

1 A bill to be entitled

2 An act relating to the Department of Business and
3 Professional Regulation; amending ss. 210.15 and
4 210.32, F.S.; requiring persons or entities licensed
5 or permitted by the department's Division of Alcoholic
6 Beverages and Tobacco, or applying for such license or
7 permit, to create and maintain an account with the
8 division's online system and provide an e-mail address
9 to the division; specifying application requirements;
10 prohibiting the division from processing applications
11 not submitted through the online system; amending s.
12 210.40, F.S.; revising the amount of an initial
13 corporate surety bond required as a condition of
14 licensure as a tobacco product distributor; requiring
15 the division to review corporate surety bond amounts
16 on a specified basis; authorizing the division to
17 increase a bond amount, subject to specified
18 conditions; authorizing the division to adjust bond
19 amounts by rule; authorizing the division to reduce a
20 bond amount upon a showing of good cause; defining
21 terms; requiring the division to notify distributors
22 in writing if their corporate surety bond requirements
23 change; providing applicability; prohibiting the
24 division from reducing a bond amount under specified
25 circumstances; authorizing the division to adopt

26 rules; amending s. 310.0015, F.S.; deleting a
27 provision requiring a competency-based mentor program
28 at ports; deleting a requirement that the department
29 submit an annual report on the mentor program;
30 amending s. 310.081, F.S.; deleting a requirement that
31 the department consider certain characteristics for
32 applicants for certification as a deputy pilot; making
33 technical changes; creating s. 399.18, F.S.; requiring
34 certain persons or entities certified or registered
35 under the Elevator Safety Act, or applying for such
36 certifications or registrations, to create and
37 maintain an online account with the department's
38 Division of Hotels and Restaurants and provide an e-
39 mail address to the division; requiring such persons
40 and entities to maintain the accuracy of their contact
41 information; requiring the division to adopt rules;
42 creating s. 468.519, F.S.; creating the employee
43 leasing companies licensing program under the
44 department; providing legislative intent; repealing s.
45 468.521, F.S., relating to the department's Board of
46 Employee Leasing Companies; amending s. 469.006, F.S.;
47 revising requirements for department rules governing
48 evidence of financial responsibility of applicants
49 seeking licensure as a business organization under ch.
50 469, F.S.; amending s. 473.306, F.S.; requiring

51 applicants for the accountancy licensure examination
52 to create and maintain an online account with the
53 department and provide an e-mail address; requiring
54 applicants to maintain the accuracy of their contact
55 information; requiring that address changes be
56 submitted through the department's online system
57 within a specified timeframe; conforming cross-
58 references; amending s. 473.308, F.S.; requiring a
59 person seeking licensure as a Florida certified public
60 accountant, or a firm seeking to engage in public
61 accountancy, to create and maintain an online account
62 with the department and provide an e-mail address;
63 requiring certified public accountants and accounting
64 firms to maintain the accuracy of their contact
65 information; requiring that address changes be
66 submitted through the department's online system
67 within a specified timeframe; amending s. 475.181,
68 F.S.; revising conditions regarding issuance of a
69 licensure under part I of ch. 475, F.S.; amending s.
70 476.114, F.S.; revising eligibility requirements for
71 licensure as a barber; making technical changes;
72 amending s. 477.019, F.S.; revising eligibility
73 requirements for licensure by examination to practice
74 cosmetology; amending s. 489.131, F.S.; revising the
75 types of penalties that may be recommended by a local

76 jurisdiction enforcement body against a contractor;
77 specifying requirements for any such recommended
78 penalties; amending s. 489.143, F.S.; revising payment
79 limitations for payments made from the department's
80 Florida Homeowners' Construction Recovery Fund;
81 amending s. 499.012, F.S.; revising requirements for
82 certification as a designated representative of a
83 prescription drug wholesale distributor; amending s.
84 561.17, F.S.; requiring persons or entities licensed
85 or permitted by the Division of Alcoholic Beverages
86 and Tobacco, or applying for such license or permit,
87 to create and maintain an account with the division's
88 online system; specifying application requirements;
89 prohibiting the division from processing applications
90 not submitted through the online system; creating ss.
91 569.00256 and 569.3156, F.S.; requiring certain
92 persons or entities licensed or permitted by the
93 division, or applying for such a license or permit, to
94 create and maintain an account with the division's
95 online system; requiring licensees, permittees, and
96 applicants to provide the division with an e-mail
97 address and maintain accurate contact information;
98 specifying application requirements; prohibiting the
99 division from processing applications not submitted
100 through the online system; amending s. 723.061, F.S.;

101 conforming provisions to changes made by the act;
 102 replacing the Florida Mobile Home Relocation
 103 Corporation with the Division of Florida Condominiums,
 104 Timeshares, and Mobile Homes with regard to a
 105 specified notice; repealing s. 723.0611, F.S.,
 106 relating to the Florida Mobile Home Relocation
 107 Corporation; amending s. 723.06115, F.S.; replacing
 108 the Florida Mobile Home Relocation Corporation with
 109 the Division of Florida Condominiums, Timeshares, and
 110 Mobile Homes as the manager and administrator of the
 111 Florida Mobile Home Relocation Trust Fund; revising
 112 the uses of the trust fund; making conforming changes;
 113 amending s. 723.06116, F.S.; replacing the Florida
 114 Mobile Home Relocation Corporation with the Division
 115 of Florida Condominiums, Timeshares, and Mobile Homes
 116 with regard to payments made from mobile home park
 117 owners to the Mobile Home Relocation Trust Fund;
 118 amending s. 723.0612, F.S.; replacing the Florida
 119 Mobile Home Relocation Corporation with the Division
 120 of Florida Condominiums, Timeshares, and Mobile Homes
 121 with regard to relocation expenses to be paid to
 122 mobile home owners from the Mobile Home Relocation
 123 Trust Fund; making technical changes; conforming a
 124 cross-reference; amending ss. 20.165, 210.16, 212.08,
 125 440.02, 448.26, 468.520, 468.522, 468.524, 468.5245,

126 468.525, 468.526, 468.527, 468.5275, 468.529, 468.530,
 127 468.531, 468.532, 476.144, and 627.192, F.S.;

128 conforming cross-references and provisions to changes
 129 made by the act; reenacting ss. 48.184(1), 723.004(5),
 130 723.031(9), 723.032(1), and 723.085(2), F.S., relating
 131 to service of process for the removal of unknown
 132 parties in possession of mobile homes, legislative
 133 intent, mobile home lot rental agreements, prohibited
 134 or unenforceable provisions in mobile home lot rental
 135 agreements, and the rights of lienholders on mobile
 136 homes in rental mobile home parks, respectively, to
 137 incorporate the amendment made in s. 723.061, F.S., in
 138 references thereto; reenacting s. 320.08015(1), F.S.,
 139 relating to license tax surcharges, to incorporate the
 140 amendment made in s. 723.06115, F.S., in a reference
 141 thereto; providing an appropriation; providing an
 142 effective date.

143
 144 Be It Enacted by the Legislature of the State of Florida:

145
 146 Section 1. Present paragraphs (a) through (h) of
 147 subsection (1) of section 210.15, Florida Statutes, are
 148 redesignated as paragraphs (b) through (i), respectively, and a
 149 new paragraph (a) is added to that subsection, to read:

150 210.15 Permits.—

151 (1)

152 (a) A person or an entity licensed or permitted by the
153 division, or applying for a license or a permit, must create and
154 maintain an account with the division's online system and
155 provide an e-mail address to the division to function as the
156 primary means of contact for all communication by the division
157 to the licensee, permittee, or applicant. Licensees, permittees,
158 and applicants are responsible for maintaining accurate contact
159 information on file with the division. A person or an entity
160 seeking a license or permit under this part must apply using
161 forms furnished by the division which are filed through the
162 division's online system before commencing operations. The
163 division may not process an application for a license or permit
164 issued by the division under this part unless the application is
165 submitted through the division's online system.

166 Section 2. Section 210.32, Florida Statutes, is created to
167 read:

168 210.32 Account; online system.—A person or an entity
169 licensed or permitted by the division, or applying for a license
170 or a permit, must create and maintain an account with the
171 division's online system and provide an e-mail address to the
172 division to function as the primary means of contact for all
173 communication by the division to the licensee, permittee, or
174 applicant. Licensees, permittees, and applicants are responsible
175 for maintaining accurate contact information on file with the

176 division. A person or an entity seeking a license or a permit
 177 under this part must apply using forms furnished by the division
 178 which are filed through the division's online system before
 179 commencing operations. The division may not process an
 180 application for a license or permit issued by the division under
 181 this part unless the application is submitted through the
 182 division's online system.

183 Section 3. Section 210.40, Florida Statutes, is amended to
 184 read:

185 210.40 License fees; surety bond; application for each
 186 place of business.—

187 (1) Each application for a distributor's license must
 188 ~~shall~~ be accompanied by a fee of \$25. The application must shall
 189 also be accompanied by a corporate surety bond issued by a
 190 surety company authorized to do business in this state,
 191 conditioned for the payment when due of all taxes, penalties,
 192 and accrued interest which may be due the state. The initial
 193 corporate surety bond shall be in the sum of \$25,000 ~~\$1,000~~ and
 194 in a form prescribed by the division.

195 (a) The division shall review the amount of a corporate
 196 surety bond on a semiannual basis to ensure that the bond amount
 197 is adequate to protect the state.

198 (b) The division may increase the corporate surety bond
 199 amount before renewing a distributor's license or after
 200 completing its semiannual review of the bond amount.

201 (c) The corporate surety bond amount may be increased to
202 the sum of the distributor's highest month of final audited tax
203 liabilities, penalties, and accrued interest which are due to
204 the state.

205 (2) A corporate surety bond, with the sum determined by
206 the division in accordance with paragraph (1) (c), is required
207 for renewal of a distributor's license.

208 (3) The division may prescribe by rule increases in the
209 corporate surety bond amounts required as a condition of
210 licensure.

211 (4) (a) The division may reduce the amount of a corporate
212 surety bond upon a distributor's showing of good cause. For
213 purposes of this subsection, the term:

214 1. "Fully resolved" means that criminal or administrative
215 charges or investigations have been definitively closed or
216 dismissed, have resulted in an acquittal, or have otherwise
217 ended in such a manner that no further legal or administrative
218 actions relating to charges or investigations are pending
219 against a licensee under applicable laws, rules, or regulations.

