

By the Committees on Fiscal Policy; and Regulated Industries;
and 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; prohibiting the division
22 from reducing a bond amount under specified
23 circumstances; requiring the division to notify
24 distributors in writing if their corporate surety bond
25 requirements change; providing applicability;
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 amending s. 468.521, F.S.; authorizing the department
44 to exercise all powers and duties granted to the Board
45 of Employee Leasing Companies if the board lacks the
46 number of appointed members needed to constitute a
47 quorum; amending s. 469.006, F.S.; revising
48 requirements for department rules governing evidence
49 of financial responsibility of applicants seeking
50 licensure as a business organization under ch. 469,
51 F.S.; amending s. 471.003, F.S.; expanding an
52 exemption from certain engineering licensing
53 requirements under ch. 471, F.S., to include regular
54 full-time employees of certain business organizations,
55 rather than regular full-time employees of certain
56 corporations licensed under ch. 471, F.S.; amending s.
57 473.306, F.S.; requiring applicants for the
58 accountancy licensure examination to create and

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59 maintain an online account with the department and
60 provide an e-mail address; requiring applicants to
61 maintain the accuracy of their contact information;
62 requiring that address changes be submitted through
63 the department's online system within a specified
64 timeframe; conforming cross-references; amending s.
65 473.308, F.S.; requiring a person seeking licensure as
66 a Florida certified public accountant, or a firm
67 seeking to engage in public accountancy, to create and
68 maintain an online account with the department and
69 provide an e-mail address; requiring certified public
70 accountants and accounting firms to maintain the
71 accuracy of their contact information; requiring that
72 address changes be submitted through the department's
73 online system within a specified timeframe; amending
74 s. 476.114, F.S.; revising eligibility requirements
75 for licensure as a barber; making technical changes;
76 amending s. 477.019, F.S.; revising eligibility
77 requirements for licensure by examination to practice
78 cosmetology; amending s. 489.131, F.S.; revising the
79 types of penalties that may be recommended by a local
80 jurisdiction enforcement body against a contractor;
81 specifying requirements for any such recommended
82 penalties; amending s. 489.143, F.S.; revising payment
83 limitations for payments made from the department's
84 Florida Homeowners' Construction Recovery Fund;
85 amending s. 489.505, F.S.; revising the definition of
86 the term "specialty contractor"; amending s. 499.012,
87 F.S.; revising requirements for certification as a

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88 designated representative of a prescription drug
89 wholesale distributor; amending s. 561.15, F.S.;
90 revising the requirements for the issuance of a
91 license under the Beverage Law; making technical
92 changes; amending s. 561.17, F.S.; requiring persons
93 or entities licensed or permitted by the Division of
94 Alcoholic Beverages and Tobacco, or applying for such
95 license or permit, to create and maintain an account
96 with the division's online system; specifying
97 application requirements; prohibiting the division
98 from processing applications not submitted through the
99 online system; creating ss. 569.00256 and 569.3156,
100 F.S.; requiring certain persons or entities licensed
101 or permitted by the division, or applying for such a
102 license or permit, to create and maintain an account
103 with the division's online system; requiring
104 licensees, permittees, and applicants to provide the
105 division with an e-mail address and maintain accurate
106 contact information; specifying application
107 requirements; prohibiting the division from processing
108 applications not submitted through the online system;
109 amending ss. 210.16 and 476.144, F.S.; conforming
110 cross-references; providing an effective date.

111
112 Be It Enacted by the Legislature of the State of Florida:

113
114 Section 1. Present paragraphs (a) through (h) of subsection
115 (1) of section 210.15, Florida Statutes, are redesignated as
116 paragraphs (b) through (i), respectively, and a new paragraph

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117 (a) is added to that subsection, to read:

118 210.15 Permits.—

119 (1)

120 (a) A person or an entity licensed or permitted by the
121 division, or applying for a license or a permit, must create and
122 maintain an account with the division's online system and
123 provide an e-mail address to the division to function as the
124 primary means of contact for all communication by the division
125 to the licensee, permittee, or applicant. Licensees, permittees,
126 and applicants are responsible for maintaining accurate contact
127 information on file with the division. A person or an entity
128 seeking a license or permit under this part must apply using
129 forms furnished by the division which are filed through the
130 division's online system before commencing operations. The
131 division may not process an application for a license or permit
132 issued by the division under this part unless the application is
133 submitted through the division's online system.

