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**LEGISLATIVE SUPPLEMENT "B" - SESSION LAW ABSTRACT**

Sess. Law # <u>88-16</u>	Sec. #	LOF cite
Prime Bill # <u>SB 84</u>	Comp./Sim. Bills <u>HB 252</u>	
JLHC Hist. Cites	Senate House	Comms. of Ref.    Senate House

COMMITTEE RECORDS					
H/S	Committee	Year	Record Series: Folder title, etc.	Loc. Cite	✓
S	Commerce	88	SB 84		
			3/1/88		
H	Tourism	88	HB 252		
			4/6/88 sub com Tourism		
			4/11/88 Full com.		
			<input type="checkbox"/> continued on reverse		

Senate/House Journals					
Page #	?	Date	Page #	?	Date

Committee/Floor Tapes					
H/S	c/f	Committee/subcommittee name	Date	#	Location Cite

Other Documentation	
Record Series Title, folder title, etc.	Location Cite

[illegible]

NOTES
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[illegible]

**GENERAL ACTS  
RESOLUTIONS AND MEMORIALS  
ADOPTED BY THE  
TENTH LEGISLATURE OF FLORIDA  
UNDER THE CONSTITUTION  
AS REVISED IN 1968**

**During the Regular Session  
April 5, 1988 through June 7, 1988  
and Special Sessions  
September 21 - October 8, 1987; October 12 - 14, 1987;  
December 8 - 10, 1987; February 2 - 4, 1988; and  
June 8, 1988**



**Volume I, Part One  
Published by Authority of Law  
Under Direction of the  
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COMMITTEE  
TALLAHASSEE**

**1988**

acceptance of gifts, contributions, or bequests, or loans of property.

(4) The Department of Natural Resources and the Department of State shall provide reasonable assistance when requested by the commission.

Section 2. Notwithstanding the provisions of chapter 82-46, Laws of Florida, section 272.18, Florida Statutes, shall not stand repealed on October 1, 1988, as scheduled by such law, but said section, as amended, is hereby revived and readopted.

Section 3. Section 272.18, Florida Statutes, is repealed on October 1, 1998, and shall be reviewed by the Legislature prior to that date pursuant to section 11.611, Florida Statutes, the Sundown Act.

Section 4. This act shall take effect October 1, 1988.

Approved by the Governor May 3, 1988.

Filed in Office Secretary of State May 3, 1988.

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CHAPTER 88-16

Senate Bill No. 84

An act relating to public food service establishments; amending s. 509.214, F.S.; requiring customer notification when automatic gratuity charges are imposed at such establishments; providing an effective date.

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

Section 1. Section 509.214, Florida Statutes, is amended to read:

509.214 Notification of automatic gratuity charge.--Every public food service establishment which includes an automatic gratuity charge in the price of the meal shall include on the face of the bill provided to the customer notice that ~~of-whether-or-not~~ an automatic gratuity is included.

Section 2. This act shall take effect October 1, 1988.

Approved by the Governor May 3, 1988.

Filed in Office Secretary of State May 3, 1988.

