

By Senator Hooper

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1 A bill to be entitled
2 An act relating to the Department of Business and
3 Professional Regulation; amending s. 210.15 and
4 creating s. 210.32, F.S.; requiring persons or
5 entities licensed or permitted by the department's
6 Division of Alcoholic Beverages and Tobacco, or
7 applying for such license or permit, to create and
8 maintain an account with the division's online system
9 and provide an e-mail address to the division;
10 specifying application requirements; prohibiting the
11 division from processing applications not submitted
12 through the online system; amending s. 210.40, F.S.;
13 revising the amount of an initial corporate surety
14 bond required as a condition of licensure as a tobacco
15 product distributor; requiring the division to review
16 corporate surety bond amounts on a specified basis;
17 authorizing the division to increase a bond amount,
18 subject to specified conditions; authorizing the
19 division to adjust bond amounts by rule; authorizing
20 the division to reduce a bond amount upon a showing of
21 good cause; defining terms; requiring the division to
22 notify distributors in writing if their corporate
23 surety bond requirements change; providing
24 applicability; prohibiting the division from reducing
25 a bond amount under specified circumstances;
26 authorizing the division to adopt rules; amending s.
27 310.0015, F.S.; deleting a provision requiring a
28 competency-based mentor program at ports; deleting a
29 requirement that the department submit an annual

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30 report on the mentor program; amending s. 310.081,
31 F.S.; deleting a requirement that the department
32 consider certain characteristics for applicants for
33 certification as a deputy pilot; making technical
34 changes; creating s. 399.18, F.S.; requiring certain
35 persons or entities certified or registered under the
36 Elevator Safety Act, or applying for such
37 certifications or registrations, to create and
38 maintain an online account with the department's
39 Division of Hotels and Restaurants and provide an e-
40 mail address to the division; requiring such persons
41 and entities to maintain the accuracy of their contact
42 information; requiring the division to adopt rules;
43 creating s. 468.519, F.S.; creating the employee
44 leasing companies licensing program under the
45 department; providing legislative intent; repealing s.
46 468.521, F.S., relating to the department's Board of
47 Employee Leasing Companies; amending s. 469.006, F.S.;
48 revising requirements for department rules governing
49 evidence of financial responsibility of applicants
50 seeking licensure as a business organization under ch.
51 469, F.S.; amending s. 473.306, F.S.; requiring
52 applicants for the accountancy licensure examination
53 to create and maintain an online account with the
54 department and provide an e-mail address; requiring
55 applicants to maintain the accuracy of their contact
56 information; requiring that address changes be
57 submitted through the department's online system
58 within a specified timeframe; conforming cross-

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59 references; amending s. 473.308, F.S.; requiring a
60 person seeking licensure as a Florida certified public
61 accountant, or a firm seeking to engage in public
62 accountancy, to create and maintain an online account
63 with the department and provide an e-mail address;
64 requiring certified public accountants and accounting
65 firms to maintain the accuracy of their contact
66 information; requiring that address changes be
67 submitted through the department's online system
68 within a specified timeframe; amending s. 475.181,
69 F.S.; revising conditions regarding issuance of a
70 licensure under part I of ch. 475, F.S.; amending s.
71 476.114, F.S.; revising eligibility requirements for
72 licensure as a barber; making technical changes;
73 amending s. 477.019, F.S.; revising eligibility
74 requirements for licensure by examination to practice
75 cosmetology; amending s. 489.131, F.S.; revising the
76 types of penalties that may be recommended by a local
77 jurisdiction enforcement body against a contractor;
78 specifying requirements for any such recommended
79 penalties; amending s. 489.143, F.S.; revising payment
80 limitations for payments made from the department's
81 Florida Homeowners' Construction Recovery Fund;
82 amending s. 499.012, F.S.; revising requirements for
83 certification as a designated representative of a
84 prescription drug wholesale distributor; amending s.
85 561.17, F.S.; requiring persons or entities licensed
86 or permitted by the Division of Alcoholic Beverages
87 and Tobacco, or applying for such license or permit,

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88 to create and maintain an account with the division's
89 online system; specifying application requirements;
90 prohibiting the division from processing applications
91 not submitted through the online system; creating ss.
92 569.00256 and 569.3156, F.S.; requiring certain
93 persons or entities licensed or permitted by the
94 division, or applying for such a license or permit, to
95 create and maintain an account with the division's
96 online system; requiring licensees, permittees, and
97 applicants to provide the division with an e-mail
98 address and maintain accurate contact information;
99 specifying application requirements; prohibiting the
100 division from processing applications not submitted
101 through the online system; amending s. 723.061, F.S.;
102 conforming provisions to changes made by the act;
103 replacing the Florida Mobile Home Relocation
104 Corporation with the Division of Florida Condominiums,
105 Timeshares, and Mobile Homes with regard to a
106 specified notice; repealing s. 723.0611, F.S.,
107 relating to the Florida Mobile Home Relocation
108 Corporation; amending s. 723.06115, F.S.; replacing
109 the Florida Mobile Home Relocation Corporation with
110 the Division of Florida Condominiums, Timeshares, and
111 Mobile Homes as the manager and administrator of the
112 Florida Mobile Home Relocation Trust Fund; revising
113 the uses of the trust fund; making conforming changes;
114 amending s. 723.06116, F.S.; replacing the Florida
115 Mobile Home Relocation Corporation with the Division
116 of Florida Condominiums, Timeshares, and Mobile Homes

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117 with regard to payments made from mobile home park
118 owners to the Mobile Home Relocation Trust Fund;
119 amending s. 723.0612, F.S.; replacing the Florida
120 Mobile Home Relocation Corporation with the Division
121 of Florida Condominiums, Timeshares, and Mobile Homes
122 with regard to relocation expenses to be paid to
123 mobile home owners from the Mobile Home Relocation
124 Trust Fund; making technical changes; conforming a
125 cross-reference; amending ss. 20.165, 210.16, 212.08,
126 440.02, 448.26, 468.520, 468.522, 468.524, 468.5245,
127 468.525, 468.526, 468.527, 468.5275, 468.529, 468.530,
128 468.531, 468.532, 476.144, and 627.192, F.S.;

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

143
144 Be It Enacted by the Legislature of the State of Florida:
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146 Section 1. Present paragraphs (a) through (h) of subsection
147 (1) of section 210.15, Florida Statutes, are redesignated as
148 paragraphs (b) through (i), respectively, and a new paragraph
149 (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

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

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204 the state.

