

20101150er

1  
2 An act relating to registration of farm labor  
3 contractors and employees; amending s. 450.28, F.S.;  
4 defining the term "timely application for renewal";  
5 amending s. 450.31, F.S.; requiring the renewal of  
6 farm labor contractor and employee certificates of  
7 registration under certain circumstances; requiring  
8 the Department of Business and Professional Regulation  
9 to suspend, revoke, or refuse to issue or renew  
10 certificates of registration under certain  
11 circumstances; providing an effective date.  
12

13 Be It Enacted by the Legislature of the State of Florida:  
14

15 Section 1. Subsection (7) is added to section 450.28,  
16 Florida Statutes, to read:

17 450.28 Definitions.—

18 (7) "Timely application for renewal" means the application  
19 for a federal certificate of registration as a farm labor  
20 contractor, or a farm labor contractor employee, is filed, as  
21 defined by federal law, with the United States Department of  
22 Labor at least 30 days before its expiration date.

23 Section 2. Paragraph (b) of subsection (1) and subsection  
24 (2) of section 450.31, Florida Statutes, are amended,  
25 subsections (3) through (7) are renumbered as subsections (4)  
26 through (8), respectively, and a new subsection (3) is added to  
27 that section, to read:

28 450.31 Issuance, revocation, and suspension of, and refusal  
29 to issue or renew, certificate of registration.—

20101150er

30 (1) The department shall not issue to any person a  
31 certificate of registration as a farm labor contractor, nor  
32 shall it renew such certificate, until:

33 (b) Such person has obtained and holds a valid federal  
34 certificate of registration as a farm labor contractor, or a  
35 farm labor contractor employee, unless exempt by federal law.

36 However, the department shall renew a certificate of  
37 registration after such person's federal certificate of  
38 registration expires if such person files a timely application  
39 for renewal with the United States Department of Labor.

40 (2) The department may revoke, suspend, or refuse to issue  
41 or renew any certificate of registration when it is shown that  
42 the farm labor contractor has:

43 (a) Violated or failed to comply with any provision of this  
44 part or the rules adopted pursuant to this part;

45 (b) Made any misrepresentation or false statement in his or  
46 her application for a certificate of registration;

47 (c) Given false or misleading information concerning terms,  
48 conditions, or existence of employment to persons who are  
49 recruited or hired to work on a farm;

50 (d) Been assessed a civil fine by the department for which  
51 payment is overdue;

52 (e) Failed to pay unemployment compensation taxes as  
53 determined by the Agency for Workforce Innovation; or

54 ~~(f) Been denied, or had suspended or revoked, a federal~~  
55 ~~certificate of registration as a farm labor contractor; or~~

56 (f)(g) Failed to pay federal employee taxes as determined  
57 by the Internal Revenue Service.

58 (3) The department shall suspend, revoke, or refuse to

20101150er

59 issue or renew a certificate of registration upon receipt of a  
60 final order of suspension, revocation, or refusal to issue or  
61 renew the federal certificate of registration from the United  
62 States Department of Labor.

63 Section 3. This act shall take effect July 1, 2010.