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CHAPTER 88-17

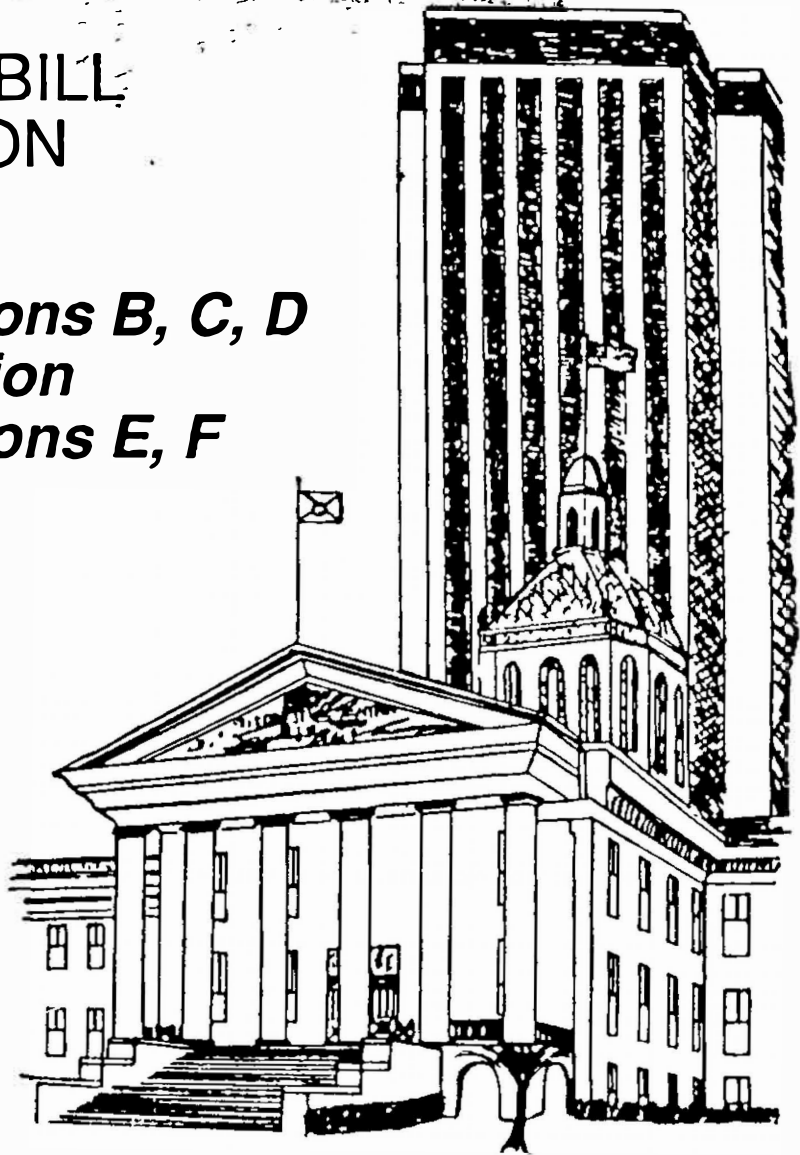
Senate Bill No. 171

An act relating to the Motion Picture, Television, and Recording Industry Advisory Council of the Division of Economic Development of the Department of Commerce; amending s. 20.17, F.S.; providing for appointment of a lay person to the council; providing that the Secretary

# **FLORIDA LEGISLATURE**

## **FINAL LEGISLATIVE BILL INFORMATION**

***1987 Special Sessions B, C, D  
1988 Regular Session  
1988 Special Sessions E, F***



prepared by:

***Joint Legislative Management Committee***  
**Legislative Information Division**  
**Capitol Building, Room 826 — 488-4371**

## HISTORY OF SENATE BILLS

## S 80 (CONTINUED)

05/19/88 HOUSE In Messages  
05/23/88 HOUSE Received, referred to Appropriations -HJ 625  
06/07/88 HOUSE Died in Committee on Appropriations

## S 81 GENERAL BILL by Gordon (Identical H 2)

Pregnancy/Discriminatory Practices, provides that it is unlawful labor practice for employer to take certain action or fail to take certain action re pregnancy, childbirth, or related medical condition of employee or adoption of minor child, provides certain benefits & leaves of absence, provides for transfer of position, provides remedies, etc. Creates 448 073 Effective Date: 10/01/88

12/16/87 SENATE Prefiled  
01/13/88 SENATE Referred to Commerce; Personnel, Retirement and Collective Bargaining; Appropriations  
04/05/88 SENATE Introduced, referred to Commerce, Personnel, Retirement and Collective Bargaining; Appropriations -SJ 14  
04/15/88 SENATE Extension of time granted Committee Commerce  
04/29/88 SENATE Extension of time granted Committee Commerce  
05/13/88 SENATE Extension of time granted Committee Commerce  
05/27/88 SENATE Extension of time granted Committee Commerce  
06/07/88 SENATE Died in Committee on Commerce

## S 82 GENERAL BILL/CS/ENG by Economic, Community and Consumer Affairs; Economic, Community and Consumer Affairs; (Similar H 1475)

Real Estate/Revision, (SUNSET) revises license & renewal fees, requires registration or licensure of only general partners in limited partnership, revises qualifications for practice as real estate broker or salesman, provides for certification of real estate & residential appraisers; requires certain appraisals re right-of-way acquisitions to be conducted by state-certified appraisers, etc. Amends/revives/reads Ch. 475, amends 337 271 Effective Date: 10/01/88 except a 26 effective 10/01/90

