

**Conference Committee on Professional Deregulation
Conforming Bills Comparison - Senate Offer #1
Budget Conference for FY 2011-2012**

HOUSE		SENATE	HOUSE OFFER #1	SENATE OFFER #1
1	HB 5005 - Deregulation of Professions and Occupations	No Senate Companion		
2	Section 1. Amends s. 20.165, F.S., deleting provisions establishing the Florida Board of Auctioneers.		HOUSE	SENATE
3	Sections 2.–4. Repeal chapter 326, F.S., relating to the licensure of yacht and ship brokers and salespersons and conforming provisions in ss. 212.06 and 213.053, F.S.		HOUSE	SENATE
4	Sections 5. & 6. Repeal part VI of chapter 468, F.S., relating to the licensure of auctioneers, apprentices, and auction businesses, the Florida Board of Auctioneers, the Auctioneer Recovery Fund, and the conduct of auctions; and conforming provisions in s. 538.03, F.S.		HOUSE	SENATE
5	Section 7. Repeals part VII of chapter 468, F.S., relating to the licensure and regulation of talent agencies.		HOUSE	SENATE
6	Section 8. Repeals part IX of chapter 468, F.S., relating to the licensure and regulation of athlete agents.		HOUSE	SENATE
7	Sections 9.–13. Amend s. 477.0132, F.S., repealing the registration of specialists of hair braiding, hair wrapping, and body wrapping; and conforming provisions in ss. 477.019, 477.026, 477.0265, and 477.029, F.S.		HOUSE	ACCEPT HOUSE POSITION
8	Sections 14.–16. Repeal ss. 481.2131 and 481.2251, F.S., repealing the registration of interior designers; and conforming provisions in ss. 481.201, and 481.203, F.S.		HOUSE	SENATE
9	Section 17. Amends s. 481.205, F.S., changing the name of the Board of Architecture and Interior Design, to conform; revising membership of the board; conforming provisions.		HOUSE	SENATE

**Conference Committee on Professional Deregulation
Conforming Bills Comparison - Senate Offer #1
Budget Conference for FY 2011-2012**

HOUSE		SENATE	HOUSE OFFER #1	SENATE OFFER #1
10	Sections 18.–31. Amend ss. 481.207, 481.209, 481.211, 481.213, 481.215, 481.217, and 481.219, 481.221, 481.222, 481.223, 481.229, 481.231, 553.79, and 558.002, F.S., conforming provisions to the repeal of the regulation of interior designers.		HOUSE	SENATE
11	Sections 32.–44. Repeal chapter 496, F.S., relating to the registration of professional fundraising consultants and professional solicitors and the regulation of solicitation of charitable contributions and charitable sales promotions; and conforming provisions in ss. 110.181, 316.2045, 320.023, 322.081, 413.033, 550.0351, 550.1647, 741.0305, 775.0861, 790.166, 843.16, and 849.0935, F.S.		HOUSE	SENATE
12	Section 45. Repeals s. 500.459, F.S., relating to the regulation of water vending machines and the permitting of water vending machine operators.		HOUSE	SENATE
13	Section 46. Amends s. 500.511, F.S., deleting provisions for the deposit of operator permitting fees, the enforcement of the state's water vending machine regulations, penalties, and the preemption of county and municipal water vending machine regulations, to conform.		HOUSE	SENATE
14	Sections 47. & 48. Repeal ss. 501.012-501.019, F.S., relating to the registration of health studios and the regulation of health studio services; and conforming provisions in s. 501.165, F.S.		HOUSE	SENATE

**Conference Committee on Professional Deregulation
 Conforming Bills Comparison - Senate Offer #1
 Budget Conference for FY 2011-2012**