220 2. "Good cause" means a consistent pattern of responsible
221 financial behavior by the distributor over a period of at least
222 the preceding 4 years, and having the sum of the distributor's
223 final audited tax liabilities, penalties, and interest be less
224 than the amount of the distributor's corporate surety bond for
225 every month for a period of at least the preceding 4 years.

226 3. "Responsible financial behavior" includes the timely
227 and complete reporting and payment of all tax liabilities,
228 penalties, and accrued interest due to the state for a period of
229 at least the preceding 4 years.

230 (b) The division may not reduce a corporate surety bond
231 amount when a licensee:

232 1. Is in default of any tax liabilities, penalties, or
233 interest due to the state;

234 2. Is the subject of a pending criminal prosecution in any
235 jurisdiction until such prosecution has been fully resolved;

236 3. Has pending administrative charges brought by an
237 authorized regulatory body or agency which have not been fully
238 resolved in accordance with applicable rules and procedures; or

239 4. Is under investigation by any administrative body or
240 agency for potential criminal violations until any such
241 investigation is completed and the findings of the investigation
242 have been fully resolved in accordance with applicable law.

243 (5) The division shall notify a distributor in writing of
244 any change in the distributor's corporate surety bond
245 requirements by the date on which the distributor's audited tax
246 assessments become final.

247 (6) The provisions of this section governing corporate
248 surety bonds are not subject to s. 120.60 ~~Whenever it is the~~
249 ~~opinion of the division that the bond given by a licensee is~~
250 ~~inadequate in amount to fully protect the state, the division~~

251 ~~shall require an additional bond in such amount as is deemed~~
 252 ~~sufficient.~~

253 (7) A separate application for a license must ~~shall~~ be
 254 made for each place of business at which a distributor proposes
 255 to engage in business as a distributor under this part, but an
 256 applicant may provide one corporate surety bond in an amount
 257 determined by the division for all applications made by the
 258 distributor consistent with the requirements of this section.

259 (8) The division may adopt rules to administer this
 260 section.

261 Section 4. Paragraph (d) of subsection (3) of section
 262 310.0015, Florida Statutes, is amended to read:

263 310.0015 Piloting regulation; general provisions.—

264 (3) The rate-setting process, the issuance of licenses
 265 only in numbers deemed necessary or prudent by the board, and
 266 other aspects of the economic regulation of piloting established
 267 in this chapter are intended to protect the public from the
 268 adverse effects of unrestricted competition which would result
 269 from an unlimited number of licensed pilots being allowed to
 270 market their services on the basis of lower prices rather than
 271 safety concerns. This system of regulation benefits and protects
 272 the public interest by maximizing safety, avoiding uneconomic
 273 duplication of capital expenses and facilities, and enhancing
 274 state regulatory oversight. The system seeks to provide pilots
 275 with reasonable revenues, taking into consideration the normal

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276 | uncertainties of vessel traffic and port usage, sufficient to
277 | maintain reliable, stable piloting operations. Pilots have
278 | certain restrictions and obligations under this system,
279 | including, but not limited to, the following:

280 | (d)~~1~~. The pilot or pilots in a port shall train and
281 | compensate all member deputy pilots in that port. Failure to
282 | train or compensate such deputy pilots constitutes ~~shall~~
283 | ~~constitute~~ a ground for disciplinary action under s. 310.101.
284 | Nothing in this subsection may ~~shall~~ be deemed to create an
285 | agency or employment relationship between a pilot or deputy
286 | pilot and the pilot or pilots in a port.

287 | ~~2. The pilot or pilots in a port shall establish a~~
288 | ~~competency-based mentor program by which minority persons as~~
289 | ~~defined in s. 288.703 may acquire the skills for the~~
290 | ~~professional preparation and education competency requirements~~
291 | ~~of a licensed state pilot or certificated deputy pilot. The~~
292 | ~~department shall provide the Governor, the President of the~~
293 | ~~Senate, and the Speaker of the House of Representatives with a~~
294 | ~~report each year on the number of minority persons as defined in~~
295 | ~~s. 288.703 who have participated in each mentor program, who are~~
296 | ~~licensed state pilots or certificated deputy pilots, and who~~
297 | ~~have applied for state pilot licensure or deputy pilot~~
298 | ~~certification.~~

299 | Section 5. Subsection (2) of section 310.081, Florida
300 | Statutes, is amended to read:

301 310.081 Department to examine and license state pilots and
 302 certificate deputy pilots; vacancies.—

303 (2) The department shall similarly examine persons who
 304 file applications for certificate as deputy pilot, and, if upon
 305 examination to determine proficiency the department finds them
 306 qualified, the department must ~~shall~~ certify as qualified all
 307 applicants who pass the examination, provided that not more than
 308 five persons who passed the examination are certified for each
 309 declared opening. If more than five applicants per opening pass
 310 the examination, the persons having the highest scores must
 311 ~~shall~~ be certified as qualified up to the number of openings
 312 times five. ~~The department shall give consideration to the~~
 313 ~~minority and female status of applicants when qualifying deputy~~
 314 ~~pilots, in the interest of ensuring diversification within the~~
 315 ~~state piloting profession.~~ The department shall appoint and
 316 certificate such number of deputy pilots from those applicants
 317 deemed qualified as in the discretion of the board are required
 318 in the respective ports of the state. A deputy pilot shall be
 319 authorized by the department to pilot vessels within the limits
 320 and specifications established by the licensed state pilots at
 321 the port where the deputy is appointed to serve.

322 Section 6. Section 399.18, Florida Statutes, is created to
 323 read:

324 399.18 Online services account.—

325 (1) A certified elevator inspector, certified elevator

326 technician, or registered elevator company; a person or entity
 327 seeking to become certified or registered as such; a person who
 328 has been issued an elevator certificate of competency; a person
 329 who is seeking such certificate; a person or entity who has been
 330 issued an elevator certificate of operation; and a person or
 331 entity who is seeking such a certificate must create and
 332 maintain an online account with the division and provide an e-
 333 mail address to the division to function as the primary means of
 334 contact for all communication from the division. Each person or
 335 entity is responsible for maintaining accurate contact
 336 information on file with the division.

337 (2) The division shall adopt rules to implement this
 338 section.

339 Section 7. Section 468.519, Florida Statutes, is created,
 340 and incorporated into part XI of chapter 468, Florida Statutes,
 341 to read:

342 468.519 Employee leasing companies licensing program;
 343 purpose.—

344 (1) There is created within the department the employee
 345 leasing companies licensing program.

346 (2) The Legislature finds it necessary in the interest of
 347 the public safety and welfare to ensure that consumers of
 348 employee leasing companies can rely on the competence and
 349 integrity of such companies through the licensing requirements
 350 of this part.

351 Section 8. Section 468.521, Florida Statutes, is repealed.

352 Section 9. Paragraph (c) of subsection (2) of section
353 469.006, Florida Statutes, is amended to read:

354 469.006 Licensure of business organizations; qualifying
355 agents.—

356 (2)

357 (c) As a prerequisite to the issuance of a license under
358 this section, the applicant shall submit the following:

359 1. An affidavit on a form provided by the department
360 attesting that the applicant has obtained workers' compensation
361 insurance as required by chapter 440, public liability
362 insurance, and property damage insurance, in amounts determined
363 by department rule. The department shall establish by rule a
364 procedure to verify the accuracy of such affidavits based upon a
365 random sample method.

366 2. Evidence of financial responsibility. The department
367 shall adopt rules to determine financial responsibility which
368 must ~~shall~~ specify grounds on which the department may deny
369 licensure. Such criteria must ~~shall~~ include, but is not ~~be~~
370 limited to, credit history ~~and limits of bondability and credit.~~

371 Section 10. Section 473.306, Florida Statutes, is amended
372 to read:

373 473.306 Examinations.—

374 (1) A person desiring to be licensed as a Florida
375 certified public accountant shall apply to the department to

376 take the licensure examination.

377 (2) A person applying to the department to take the
378 licensure examination must create and maintain an online account
379 with the department and provide an e-mail address to function as
380 the primary means of contact for all communication to the
381 applicant from the department. Each applicant is responsible for
382 maintaining accurate contact information on file with the
383 department and must submit any change in the applicant's e-mail
384 address or home address within 30 days after the change. All
385 changes must be submitted through the department's online
386 system.

387 (3) An applicant is entitled to take the licensure
388 examination to practice in this state as a certified public
389 accountant if:

390 (a) The applicant has completed 120 semester hours or 180
391 quarter hours from an accredited college or university with a
392 concentration in accounting and business courses as specified by
393 the board by rule; and

394 (b) The applicant shows that she or he has good moral
395 character. For purposes of this paragraph, the term "good moral
396 character" has the same meaning as provided in s. 473.308(7)(a)
397 ~~s. 473.308(6)(a)~~. The board may refuse to allow an applicant to
398 take the licensure examination for failure to satisfy this
399 requirement if:

400 1. The board finds a reasonable relationship between the

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401 lack of good moral character of the applicant and the
402 professional responsibilities of a certified public accountant;
403 and

404 2. The finding by the board of lack of good moral
405 character is supported by competent substantial evidence.

406
407 If an applicant is found pursuant to this paragraph to be
408 unqualified to take the licensure examination because of a lack
409 of good moral character, the board shall furnish to the
410 applicant a statement containing the findings of the board, a
411 complete record of the evidence upon which the determination was
412 based, and a notice of the rights of the applicant to a
413 rehearing and appeal.

414 (4)~~(3)~~ The board shall have the authority to establish the
415 standards for determining and shall determine:

416 (a) What constitutes a passing grade for each subject or
417 part of the licensure examination;

418 (b) Which educational institutions, in addition to the
419 universities in the State University System of Florida, shall be
420 deemed to be accredited colleges or universities;

421 (c) What courses and number of hours constitute a major in
422 accounting; and

423 (d) What courses and number of hours constitute additional
424 accounting courses acceptable under s. 473.308(4) ~~s. 473.308(3)~~.

425 (5)~~(4)~~ The board may adopt an alternative licensure

426 examination for persons who have been licensed to practice
427 public accountancy or its equivalent in a foreign country so
428 long as the International Qualifications Appraisal Board of the
429 National Association of State Boards of Accountancy has ratified
430 an agreement with that country for reciprocal licensure.