134 Section 2. Section 210.32, Florida Statutes, is created to
135 read:

136 210.32 Account; online system.—A person or an entity
137 licensed or permitted by the division, or applying for a license
138 or a permit, must create and maintain an account with the
139 division's online system and provide an e-mail address to the
140 division to function as the primary means of contact for all
141 communication by the division to the licensee, permittee, or
142 applicant. Licensees, permittees, and applicants are responsible
143 for maintaining accurate contact information on file with the
144 division. A person or an entity seeking a license or a permit
145 under this part must apply using forms furnished by the division

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146 which are filed through the division's online system before
147 commencing operations. The division may not process an
148 application for a license or permit issued by the division under
149 this part unless the application is submitted through the
150 division's online system.

151 Section 3. Section 210.40, Florida Statutes, is amended to
152 read:

153 210.40 License fees; surety bond; application for each
154 place of business.—

155 (1) Each application for a distributor's license must ~~shall~~
156 be accompanied by a fee of \$25. The application must ~~shall~~ also
157 be accompanied by a corporate surety bond issued by a surety
158 company authorized to do business in this state, conditioned for
159 the payment when due of all taxes, penalties, and accrued
160 interest which may be due the state. The initial corporate
161 surety bond shall be in the sum of \$25,000 ~~\$1,000~~ and in a form
162 prescribed by the division.

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

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

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

173 (2) A corporate surety bond, with the sum determined by the
174 division in accordance with paragraph (1)(c), is required for

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175 renewal of a distributor's license.

176 (3) The division may prescribe by rule increases in the
177 corporate surety bond amounts required as a condition of
178 licensure.

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

182 1. "Fully resolved" means that criminal or administrative
183 charges or investigations have been definitively closed or
184 dismissed, have resulted in an acquittal, or have otherwise
185 ended in such a manner that no further legal or administrative
186 actions relating to charges or investigations are pending
187 against a licensee under applicable laws, rules, or regulations.

188 2. "Good cause" means a consistent pattern of responsible
189 financial behavior by the distributor over a period of at least
190 the preceding 4 years, and having the sum of the distributor's
191 final audited tax liabilities, penalties, and interest be less
192 than the amount of the distributor's corporate surety bond for
193 every month for a period of at least the preceding 4 years.

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

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

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

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

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

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

211 (5) The division shall notify a distributor in writing of
212 any change in the distributor's corporate surety bond
213 requirements by the date on which the distributor's audited tax
214 assessments become final.

215 (6) The provisions of this section governing corporate
216 surety bonds are not subject to s. 120.60 ~~Whenever it is the~~
217 ~~opinion of the division that the bond given by a licensee is~~
218 ~~inadequate in amount to fully protect the state, the division~~
219 ~~shall require an additional bond in such amount as is deemed~~
220 ~~sufficient.~~

221 (7) A separate application for a license must shall be made
222 for each place of business at which a distributor proposes to
223 engage in business as a distributor under this part, but an
224 applicant may provide one corporate surety bond in an amount
225 determined by the division for all applications made by the
226 distributor consistent with the requirements of this section.

227 (8) The division may adopt rules to administer this
228 section.

229 Section 4. Paragraph (d) of subsection (3) of section
230 310.0015, Florida Statutes, is amended to read:

231 310.0015 Piloting regulation; general provisions.—

232 (3) The rate-setting process, the issuance of licenses only

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233 in numbers deemed necessary or prudent by the board, and other
234 aspects of the economic regulation of piloting established in
235 this chapter are intended to protect the public from the adverse
236 effects of unrestricted competition which would result from an
237 unlimited number of licensed pilots being allowed to market
238 their services on the basis of lower prices rather than safety
239 concerns. This system of regulation benefits and protects the
240 public interest by maximizing safety, avoiding uneconomic
241 duplication of capital expenses and facilities, and enhancing
242 state regulatory oversight. The system seeks to provide pilots
243 with reasonable revenues, taking into consideration the normal
244 uncertainties of vessel traffic and port usage, sufficient to
245 maintain reliable, stable piloting operations. Pilots have
246 certain restrictions and obligations under this system,
247 including, but not limited to, the following:

248 (d)~~1.~~ The pilot or pilots in a port shall train and
249 compensate all member deputy pilots in that port. Failure to
250 train or compensate such deputy pilots constitutes ~~shall~~
251 ~~constitute~~ a ground for disciplinary action under s. 310.101.
252 Nothing in this subsection may ~~shall~~ be deemed to create an
253 agency or employment relationship between a pilot or deputy
254 pilot and the pilot or pilots in a port.

