Any caterer, deriving at least 51 percent of its gross

351 food and beverage revenue from the sale of food and nonalcoholic
352 beverages at each catered event, licensed by the Division of
353 Hotels and Restaurants under chapter 509. This subparagraph does
354 not apply to a culinary education program, as defined in s.
355 381.0072(2), which is licensed as a public food service
356 establishment by the Division of Hotels and Restaurants and
357 provides catering services. Notwithstanding any law to the
358 contrary, a licensee under this subparagraph shall sell or serve
359 alcoholic beverages only for consumption on the premises of a
360 catered event at which the licensee is also providing prepared
361 food, and shall prominently display its license at any catered
362 event at which the caterer is selling or serving alcoholic
363 beverages. A licensee under this subparagraph shall purchase all
364 alcoholic beverages it sells or serves at a catered event from a
365 vendor licensed under s. 563.02(1), s. 564.02(1), or licensed
366 under s. 565.02(1) subject to the limitation imposed in
367 subsection (1), as appropriate. A licensee under this
368 subparagraph may not store any alcoholic beverages to be sold or
369 served at a catered event. Any alcoholic beverages purchased by
370 a licensee under this subparagraph for a catered event that are
371 not used at that event must remain with the customer; provided
372 that if the vendor accepts unopened alcoholic beverages, the
373 licensee may return such alcoholic beverages to the vendor for a
374 credit or reimbursement. Regardless of the county or counties in
375 which the licensee operates, a licensee under this subparagraph

376 shall pay the annual state license tax set forth in s.
377 565.02(1)(b). A licensee under this subparagraph must maintain
378 for a period of 3 years all records and receipts for each
379 catered event, including all contracts, customers' names, event
380 locations, event dates, food purchases and sales, alcoholic
381 beverage purchases and sales, nonalcoholic beverage purchases
382 and sales, and any other records required by the department by
383 rule to demonstrate compliance with the requirements of this
384 subparagraph. Notwithstanding any law to the contrary, any
385 vendor licensed under s. 565.02(1) subject to the limitation
386 imposed in subsection (1), may, without any additional licensure
387 under this subparagraph, serve or sell alcoholic beverages for
388 consumption on the premises of a catered event at which prepared
389 food is provided by a caterer licensed under chapter 509. If a
390 licensee under this subparagraph also possesses any other
391 license under the Beverage Law, the license issued under this
392 subparagraph shall not authorize the holder to conduct
393 activities on the premises to which the other license or
394 licenses apply that would otherwise be prohibited by the terms
395 of that license or the Beverage Law. Nothing in this section
396 shall permit the licensee to conduct activities that are
397 otherwise prohibited by the Beverage Law or local law. The
398 Division of Alcoholic Beverages and Tobacco is hereby authorized
399 to adopt rules to administer the license created in this
400 subparagraph, to include rules governing licensure,

401 recordkeeping, and enforcement. The first \$300,000 in fees
402 collected by the division each fiscal year pursuant to this
403 subparagraph shall be deposited in the Department of Children
404 and Families' Operations and Maintenance Trust Fund to be used
405 only for alcohol and drug abuse education, treatment, and
406 prevention programs. The remainder of the fees collected shall
407 be deposited into the Hotel and Restaurant Trust Fund created
408 pursuant to s. 509.072; or

409 6. A culinary education program as defined in s.
410 381.0072(2) which is licensed as a public food service
411 establishment by the Division of Hotels and Restaurants.

412 a. This special license shall allow the sale and
413 consumption of alcoholic beverages on the licensed premises of
414 the culinary education program. The culinary education program
415 shall specify designated areas in the facility where the
416 alcoholic beverages may be consumed at the time of application.
417 Alcoholic beverages sold for consumption on the premises may be
418 consumed only in areas designated pursuant to s. 561.01(11) and
419 may not be removed from the designated area. Such license shall
420 be applicable only in and for designated areas used by the
421 culinary education program.

