

hbd-08

Bill No. HB 1923, 1st Eng.

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Miller offered the following:

Amendment (with title amendment)

On page 188, between lines 3 and 4,

insert:

Section 128. Section 455.2281, Florida Statutes, is amended to read:

455.2281 Unlicensed activities; fees; disposition.--In order to protect the public and to ensure a consumer-oriented department, it is the intent of the Legislature that vigorous enforcement of regulation for all professional activities is a state priority. All enforcement costs should be covered by professions regulated by the department. Therefore, the department shall impose, upon initial licensure and each renewal thereof, a special fee of \$5 per licensee. Such fee shall be in addition to all other fees collected from each licensee and shall fund efforts to combat unlicensed activity. Any profession regulated by the department which offers services that are not subject to regulation when provided by an unlicensed person may use funds in its unlicensed activity

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1 account to inform the public of such situation.The board with
2 concurrence of the department, or the department when there is
3 no board, may earmark \$5 of the current licensure fee for this
4 purpose, if such board, or profession regulated by the
5 department, is not in a deficit and has a reasonable cash
6 balance. A board or profession regulated by the department may
7 authorize the transfer of funds from the operating fund
8 account to the unlicensed activity account of that profession
9 if the operating fund account is not in a deficit and has a
10 reasonable cash balance.The department shall make direct
11 charges to this fund by profession and shall not allocate
12 indirect overhead. The department shall seek board advice
13 regarding enforcement methods and strategies prior to
14 expenditure of funds; however, the department may, without
15 board advice, allocate funds to cover the costs of continuing
16 education compliance monitoring under s. 455.2177. The
17 department shall directly credit, by profession, revenues
18 received from the department's efforts to enforce licensure
19 provisions, including revenues received from fines collected
20 under s. 455.2177. The department shall include all financial
21 and statistical data resulting from unlicensed activity
22 enforcement and from continuing education compliance
23 monitoring as separate categories in the quarterly management
24 report provided for in s. 455.219. The department shall not
25 charge the account of any profession for the costs incurred on
26 behalf of any other profession. For an unlicensed activity
27 account, a balance which remains at the end of a renewal cycle
28 may, with concurrence of the applicable board and the
29 department, be transferred to the operating fund account of
30 that profession.

31 Section 129. Subsection (4) is added to section

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1 473.313, Florida Statutes, to read:
 2 473.313 Inactive status.--
 3 (4) Notwithstanding the provisions of s. 455.271, the
 4 board may, at its discretion, reinstate the license of an
 5 individual whose license has become null and void if the
 6 individual has made a good-faith effort to comply with this
 7 section but has failed to comply because of illness or unusual
 8 hardship. The individual shall apply to the board for
 9 reinstatement in a manner prescribed by rules of the board and
 10 shall pay an application fee in an amount determined by rule
 11 of the board. The board shall require that such an individual
 12 meet all continuing education requirements as provided in s.
 13 473.312, pay appropriate licensing fees, and otherwise be
 14 eligible for renewal of licensure under this chapter.

17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 On page 8, line 13, after the semicolon,
 20
 21 insert:
 22 amending s. 455.2281, F.S.; authorizing any
 23 profession regulated by the department which
 24 offers services that are not subject to
 25 regulation when provided by an unlicensed
 26 person to use funds in its unlicensed activity
 27 account to inform the public of such situation;
 28 authorizing a board or profession regulated by
 29 the department to transfer funds in its
 30 operating fund account to its unlicensed
 31 activity account under certain circumstances;

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1 amending s. 473.313, F.S.; providing authority
2 for the reinstatement of certain licensees in
3 public accountancy whose licenses have become
4 void;
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