

By the Committee on Fiscal Policy; and Senator Hooper

594-03078-24

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1 A bill to be entitled
2 An act relating to occupational licensing; amending s.
3 489.117, F.S.; requiring the Construction Industry
4 Licensing Board within the Department of Business and
5 Professional Regulation to issue registrations to
6 eligible persons under certain circumstances;
7 providing that the board is responsible for
8 disciplining such licensees; requiring the board to
9 make licensure and disciplinary information available
10 through the automated information system; providing
11 for the fees for the issuance of the registrations and
12 renewal registrations; requiring the department to
13 provide specified license, renewal, and cancellation
14 notices; conforming provisions to changes made by the
15 act; providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Paragraphs (a) and (b) of subsection (1) and
20 subsection (2) of section 489.117, Florida Statutes, are amended
21 to read:

22 489.117 Registration; specialty contractors.—

23 (1) (a) A ~~Any~~ person engaged in the business of a contractor
24 as defined in s. 489.105(3) (a)-(o) must be registered before
25 engaging in business as a contractor in this state, unless he or
26 she is certified. Except as provided in paragraph (2) (b), to be
27 initially registered, the applicant must ~~shall~~ submit the
28 required fee and file evidence of successful compliance with the
29 local examination and licensing requirements, if any, in the

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30 area for which registration is desired. An examination is not
31 required for registration.

32 (b) Registration allows the registrant to engage in
33 contracting only in the counties, municipalities, or development
34 districts where he or she has complied with all local licensing
35 requirements, if any, and only for the type of work covered by
36 the registration.

37 (2) (a) Except as provided in paragraph (b), the board may
38 not issue a ~~No~~ new registration ~~may be issued by the board~~ after
39 July 1, 1993, based on any certificate of competency or license
40 for a category of contractor defined in s. 489.105(3) (a)-(o)
41 which is issued by a municipal or county government that does
42 not exercise disciplinary control and oversight over such
43 locally licensed contractors, including forwarding a recommended
44 order in each action to the board as provided in s. 489.131(7).
45 For purposes of this subsection and s. 489.131(10), the board
46 shall determine the adequacy of such disciplinary control by
47 reviewing the local government's ability to process and
48 investigate complaints and to take disciplinary action against
49 locally licensed contractors.

50 (b) The board shall issue a registration to an eligible
51 applicant to engage in the business of a contractor in a
52 specified local jurisdiction, provided each of the following
53 conditions are satisfied:

54 1. The applicant held, in any local jurisdiction in this
55 state during 2021, 2022, or 2023, a certificate of registration
56 issued by the state or a local license issued by a local
57 jurisdiction to perform work in a category of contractor defined
58 in s. 489.105(3) (a)-(o).

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59 2. The applicant submits all of the following to the board:

60 a. Evidence of the certificate of registration or local
61 license held by the applicant as required by subparagraph 1.

62 b. Evidence that the specified local jurisdiction does not
63 have a license type available for the category of work for which
64 the applicant was issued a certificate of registration or local
65 license during 2021, 2022, or 2023, such as a notification on
66 the website of the local jurisdiction or an e-mail or letter
67 from the office of the local building official or local building
68 department stating that such license type is not available in
69 that local jurisdiction.

70 c. Evidence that the applicant has submitted the required
71 fee.

72 d. Evidence of compliance with the insurance and financial
73 responsibility requirements of s. 489.115(5).

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75 An examination is not required for an applicant seeking a
76 registration under this paragraph.

77 (c) The board is responsible for disciplining licensees
78 issued a registration under paragraph (b). The board shall make
79 such licensure and disciplinary information available through
80 the automated information system provided pursuant to s.
81 455.2286.

82 (d) The fees for an applicant seeking a registration under
83 paragraph (b) and renewal of such registration every 2 years are
84 the same as the fees established by the board for applications,
85 registration and renewal, and record making and recordkeeping,
86 as set forth in s. 489.109. The department shall provide
87 license, renewal, and cancellation notices pursuant to ss.

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88 455.273 and 455.275.

89 Section 2. This act shall take effect July 1, 2024.