

By Senator Sullivan

22-1236-00

1 A bill to be entitled
2 An act relating to regulatory boards; amending
3 s. 455.587, F.S.; providing for the abolition
4 of any board regulating a profession which has
5 a negative cash balance for a specified period;
6 providing an effective date.

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

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10 Section 1. Subsection (1) of section 455.587, Florida
11 Statutes, is amended to read:

12 455.587 Fees; receipts; disposition.--

13 (1) Each board within the jurisdiction of the
14 department, or the department when there is no board, shall
15 determine by rule the amount of license fees for the
16 profession it regulates, based upon long-range estimates
17 prepared by the department of the revenue required to
18 implement laws relating to the regulation of professions by
19 the department and the board. Each board, or the department
20 if there is no board, shall ensure that license fees are
21 adequate to cover all anticipated costs and to maintain a
22 reasonable cash balance, as determined by rule of the agency,
23 with advice of the applicable board. If sufficient action is
24 not taken by a board within 1 year after notification by the
25 department that license fees are projected to be inadequate,
26 the department shall set license fees on behalf of the
27 applicable board to cover anticipated costs and to maintain
28 the required cash balance. The department shall include
29 recommended fee cap increases in its annual report to the
30 Legislature. Further, it is the legislative intent that no
31 regulated profession operate with a negative cash balance. Any

1 board that regulates a profession and that has maintained a
2 negative cash balance for 5 consecutive years is abolished on
3 the last day of the next regular session of the Legislature
4 following the end of that 5-year period unless the Legislature
5 provides adequate funding to cover the costs incurred by the
6 board in regulating the profession.The department may provide
7 by rule for advancing sufficient funds to any profession
8 operating with a negative cash balance. The advancement may be
9 for a period not to exceed 2 consecutive years, and the
10 regulated profession must pay interest. Interest shall be
11 calculated at the current rate earned on investments of a
12 trust fund used by the department to implement this part.
13 Interest earned shall be allocated to the various funds in
14 accordance with the allocation of investment earnings during
15 the period of the advance.

16 Section 2. This act shall take effect upon becoming a
17 law.

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20 SENATE SUMMARY

21 Abolishes each board that regulates a profession if that
22 board has maintained a negative cash balance for 5
23 consecutive years unless the Legislature provides the
24 board adequate funding.
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