422 b. If the culinary education program provides catering
423 services, this special license shall also allow the sale and
424 consumption of alcoholic beverages on the premises of a catered
425 event at which the licensee is also providing prepared food. A

426 | culinary education program that provides catering services is
427 | not required to derive at least 51 percent of its gross revenue
428 | from the sale of food and nonalcoholic beverages.
429 | Notwithstanding any law to the contrary, a licensee that
430 | provides catering services under this sub-subparagraph shall
431 | prominently display its beverage license at any catered event at
432 | which the caterer is selling or serving alcoholic beverages.
433 | Regardless of the county or counties in which the licensee
434 | operates, a licensee under this sub-subparagraph shall pay the
435 | annual state license tax set forth in s. 565.02(1)(b). A
436 | licensee under this sub-subparagraph must maintain for a period
437 | of 3 years all records required by the department by rule to
438 | demonstrate compliance with the requirements of this sub-
439 | subparagraph.

440 | c. If a licensee under this subparagraph also possesses
441 | any other license under the Beverage Law, the license issued
442 | under this subparagraph does not authorize the holder to conduct
443 | activities on the premises to which the other license or
444 | licenses apply that would otherwise be prohibited by the terms
445 | of that license or the Beverage Law. Nothing in this
446 | subparagraph shall permit the licensee to conduct activities
447 | that are otherwise prohibited by the Beverage Law or local law.
448 | Any culinary education program that holds a license to sell
449 | alcoholic beverages shall comply with the age requirements set
450 | forth in ss. 562.11(4), 562.111(2), and 562.13.

451 d. The Division of Alcoholic Beverages and Tobacco may
452 adopt rules to administer the license created in this
453 subparagraph, to include rules governing licensure,
454 recordkeeping, and enforcement.

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

458

459 However, any license heretofore issued to any such hotel, motel,
460 motor court, or restaurant or hereafter issued to any such
461 hotel, motel, or motor court, including a condominium
462 accommodation, under the general law shall not be moved to a new
463 location, such license being valid only on the premises of such
464 hotel, motel, motor court, or restaurant. Licenses issued to
465 hotels, motels, motor courts, or restaurants under the general
466 law and held by such hotels, motels, motor courts, or
467 restaurants on May 24, 1947, shall be counted in the quota
468 limitation contained in subsection (1). Any license issued for
469 any hotel, motel, or motor court under this law shall be issued
470 only to the owner of the hotel, motel, or motor court or, in the
471 event the hotel, motel, or motor court is leased, to the lessee
472 of the hotel, motel, or motor court; and the license shall
473 remain in the name of the owner or lessee so long as the license
474 is in existence. Any special license now in existence heretofore
475 issued under this law cannot be renewed except in the name of

476 the owner of the hotel, motel, motor court, or restaurant or, in
477 the event the hotel, motel, motor court, or restaurant is
478 leased, in the name of the lessee of the hotel, motel, motor
479 court, or restaurant in which the license is located and must
480 remain in the name of the owner or lessee so long as the license
481 is in existence. Any license issued under this section shall be
482 marked "Special," and nothing herein provided shall limit,
483 restrict, or prevent the issuance of a special license for any
484 restaurant or motel which shall hereafter meet the requirements
485 of the law existing immediately prior to the effective date of
486 this act, if construction of such restaurant has commenced prior
487 to the effective date of this act and is completed within 30
488 days thereafter, or if an application is on file for such
489 special license at the time this act takes effect; and any such
490 licenses issued under this proviso may be annually renewed as
491 now provided by law. Nothing herein prevents an application for
492 transfer of a license to a bona fide purchaser of any hotel,
493 motel, motor court, or restaurant by the purchaser of such
494 facility or the transfer of such license pursuant to law.

495 Section 8. Subsection (4) of section 561.42, Florida
496 Statutes, is amended to read:

497 561.42 Tied house evil; financial aid and assistance to
498 vendor by manufacturer, distributor, importer, primary American
499 source of supply, brand owner or registrant, or any broker,
500 sales agent, or sales person thereof, prohibited; procedure for

501 enforcement; exception.-

502 (4) Before the division shall so declare and prohibit such
503 sales to such vendor, ~~it shall,~~ within 2 days after receipt of
504 such notice, the division shall give ~~written~~ notice to such
505 vendor by electronic mail of the receipt by the division of such
506 notification of delinquency and such vendor shall be directed to
507 forthwith make payment thereof or, upon failure to do so, to
508 show cause before the division why further sales to such vendor
509 shall not be prohibited. Good and sufficient cause to prevent
510 such action by the division may be made by showing payment,
511 failure of consideration, or any other defense which would be
512 considered sufficient in a common-law action. The vendor shall
513 have 5 days after service ~~receipt~~ of such notice via electronic
514 mail within which to show such cause, and he or she may demand a
515 hearing thereon, provided he or she does so in writing within
516 said 5 days, such written demand to be delivered to the division
517 either in person, by electronic mail, or by due course of mail
518 within such 5 days. If no such demand for hearing is made, the
519 division shall thereupon declare in writing to such vendor and
520 to all manufacturers and distributors within the state that all
521 further sales to such vendor are prohibited until such time as
522 the division certifies in writing that such vendor has fully
523 paid for all liquors previously purchased. In the event such
524 prohibition of sales and declaration thereof to the vendor,
525 manufacturers, and distributors is ordered by the division, the