12/16/87 SENATE Prefiled  
01/13/88 SENATE Referred to Economic, Community and Consumer Affairs, Appropriations  
01/19/88 SENATE On Committee agenda—Economic, Community and Consumer Affairs, 02/02/88, 9:00 am, Room-H—Temporarily postponed  
04/05/88 SENATE Introduced, referred to Economic, Community and Consumer Affairs, Appropriations -SJ 14, On Committee agenda—Economic, Community and Consumer Affairs, 04/05/88, 3:00 pm, Room-H, Comm. Report, CS by Economic, Community and Consumer Affairs -SJ 68  
04/12/88 SENATE CS read first time -SJ 80; Now in Appropriations -SJ 68, Withdrawn from Appropriations -SJ 81, Placed on Calendar  
04/19/88 SENATE Placed on Special Order Calendar -SJ 129, CS passed as amended, YEAS 39 NAYS 0 -SJ 136, Immediately certified -SJ 141  
04/19/88 HOUSE In Messages  
04/21/88 HOUSE Received, placed on Calendar -HJ 212  
04/25/88 HOUSE Placed on Special Order Calendar, Substituted for HB 1475 -HJ 245; Read second time, Amendments adopted -HJ 245, Amendment pending -HJ 245  
04/26/88 HOUSE Pending amendment adopted -HJ 254; Read third time, CS passed as amended, YEAS 117 NAYS 0 -HJ 255; Immediately certified -HJ 255  
04/26/88 SENATE In Messages  
04/28/88 SENATE Was taken up -SJ 200, Concurred, CS passed as amended; YEAS 37 NAYS 0 -SJ 201  
04/28/88 Ordered engrossed, then enrolled -SJ 201  
04/29/88 Signed by Officers and presented to Governor -SJ 225  
05/04/88 Approved by Governor, Chapter No. 88-20 -SJ 268

## S 83 GENERAL BILL by Ros-Lehtinen (Similar H 337, Compare CS/ENG/S 34)

Public Office Candidates/Reports: (THIS BILL COMBINED IN CS/S 34, 83,657, 721,847,1029,1182) requires candidates for other than statewide offices to file certain reports. Amends 106 021 Effective Date: 01/01/89

12/17/87 SENATE Prefiled  
01/13/88 SENATE Referred to Judiciary-Civil  
04/05/88 SENATE Introduced, referred to Judiciary-Civil -SJ 14  
04/15/88 SENATE Extension of time granted Committee Judiciary-Civil  
04/29/88 SENATE Extension of time granted Committee Judiciary-Civil, On Committee agenda—Judiciary-Civil, 05/04/88, 9:00 am, Room-B—Motion to reconsider  
05/05/88 SENATE On Committee agenda—Judiciary-Civil, 05/09/88, 2:00 pm, Room-B  
05/09/88 SENATE CS combines this bill and 34, 657, 721, 847, 1029 & 1182, Comm. Report, CS by Judiciary-Civil -SJ 273  
05/12/88 SENATE Original bill laid on Table under Rule, refer to combined CS/ SB 34 (Vetoed by Governor-07/01/88) -SJ 273

## S 84 GENERAL BILL by Kiser and others (Identical H 252)

Food Service Establish/Gratuity Charges, requires customer notification when automatic gratuity charges are imposed at public food service establishments. Amends 509 214 Effective Date: 10/01/88  
12/17/87 SENATE Prefiled

## S 84 (CONTINUED)

01/13/88 SENATE Referred to Commerce  
02/15/88 SENATE On Committee agenda—Commerce, 03/01/88, 9:00 am, Room-A  
03/01/88 SENATE Comm. Report Favorable by Commerce, placed on Calendar  
04/05/88 SENATE Introduced, referred to Commerce -SJ 14; Comm. Report Favorable by Commerce, placed on Calendar -SJ 53  
04/19/88 SENATE Placed on Special Order Calendar -SJ 129; Passed; YEAS 36 NAYS 0 -SJ 139, Immediately certified -SJ 141  
04/19/88 HOUSE In Messages  
04/21/88 HOUSE Received, placed on Calendar -HJ 211, Substituted for HB 252 -HJ 216, Read second time; Read third time; Passed; YEAS 111 NAYS 0 -HJ 216  
04/25/88 Ordered enrolled -SJ 182  
04/27/88 Signed by Officers and presented to Governor -SJ 208  
05/03/88 Approved by Governor; Chapter No. 88-16 -SJ 268

## S 85 GENERAL BILL by Kiser (Compare CS/S 1205)

Turnpike Projects/Service Contracts; removes restrictions upon provision of certain services. Amends 338 235. Effective Date: Upon becoming law.