205 (2) A corporate surety bond, with the sum determined by the
206 division in accordance with paragraph (1)(c), is required for
207 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 and
227 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

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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 made
254 for each place of business at which a distributor proposes to
255 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

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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 only
265 in numbers deemed necessary or prudent by the board, and other
266 aspects of the economic regulation of piloting established in
267 this chapter are intended to protect the public from the adverse
268 effects of unrestricted competition which would result from an
269 unlimited number of licensed pilots being allowed to market
270 their services on the basis of lower prices rather than safety
271 concerns. This system of regulation benefits and protects the
272 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
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~~

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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 file
304 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

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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

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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 certified
375 public accountant shall apply to the department to take the
376 licensure examination.

377 (2) A person applying to the department to take the

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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
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 character
405 is supported by competent substantial evidence.

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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

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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 who
445 successfully passes the licensure examination and satisfies the
446 requirements of subsections (4), (5), and (6) ~~(3), (4), and (5)~~,
447 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 certified
452 public accountant or a firm desiring to engage in the practice
453 of public accounting must create and maintain an online account
454 with the department and provide an e-mail address to function as
455 the primary means of contact for all communication from the
456 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 of
464 subsection (4) ~~(3)~~ on or before December 31, 2008, and who

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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

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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.e. A government-operated barbering program in this state.
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523 The board shall establish by rule procedures whereby the school
524 or program may certify that a person is qualified to take the
525 required examination after the completion of a minimum of 600
526 actual school hours. If the person passes the examination, she
527 or he has ~~shall have~~ satisfied this requirement; but if the
528 person fails the examination, she or he may ~~shall~~ not be
529 qualified to take the examination again until the completion of
530 the full requirements provided by this section.

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

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

542 477.019 Cosmetologists; qualifications; licensure;
543 supervised practice; license renewal; endorsement; continuing
544 education.—

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

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

549 (b) Pays the required application fee, which is not
550 refundable, and the required examination fee, which is
551 refundable if the applicant is determined to not be eligible for

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552 licensure for any reason other than failure to successfully
 553 complete the licensure examination; and

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

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

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

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

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

569 ~~4.d.~~ A government-operated cosmetology program in this
 570 state.

571
 572 The board shall establish by rule procedures whereby the school
 573 or program may certify that a person is qualified to take the
 574 required examination after the completion of a minimum of 1,000
 575 actual school hours. If the person then passes the examination,
 576 he or she has ~~shall have~~ satisfied this requirement; but if the
 577 person fails the examination, he or she may ~~shall~~ not be
 578 qualified to take the examination again until the completion of
 579 the full requirements provided by this section.

580 Section 15. Paragraph (c) of subsection (7) of section

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581 489.131, Florida Statutes, is amended to read:

582 489.131 Applicability.—

583 (7)

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

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

604 489.143 Payment from the fund.—

605 (3) Beginning January 1, 2005, for each Division I contract
606 entered into after July 1, 2004, payment from the recovery fund
607 is subject to a \$50,000 maximum payment for each Division I
608 claim. Beginning January 1, 2017, for each Division II contract
609 entered into on or after July 1, 2016, payment from the recovery

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610 fund is subject to a \$15,000 maximum payment for each Division
611 II claim. Beginning January 1, 2025, for Division I and Division
612 II contracts entered into on or after July 1, 2024, payment from
613 the recovery fund is subject to a \$100,000 maximum payment for
614 each Division I claim and a \$30,000 maximum payment for each
615 Division II claim.

616 (6) For contracts entered into before July 1, 2004,
617 payments for claims against any one licensee may not exceed, in
618 the aggregate, \$100,000 annually, up to a total aggregate of
619 \$250,000. For any claim approved by the board which is in excess
620 of the annual cap, the amount in excess of \$100,000 up to the
621 total aggregate cap of \$250,000 is eligible for payment in the
622 next and succeeding fiscal years, but only after all claims for
623 the then-current calendar year have been paid. Payments may not
624 exceed the aggregate annual or per claimant limits under law.
625 Beginning January 1, 2005, for each Division I contract entered
626 into after July 1, 2004, payment from the recovery fund is
627 subject only to a total aggregate cap of \$500,000 for each
628 Division I licensee. Beginning January 1, 2017, for each
629 Division II contract entered into on or after July 1, 2016,
630 payment from the recovery fund is subject only to a total
631 aggregate cap of \$150,000 for each Division II licensee.
632 Beginning January 1, 2025, for Division I and Division II
633 contracts entered into on or after July 1, 2024, payment from
634 the recovery fund is subject only to a total aggregate cap of \$2
635 million for each Division I licensee and \$600,000 for each
636 Division II licensee.

637 Section 17. Paragraph (b) of subsection (15) of section
638 499.012, Florida Statutes, is amended to read:

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- 639 499.012 Permit application requirements.—
640 (15)
641 (b) To be certified as a designated representative, a
642 natural person must:
- 643 1. Submit an application on a form furnished by the
644 department and pay the appropriate fees.
 - 645 2. Be at least 18 years of age.
 - 646 3. Have at least 2 years of verifiable full-time:
 - 647 a. Work experience in a pharmacy licensed in this state or
648 another state, where the person's responsibilities included, but
649 were not limited to, recordkeeping for prescription drugs;
 - 650 b. Managerial experience with a prescription drug wholesale
651 distributor licensed in this state or in another state; ~~or~~
 - 652 c. Managerial experience with the United States Armed
653 Forces, where the person's responsibilities included, but were
654 not limited to, recordkeeping, warehousing, distributing, or
655 other logistics services pertaining to prescription drugs;
 - 656 d. Managerial experience with a state or federal
657 organization responsible for regulating or permitting
658 establishments involved in the distribution of prescription
659 drugs, whether in an administrative or a sworn law enforcement
660 capacity; or
 - 661 e. Work experience as a drug inspector or investigator with
662 a state or federal organization, whether in an administrative or
663 a sworn law enforcement capacity, where the person's
664 responsibilities related primarily to compliance with state or
665 federal requirements pertaining to the distribution of
666 prescription drugs.
 - 667 4. Receive a passing score of at least 75 percent on an

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668 examination given by the department regarding federal laws
669 governing distribution of prescription drugs and this part and
670 the rules adopted by the department governing the wholesale
671 distribution of prescription drugs. This requirement shall be
672 effective 1 year after the results of the initial examination
673 are mailed to the persons that took the examination. The
674 department shall offer such examinations at least four times
675 each calendar year.

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

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

680 561.17 License and registration applications; approved
681 person.—

682 (5) Any person or entity licensed or permitted by the
683 division, or applying for a license or permit, must create and
684 maintain an account with the division's online system and
685 provide an e-mail ~~electronic mail~~ address to the division to
686 function as the primary means of contact for all communication
687 by the division to the licensee, ~~or~~ permittee, or applicant.
688 Licensees, ~~and~~ permittees, and applicants are responsible for
689 maintaining accurate contact information on file with the
690 division. A person or an entity seeking a license or permit from
691 the division must apply using forms prepared by the division and
692 filed through the division's online system before engaging in
693 any business for which a license or permit is required. The
694 division may not process an application for an alcoholic
695 beverage license unless the application is submitted through the
696 division's online system.