526 vendor may seek review of such decision by the Department of
527 Business and Professional Regulation within 5 days. In the event
528 application for such review is filed within such time, such
529 prohibition of sales shall not be made, published, or declared
530 until final disposition of such review by the department.

531 Section 9. Subsection (2) of section 561.55, Florida
532 Statutes, is amended to read:

533 561.55 Manufacturers', distributors', brokers', sales
534 agents', importers', vendors', and exporters' records and
535 reports.—

536 (2) Each manufacturer, distributor, broker, sales agent,
537 and importer shall make a full and complete report by the 10th
538 day of each month for the previous calendar month. The report
539 must be ~~shall be made out in triplicate; two copies shall be~~
540 ~~sent to the division, and the third copy shall be retained for~~
541 ~~the manufacturer's, distributor's, broker's, sales agent's, or~~
542 ~~importer's record. Reports shall be made on forms prepared and~~
543 ~~furnished by the division~~ and filed with the division through
544 the division's electronic data submission system.

545 Section 10. Paragraphs (d) and (f) of subsection (2) of
546 section 718.112, Florida Statutes, are amended to read:

547 718.112 Bylaws.—

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

551 (d) *Unit owner meetings.*—

552 1. An annual meeting of the unit owners must be held at
553 the location provided in the association bylaws and, if the
554 bylaws are silent as to the location, the meeting must be held
555 within 45 miles of the condominium property. However, such
556 distance requirement does not apply to an association governing
557 a timeshare condominium.

558 2. Unless the bylaws provide otherwise, a vacancy on the
559 board caused by the expiration of a director's term must be
560 filled by electing a new board member, and the election must be
561 by secret ballot. An election is not required if the number of
562 vacancies equals or exceeds the number of candidates. For
563 purposes of this paragraph, the term "candidate" means an
564 eligible person who has timely submitted the written notice, as
565 described in sub-subparagraph 4.a., of his or her intention to
566 become a candidate. Except in a timeshare or nonresidential
567 condominium, or if the staggered term of a board member does not
568 expire until a later annual meeting, or if all members' terms
569 would otherwise expire but there are no candidates, the terms of
570 all board members expire at the annual meeting, and such members
571 may stand for reelection unless prohibited by the bylaws. Board
572 members may serve terms longer than 1 year if permitted by the
573 bylaws or articles of incorporation. A board member may not
574 serve more than 8 consecutive years unless approved by an
575 affirmative vote of unit owners representing two-thirds of all

576 | votes cast in the election or unless there are not enough
577 | eligible candidates to fill the vacancies on the board at the
578 | time of the vacancy. If the number of board members whose terms
579 | expire at the annual meeting equals or exceeds the number of
580 | candidates, the candidates become members of the board effective
581 | upon the adjournment of the annual meeting. Unless the bylaws
582 | provide otherwise, any remaining vacancies shall be filled by
583 | the affirmative vote of the majority of the directors making up
584 | the newly constituted board even if the directors constitute
585 | less than a quorum or there is only one director. In a
586 | residential condominium association of more than 10 units or in
587 | a residential condominium association that does not include
588 | timeshare units or timeshare interests, co-owners of a unit may
589 | not serve as members of the board of directors at the same time
590 | unless they own more than one unit or unless there are not
591 | enough eligible candidates to fill the vacancies on the board at
592 | the time of the vacancy. A unit owner in a residential
593 | condominium desiring to be a candidate for board membership must
594 | comply with sub-subparagraph 4.a. and must be eligible to be a
595 | candidate to serve on the board of directors at the time of the
596 | deadline for submitting a notice of intent to run in order to
597 | have his or her name listed as a proper candidate on the ballot
598 | or to serve on the board. A person who has been suspended or
599 | removed by the division under this chapter, or who is delinquent
600 | in the payment of any assessment ~~monetary obligation~~ due to the