12/18/87 SENATE Prefiled  
01/13/88 SENATE Referred to Transportation  
04/05/88 SENATE Introduced, referred to Transportation -SJ 14  
04/15/88 SENATE Extension of time granted Committee Transportation  
04/29/88 SENATE Extension of time granted Committee Transportation  
05/13/88 SENATE Extension of time granted Committee Transportation  
05/27/88 SENATE Extension of time granted Committee Transportation  
06/07/88 SENATE Died in Committee on Transportation

## S 86 GENERAL BILL/CS by Economic, Community and Consumer Affairs; Kiser (Identical CS/ENG/H 72, Compare CS/H 1646, CS/ENG/S 155)

Construction Contracts/Certification, requires report on construction contracting certification examinations; provides for review of examinations & examination items by sensitivity review committee; prohibits fee for certain persons, adds disciplinary penalties. Amends 489 111, 129 Effective Date: 10/01/88.

12/18/87 SENATE Prefiled  
01/13/88 SENATE Referred to Economic, Community and Consumer Affairs  
04/05/88 SENATE Introduced, referred to Economic, Community and Consumer Affairs -SJ 15  
04/15/88 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs  
04/29/88 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs  
05/12/88 SENATE On Committee agenda—Economic, Community and Consumer Affairs, 05/16/88, 2:00 pm, Room-H  
05/13/88 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs  
05/16/88 SENATE Comm. Report CS by Economic, Community and Consumer Affairs, placed on Calendar -SJ 359  
05/23/88 SENATE CS read first time -SJ 359  
05/30/88 SENATE Placed on Special Order Calendar -SJ 463; Ident./Sim. House Bill substituted; Laid on Table under Rule, Ident./Sim./Compare Bill passed, refer to CS/HB 72 (Vetoed by Governor-07/06/88) & CS/SB 155 (Ch. 88-156) -SJ 517

## S 87 GENERAL BILL/CS/ENG by Health and Rehabilitative Services; Malchon (Compare CS/ENG/H 614, H 1618, CS/S 1355)

Juveniles/Independent Living; provides for court approval of independent living arrangements for certain foster children, requires disposition order to provide reasons for nonrelative placements, provides for H.R.S. Dept. placement of child in independent living situation under certain conditions, authorizes use of state foster care funds for establishment of independent living program for certain minors, provides procedures. Amends 39 41, 409 165. Effective Date: 10/01/88

12/22/87 SENATE Prefiled  
01/13/88 SENATE Referred to Health and Rehabilitative Services, Appropriations  
04/05/88 SENATE Introduced, referred to Health and Rehabilitative Services, Appropriations -SJ 15  
04/14/88 SENATE On Committee agenda—Health and Rehabilitative Services, 04/18/88, 2:30 pm, Room-A  
04/15/88 SENATE Extension of time granted Committee Health and Rehabilitative Services  
04/18/88 SENATE Comm. Report CS by Health and Rehabilitative Services -SJ 129  
04/19/88 SENATE CS read first time -SJ 133, Now in Appropriations -SJ 129  
04/28/88 SENATE Withdrawn from Appropriations -SJ 198; Placed on Calendar  
05/17/88 SENATE Placed on Special Order Calendar -SJ 290 & -SJ 291, CS passed as amended, YEAS 36 NAYS 0 -SJ 306  
05/18/88 HOUSE In Messages  
06/07/88 HOUSE Died in Messages, Ident./Sim./Compare Bill passed, refer to CS/HB 614 (Ch. 88-337)

## S 88 GENERAL BILL by Crawford (Similar H 592)

S.E. Interstate Radioactive Waste, prescribes procedure by which state may withdraw from Southeast Interstate Low-Level Radioactive Waste Management (CONTINUED ON NEXT PAGE)

## HISTORY OF HOUSE BILLS

## H 249 (CONTINUED)

02/15/88 HOUSE On Committee agenda—Community Affairs, 03/02/88, 1 00 pm, 212-HOB—For ratification of subreferral

03/02/88 HOUSE Subreferred to Subcommittee on Oversight

04/05/88 HOUSE Introduced, referred to Community Affairs, Finance & Taxation, Appropriations—HJ 28, Subreferred to Subcommittee on Oversight, On subcommittee agenda—Community Affairs, 04/07/88, upon adjournment of full committee, 212-HOB

04/07/88 HOUSE Subcommittee Recommendation pending ratification by full Committee Favorable with 2 amendments

04/12/88 HOUSE On Committee agenda—Community Affairs, 04/14/88, 3 30 pm, 212 HOB

04/14/88 HOUSE Preliminary Committee Action by Community Affairs Favorable as a Committee Substitute

