

By the Committee on Regulated Industries; and Senator Hooper

580-03286-23

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1 A bill to be entitled
2 An act relating to the Department of Business and
3 Professional Regulation; amending s. 468.8414, F.S.;
4 requiring the department to certify for licensure
5 qualified individuals who practice mold assessment or
6 mold remediation and hold certain licenses issued by
7 other states or territories; amending s. 469.004,
8 F.S.; revising requirements for the issuance of an
9 asbestos consultant's license; requiring the
10 department to certify for licensure by endorsement
11 asbestos consultants and asbestos contractors who meet
12 certain exam and other state licensure requirements;
13 requiring asbestos consultants and asbestos
14 contractors to complete certain courses; amending s.
15 489.514, F.S.; removing a time limitation for applying
16 for certain contracting licenses under certain
17 provisions; amending s. 509.091, F.S.; requiring
18 licensees and licensed agents to provide the
19 department's Division of Hotels and Restaurants with
20 e-mail addresses at which they can be contacted;
21 authorizing the division to deliver notices and
22 inspection reports by e-mail; amending s. 509.101,
23 F.S.; revising the guest register maintenance
24 requirements that an operator of a transient
25 establishment must meet; amending s. 509.241, F.S.;
26 requiring certain individuals related to public
27 lodging establishments and public food service
28 establishments to maintain a division online account
29 and provide the division with specified information;

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30 requiring the division to adopt rules; providing
31 requirements for such rules; amending s. 548.043,
32 F.S.; deleting a requirement limiting the types of
33 boxing exhibitions which require a specified maximum
34 difference in participant weights; providing an
35 effective date.

36
37 Be It Enacted by the Legislature of the State of Florida:

38
39 Section 1. Subsection (3) of section 468.8414, Florida
40 Statutes, is amended to read:

41 468.8414 Licensure.—

42 (3) The department shall certify as qualified for a license
43 by endorsement an applicant who is of good moral character, who
44 has the insurance coverage required under s. 468.8421, and who
45 meets at least one of the following requirements:

46 (a) Is qualified to take the examination as set forth in s.
47 468.8413 and has passed a certification examination offered by a
48 nationally recognized organization that certifies persons in the
49 specialty of mold assessment or mold remediation and that has
50 been approved by the department as substantially equivalent to
51 the requirements of this part and s. 455.217. ~~;~~ ~~or~~

52 (b) Holds a valid license to practice mold assessment or
53 mold remediation issued by another state or territory of the
54 United States if the criteria for issuance of the license were
55 substantially the same as the licensure criteria ~~that is~~
56 established by this part as determined by the department.

57 (c) Has held a valid license to practice mold assessment or
58 mold remediation issued by another state or territory of the

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59 United States for at least 10 years before the date of
60 application. The application for licensure must be made either
61 when the license in the other state or territory is active or
62 within 2 years after such license was last active.

63 Section 2. Present subsection (3) of section 469.004,
64 Florida Statutes, is redesignated as subsection (4), a new
65 subsection (3) is added to that section, and subsection (1) of
66 that section is amended, to read:

67 469.004 License; asbestos consultant; asbestos contractor.-

68 (1) All asbestos consultants must be licensed by the
69 department. Except for an asbestos consultant's license issued
70 by endorsement as provided under subsection (3) or otherwise
71 expressly provided by law, an asbestos consultant's license may
72 be issued only to an applicant who holds a current, valid,
73 active license as an architect issued under chapter 481; holds a
74 current, valid, active license as a professional engineer issued
75 under chapter 471; holds a current, valid, active license as a
76 professional geologist issued under chapter 492; is a diplomat
77 of the American Board of Industrial Hygiene; or has been awarded
78 designation as a Certified Safety Professional by the Board of
79 Certified Safety Professionals.