601 association, is not eligible to be a candidate for board
602 membership and may not be listed on the ballot. For purposes of
603 this paragraph, a person is delinquent if a payment is not made
604 by the due date as specifically identified in the declaration of
605 condominium, bylaws, or articles of incorporation. If a due date
606 is not specifically identified in the declaration of
607 condominium, bylaws, or articles of incorporation, the due date
608 is the first day of the assessment period. A person who has been
609 convicted of any felony in this state or in a United States
610 District or Territorial Court, or who has been convicted of any
611 offense in another jurisdiction which would be considered a
612 felony if committed in this state, is not eligible for board
613 membership unless such felon's civil rights have been restored
614 for at least 5 years as of the date such person seeks election
615 to the board. The validity of an action by the board is not
616 affected if it is later determined that a board member is
617 ineligible for board membership due to having been convicted of
618 a felony. This subparagraph does not limit the term of a member
619 of the board of a nonresidential or timeshare condominium.

620 3. The bylaws must provide the method of calling meetings
621 of unit owners, including annual meetings. Written notice must
622 include an agenda, must be mailed, hand delivered, or
623 electronically transmitted to each unit owner at least 14 days
624 before the annual meeting, and must be posted in a conspicuous
625 place on the condominium property at least 14 continuous days

626 | before the annual meeting. Upon notice to the unit owners, the
627 | board shall, by duly adopted rule, designate a specific location
628 | on the condominium property where all notices of unit owner
629 | meetings must be posted. This requirement does not apply if
630 | there is no condominium property for posting notices. In lieu
631 | of, or in addition to, the physical posting of meeting notices,
632 | the association may, by reasonable rule, adopt a procedure for
633 | conspicuously posting and repeatedly broadcasting the notice and
634 | the agenda on a closed-circuit cable television system serving
635 | the condominium association. However, if broadcast notice is
636 | used in lieu of a notice posted physically on the condominium
637 | property, the notice and agenda must be broadcast at least four
638 | times every broadcast hour of each day that a posted notice is
639 | otherwise required under this section. If broadcast notice is
640 | provided, the notice and agenda must be broadcast in a manner
641 | and for a sufficient continuous length of time so as to allow an
642 | average reader to observe the notice and read and comprehend the
643 | entire content of the notice and the agenda. In addition to any
644 | of the authorized means of providing notice of a meeting of the
645 | board, the association may, by rule, adopt a procedure for
646 | conspicuously posting the meeting notice and the agenda on a
647 | website serving the condominium association for at least the
648 | minimum period of time for which a notice of a meeting is also
649 | required to be physically posted on the condominium property.
650 | Any rule adopted shall, in addition to other matters, include a

651 requirement that the association send an electronic notice in
652 the same manner as a notice for a meeting of the members, which
653 must include a hyperlink to the website where the notice is
654 posted, to unit owners whose e-mail addresses are included in
655 the association's official records. Unless a unit owner waives
656 in writing the right to receive notice of the annual meeting,
657 such notice must be hand delivered, mailed, or electronically
658 transmitted to each unit owner. Notice for meetings and notice
659 for all other purposes must be mailed to each unit owner at the
660 address last furnished to the association by the unit owner, or
661 hand delivered to each unit owner. However, if a unit is owned
662 by more than one person, the association must provide notice to
663 the address that the developer identifies for that purpose and
664 thereafter as one or more of the owners of the unit advise the
665 association in writing, or if no address is given or the owners
666 of the unit do not agree, to the address provided on the deed of
667 record. An officer of the association, or the manager or other
668 person providing notice of the association meeting, must provide
669 an affidavit or United States Postal Service certificate of
670 mailing, to be included in the official records of the
671 association affirming that the notice was mailed or hand
672 delivered in accordance with this provision.

673 4. The members of the board of a residential condominium
674 shall be elected by written ballot or voting machine. Proxies
675 may not be used in electing the board in general elections or

676 elections to fill vacancies caused by recall, resignation, or
677 otherwise, unless otherwise provided in this chapter. This
678 subparagraph does not apply to an association governing a
679 timeshare condominium.