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697 Section 19. Section 569.00256, Florida Statutes, is created
698 to read:

699 569.00256 Account; online system.—A person or an entity
700 licensed or permitted by the division under this part, or
701 applying for a license or a permit, must create and maintain an
702 account with the division's online system and provide an e-mail
703 address to the division to function as the primary means of
704 contact for all communication by the division to the licensee,
705 permittee, or applicant. Licensees, permittees, and applicants
706 are responsible for maintaining accurate contact information
707 with the division. A person or an entity seeking a license or
708 permit from the division must apply using forms prepared by the
709 division and filed through the division's online system before
710 engaging in any business for which a license or permit is
711 required. The division may not process an application to deal,
712 at retail, in tobacco products unless the application is
713 submitted through the division's online system.

714 Section 20. Section 569.3156, Florida Statutes, is created
715 to read:

716 569.3156 Account; online system.—A person or an entity
717 licensed or permitted by the division under this part, or
718 applying for a license or a permit, must create and maintain an
719 account with the division's online system and provide an e-mail
720 address to the division to function as the primary means of
721 contact for all communication by the division to the licensee,
722 permittee, or applicant. Licensees, permittees, and applicants
723 are responsible for maintaining accurate contact information
724 with the division. A person or an entity seeking a license or
725 permit from the division must apply using forms prepared by the

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726 division and filed through the division's online system before
727 engaging in any business for which a license or permit is
728 required. The division may not process an application to deal,
729 at retail, in nicotine products unless the application is
730 submitted through the division's online system.

731 Section 21. Paragraph (d) of subsection (1) of section
732 723.061, Florida Statutes, is amended to read:

733 723.061 Eviction; grounds, proceedings.—

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

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

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

746 a. The notice shall be delivered to the officers of the
747 homeowners' association by United States mail. Within 45 days
748 after the date of mailing of the notice, the homeowners'
749 association may execute and deliver a contract to the park owner
750 to purchase the mobile home park at the price and under the
751 terms and conditions set forth in the notice. If the contract
752 between the park owner and the homeowners' association is not
753 executed and delivered to the park owner within the 45-day
754 period, the park owner is under no further obligation to the

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755 homeowners' association except as provided in sub-subparagraph
756 b.

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

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

770 2. The park owner gives the affected mobile home owners and
771 tenants at least 6 months' notice of the eviction due to the
772 projected change in use and of their need to secure other
773 accommodations. Within 20 days after giving an eviction notice
774 to a mobile home owner, the park owner must provide the division
775 with a copy of the notice. ~~The division must provide the~~
776 ~~executive director of the Florida Mobile Home Relocation~~
777 ~~Corporation with a copy of the notice.~~

778 a. The notice of eviction due to a change in use of the
779 land must include in a font no smaller than the body of the
780 notice the following statement:

781
782 YOU MAY BE ENTITLED TO COMPENSATION FROM THE FLORIDA
783 MOBILE HOME RELOCATION TRUST FUND, ADMINISTERED BY THE

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784 DIVISION OF CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES
 785 ~~FLORIDA MOBILE HOME RELOCATION CORPORATION (FMHRC).~~
 786 DIVISION ~~FMHRC~~ CONTACT INFORMATION IS AVAILABLE FROM
 787 THE FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL
 788 REGULATION.

789
 790 b. The park owner may not give a notice of increase in lot
 791 rental amount within 90 days before giving notice of a change in
 792 use.

793 Section 22. Section 723.0611, Florida Statutes, is
 794 repealed.

795 Section 23. Section 723.06115, Florida Statutes, is amended
 796 to read:

797 723.06115 Florida Mobile Home Relocation Trust Fund.—

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

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

812 (a) To pay the administration costs of the division ~~Florida~~

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813 ~~Mobile Home Relocation Corporation; and~~

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

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

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

837 (b) The division ~~corporation~~ shall periodically submit
838 requests to the department for the transfer of funds to the
839 division ~~corporation~~ needed to make payments to mobile home
840 owners under the relocation program. Requests must include
841 documentation indicating the amount of funds needed, the name

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842 and location of the mobile home park, the number of approved
 843 applications for moving expenses or abandonment allowance, and
 844 summary information specifying the number and type, single-
 845 section or multisection, of homes moved or abandoned. The
 846 department shall process requests that include such
 847 documentation, subject to the availability of sufficient funds
 848 within the trust fund, within 5 business days after receipt of
 849 the request. Transfer requests may be submitted electronically.

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

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

859 (5) This section does not preclude department inspection of
 860 division ~~corporation~~ records 5 business days after receipt of
 861 written notice.

862 Section 24. Section 723.06116, Florida Statutes, is amended
 863 to read:

864 723.06116 Payments to the Division of Florida Condominiums,
 865 Timeshares, and Mobile Homes ~~Mobile Home Relocation~~
 866 ~~Corporation~~.

867 (1) If a mobile home owner is required to move due to a
 868 change in use of the land comprising a mobile home park as set
 869 forth in s. 723.061(1)(d), the mobile home park owner shall,
 870 upon such change in use, pay to the Division of Florida

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

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

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

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

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

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

892 (a) The mobile home park owner moves a mobile home owner to
 893 another space in the mobile home park or to another mobile home
 894 park at the park owner's expense;

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

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

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

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

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

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

917 723.0612 Change in use; relocation expenses; payments by
918 park owner.—

919 (1) If a mobile home owner is required to move due to a
920 change in use of the land comprising the mobile home park as set
921 forth in s. 723.061(1)(d) and complies with the requirements of
922 this section, the mobile home owner is entitled to payment from
923 the Division of Florida Condominiums, Timeshares, and Mobile
924 Homes ~~Mobile Home Relocation Corporation~~ of:

925 (a) The amount of actual moving expenses of relocating the
926 mobile home to a new location within a 50-mile radius of the
927 vacated park, or

928 (b) The amount of \$3,000 for a single-section mobile home

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929 or \$6,000 for a multisection mobile home, whichever is less.
930 Moving expenses include the cost of taking down, moving, and
931 setting up the mobile home in a new location.