	HOUSE	SENATE	HOUSE OFFER #1	SENATE OFFER #1
15	Sections 49. & 50. Repeal s. 501.143, F.S., relating to the Dance Studio Act, the registration of ballroom dance studios, and the regulation of dance studio lessons and services; and conforming provisions in s. 205.1969, F.S.		HOUSE	SENATE
16	Sections 51.–56. Repeal part IV of chapter 501, F.S., relating to the Florida Telemarketing Act, the licensure of commercial telephone sellers and salespersons and the regulation of commercial telephone solicitation; and conforming provisions in ss. 205.1973, 501.165, 648.44, 772.102, and 895.02, F.S.		HOUSE	SENATE
17	Sections 57. & 58. Repeal chapter 507, F.S., relating to the registration of movers and moving brokers and the regulation of household moving services; and conforming provisions in ss. 205.1975, F.S.		HOUSE	SENATE
18	Sections 59. & 60. Amend s. 509.242, F.S., removing the license classifications of "rooming house" from public lodging establishments for purposes of provisions regulating such establishments; and conforming provisions in s. 509.221, F.S.		HOUSE	ACCEPT HOUSE POSITION
19	Section 61. Repeals chapter 555, F.S., relating to the regulation of outdoor theaters in which audiences view performances from parked vehicles.		HOUSE	ACCEPT HOUSE POSITION
20	Section 62. Repeals part VIII of chapter 559, F.S., relating to the Sale of Business Opportunities Act and the regulation of certain business opportunities.		HOUSE	SENATE

**Conference Committee on Professional Deregulation
Conforming Bills Comparison - Senate Offer #1
Budget Conference for FY 2011-2012**

HOUSE		SENATE	HOUSE OFFER #1	SENATE OFFER #1
21	Sections 63.–66. Repeal part IX of chapter 559, F.S., relating to the registration of motor vehicle repair shops, the Motor Vehicle Repair Advisory Council, and the regulation of motor vehicle repair; and conforming provisions in ss. 320.27, 445.025, and 713.585, F.S.		HOUSE	SENATE
22	Sections 67.–72. Repeal part XI of chapter 559, F.S., relating to the Florida Sellers of Travel Act, the registration of sellers of travel, certification of certain business activities, and the regulation of prearranged travel, tourist-related services, tour-guide services, and vacation certificates; and conforming provisions in ss. 205.1971, 501.604, 501.608, 636.044, and 721.11, F.S.		HOUSE	SENATE
23	Section 73. Repeals s. 686.201, F.S., relating to contracts with sales representatives involving commissions.		HOUSE	ACCEPT HOUSE POSITION
24	Section 74. Repeals s. 817.559, F.S., relating to the labeling of television picture tubes.		HOUSE	ACCEPT HOUSE POSITION
25	Section 75. Provides an effective date.		HOUSE	ACCEPT HOUSE POSITION
26	HB 5007 - Reducing and Streamlining Regulations			
27	Section 1. Transfers responsibility for distribution of a motor vehicle consumer's rights pamphlet to a motor vehicle owner from the Department of Agriculture and Consumer Services to the Department of Legal Affairs.		HOUSE	ACCEPT HOUSE POSITION
28	Section 2. Providing for the release of certain driver license information by the Department of Highway Safety and Motor Vehicles to the Department of Business and Professional Regulation under certain circumstances.		HOUSE	ACCEPT HOUSE POSITION
29	Section 3. Providing alternative criteria for obtaining a home inspector's license.		HOUSE	SENATE
30	Section 4. Exempts home inspectors from mold assessment licensure requirements.		HOUSE	ACCEPT HOUSE POSITION

**Conference Committee on Professional Deregulation
Conforming Bills Comparison - Senate Offer #1
Budget Conference for FY 2011-2012**