431 (6)~~(5)~~ For the purposes of maintaining the proper
432 educational qualifications for licensure under this chapter, the
433 board may appoint an Educational Advisory Committee, which shall
434 be composed of one member of the board, two persons in public
435 practice who are licensed under this chapter, and four
436 academicians on faculties of universities in this state.

437 Section 11. Present subsections (3) through (9) of section
438 473.308, Florida Statutes, are redesignated as subsections (4)
439 through (10), respectively, a new subsection (3) is added to
440 that section, and subsection (2), paragraph (b) of present
441 subsection (4), and present subsection (8) of that section are
442 amended, to read:

443 473.308 Licensure.—

444 (2) The board shall certify for licensure any applicant
445 who successfully passes the licensure examination and satisfies
446 the requirements of subsections (4), (5), and (6) ~~(3), (4), and~~
447 ~~(5)~~, and shall certify for licensure any firm that satisfies the
448 requirements of ss. 473.309 and 473.3101. The board may refuse
449 to certify any applicant or firm that has violated any of the
450 provisions of s. 473.322.

451 (3) A person desiring to be licensed as a Florida
452 certified public accountant or a firm desiring to engage in the
453 practice of public accounting must create and maintain an online
454 account with the department and provide an e-mail address to
455 function as the primary means of contact for all communication
456 from the department. Certified public accountants and firms are
457 responsible for maintaining accurate contact information on file
458 with the department and must submit any change in an e-mail
459 address or street address within 30 days after the change. All
460 changes must be submitted through the department's online
461 system.

462 ~~(5)-(4)~~

463 (b) However, an applicant who completed the requirements
464 of subsection ~~(4)~~ ~~(3)~~ on or before December 31, 2008, and who
465 passes the licensure examination on or before June 30, 2010, is
466 exempt from the requirements of this subsection.

467 ~~(9)-(8)~~ If the applicant has at least 5 years of experience
468 in the practice of public accountancy in the United States or in
469 the practice of public accountancy or its equivalent in a
470 foreign country that the International Qualifications Appraisal
471 Board of the National Association of State Boards of Accountancy
472 has determined has licensure standards that are substantially
473 equivalent to those in the United States, or has at least 5
474 years of work experience that meets the requirements of
475 subsection ~~(5)~~ ~~(4)~~, the board must ~~shall~~ waive the requirements

476 of subsection (4) ~~(3)~~ which are in excess of a baccalaureate
477 degree. All experience that is used as a basis for waiving the
478 requirements of subsection (4) ~~(3)~~ must be while licensed as a
479 certified public accountant by another state or territory of the
480 United States or while licensed in the practice of public
481 accountancy or its equivalent in a foreign country that the
482 International Qualifications Appraisal Board of the National
483 Association of State Boards of Accountancy has determined has
484 licensure standards that are substantially equivalent to those
485 in the United States. The board shall have the authority to
486 establish the standards for experience that meet this
487 requirement.

488 Section 12. Subsection (2) of section 475.181, Florida
489 Statutes, is amended to read:

490 475.181 Licensure.—

491 (2) The commission shall certify for licensure any
492 applicant who satisfies the requirements of ss. 475.17, 475.175,
493 and 475.180. The commission may refuse to certify any applicant
494 who has violated any of the provisions of s. 475.42 or who is
495 subject to discipline under s. 475.25. The application shall
496 expire 2 years after the date received if the applicant does not
497 pass the appropriate examination. ~~Additionally, if an applicant~~
498 ~~does not pass the licensing examination within 2 years after the~~
499 ~~successful course completion date, the applicant's successful~~
500 ~~course completion is invalid for licensure.~~

501 Section 13. Subsections (2) and (3) of section 476.114,
 502 Florida Statutes, are amended to read:

503 476.114 Examination; prerequisites.—

504 (2) An applicant is ~~shall be~~ eligible for licensure by
 505 examination to practice barbering if the applicant:

506 (a) Is at least 16 years of age;

507 (b) Pays the required application fee; and

508 (c) ~~1. Holds an active valid license to practice barbering~~
 509 ~~in another state, has held the license for at least 1 year, and~~
 510 ~~does not qualify for licensure by endorsement as provided for in~~
 511 ~~s. 476.144(5); or~~

512 ~~2.~~ Has received a minimum of 900 hours of training in
 513 sanitation, safety, and laws and rules, as established by the
 514 board, which must ~~shall~~ include, but is ~~shall~~ not be limited to,
 515 the equivalent of completion of services directly related to the
 516 practice of barbering at one of the following:

517 ~~1.a.~~ A school of barbering licensed pursuant to chapter
 518 1005;

519 ~~2.b.~~ A barbering program within the public school system;
 520 or

521 ~~3.c.~~ A government-operated barbering program in this
 522 state.

523
 524 The board shall establish by rule procedures whereby the school
 525 or program may certify that a person is qualified to take the

526 required examination after the completion of a minimum of 600
527 actual school hours. If the person passes the examination, she
528 or he has ~~shall have~~ satisfied this requirement; but if the
529 person fails the examination, she or he may ~~shall~~ not ~~be~~
530 qualified to take the examination again until the completion of
531 the full requirements provided by this section.

532 (3) An applicant who meets the requirements set forth in
533 paragraph (2)(c) ~~subparagraphs (2)(c)1. and 2.~~ who fails to pass
534 the examination may take subsequent examinations as many times
535 as necessary to pass, except that the board may specify by rule
536 reasonable timeframes for rescheduling the examination and
537 additional training requirements for applicants who, after the
538 third attempt, fail to pass the examination. Prior to
539 reexamination, the applicant must file the appropriate form and
540 pay the reexamination fee as required by rule.

541 Section 14. Subsection (2) of section 477.019, Florida
542 Statutes, is amended to read:

543 477.019 Cosmetologists; qualifications; licensure;
544 supervised practice; license renewal; endorsement; continuing
545 education.—

546 (2) An applicant is ~~shall be~~ eligible for licensure by
547 examination to practice cosmetology if the applicant:

548 (a) Is at least 16 years of age or has received a high
549 school diploma;

550 (b) Pays the required application fee, which is not

551 refundable, and the required examination fee, which is
 552 refundable if the applicant is determined to not be eligible for
 553 licensure for any reason other than failure to successfully
 554 complete the licensure examination; and

555 ~~(c)1. Is authorized to practice cosmetology in another~~
 556 ~~state or country, has been so authorized for at least 1 year,~~
 557 ~~and does not qualify for licensure by endorsement as provided~~
 558 ~~for in subsection (5); or~~

559 ~~2.~~ Has received a minimum of 1,200 hours of training as
 560 established by the board, which must ~~shall~~ include, but is ~~shall~~
 561 not ~~be~~ limited to, the equivalent of completion of services
 562 directly related to the practice of cosmetology at one of the
 563 following:

564 ~~1.a.~~ A school of cosmetology licensed pursuant to chapter
 565 1005.

566 ~~2.b.~~ A cosmetology program within the public school
 567 system.

568 ~~3.e.~~ The Cosmetology Division of the Florida School for
 569 the Deaf and the Blind, provided the division meets the
 570 standards of this chapter.

571 ~~4.d.~~ A government-operated cosmetology program in this
 572 state.

573
 574 The board shall establish by rule procedures whereby the school
 575 or program may certify that a person is qualified to take the

576 required examination after the completion of a minimum of 1,000
 577 actual school hours. If the person then passes the examination,
 578 he or she has ~~shall have~~ satisfied this requirement; but if the
 579 person fails the examination, he or she may ~~shall~~ not be
 580 qualified to take the examination again until the completion of
 581 the full requirements provided by this section.

582 Section 15. Paragraph (c) of subsection (7) of section
 583 489.131, Florida Statutes, is amended to read:

584 489.131 Applicability.—

585 (7)

586 (c) In addition to any action the local jurisdiction
 587 enforcement body may take against the individual's local
 588 license, and any fine the local jurisdiction may impose, the
 589 local jurisdiction enforcement body shall issue a recommended
 590 penalty for board action. This recommended penalty may include a
 591 recommendation for no further action, or a recommendation for
 592 suspension, restitution, revocation, or restriction of the
 593 registration, or a fine to be levied by the board, or a
 594 combination thereof. The recommended penalty must specify the
 595 violations of this chapter upon which the recommendation is
 596 based. The local jurisdiction enforcement body shall inform the
 597 disciplined contractor and the complainant of the local license
 598 penalty imposed, the board penalty recommended, his or her
 599 rights to appeal, and the consequences should he or she decide
 600 not to appeal. The local jurisdiction enforcement body shall,

601 upon having reached adjudication or having accepted a plea of
602 nolo contendere, immediately inform the board of its action and
603 the recommended board penalty.

604 Section 16. Subsections (3) and (6) of section 489.143,
605 Florida Statutes, are amended to read:

606 489.143 Payment from the fund.—

607 (3) Beginning January 1, 2005, for each Division I
608 contract entered into after July 1, 2004, payment from the
609 recovery fund is subject to a \$50,000 maximum payment for each
610 Division I claim. Beginning January 1, 2017, for each Division
611 II contract entered into on or after July 1, 2016, payment from
612 the recovery fund is subject to a \$15,000 maximum payment for
613 each Division II claim. Beginning January 1, 2025, for Division
614 I and Division II contracts entered into on or after July 1,
615 2024, payment from the recovery fund is subject to a \$100,000
616 maximum payment for each Division I claim and a \$30,000 maximum
617 payment for each Division II claim.

618 (6) For contracts entered into before July 1, 2004,
619 payments for claims against any one licensee may not exceed, in
620 the aggregate, \$100,000 annually, up to a total aggregate of
621 \$250,000. For any claim approved by the board which is in excess
622 of the annual cap, the amount in excess of \$100,000 up to the
623 total aggregate cap of \$250,000 is eligible for payment in the
624 next and succeeding fiscal years, but only after all claims for
625 the then-current calendar year have been paid. Payments may not

626 exceed the aggregate annual or per claimant limits under law.
627 Beginning January 1, 2005, for each Division I contract entered
628 into after July 1, 2004, payment from the recovery fund is
629 subject only to a total aggregate cap of \$500,000 for each
630 Division I licensee. Beginning January 1, 2017, for each
631 Division II contract entered into on or after July 1, 2016,
632 payment from the recovery fund is subject only to a total
633 aggregate cap of \$150,000 for each Division II licensee.
634 Beginning January 1, 2025, for Division I and Division II
635 contracts entered into on or after July 1, 2024, payment from
636 the recovery fund is subject only to a total aggregate cap of \$2
637 million for each Division I licensee and \$600,000 for each
638 Division II licensee.