680 a. At least 60 days before a scheduled election, the
681 association shall mail, deliver, or electronically transmit, by
682 separate association mailing or included in another association
683 mailing, delivery, or transmission, including regularly
684 published newsletters, to each unit owner entitled to a vote, a
685 first notice of the date of the election. A unit owner or other
686 eligible person desiring to be a candidate for the board must
687 give written notice of his or her intent to be a candidate to
688 the association at least 40 days before a scheduled election.
689 Together with the written notice and agenda as set forth in
690 subparagraph 3., the association shall mail, deliver, or
691 electronically transmit a second notice of the election to all
692 unit owners entitled to vote, together with a ballot that lists
693 all candidates. Upon request of a candidate, an information
694 sheet, no larger than 8 1/2 inches by 11 inches, which must be
695 furnished by the candidate at least 35 days before the election,
696 must be included with the mailing, delivery, or transmission of
697 the ballot, with the costs of mailing, delivery, or electronic
698 transmission and copying to be borne by the association. The
699 association is not liable for the contents of the information
700 sheets prepared by the candidates. In order to reduce costs, the

701 association may print or duplicate the information sheets on
702 both sides of the paper. The division shall by rule establish
703 voting procedures consistent with this sub-subparagraph,
704 including rules establishing procedures for giving notice by
705 electronic transmission and rules providing for the secrecy of
706 ballots. Elections shall be decided by a plurality of ballots
707 cast. There is no quorum requirement; however, at least 20
708 percent of the eligible voters must cast a ballot in order to
709 have a valid election. A unit owner may not authorize any other
710 person to vote his or her ballot, and any ballots improperly
711 cast are invalid. A unit owner who violates this provision may
712 be fined by the association in accordance with s. 718.303. A
713 unit owner who needs assistance in casting the ballot for the
714 reasons stated in s. 101.051 may obtain such assistance. The
715 regular election must occur on the date of the annual meeting.
716 Notwithstanding this sub-subparagraph, an election is not
717 required unless more candidates file notices of intent to run or
718 are nominated than board vacancies exist.

719 b. Within 90 days after being elected or appointed to the
720 board of an association of a residential condominium, each newly
721 elected or appointed director shall certify in writing to the
722 secretary of the association that he or she has read the
723 association's declaration of condominium, articles of
724 incorporation, bylaws, and current written policies; that he or
725 she will work to uphold such documents and policies to the best

726 | of his or her ability; and that he or she will faithfully
727 | discharge his or her fiduciary responsibility to the
728 | association's members. In lieu of this written certification,
729 | within 90 days after being elected or appointed to the board,
730 | the newly elected or appointed director may submit a certificate
731 | of having satisfactorily completed the educational curriculum
732 | administered by a division-approved condominium education
733 | provider within 1 year before or 90 days after the date of
734 | election or appointment. The written certification or
735 | educational certificate is valid and does not have to be
736 | resubmitted as long as the director serves on the board without
737 | interruption. A director of an association of a residential
738 | condominium who fails to timely file the written certification
739 | or educational certificate is suspended from service on the
740 | board until he or she complies with this sub-subparagraph. The
741 | board may temporarily fill the vacancy during the period of
742 | suspension. The secretary shall cause the association to retain
743 | a director's written certification or educational certificate
744 | for inspection by the members for 5 years after a director's
745 | election or the duration of the director's uninterrupted tenure,
746 | whichever is longer. Failure to have such written certification
747 | or educational certificate on file does not affect the validity
748 | of any board action.

749 | c. Any challenge to the election process must be commenced
750 | within 60 days after the election results are announced.

751 5. Any approval by unit owners called for by this chapter
752 or the applicable declaration or bylaws, including, but not
753 limited to, the approval requirement in s. 718.111(8), must be
754 made at a duly noticed meeting of unit owners and is subject to
755 all requirements of this chapter or the applicable condominium
756 documents relating to unit owner decisionmaking, except that
757 unit owners may take action by written agreement, without
758 meetings, on matters for which action by written agreement
759 without meetings is expressly allowed by the applicable bylaws
760 or declaration or any law that provides for such action.

761 6. Unit owners may waive notice of specific meetings if
762 allowed by the applicable bylaws or declaration or any law.
763 Notice of meetings of the board of administration, unit owner
764 meetings, except unit owner meetings called to recall board
765 members under paragraph (j), and committee meetings may be given
766 by electronic transmission to unit owners who consent to receive
767 notice by electronic transmission. A unit owner who consents to
768 receiving notices by electronic transmission is solely
769 responsible for removing or bypassing filters that block receipt
770 of mass emails sent to members on behalf of the association in
771 the course of giving electronic notices.