04/19/88 HOUSE Comm Report CS by Community Affairs—HJ 208, CS read first time—HJ 205, Now in Finance & Taxation—HJ 208

04/25/88 HOUSE On subcommittee agenda—Finance & Taxation, 04/27/88, 11 00 am, 21-HOB

06/07/88 HOUSE Died in Committee on Finance & Taxation, Iden /Sim./ Compare bill passed, refer to SB 1203 (Ch 88-119)

## H 250 GENERAL BILL by Press and others

Election Regis./Nonpermanent Address, registers certain persons without permanent address in precinct in which main office of supervisor of elections is located. Amends 97 091 Effective Date 01/01/89

02/03/88 HOUSE Prefiled

02/11/88 HOUSE Referred to Ethics & Elections

02/19/88 HOUSE On Committee agenda—Ethics & Elections, 03/01/88, 1 00 pm, 212-HOB

03/01/88 HOUSE Preliminary Committee Action by Ethics & Elections Favorable

03/03/88 HOUSE Comm Report. Favorable by Ethics & Elections, placed on Calendar

04/05/88 HOUSE Introduced, referred to Ethics & Elections—HJ 28, Preliminary Committee Action by Ethics & Elections. Favorable, Comm Report. Favorable by Ethics & Elections, placed on Calendar—HJ 79

06/07/88 HOUSE Died on Calendar

## H 251 GENERAL BILL by Glickman (Identical S 793, Compare H 939, S 1299)

Vehicle Forfeiture/DUI, directs court to provide defendants with notice that any motor vehicle, vessel, or other vehicle employed in commission of 3rd or subsequent violation of certain laws re motor vehicle or vessel operation while under influence shall result in forfeiture, provides for effect of failure to provide notice, provides for forfeiture of motor vehicles, vessels, or other vehicles, provides procedures. Amends 316 193, 35, creates 775 095 Effective Date 10/01/88

02/03/88 HOUSE Prefiled

02/11/88 HOUSE Referred to Criminal Justice; Appropriations

03/04/88 HOUSE Subreferred to Subcommittee on Crimes, Penalties and Prosecutions

04/05/88 HOUSE Introduced, referred to Criminal Justice; Appropriations—HJ 28, Subreferred to Subcommittee on Crimes, Penalties and Prosecutions; On subcommittee agenda—Criminal Justice, 04/05/88, 1 15 pm, 21-HOB—Temporarily passed

04/15/88 HOUSE On subcommittee agenda—Criminal Justice, 04/19/88, 1 15 pm, Morris Hall

04/19/88 HOUSE Subcommittee Recommendation. Unfavorable; On Committee agenda, pending subcommittee action—Criminal Justice, 04/20/88, 3 30 pm, Morris Hall—Not considered

06/07/88 HOUSE Died in Committee on Criminal Justice

## H 252 GENERAL BILL by Bankhead and others (Identical S 84)

Food Service Estab./Gratuity Charges, requires customer notification when automatic gratuity charges are imposed at public food service establishments. Amends 609 214. Effective Date 10/01/88

02/03/88 HOUSE Prefiled

02/11/88 HOUSE Referred to Tourism & Cultural Affairs

03/30/88 HOUSE Subreferred to Subcommittee on Tourism

04/05/88 HOUSE Introduced, referred to Tourism & Cultural Affairs—HJ 29, Subreferred to Subcommittee on Tourism, On subcommittee agenda—Tourism & Cultural Affairs, 04/06/88, 3 30 pm, 212-HOB

04/06/88 HOUSE Subcommittee Recommendation pending ratification by full Committee Favorable

04/07/88 HOUSE On Committee agenda—Tourism & Cultural Affairs, 04/11/88, 3 30 pm, 212-HOB

04/11/88 HOUSE Preliminary Committee Action by Tourism & Cultural Affairs Favorable

04/12/88 HOUSE Comm Report. Favorable by Tourism & Cultural Affairs, placed on Calendar—HJ 135

04/19/88 HOUSE Placed on Special Order Calendar, Read second time—HJ 196

## H 252 (CONTINUED)

04/21/88 HOUSE Read third time—HJ 216, Iden /Sim. Senate Bill substituted, Laid on Table under Rule, Iden /Sim /Compare Bill passed, refer to SB 84 (Ch. 88-16)—HJ 216

## H 253 GENERAL BILL by Liberti (Identical H 661, S 140)

Centers of Excellence Trust Fund, creates said trust fund, provides for administration of fund by Bd. of Directors of Fla. Endowment Fund for Higher Education, provides for making challenge grants; establishes standards for allocating trust fund moneys, provides procedures & for establishment of new centers, provides restrictions on expenditure of trust fund moneys; requires annual audits to be provided as specified. Redesignates 240 498 as 240 61 Effective Date 07/01/88 or upon becoming law, whichever occurs later.

