

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: State Administration &
2 Technology Appropriations Subcommittee
3 Representative Trabulsy offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
7 Section 1. Paragraph (a) of subsection (2) of section
8 163.211, Florida Statutes, is amended to read:

9 163.211 Licensing of occupations preempted to state.—

10 (2) PREEMPTION OF OCCUPATIONAL LICENSING TO THE STATE.—The
11 licensing of occupations is expressly preempted to the state,
12 and this section supersedes any local government licensing
13 requirement of occupations with the exception of the following:

14 (a) Any local government that imposed licenses on
15 occupations before January 1, 2021. However, any such local

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16 government licensing of occupations expires on January 1, 2024
17 ~~July 1, 2023~~.

18 Section 2. Subsection (6) of section 489.113, Florida
19 Statutes, is amended to read:

20 489.113 Qualifications for practice; restrictions.-

21 (6)(a) The board shall, by rule, designate those types of
22 specialty contractors which may be certified under this part.
23 The limit of the scope of work and responsibility of a specialty
24 contractor shall be established by the board by rule. However, a
25 certified specialty contractor category established by board
26 rule exists as a voluntary statewide licensing category and does
27 not create a mandatory licensing requirement. Any mandatory
28 statewide construction contracting licensure requirement may
29 only be established through specific statutory provision.

30 (b) By January 1, 2024, the board shall, by rule,
31 establish certified specialty contractor categories for
32 voluntary licensure for all of the following:

- 33 1. Structural aluminum or screen enclosures.
- 34 2. Marine seawall work.
- 35 3. Marine bulkhead work.
- 36 4. Marine dock work.
- 37 5. Marine pile driving.
- 38 6. Structural masonry.
- 39 7. Structural prestressed, precast concrete work.
- 40 8. Rooftop solar heating installation.

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41 9. Structural steel.

42 10. Window and door installation, including garage door
43 installation and hurricane or windstorm protection.

44 11. Plaster and Lath.

45 Section 3. Paragraph (a) of subsection (4) of section
46 489.117, Florida Statutes, is amended to read:

47 489.117 Registration; specialty contractors.—

48 (4)(a)1. A person whose job scope does not substantially
49 correspond to either the job scope of one of the contractor
50 categories defined in s. 489.105(3)(a)-(o), or the job scope of
51 one of the certified specialty contractor categories established
52 by board rule, is not required to register with the board. A
53 local government, as defined in s. 163.211, may not require a
54 person to obtain a license, issued by the local government or
55 the state, for a job scope which does not substantially
56 correspond to the job scope of one of the contractor categories
57 defined in s. 489.105(3)(a)-(o) and (q) or authorized in s.
58 489.1455(1), or the job scope of one of the certified specialty
59 contractor categories established pursuant to s. 489.113(6). A
60 local government may not require a state or local license to
61 obtain a permit for such job scopes. For purposes of this
62 section, job scopes for which a local government may not require
63 a license include, but are not limited to, painting; flooring;
64 cabinetry; interior remodeling when the scope of the project
65 does not include a task for which a state license is required;

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66 driveway or tennis court installation; handyman services;
67 decorative stone, tile, marble, granite, or terrazzo
68 installation; plastering; stuccoing; caulking; and canvas awning
69 and ornamental iron installation.

70 2. A county which includes an area that is designated as
71 an area of critical state concern, as defined in s. 380.05, may
72 offer a license for any job scope which requires a contractor
73 license under this part, if the county imposed such a licensing
74 requirement before January 1, 2021.

75 3. A local government may continue to offer a license for
76 fence installation and erection, if the local government imposed
77 such a licensing requirement before January 1, 2021.

78 3. A local government may not require a license as a
79 prerequisite to submit a bid for public works projects if the
80 work to be performed does not require a license under general
81 law.

82 Section 4. This act shall take effect July 1, 2023.

83

84

85 **T I T L E A M E N D M E N T**

86 Remove everything before the enacting clause and insert:
87 An act relating to specialty contractors; amending s.
88 163.211, F.S.; providing a new expiration date; amending s.
89 489.113, F.S.; requiring the Construction Industry
90 Licensing Board to establish certified specialty contractor

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91 categories for voluntary licensure by a specified date;
92 amending s. 489.117, F.S.; prohibiting local governments
93 from imposing new licensing requirements for certain
94 specialty contractors; allowing certain local licensure in
95 certain designated areas; allowing certain local licensure
96 related to certain job scopes; providing an effective date.
97