

By Senator Stewart

17-01530-23

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1 A bill to be entitled

2 An act relating to professional licensing requirements
3 for barbers and cosmetologists; amending s. 455.213,
4 F.S.; providing a period of time when a conviction, or
5 any other adjudication, for a crime may not be grounds
6 for denial of licensure as a barber or cosmetologist;
7 providing an exception; requiring the applicable board
8 to approve certain educational program credits offered
9 to inmates in certain institutions or facilities for
10 purposes of satisfying training requirements for
11 licensure as a barber or cosmetologist; providing an
12 effective date.

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

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16 Section 1. Paragraph (b) of subsection (3) of section
17 455.213, Florida Statutes, is amended, paragraph (f) is added to
18 that subsection, and paragraph (a) of that subsection is
19 republished, to read:

20 455.213 General licensing provisions.—

21 (3) (a) Notwithstanding any other law, the applicable board
22 shall use the process in this subsection for review of an
23 applicant's criminal record to determine his or her eligibility
24 for licensure as:

25 1. A barber under chapter 476;

26 2. A cosmetologist or cosmetology specialist under chapter
27 477;

28 3. Any of the following construction professions under
29 chapter 489:

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- 30 a. Air-conditioning contractor;
31 b. Electrical contractor;
32 c. Mechanical contractor;
33 d. Plumbing contractor;
34 e. Pollutant storage systems contractor;
35 f. Roofing contractor;
36 g. Sheet metal contractor;
37 h. Solar contractor;
38 i. Swimming pool and spa contractor;
39 j. Underground utility and excavation contractor; or
40 k. Other specialty contractors; or
41 4. Any other profession for which the department issues a
42 license, provided the profession is offered to inmates in any
43 correctional institution or correctional facility as vocational
44 training or through an industry certification program.
- 45 (b)1. A conviction, or any other adjudication, for a crime
46 more than 3 years before the date the application is received by
47 the applicable board may not be grounds for denial of a license
48 specified in subparagraph (a)1. or subparagraph (a)2. unless the
49 applicant was convicted of a crime at any time during the 3-year
50 period immediately preceding the application. A conviction, or
51 any other adjudication, for a crime more than 5 years before the
52 date the application is received by the applicable board may not
53 be grounds for denial of a license specified in subparagraph
54 (a)3. or subparagraph (a)4 ~~paragraph (a)~~. For purposes of this
55 paragraph, the term "conviction" means a determination of guilt
56 that is the result of a plea or trial, regardless of whether
57 adjudication is withheld. This paragraph does not limit the
58 applicable board from considering an applicant's criminal

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59 history that includes a crime listed in s. 775.21(4)(a)1. or s.
60 776.08 at any time, but only if such criminal history has been
61 found to relate to the practice of the applicable profession.

62 2. The applicable board may consider the criminal history
63 of an applicant for licensure under subparagraph (a)3. if such
64 criminal history has been found to relate to good moral
65 character.

66 (f) The applicable board shall approve educational program
67 credits offered to inmates in any correctional institution or
68 correctional facility as vocational training or through an
69 industry certification program for purposes of satisfying
70 applicable training requirements for licensure in a profession
71 under subparagraph (a)1. or subparagraph (a)2.

72 Section 2. This act shall take effect July 1, 2023.