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

934 (a) The park owner moves a mobile home owner to another
935 space in the mobile home park or to another mobile home park at
936 the park owner's expense;

937 (b) A mobile home owner is vacating the premises and has
938 informed the park owner or manager before notice of the change
939 in use has been given;

940 (c) A mobile home owner abandons the mobile home as set
941 forth in subsection (7); or

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

947 (3) Except as provided in subsection (7), in order to
948 obtain payment from the division ~~Florida Mobile Home Relocation~~
949 ~~Corporation~~, the mobile home owner shall submit to the division
950 ~~corporation~~, with a copy to the park owner, an application for
951 payment which includes:

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

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

956 (4) The division ~~Florida Mobile Home Relocation Corporation~~
957 must approve payment within 45 days after receipt of the

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958 information set forth in subsection (3), or payment is deemed
959 approved. A copy of the approval must be forwarded to the park
960 owner with an invoice for payment. Upon approval, the division
961 ~~corporation~~ shall issue a voucher in the amount of the contract
962 price for relocating the mobile home. The moving contractor may
963 redeem the voucher from the division ~~corporation~~ following
964 completion of the relocation and upon approval of the relocation
965 by the mobile home owner.

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

972 (7) In lieu of collecting payment from the division ~~Florida~~
973 ~~Mobile Home Relocation Corporation~~ as set forth in subsection
974 (1), a mobile home owner may abandon the mobile home in the
975 mobile home park and collect \$1,375 for a single section and
976 \$2,750 for a multisection from the division ~~corporation~~ as long
977 as the mobile home owner delivers to the park owner the current
978 title to the mobile home duly endorsed by the owner of record
979 and valid releases of all liens shown on the title. If a mobile
980 home owner chooses this option, the park owner shall make
981 payment to the division ~~corporation~~ in an amount equal to the
982 amount the mobile home owner is entitled to under this
983 subsection. The mobile home owner's application for funds under
984 this subsection shall require the submission of a document
985 signed by the park owner stating that the home has been
986 abandoned under this subsection and that the park owner agrees

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987 to make payment to the division ~~corporation~~ in the amount
988 provided to the home owner under this subsection. However, in
989 the event that the required documents are not submitted with the
990 application, the division ~~corporation~~ may consider the facts and
991 circumstances surrounding the abandonment of the home to
992 determine whether the mobile home owner is entitled to payment
993 pursuant to this subsection. The mobile home owner is not
994 entitled to any compensation under this subsection if there is a
995 pending eviction action for nonpayment of lot rental amount
996 pursuant to s. 723.061(1) (a) which was filed against him or her
997 prior to the mailing date of the notice of change in the use of
998 the mobile home park given pursuant to s. 723.061(1) (d).

999 (8) The division ~~Florida Mobile Home Relocation Corporation~~
1000 ~~may shall~~ not be liable to any person for recovery if funds are
1001 insufficient to pay the amounts claimed. In any such event, the
1002 division ~~corporation~~ shall keep a record of the time and date of
1003 its approval of payment to a claimant. If sufficient funds
1004 become available, the division ~~corporation~~ must shall pay the
1005 claimant whose unpaid claim is the earliest by time and date of
1006 approval.

1007 (9) Any person whose application for funding pursuant to
1008 subsection (1) or subsection (7) is approved for payment by the
1009 division ~~corporation~~ is shall be barred from asserting any claim
1010 or cause of action under this chapter directly relating to or
1011 arising out of the change in use of the mobile home park against
1012 the division ~~corporation~~, the park owner, or the park owner's
1013 successors in interest. An ~~No~~ application for funding pursuant
1014 to subsection (1) or subsection (7) may not shall be approved by
1015 the division ~~corporation~~ if the applicant has filed a claim or

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1016 cause of action, is actively pursuing a claim or cause of
1017 action, has settled a claim or cause of action, or has a
1018 judgment against the division ~~corporation~~, the park owner, or
1019 the park owner's successors in interest under this chapter
1020 directly relating to or arising out of the change in use of the
1021 mobile home park, unless such claim or cause of action is
1022 dismissed with prejudice.

1023 (11) In an action to enforce the provisions of this section
1024 and ss. ~~723.0611~~, 723.06115, and 723.06116, the prevailing party
1025 is entitled to reasonable attorney's fees and costs.

1026 (12) An application to the division ~~corporation~~ for
1027 compensation under subsection (1) or subsection (7) must be
1028 received within 1 year after the expiration of the eviction
1029 period as established in the notice required under s.
1030 723.061(1)(d). If the applicant files a claim or cause of action
1031 that disqualifies the applicant under subsection (9) and the
1032 claim is subsequently dismissed, the application must be
1033 received within 6 months following filing of the dismissal with
1034 prejudice as required under subsection (9). However, such an
1035 applicant must apply within 2 years after the expiration of the
1036 eviction period as established in the notice required under s.
1037 723.061(1)(d).

1038 Section 26. Paragraph (a) of subsection (4) of section
1039 20.165, Florida Statutes, is amended to read:

1040 20.165 Department of Business and Professional Regulation.—
1041 There is created a Department of Business and Professional
1042 Regulation.

1043 (4) (a) The following boards and programs are established
1044 within the Division of Professions:

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- 1045 1. Board of Architecture and Interior Design, created under
1046 part I of chapter 481.
- 1047 2. Florida Board of Auctioneers, created under part VI of
1048 chapter 468.
- 1049 3. Barbers' Board, created under chapter 476.
- 1050 4. Florida Building Code Administrators and Inspectors
1051 Board, created under part XII of chapter 468.
- 1052 5. Construction Industry Licensing Board, created under
1053 part I of chapter 489.
- 1054 6. Board of Cosmetology, created under chapter 477.
- 1055 7. Electrical Contractors' Licensing Board, created under
1056 part II of chapter 489.
- 1057 8. Employee leasing companies licensing program ~~Board of~~
1058 ~~Employee Leasing Companies~~, created under part XI of chapter
1059 468.
- 1060 9. Board of Landscape Architecture, created under part II
1061 of chapter 481.
- 1062 10. Board of Pilot Commissioners, created under chapter
1063 310.
- 1064 11. Board of Professional Engineers, created under chapter
1065 471.
- 1066 12. Board of Professional Geologists, created under chapter
1067 492.
- 1068 13. Board of Veterinary Medicine, created under chapter
1069 474.
- 1070 14. Home inspection services licensing program, created
1071 under part XV of chapter 468.
- 1072 15. Mold-related services licensing program, created under
1073 part XVI of chapter 468.

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1074 Section 27. Subsection (2) of section 210.16, Florida
1075 Statutes, is amended to read:

1076 210.16 Revocation or suspension of permit.—

1077 (2) The division shall revoke the permit or permits of any
1078 person who would be ineligible to obtain a new license or renew
1079 a license by reason of any of the conditions for permitting
1080 provided in s. 210.15(1)(d)1.-6. ~~s. 210.15(1)(e)1.-6.~~

1081 Section 28. Paragraph (uuu) of subsection (7) of section
1082 212.08, Florida Statutes, is amended to read:

1083 212.08 Sales, rental, use, consumption, distribution, and
1084 storage tax; specified exemptions.—The sale at retail, the
1085 rental, the use, the consumption, the distribution, and the
1086 storage to be used or consumed in this state of the following
1087 are hereby specifically exempt from the tax imposed by this
1088 chapter.