HOUSE		SENATE	HOUSE OFFER #1	SENATE OFFER #1
31	Section 5. Eliminates the requirements for a 2 year college degree and specific years of experience.		HOUSE	SENATE
32	Section 6. Revising the training requirements for mold assessors and remediators to remove water, mold, and respiratory protection.		HOUSE	SENATE
33	Section 7. Revising the training requirements for mold assessors and remediators to remove water, mold, and respiratory protection.		HOUSE	SENATE
34	Section 8. Reduces years of experience and invoices requires for licensure.		HOUSE	SENATE
35	Section 9. Deletes the requirements for a licensed Asbestos Consultant or Contractor's sole proprietorship to obtain an additional license.		HOUSE	ACCEPT HOUSE POSITION
36	Sections 10 through 20. Updates references to current Federal Law.		Revised language makes technical and clarifying corrections to the bill as it relates to the Uniform Standards of Professional Appraisal Practice provisions.	ACCEPT HOUSE POSITION, except on line 205 of the revised House language, replace term "adopted by the Appraiser" to "developed by the Appraisal"
37	Section 21. Deletes criminal penalties for persons who violate orders or rules of the Florida Real Estate Commission, persons who violate orders or rules of the Florida Real Estate Appraisal Board or related grounds for disciplinary action.		HOUSE	ACCEPT HOUSE POSITION
38	Sections 22 & 23. Delete criminal penalties for persons who violate orders or rules of the Florida Real Estate Commission, persons who violate orders or rules of the Florida Real Estate Appraisal Board or related grounds for disciplinary action.		HOUSE	ACCEPT HOUSE POSITION

**Conference Committee on Professional Deregulation
 Conforming Bills Comparison - Senate Offer #1
 Budget Conference for FY 2011-2012**

HOUSE		SENATE	HOUSE OFFER #1	SENATE OFFER #1
39	Section 24. Deletes criminal penalties for persons who commit certain violations of the Florida Cosmetology Act or rules of the Board of Cosmetology.		HOUSE	ACCEPT HOUSE POSITION
40	Section 25. Reducing continuing education requirements for reactivating professional licenses.		HOUSE	ACCEPT HOUSE POSITION
41	Section 26. Reducing continuing education requirements for reactivating Home Inspector licenses.		HOUSE	ACCEPT HOUSE POSITION
42	Section 27. Reducing continuing education requirements for reactivating Mold Assessor and Remediator licenses.		HOUSE	ACCEPT HOUSE POSITION
43	Section 28. Reducing continuing education requirements for reactivating Cosmetology licenses.		HOUSE	ACCEPT HOUSE POSITION
44	Section 29. Reducing continuing education requirements for reactivating Architect licenses.		HOUSE	ACCEPT HOUSE POSITION
45	Section 30. Reducing continuing education requirements for reactivating Landscape Architect licenses.		HOUSE	ACCEPT HOUSE POSITION
46	Section 31. Reducing continuing education requirements for reactivating Construction Contractor licenses.		HOUSE	ACCEPT HOUSE POSITION
47	Section 32. Reducing continuing education requirements for reactivating Electrical Contractor licenses.		HOUSE	ACCEPT HOUSE POSITION

**Conference Committee on Professional Deregulation
Conforming Bills Comparison - Senate Offer #1
Budget Conference for FY 2011-2012**

	HOUSE	SENATE	HOUSE OFFER #1	SENATE OFFER #1
48	Section 33. Allows accountants with a Masters degree from an accredited state college or university to be licensed without course reviews. Allows a CPA licensed in another state with 5 years of experience in the field of public accountancy to become licensed in Florida if all applicable fees are paid to the department regardless of the scope of the applicant's out of state course work.		Revised language to clarify that a master's degree in accounting, or its equivalent, is a satisfactory education level to apply for a Certified Public Accountant license.	ACCEPT HOUSE POSITION
49	Section 34. Revising the post licensure education requirements for real estate brokers and sales associates.		Revised language to clarify that initial licensure and postlicensure requirements do not apply to applicants for Real Estate Broker who holds specific education degrees.	ACCEPT HOUSE POSITION
50	Section 35. Deletes the requirements for a licensed Architects' sole proprietorship to obtain an additional license.		HOUSE	ACCEPT HOUSE POSITION
51	Section 36. Authorizes Landscape Designers to submit plan to government agencies for approval.		HOUSE	ACCEPT HOUSE POSITION
52	Section 37. Revising requirements for the method of payment of certain fees to not require check payments be certified.		HOUSE	ACCEPT HOUSE POSITION
53	Section 38. Revising requirements for the method of payment of certain fees to not require check payments be certified.		HOUSE	ACCEPT HOUSE POSITION
54	Section 39. Revising terminology for repossessor schools and training facilities.		HOUSE	ACCEPT HOUSE POSITION
55	Section 40. Revising requirements for the method of payment of certain fees to not require check payments be certified.		HOUSE	ACCEPT HOUSE POSITION
56	Section 41. Revising terminology to conform.		HOUSE	Revised language to conform to CS/CS/SB 1916, section 23.