639 Section 17. Paragraph (b) of subsection (15) of section
640 499.012, Florida Statutes, is amended to read:

641 499.012 Permit application requirements.—

642 (15)

643 (b) To be certified as a designated representative, a
644 natural person must:

645 1. Submit an application on a form furnished by the
646 department and pay the appropriate fees.

647 2. Be at least 18 years of age.

648 3. Have at least 2 years of verifiable full-time:

649 a. Work experience in a pharmacy licensed in this state or
650 another state, where the person's responsibilities included, but

651 | were not limited to, recordkeeping for prescription drugs;

652 | b. Managerial experience with a prescription drug
653 | wholesale distributor licensed in this state or in another
654 | state; ~~or~~

655 | c. Managerial experience with the United States Armed
656 | Forces, where the person's responsibilities included, but were
657 | not limited to, recordkeeping, warehousing, distributing, or
658 | other logistics services pertaining to prescription drugs;

659 | d. Managerial experience with a state or federal
660 | organization responsible for regulating or permitting
661 | establishments involved in the distribution of prescription
662 | drugs, whether in an administrative or a sworn law enforcement
663 | capacity; or

664 | e. Work experience as a drug inspector or investigator
665 | with a state or federal organization, whether in an
666 | administrative or a sworn law enforcement capacity, where the
667 | person's responsibilities related primarily to compliance with
668 | state or federal requirements pertaining to the distribution of
669 | prescription drugs.

670 | 4. Receive a passing score of at least 75 percent on an
671 | examination given by the department regarding federal laws
672 | governing distribution of prescription drugs and this part and
673 | the rules adopted by the department governing the wholesale
674 | distribution of prescription drugs. This requirement shall be
675 | effective 1 year after the results of the initial examination

676 are mailed to the persons that took the examination. The
 677 department shall offer such examinations at least four times
 678 each calendar year.

679 5. Provide the department with a personal information
 680 statement and fingerprints pursuant to subsection (9).

681 Section 18. Subsection (5) of section 561.17, Florida
 682 Statutes, is amended to read:

683 561.17 License and registration applications; approved
 684 person.—

685 (5) Any person or entity licensed or permitted by the
 686 division, or applying for a license or permit, must create and
 687 maintain an account with the division's online system and
 688 provide an e-mail ~~electronic mail~~ address to the division to
 689 function as the primary means of contact for all communication
 690 by the division to the licensee, ~~or~~ permittee, or applicant.

691 Licensees, ~~and~~ permittees, and applicants are responsible for
 692 maintaining accurate contact information on file with the
 693 division. A person or an entity seeking a license or permit from
 694 the division must apply using forms prepared by the division and
 695 filed through the division's online system before engaging in
 696 any business for which a license or permit is required. The
 697 division may not process an application for an alcoholic
 698 beverage license unless the application is submitted through the
 699 division's online system.

700 Section 19. Section 569.00256, Florida Statutes, is

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701 created to read:

702 569.00256 Account; online system.—A person or an entity
703 licensed or permitted by the division under this part, or
704 applying for a license or a permit, must create and maintain an
705 account with the division's online system and provide an e-mail
706 address to the division to function as the primary means of
707 contact for all communication by the division to the licensee,
708 permittee, or applicant. Licensees, permittees, and applicants
709 are responsible for maintaining accurate contact information
710 with the division. A person or an entity seeking a license or
711 permit from the division must apply using forms prepared by the
712 division and filed through the division's online system before
713 engaging in any business for which a license or permit is
714 required. The division may not process an application to deal,
715 at retail, in tobacco products unless the application is
716 submitted through the division's online system.

717 Section 20. Section 569.3156, Florida Statutes, is created
718 to read:

719 569.3156 Account; online system.—A person or an entity
720 licensed or permitted by the division under this part, or
721 applying for a license or a permit, must create and maintain an
722 account with the division's online system and provide an e-mail
723 address to the division to function as the primary means of
724 contact for all communication by the division to the licensee,
725 permittee, or applicant. Licensees, permittees, and applicants

726 are responsible for maintaining accurate contact information
727 with the division. A person or an entity seeking a license or
728 permit from the division must apply using forms prepared by the
729 division and filed through the division's online system before
730 engaging in any business for which a license or permit is
731 required. The division may not process an application to deal,
732 at retail, in nicotine products unless the application is
733 submitted through the division's online system.

734 Section 21. Paragraph (d) of subsection (1) of section
735 723.061, Florida Statutes, is amended to read:

736 723.061 Eviction; grounds, proceedings.—

737 (1) A mobile home park owner may evict a mobile home
738 owner, a mobile home tenant, a mobile home occupant, or a mobile
739 home only on one or more of the following grounds:

740 (d) Change in use of the land comprising the mobile home
741 park, or the portion thereof from which mobile homes are to be
742 evicted, from mobile home lot rentals to some other use, if:

743 1. The park owner gives written notice to the homeowners'
744 association formed and operating under ss. 723.075–723.079 of
745 its right to purchase the mobile home park, if the land
746 comprising the mobile home park is changing use from mobile home
747 lot rentals to a different use, at the price and under the terms
748 and conditions set forth in the written notice.

749 a. The notice shall be delivered to the officers of the
750 homeowners' association by United States mail. Within 45 days

751 after the date of mailing of the notice, the homeowners'
752 association may execute and deliver a contract to the park owner
753 to purchase the mobile home park at the price and under the
754 terms and conditions set forth in the notice. If the contract
755 between the park owner and the homeowners' association is not
756 executed and delivered to the park owner within the 45-day
757 period, the park owner is under no further obligation to the
758 homeowners' association except as provided in sub-subparagraph
759 b.

760 b. If the park owner elects to offer or sell the mobile
761 home park at a price lower than the price specified in her or
762 his initial notice to the officers of the homeowners'
763 association, the homeowners' association has an additional 10
764 days to meet the revised price, terms, and conditions of the
765 park owner by executing and delivering a revised contract to the
766 park owner.

767 c. The park owner is not obligated under this subparagraph
768 or s. 723.071 to give any other notice to, or to further
769 negotiate with, the homeowners' association for the sale of the
770 mobile home park to the homeowners' association after 6 months
771 after the date of the mailing of the initial notice under sub-
772 subparagraph a.

773 2. The park owner gives the affected mobile home owners
774 and tenants at least 6 months' notice of the eviction due to the
775 projected change in use and of their need to secure other

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776 accommodations. Within 20 days after giving an eviction notice
777 to a mobile home owner, the park owner must provide the division
778 with a copy of the notice. ~~The division must provide the~~
779 ~~executive director of the Florida Mobile Home Relocation~~
780 ~~Corporation with a copy of the notice.~~

781 a. The notice of eviction due to a change in use of the
782 land must include in a font no smaller than the body of the
783 notice the following statement:

784
785 YOU MAY BE ENTITLED TO COMPENSATION FROM THE FLORIDA
786 MOBILE HOME RELOCATION TRUST FUND, ADMINISTERED BY THE
787 DIVISION OF CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES
788 ~~FLORIDA MOBILE HOME RELOCATION CORPORATION (FMHRC).~~
789 DIVISION ~~FMHRC~~ CONTACT INFORMATION IS AVAILABLE FROM
790 THE FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL
791 REGULATION.

792
793 b. The park owner may not give a notice of increase in lot
794 rental amount within 90 days before giving notice of a change in
795 use.

796 Section 22. Section 723.0611, Florida Statutes, is
797 repealed.

798 Section 23. Section 723.06115, Florida Statutes, is
799 amended to read:

800 723.06115 Florida Mobile Home Relocation Trust Fund.—

801 (1) The Florida Mobile Home Relocation Trust Fund is
 802 established within the Department of Business and Professional
 803 Regulation. The trust fund is to be used to fund the
 804 administration and operations of the Division of Florida
 805 Condominiums, Timeshares, and Mobile Homes ~~Florida Mobile Home~~
 806 ~~Relocation Corporation~~. All interest earned from the investment
 807 or deposit of moneys in the trust fund shall be deposited in the
 808 trust fund. The trust fund shall be funded from moneys collected
 809 by the division ~~corporation~~ from mobile home park owners under
 810 s. 723.06116, the surcharge collected by the department under s.
 811 723.007(2), the surcharge collected by the Department of Highway
 812 Safety and Motor Vehicles, and from other appropriated funds.

813 (2) Moneys in the Florida Mobile Home Relocation Trust
 814 Fund may be expended only:

815 (a) To pay the administration costs of the division
 816 ~~Florida Mobile Home Relocation Corporation~~; and

817 (b) To carry out the purposes and objectives of the
 818 division ~~corporation~~ by making payments to mobile home owners
 819 under the relocation program.

820 (3) The department shall distribute moneys in the Florida
 821 Mobile Home Relocation Trust Fund to the division ~~Florida Mobile~~
 822 ~~Home Relocation Corporation~~ in accordance with the following:

823 (a) Before the beginning of each fiscal year, the division
 824 ~~corporation~~ shall submit its annual operating budget, as
 825 approved by the division ~~corporation board~~, for the fiscal year

826 and set forth that amount to the department in writing. One-
827 fourth of the operating budget shall be transferred to the
828 division ~~corporation~~ each quarter. The department shall make the
829 first one-fourth quarter transfer on the first business day of
830 the fiscal year and make the remaining one-fourth quarter
831 transfers before the second business day of the second, third,
832 and fourth quarters. The division ~~corporation board~~ may approve
833 changes to the operational budget for a fiscal year by providing
834 written notification of such changes to the department. The
835 written notification must indicate the changes to the
836 operational budget and the conditions that were unforeseen at
837 the time the division ~~corporation~~ developed the operational
838 budget and why the changes are essential in order to continue
839 operation of the division ~~corporation~~.