1089 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
1090 entity by this chapter do not inure to any transaction that is
1091 otherwise taxable under this chapter when payment is made by a
1092 representative or employee of the entity by any means,
1093 including, but not limited to, cash, check, or credit card, even
1094 when that representative or employee is subsequently reimbursed
1095 by the entity. In addition, exemptions provided to any entity by
1096 this subsection do not inure to any transaction that is
1097 otherwise taxable under this chapter unless the entity has
1098 obtained a sales tax exemption certificate from the department
1099 or the entity obtains or provides other documentation as
1100 required by the department. Eligible purchases or leases made
1101 with such a certificate must be in strict compliance with this
1102 subsection and departmental rules, and any person who makes an

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1103 exempt purchase with a certificate that is not in strict
 1104 compliance with this subsection and the rules is liable for and
 1105 shall pay the tax. The department may adopt rules to administer
 1106 this subsection.

1107 (uuu) *Small private investigative agencies.*—

1108 1. As used in this paragraph, the term:

1109 a. "Private investigation services" has the same meaning as
 1110 "private investigation," as defined in s. 493.6101(17).

1111 b. "Small private investigative agency" means a private
 1112 investigator licensed under s. 493.6201 which:

1113 (I) Employs three or fewer full-time or part-time
 1114 employees, including those performing services pursuant to an
 1115 employee leasing arrangement as defined in s. 468.520(3) ~~s.~~
 1116 ~~468.520(4)~~, in total; and

1117 (II) During the previous calendar year, performed private
 1118 investigation services otherwise taxable under this chapter in
 1119 which the charges for the services performed were less than
 1120 \$150,000 for all its businesses related through common
 1121 ownership.

1122 2. The sale of private investigation services by a small
 1123 private investigative agency to a client is exempt from the tax
 1124 imposed by this chapter.

1125 3. The exemption provided by this paragraph may not apply
 1126 in the first calendar year a small private investigative agency
 1127 conducts sales of private investigation services taxable under
 1128 this chapter.

1129 Section 29. Paragraph (a) of subsection (19) of section
 1130 440.02, Florida Statutes, is amended to read:

1131 440.02 Definitions.—When used in this chapter, unless the

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1132 context clearly requires otherwise, the following terms shall
1133 have the following meanings:

1134 (19) (a) "Employer" means the state and all political
1135 subdivisions thereof, all public and quasi-public corporations
1136 therein, every person carrying on any employment, and the legal
1137 representative of a deceased person or the receiver or trustees
1138 of any person. The term also includes employee leasing
1139 companies, as defined in s. 468.520(4) ~~s. 468.520(5)~~, and
1140 employment agencies that provide their own employees to other
1141 persons. If the employer is a corporation, parties in actual
1142 control of the corporation, including, but not limited to, the
1143 president, officers who exercise broad corporate powers,
1144 directors, and all shareholders who directly or indirectly own a
1145 controlling interest in the corporation, are considered the
1146 employer for the purposes of ss. 440.105, 440.106, and 440.107.

1147 Section 30. Section 448.26, Florida Statutes, is amended to
1148 read:

1149 448.26 Application.—Nothing in this part shall exempt any
1150 client of any labor pool or temporary help arrangement entity as
1151 defined in s. 468.520(3)(a) ~~s. 468.520(4)(a)~~ or any assigned
1152 employee from any other license requirements of state, local, or
1153 federal law. Any employee assigned to a client who is licensed,
1154 registered, or certified pursuant to law shall be deemed an
1155 employee of the client for such licensure purposes but shall
1156 remain an employee of the labor pool or temporary help
1157 arrangement entity for purposes of chapters 440 and 443.

1158 Section 31. Subsection (2) of section 468.520, Florida
1159 Statutes, is amended to read:

1160 468.520 Definitions.—As used in this part:

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1161 ~~(2) "Board" means the Board of Employee Leasing Companies.~~

1162 Section 32. Section 468.522, Florida Statutes, is amended
1163 to read:

1164 468.522 Rules ~~of the board.~~—The department may ~~board has~~
1165 ~~authority to~~ adopt rules pursuant to ss. 120.536(1) and 120.54
1166 to implement ~~the provisions of~~ this part. Every licensee shall
1167 be governed and controlled by this part and the rules adopted by
1168 the department ~~board~~.

1169 Section 33. Subsections (2) and (4) of section 468.524,
1170 Florida Statutes, are amended to read:

1171 468.524 Application for license.—

1172 (2) The department ~~board~~ may require information and
1173 certifications necessary to determine that the applicant is of
1174 good moral character and meets other licensure requirements of
1175 this part.

1176 (4) An applicant or licensee is ineligible to reapply for a
1177 license for a period of 1 year following final agency action on
1178 the denial or revocation of a license applied for or issued
1179 under this part. This time restriction does not apply to
1180 administrative denials or revocations entered because:

1181 (a) The applicant or licensee has made an inadvertent error
1182 or omission on the application;

1183 (b) The experience documented to the department ~~board~~ was
1184 insufficient at the time of the previous application;

1185 (c) The department is unable to complete the criminal
1186 background investigation because of insufficient information
1187 from the Florida Department of Law Enforcement, the Federal
1188 Bureau of Investigation, or any other applicable law enforcement
1189 agency;

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1190 (d) The applicant or licensee has failed to submit required
1191 fees; or

1192 (e) An applicant or licensed employee leasing company has
1193 been deemed ineligible for a license because of the lack of good
1194 moral character of an individual or individuals when such
1195 individual or individuals are no longer employed in a capacity
1196 that would require their licensing under this part.

1197 Section 34. Section 468.5245, Florida Statutes, is amended
1198 to read:

1199 468.5245 Change of ownership.—

1200 (1) A license or registration issued to any entity under
1201 this part may not be transferred or assigned. The department
1202 ~~board~~ shall adopt rules to provide for a licensee's or
1203 registrant's change of name or location.

1204 (2) A person or entity that seeks to purchase or acquire
1205 control of an employee leasing company or group licensed or
1206 registered under this part must first apply to the department
1207 ~~board~~ for a certificate of approval for the proposed change of
1208 ownership. However, prior approval is not required if, at the
1209 time the purchase or acquisition occurs, a controlling person of
1210 the employee leasing company or group maintains a controlling
1211 person license under this part. Notification must be provided to
1212 the department ~~board~~ within 30 days after the purchase or
1213 acquisition of such company in the manner prescribed by the
1214 department ~~board~~.