02/03/88 HOUSE Prefiled

02/11/88 HOUSE Referred to Higher Education, Appropriations

04/05/88 HOUSE Introduced, referred to Higher Education, Appropriations—HJ 29, On Committee agenda—Higher Education 04/06/88, 1 15 pm, 212-HOB—For subreferral

04/06/88 HOUSE Subreferred to Subcommittee on Planning and Programs

04/07/88 HOUSE On subcommittee agenda—Higher Education, 04/11/88, 1 15 pm, 415-HOB—Temporarily passed

06/07/88 HOUSE Died in Committee on Higher Education

## H 254 GENERAL BILL by Ostrau and others (Identical S 1155)

Key Lime Pie/State Pie, designates Key lime pie as official state pie. Creates 15 0325 Effective Date Upon becoming law.

02/03/88 HOUSE Prefiled

02/11/88 HOUSE Placed on Calendar

02/15/88 HOUSE Withdrawn from Calendar, referred to Community Affairs

04/05/88 HOUSE Introduced, referred to Community Affairs—HJ 29, On Committee agenda—Community Affairs, 04/06/88, 8 00 am, 212-HOB—For ratification of subreferral

04/06/88 HOUSE Subreferred to Subcommittee on Intergovernmental Relations

04/11/88 HOUSE On subcommittee agenda—Community Affairs, 04/13/88, 8 00 am, 317-HOB

04/13/88 HOUSE Subcommittee Recommendation pending ratification by full Committee Favorable

04/14/88 HOUSE Preliminary Committee Action by Community Affairs Favorable

04/19/88 HOUSE Comm Report. Favorable by Community Affairs, placed on Calendar—HJ 208

04/26/88 HOUSE Placed on Special Order Calendar, Read second time—HJ 255, Read third time, Passed, YEAS 107 NAYS 3—HJ 255

04/28/88 SENATE In Messages

05/03/88 SENATE Received, referred to Governmental Operations—SJ 219

05/13/88 SENATE Extension of time granted Committee Governmental Operations

05/27/88 SENATE Extension of time granted Committee Governmental Operations

06/07/88 SENATE Died in Committee on Governmental Operations

## H 255 GENERAL BILL by Guber

Weapons & Firearms/Cooling Off Time, provides statewide 72-hour cooling-off period prior to delivery of firearm or electric weapon or device to any purchaser; requires dealers to maintain certain records, provides exception, provides for background checks, prohibits delivery under certain circumstances, authorizes fee, provides penalty. Creates 790 061 Effective Date 01/01/89

02/03/88 HOUSE Prefiled

02/11/88 HOUSE Referred to Criminal Justice, Finance & Taxation, Appropriations

03/04/88 HOUSE Subreferred to Subcommittee on Crimes, Penalties and Prosecutions

04/05/88 HOUSE Introduced, referred to Criminal Justice, Finance & Taxation, Appropriations—HJ 29, Subreferred to Subcommittee on Crimes, Penalties and Prosecutions

04/12/88 HOUSE Withdrawn from Criminal Justice, Finance & Taxation, Appropriations, Withdrawn from further consideration—HJ 110

## H 256 GENERAL BILL by Rehm (Similar H 356, S 190)

Child Health Supervision/Insurance, provides that coverage for child health supervision services which is currently mandatory shall be optional coverage. Amends 627 6416 Effective Date 10/01/88

02/03/88 HOUSE Prefiled

02/11/88 HOUSE Referred to Insurance, Appropriations

04/05/88 HOUSE Introduced, referred to Insurance, Appropriations—HJ 29

04/12/88 HOUSE On Committee agenda—Insurance, 04/14/88, 8 00 am, 317C—For ratification of subreferral

06/07/88 HOUSE Died in Committee on Insurance

## H 257 GENERAL BILL by Dunbar

Dead Agreements/Conveyance, provides penalties for failure to convey after notice that conditions of agreement have been met, provides definition. Creates 697 1105 Effective Date 10/01/88

02/03/88 HOUSE Prefiled



By Senator Kiser

This publication was produced at an average cost of 1.5 cents per page for the information of members of the Legislature and the public.