80 (3) The department shall certify as qualified for licensure
81 by endorsement any individual applying for licensure who has
82 passed a written examination that meets the requirements of the
83 United States Environmental Protection Agency Asbestos Model
84 Accreditation Plan, has held a valid license to practice as an
85 asbestos consultant or asbestos contractor issued by another
86 state or territory of the United States for at least 10 years
87 before the date of application, and is applying for the same or

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88 similar license in this state, subject to ss. 469.005(5) and
89 469.006. The application for licensure must be made either when
90 the license in the other state or territory is active or within
91 2 years after such license was last active. To qualify for
92 licensure by endorsement, an asbestos consultant must complete
93 the courses required by s. 469.005(2) and an asbestos contractor
94 must complete the courses required by s. 469.005(3).

95 Section 3. Subsection (3) of section 489.514, Florida
96 Statutes, is amended to read:

97 489.514 Certification for registered contractors;
98 grandfathering provisions.—

99 ~~(3) An applicant must make application by November 1, 2021,~~
100 ~~to be licensed pursuant to this section.~~

101 Section 4. Section 509.091, Florida Statutes, is amended to
102 read:

103 509.091 Notices; form and service.—

104 (1) All licensees and licensed agents must provide an e-
105 mail address to the division to function as the primary method
106 of contact for all communication with the division.

107 (2) Each notice or inspection report served by the division
108 pursuant to this chapter must be in writing and must be
109 delivered personally by an agent of the division, sent by e-
110 mail, or mailed by registered letter to the operator of the
111 public lodging establishment or public food service
112 establishment. If the operator refuses to accept service or
113 evades service or the agent is otherwise unable to effect
114 service after due diligence, the division may post such notice
115 or inspection report in a conspicuous place at the
116 establishment.

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117 ~~(2) Notwithstanding subsection (1), the division may~~
118 ~~deliver lodging inspection reports and food service inspection~~
119 ~~reports to the operator of the public lodging establishment or~~
120 ~~public food service establishment by electronic means.~~

121 Section 5. Subsection (2) of section 509.101, Florida
122 Statutes, is amended to read:

123 509.101 Establishment rules; posting of notice; food
124 service inspection report; maintenance of guest register; mobile
125 food dispensing vehicle registry.-

126 (2) It is the duty of each operator of a transient
127 establishment to maintain at all times a register of, ~~signed by~~
128 ~~or for~~ guests who occupy rental units within the establishment,
129 showing the dates upon which the rental units were occupied by
130 such guests and the rates charged for their occupancy. Each
131 operator shall maintain this register shall be maintained in
132 chronological order, shall make the register and available for
133 inspection by the division at any time, and may keep the
134 register in an electronic format. Operators need not make
135 available registers that ~~which~~ are more than 2 years old.

136 Section 6. Subsection (4) is added to section 509.241,
137 Florida Statutes, to read:

138 509.241 Licenses required; exceptions.-

139 (4) ONLINE ACCOUNT AND TRANSACTIONS.-Except as provided in
140 paragraph (c), each person who plans to open a public lodging
141 establishment or a public food service establishment and each
142 licensee or licensed agent must create and maintain a division
143 online account and provide an e-mail address to the division to
144 function as the primary contact for all communication from the
145 division.

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146 (a) Licensees and licensed agents are responsible for
147 maintaining accurate contact information on file with the
148 division.

149 (b) Each licensee issued a license or licensed agent
150 managing a license classified as a vacation rental or timeshare
151 project, as those terms are defined in s. 509.242(1)(c) and (g),
152 respectively, must submit any change in the street or unit
153 address or number of houses or units included under the license
154 within 30 days after the change. All changes must be filed with
155 the division through the division's online system.

156 (c) The division shall adopt such rules as are necessary to
157 carry out this subsection. The rules must include a provision
158 that specifies circumstances under which a public lodging
159 establishment or a public food service establishment and each
160 licensee or licensed agent may opt out of the requirement to
161 have a division online account.

162 Section 7. Subsection (2) of section 548.043, Florida
163 Statutes, is amended to read:

164 548.043 Weights and classes, limitations; gloves.—

165 (2) The commission shall establish by rule the acceptable
166 difference in weight between participants; however, the maximum
167 difference in weight in boxing matches may ~~shall~~ not exceed 12
168 pounds, except matches in the cruiserweight and heavyweight
169 classes and exhibitions ~~held solely for training purposes.~~

170 Section 8. This act shall take effect July 1, 2023.