

## CHAPTER 2017-79

### Committee Substitute for House Bill No. 327

An act relating to household movers and moving brokers; amending s. 507.03, F.S.; requiring the Department of Agriculture and Consumer Services to deny or refuse to renew the registration of a mover or a moving broker under certain circumstances; amending s. 507.07, F.S.; prohibiting a mover or moving broker from knowingly refusing or failing to disclose in writing specified criminal information under certain circumstances; amending ss. 507.09 and 507.10, F.S., relating to administrative remedies and civil penalties, respectively; requiring the department to impose either a civil penalty or an administrative fine for failure to disclose in writing specified criminal information; providing an effective date.

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

Section 1. Present subsections (9) and (10) of section 507.03, Florida Statutes, are redesignated as subsections (10) and (11), respectively, and a new subsection (9) is added to that section to read:

507.03 Registration.—

(9) The department shall deny or refuse to renew the registration of a mover or a moving broker or deny a registration or renewal request by any of the mover's or moving broker's directors, officers, owners, or general partners if the mover or moving broker has not satisfied a civil penalty or administrative fine for a violation of s. 507.07(9).

Section 2. Subsection (9) is added to section 507.07, Florida Statutes, to read:

507.07 Violations.—It is a violation of this chapter:

(9) For a mover or a moving broker to knowingly refuse or fail to disclose in writing to a customer before a household move that the mover, or an employee or subcontractor of the mover or moving broker, who has access to the dwelling or property of the customer, including access to give a quote for the move, has been convicted of a felony listed in s. 775.21(4)(a)1. or convicted of a similar offense of another jurisdiction, regardless of when such felony offense was committed.

Section 3. Paragraph (b) of subsection (1) of section 507.09, Florida Statutes, is amended to read:

507.09 Administrative remedies; penalties.—

(1) The department may enter an order doing one or more of the following if the department finds that a mover or moving broker, or a person employed or contracted by a mover or broker, has violated or is operating in

violation of this chapter or the rules or orders issued pursuant to this chapter:

(b) Imposing an administrative fine in the Class II category pursuant to s. 570.971 for each act or omission. However, the department must impose an administrative fine in the Class IV category for each violation of s. 507.07(9) if the department does not seek a civil penalty for the same offense.

Section 4. Subsection (2) of section 507.10, Florida Statutes, is amended to read:

507.10 Civil penalties; remedies.—

(2) The department may seek a civil penalty in the Class II category pursuant to s. 570.971 for each violation of this chapter. However, the department must seek a civil penalty in the Class IV category for each violation of s. 507.07(9) if the department does not impose an administrative fine for the same offense.

Section 5. This act shall take effect October 1, 2017.

Approved by the Governor June 9, 2017.

Filed in Office Secretary of State June 9, 2017.