



699242

LEGISLATIVE ACTION

Senate

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House

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Floor: 4/AD/2R

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04/29/2009 04:17 PM

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Senator Gaetz moved the following:

Senate Amendment (with title amendment)

Between lines 1942 and 1943
insert:

Section 59. Effective upon this act becoming a law,
paragraph (a) of subsection (1) of section 489.128, Florida
Statutes, is amended to read:

489.128 Contracts entered into by unlicensed contractors
unenforceable.—

(1) As a matter of public policy, contracts entered into on
or after October 1, 1990, by an unlicensed contractor shall be
unenforceable in law or in equity by the unlicensed contractor.



699242

13 (a) For purposes of this section, an individual is
14 unlicensed if the individual does not have a license required by
15 this part concerning the scope of the work to be performed under
16 the contract. A business organization is unlicensed if the
17 business organization does not have a primary or secondary
18 qualifying agent in accordance with this part concerning the
19 scope of the work to be performed under the contract. For
20 purposes of this section, if a ~~ne~~ state ~~or local~~ license is not
21 required for the scope of work to be performed under the
22 contract, the individual performing that work is ~~shall~~ not ~~be~~
23 considered unlicensed.

24
25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 Delete line 212

28 and insert:

29 made to s. 455.227, F.S., in references thereto;
30 amending s. 489.128, F.S.; revising the circumstances
31 under which a person is considered an unlicensed
32 contractor;