

1989

Session Law 89-349

Florida Senate & House of Representatives

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H 1549 GENERAL BILL/CS/1ST ENG by Regulated Industries; Press (Similar CS/S 746)

Public Lodging/Telephone Charges; requires public lodging establishments which impose surcharge for telephone calls made by its guests to post notice thereof; provides for suspension or revocation of licenses of, or imposition of fines against, establishments which fail to do so. Effective Date: 10/01/89.

03/29/89 HOUSE Prefiled

04/04/89 HOUSE Introduced, referred to Regulated Industries; Appropriations -HJ 148; Subreferred to Subcommittee on Hospitality Industry Regulation

04/06/89 HOUSE On subcommittee agenda—Regulated Industries, 04/10/89, 5:15 pm, 212-HOB

04/10/89 HOUSE Subcommittee Recommendation: Favorable

04/13/89 HOUSE On Committee agenda—Regulated Industries, 04/17/89, 10:40 am, 214-C—For ratification to subcommittee; On Committee agenda—Regulated Industries, 04/17/89, 10:40 am, 214-C—Not considered

04/25/89 HOUSE On Committee agenda—Regulated Industries, 04/27/89, 8:30 am, 214-C

04/27/89 HOUSE Preliminary Committee Action by Regulated Industries: Favorable as a CS

05/04/89 HOUSE Comm. Report: CS by Regulated Industries -HJ 407; CS read first time -HJ 406; Now in Appropriations -HJ 407

05/12/89 HOUSE On Committee agenda—Appropriations, 05/16/89, 8:00 am, 21-HOB

05/16/89 HOUSE Preliminary Committee Action by Appropriations: Favorable

05/18/89 HOUSE Comm. Report: Favorable by Appropriations, placed on Calendar -HJ 537

05/24/89 HOUSE Placed on Special Order Calendar

05/26/89 HOUSE Placed on Consent Calendar; Read second time; Amendment adopted -HJ 666; Read third time; CS passed as amended; YEAS 110 NAYS 0 -HJ 667

05/26/89 SENATE In Messages

05/30/89 SENATE Received, referred to Regulated Industries -SJ 567

06/01/89 SENATE Withdrawn from Regulated Industries; Substituted for CS/SB 746; CS passed; YEAS 37 NAYS 0 -SJ 761

06/01/89 Ordered enrolled

06/20/89 Signed by Officers and presented to Governor

07/05/89 Approved by Governor; Chapter No. 89-349

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NOTES: Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

****AS PASSED BY THE 1989 LEGISLATURE****

STORAGE NAME: \wp\sa\h1549-f.ri
DATE: June 27, 1989

**HOUSE OF REPRESENTATIVES
COMMITTEE ON REGULATED INDUSTRIES
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT**

BILL #: CS/HB 1549

RELATING TO: Public Lodging; Telephone Surcharge Information Signs

SPONSOR: Committee on Regulated Industries and Representative Press

EFFECTIVE DATE: October 1, 1989

DATE BECAME LAW: July 5, 1989

CHAPTER #: 89-349, Laws of Florida

COMPANION BILL: SB 746

OTHER COMMITTEES OF REFERENCE: (1) Appropriations

I. SUMMARY:

Public lodging establishments (inns) placing a surcharge on telephone calls are required to post a sign in a conspicuous place near each telephone where the calls originate noting the charges. Violation is punishable by fine, suspension or forfeiture of license.

A. PRESENT SITUATION:

Inns are not required to inform guests of charges placed on telephone calls. Therefore, most guests are not aware of their telephone charges until they check out. Complaints have been received by the Department of Business Regulation, Division of Hotels and Restaurants regarding what the public refers to as "excessive charges" for long-distance telephone calls charged by some inns.

B. EFFECT OF PROPOSED CHANGES:

Inns are required to post a 3" x 5" sign stating the surcharges in a conspicuous place near each telephone instrument if the originating call is subject to a surcharge. The sign also must state if such a charge is imposed whether or not the call is completed. If the inn violates the provisions of this law, the Division of Hotels and Restaurants may suspend or revoke their license, or impose a fine.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

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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 (see fiscal comments)

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

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

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None

2. Direct Private Sector Benefits:

None

3. Effects on Competition, Private Enterprise, and Employment Markets:

None

D. FISCAL COMMENTS:

The Division of Hotels & Restaurants inspects inns four times annually and would add the checking for signs to their inspections.