**Conference Committee on Professional Deregulation
Conforming Bills Comparison - Senate Offer #1
Budget Conference for FY 2011-2012**

HOUSE		SENATE	HOUSE OFFER #1	SENATE OFFER #1
57	Section 42. Providing and revising definitions for purposes of the Florida Food Safety Act.		HOUSE	SENATE
58	Section 43. Providing penalties for food safety violations committed by cottage food operations.		HOUSE	SENATE
59	Section 44. Exempting cottage food operations from food permitting requirements; limiting the annual gross sales of cottage food operations and the persons who whom cottage food products may be sold; requiring certain packaging and labeling of cottage food products; limiting the sale of cottage food products to certain locations; prohibiting the resale of cottage food products; providing for application; authorizing the Department of Agriculture and Consumer Services to investigate complaints and enter into the premises of a cottage food operation.		HOUSE	SENATE
60	Section 45. Deleting authority for the department to enforce certain prohibitions against unconscionable practices during a declared state of emergency.		HOUSE	Revised language to conform to CS/CS/SB 1916, section 31.
61	Section 46. Revising which matters relating to the regulation of public lodging establishments and food service establishments are preempted to the state.		HOUSE	ACCEPT HOUSE POSITION
62	Section 47. Authorizing the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to require certain public lodging establishments and public food service establishments to complete certain food safety training.		HOUSE	ACCEPT HOUSE POSITION
63	Section 48. Revises requirements for Home Inspectors conducting hurricane mitigation inspections.		HOUSE	SENATE

**Conference Committee on Professional Deregulation
Conforming Bills Comparison - Senate Offer #1
Budget Conference for FY 2011-2012**

HOUSE		SENATE	HOUSE OFFER #1	SENATE OFFER #1
64	Section 49. Increases inactive license period from 2 years to 8 years for Fire Sprinkler Installers.		HOUSE	ACCEPT HOUSE POSITION
65	Sections 50 through 56. Transferring certain responsibilities of the Division of Consumer Services of the Department of Agriculture and Consumer Services for the Motor Vehicle Warranty Enforcement Act to the Department of Legal Affairs; authorizing the Department of Legal Affairs to adopt rules; conforming provisions.		Revises sections 51-54 to make technical changes to conform to SB 1916.	ACCEPT HOUSE POSITION
66	Section 57. Related to the transfer of Lemon Law from DACS to DLA		HOUSE	ACCEPT HOUSE POSITION
67	Section 58. Provides that Chapter 2010-84, Laws of Florida, regarding real estate appraisal management companies will not take effect until July 1, 2014. This change will allow time for the federal regulators to promulgate their rules.		HOUSE	ACCEPT HOUSE POSITION
68	Section 59. Provides an effective date of July 1, 2011, except as otherwise provided in the act.		HOUSE	ACCEPT HOUSE POSITION
69	Additional Items			
70	Title Insurance Agents		Study of Title Insurance Agents by DFS	SENATE
71	Fee Waiver by DBPR			Attached language from section 2 of CS/CS/SB 1824 provides for the waiver of fees for DBPR on a case-by-case basis for financial hardship or error caused by the department
72	CPA Peer Review			Attached language from sections 18-21 of CS/CS/SB 1824 which creates a CPA peer-review oversight process.

**Amendment to provide for fee waivers for the Department of
Business and Professional Regulation**

Section xx. Subsection (12) is added to section 455.213, Florida Statutes, to read:

455.213 General licensing provisions.—

(12) The department may grant a fee waiver for a license renewal to a licensee on a case-by-case basis due to financial hardship or an error caused by the department.

Attachment to create a peer review oversight process.

Section xx. Section 473.3066, Florida Statutes, is created to read:

473.3066 Peer review oversight committee.-

(1) The board may establish a peer review oversight committee to oversee the peer review requirements of s. 473.3125.