1 A bill to be entitled  
2 An act relating to public food service  
3 establishments; amending s. 509.214, F.S.;  
4 requiring customer notification when automatic  
5 gratuity charges are imposed at such  
6 establishments; providing an effective date.  
7  
8 Be It Enacted by the Legislature of the State of Florida:  
9  
10 Section 1. Section 509.214, Florida Statutes, is  
11 amended to read:  
12 509.214 Notification of automatic gratuity charge.--  
13 Every public food service establishment which includes an  
14 automatic gratuity charge in the price of the meal shall  
15 include on the face of the bill provided to the customer  
16 notice that ~~of-whether-or-not~~ an automatic gratuity is  
17 included.  
18 Section 2. This act shall take effect October 1, 1988.  
19  
20  
21  
22  
23  
24 \*\*\*\*\*  
25 SENATE SUMMARY  
26 Provides that only those public food service  
27 establishments which include an automatic gratuity charge  
28 in the price of the meal need notify customers of the  
29 fact; no notice need be given of the absence of an  
30 automatic gratuity charge when one is not included.  
31

## SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Jones AA</u>	<u>Fort</u> <i>PH</i>	1. <u>COM</u>	<u>Fav.</u>
2. _____	_____	2. _____	_____
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT: Public Food Service Establishments

BILL NO. AND SPONSOR: SB 84 by Senator Kiser

I. SUMMARY:

## A. Present Situation:

Pursuant to ch. 509, F.S., public lodging and public food service establishments are required to be licensed and regulated by the Division of Hotels and Restaurants, Department of Business Regulation (department). A public food service establishment is generally defined as a structure or vehicle, "that is maintained and operated as a place where food is regularly prepared, served, or sold for immediate consumption . . ." (s. 509.013(5)(a)(1987), F.S.). The definition, of public food service establishments, includes vending machines dispensing prepared meals but excludes various activities including those affiliated with nonprofit and educational institutions. (s. 509.013(5)(b)(1987) F.S.).

Presently, s. 509.214, F.S., provides that "[e]very public food service establishment shall include on the face of the bill provided to the customer notice of whether or not an automatic gratuity is included." The provision, thus, requires a public food service establishment to include a statement, on each customer's bill, clarifying whether a gratuity was included. Pursuant to s. 509.261, F.S., the department may revoke or suspend a license as well as impose administrative fines for violations of "the provisions of this chapter or the rules of the division."

## B. Effect of Proposed Changes:

SB 84 would limit gratuity notification only to those bills which included a gratuity charge. Thus, a public food service establishment which did not include a gratuity within the customer's bill would now be excluded from the provisions of s. 509.214, F.S.

II. ECONOMIC IMPACT AND FISCAL NOTE:

## A. Public:

The removal of notification requirements, upon establishments which do not include a gratuity within the customer's bill, should result in some cost savings. The removal of the disclosure requirements, concerning these restaurateurs, eliminates the additional costs of purchasing specially printed bills to satisfy the requirements of s. 509.214, F.S. Those restaurants choosing to include a gratuity within a customer's bill will continue to come under the statute's provisions. Thus, the disclosure costs related to these establishments should remain approximately the same.

REVISED: \_\_\_\_\_

BILL NO. SB 84

DATE: February 22, 1988

Page 2

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B. Government:

Since SB 84 will reduce the number of licensees having to disclose under s. 509.214, F.S., the bill should not have a significant economic impact upon the department.

III. COMMENTS:

None.

IV. AMENDMENTS:

None.

By Representative Bankhead

A bill to be entitled

An act relating to public food service establishments; amending s. 509.214, F.S.; requiring customer notification when automatic gratuity charges are imposed at such establishments; providing an effective date.

Be It Enacted by the Legislature of the State of Florida,

Section 1. Section 509.214, Florida Statutes, is amended to read:

509.214 Notification of automatic gratuity charge.-- Every public food service establishment which includes an automatic gratuity charge in the price of the meal shall include on the face of the bill provided to the customer notice that ~~of whether or not~~ an automatic gratuity is included.

Section 2. This act shall take effect October 1, 1988.

\*\*\*\*\*

# SENATE SUMMARY

Provides that only those public food service establishments which include an automatic gratuity charge in the price of the meal need notify customers of the fact; no notice need be given of the absence of an automatic gratuity charge when one is not included.

This publication was produced at an average cost of 1.12 cents per single page in compliance with the Rules and for the information of members of the Legislature and the public.

