

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 without proper  
 5           registration or certification; making technical  
 6           changes; providing an effective date.

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 8   Be It Enacted by the Legislature of the State of Florida:

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

12           489.127 Prohibitions; penalties.—

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

15           1. ~~any of the provisions of subsection (1)~~ Commits a  
 16           misdemeanor of the first degree, punishable as provided in s.  
 17           775.082 or s. 775.083.

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

22           3. ~~(c) Any unlicensed person who commits a violation of~~  
 23           ~~subsection (1)~~ During the existence of a state of emergency  
 24           declared by executive order of the Governor,   commits a felony of  
 25           the third degree, punishable as provided in s. 775.082 or s.

26 775.083.

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

32 (b) An unlicensed person who violates paragraph (1)(f) by  
 33 engaging in the business or acting in the capacity of a  
 34 contractor without being duly registered or certified commits  
 35 the following:

36 1. If the total money received is less than \$1,000, a  
 37 misdemeanor of the first degree, punishable as provided in s.  
 38 775.082 or s. 775.083.

39 2. If the total money received is \$1,000 or more, but less  
 40 than \$20,000, a felony of the third degree, punishable as  
 41 provided in s. 775.082, s. 775.083, or s. 775.084.

42 3. If the total money received is \$20,000 or more, but  
 43 less than \$200,000, a felony of the second degree, punishable as  
 44 provided in s. 775.082, s. 775.083, or s. 775.084.

45 4. If the total money received is \$200,000 or more, a  
 46 felony of the first degree, punishable as provided in s.  
 47 775.082, s. 775.083, or s. 775.084.

48  
 49 The remedies set forth in this subsection are not exclusive and  
 50 may be imposed in addition to the remedies set forth in s.

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51 | 489.129(2).

52 |       Section 2. This act shall take effect July 1, 2022.