1215 (3) Any application that is submitted to the department
1216 ~~board~~ under this section is ~~shall be~~ deemed approved if the
1217 department ~~board~~ has not approved the application or rejected
1218 the application, and provided the applicant with the basis for a

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1219 rejection, within 90 days after the receipt of the completed
1220 application.

1221 (4) The department ~~board~~ shall establish filing fees for a
1222 change-of-ownership application in accordance with s.
1223 468.524(1).

1224 Section 35. Subsections (2) and (3) of section 468.525,
1225 Florida Statutes, are amended to read:

1226 468.525 License requirements.—

1227 (2) (a) As used in this part, "good moral character" means a
1228 personal history of honesty, trustworthiness, fairness, a good
1229 reputation for fair dealings, and respect for the rights of
1230 others and for the laws of this state and nation. A thorough
1231 background investigation of the individual's good moral
1232 character shall be instituted by the department. Such
1233 investigation shall require:

1234 1. The submission of fingerprints, for processing through
1235 appropriate law enforcement agencies, by the applicant and the
1236 examination of police records by the department ~~board~~.

1237 2. Such other investigation of the individual as the
1238 department ~~board~~ may deem necessary.

1239 (b) The department ~~board~~ may deny an application for
1240 licensure or renewal citing lack of good moral character.
1241 Conviction of a crime within the last 7 years does ~~shall~~ not
1242 automatically bar any applicant or licensee from obtaining a
1243 license or continuing as a licensee. The department ~~board~~ shall
1244 consider the type of crime committed, the crime's relevancy to
1245 the employee leasing industry, the length of time since the
1246 conviction and any other factors deemed relevant by the
1247 department ~~board~~.

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1248 (3) Each employee leasing company licensed by the
1249 department shall have a registered agent for service of process
1250 in this state and at least one licensed controlling person. In
1251 addition, each licensed employee leasing company shall comply
1252 with the following requirements:

1253 (a) The employment relationship with workers provided by
1254 the employee leasing company to a client company shall be
1255 established by written agreement between the leasing company and
1256 the client, and written notice of that relationship shall be
1257 given by the employee leasing company to each worker who is
1258 assigned to perform services at the client company's worksite.

1259 (b) An applicant for an initial employee leasing company
1260 license shall have a tangible accounting net worth of not less
1261 than \$50,000.

1262 (c) An applicant for initial or renewal license of an
1263 employee leasing company license or employee leasing company
1264 group shall have an accounting net worth or shall have
1265 guaranties, letters of credit, or other security acceptable to
1266 the department board ~~board~~ in sufficient amounts to offset any
1267 deficiency. A guaranty will not be acceptable to satisfy this
1268 requirement unless the applicant submits sufficient evidence to
1269 satisfy the department board ~~board~~ that the guarantor has adequate
1270 resources to satisfy the obligation of the guaranty.

1271 (d) Each employee leasing company shall maintain an
1272 accounting net worth and positive working capital, as determined
1273 in accordance with generally accepted accounting principles, or
1274 shall have guaranties, letters of credit, or other security
1275 acceptable to the department board ~~board~~ in sufficient amounts to
1276 offset any deficiency. A guaranty will not be acceptable to

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1277 satisfy this requirement unless the licensee submits sufficient
1278 evidence, as defined by rule, that the guarantor has adequate
1279 resources to satisfy the obligation of the guaranty. In
1280 determining the amount of working capital, a licensee shall
1281 include adequate reserves for all taxes and insurance, including
1282 plans of self-insurance or partial self-insurance for claims
1283 incurred but not paid and for claims incurred but not reported.
1284 Compliance with the requirements of this paragraph is subject to
1285 verification by department ~~or board~~ audit.

1286 (e) Each employee leasing company or employee leasing
1287 company group shall submit annual financial statements audited
1288 by an independent certified public accountant, with the
1289 application and within 120 days after the end of each fiscal
1290 year, in a manner and time prescribed by the department ~~board~~,
1291 provided however, that any employee leasing company or employee
1292 leasing company group with gross Florida payroll of less than
1293 \$2.5 million during any fiscal year may submit financial
1294 statements reviewed by an independent certified public
1295 accountant for that year.

1296 (f) The licensee shall notify the department ~~or board~~ in
1297 writing within 30 days after any change in the application or
1298 status of the license.

1299 (g) Each employee leasing company or employee leasing
1300 company group shall maintain accounting and employment records
1301 relating to all employee leasing activities for a minimum of 3
1302 calendar years.

1303 Section 36. Subsections (3) and (5) of section 468.526,
1304 Florida Statutes, are amended to read:

1305 468.526 License required; fees.—

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1306 (3) Each employee leasing company and employee leasing
1307 company group licensee shall pay to the department upon the
1308 initial issuance of a license and upon each renewal thereafter a
1309 license fee not to exceed \$2,500 to be established by the
1310 department board. In addition to the license fee, the department
1311 ~~board~~ shall establish an annual assessment for each employee
1312 leasing company and each employee leasing company group
1313 sufficient to cover all costs for regulation of the profession
1314 pursuant to this chapter, chapter 455, and any other applicable
1315 provisions of law. The annual assessment shall:

1316 (a) Be due and payable upon initial licensure and
1317 subsequent renewals thereof and 1 year before the expiration of
1318 any licensure period; and

1319 (b) Be based on a fixed percentage, variable classes, or a
1320 combination of both, as determined by the department board, of
1321 gross Florida payroll for employees leased to clients by the
1322 applicant or licensee during the period beginning five quarters
1323 before and ending one quarter before each assessment. It is the
1324 intent of the Legislature that the greater weight of total fees
1325 for licensure and assessments should be on larger companies and
1326 groups.

1327 (5) Each controlling person licensee shall pay to the
1328 department upon the initial issuance of a license and upon each
1329 renewal thereafter a license fee to be established by the
1330 department board in an amount not to exceed \$2,000.

1331 Section 37. Subsection (1) of section 468.527, Florida
1332 Statutes, is amended to read:

1333 468.527 Licensure and license renewal.—

1334 (1) The department shall license any applicant who the

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1335 department ~~board~~ certifies is qualified to practice employee
1336 leasing as an employee leasing company, employee leasing company
1337 group, or controlling person.

1338 Section 38. Subsection (2) of section 468.5275, Florida
1339 Statutes, is amended to read:

1340 468.5275 Registration and exemption of de minimis
1341 operations.—

1342 (2) A registration is valid for 1 year. Each registrant
1343 shall pay to the department upon initial registration, and upon
1344 each renewal thereafter, a registration fee to be established by
1345 the department ~~board~~ in an amount not to exceed:

1346 (a) Two hundred and fifty dollars for an employee leasing
1347 company.

1348 (b) Five hundred dollars for an employee leasing company
1349 group.