255 ~~2. The pilot or pilots in a port shall establish a~~
256 ~~competency-based mentor program by which minority persons as~~
257 ~~defined in s. 288.703 may acquire the skills for the~~
258 ~~professional preparation and education competency requirements~~
259 ~~of a licensed state pilot or certificated deputy pilot. The~~
260 ~~department shall provide the Governor, the President of the~~
261 ~~Senate, and the Speaker of the House of Representatives with a~~

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262 ~~report each year on the number of minority persons as defined in~~
263 ~~s. 288.703 who have participated in each mentor program, who are~~
264 ~~licensed state pilots or certificated deputy pilots, and who~~
265 ~~have applied for state pilot licensure or deputy pilot~~
266 ~~certification.~~

267 Section 5. Subsection (2) of section 310.081, Florida
268 Statutes, is amended to read:

269 310.081 Department to examine and license state pilots and
270 certificate deputy pilots; vacancies.-

271 (2) The department shall similarly examine persons who file
272 applications for certificate as deputy pilot, and, if upon
273 examination to determine proficiency the department finds them
274 qualified, the department must ~~shall~~ certify as qualified all
275 applicants who pass the examination, provided that not more than
276 five persons who passed the examination are certified for each
277 declared opening. If more than five applicants per opening pass
278 the examination, the persons having the highest scores must
279 ~~shall~~ be certified as qualified up to the number of openings
280 times five. ~~The department shall give consideration to the~~
281 ~~minority and female status of applicants when qualifying deputy~~
282 ~~pilots, in the interest of ensuring diversification within the~~
283 ~~state piloting profession.~~ The department shall appoint and
284 certificate such number of deputy pilots from those applicants
285 deemed qualified as in the discretion of the board are required
286 in the respective ports of the state. A deputy pilot shall be
287 authorized by the department to pilot vessels within the limits
288 and specifications established by the licensed state pilots at
289 the port where the deputy is appointed to serve.

290 Section 6. Section 399.18, Florida Statutes, is created to

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291 read:

292 399.18 Online services account.-

293 (1) A certified elevator inspector, certified elevator
294 technician, or registered elevator company; a person or entity
295 seeking to become certified or registered as such; a person who
296 has been issued an elevator certificate of competency; a person
297 who is seeking such certificate; a person or entity who has been
298 issued an elevator certificate of operation; and a person or
299 entity who is seeking such a certificate must create and
300 maintain an online account with the division and provide an e-
301 mail address to the division to function as the primary means of
302 contact for all communication from the division. Each person or
303 entity is responsible for maintaining accurate contact
304 information on file with the division.

305 (2) The division shall adopt rules to implement this
306 section.

307 Section 7. Subsection (4) is added to section 468.521,
308 Florida Statutes, to read:

309 468.521 Board of Employee Leasing Companies; membership;
310 appointments; terms.-

311 (4) If at any time a sufficient number of appointed board
312 members does not exist to constitute a quorum pursuant to s.
313 455.207, the department may, only during the absence of such
314 quorum, exercise all powers and duties granted to the board
315 pursuant to chapter 455 and this chapter.

316 Section 8. Paragraph (c) of subsection (2) of section
317 469.006, Florida Statutes, is amended to read:

318 469.006 Licensure of business organizations; qualifying
319 agents.-

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320 (2)

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

323 1. An affidavit on a form provided by the department
324 attesting that the applicant has obtained workers' compensation
325 insurance as required by chapter 440, public liability
326 insurance, and property damage insurance, in amounts determined
327 by department rule. The department shall establish by rule a
328 procedure to verify the accuracy of such affidavits based upon a
329 random sample method.

330 2. Evidence of financial responsibility. The department
331 shall adopt rules to determine financial responsibility which
332 must ~~shall~~ specify grounds on which the department may deny
333 licensure. Such criteria must ~~shall~~ include, but is not ~~be~~
334 limited to, credit history ~~and limits of bondability and credit.~~

335 Section 9. Paragraph (c) of subsection (2) of section
336 471.003, Florida Statutes, is amended to read:

337 471.003 Qualifications for practice; exemptions.—

338 (2) The following persons are not required to be licensed
339 under the provisions of this chapter as a licensed engineer:

340 (c) Regular full-time employees of a business organization
341 ~~corporation~~ not engaged in the practice of engineering as such,
342 whose practice of engineering for such business organization
343 ~~corporation~~ is limited to the design or fabrication of
344 manufactured products and servicing of such products.

