

**By** the Committee on Regulated Industries; and Senators Collins, Burgess, and Calatayud

580-02865-23

20231364c1

1                   A bill to be entitled  
2           An act relating to the Interstate-Mobility and  
3           Universal-Recognition Occupational Licensing Act;  
4           creating s. 455.2135, F.S.; providing a short title;  
5           defining terms; requiring certain agencies, boards,  
6           departments, and other governmental entities to issue  
7           an occupational license or a government certification  
8           to applicants under certain circumstances; authorizing  
9           such entities to require an applicant to pass a  
10          specified examination under certain circumstances;  
11          requiring such entities to require certain applicants  
12          to complete a specified examination and certain  
13          education requirements; providing a presumption that  
14          the applications of certain individuals will be  
15          approved; requiring licensing entities to provide a  
16          written decision to an applicant within a specified  
17          timeframe; authorizing an applicant to appeal a  
18          decision made under the act; specifying that an  
19          applicant licensed or certified under the act is still  
20          subject to specified laws and entities; providing  
21          exceptions; providing construction; authorizing the  
22          Governor to take certain actions relating to  
23          occupational licenses during declared states of  
24          emergency; requiring licensing entities to submit an  
25          annual report to the Legislature by a specified date;  
26          requiring the Department of Business and Professional  
27          Regulation and the Department of Health to adopt  
28          rules; creating s. 456.0365, F.S.; providing  
29          applicability; providing an effective date.

580-02865-23

20231364c1

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

Section 1. Section 455.2135, Florida Statutes, is created to read:

455.2135 Interstate-Mobility and Universal-Recognition Occupational Licensing Act.-

(1) SHORT TITLE.-This section may be cited as the "Interstate-Mobility and Universal-Recognition Occupational Licensing Act."

(2) DEFINITIONS.-As used in this section, the term:

(a) "Board" means an agency, a board, a department, or another governmental entity that regulates a lawful occupation under this chapter or chapter 456 and issues an occupational license or a government certification to an individual. The term does not include any board that regulates an occupation listed under subsection (10).

(b) "Government certification" means a voluntary, government-granted, and nontransferable recognition granted to an individual who meets personal qualifications related to a lawful occupation. The term includes a military certification for a lawful occupation.

(c) "Lawful occupation" means a course of conduct, pursuit, or profession that includes the lawful sale of goods or services, regardless of whether the individual selling them is subject to an occupational license.

(d) "Military" means the Armed Forces of the United States, including the Air Force, Army, Coast Guard, Marine Corps, Navy, Space Force, National Guard, and all reserve components and

580-02865-23

20231364c1

59 auxiliaries. The term also includes the military reserves and  
60 militia of any United States territory or state.

61 (e) "Occupational license" means a nontransferable  
62 authorization in law for an individual to perform a lawful  
63 occupation based on meeting personal qualifications. The term  
64 includes a military occupational specialty.

65 (f) "Other licensing entity" or "another licensing entity"  
66 means any United States territory, state other than this state,  
67 private certification organization, foreign province, foreign  
68 country, international organization, or other entity that issues  
69 occupational licenses or government certifications. The term  
70 includes the military.

71 (g) "Private certification" means a voluntary program in  
72 which a private organization grants nontransferable recognition  
73 to an individual who meets personal qualifications and standards  
74 relevant to performing the occupation, as determined by the  
75 private organization.

76 (h) "Scope of practice" means the procedures, actions,  
77 processes, and work that an individual may perform under an  
78 occupational license or a government certification issued in  
79 this state.

80 (3) OCCUPATIONAL LICENSE OR GOVERNMENT CERTIFICATION.—

81 (a) Notwithstanding any other law, a board must issue an  
82 occupational license or a government certification to an  
83 applicant for such license or certification if all of the  
84 following apply:

85 1. The applicant holds a current and valid occupational  
86 license or government certification issued by another licensing  
87 entity in a lawful occupation with a similar scope of practice,

580-02865-23

20231364c1

88 as determined by a board in this state.

89 2. The applicant has held the occupational license or  
90 government certification issued by another licensing entity for  
91 at least 1 year.

92 3. A board for the other licensing entity required the  
93 applicant to pass an examination or meet education, training, or  
94 experience standards.

95 4. A board for the other licensing entity holds the  
96 applicant in good standing.

97 5. The applicant does not have a disqualifying criminal  
98 record as determined by a board in this state.

99 6. A board for another licensing entity has not revoked the  
100 applicant's occupational license or government certification  
101 because of negligence or intentional misconduct related to the  
102 applicant's work in the occupation.

103 7. The applicant did not surrender an occupational license  
104 or a government certification, or have such license or  
105 certification revoked, because of negligence or intentional  
106 misconduct related to the applicant's work in the occupation  
107 outside of this state or in the military.

108 8. The applicant does not have a complaint, an allegation,  
109 or an investigation formally pending before a board for another  
110 licensing entity which relates to unprofessional conduct or an  
111 alleged crime. If the applicant has such a complaint,  
112 allegation, or investigation pending, a board may not issue or  
113 deny an occupational license or a government certification to  
114 the applicant until the complaint, allegation, or investigation  
115 is resolved or the applicant otherwise meets the criteria for an  
116 occupational license or a government certification in this state

580-02865-23

20231364c1

117 to the satisfaction of a board in this state.

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

119 (b) If another licensing entity issued the applicant a  
120 government certification but an occupational license is required  
121 in this state to perform a lawful occupation, the applicable  
122 board must issue an occupational license to the applicant if the  
123 applicant otherwise satisfies paragraph (a).