(2) If the board establishes the peer review oversight committee, the board shall adopt rules providing for the qualifications, appointment, and terms of committee members as follows:

(a) The peer review oversight committee shall be composed of five or fewer members appointed by the board.

(b) Each committee member must hold a valid license as a Florida certified public accountant.

(c) Each committee member or his or her firm must have undergone a peer review and received a review rating of "pass" on the most recent peer review.

(d) A committee member may not be a member of any state accountancy board, be a member of another state accountancy board committee, or perform any enforcement-related work for a state accountancy board.

(e) Committee members shall serve for terms not to exceed 3 years, except that the board, to establish staggered terms, may appoint members to initial terms that are shorter than the terms adopted by rule. The board shall fill the vacancy of a committee member for the unexpired portion of the member's term in the same manner as the original appointment.

(f) Committee members shall serve without compensation and are not entitled to reimbursement of per diem or travel expenses.

(3) The rules, if adopted, shall also provide for the duties of the peer review oversight committee, which may

include, but need not be limited to:

(a) Providing oversight for peer review programs and peer review administering organizations.

(b) Periodically reporting to the board on the effectiveness of peer review programs and providing a list of licensees that participate in the programs.

(c) Performing other duties relating to oversight of peer review programs.

Section xx. Section 473.311, Florida Statutes, is amended to read:

473.311 Renewal of license.—

(1) The department shall renew a license issued under s. 473.308 upon receipt of the renewal application and fee and upon certification by the board that the Florida certified public accountant has satisfactorily completed the continuing education requirements of s. 473.312.

(2) Effective January 1, 2015, the department shall renew a license issued under s. 473.3101 upon certification by the board that the sole proprietor, partnership, corporation, limited liability company, or other firm engaged in the practice of public accounting as defined in s. 473.302(8)(a) has satisfactorily complied with the peer review requirements of s. 473.3125 or that the board has extended the time to comply with the peer review requirements.

(3)~~(2)~~ The department shall adopt rules establishing a procedure for the biennial renewal of licenses issued under ss. 473.308 and 473.3101.

Section xx. Section 473.3125, Florida Statutes, is created to read:

473.3125 Peer review.—

(1) As used in this section, the term:

(a) "Licensee" means a sole proprietor, partnership, corporation, limited liability company, or any other firm engaged in the practice of public accounting as defined in s.

473.302(8)(a) which is required to be licensed under s. 473.3101.

(b) "Peer review" means the study, appraisal, or review by one or more independent certified public accountants of one or more aspects of the professional work of a licensee.

(2)(a) Except as otherwise provided in paragraph (b) or paragraph (c), a licensee must:

1. Enroll in the peer review program of a peer review administering organization approved by the board; and

2. Undergo a complete peer review at least once every 3 years, which is performed in the manner prescribed by this section and rules adopted by the board under this section and for which a peer review report is submitted to and accepted by the peer review administering organization.

(b) A licensee is not required to enroll in a peer review program or undergo a peer review if the licensee does not engage in the practice of public accounting as defined in s. 473.302(8)(a).

(c) A licensee that is licensed for less than 18 months must enroll in a peer review program but is not required to undergo a peer review.

(d) A licensee that receives a review rating of "fail" on two consecutive peer reviews must submit to the board any documentation requested by the board relating to the peer reviews for which the licensee received a review rating of "fail."

(3)(a) The board shall adopt rules establishing minimum standards for peer review programs, including, but not limited to, standards for administering, performing, and reporting peer reviews. The board shall also adopt rules establishing minimum criteria for the board's approval of one or more peer review administering organizations to facilitate and administer peer review programs.

(b) The rules shall require a peer review administering

organization to submit to the board a written summary of the organization's peer review program, including a description of its entire peer review process; the organization's standards for administering, performing, and reporting peer reviews; oversight procedures; training requirements; and support materials.

(c) The board may approve a peer review administering organization if:

1. The organization meets or exceeds the board's minimum criteria for the approval of peer review administering organizations.