840 (b) The division ~~corporation~~ shall periodically submit
841 requests to the department for the transfer of funds to the
842 division ~~corporation~~ needed to make payments to mobile home
843 owners under the relocation program. Requests must include
844 documentation indicating the amount of funds needed, the name
845 and location of the mobile home park, the number of approved
846 applications for moving expenses or abandonment allowance, and
847 summary information specifying the number and type, single-
848 section or multisection, of homes moved or abandoned. The
849 department shall process requests that include such
850 documentation, subject to the availability of sufficient funds

851 within the trust fund, within 5 business days after receipt of
 852 the request. Transfer requests may be submitted electronically.

853 (c) Funds transferred from the trust fund to the division
 854 ~~corporation~~ shall be transferred electronically and shall be
 855 transferred to and maintained in a qualified public depository
 856 as defined in s. 280.02 which is specified by the division
 857 ~~corporation~~.

858 (4) Other than the requirements specified under this
 859 section, neither the division ~~corporation~~ nor the department is
 860 required to take any other action as a prerequisite to
 861 accomplishing the provisions of this section.

862 (5) This section does not preclude department inspection
 863 of division ~~corporation~~ records 5 business days after receipt of
 864 written notice.

865 Section 24. Section 723.06116, Florida Statutes, is
 866 amended to read:

867 723.06116 Payments to the Division of Florida
 868 Condominiums, Timeshares, and Mobile Homes ~~Mobile Home~~
 869 ~~Relocation Corporation~~.

870 (1) If a mobile home owner is required to move due to a
 871 change in use of the land comprising a mobile home park as set
 872 forth in s. 723.061(1)(d), the mobile home park owner shall,
 873 upon such change in use, pay to the Division of Florida
 874 Condominiums, Timeshares, and Mobile Homes ~~Mobile Home~~
 875 ~~Relocation Corporation~~ for deposit in the Florida Mobile Home

876 Relocation Trust Fund \$2,750 for each single-section mobile home
 877 and \$3,750 for each multisection mobile home for which a mobile
 878 home owner has made application for payment of moving expenses.
 879 The mobile home park owner shall make the payments required by
 880 this section and by s. 723.0612(7) to the division ~~corporation~~
 881 within 30 days after receipt from the division ~~corporation~~ of
 882 the invoice for payment. Failure to make such payment within the
 883 required time period shall result in a late fee being imposed.

884 (a) If payment is not submitted within 30 days after
 885 receipt of the invoice, a 10-percent late fee shall be assessed.

886 (b) If payment is not submitted within 60 days after
 887 receipt of the invoice, a 15-percent late fee shall be assessed.

888 (c) If payment is not submitted within 90 days after
 889 receipt of the invoice, a 20-percent late fee shall be assessed.

890 (d) Any payment received 120 days or more after receipt of
 891 the invoice shall include a 25-percent late fee.

892 (2) A mobile home park owner is not required to make the
 893 payment prescribed in subsection (1), nor is the mobile home
 894 owner entitled to compensation under s. 723.0612(1), when:

895 (a) The mobile home park owner moves a mobile home owner
 896 to another space in the mobile home park or to another mobile
 897 home park at the park owner's expense;

898 (b) A mobile home owner is vacating the premises and has
 899 informed the mobile home park owner or manager before the change
 900 in use notice has been given; or

901 (c) A mobile home owner abandons the mobile home as set
 902 forth in s. 723.0612(7).

903 (d) The mobile home owner has a pending eviction action
 904 for nonpayment of lot rental amount pursuant to s. 723.061(1)(a)
 905 which was filed against him or her prior to the mailing date of
 906 the notice of change in use of the mobile home park given
 907 pursuant to s. 723.061(1)(d).

908 (3) This section and s. 723.0612(7) are enforceable by the
 909 division ~~corporation~~ by action in a court of appropriate
 910 jurisdiction.

911 (4) In any action brought by the division ~~corporation~~ to
 912 collect payments assessed under this chapter, the division
 913 ~~corporation~~ may file and maintain such action in Leon County. If
 914 the division ~~corporation~~ is a party in any other action, venue
 915 for such action shall be in Leon County.

916 Section 25. Subsections (1) through (5), (7) through (9),
 917 (11), and (12) of section 723.0612, Florida Statutes, are
 918 amended, and subsection (2) of that section is reenacted, to
 919 read:

920 723.0612 Change in use; relocation expenses; payments by
 921 park owner.—

922 (1) If a mobile home owner is required to move due to a
 923 change in use of the land comprising the mobile home park as set
 924 forth in s. 723.061(1)(d) and complies with the requirements of
 925 this section, the mobile home owner is entitled to payment from

926 | the Division of Florida Condominiums, Timeshares, and Mobile
 927 | Homes Mobile Home Relocation Corporation of:

928 | (a) The amount of actual moving expenses of relocating the
 929 | mobile home to a new location within a 50-mile radius of the
 930 | vacated park, or

931 | (b) The amount of \$3,000 for a single-section mobile home
 932 | or \$6,000 for a multisection mobile home, whichever is less.
 933 | Moving expenses include the cost of taking down, moving, and
 934 | setting up the mobile home in a new location.

935 | (2) A mobile home owner is not ~~shall not be~~ entitled to
 936 | compensation under subsection (1) when:

937 | (a) The park owner moves a mobile home owner to another
 938 | space in the mobile home park or to another mobile home park at
 939 | the park owner's expense;

940 | (b) A mobile home owner is vacating the premises and has
 941 | informed the park owner or manager before notice of the change
 942 | in use has been given;

943 | (c) A mobile home owner abandons the mobile home as set
 944 | forth in subsection (7); or

945 | (d) The mobile home owner has a pending eviction action
 946 | for nonpayment of lot rental amount pursuant to s. 723.061(1)(a)
 947 | which was filed against him or her prior to the mailing date of
 948 | the notice of change in use of the mobile home park given
 949 | pursuant to s. 723.061(1)(d).

950 | (3) Except as provided in subsection (7), in order to

951 obtain payment from the division ~~Florida Mobile Home Relocation~~
 952 ~~Corporation~~, the mobile home owner shall submit to the division
 953 ~~corporation~~, with a copy to the park owner, an application for
 954 payment which includes:

955 (a) A copy of the notice of eviction due to change in use;
 956 and

957 (b) A contract with a moving or towing contractor for the
 958 moving expenses for the mobile home.

959 (4) The division ~~Florida Mobile Home Relocation~~
 960 ~~Corporation~~ must approve payment within 45 days after receipt of
 961 the information set forth in subsection (3), or payment is
 962 deemed approved. A copy of the approval must be forwarded to the
 963 park owner with an invoice for payment. Upon approval, the
 964 division ~~corporation~~ shall issue a voucher in the amount of the
 965 contract price for relocating the mobile home. The moving
 966 contractor may redeem the voucher from the division ~~corporation~~
 967 following completion of the relocation and upon approval of the
 968 relocation by the mobile home owner.

969 (5) Actions of the division ~~Florida Mobile Home Relocation~~
 970 ~~Corporation~~ under this section are not subject to the provisions
 971 of chapter 120 but are reviewable only by writ of certiorari in
 972 the circuit court in the county in which the claimant resides in
 973 the manner and within the time provided by the Florida Rules of
 974 Appellate Procedure.

975 (7) In lieu of collecting payment from the division

976 ~~Florida Mobile Home Relocation Corporation~~ as set forth in
 977 subsection (1), a mobile home owner may abandon the mobile home
 978 in the mobile home park and collect \$1,375 for a single section
 979 and \$2,750 for a multisection from the division ~~corporation~~ as
 980 long as the mobile home owner delivers to the park owner the
 981 current title to the mobile home duly endorsed by the owner of
 982 record and valid releases of all liens shown on the title. If a
 983 mobile home owner chooses this option, the park owner shall make
 984 payment to the division ~~corporation~~ in an amount equal to the
 985 amount the mobile home owner is entitled to under this
 986 subsection. The mobile home owner's application for funds under
 987 this subsection shall require the submission of a document
 988 signed by the park owner stating that the home has been
 989 abandoned under this subsection and that the park owner agrees
 990 to make payment to the division ~~corporation~~ in the amount
 991 provided to the home owner under this subsection. However, in
 992 the event that the required documents are not submitted with the
 993 application, the division ~~corporation~~ may consider the facts and
 994 circumstances surrounding the abandonment of the home to
 995 determine whether the mobile home owner is entitled to payment
 996 pursuant to this subsection. The mobile home owner is not
 997 entitled to any compensation under this subsection if there is a
 998 pending eviction action for nonpayment of lot rental amount
 999 pursuant to s. 723.061(1)(a) which was filed against him or her
 1000 prior to the mailing date of the notice of change in the use of

1001 the mobile home park given pursuant to s. 723.061(1)(d).

1002 (8) The division ~~Florida Mobile Home Relocation~~
 1003 ~~Corporation~~ may shall not be liable to any person for recovery
 1004 if funds are insufficient to pay the amounts claimed. In any
 1005 such event, the division ~~corporation~~ shall keep a record of the
 1006 time and date of its approval of payment to a claimant. If
 1007 sufficient funds become available, the division ~~corporation~~ must
 1008 ~~shall~~ pay the claimant whose unpaid claim is the earliest by
 1009 time and date of approval.

1010 (9) Any person whose application for funding pursuant to
 1011 subsection (1) or subsection (7) is approved for payment by the
 1012 division ~~corporation~~ is shall be barred from asserting any claim
 1013 or cause of action under this chapter directly relating to or
 1014 arising out of the change in use of the mobile home park against
 1015 the division ~~corporation~~, the park owner, or the park owner's
 1016 successors in interest. An ~~No~~ application for funding pursuant
 1017 to subsection (1) or subsection (7) may not shall be approved by
 1018 the division ~~corporation~~ if the applicant has filed a claim or
 1019 cause of action, is actively pursuing a claim or cause of
 1020 action, has settled a claim or cause of action, or has a
 1021 judgment against the division ~~corporation~~, the park owner, or
 1022 the park owner's successors in interest under this chapter
 1023 directly relating to or arising out of the change in use of the
 1024 mobile home park, unless such claim or cause of action is
 1025 dismissed with prejudice.