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

129 (a) The applicant worked in a state that does not issue an  
130 occupational license or a government certification to regulate a  
131 lawful occupation or was a member of the military, but this  
132 state issues an occupational license or a government  
133 certification to regulate a lawful occupation with a similar  
134 scope of practice, as determined by the board.

135 (b) The applicant worked for at least 3 years in the lawful  
136 occupation.

137 (c) The applicant satisfies subparagraphs (3) (a) 5.-9.

138 (5) PRIVATE CERTIFICATION.—Notwithstanding any other law, a  
139 board must issue an occupational license or a government  
140 certification to an applicant for such license or certification  
141 based on the applicant holding a private certification and the  
142 applicant's work experience outside of this state or in the  
143 military if all of the following apply:

144 (a) The applicant holds a private certification and worked  
145 in a state that does not issue an occupational license or a

580-02865-23

20231364c1

146 government certification to regulate a lawful occupation or was  
147 a member of the military, but an occupational license is  
148 required in this state for such lawful occupation, as determined  
149 by the board.

150 (b) The applicant worked for at least 2 years in the lawful  
151 occupation.

152 (c) The applicant holds a current and valid private  
153 certification in the lawful occupation.

154 (d) The private certification organization holds the  
155 applicant in good standing.

156 (e) The applicant satisfies subparagraphs (3) (a) 5.-9.

157 (6) REQUIRED EXAMINATIONS AND EDUCATION.—

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

162 (b) In addition to the examination described in paragraph  
163 (a), a board must require an applicant seeking to be licensed as  
164 a general contractor, building contractor, residential  
165 contractor, roofing contractor, specialty structure contractor,  
166 or glass and glazing contractor to:

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

169 2. Before being issued a certificate or registration,  
170 successfully complete the following continuing education  
171 courses, either in person or online:

172 a. The number of required hours, as determined by the  
173 Construction Industry Licensing Board, relating to laws and  
174 rules related to the construction industry in chapter 455 and

580-02865-23

20231364c1

175 part 1 of chapter 489 and the rules of the Construction Industry  
176 Licensing Board, and relating to wind mitigation methodology and  
177 techniques incorporated in the Florida Building Code; and

178 b. For applicants seeking to be licensed as a general  
179 contractor, building contractor, residential contractor, or  
180 roofing contractor, a 2-hour course on the Florida Building Code  
181 which includes information on wind mitigation techniques.

182 (7) PRESUMPTION OF APPROVAL; DECISION.—Unless a board can  
183 demonstrate a substantial difference between the licensure or  
184 certification requirements of another licensing entity and this  
185 state, there is a presumption that an applicant who holds a  
186 valid occupational license, government certification, or private  
187 certification, or otherwise meets the requirements to be issued  
188 an occupational license for a lawful occupation, and is in good  
189 standing with another licensing entity is qualified for an  
190 occupational license or a government certification in this state  
191 and must be approved by the board. A board shall provide an  
192 applicant with a written decision regarding his or her  
193 application within 90 days after receipt of a completed  
194 application.

195 (8) APPEAL.—

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

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

199 1. Denial of an occupational license or a government  
200 certification;

201 2. Determination of the validity of an occupational license  
202 or a government certification;

203 3. Determination of the similarity of the scope of practice

580-02865-23

20231364c1

204 of the occupational license or government certification held by  
205 the applicant; or

206 4. Determination of a disqualifying criminal record.

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

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

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

212 (10) EXCEPTION.—This section does not apply to an  
213 occupation regulated by the Florida Supreme Court or any  
214 occupation regulated under chapter 473, relating to public  
215 accountancy.

216 (11) CONSTRUCTION.—

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

220 (b) An occupational license or a government certification  
221 issued pursuant to this section is valid only in this state.  
222 Such license or certification does not make the individual  
223 eligible to work outside this state under an interstate compact  
224 or a reciprocity agreement unless otherwise provided in law.

225 (c) This section may not be construed to prevent this state  
226 from entering into a licensing compact or reciprocity agreement  
227 with another state, United States territory, foreign province,  
228 foreign country, international organization, or other entity.

229 (d) This section may not be construed to prevent boards in  
230 this state from recognizing occupational licenses or government  
231 certifications issued by a private certification organization,  
232 foreign province, foreign country, international organization,



580-02865-23

20231364c1

233 or other entity.

234 (e) This section may not be construed to require a private  
235 certification organization to grant or deny private  
236 certification to any individual.

237 (12) EMERGENCY POWERS.—

238 (a) During a state of emergency declared by the Governor,  
239 the Governor may order the recognition of occupational licenses  
240 from other licensing entities.

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

245 (13) ANNUAL REPORT.—Each board shall submit an annual  
246 report to the President of the Senate and the Speaker of the  
247 House of Representatives by December 31 of each year, detailing  
248 the number of licenses or certifications issued pursuant to this  
249 section, the number of completed applications submitted pursuant  
250 to this section which were denied, and the reason for each  
251 denial.

252 (14) RULEMAKING.—The Department of Business and  
253 Professional Regulation and the Department of Health, for the  
254 boards under their jurisdiction, shall adopt rules to administer  
255 this section.

256 Section 2. Section 456.0365, Florida Statutes, is created  
257 to read:

258 456.0365 Applicability of the Interstate-Mobility and  
259 Universal-Recognition Occupational Licensing Act.—Except as  
260 provided in s. 455.2135(10), s. 455.2135 applies to professions  
261 regulated by the department under this chapter.

580-02865-23

20231364c1

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Section 3. This act shall take effect July 1, 2023.