III. LONG RANGE CONSEQUENCES:

The State Comprehensive Plan does not deal directly with this subject.

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IV. COMMENTS:

Statement of Substantial Changes

House Bill 1549 originally restricted inns from charging more than 10% above the cost per phone call the telephone company charges the inn. The bill was amended in Full Committee requiring inns to place a sign near each phone where surcharges applied to each call. A House amendment passed to further require that the sign state if the surcharge applied whether or not the calls were completed. With this floor amendment CS/HB 1549 passed the House and the Senate.

Legislative History 1989 Session

A. Enacted Bill

House Bill 1549 was introduced April 4, 1989, and referred to the Committees on Regulated Industries and Appropriations, and subreferred to the Subcommittee on Hospitality Industry Regulation (HJ 0148). The Subcommittee passed the bill April 10 and the Full Committee passed it as a Committee Substitute April 27 (HJ 0407) and forwarded CS/HB 1549 to Appropriations' (HJ 0407). Appropriations passed the bill (HJ 0537) and it was placed on the Calendar May 18. The bill was placed on the Consent Calendar May 26, an additional amendment was adopted and the bill passed the House 110-0 (HJ 0667). CS/HB 1549 was received in the Senate May 30 and referred to Regulated Industries (SJ 567). CS/HB 1549 was removed from the Regulated Industries Committee June 1 and placed on the Calendar in lieu of SB 746, and passed 37-0 (SJ 761).

B. Disposition of Companion

Senate Bill 746 was introduced April 7 and referred to the Committee on Regulated Industries (SJ 00108). The bill was reported favorably out of committee as a CS which was identical to the House CS and placed on the Calendar (SJ 00243). On June 1 it was placed on the Consent Calendar (SJ 00686), an amendment adopted, the bill laid on the table, and the Senate passed CS/HB 1549 in lieu thereof (SJ 00761).

V. SIGNATURES:

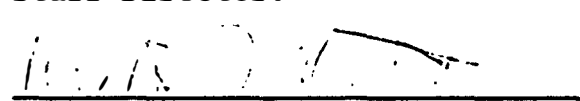
SUBSTANTIVE COMMITTEE:

Prepared by:



Fran C. Poppell

Staff Director:



Wyatt T. Martin

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SECOND COMMITTEE OF REFERENCE:
Prepared by:

Staff Director:

APPROPRIATIONS:
Prepared by:

Staff Director:

REVISED: _____

BILL NO. CS/SB 746

DATE: April 25, 1989

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SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. Skelton <u>STS</u>	Skelton <u>STS</u>	1. RI _____	Fav/CS _____
2. _____	_____	2. _____	_____
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT:

Public Lodging/Telephone Charges

BILL NO. AND SPONSOR:

CS/SB 746 by Regulated Industries & Senator Childers

I. SUMMARY:

A. Present Situation:

Hotels and Motels are not restricted from charging guests a surcharge for telephone calls made from the lodging premises. The Division of Hotels and Restaurants of the Department of Business Regulation has received numerous complaints about excessive telephone surcharges. The guests may not be voluntarily informed of the surcharge prior to use of the telephone, but some hotels do make this charge known.

Some computer billing services used by hotels to calculate telephone surcharges are unable to distinguish between completed telephone connections and telephone connections that either did not answer or where the line may have been busy on the receiving end.

B. Effect of Proposed Changes

Public lodging facilities may impose a surcharge on telephone calls made from guest rooms in their establishments. However, any telephone from which outgoing calls will result in a surcharge being imposed must have a sign of no less than 3"x5" in size posted in a plainly visible location next to the telephone.

The Division of Hotels and Restaurants will be responsible for enforcement of this bill under the provisions of 509.261, F.S., which states the Division may suspend or revoke the license of the public lodging facility and/or impose a fine not to exceed \$500.00 per offense.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

None.

B. Government:

None.

III. COMMENTS:

None.

IV. AMENDMENTS:

None.