345 Section 10. Section 473.306, Florida Statutes, is amended
346 to read:

347 473.306 Examinations.—

348 (1) A person desiring to be licensed as a Florida certified

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349 public accountant shall apply to the department to take the
350 licensure examination.

351 (2) A person applying to the department to take the
352 licensure examination must create and maintain an online account
353 with the department and provide an e-mail address to function as
354 the primary means of contact for all communication to the
355 applicant from the department. Each applicant is responsible for
356 maintaining accurate contact information on file with the
357 department and must submit any change in the applicant's e-mail
358 address or home address within 30 days after the change. All
359 changes must be submitted through the department's online
360 system.

361 (3) An applicant is entitled to take the licensure
362 examination to practice in this state as a certified public
363 accountant if:

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

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

374 1. The board finds a reasonable relationship between the
375 lack of good moral character of the applicant and the
376 professional responsibilities of a certified public accountant;
377 and

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

380

381 If an applicant is found pursuant to this paragraph to be
382 unqualified to take the licensure examination because of a lack
383 of good moral character, the board shall furnish to the
384 applicant a statement containing the findings of the board, a
385 complete record of the evidence upon which the determination was
386 based, and a notice of the rights of the applicant to a
387 rehearing and appeal.

388 (4)~~(3)~~ The board shall have the authority to establish the
389 standards for determining and shall determine:

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

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

395 (c) What courses and number of hours constitute a major in
396 accounting; and

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

399 (5)~~(4)~~ The board may adopt an alternative licensure
400 examination for persons who have been licensed to practice
401 public accountancy or its equivalent in a foreign country so
402 long as the International Qualifications Appraisal Board of the
403 National Association of State Boards of Accountancy has ratified
404 an agreement with that country for reciprocal licensure.

405 (6)~~(5)~~ For the purposes of maintaining the proper
406 educational qualifications for licensure under this chapter, the

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407 board may appoint an Educational Advisory Committee, which shall
408 be composed of one member of the board, two persons in public
409 practice who are licensed under this chapter, and four
410 academicians on faculties of universities in this state.

411 Section 11. Present subsections (3) through (9) of section
412 473.308, Florida Statutes, are redesignated as subsections (4)
413 through (10), respectively, a new subsection (3) is added to
414 that section, and subsection (2), paragraph (b) of present
415 subsection (4), and present subsection (8) of that section are
416 amended, to read:

417 473.308 Licensure.—

418 (2) The board shall certify for licensure any applicant who
419 successfully passes the licensure examination and satisfies the
420 requirements of subsections (4), (5), and (6) ~~(3), (4), and (5)~~,
421 and shall certify for licensure any firm that satisfies the
422 requirements of ss. 473.309 and 473.3101. The board may refuse
423 to certify any applicant or firm that has violated any of the
424 provisions of s. 473.322.

425 (3) A person desiring to be licensed as a Florida certified
426 public accountant or a firm desiring to engage in the practice
427 of public accounting must create and maintain an online account
428 with the department and provide an e-mail address to function as
429 the primary means of contact for all communication from the
430 department. Certified public accountants and firms are
431 responsible for maintaining accurate contact information on file
432 with the department and must submit any change in an e-mail
433 address or street address within 30 days after the change. All
434 changes must be submitted through the department's online
435 system.

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436 (5)~~(4)~~

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

441 (9)~~(8)~~ If the applicant has at least 5 years of experience
442 in the practice of public accountancy in the United States or in
443 the practice of public accountancy or its equivalent in a
444 foreign country that the International Qualifications Appraisal
445 Board of the National Association of State Boards of Accountancy
446 has determined has licensure standards that are substantially
447 equivalent to those in the United States, or has at least 5
448 years of work experience that meets the requirements of
449 subsection (5) ~~(4)~~, the board must ~~shall~~ waive the requirements
450 of subsection (4) ~~(3)~~ which are in excess of a baccalaureate
451 degree. All experience that is used as a basis for waiving the
452 requirements of subsection (4) ~~(3)~~ must be while licensed as a
453 certified public accountant by another state or territory of the
454 United States or while licensed in the practice of public
455 accountancy or its equivalent in a foreign country that the
456 International Qualifications Appraisal Board of the National
457 Association of State Boards of Accountancy has determined has
458 licensure standards that are substantially equivalent to those
459 in the United States. The board shall have the authority to
460 establish the standards for experience that meet this
461 requirement.