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

776 8. A unit owner may tape record or videotape a meeting of
777 the unit owners subject to reasonable rules adopted by the
778 division.

779 9. Unless otherwise provided in the bylaws, any vacancy
780 occurring on the board before the expiration of a term may be
781 filled by the affirmative vote of the majority of the remaining
782 directors, even if the remaining directors constitute less than
783 a quorum, or by the sole remaining director. In the alternative,
784 a board may hold an election to fill the vacancy, in which case
785 the election procedures must conform to sub-subparagraph 4.a.
786 unless the association governs 10 units or fewer and has opted
787 out of the statutory election process, in which case the bylaws
788 of the association control. Unless otherwise provided in the
789 bylaws, a board member appointed or elected under this section
790 shall fill the vacancy for the unexpired term of the seat being
791 filled. Filling vacancies created by recall is governed by
792 paragraph (j) and rules adopted by the division.

793 10. This chapter does not limit the use of general or
794 limited proxies, require the use of general or limited proxies,
795 or require the use of a written ballot or voting machine for any
796 agenda item or election at any meeting of a timeshare
797 condominium association or nonresidential condominium
798 association.

799
800 Notwithstanding subparagraph (b)2. and sub-subparagraph 4.a., an

801 association of 10 or fewer units may, by affirmative vote of a
802 majority of the total voting interests, provide for different
803 voting and election procedures in its bylaws, which may be by a
804 proxy specifically delineating the different voting and election
805 procedures. The different voting and election procedures may
806 provide for elections to be conducted by limited or general
807 proxy.

808 (f) *Annual budget.*—

809 1. The proposed annual budget of estimated revenues and
810 expenses must be detailed and must show the amounts budgeted by
811 accounts and expense classifications, including, at a minimum,
812 any applicable expenses listed in s. 718.504(21). The annual
813 budget must be proposed to unit owners and adopted by the board
814 of directors no later than 30 days before the beginning of the
815 fiscal year. A multicondominium association shall adopt a
816 separate budget of common expenses for each condominium the
817 association operates and shall adopt a separate budget of common
818 expenses for the association. In addition, if the association
819 maintains limited common elements with the cost to be shared
820 only by those entitled to use the limited common elements as
821 provided for in s. 718.113(1), the budget or a schedule attached
822 to it must show the amount budgeted for this maintenance. If,
823 after turnover of control of the association to the unit owners,
824 any of the expenses listed in s. 718.504(21) are not applicable,
825 they need not be listed.

826 2.a. In addition to annual operating expenses, the budget
827 must include reserve accounts for capital expenditures and
828 deferred maintenance. These accounts must include, but are not
829 limited to, roof replacement, building painting, and pavement
830 resurfacing, regardless of the amount of deferred maintenance
831 expense or replacement cost, and any other item that has a
832 deferred maintenance expense or replacement cost that exceeds
833 \$10,000. The amount to be reserved must be computed using a
834 formula based upon estimated remaining useful life and estimated
835 replacement cost or deferred maintenance expense of each reserve
836 item. The association may adjust replacement reserve assessments
837 annually to take into account any changes in estimates or
838 extension of the useful life of a reserve item caused by
839 deferred maintenance. This subsection does not apply to an
840 adopted budget in which the members of an association have
841 determined, by a majority vote at a duly called meeting of the
842 association, to provide no reserves or less reserves than
843 required by this subsection.

844 b. Before turnover of control of an association by a
845 developer to unit owners other than a developer pursuant to s.
846 718.301, the developer may vote the voting interests allocated
847 to its units to waive the reserves or reduce the funding of
848 reserves through the period expiring at the end of the second
849 fiscal year after the fiscal year in which the certificate of a
850 surveyor and mapper is recorded pursuant to s. 718.104(4)(e) or

851 an instrument that transfers title to a unit in the condominium
852 which is not accompanied by a recorded assignment of developer
853 rights in favor of the grantee of such unit is recorded,
854 whichever occurs first, after which time reserves may be waived
855 or reduced only upon the vote of a majority of all nondeveloper
856 voting interests voting in person or by limited proxy at a duly
857 called meeting of the association. If a meeting of the unit
858 owners has been called to determine whether to waive or reduce
859 the funding of reserves and no such result is achieved or a
860 quorum is not attained, the reserves included in the budget
861 shall go into effect. After the turnover, the developer may vote
862 its voting interest to waive or reduce the funding of reserves.

