

By the Committees on General Government Appropriations; and Regulated Industries; and Senator Fasano

601-05623-09

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1 A bill to be entitled
2 An act relating to the Department of Business and
3 Professional Regulation; amending s. 20.165, F.S.;
4 creating the Division of Service Operations of the
5 department; amending s. 455.217, F.S.; conforming
6 provisions and transferring to the Division of Service
7 Operations from the Division of Technology certain
8 responsibilities related to examinations; revising
9 certain requirements for the department concerning the
10 use of outside vendors for the development,
11 preparation, and evaluation of examinations; repealing
12 s. 509.233(1) and (7), F.S., relating to a 3-year
13 pilot program for local governments to allow patrons'
14 dogs within certain designated outdoor portions of
15 public food service establishments; abrogating the
16 repeal of the program; requiring that the Office of
17 Program Policy Analysis and Government Accountability
18 perform a study and make certain recommendations to
19 the Legislature by a specified date regarding the
20 enactment of laws to provide for protection and
21 remedies from certain online poker activities;
22 providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Paragraph (k) is added to subsection (2) of
27 section 20.165, Florida Statutes, to read:

28 20.165 Department of Business and Professional Regulation.—
29 There is created a Department of Business and Professional

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30 Regulation.

31 (2) The following divisions of the Department of Business
32 and Professional Regulation are established:

33 (k) Division of Service Operations.

34 Section 2. Paragraph (a) of subsection (1) of section
35 455.217, Florida Statutes, is amended to read:

36 455.217 Examinations.—This section shall be read in
37 conjunction with the appropriate practice act associated with
38 each regulated profession under this chapter.

39 (1) The Division of Service Operations ~~Technology~~ of the
40 Department of Business and Professional Regulation shall
41 provide, contract, or approve services for the development,
42 preparation, administration, scoring, score reporting, and
43 evaluation of all examinations. The division shall seek the
44 advice of the appropriate board in providing such services.

45 (a) The department, acting in conjunction with the Division
46 of Service Operations ~~Technology~~ and the Division of Real
47 Estate, as appropriate, shall ensure that examinations
48 adequately and reliably measure an applicant's ability to
49 practice the profession regulated by the department. After an
50 examination developed or approved by the department has been
51 administered, the board or department may reject any question
52 which does not reliably measure the general areas of competency
53 specified in the rules of the board or department, when there is
54 no board. The department shall use qualified outside
55 ~~professional testing vendors services~~ for the development,
56 preparation, and evaluation of examinations, when such services
57 are economically and viably available and approved by the
58 department ~~board~~.

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59 Section 3. Subsections (1) and (7) of section 509.233,
60 Florida Statutes, are repealed.

61 Section 4. The Office of Program Policy Analysis and
62 Government Accountability shall perform a study and make
63 recommendations to the Legislature by December 1, 2009,
64 regarding the enactment of laws to provide for protection and
65 remedies from existing and unregulated online poker activities,
66 which currently lack oversight and consumer protection under s.
67 849.086, Florida Statutes.

68 Section 5. This act shall take effect July 1, 2009.