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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/26/2023	.	
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The Committee on Fiscal Policy (Collins) recommended the following:

Senate Amendment

Delete lines 98 - 299
and insert:

2. The applicant has worked for at least 2 years, worked the length of time required for licensure or certification by endorsement for the occupational license or government certification under another statute, or worked the length of time required for licensure or certification by endorsement by rule of the applicable board adopted before January 1, 2023,



319888

11 whichever is greater.

12 3. A board for the other licensing entity required the
13 applicant to meet at least two of the following three
14 requirements:

15 a. Pass an examination.

16 b. Meet specified education or training standards.

17 c. Meet specified experience standards.

18 4. A board for the other licensing entity holds the
19 applicant in good standing.

20 5. The applicant does not have a criminal record or
21 professional disciplinary action in any jurisdiction that would
22 disqualify the applicant from licensure in this state, as
23 determined by the appropriate board; and the applicant has met
24 the general background screening requirements under s. 456.0135,
25 if applicable.

26 6. A board in this state or a board for another licensing
27 entity has not revoked the applicant's occupational license or
28 government certification.

29 7. The applicant did not surrender an occupational license
30 or a government certification, or have such license or
31 certification revoked, because of negligence or intentional
32 misconduct related to the applicant's work in the occupation
33 outside of this state or in the military.

34 8. The applicant does not have a complaint, an allegation,
35 or an investigation formally pending before a board for another
36 licensing entity which relates to unprofessional conduct or an
37 alleged crime. If the applicant has such a complaint,
38 allegation, or investigation pending, a board may not issue or
39 deny an occupational license or a government certification to



319888

40 the applicant until the complaint, allegation, or investigation
41 is resolved or the applicant otherwise meets the criteria for an
42 occupational license or a government certification in this state
43 to the satisfaction of a board in this state.

44 9. The applicant pays all applicable fees in this state.

45 10. For an applicant seeking licensure as a dentist or
46 dental hygienist, he or she has graduated from a school approved
47 by the Commission on Dental Accreditation.

48 (b) If another licensing entity issued the applicant a
49 government certification but an occupational license is required
50 in this state to perform a lawful occupation, the applicable
51 board must issue an occupational license to the applicant if the
52 applicant otherwise satisfies paragraph (a).

53 (4) WORK EXPERIENCE.—Notwithstanding any other law, a board
54 must issue an occupational license or a government certification
55 to an applicant for such license or certification based on work
56 experience outside of this state or in the military if all of
57 the following apply:

58 (a) The applicant worked in a state that does not issue an
59 occupational license or a government certification to regulate a
60 lawful occupation or was a member of the military, but this
61 state issues an occupational license or a government
62 certification to regulate a lawful occupation with a similar
63 scope of practice, as determined by the board.

64 (b) The applicant has worked in the lawful occupation for
65 at least 3 years, worked the length of time required for
66 licensure or certification by endorsement for the occupational
67 license or government certification under another statute, or
68 worked the length of time required for licensure or



319888

69 certification by endorsement by rule of the applicable board
70 adopted before January 1, 2023, whichever is greater.

71 (c) The applicant satisfies subparagraphs (3) (a) 5.-10.

72 (5) RECOGNIZED PRIVATE CERTIFICATION.—Notwithstanding any
73 other law, except as provided in subsection (6), a board must
74 issue an occupational license or a government certification to
75 an applicant for such license or certification based on the
76 applicant holding a recognized private certification and the
77 applicant's work experience outside of this state or in the
78 military if all of the following apply:

79 (a) The applicant holds a recognized private certification
80 and worked in a state that does not issue an occupational
81 license or a government certification to regulate a lawful
82 occupation or was a member of the military, but an occupational
83 license is required in this state for such lawful occupation, as
84 determined by the board.

85 (b) The applicant worked for at least 2 years, worked the
86 length of time required for licensure or certification by
87 endorsement for the occupational license or government
88 certification under another statute, or worked the length of
89 time required for licensure or certification by endorsement by
90 rule of the applicable board adopted before January 1, 2023,
91 whichever is greater.

92 (c) The applicant holds a current and valid recognized
93 private certification in the lawful occupation.

94 (d) The recognized private certification organization holds
95 the applicant in good standing.

96 (e) The applicant satisfies subparagraphs (3) (a) 5.-10.

97 (6) ADDITIONAL REQUIREMENTS.—



319888

98 (a) A board may require an applicant to pass an examination
99 specific to relevant state laws that regulate the occupation if
100 an occupational license or a government certification under this
101 chapter or chapter 456 requires such examination.

102 (b) In addition to the examination described in paragraph
103 (a), a board must require an applicant seeking to be licensed as
104 a general contractor, building contractor, residential
105 contractor, roofing contractor, specialty structure contractor,
106 glass and glazing contractor, commercial pool/spa contractor,
107 residential pool/spa contractor, or swimming pool/spa servicing
108 contractor to:

109 1. Successfully complete the examination for licensure
110 described in s. 489.113(1); and

111 2. Before being issued a certificate or registration,
112 successfully complete the following continuing education
113 courses, either in person or online:

114 a. For applicants seeking to be licensed as a commercial
115 pool/spa contractor, residential pool/spa contractor, or
116 swimming pool/spa servicing contractor, 2 hours of coursework on
117 the Florida Building Code which includes 1 hour on swimming
118 pool/spa electrical requirements and 1 hour of a swimming
119 pool/spa advanced module; or

120 b. (I) The number of required hours, as determined by the
121 Construction Industry Licensing Board, relating to laws and
122 rules related to the construction industry under this chapter
123 and part I of chapter 489 and the rules of the Construction
124 Industry Licensing Board, relating to wind mitigation
125 methodology and techniques incorporated in the Florida Building
126 Code; and



319888

127 (II) For applicants seeking to be licensed as a general
128 contractor, building contractor, residential contractor, or
129 roofing contractor, a 2-hour course on the Florida Building Code
130 which includes information on wind mitigation techniques.