2. The organization's peer review program meets or exceeds the board's minimum standards for peer review programs.

3. The organization demonstrates the ability to administer its peer review program in the manner described in its written summary and to comply with the board's minimum standards for peer review programs.

(d) The board may withdraw its approval of a peer review administering organization if the organization fails to comply with this section or rules adopted by the board under this section.

(4) A certified public accountant or other person appointed or authorized to perform administrative services for a peer review administering organization is immune from civil liability for furnishing information, data, reports, or records to the peer review administering organization or for damages resulting from any decision, opinion, action, or proceeding that is rendered, entered, or acted upon by the peer review administering organization and that is undertaken or performed within the scope or function of the duties of the peer review administering organization.

(5) The proceedings, records, and workpapers of a peer review administering organization are privileged, confidential, and not subject to discovery, subpoena, or other means of legal process or to introduction into evidence in a civil action or

arbitration proceeding. A person who is involved in a peer review may not testify in a civil action or arbitration proceeding as to any matter produced, presented, disclosed, or discussed during or in connection with the peer review or as to any finding, recommendation, evaluation, opinion, or other action of the peer review administering organization. Public records and materials prepared for a particular engagement are not privileged merely because they were presented or considered as part of a peer review. This privilege does not apply to any dispute between a peer review administering organization and the licensee subject to a review arising from the performance of the peer review.

Section xx. Section 473.323, Florida Statutes, is amended to read:

473.323 Disciplinary proceedings.—

(1) ~~The following acts constitute grounds for which~~ The disciplinary actions in subsection (3) may be taken against any certified public accountant or firm that:

(a) Violates ~~Violation of~~ any provision of s. 455.227(1) or any other provision of this chapter.

(b) Attempts ~~Attempting~~ to procure a license to practice public accounting by bribery or fraudulent misrepresentations.

(c) Has ~~Having~~ a license to practice public accounting revoked, suspended, or otherwise acted against, including ~~the~~ denial of licensure, by the licensing authority of another state, territory, or country.

(d) Is ~~Being~~ convicted or found guilty of, or enters ~~entering~~ a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of public accounting or the ability to practice public accounting.

(e) Makes ~~Making~~ or files ~~filing~~ a report or record that the certified public accountant or firm knows to be false, willfully fails ~~failing~~ to file a report or record required by

state or federal law, willfully impedes ~~impeding~~ or obstructs ~~obstructing~~ such filing, or induces ~~inducing~~ another person to impede or obstruct such filing. Such reports or records include only those that are signed in the capacity of a certified public accountant.

(f) Advertises ~~Advertising~~ goods or services in a manner that is fraudulent, false, deceptive, or misleading in form or content.

(g) Commits ~~Committing~~ an act of fraud or deceit, or of negligence, incompetency, or misconduct, in the practice of public accounting.

(h) Violates ~~Violation of~~ any rule adopted under ~~pursuant to~~ this chapter or chapter 455.

(i) Practices ~~Practicing on~~ public accounting using a revoked, suspended, inactive, or delinquent license.

(j) Has ~~Suspension or revocation of~~ the right to practice public accounting suspended or revoked by ~~before~~ any state or federal agency.

(k) Performs ~~Performance of~~ any fraudulent act in any jurisdiction while holding a license to practice public accounting in this state or while using practice privileges in this state.

(l) Fails ~~Failing~~ to maintain a good moral character as provided in s. 473.308 while applying for licensure, ~~or~~ while licensed in this state, or while using practice privileges under ~~pursuant to~~ s. 473.3141.

(m) Fails ~~Failing~~ to provide any written disclosure to a client or the public which is required by this chapter or rule adopted by ~~of~~ the board.

(n) Has ~~Having~~ the same or equivalent practice privileges of a Florida certified public accountant or firm revoked, suspended, or otherwise acted against by the licensing authority of another state, territory, or country as a result of activity in that jurisdiction which would have subjected the Florida

certified public accountant or firm to discipline in this state.

~~(2)~~ The board shall specify, by rule, what acts or omissions constitute a violation of this subsection ~~(1)~~.