1350 Section 39. Subsections (2), (4), and (5) of section
1351 468.529, Florida Statutes, are amended to read:

1352 468.529 Licensee's insurance; employment tax; benefit
1353 plans.—

1354 (2) An initial or renewal license may not be issued to any
1355 employee leasing company unless the employee leasing company
1356 first files with the department ~~board~~ evidence of workers'
1357 compensation coverage for all leased employees in this state.
1358 Each employee leasing company shall maintain and make available
1359 to its workers' compensation carrier the following information:

1360 (a) The correct name and federal identification number of
1361 each client company.

1362 (b) A listing of all covered employees provided to each
1363 client company, by classification code.

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1364 (c) The total eligible wages by classification code and the
1365 premiums due to the carrier for the employees provided to each
1366 client company.

1367 (4) An initial or renewal license may not be issued to any
1368 employee leasing company unless the employee leasing company
1369 first provides evidence to the department ~~board~~, as required by
1370 department ~~board~~ rule, that the employee leasing company has
1371 paid all of the employee leasing company's obligations for
1372 payroll, payroll-related taxes, workers' compensation insurance,
1373 and employee benefits. All disputed amounts must be disclosed in
1374 the application.

1375 (5) The provisions of this section are subject to
1376 verification by department ~~or board~~ audit.

1377 Section 40. Subsections (3) and (4) of section 468.530,
1378 Florida Statutes, are amended to read:

1379 468.530 License, contents; posting.—

1380 (3) No license shall be valid for any person or entity who
1381 engages in the business under any name other than that specified
1382 in the license. A license issued under this part is ~~shall~~ not be
1383 assignable, and no licensee may conduct a business under a
1384 fictitious name without prior written authorization of the
1385 department ~~board~~ to do so. The department ~~board~~ may not
1386 authorize the use of a name which is so similar to that of a
1387 public officer or agency, or of that used by another licensee,
1388 that the public may be confused or misled thereby. No licensee
1389 shall be permitted to conduct business under more than one name
1390 unless it has obtained a separate license. A licensee desiring
1391 to change its licensed name at any time except upon license
1392 renewal shall notify the department ~~board~~ and pay a fee not to

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1393 exceed \$50 for each authorized change of name.

1394 (4) Each employee leasing company or employee leasing
1395 company group licensed under this part shall be properly
1396 identified in all advertisements, which must include the license
1397 number, licensed business name, and other appropriate
1398 information in accordance with department rules ~~established by~~
1399 ~~the board~~.

1400 Section 41. Subsection (1) of section 468.531, Florida
1401 Statutes, is amended to read:

1402 468.531 Prohibitions; penalties.—

1403 (1) No person or entity shall:

1404 (a) Practice or offer to practice as an employee leasing
1405 company, an employee leasing company group, or a controlling
1406 person unless such person or entity is licensed pursuant to this
1407 part;

1408 (b) Practice or offer to practice as an employee leasing
1409 company or employee leasing company group unless all controlling
1410 persons thereof are licensed pursuant to this part;

1411 (c) Use the name or title "licensed employee leasing
1412 company," "employee leasing company," "employee leasing company
1413 group," "professional employer," "professional employer
1414 organization," "controlling person," or words that would tend to
1415 lead one to believe that such person or entity is registered
1416 pursuant to this part, when such person or entity has not
1417 registered pursuant to this part;

1418 (d) Present as his or her own or his or her entity's own
1419 the license of another;

1420 (e) Knowingly give false or forged evidence to the
1421 department ~~board or a member thereof~~; or

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1422 (f) Use or attempt to use a license that has been suspended
1423 or revoked.

1424 Section 42. Subsections (1), (2), and (4) of section
1425 468.532, Florida Statutes, are amended to read:

1426 468.532 Discipline.—

1427 (1) The following constitute grounds for which disciplinary
1428 action against a licensee may be taken by the department ~~board~~:

1429 (a) Being convicted or found guilty of, or entering a plea
1430 of nolo contendere to, regardless of adjudication, bribery,
1431 fraud, or willful misrepresentation in obtaining, attempting to
1432 obtain, or renewing a license.

1433 (b) Being convicted or found guilty of, or entering a plea
1434 of nolo contendere to, regardless of adjudication, a crime in
1435 any jurisdiction which relates to the operation of an employee
1436 leasing business or the ability to engage in business as an
1437 employee leasing company.

1438 (c) Being convicted or found guilty of, or entering a plea
1439 of nolo contendere to, regardless of adjudication, fraud,
1440 deceit, or misconduct in the classification of employees
1441 pursuant to chapter 440.

1442 (d) Being convicted or found guilty of, or entering a plea
1443 of nolo contendere to, regardless of adjudication, fraud,
1444 deceit, or misconduct in the establishment or maintenance of
1445 self-insurance, be it health insurance or workers' compensation
1446 insurance.

1447 (e) 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 operation of an employee leasing
1450 company.

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- 1451 (f) Conducting business without an active license.
- 1452 (g) Failing to maintain workers' compensation insurance as
1453 required in s. 468.529.
- 1454 (h) Transferring or attempting to transfer a license issued
1455 pursuant to this part.
- 1456 (i) Violating any provision of this part or any lawful
1457 order or rule issued under the provisions of this part or
1458 chapter 455.
- 1459 (j) Failing to notify the department ~~board~~, in writing, of
1460 any change of the primary business address or the addresses of
1461 any of the licensee's offices in the state.
- 1462 (k) Having been confined in any county jail,
1463 postadjudication, or being confined in any state or federal
1464 prison or mental institution, or when through mental disease or
1465 deterioration, the licensee can no longer safely be entrusted to
1466 deal with the public or in a confidential capacity.
- 1467 (l) Having been found guilty for a second time of any
1468 misconduct that warrants suspension or being found guilty of a
1469 course of conduct or practices which shows that the licensee is
1470 so incompetent, negligent, dishonest, or untruthful that the
1471 money, property, transactions, and rights of investors, or those
1472 with whom the licensee may sustain a confidential relationship,
1473 may not safely be entrusted to the licensee.
- 1474 (m) Failing to inform the department ~~board~~ in writing
1475 within 30 days after being convicted or found guilty of, or
1476 entering a plea of nolo contendere to, any felony, regardless of
1477 adjudication.
- 1478 (n) Failing to conform to any lawful order of the
1479 department ~~board~~.

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1480 (o) Being determined liable for civil fraud by a court in
1481 any jurisdiction.

1482 (p) Having adverse material final action taken by any state
1483 or federal regulatory agency for violations within the scope of
1484 control of the licensee.

1485 (q) Failing to inform the department ~~board~~ in writing
1486 within 30 days after any adverse material final action by a
1487 state or federal regulatory agency.