STORAGE NAME: SB 84  
 Date: June 13, 1988

HOUSE OF REPRESENTATIVES  
 TOURISM & CULTURAL AFFAIRS  
 FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: SB 84  
 RELATING TO: Food Service Estab./Gratuity Charges  
 SPONSOR(S): Senator Kiser  
 EFFECTIVE DATE: October 1, 1988  
 DATE BECAME LAW: May 3, 1988  
 CHAPTER #: 88-16 Laws of Florida  
 COMPANION BILL(S): HB 252 by Representative Bankhead  
 OTHER COMMITTEES OF REFERENCE: (1) None  
 (2) \_\_\_\_\_

\*\*\*\*\*

I. SUMMARY:

This bill provides that every food service establishment shall include on the face of the bill provided to the customer, notice than an automatic gratuity is included.

A. PRESENT SITUATION:

Currently, as pursuant to Chapter 509.214, Florida Statutes, every public food establishment includes on the face of the bill a notification to the customer of whether or not an automatic gratuity is included.

B. EFFECT OF PROPOSED CHANGES:

HB 252 would limit gratuity notification only to those bills which have included a gratuity charge.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Appropriations Consequences:

None.

III. LONG RANGE CONSEQUENCES:

This legislation has no long range effect on existing State Comprehensive Plan goals and objectives.

IV. COMMENTS:

None.

V. SIGNATURES:

SUBSTANTIVE COMMITTEE:

Prepared by:

Rita Watson

Staff Director:

Timothy A. Watson

FINANCE & TAXATION:

Prepared by:

Staff Director:

APPROPRIATIONS:

Prepared by:

Staff Director:

STORAGE NAME: H252.tca  
Date: March 22, 1988  
Revised: \_\_\_\_\_  
Final: \_\_\_\_\_

HOUSE OF REPRESENTATIVES  
TOURISM & CULTURAL AFFAIRS COMMITTEE  
STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

**HB 252**

BILL #: HB 252  
RELATING TO: Public Food Service Establishments  
SPONSOR(S): Rep. Bankhead  
EFFECTIVE DATE: October 1, 1988  
COMPANION BILL(S): SB 84  
OTHER COMMITTEES OF REFERENCE: (1) \_\_\_\_\_  
(2) \_\_\_\_\_

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I. SUMMARY:

This bill provides that every food service establishment shall include on the face of the bill provided to the customer, notice that an automatic gratuity is included.

A. PRESENT SITUATION:

Currently, as pursuant to Chapter 509.214, Florida Statutes, every public food establishment includes on the face of the bill a notification to the customer of whether or not an automatic gratuity is included.

B. EFFECT OF PROPOSED CHANGES:

HB 252 would limit gratuity notification only to those bills which have included a gratuity charge.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

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None.

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**APR 19 1988**

4. Appropriations Consequences:

None.

III. LONG RANGE CONSEQUENCES:

This legislation has no long range effect on existing State Comprehensive Plan goals and objectives.

IV. COMMENTS:

None.

V. AMENDMENTS:

VI. SIGNATURES:

SUBSTANTIVE COMMITTEE:

Prepared by:

*Rick Watson*

FINANCE & TAXATION:

Prepared by:

\_\_\_\_\_

APPROPRIATIONS:

Prepared by:

\_\_\_\_\_

Staff Director:

*Timothy A. L. L.*

Staff Director:

\_\_\_\_\_

Staff Director:

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By Senator Kiser

This publication was produced at an average cost of 1.5 cents per page for the information of members of the Legislature and the public.

1 A bill to be entitled  
2 An act relating to public food service  
3 establishments; amending s. 509.214, F.S.;  
4 requiring customer notification when automatic  
5 gratuity charges are imposed at such  
6 establishments; providing an effective date.

7  
8 Be It Enacted by the Legislature of the State of Florida.

9  
10 Section 1. Section 509.214, Florida Statutes, is  
11 amended to read:

12 509.214 Notification of automatic gratuity charge.--  
13 Every public food service establishment which includes an  
14 automatic gratuity charge in the price of the meal shall  
15 include on the face of the bill provided to the customer  
16 notice that ~~of-whether-or-not~~ an automatic gratuity is  
17 included.

18 Section 2. This act shall take effect October 1, 1988.

19  
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24  
25 SENATE SUMMARY

26 Provides that only those public food service  
27 establishments which include an automatic gratuity charge  
28 in the price of the meal need notify customers of the  
fact; no notice need be given of the absence of an  
automatic gratuity charge when one is not included.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

By Representative Bankhead

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This publication was produced at an average cost of 1.12 cents  
per single page in compliance with the Rules and for  
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