

HB 615

2017

1 A bill to be entitled
2 An act relating to professional regulation; providing
3 a short title; amending s. 455.02, F.S.; revising the
4 length of time that an active duty member of the Armed
5 Forces of the United States may remain in good
6 standing with an administrative board under certain
7 circumstances; requiring that a spouse or surviving
8 spouse be kept in good standing and be exempt from
9 licensure renewal provisions under certain
10 circumstances; requiring, rather than authorizing, the
11 Department of Business and Professional Regulation to
12 issue a professional license, rather than a temporary
13 license, to specified applicants; revising application
14 requirements; requiring the department to waive the
15 applicant's initial licensure application fee;
16 authorizing licensure renewal; amending s. 455.219,
17 F.S.; providing for a fee waiver for active duty
18 members of the Armed Forces, certain spouses or
19 surviving spouses of an active duty member, and low-
20 income individuals; providing rulemaking authority;
21 providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. This act may be cited as the "Occupational

26 Opportunity Act."

27 Section 2. Section 455.02, Florida Statutes, is amended to
28 read:

29 455.02 Licensure of members of the Armed Forces in good
30 standing and their spouses or surviving spouses with
31 administrative boards.—

32 (1) Any member of the Armed Forces of the United States
33 now or hereafter on active duty who, at the time of becoming
34 such a member, was in good standing with any of the boards
35 listed in s. 20.165 ~~administrative board of the state~~ and was
36 entitled to practice or engage in his or her profession or
37 vocation in the state shall be kept in good standing by the
38 applicable ~~such administrative~~ board, without registering,
39 paying dues or fees, or performing any other act on his or her
40 part to be performed, as long as he or she is a member of the
41 Armed Forces of the United States on active duty and for a
42 period of 2 years ~~6 months~~ after discharge from active duty as a
43 member of the Armed Forces of the United States, if he or she is
44 not engaged in his or her licensed profession or vocation in the
45 private sector for profit.

46 (2) A spouse of a member of the Armed Services of the
47 United States who is married to a member during a period of
48 active duty, or a surviving spouse of a member who at the time
49 of death was serving on active duty, ~~The boards listed in s.~~
50 ~~20.165 shall adopt rules that exempt the spouse of a member of~~

51 ~~the Armed Forces of the United States who is in good standing~~
52 with any of the boards listed in s. 20.165 shall be kept in good
53 standing by the applicable board as described in subsection (1)
54 and shall be exempt from licensure renewal provisions, but only
55 in cases of his or her absence from the state because of his or
56 her spouse's duties with the Armed Forces.

57 (3) (a) The department shall ~~may~~ issue a ~~temporary~~
58 professional license to an applicant who is or was the spouse of
59 an active duty member of the Armed Forces of the United States,
60 or who is a spouse or surviving spouse of such member, ~~if the~~
61 ~~spouse upon application applies~~ to the department in a ~~the~~
62 format prescribed by the department. An application must include
63 proof that:

64 1. The applicant is or was an active duty member of the
65 Armed Forces of the United States or is married to a member of
66 the Armed Forces of the United States and was married to the
67 member during any period of ~~who is on~~ active duty or was married
68 to such a member who at the time of the member's death was
69 serving on active duty.

70 2. The applicant holds a valid license for the profession
71 issued by another state, the District of Columbia, any
72 possession or territory of the United States, or any foreign
73 jurisdiction.

74 ~~3. The applicant's spouse is assigned to a duty station in~~
75 ~~this state and that the applicant is also assigned to a duty~~

76 ~~station in this state pursuant to the member's official active~~
77 ~~duty military orders.~~

78 3.a.4.a. A complete set of the applicant's fingerprints is
79 submitted to the Department of Law Enforcement for a statewide
80 criminal history check.

81 b. The Department of Law Enforcement shall forward the
82 fingerprints submitted pursuant to sub-subparagraph a. to the
83 Federal Bureau of Investigation for a national criminal history
84 check. The department shall, and the board may, review the
85 results of the criminal history checks according to the level 2
86 screening standards in s. 435.04 and determine whether the
87 applicant meets the licensure requirements. The costs of
88 fingerprint processing shall be borne by the applicant. If the
89 applicant's fingerprints are submitted through an authorized
90 agency or vendor, the agency or vendor shall collect the
91 required processing fees and remit the fees to the Department of
92 Law Enforcement.

93 (b) The department shall waive the applicant's initial
94 licensure application fee ~~An application must be accompanied by~~
95 ~~an application fee prescribed by the department that is~~
96 ~~sufficient to cover the cost of issuance of the temporary~~
97 ~~license.~~

98 (c) An applicant who is issued a license under this
99 section may renew such license upon completion of the conditions
100 for renewal required of licenseholders under the applicable

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101 practice act, including, without limitation, continuing
102 education requirements. This paragraph does not limit waiver of
103 initial licensure requirements under this subsection. A
104 ~~temporary license expires 6 months after the date of issuance~~
105 ~~and is not renewable.~~

106 Section 3. Subsection (7) is added to section 455.219,
107 Florida Statutes, to read:

108 455.219 Fees; receipts; disposition; periodic management
109 reports.—

110 (7) (a) The department, or a board thereunder, shall waive
111 the initial licensing fee for a member of the Armed Services of
112 the United States that has served on active duty, the spouse of
113 a member of the Armed Services of the United States who was
114 married to the member during a period of active duty, the
115 surviving spouse of a member of the Armed Services of the United
116 States who at the time of death was serving on active duty, or a
117 low-income individual upon application by the individual in a
118 format prescribed by the department. The application format must
119 include the applicant's signature, under penalty of perjury, and
120 supporting documentation as required by the department. For
121 purposes of this subsection, the term "low-income individual"
122 means a person whose household income, before taxes, is at or
123 below 130 percent of the federal poverty guidelines prescribed
124 for the family's household size by the United States Department
125 of Health and Human Services or a person who is enrolled in a

126 | state or federal public assistance program, including, but not
127 | limited to, Temporary Assistance for Needy Families, Medicaid,
128 | or Supplemental Nutrition Assistance Program.

129 | (b) The department, or a board thereunder, shall process
130 | an application for a fee waiver within 30 days of receiving it
131 | from the applicant.

132 | (c) The department shall adopt rules necessary to
133 | implement the provisions of this subsection.

134 | Section 4. This act shall take effect July 1, 2017.