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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/25/2024	.	
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The Committee on Fiscal Policy (Hooper) recommended the following:

Senate Amendment (with title amendment)

Delete lines 453 - 642

and insert:

Section 12. Subsections (2) and (3) of section 476.114, Florida Statutes, are amended to read:

476.114 Examination; prerequisites.—

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

(a) Is at least 16 years of age;



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11 (b) Pays the required application fee; and

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

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

21 ~~1.a.~~ A school of barbering licensed pursuant to chapter
22 1005;

23 ~~2.b.~~ A barbering program within the public school system;
24 or

25 ~~3.c.~~ A government-operated barbering program in this state.
26

27 The board shall establish by rule procedures whereby the school
28 or program may certify that a person is qualified to take the
29 required examination after the completion of a minimum of 600
30 actual school hours. If the person passes the examination, she
31 or he has ~~shall have~~ satisfied this requirement; but if the
32 person fails the examination, she or he may ~~shall~~ not be
33 qualified to take the examination again until the completion of
34 the full requirements provided by this section.

35 (3) An applicant who meets the requirements set forth in
36 paragraph (2) (c) ~~subparagraphs (2) (c) 1. and 2.~~ who fails to pass
37 the examination may take subsequent examinations as many times
38 as necessary to pass, except that the board may specify by rule
39 reasonable timeframes for rescheduling the examination and



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40 additional training requirements for applicants who, after the
41 third attempt, fail to pass the examination. Prior to
42 reexamination, the applicant must file the appropriate form and
43 pay the reexamination fee as required by rule.

44 Section 13. Subsection (2) of section 477.019, Florida
45 Statutes, is amended to read:

46 477.019 Cosmetologists; qualifications; licensure;
47 supervised practice; license renewal; endorsement; continuing
48 education.—

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

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

53 (b) Pays the required application fee, which is not
54 refundable, and the required examination fee, which is
55 refundable if the applicant is determined to not be eligible for
56 licensure for any reason other than failure to successfully
57 complete the licensure examination; and

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

62 ~~2.~~ Has received a minimum of 1,200 hours of training as
63 established by the board, which must ~~shall~~ include, but is ~~shall~~
64 not ~~be~~ limited to, the equivalent of completion of services
65 directly related to the practice of cosmetology at one of the
66 following:

67 ~~1.a.~~ A school of cosmetology licensed pursuant to chapter
68 1005.



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

70 ~~3.e.~~ The Cosmetology Division of the Florida School for the
71 Deaf and the Blind, provided the division meets the standards of
72 this chapter.

73 ~~4.d.~~ A government-operated cosmetology program in this
74 state.

75

76 The board shall establish by rule procedures whereby the school
77 or program may certify that a person is qualified to take the
78 required examination after the completion of a minimum of 1,000
79 actual school hours. If the person then passes the examination,
80 he or she has ~~shall have~~ satisfied this requirement; but if the
81 person fails the examination, he or she may ~~shall~~ not be
82 qualified to take the examination again until the completion of
83 the full requirements provided by this section.

84 Section 14. Paragraph (c) of subsection (7) of section
85 489.131, Florida Statutes, is amended to read:

86 489.131 Applicability.—

87 (7)

88 (c) In addition to any action the local jurisdiction
89 enforcement body may take against the individual's local
90 license, and any fine the local jurisdiction may impose, the
91 local jurisdiction enforcement body shall issue a recommended
92 penalty for board action. This recommended penalty may include a
93 recommendation for no further action, or a recommendation for
94 suspension, restitution, revocation, or restriction of the
95 registration, or a fine to be levied by the board, or a
96 combination thereof. The recommended penalty must specify the
97 violations of this chapter upon which the recommendation is



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98 based. The local jurisdiction enforcement body shall inform the
99 disciplined contractor and the complainant of the local license
100 penalty imposed, the board penalty recommended, his or her
101 rights to appeal, and the consequences should he or she decide
102 not to appeal. The local jurisdiction enforcement body shall,
103 upon having reached adjudication or having accepted a plea of
104 nolo contendere, immediately inform the board of its action and
105 the recommended board penalty.

106 Section 15. Subsections (3) and (6) of section 489.143,
107 Florida Statutes, are amended to read:

108 489.143 Payment from the fund.—

109 (3) Beginning January 1, 2005, for each Division I contract
110 entered into after July 1, 2004, payment from the recovery fund
111 is subject to a \$50,000 maximum payment for each Division I
112 claim. Beginning January 1, 2017, for each Division II contract
113 entered into on or after July 1, 2016, payment from the recovery
114 fund is subject to a \$15,000 maximum payment for each Division
115 II claim. Beginning January 1, 2025, for Division I and Division
116 II contracts entered into on or after July 1, 2024, payment from
117 the recovery fund is subject to a \$100,000 maximum payment for
118 each Division I claim and a \$30,000 maximum payment for each
119 Division II claim.