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

464 476.114 Examination; prerequisites.—

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

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

468 (b) Pays the required application fee; and

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

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

478 ~~1.a.~~ A school of barbering licensed pursuant to chapter
479 1005;

480 ~~2.b.~~ A barbering program within the public school system;
481 or

482 ~~3.c.~~ A government-operated barbering program in this state.
483

484 The board shall establish by rule procedures whereby the school
485 or program may certify that a person is qualified to take the
486 required examination after the completion of a minimum of 600
487 actual school hours. If the person passes the examination, she
488 or he has ~~shall have~~ satisfied this requirement; but if the
489 person fails the examination, she or he may ~~shall~~ not be
490 qualified to take the examination again until the completion of
491 the full requirements provided by this section.

492 (3) An applicant who meets the requirements set forth in
493 paragraph (2) (c) ~~subparagraphs (2) (c) 1. and 2.~~ who fails to pass

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494 the examination may take subsequent examinations as many times
495 as necessary to pass, except that the board may specify by rule
496 reasonable timeframes for rescheduling the examination and
497 additional training requirements for applicants who, after the
498 third attempt, fail to pass the examination. Prior to
499 reexamination, the applicant must file the appropriate form and
500 pay the reexamination fee as required by rule.

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

503 477.019 Cosmetologists; qualifications; licensure;
504 supervised practice; license renewal; endorsement; continuing
505 education.—

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

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

510 (b) Pays the required application fee, which is not
511 refundable, and the required examination fee, which is
512 refundable if the applicant is determined to not be eligible for
513 licensure for any reason other than failure to successfully
514 complete the licensure examination; and

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

519 ~~2. Has received a minimum of 1,200 hours of training as~~
520 ~~established by the board, which must ~~shall~~ include, but is ~~shall~~~~
521 ~~not ~~be~~ limited to, the equivalent of completion of services~~
522 ~~directly related to the practice of cosmetology at one of the~~

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523 following:

524 ~~1.a.~~ A school of cosmetology licensed pursuant to chapter
525 1005.

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

527 ~~3.e.~~ The Cosmetology Division of the Florida School for the
528 Deaf and the Blind, provided the division meets the standards of
529 this chapter.

530 ~~4.d.~~ A government-operated cosmetology program in this
531 state.

532

533 The board shall establish by rule procedures whereby the school
534 or program may certify that a person is qualified to take the
535 required examination after the completion of a minimum of 1,000
536 actual school hours. If the person then passes the examination,
537 he or she has ~~shall have~~ satisfied this requirement; but if the
538 person fails the examination, he or she may ~~shall~~ not be
539 qualified to take the examination again until the completion of
540 the full requirements provided by this section.

541 Section 14. Paragraph (c) of subsection (7) of section
542 489.131, Florida Statutes, is amended to read:

543 489.131 Applicability.—

544 (7)

545 (c) In addition to any action the local jurisdiction
546 enforcement body may take against the individual's local
547 license, and any fine the local jurisdiction may impose, the
548 local jurisdiction enforcement body shall issue a recommended
549 penalty for board action. This recommended penalty may include a
550 recommendation for no further action, or a recommendation for
551 suspension, restitution, revocation, or restriction of the

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552 registration, or a fine to be levied by the board, or a
553 combination thereof. The recommended penalty must specify the
554 violations of this chapter upon which the recommendation is
555 based. The local jurisdiction enforcement body shall inform the
556 disciplined contractor and the complainant of the local license
557 penalty imposed, the board penalty recommended, his or her
558 rights to appeal, and the consequences should he or she decide
559 not to appeal. The local jurisdiction enforcement body shall,
560 upon having reached adjudication or having accepted a plea of
561 nolo contendere, immediately inform the board of its action and
562 the recommended board penalty.

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

565 489.143 Payment from the fund.—

566 (3) Beginning January 1, 2005, for each Division I contract
567 entered into after July 1, 2004, payment from the recovery fund
568 is subject to a \$50,000 maximum payment for each Division I
569 claim. Beginning January 1, 2017, for each Division II contract
570 entered into on or after July 1, 2016, payment from the recovery
571 fund is subject to a \$15,000 maximum payment for each Division
572 II claim. Beginning January 1, 2025, for Division I and Division
573 II contracts entered into on or after July 1, 2024, payment from
574 the recovery fund is subject to a \$100,000 maximum payment for
575 each Division I claim and a \$30,000 maximum payment for each
576 Division II claim.