1026 (11) In an action to enforce the provisions of this
 1027 section and ss. ~~723.0611~~, 723.06115, and 723.06116, the
 1028 prevailing party is entitled to reasonable attorney's fees and
 1029 costs.

1030 (12) An application to the division ~~corporation~~ for
 1031 compensation under subsection (1) or subsection (7) must be
 1032 received within 1 year after the expiration of the eviction
 1033 period as established in the notice required under s.
 1034 723.061(1)(d). If the applicant files a claim or cause of action
 1035 that disqualifies the applicant under subsection (9) and the
 1036 claim is subsequently dismissed, the application must be
 1037 received within 6 months following filing of the dismissal with
 1038 prejudice as required under subsection (9). However, such an
 1039 applicant must apply within 2 years after the expiration of the
 1040 eviction period as established in the notice required under s.
 1041 723.061(1)(d).

1042 Section 26. Paragraph (a) of subsection (4) of section
 1043 20.165, Florida Statutes, is amended to read:

1044 20.165 Department of Business and Professional
 1045 Regulation.—There is created a Department of Business and
 1046 Professional Regulation.

1047 (4)(a) The following boards and programs are established
 1048 within the Division of Professions:

1049 1. Board of Architecture and Interior Design, created
 1050 under part I of chapter 481.

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- 1051 2. Florida Board of Auctioneers, created under part VI of
 1052 chapter 468.
- 1053 3. Barbers' Board, created under chapter 476.
- 1054 4. Florida Building Code Administrators and Inspectors
 1055 Board, created under part XII of chapter 468.
- 1056 5. Construction Industry Licensing Board, created under
 1057 part I of chapter 489.
- 1058 6. Board of Cosmetology, created under chapter 477.
- 1059 7. Electrical Contractors' Licensing Board, created under
 1060 part II of chapter 489.
- 1061 8. Employee leasing companies licensing program ~~Board of~~
 1062 ~~Employee Leasing Companies~~, created under part XI of chapter
 1063 468.
- 1064 9. Board of Landscape Architecture, created under part II
 1065 of chapter 481.
- 1066 10. Board of Pilot Commissioners, created under chapter
 1067 310.
- 1068 11. Board of Professional Engineers, created under chapter
 1069 471.
- 1070 12. Board of Professional Geologists, created under
 1071 chapter 492.
- 1072 13. Board of Veterinary Medicine, created under chapter
 1073 474.
- 1074 14. Home inspection services licensing program, created
 1075 under part XV of chapter 468.

1076 15. Mold-related services licensing program, created under
 1077 part XVI of chapter 468.

1078 Section 27. Subsection (2) of section 210.16, Florida
 1079 Statutes, is amended to read:

1080 210.16 Revocation or suspension of permit.—

1081 (2) The division shall revoke the permit or permits of any
 1082 person who would be ineligible to obtain a new license or renew
 1083 a license by reason of any of the conditions for permitting
 1084 provided in s. 210.15(1)(d)1.-6. ~~s. 210.15(1)(e)1.-6.~~

1085 Section 28. Paragraph (uuu) of subsection (7) of section
 1086 212.08, Florida Statutes, is amended to read:

1087 212.08 Sales, rental, use, consumption, distribution, and
 1088 storage tax; specified exemptions.—The sale at retail, the
 1089 rental, the use, the consumption, the distribution, and the
 1090 storage to be used or consumed in this state of the following
 1091 are hereby specifically exempt from the tax imposed by this
 1092 chapter.

1093 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
 1094 entity by this chapter do not inure to any transaction that is
 1095 otherwise taxable under this chapter when payment is made by a
 1096 representative or employee of the entity by any means,
 1097 including, but not limited to, cash, check, or credit card, even
 1098 when that representative or employee is subsequently reimbursed
 1099 by the entity. In addition, exemptions provided to any entity by
 1100 this subsection do not inure to any transaction that is

1101 otherwise taxable under this chapter unless the entity has
 1102 obtained a sales tax exemption certificate from the department
 1103 or the entity obtains or provides other documentation as
 1104 required by the department. Eligible purchases or leases made
 1105 with such a certificate must be in strict compliance with this
 1106 subsection and departmental rules, and any person who makes an
 1107 exempt purchase with a certificate that is not in strict
 1108 compliance with this subsection and the rules is liable for and
 1109 shall pay the tax. The department may adopt rules to administer
 1110 this subsection.

1111 (uuu) *Small private investigative agencies.*—

1112 1. As used in this paragraph, the term:

1113 a. "Private investigation services" has the same meaning
 1114 as "private investigation," as defined in s. 493.6101(17).

1115 b. "Small private investigative agency" means a private
 1116 investigator licensed under s. 493.6201 which:

1117 (I) Employs three or fewer full-time or part-time
 1118 employees, including those performing services pursuant to an
 1119 employee leasing arrangement as defined in s. 468.520(3) ~~s.~~
 1120 ~~468.520(4)~~, in total; and

1121 (II) During the previous calendar year, performed private
 1122 investigation services otherwise taxable under this chapter in
 1123 which the charges for the services performed were less than
 1124 \$150,000 for all its businesses related through common
 1125 ownership.

1126 2. The sale of private investigation services by a small
 1127 private investigative agency to a client is exempt from the tax
 1128 imposed by this chapter.

1129 3. The exemption provided by this paragraph may not apply
 1130 in the first calendar year a small private investigative agency
 1131 conducts sales of private investigation services taxable under
 1132 this chapter.

1133 Section 29. Paragraph (a) of subsection (19) of section
 1134 440.02, Florida Statutes, is amended to read:

1135 440.02 Definitions.—When used in this chapter, unless the
 1136 context clearly requires otherwise, the following terms shall
 1137 have the following meanings:

1138 (19) (a) "Employer" means the state and all political
 1139 subdivisions thereof, all public and quasi-public corporations
 1140 therein, every person carrying on any employment, and the legal
 1141 representative of a deceased person or the receiver or trustees
 1142 of any person. The term also includes employee leasing
 1143 companies, as defined in s. 468.520(4) ~~s. 468.520(5)~~, and
 1144 employment agencies that provide their own employees to other
 1145 persons. If the employer is a corporation, parties in actual
 1146 control of the corporation, including, but not limited to, the
 1147 president, officers who exercise broad corporate powers,
 1148 directors, and all shareholders who directly or indirectly own a
 1149 controlling interest in the corporation, are considered the
 1150 employer for the purposes of ss. 440.105, 440.106, and 440.107.

1151 Section 30. Section 448.26, Florida Statutes, is amended
 1152 to read:

1153 448.26 Application.—Nothing in this part shall exempt any
 1154 client of any labor pool or temporary help arrangement entity as
 1155 defined in s. 468.520(3)(a) ~~s. 468.520(4)(a)~~ or any assigned
 1156 employee from any other license requirements of state, local, or
 1157 federal law. Any employee assigned to a client who is licensed,
 1158 registered, or certified pursuant to law shall be deemed an
 1159 employee of the client for such licensure purposes but shall
 1160 remain an employee of the labor pool or temporary help
 1161 arrangement entity for purposes of chapters 440 and 443.

1162 Section 31. Subsection (2) of section 468.520, Florida
 1163 Statutes, is amended to read:

1164 468.520 Definitions.—As used in this part:

1165 ~~(2) "Board" means the Board of Employee Leasing Companies.~~

1166 Section 32. Section 468.522, Florida Statutes, is amended
 1167 to read:

1168 468.522 Rules ~~of the board~~.—The department may ~~board has~~
 1169 ~~authority to~~ adopt rules pursuant to ss. 120.536(1) and 120.54
 1170 to implement ~~the provisions of~~ this part. Every licensee shall
 1171 be governed and controlled by this part and the rules adopted by
 1172 the department ~~board~~.

1173 Section 33. Subsections (2) and (4) of section 468.524,
 1174 Florida Statutes, are amended to read:

1175 468.524 Application for license.—

1176 (2) The department ~~board~~ may require information and
1177 certifications necessary to determine that the applicant is of
1178 good moral character and meets other licensure requirements of
1179 this part.

1180 (4) An applicant or licensee is ineligible to reapply for
1181 a license for a period of 1 year following final agency action
1182 on the denial or revocation of a license applied for or issued
1183 under this part. This time restriction does not apply to
1184 administrative denials or revocations entered because:

1185 (a) The applicant or licensee has made an inadvertent
1186 error or omission on the application;

1187 (b) The experience documented to the department ~~board~~ was
1188 insufficient at the time of the previous application;

1189 (c) The department is unable to complete the criminal
1190 background investigation because of insufficient information
1191 from the Florida Department of Law Enforcement, the Federal
1192 Bureau of Investigation, or any other applicable law enforcement
1193 agency;

1194 (d) The applicant or licensee has failed to submit
1195 required fees; or

1196 (e) An applicant or licensed employee leasing company has
1197 been deemed ineligible for a license because of the lack of good
1198 moral character of an individual or individuals when such
1199 individual or individuals are no longer employed in a capacity
1200 that would require their licensing under this part.

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1201 Section 34. Section 468.5245, Florida Statutes, is amended
 1202 to read:

1203 468.5245 Change of ownership.—

1204 (1) A license or registration issued to any entity under
 1205 this part may not be transferred or assigned. The department
 1206 ~~board~~ shall adopt rules to provide for a licensee's or
 1207 registrant's change of name or location.

1208 (2) A person or entity that seeks to purchase or acquire
 1209 control of an employee leasing company or group licensed or
 1210 registered under this part must first apply to the department
 1211 ~~board~~ for a certificate of approval for the proposed change of
 1212 ownership. However, prior approval is not required if, at the
 1213 time the purchase or acquisition occurs, a controlling person of
 1214 the employee leasing company or group maintains a controlling
 1215 person license under this part. Notification must be provided to
 1216 the department ~~board~~ within 30 days after the purchase or
 1217 acquisition of such company in the manner prescribed by the
 1218 department ~~board~~.

1219 (3) Any application that is submitted to the department
 1220 ~~board~~ under this section is ~~shall be~~ deemed approved if the
 1221 department ~~board~~ has not approved the application or rejected
 1222 the application, and provided the applicant with the basis for a
 1223 rejection, within 90 days after the receipt of the completed
 1224 application.

1225 (4) The department ~~board~~ shall establish filing fees for a

1226 change-of-ownership application in accordance with s.
 1227 468.524(1).