1488 (r) Failing to meet or maintain the requirements for
1489 licensure as an employee leasing company or controlling person.

1490 (s) Engaging as a controlling person any person who is not
1491 licensed as a controlling person by the department ~~board~~.

1492 (t) Attempting to obtain, obtaining, or renewing a license
1493 to practice employee leasing by bribery, misrepresentation, or
1494 fraud.

1495 (2) When the department ~~board~~ finds any violation of
1496 subsection (1), it may do one or more of the following:

1497 (a) Deny an application for licensure.

1498 (b) Permanently revoke, suspend, restrict, or not renew a
1499 license.

1500 (c) Impose an administrative fine not to exceed \$5,000 for
1501 every count or separate offense.

1502 (d) Issue a reprimand.

1503 (e) Place the licensee on probation for a period of time
1504 and subject to such conditions as the department ~~board~~ may
1505 specify.

1506 (f) Assess costs associated with investigation and
1507 prosecution.

1508 (4) The department ~~board~~ shall specify the penalties for

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1509 any violation of this part.

1510 Section 43. Paragraph (a) of subsection (6) of section
1511 476.144, Florida Statutes, is amended to read:

1512 476.144 Licensure.—

1513 (6) A person may apply for a restricted license to practice
1514 barbering. The board shall adopt rules specifying procedures for
1515 an applicant to obtain a restricted license if the applicant:

1516 (a)1. Has successfully completed a restricted barber
1517 course, as established by rule of the board, at a school of
1518 barbering licensed pursuant to chapter 1005, a barbering program
1519 within the public school system, or a government-operated
1520 barbering program in this state; or

1521 2.a. Holds or has within the previous 5 years held an
1522 active valid license to practice barbering in another state or
1523 country or has held a Florida barbering license which has been
1524 declared null and void for failure to renew the license, and the
1525 applicant fulfilled the requirements of s. 476.114(2)(c) ~~s.~~
1526 ~~476.114(2)(c)2.~~ for initial licensure; and

1527 b. Has not been disciplined relating to the practice of
1528 barbering in the previous 5 years; and

1529
1530 The restricted license shall limit the licensee's practice to
1531 those specific areas in which the applicant has demonstrated
1532 competence pursuant to rules adopted by the board.

1533 Section 44. Paragraph (a) of subsection (2) of section
1534 627.192, Florida Statutes, is amended to read:

1535 627.192 Workers' compensation insurance; employee leasing
1536 arrangements.—

1537 (2) For purposes of the Florida Insurance Code:

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1538 (a) "Employee leasing" shall have the same meaning as set
1539 forth in s. 468.520(3) ~~s. 468.520(4)~~.

1540 Section 45. For the purpose of incorporating the amendment
1541 made by this act to section 723.061, Florida Statutes, in a
1542 reference thereto, subsection (1) of section 48.184, Florida
1543 Statutes, is reenacted to read:

1544 48.184 Service of process for removal of unknown parties in
1545 possession.—

1546 (1) This section applies only to actions governed by s.
1547 82.03, s. 83.21, s. 83.59, or s. 723.061 and only to the extent
1548 that such actions seek relief for the removal of an unknown
1549 party or parties in possession of real property. The provisions
1550 of this section are cumulative to other provisions of law or
1551 rules of court about service of process, and all other such
1552 provisions are cumulative to this section.

1553 Section 46. For the purpose of incorporating the amendment
1554 made by this act to section 723.061, Florida Statutes, in a
1555 reference thereto, subsection (5) of section 723.004, Florida
1556 Statutes, is reenacted to read:

1557 723.004 Legislative intent; preemption of subject matter.—

1558 (5) Nothing in this chapter shall be construed to prevent
1559 the enforcement of a right or duty under this section, s.
1560 723.022, s. 723.023, s. 723.031, s. 723.032, s. 723.033, s.
1561 723.035, s. 723.037, s. 723.038, s. 723.061, s. 723.0615, s.
1562 723.062, s. 723.063, or s. 723.081 by civil action after the
1563 party has exhausted its administrative remedies, if any.

1564 Section 47. For the purpose of incorporating the amendment
1565 made by this act to section 723.061, Florida Statutes, in a
1566 reference thereto, subsection (9) of section 723.031, Florida

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1567 Statutes, is reenacted to read:

1568 723.031 Mobile home lot rental agreements.-

1569 (9) No rental agreement shall provide for the eviction of a
1570 mobile home owner on a ground other than one contained in s.
1571 723.061.

1572 Section 48. For the purpose of incorporating the amendment
1573 made by this act to section 723.061, Florida Statutes, in a
1574 reference thereto, subsection (1) of section 723.032, Florida
1575 Statutes, is reenacted to read:

1576 723.032 Prohibited or unenforceable provisions in mobile
1577 home lot rental agreements.-

1578 (1) A mobile home lot rental agreement may provide a
1579 specific duration with regard to the amount of rental payments
1580 and other conditions of the tenancy, but the rental agreement
1581 shall neither provide for, nor be construed to provide for, the
1582 termination of any tenancy except as provided in s. 723.061.

1583 Section 49. For the purpose of incorporating the amendment
1584 made by this act to section 723.061, Florida Statutes, in a
1585 reference thereto, subsection (2) of section 723.085, Florida
1586 Statutes, is reenacted to read:

1587 723.085 Rights of lienholder on mobile homes in rental
1588 mobile home parks.-

1589 (2) Upon the foreclosure of the lien for unpaid purchase
1590 price and sale of the mobile home, the owner of the mobile home
1591 must qualify for tenancy in the mobile home park in accordance
1592 with the rules and regulations of the mobile home park. The park
1593 owner shall comply with the provisions of s. 723.061 in
1594 determining whether the homeowner may qualify as a tenant.

1595 Section 50. For the purpose of incorporating the amendment

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1596 made by this act to section 723.06115, Florida Statutes, in a
1597 reference thereto, subsection (1) of section 320.08015, Florida
1598 Statutes, is reenacted to read:

1599 320.08015 License tax surcharge.—

1600 (1) Except as provided in subsection (2), there is levied
1601 on each license tax imposed under s. 320.08(11) a surcharge in
1602 the amount of \$1, which shall be collected in the same manner as
1603 the license tax and shall be deposited in the Florida Mobile
1604 Home Relocation Trust Fund, as created in s. 723.06115. This
1605 surcharge may not be imposed during the next registration and
1606 renewal period if the balance in the Florida Mobile Home
1607 Relocation Trust Fund exceeds \$10 million on June 30. The
1608 surcharge shall be reinstated in the next registration and
1609 renewal period if the balance in the Florida Mobile Home
1610 Relocation Trust Fund is below \$6 million on June 30.

1611 Section 51. This act shall take effect July 1, 2024.