

ENROLLED

CS/HB 133, Engrossed 1

2024 Legislature

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 2 An act relating to professional licensing requirements
 3 for barbers and cosmetologists; amending s. 455.213,
 4 F.S.; providing a period of time when a conviction, or
 5 any other adjudication, for a crime may not be grounds
 6 for denial of licensure as a barber or cosmetologist;
 7 providing an exception; requiring the applicable board
 8 to approve certain educational program credits offered
 9 to inmates in certain institutions or facilities for
 10 purposes of satisfying training requirements for
 11 licensure as a barber or cosmetologist; providing an
 12 effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

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 16 Section 1. Paragraph (b) of subsection (3) of section
 17 455.213, Florida Statutes, is amended, paragraph (f) is added to
 18 that subsection, and paragraph (a) of that subsection is
 19 republished, to read:

20 455.213 General licensing provisions.—

21 (3)(a) Notwithstanding any other law, the applicable board
 22 shall use the process in this subsection for review of an
 23 applicant's criminal record to determine his or her eligibility
 24 for licensure as:

25 1. A barber under chapter 476;

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26 2. A cosmetologist or cosmetology specialist under chapter
27 477;

28 3. Any of the following construction professions under
29 chapter 489:

- 30 a. Air-conditioning contractor;
- 31 b. Electrical contractor;
- 32 c. Mechanical contractor;
- 33 d. Plumbing contractor;
- 34 e. Pollutant storage systems contractor;
- 35 f. Roofing contractor;
- 36 g. Sheet metal contractor;
- 37 h. Solar contractor;
- 38 i. Swimming pool and spa contractor;
- 39 j. Underground utility and excavation contractor; or
- 40 k. Other specialty contractors; or

41 4. Any other profession for which the department issues a
42 license, provided the profession is offered to inmates in any
43 correctional institution or correctional facility as vocational
44 training or through an industry certification program.

45 (b)1. A conviction, or any other adjudication, for a crime
46 more than 3 years before the date the application is received by
47 the applicable board may not be grounds for denial of a license
48 specified in subparagraph (a)1. or subparagraph (a)2. unless the
49 applicant was convicted of a crime at any time during the 3-year
50 period immediately preceding the application. A conviction, or

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51 any other adjudication, for a crime more than 5 years before the
 52 date the application is received by the applicable board may not
 53 be grounds for denial of a license specified in subparagraph
 54 (a)3. or subparagraph (a)4. ~~paragraph (a).~~ For purposes of this
 55 paragraph, the term "conviction" means a determination of guilt
 56 that is the result of a plea or trial, regardless of whether
 57 adjudication is withheld. This paragraph does not limit the
 58 applicable board from considering an applicant's criminal
 59 history that includes a crime listed in s. 775.21(4)(a)1. or s.
 60 776.08 at any time, but only if such criminal history has been
 61 found to relate to the practice of the applicable profession.

62 2. The applicable board may consider the criminal history
 63 of an applicant for licensure under subparagraph (a)3. if such
 64 criminal history has been found to relate to good moral
 65 character.

66 (f) The applicable board shall approve educational program
 67 credits offered to inmates in any correctional institution or
 68 correctional facility as vocational training or through an
 69 industry certification program for purposes of satisfying
 70 applicable training requirements for licensure in a profession
 71 under subparagraph (a)1. or subparagraph (a)2.

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