1228 Section 35. Subsections (2) and (3) of section 468.525,
 1229 Florida Statutes, are amended to read:

1230 468.525 License requirements.—

1231 (2)(a) As used in this part, "good moral character" means
 1232 a personal history of honesty, trustworthiness, fairness, a good
 1233 reputation for fair dealings, and respect for the rights of
 1234 others and for the laws of this state and nation. A thorough
 1235 background investigation of the individual's good moral
 1236 character shall be instituted by the department. Such
 1237 investigation shall require:

1238 1. The submission of fingerprints, for processing through
 1239 appropriate law enforcement agencies, by the applicant and the
 1240 examination of police records by the department ~~board~~.

1241 2. Such other investigation of the individual as the
 1242 department ~~board~~ may deem necessary.

1243 (b) The department ~~board~~ may deny an application for
 1244 licensure or renewal citing lack of good moral character.
 1245 Conviction of a crime within the last 7 years does ~~shall~~ not
 1246 automatically bar any applicant or licensee from obtaining a
 1247 license or continuing as a licensee. The department ~~board~~ shall
 1248 consider the type of crime committed, the crime's relevancy to
 1249 the employee leasing industry, the length of time since the
 1250 conviction and any other factors deemed relevant by the

1251 department ~~board~~.

1252 (3) Each employee leasing company licensed by the
1253 department shall have a registered agent for service of process
1254 in this state and at least one licensed controlling person. In
1255 addition, each licensed employee leasing company shall comply
1256 with the following requirements:

1257 (a) The employment relationship with workers provided by
1258 the employee leasing company to a client company shall be
1259 established by written agreement between the leasing company and
1260 the client, and written notice of that relationship shall be
1261 given by the employee leasing company to each worker who is
1262 assigned to perform services at the client company's worksite.

1263 (b) An applicant for an initial employee leasing company
1264 license shall have a tangible accounting net worth of not less
1265 than \$50,000.

1266 (c) An applicant for initial or renewal license of an
1267 employee leasing company license or employee leasing company
1268 group shall have an accounting net worth or shall have
1269 guaranties, letters of credit, or other security acceptable to
1270 the department ~~board~~ in sufficient amounts to offset any
1271 deficiency. A guaranty will not be acceptable to satisfy this
1272 requirement unless the applicant submits sufficient evidence to
1273 satisfy the department ~~board~~ that the guarantor has adequate
1274 resources to satisfy the obligation of the guaranty.

1275 (d) Each employee leasing company shall maintain an

1276 accounting net worth and positive working capital, as determined
 1277 in accordance with generally accepted accounting principles, or
 1278 shall have guaranties, letters of credit, or other security
 1279 acceptable to the department ~~board~~ in sufficient amounts to
 1280 offset any deficiency. A guaranty will not be acceptable to
 1281 satisfy this requirement unless the licensee submits sufficient
 1282 evidence, as defined by rule, that the guarantor has adequate
 1283 resources to satisfy the obligation of the guaranty. In
 1284 determining the amount of working capital, a licensee shall
 1285 include adequate reserves for all taxes and insurance, including
 1286 plans of self-insurance or partial self-insurance for claims
 1287 incurred but not paid and for claims incurred but not reported.
 1288 Compliance with the requirements of this paragraph is subject to
 1289 verification by department ~~or board~~ audit.

1290 (e) Each employee leasing company or employee leasing
 1291 company group shall submit annual financial statements audited
 1292 by an independent certified public accountant, with the
 1293 application and within 120 days after the end of each fiscal
 1294 year, in a manner and time prescribed by the department ~~board~~,
 1295 provided however, that any employee leasing company or employee
 1296 leasing company group with gross Florida payroll of less than
 1297 \$2.5 million during any fiscal year may submit financial
 1298 statements reviewed by an independent certified public
 1299 accountant for that year.

1300 (f) The licensee shall notify the department ~~or board~~ in

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1301 writing within 30 days after any change in the application or
1302 status of the license.

1303 (g) Each employee leasing company or employee leasing
1304 company group shall maintain accounting and employment records
1305 relating to all employee leasing activities for a minimum of 3
1306 calendar years.

1307 Section 36. Subsections (3) and (5) of section 468.526,
1308 Florida Statutes, are amended to read:

1309 468.526 License required; fees.—

1310 (3) Each employee leasing company and employee leasing
1311 company group licensee shall pay to the department upon the
1312 initial issuance of a license and upon each renewal thereafter a
1313 license fee not to exceed \$2,500 to be established by the
1314 department ~~board~~. In addition to the license fee, the department
1315 ~~board~~ shall establish an annual assessment for each employee
1316 leasing company and each employee leasing company group
1317 sufficient to cover all costs for regulation of the profession
1318 pursuant to this chapter, chapter 455, and any other applicable
1319 provisions of law. The annual assessment shall:

1320 (a) Be due and payable upon initial licensure and
1321 subsequent renewals thereof and 1 year before the expiration of
1322 any licensure period; and

1323 (b) Be based on a fixed percentage, variable classes, or a
1324 combination of both, as determined by the department ~~board~~, of
1325 gross Florida payroll for employees leased to clients by the

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1326 applicant or licensee during the period beginning five quarters
1327 before and ending one quarter before each assessment. It is the
1328 intent of the Legislature that the greater weight of total fees
1329 for licensure and assessments should be on larger companies and
1330 groups.

1331 (5) Each controlling person licensee shall pay to the
1332 department upon the initial issuance of a license and upon each
1333 renewal thereafter a license fee to be established by the
1334 department ~~board~~ in an amount not to exceed \$2,000.

1335 Section 37. Subsection (1) of section 468.527, Florida
1336 Statutes, is amended to read:

1337 468.527 Licensure and license renewal.—

1338 (1) The department shall license any applicant who the
1339 department ~~board~~ certifies is qualified to practice employee
1340 leasing as an employee leasing company, employee leasing company
1341 group, or controlling person.

1342 Section 38. Subsection (2) of section 468.5275, Florida
1343 Statutes, is amended to read:

1344 468.5275 Registration and exemption of de minimis
1345 operations.—

1346 (2) A registration is valid for 1 year. Each registrant
1347 shall pay to the department upon initial registration, and upon
1348 each renewal thereafter, a registration fee to be established by
1349 the department ~~board~~ in an amount not to exceed:

1350 (a) Two hundred and fifty dollars for an employee leasing

1351 company.
 1352 (b) Five hundred dollars for an employee leasing company
 1353 group.

1354 Section 39. Subsections (2), (4), and (5) of section
 1355 468.529, Florida Statutes, are amended to read:

1356 468.529 Licensee's insurance; employment tax; benefit
 1357 plans.—

1358 (2) An initial or renewal license may not be issued to any
 1359 employee leasing company unless the employee leasing company
 1360 first files with the department ~~board~~ evidence of workers'
 1361 compensation coverage for all leased employees in this state.
 1362 Each employee leasing company shall maintain and make available
 1363 to its workers' compensation carrier the following information:

1364 (a) The correct name and federal identification number of
 1365 each client company.

1366 (b) A listing of all covered employees provided to each
 1367 client company, by classification code.

1368 (c) The total eligible wages by classification code and
 1369 the premiums due to the carrier for the employees provided to
 1370 each client company.

1371 (4) An initial or renewal license may not be issued to any
 1372 employee leasing company unless the employee leasing company
 1373 first provides evidence to the department ~~board~~, as required by
 1374 department ~~board~~ rule, that the employee leasing company has
 1375 paid all of the employee leasing company's obligations for

1376 payroll, payroll-related taxes, workers' compensation insurance,
1377 and employee benefits. All disputed amounts must be disclosed in
1378 the application.

1379 (5) The provisions of this section are subject to
1380 verification by department ~~or board~~ audit.

1381 Section 40. Subsections (3) and (4) of section 468.530,
1382 Florida Statutes, are amended to read:

1383 468.530 License, contents; posting.-

1384 (3) No license shall be valid for any person or entity who
1385 engages in the business under any name other than that specified
1386 in the license. A license issued under this part is ~~shall~~ not be
1387 assignable, and no licensee may conduct a business under a
1388 fictitious name without prior written authorization of the
1389 department ~~board~~ to do so. The department ~~board~~ may not
1390 authorize the use of a name which is so similar to that of a
1391 public officer or agency, or of that used by another licensee,
1392 that the public may be confused or misled thereby. No licensee
1393 shall be permitted to conduct business under more than one name
1394 unless it has obtained a separate license. A licensee desiring
1395 to change its licensed name at any time except upon license
1396 renewal shall notify the department ~~board~~ and pay a fee not to
1397 exceed \$50 for each authorized change of name.

1398 (4) Each employee leasing company or employee leasing
1399 company group licensed under this part shall be properly
1400 identified in all advertisements, which must include the license

1401 number, licensed business name, and other appropriate
 1402 information in accordance with department rules ~~established by~~
 1403 ~~the board.~~

1404 Section 41. Subsection (1) of section 468.531, Florida
 1405 Statutes, is amended to read:

1406 468.531 Prohibitions; penalties.—

1407 (1) No person or entity shall:

1408 (a) Practice or offer to practice as an employee leasing
 1409 company, an employee leasing company group, or a controlling
 1410 person unless such person or entity is licensed pursuant to this
 1411 part;

1412 (b) Practice or offer to practice as an employee leasing
 1413 company or employee leasing company group unless all controlling
 1414 persons thereof are licensed pursuant to this part;

1415 (c) Use the name or title "licensed employee leasing
 1416 company," "employee leasing company," "employee leasing company
 1417 group," "professional employer," "professional employer
 1418 organization," "controlling person," or words that would tend to
 1419 lead one to believe that such person or entity is registered
 1420 pursuant to this part, when such person or entity has not
 1421 registered pursuant to this part;

1422 (d) Present as his or her own or his or her entity's own
 1423 the license of another;

1424 (e) Knowingly give false or forged evidence to the
 1425 department ~~board or a member thereof;~~ or

1426 (f) Use or attempt to use a license that has been
 1427 suspended or revoked.

