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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/29/2017	.	
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The Committee on Regulated Industries (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete lines 33 - 135
and insert:
administrative boards or programs.-

(1) Any member of the Armed Forces of the United States now or hereafter on active duty who, at the time of becoming such a member, was in good standing with any of the boards or programs listed in s. 20.165 ~~administrative board of the state~~ and was entitled to practice or engage in his or her profession or



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11 vocation in the state shall be kept in good standing by the
12 applicable ~~such administrative board or program~~, without
13 registering, paying dues or fees, or performing any other act on
14 his or her part to be performed, as long as he or she is a
15 member of the Armed Forces of the United States on active duty
16 and for a period of 2 years ~~6 months~~ after discharge from active
17 duty as a member of the Armed Forces of the United States, if he
18 or she is not engaged in his or her licensed profession or
19 vocation in the private sector for profit.

20 (2) A spouse of a member of the Armed Services of the
21 United States who is married to a member during a period of
22 active duty, or a surviving spouse of a member who at the time
23 of death was serving on active duty, ~~The boards listed in s.~~
24 ~~20.165 shall adopt rules that exempt the spouse of a member of~~
25 ~~the Armed Forces of the United States who is in good standing~~
26 with any of the boards or programs listed in s. 20.165 shall be
27 kept in good standing by the applicable board or program as
28 described in subsection (1) and shall be exempt from licensure
29 renewal provisions, but only in cases of his or her absence from
30 the state because of his or her spouse's duties with the Armed
31 Forces.

32 (3) (a) The department shall ~~may~~ issue a ~~temporary~~
33 professional license to an applicant who is or was the spouse of
34 an active duty member of the Armed Forces of the United States,
35 or who is a spouse or surviving spouse of such member, upon
36 application ~~if the spouse applies~~ to the department in a the
37 format prescribed by the department. An application must include
38 proof that:

39 1. The applicant is or was an active duty member of the



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40 Armed Forces of the United States or is married to a member of
41 the Armed Forces of the United States and was married to the
42 member during any period of ~~who is on~~ active duty or was married
43 to such a member who at the time of the member's death was
44 serving on active duty.

45 2. The applicant holds a valid license for the profession
46 issued by another state, the District of Columbia, any
47 possession or territory of the United States, or any foreign
48 jurisdiction.

49 3. The applicant, when required by the specific practice
50 act, has complied with insurance or bonding requirements ~~The~~
51 ~~applicant's spouse is assigned to a duty station in this state~~
52 ~~and that the applicant is also assigned to a duty station in~~
53 ~~this state pursuant to the member's official active duty~~
54 ~~military orders.~~

55 4.a. A complete set of the applicant's fingerprints is
56 submitted to the Department of Law Enforcement for a statewide
57 criminal history check.

58 b. The Department of Law Enforcement shall forward the
59 fingerprints submitted pursuant to sub-subparagraph a. to the
60 Federal Bureau of Investigation for a national criminal history
61 check. The department shall, and the board may, review the
62 results of the criminal history checks according to the level 2
63 screening standards in s. 435.04 and determine whether the
64 applicant meets the licensure requirements. The costs of
65 fingerprint processing shall be borne by the applicant. If the
66 applicant's fingerprints are submitted through an authorized
67 agency or vendor, the agency or vendor shall collect the
68 required processing fees and remit the fees to the Department of



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69 Law Enforcement.

70 (b) The department shall waive the applicant's initial
71 licensure application fee ~~An application must be accompanied by~~
72 ~~an application fee prescribed by the department that is~~
73 ~~sufficient to cover the cost of issuance of the temporary~~
74 ~~license.~~

75 (c) An applicant who is issued a license under this section
76 may renew such license upon completion of the conditions for
77 renewal required of licenseholders under the applicable practice
78 act, including, without limitation, continuing education
79 requirements. This paragraph does not limit waiver of initial
80 licensure requirements under this subsection ~~A temporary license~~
81 ~~expires 6 months after the date of issuance and is not~~
82 ~~renewable.~~

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

85 455.219 Fees; receipts; disposition; periodic management
86 reports.—

87 (7) (a) The department, or a board thereunder, shall waive
88 the initial licensing fee for a member of the Armed Services of
89 the United States that has served on active duty, the spouse of
90 a member of the Armed Services of the United States who was
91 married to the member during a period of active duty, the
92 surviving spouse of a member of the Armed Services of the United
93 States who at the time of death was serving on active duty, or a
94 low-income individual upon application by the individual in a
95 format prescribed by the department. The application format must
96 include the applicant's signature, under penalty of perjury, and
97 supporting documentation as required by the department. For



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98 purposes of this subsection, the term "low-income individual"
99 means a person whose household income, before taxes, is at or
100 below 130 percent of the federal poverty guidelines prescribed
101 for the family's household size by the United States Department
102 of Health and Human Services, proof of which may be shown
103 through enrollment in a state or federal public assistance
104 program that requires participants to be at or below 130 percent
105 of the federal poverty guidelines to qualify.

106 (b) The department, or a board thereunder, shall process an
107 application for a fee waiver within 30 days after receiving it
108 from the applicant.

109 (c) The department shall adopt rules necessary to implement
110 the provisions of this subsection.

111 Section 4. For the 2017-2018 fiscal year, the nonrecurring
112 sum of \$31,000 from the Administrative Trust Fund is
113 appropriated to the Department of Business and Professional
114 Regulation for costs associated with technology infrastructure
115 and licensing modifications needed for the purposes of
116 implementing this act.

117
118 ===== T I T L E A M E N D M E N T =====

119 And the title is amended as follows:

120 Delete lines 6 - 22

121 and insert:

122 standing with an administrative board or program under
123 certain circumstances; requiring that a spouse or
124 surviving spouse be kept in good standing and be
125 exempt from licensure renewal provisions under certain
126 circumstances; requiring, rather than authorizing, the



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127 Department of Business and Professional Regulation to
128 issue a professional license, rather than a temporary
129 license, to specified applicants; revising application
130 requirements; requiring the department to waive the
131 applicant's initial licensure application fee;
132 authorizing licensure renewal; amending s. 455.219,
133 F.S.; providing for a fee waiver for active duty
134 members of the Armed Forces, certain spouses or
135 surviving spouses of an active duty member, and low-
136 income individuals; defining the term "low-income
137 individual"; providing rulemaking authority; providing
138 an appropriation; providing an effective