

Committee on Innovation, Industry, and Technology

CS/HB 1193 — Deregulation of Professions and Occupations

by Commerce Committee and Rep. Ingoglia and others (Appropriations Committee; Commerce and Tourism Committee; Innovation, Industry, and Technology Committee; and Senators Albritton and Gruters)

The “Occupational Freedom and Opportunity Act,” relates to businesses and professions regulated by the Department of Business and Professional Regulation (DBPR) and health professionals regulated by the Department of Health (DOH). The bill:

- Repeals the authority of the DOH and the DBPR to suspend or revoke a professional license because of a default on a student loan or failure to comply with service or work-conditional scholarship obligations;
- Waives the requirement to pass the commercial driver license skills test for a military service member or veteran with specified training;
- Provides an exemption from the requirement to be licensed as a dietitian or nutritionist for a person who provides information, wellness recommendations, or advice concerning nutrition, or who markets food, food materials, or dietary supplements for remuneration if the person does not provide such services to a person under the direct care of a medical doctor for a medical condition requiring nutritional intervention and does not represent themselves as a dietitian or nutritionist or as a licensed or registered dietitian or nutritionist;
- Permits certain employees or agents of public and private animal shelters, humane organizations, and animal control organizations to implant radio identification microchips in dogs and cats, and permits such persons to contact the person listed on the identification microchip to verify pet ownership;
- Provides additional continuing education option for licensed landscape architects by authorizing such professionals to receive hour-for-hour credit for certain approved continuing education courses approved by the Landscape Architecture Continuing Education System or another nationally recognized clearinghouse for continuing education;
- Increases the maximum contract price from \$1,000 to \$2,500 for the “handyman exception,” which permits an unlicensed person to perform services that fall within the scope of a contractor’s license;
- Permits a person who has received a Bachelor of Arts degree from an accredited four-year college and has a 3.0 GPA to qualify for a contractor’s license if the person only passes the finance portion of the license examination;
- Preempts the regulation of mobile food dispensing vehicles (food trucks) to the state to prohibit local government (but not port authorities, aviation authorities, airports, or seaports) from requiring a license, registration, or permit, and prohibiting the operation of food trucks in the entirety of their jurisdiction; and
- Revises the membership of the Florida Building Commission and reduces its membership from 27 members to 19 members.

The bill repeals license or registration requirements for the following businesses or professions regulated by the DBPR:

- Labor organizations and their business agents;
- Hair braiders, hair wrappers, and body wrappers; and
- Boxing announcers and timekeepers.

The regulation of interior design is revised by the bill to provide for a voluntary certificate of registration to practice interior design in place of the current license requirement. A certificate of registration is not required to practice interior design. To qualify for registration, an interior designer must have satisfactorily passed a qualification examination. Only a registered interior designer may use a seal issued by the DBPR if a seal is required by the permitting authority when submitting documents for the issuance of a building permit. The bill reduces the biennial fee to register as an interior designer to a fee of no more than \$75 (from a fee of no more than \$500).

The bill repeals the requirement that a yacht and ship broker must have a separate license for each branch office. It repeals the license requirement for cosmetology salons, and also eliminates the additional business organization for the following professional licensees:

- Architects and interior designers;
- Landscape architects; and
- Geologists.

The bill provides additional options or reduces the requirements for the following professionals, if licensed in another state, to qualify for a professional license in Florida:

- Building code administrators and inspectors;
- Home inspectors;
- Engineers;
- Certified public accountants;
- Veterinarians;
- Barbers;
- Cosmetologists;
- Architects;
- Construction contractors;
- Electrical and alarm contractors;
- Landscape architects; and
- Geologists.

Effective January 1, 2021, the bill reduces the minimum:

- Hours of training required for a barber's licensure from 1,200 hours to 900 hours;
- Hours of continuing education required for the biennial renewal of a cosmetology license from 16 hours to 10 hours; and
- Training hours required to be registered as a nail, facial, or full specialist.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 38-0; House 103-11