

Bill No. CS for SB 2210

Amendment No. Barcode 321756

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Sullivan moved the following amendment to amendment (690828):

Senate Amendment (with title amendment)

On page 193, between lines 30 and 31,

insert:

Section 146. 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

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

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1 Section 147. Subsection (4) is added to section
 2 473.313, Florida Statutes, to read:
 3 473.313 Inactive status.--
 4 (4) Notwithstanding the provisions of s. 455.271, the
 5 board may, at its discretion, reinstate the license of an
 6 individual whose license has become null and void if the
 7 individual has made a good-faith effort to comply with this
 8 section but has failed to comply because of illness or unusual
 9 hardship. The individual shall apply to the board for
 10 reinstatement in a manner prescribed by rules of the board and
 11 shall pay an application fee in an amount determined by rule
 12 of the board. The board shall require that such an individual
 13 meet all continuing education requirements as provided in s.
 14 473.312, pay appropriate licensing fees, and otherwise be
 15 eligible for renewal of licensure under this chapter.

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 17 (Redesignate subsequent sections.)
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 19

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

21 And the title is amended as follows:

22 On page 204, line 10, after the semicolon,

23
 24 insert:

25 amending s. 455.2281, F.S.; authorizing any
 26 profession regulated by the department which
 27 offers services that are not subject to
 28 regulation when provided by an unlicensed
 29 person to use funds in its unlicensed activity
 30 account to inform the public of such situation;
 31 authorizing a board or profession regulated by

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1 the department to transfer funds in its
2 operating fund account to its unlicensed
3 activity account under certain circumstances;
4 amending s. 473.313, F.S.; providing authority
5 for the reinstatement of certain licensees in
6 public accountancy whose licenses have become
7 void;
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