131 (c) Notwithstanding any other provision in this section, a
132 board for an occupation regulated under chapter 457, chapter
133 458, chapter 459, chapter 460, or chapter 461 shall require an
134 applicant to meet the requirements of s. 457.105, s. 458.313, s.
135 459.0055, s. 460.406, or s. 461.006, as applicable, before
136 issuing an occupational license or a government certification to
137 practice acupuncture, oriental medicine, medicine, osteopathic
138 medicine, chiropractic medicine, or podiatric medicine.

139 (7) PRESUMPTION OF APPROVAL; DECISION.—Unless a board can
140 demonstrate a substantial difference between the licensure or
141 certification requirements of another licensing entity and this
142 state, there is a presumption that an applicant who holds a
143 valid occupational license, government certification, or
144 recognized private certification, or otherwise meets the
145 requirements to be issued an occupational license for a lawful
146 occupation, and is in good standing with another licensing
147 entity is qualified for an occupational license or a government
148 certification in this state and must be approved by the board. A
149 board shall provide an applicant with a written decision
150 regarding his or her application within 90 days after receipt of
151 a completed application.

152 (8) APPEAL.—

153 (a) The applicant may appeal the board's decision to the
154 Division of Administrative Hearings.

155 (b) The applicant may appeal the board's:



319888

156 1. Denial of an occupational license or a government
157 certification;

158 2. Determination of the validity of an occupational license
159 or a government certification;

160 3. Determination of the similarity of the scope of practice
161 of the occupational license or government certification held by
162 the applicant; or

163 4. Determination of a disqualifying criminal record.

164 (9) STATE LAWS AND JURISDICTION.—An applicant who obtains
165 an occupational license or a government certification pursuant
166 to this section is subject to:

167 (a) The laws regulating the occupation in this state; and

168 (b) The jurisdiction of the applicable board in this state.

169 (10) EXCEPTION.—This section does not apply to an
170 occupation regulated by the Florida Supreme Court or any
171 occupation regulated under chapter 473, relating to public
172 accountancy.

173 (11) CONSTRUCTION.—

174 (a) This section may not be construed to prohibit an
175 individual from applying for an occupational license or a
176 government certification under another law or rule.

177 (b) An occupational license or a government certification
178 issued pursuant to this section is valid only in this state.

179 Such license or certification does not make the individual
180 eligible to work outside this state under an interstate compact
181 or a reciprocity agreement unless otherwise provided in law.

182 (c) This section may not be construed to prevent this state
183 from entering into a licensing compact or reciprocity agreement
184 with another state, United States territory, foreign province,



319888

185 foreign country, international organization, or other entity.

186 (d) This section may not be construed to prevent boards in
187 this state from recognizing occupational licenses or government
188 certifications issued by a recognized private certification
189 organization, a foreign province, a foreign country, an
190 international organization, or other entity.

191 (e) This section may not be construed to require a
192 recognized private certification organization to grant or deny
193 recognized private certification to any individual.

194 (12) EMERGENCY POWERS.—

195 (a) During a state of emergency declared by the Governor,
196 the Governor may order the recognition of occupational licenses
197 from other licensing entities.

198 (b) The Governor may expand any occupational license's
199 scope of practice and may authorize licensees to provide
200 services in this state in person, telephonically, or by other
201 means for the duration of the emergency.

202 (13) ANNUAL REPORT.—Each board shall submit an annual
203 report to the President of the Senate and the Speaker of the
204 House of Representatives, and publish the report on its
205 respective website, by December 31 of each year, detailing the
206 number of applications for licenses or certifications submitted
207 pursuant to this section, the number of licenses or
208 certifications issued pursuant to this section, and the number
209 of completed applications submitted pursuant to this section
210 which were denied and the reason for each denial.

211 (14) RULEMAKING.—

212 (a) The Department of Business and Professional Regulation
213 and the Department of Health shall, for the boards under their



319888

214 respective jurisdiction, adopt rules to administer this section.

215 (b) Each board shall adopt rules for determining whether a
216 scope of practice or examination is similar to the scope of
217 practice of, or examination for, a lawful occupation regulated
218 by the board in this state.

219 (15) VETERANS ONLINE PORTAL.—Contingent upon the
220 appropriation of funds for that purpose by the Legislature, the
221 Department of Veterans' Affairs shall establish a one-stop
222 online portal system that allows former and present members of
223 the military and their dependents to enter and verify their
224 military credentials, government certifications, occupational
225 licenses, or recognized private certifications. The Department
226 of Business and Professional Regulation and the Department of
227 Health shall, for the boards under their respective
228 jurisdiction, use this system to verify credentials for
229 applicants under this section.

230 Section 2. Section 456.0365, Florida Statutes, is created
231 to read:

232 456.0365 Applicability of the Interstate-Mobility and
233 Universal-Recognition Occupational Licensing Act.—Except as
234 provided in s. 455.2135(10), s. 455.2135 applies to professions
235 regulated by the department under this chapter.

236 Section 3. This act shall take effect July 1, 2024.