(2) The disciplinary actions in subsection (3) may be taken against any licensed audit firm or public accounting firm licensed under s. 473.3101 engaged in the practice of public accounting as defined in s. 473.302(8) (a) which:

(a) Fails to enroll in a peer review program or undergo a peer review as required under s. 473.3125; or

(b) Engages in material noncooperation with a peer review administering organization approved by the board under s. 473.3125.

(3) When the board finds any certified public accountant or firm guilty of any of the grounds set forth in subsection (1), or finds any licensed audit firm or public accounting firm licensed under s. 473.3101 engaged in the practice of public accounting as defined in s. 473.302(8) (a) guilty of any of the grounds set forth in subsection (2), the board ~~it~~ may enter an order imposing one or more of the following penalties:

(a) Denial of an application for licensure.

(b) Revocation or suspension of the certified public accountant's accountant or licensed audit firm's or public accounting firm's license or practice privileges in this state.

(c) Imposition of an administrative fine not to exceed \$5,000 for each count or separate offense.

(d) Issuance of a reprimand.

(e) Placement of the certified public accountant on probation for a period of time and subject to such conditions as the board may specify, including requiring the certified public accountant to attend continuing education courses or to work under the supervision of another certified public accountant licensee.

(f) Restriction of the authorized scope of practice by the

certified public accountant.

(4) Upon ~~The department shall reissue the license of a disciplined licensee upon~~ certification by the board that a certified public accountant, licensed audit firm, or public accounting firm whose license was subject to discipline ~~the disciplined licensee~~ has complied with all ~~of~~ the terms and conditions set forth in the final order, the department shall reissue the license under s. 473.311.

Attachment for Section 41 of HB 5007

Section 493.6406, Florida Statutes, is amended to read:

493.6406 Recovery agent ~~Repossession services~~ school or training facility.-

(1) Any school, training facility, or instructor who offers the training outlined in s. 493.6403(2) for Class "E" or Class "EE" applicants shall, before licensure of such school, training facility, or instructor, file with the department an application accompanied by an application fee in an amount to be determined by rule, not to exceed \$60. The fee shall not be refundable. This training may be offered as face-to-face training, Internet-based training, or correspondence training.

(2) The application must ~~shall~~ be signed and verified by the applicant under oath as provided in s. 92.525 ~~notarized~~ and shall contain, at a minimum, the following information:

(a) The name and address of the school or training facility and, if the applicant is an individual, his or her name, address, and social security or alien registration number.

(b) The street address of the place at which the training is to be conducted or the street address of the Class "RS" school offering Internet-based or correspondence training.

(c) A copy of the training curriculum and final examination to be administered.

(3) The department shall adopt rules establishing the criteria for approval of schools, training facilities, and instructors.

Attachment for Section 45 of HB 5007

Paragraph (b) of subsection (1) and subsection (8) of section 501.160, Florida Statutes, are amended to read:

501.160 Rental or sale of essential commodities during a declared state of emergency; prohibition against unconscionable prices.—

(1) As used in this section:

(b) It is prima facie evidence that a price is unconscionable if:

1. The amount charged represents a gross disparity between the price of the commodity or rental or lease of any dwelling unit or self-storage facility that is the subject of the offer or transaction and the average price at which that commodity or dwelling unit or self-storage facility was rented, leased, sold, or offered for rent or sale in the usual course of business during the 30 days immediately prior to a declaration of a state of emergency, unless ~~and~~ the increase in the amount charged is ~~not~~ attributable to additional costs incurred in connection with the rental or sale of the commodity or rental or lease of any dwelling unit or self-storage facility, or regional, national, or international market trends; or

2. The amount charged grossly exceeds the average price at which the same or similar commodity was readily obtainable in the trade area during the 30 days immediately prior to a declaration of a state of emergency, unless ~~and~~ the increase in the amount charged is ~~not~~ attributable to additional costs incurred in connection with the rental or sale of the commodity or rental or lease of any dwelling unit or self-storage facility, or regional, national, or international market trends.

(8) Any violation of this section may be enforced by ~~the Department of Agriculture and Consumer Services,~~ the office of the state attorney~~7~~ or the Department of Legal Affairs.