

1 A bill to be entitled
 2 An act relating to unlicensed contracting; amending s.
 3 489.127, F.S.; revising the criminal penalties for
 4 persons who engage in contracting or advertise
 5 themselves as contractors without proper registration
 6 or certification; making technical changes; providing
 7 a definition; reenacting s. 489.13(7), F.S., relating
 8 to unlicensed contracting, to incorporate the
 9 amendment made to s. 489.127, F.S., in a reference
 10 thereto; providing an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

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 14 Section 1. Subsection (2) of section 489.127, Florida
 15 Statutes, is amended to read:

16 489.127 Prohibitions; penalties.—

17 (2) (a) Except as provided in paragraph (b), an Any
 18 unlicensed person who violates subsection (1):

19 1. ~~any of the provisions of subsection (1)~~ Commits a
 20 misdemeanor of the first degree, punishable as provided in s.
 21 775.082 or s. 775.083.

22 2. ~~(b) Any unlicensed person who commits a violation of~~
 23 ~~subsection (1)~~ After having been previously found guilty of such
 24 violation, commits a felony of the third degree, punishable as
 25 provided in s. 775.082 or s. 775.083.

26 3.(c) Any unlicensed person who commits a violation of
27 ~~subsection (1)~~ During the existence of a state of emergency
28 declared by executive order of the Governor, commits a felony of
29 the third degree, punishable as provided in s. 775.082 or s.
30 775.083.

31 4.(d) By operating ~~Any person who operates~~ as a pollutant
32 storage systems contractor, precision tank tester, or internal
33 pollutant storage tank lining applicator, in violation of
34 ~~subsection (1)~~ commits a felony of the third degree, punishable
35 as provided in s. 775.082 or s. 775.083.

36 (b)1. An unlicensed person who violates paragraph (1)(f)
37 commits the following:

38 a. If the contract price is less than \$1,000, a
39 misdemeanor of the first degree, punishable as provided in s.
40 775.082 or s. 775.083.

41 b. If the contract price is \$1,000 or more, but less than
42 \$20,000, a felony of the third degree, punishable as provided in
43 s. 775.082, s. 775.083, or s. 775.084.

44 c. If the contract price is \$20,000 or more, but less than
45 \$200,000, a felony of the second degree, punishable as provided
46 in s. 775.082, s. 775.083, or s. 775.084.

47 d. If the contract price is \$200,000 or more, a felony of
48 the first degree, punishable as provided in s. 775.082, s.
49 775.083, or s. 775.084.

50 2. For purposes of this paragraph, the term "contract

51 price" has the same meaning as provided in s. 713.01.

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53 The remedies set forth in this subsection are not exclusive and
54 may be imposed in addition to the remedies set forth in s.

55 489.129(2).

56 Section 2. For the purpose of incorporating the amendment
57 made by this act to section 489.127, Florida Statutes, in a
58 reference thereto, subsection (7) of section 489.13, Florida
59 Statutes, is reenacted to read:

60 489.13 Unlicensed contracting; notice of noncompliance;
61 fine; authority to issue or receive a building permit; web
62 page.—

63 (7) The remedies set forth in this section are not
64 exclusive and may be imposed in addition to the remedies set
65 forth in s. 489.127(2). In addition, nothing in this section is
66 intended to prohibit the department or any local governing body
67 from filing a civil action or seeking criminal penalties against
68 an unlicensed contractor.

69 Section 3. This act shall take effect October 1, 2021.