1428 Section 42. Subsections (1), (2), and (4) of section
 1429 468.532, Florida Statutes, are amended to read:

1430 468.532 Discipline.—

1431 (1) The following constitute grounds for which
 1432 disciplinary action against a licensee may be taken by the
 1433 department ~~board~~:

1434 (a) Being convicted or found guilty of, or entering a plea
 1435 of nolo contendere to, regardless of adjudication, bribery,
 1436 fraud, or willful misrepresentation in obtaining, attempting to
 1437 obtain, or renewing a license.

1438 (b) Being convicted or found guilty of, or entering a plea
 1439 of nolo contendere to, regardless of adjudication, a crime in
 1440 any jurisdiction which relates to the operation of an employee
 1441 leasing business or the ability to engage in business as an
 1442 employee leasing company.

1443 (c) Being convicted or found guilty of, or entering a plea
 1444 of nolo contendere to, regardless of adjudication, fraud,
 1445 deceit, or misconduct in the classification of employees
 1446 pursuant to chapter 440.

1447 (d) Being convicted or found guilty of, or entering a plea
 1448 of nolo contendere to, regardless of adjudication, fraud,
 1449 deceit, or misconduct in the establishment or maintenance of
 1450 self-insurance, be it health insurance or workers' compensation

1451 insurance.

1452 (e) Being convicted or found guilty of, or entering a plea
 1453 of nolo contendere to, regardless of adjudication, fraud,
 1454 deceit, or misconduct in the operation of an employee leasing
 1455 company.

1456 (f) Conducting business without an active license.

1457 (g) Failing to maintain workers' compensation insurance as
 1458 required in s. 468.529.

1459 (h) Transferring or attempting to transfer a license
 1460 issued pursuant to this part.

1461 (i) Violating any provision of this part or any lawful
 1462 order or rule issued under the provisions of this part or
 1463 chapter 455.

1464 (j) Failing to notify the department ~~board~~, in writing, of
 1465 any change of the primary business address or the addresses of
 1466 any of the licensee's offices in the state.

1467 (k) Having been confined in any county jail,
 1468 postadjudication, or being confined in any state or federal
 1469 prison or mental institution, or when through mental disease or
 1470 deterioration, the licensee can no longer safely be entrusted to
 1471 deal with the public or in a confidential capacity.

1472 (l) Having been found guilty for a second time of any
 1473 misconduct that warrants suspension or being found guilty of a
 1474 course of conduct or practices which shows that the licensee is
 1475 so incompetent, negligent, dishonest, or untruthful that the

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1476 money, property, transactions, and rights of investors, or those
1477 with whom the licensee may sustain a confidential relationship,
1478 may not safely be entrusted to the licensee.

1479 (m) Failing to inform the department ~~board~~ in writing
1480 within 30 days after being convicted or found guilty of, or
1481 entering a plea of nolo contendere to, any felony, regardless of
1482 adjudication.

1483 (n) Failing to conform to any lawful order of the
1484 department ~~board~~.

1485 (o) Being determined liable for civil fraud by a court in
1486 any jurisdiction.

1487 (p) Having adverse material final action taken by any
1488 state or federal regulatory agency for violations within the
1489 scope of control of the licensee.

1490 (q) Failing to inform the department ~~board~~ in writing
1491 within 30 days after any adverse material final action by a
1492 state or federal regulatory agency.

1493 (r) Failing to meet or maintain the requirements for
1494 licensure as an employee leasing company or controlling person.

1495 (s) Engaging as a controlling person any person who is not
1496 licensed as a controlling person by the department ~~board~~.

1497 (t) Attempting to obtain, obtaining, or renewing a license
1498 to practice employee leasing by bribery, misrepresentation, or
1499 fraud.

1500 (2) When the department ~~board~~ finds any violation of

1501 subsection (1), it may do one or more of the following:

1502 (a) Deny an application for licensure.

1503 (b) Permanently revoke, suspend, restrict, or not renew a

1504 license.

1505 (c) Impose an administrative fine not to exceed \$5,000 for

1506 every count or separate offense.

1507 (d) Issue a reprimand.

1508 (e) Place the licensee on probation for a period of time

1509 and subject to such conditions as the department ~~board~~ may

1510 specify.

1511 (f) Assess costs associated with investigation and

1512 prosecution.

1513 (4) The department ~~board~~ shall specify the penalties for

1514 any violation of this part.

1515 Section 43. Paragraph (a) of subsection (6) of section

1516 476.144, Florida Statutes, is amended to read:

1517 476.144 Licensure.—

1518 (6) A person may apply for a restricted license to

1519 practice barbering. The board shall adopt rules specifying

1520 procedures for an applicant to obtain a restricted license if

1521 the applicant:

1522 (a)1. Has successfully completed a restricted barber

1523 course, as established by rule of the board, at a school of

1524 barbering licensed pursuant to chapter 1005, a barbering program

1525 within the public school system, or a government-operated

1526 | barbering program in this state; or

1527 | 2.a. Holds or has within the previous 5 years held an
 1528 | active valid license to practice barbering in another state or
 1529 | country or has held a Florida barbering license which has been
 1530 | declared null and void for failure to renew the license, and the
 1531 | applicant fulfilled the requirements of s. 476.114(2)(c) ~~s.~~
 1532 | ~~476.114(2)(c)2.~~ for initial licensure; and

1533 | b. Has not been disciplined relating to the practice of
 1534 | barbering in the previous 5 years; and

1535 |
 1536 | The restricted license shall limit the licensee's practice to
 1537 | those specific areas in which the applicant has demonstrated
 1538 | competence pursuant to rules adopted by the board.

1539 | Section 44. Paragraph (a) of subsection (2) of section
 1540 | 627.192, Florida Statutes, is amended to read:

1541 | 627.192 Workers' compensation insurance; employee leasing
 1542 | arrangements.—

1543 | (2) For purposes of the Florida Insurance Code:

1544 | (a) "Employee leasing" shall have the same meaning as set
 1545 | forth in s. 468.520(3) ~~s. 468.520(4)~~.

1546 | Section 45. For the purpose of incorporating the amendment
 1547 | made by this act to section 723.061, Florida Statutes, in a
 1548 | reference thereto, subsection (1) of section 48.184, Florida
 1549 | Statutes, is reenacted to read:

1550 | 48.184 Service of process for removal of unknown parties

1551 in possession.—

1552 (1) This section applies only to actions governed by s.
 1553 82.03, s. 83.21, s. 83.59, or s. 723.061 and only to the extent
 1554 that such actions seek relief for the removal of an unknown
 1555 party or parties in possession of real property. The provisions
 1556 of this section are cumulative to other provisions of law or
 1557 rules of court about service of process, and all other such
 1558 provisions are cumulative to this section.

1559 Section 46. For the purpose of incorporating the amendment
 1560 made by this act to section 723.061, Florida Statutes, in a
 1561 reference thereto, subsection (5) of section 723.004, Florida
 1562 Statutes, is reenacted to read:

1563 723.004 Legislative intent; preemption of subject matter.—

1564 (5) Nothing in this chapter shall be construed to prevent
 1565 the enforcement of a right or duty under this section, s.
 1566 723.022, s. 723.023, s. 723.031, s. 723.032, s. 723.033, s.
 1567 723.035, s. 723.037, s. 723.038, s. 723.061, s. 723.0615, s.
 1568 723.062, s. 723.063, or s. 723.081 by civil action after the
 1569 party has exhausted its administrative remedies, if any.

1570 Section 47. For the purpose of incorporating the amendment
 1571 made by this act to section 723.061, Florida Statutes, in a
 1572 reference thereto, subsection (9) of section 723.031, Florida
 1573 Statutes, is reenacted to read:

1574 723.031 Mobile home lot rental agreements.—

1575 (9) No rental agreement shall provide for the eviction of

1576 a mobile home owner on a ground other than one contained in s.
 1577 723.061.

1578 Section 48. For the purpose of incorporating the amendment
 1579 made by this act to section 723.061, Florida Statutes, in a
 1580 reference thereto, subsection (1) of section 723.032, Florida
 1581 Statutes, is reenacted to read:

1582 723.032 Prohibited or unenforceable provisions in mobile
 1583 home lot rental agreements.—

1584 (1) A mobile home lot rental agreement may provide a
 1585 specific duration with regard to the amount of rental payments
 1586 and other conditions of the tenancy, but the rental agreement
 1587 shall neither provide for, nor be construed to provide for, the
 1588 termination of any tenancy except as provided in s. 723.061.

1589 Section 49. For the purpose of incorporating the amendment
 1590 made by this act to section 723.061, Florida Statutes, in a
 1591 reference thereto, subsection (2) of section 723.085, Florida
 1592 Statutes, is reenacted to read:

1593 723.085 Rights of lienholder on mobile homes in rental
 1594 mobile home parks.—

1595 (2) Upon the foreclosure of the lien for unpaid purchase
 1596 price and sale of the mobile home, the owner of the mobile home
 1597 must qualify for tenancy in the mobile home park in accordance
 1598 with the rules and regulations of the mobile home park. The park
 1599 owner shall comply with the provisions of s. 723.061 in
 1600 determining whether the homeowner may qualify as a tenant.

1601 Section 50. For the purpose of incorporating the amendment
 1602 made by this act to section 723.06115, Florida Statutes, in a
 1603 reference thereto, subsection (1) of section 320.08015, Florida
 1604 Statutes, is reenacted to read:

1605 320.08015 License tax surcharge.—

1606 (1) Except as provided in subsection (2), there is levied
 1607 on each license tax imposed under s. 320.08(11) a surcharge in
 1608 the amount of \$1, which shall be collected in the same manner as
 1609 the license tax and shall be deposited in the Florida Mobile
 1610 Home Relocation Trust Fund, as created in s. 723.06115. This
 1611 surcharge may not be imposed during the next registration and
 1612 renewal period if the balance in the Florida Mobile Home
 1613 Relocation Trust Fund exceeds \$10 million on June 30. The
 1614 surcharge shall be reinstated in the next registration and
 1615 renewal period if the balance in the Florida Mobile Home
 1616 Relocation Trust Fund is below \$6 million on June 30.

1617 Section 51. For the 2024-2025 fiscal year, the sum of
 1618 \$315,692 in recurring funds is appropriated from the Florida
 1619 Mobile Home Relocation Trust Fund to the Department of Business
 1620 and Professional Regulation for the purpose of implementing this
 1621 act.

1622 Section 52. This act shall take effect July 1, 2024.