

**ASSEMBLY AMENDMENT 1,
TO 2005 ASSEMBLY BILL 574**

October 18, 2005 – Offered by COMMITTEE ON SMALL BUSINESS.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: delete “, lawn care service contracts,”.

3 **2.** Page 5, line 14: delete the material beginning with that line and ending with
4 page 7, line 14, and substitute:

5 “**(5m)** PENALTIES AND REMEDIES. (a) The department may exercise its authority
6 under ss. 93.14 and 93.15 to investigate violations of this section.

7 (b) Any person suffering pecuniary loss because of a violation of this section
8 may commence an action to recover the pecuniary loss. If the person prevails, the
9 person shall recover twice the amount of the pecuniary loss, or \$200 for each
10 violation, whichever is greater, together with costs, including reasonable attorney
11 fees.

12 (c) The department may commence an action in the name of the state to restrain
13 by temporary or permanent injunction a violation of this section. Before entry of final

1 judgment, the court may make any necessary orders to restore to a person any
2 pecuniary loss suffered by the person because of the violation.

3 (d) The department or a district attorney may commence an action in the name
4 of the state to recover a forfeiture to the state of not less than \$100 nor more than
5 \$10,000 for each violation of this section.

6 (e) A person who violates this section is subject”.

7 **3.** Page 7, line 22: delete “, 100.95, and 100.97” and substitute “, and 100.195”.

8 **4.** Page 8, line 1: delete “100.198 (2).” and substitute “100.195 (5m) (b).”.

9 **5.** Page 8, line 9: delete lines 9 and 10.

10 (END)