120 (6) For contracts entered into before July 1, 2004,
121 payments for claims against any one licensee may not exceed, in
122 the aggregate, \$100,000 annually, up to a total aggregate of
123 \$250,000. For any claim approved by the board which is in excess
124 of the annual cap, the amount in excess of \$100,000 up to the
125 total aggregate cap of \$250,000 is eligible for payment in the
126 next and succeeding fiscal years, but only after all claims for



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127 the then-current calendar year have been paid. Payments may not
128 exceed the aggregate annual or per claimant limits under law.
129 Beginning January 1, 2005, for each Division I contract entered
130 into after July 1, 2004, payment from the recovery fund is
131 subject only to a total aggregate cap of \$500,000 for each
132 Division I licensee. Beginning January 1, 2017, for each
133 Division II contract entered into on or after July 1, 2016,
134 payment from the recovery fund is subject only to a total
135 aggregate cap of \$150,000 for each Division II licensee.
136 Beginning January 1, 2025, for Division I and Division II
137 contracts entered into on or after July 1, 2024, payment from
138 the recovery fund is subject only to a total aggregate cap of \$2
139 million for each Division I licensee and \$600,000 for each
140 Division II licensee.

141 Section 16. Paragraph (b) of subsection (15) of section
142 499.012, Florida Statutes, is amended to read:

143 499.012 Permit application requirements.—

144 (15)

145 (b) To be certified as a designated representative, a
146 natural person must:

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

149 2. Be at least 18 years of age.

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

151 a. Work experience in a pharmacy licensed in this state or
152 another state, where the person's responsibilities included, but
153 were not limited to, recordkeeping for prescription drugs;

154 b. Managerial experience with a prescription drug wholesale
155 distributor licensed in this state or in another state; ~~or~~



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156 c. Managerial experience with the United States Armed
157 Forces, where the person's responsibilities included, but were
158 not limited to, recordkeeping, warehousing, distributing, or
159 other logistics services pertaining to prescription drugs;

160 d. Managerial experience with a state or federal
161 organization responsible for regulating or permitting
162 establishments involved in the distribution of prescription
163 drugs, whether in an administrative or a sworn law enforcement
164 capacity; or

165 e. Work experience as a drug inspector or investigator with
166 a state or federal organization, whether in an administrative or
167 a sworn law enforcement capacity, where the person's
168 responsibilities related primarily to compliance with state or
169 federal requirements pertaining to the distribution of
170 prescription drugs.

171 4. Receive a passing score of at least 75 percent on an
172 examination given by the department regarding federal laws
173 governing distribution of prescription drugs and this part and
174 the rules adopted by the department governing the wholesale
175 distribution of prescription drugs. This requirement shall be
176 effective 1 year after the results of the initial examination
177 are mailed to the persons that took the examination. The
178 department shall offer such examinations at least four times
179 each calendar year.

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

182 Section 17. Subsection (2) of section 561.15, Florida
183 Statutes, is amended to read:

184 561.15 Licenses; qualifications required.—



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185 (2) A ~~No~~ license under the Beverage Law may not ~~shall~~ be
186 issued to any person who has been convicted within the last past
187 5 years of any offense against the beverage laws of this state,
188 the United States, or any other state; who has been convicted
189 within the last past 5 years in this state or any other state or
190 the United States of soliciting for prostitution, pandering,
191 letting premises for prostitution, or keeping a disorderly place
192 or of any criminal violation of chapter 893 or the controlled
193 substance act of any other state or the Federal Government; or
194 who has been convicted in the last past 10 ~~15~~ years of any
195 felony in this state or any other state or the United States; or
196 to a corporation, any of the officers of which ~~shall~~ have been
197 so convicted. The term "conviction" includes ~~shall include~~ an
198 adjudication of guilt on a plea of guilty or nolo contendere or
199 the forfeiture of a bond when charged with a crime.

200

201 ===== T I T L E A M E N D M E N T =====

202 And the title is amended as follows:

203 Delete lines 68 - 84

204 and insert:

205 within a specified timeframe; amending s. 476.114,
206 F.S.; revising eligibility requirements for licensure
207 as a barber; making technical changes; amending s.
208 477.019, F.S.; revising eligibility requirements for
209 licensure by examination to practice cosmetology;
210 amending s. 489.131, F.S.; revising the types of
211 penalties that may be recommended by a local
212 jurisdiction enforcement body against a contractor;
213 specifying requirements for any such recommended



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214 penalties; amending s. 489.143, F.S.; revising payment
215 limitations for payments made from the department's
216 Florida Homeowners' Construction Recovery Fund;
217 amending s. 499.012, F.S.; revising requirements for
218 certification as a designated representative of a
219 prescription drug wholesale distributor; amending s.
220 561.15, F.S.; revising the requirements for the
221 issuance of a license under the Beverage Law; making
222 technical changes; amending s.