863 3. Reserve funds and any interest accruing thereon shall
864 remain in the reserve account or accounts, and may be used only
865 for authorized reserve expenditures unless their use for other
866 purposes is approved in advance by a majority vote at a duly
867 called meeting of the association. Before turnover of control of
868 an association by a developer to unit owners other than the
869 developer pursuant to s. 718.301, the developer-controlled
870 association may not vote to use reserves for purposes other than
871 those for which they were intended without the approval of a
872 majority of all nondeveloper voting interests, voting in person
873 or by limited proxy at a duly called meeting of the association.

874 4. The only voting interests that are eligible to vote on
875 questions that involve waiving or reducing the funding of

876 reserves, or using existing reserve funds for purposes other
877 than purposes for which the reserves were intended, are the
878 voting interests of the units subject to assessment to fund the
879 reserves in question. Proxy questions relating to waiving or
880 reducing the funding of reserves or using existing reserve funds
881 for purposes other than purposes for which the reserves were
882 intended must contain the following statement in capitalized,
883 bold letters in a font size larger than any other used on the
884 face of the proxy ballot: WAIVING OF RESERVES, IN WHOLE OR IN
885 PART, OR ALLOWING ALTERNATIVE USES OF EXISTING RESERVES MAY
886 RESULT IN UNIT OWNER LIABILITY FOR PAYMENT OF UNANTICIPATED
887 SPECIAL ASSESSMENTS REGARDING THOSE ITEMS.

888 Section 11. Paragraph (m) of subsection (1) of section
889 718.501, Florida Statutes, is amended to read:

890 718.501 Authority, responsibility, and duties of Division
891 of Florida Condominiums, Timeshares, and Mobile Homes.—

892 (1) The division may enforce and ensure compliance with
893 the provisions of this chapter and rules relating to the
894 development, construction, sale, lease, ownership, operation,
895 and management of residential condominium units. In performing
896 its duties, the division has complete jurisdiction to
897 investigate complaints and enforce compliance with respect to
898 associations that are still under developer control or the
899 control of a bulk assignee or bulk buyer pursuant to part VII of
900 this chapter and complaints against developers, bulk assignees,

901 or bulk buyers involving improper turnover or failure to
902 turnover, pursuant to s. 718.301. However, after turnover has
903 occurred, the division has jurisdiction to investigate
904 complaints related only to financial issues, elections, and unit
905 owner access to association records pursuant to s. 718.111(12).

906 (m) If a complaint is made, the division must conduct its
907 inquiry with due regard for the interests of the affected
908 parties. Within 30 days after receipt of a complaint, the
909 division shall acknowledge the complaint in writing and notify
910 the complainant whether the complaint is within the jurisdiction
911 of the division and whether additional information is needed by
912 the division from the complainant. The division shall conduct
913 its investigation and, within 90 days after receipt of the
914 original complaint or of timely requested additional
915 information, take action upon the complaint. However, the
916 failure to complete the investigation within 90 days does not
917 prevent the division from continuing the investigation,
918 accepting or considering evidence obtained or received after 90
919 days, or taking administrative action if reasonable cause exists
920 to believe that a violation of this chapter or a rule has
921 occurred. If an investigation is not completed within the time
922 limits established in this paragraph, the division shall, on a
923 monthly basis, notify the complainant in writing of the status
924 of the investigation. When reporting its action to the
925 complainant, the division shall inform the complainant of any

926 right to a hearing pursuant to ss. 120.569 and 120.57. The
 927 division may adopt rules regarding the submission of a complaint
 928 against an association.

929 Section 12. Section 718.5014, Florida Statutes, is amended
 930 to read:

931 718.5014 Ombudsman location.—The ombudsman shall maintain
 932 his or her principal office at a ~~in Leon County on the premises~~
 933 ~~of the division or, if suitable space cannot be provided there,~~
 934 ~~at another~~ place convenient to the offices of the division which
 935 will enable the ombudsman to expeditiously carry out the duties
 936 and functions of his or her office. The ombudsman may establish
 937 branch offices elsewhere in the state upon the concurrence of
 938 the Governor.

939 Section 13. Subsection (1) of section 455.219, Florida
 940 Statutes, is amended to read:

941 455.219 Fees; receipts; disposition; periodic management
 942 reports.—

943 (1) Each board within the department shall determine by
 944 rule the amount of license fees for its profession, based upon
 945 department-prepared long-range estimates of the revenue required
 946 to implement all provisions of law relating to the regulation of
 947 professions by the department and any board; however, when the
 948 department has determined, based on the long-range estimates of
 949 such revenue, that a profession's trust fund moneys are in
 950 excess of the amount required to cover the necessary functions

951 of the board, or the department when there is no board, the
952 department may adopt rules to implement a waiver of license
953 renewal fees for that profession for a period not to exceed 2
954 years, as determined by the department. Each board, or the
955 department when there is no board, shall ensure license fees are
956 adequate to cover all anticipated costs and to maintain a
957 reasonable cash balance, as determined by rule of the
958 department, with advice of the applicable board. If sufficient
959 action is not taken by a board within 1 year of notification by
960 the department that license fees are projected to be inadequate,
961 the department shall set license fees on behalf of the
962 applicable board to cover anticipated costs and to maintain the
963 required cash balance. The department shall include recommended
964 fee cap increases in its annual report to the Legislature.
965 Further, it is legislative intent that no regulated profession
966 operate with a negative cash balance. The department may provide
967 by rule for the advancement of sufficient funds to any
968 profession or the Florida Athletic State~~Boxing~~ Commission
969 operating with a negative cash balance. Such advancement may be
970 for a period not to exceed 2 consecutive years and shall require
971 interest to be paid by the regulated profession. Interest shall
972 be calculated at the current rate earned on Professional
973 Regulation Trust Fund investments. Interest earned shall be
974 allocated to the various funds in accordance with the allocation
975 of investment earnings during the period of the advance.

976 Section 14. Subsection (4) of section 548.002, Florida
 977 Statutes, is amended to read:

978 548.002 Definitions.—As used in this chapter, the term:

979 (4) "Commission" means the Florida Athletic ~~State Boxing~~
 980 Commission.

981 Section 15. Subsections (3) and (4) of section 548.05,
 982 Florida Statutes, are amended to read:

983 548.05 Control of contracts.—

984 (3) The commission may require that each contract contain
 985 language authorizing the ~~Florida State Boxing~~ commission to
 986 withhold any or all of any manager's share of a purse in the
 987 event of a contractual dispute as to entitlement to any portion
 988 of a purse. The commission may establish rules governing the
 989 manner of resolution of such dispute. In addition, if the
 990 commission deems it appropriate, the commission is hereby
 991 authorized to implead interested parties over any disputed funds
 992 into the appropriate circuit court for resolution of the dispute
 993 prior to release of all or any part of the funds.

994 (4) Each contract subject to this section shall contain
 995 the following clause: "This agreement is subject to the
 996 provisions of chapter 548, Florida Statutes, and to the rules of
 997 the Florida Athletic ~~State Boxing~~ Commission and to any future
 998 amendments of either."

999 Section 16. Subsection (12) of section 548.071, Florida
 1000 Statutes, is amended to read:

1001 548.071 Suspension or revocation of license or permit by
 1002 commission.—The commission may suspend or revoke a license or
 1003 permit if the commission finds that the licensee or permittee:

1004 (12) Has been disciplined by the ~~Florida State Boxing~~
 1005 commission or similar agency or body of any jurisdiction.

1006 Section 17. Section 548.077, Florida Statutes, is amended
 1007 to read:

1008 548.077 Florida Athletic State Boxing Commission;
 1009 collection and disposition of moneys.—All fees, fines,
 1010 forfeitures, and other moneys collected under the provisions of
 1011 this chapter shall be paid by the commission to the Chief
 1012 Financial Officer who, after the expenses of the commission are
 1013 paid, shall deposit them in the Professional Regulation Trust
 1014 Fund to be used for the administration and operation of the
 1015 commission and to enforce the laws and rules under its
 1016 jurisdiction. In the event the unexpended balance of such moneys
 1017 collected under the provisions of this chapter exceeds \$250,000,
 1018 any excess of that amount shall be deposited in the General
 1019 Revenue Fund.

1020 Section 18. This act shall take effect July 1, 2020.