577 (6) For contracts entered into before July 1, 2004,
578 payments for claims against any one licensee may not exceed, in
579 the aggregate, \$100,000 annually, up to a total aggregate of
580 \$250,000. For any claim approved by the board which is in excess

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581 of the annual cap, the amount in excess of \$100,000 up to the
582 total aggregate cap of \$250,000 is eligible for payment in the
583 next and succeeding fiscal years, but only after all claims for
584 the then-current calendar year have been paid. Payments may not
585 exceed the aggregate annual or per claimant limits under law.
586 Beginning January 1, 2005, for each Division I contract entered
587 into after July 1, 2004, payment from the recovery fund is
588 subject only to a total aggregate cap of \$500,000 for each
589 Division I licensee. Beginning January 1, 2017, for each
590 Division II contract entered into on or after July 1, 2016,
591 payment from the recovery fund is subject only to a total
592 aggregate cap of \$150,000 for each Division II licensee.
593 Beginning January 1, 2025, for Division I and Division II
594 contracts entered into on or after July 1, 2024, payment from
595 the recovery fund is subject only to a total aggregate cap of \$2
596 million for each Division I licensee and \$600,000 for each
597 Division II licensee.

598 Section 16. Subsection (19) of section 489.505, Florida
599 Statutes, is amended to read:

600 489.505 Definitions.—As used in this part:

601 (19) "Specialty contractor" means a contractor whose scope
602 of practice is limited to a specific segment of electrical or
603 alarm system contracting established in a category adopted by
604 board rule, including, but not limited to, residential
605 electrical contracting, maintenance of electrical fixtures, and
606 fabrication, erection, installation, and maintenance of
607 electrical and nonelectrical advertising signs together with the
608 interrelated parts and supports thereof.

609 Section 17. Paragraph (b) of subsection (15) of section

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610 499.012, Florida Statutes, is amended to read:

611 499.012 Permit application requirements.—

612 (15)

613 (b) To be certified as a designated representative, a
614 natural person must:

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

617 2. Be at least 18 years of age.

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

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

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

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

628 d. Managerial experience with a state or federal
629 organization responsible for regulating or permitting
630 establishments involved in the distribution of prescription
631 drugs, whether in an administrative or a sworn law enforcement
632 capacity; or

633 e. Work experience as a drug inspector or investigator with
634 a state or federal organization, whether in an administrative or
635 a sworn law enforcement capacity, where the person's
636 responsibilities related primarily to compliance with state or
637 federal requirements pertaining to the distribution of
638 prescription drugs.

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639 4. Receive a passing score of at least 75 percent on an
640 examination given by the department regarding federal laws
641 governing distribution of prescription drugs and this part and
642 the rules adopted by the department governing the wholesale
643 distribution of prescription drugs. This requirement shall be
644 effective 1 year after the results of the initial examination
645 are mailed to the persons that took the examination. The
646 department shall offer such examinations at least four times
647 each calendar year.

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

650 Section 18. Subsection (2) of section 561.15, Florida
651 Statutes, is amended to read:

652 561.15 Licenses; qualifications required.—

653 (2) A ~~No~~ license under the Beverage Law may not ~~shall~~ be
654 issued to any person who has been convicted within the last past
655 5 years of any offense against the beverage laws of this state,
656 the United States, or any other state; who has been convicted
657 within the last past 5 years in this state or any other state or
658 the United States of soliciting for prostitution, pandering,
659 letting premises for prostitution, or keeping a disorderly place
660 or of any criminal violation of chapter 893 or the controlled
661 substance act of any other state or the Federal Government; or
662 who has been convicted in the last past 10 ~~15~~ years of any
663 felony in this state or any other state or the United States; or
664 to a corporation, any of the officers of which ~~shall~~ have been
665 so convicted. The term "conviction" includes ~~shall include~~ an
666 adjudication of guilt on a plea of guilty or nolo contendere or
667 the forfeiture of a bond when charged with a crime.

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668 Section 19. Subsection (5) of section 561.17, Florida
669 Statutes, is amended to read:

670 561.17 License and registration applications; approved
671 person.—

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

687 Section 20. Section 569.00256, Florida Statutes, is created
688 to read:

689 569.00256 Account; online system.—A person or an entity
690 licensed or permitted by the division under this part, or
691 applying for a license or a permit, must create and maintain an
692 account with the division's online system and provide an e-mail
693 address to the division to function as the primary means of
694 contact for all communication by the division to the licensee,
695 permittee, or applicant. Licensees, permittees, and applicants
696 are responsible for maintaining accurate contact information

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697 with the division. A person or an entity seeking a license or
698 permit from the division must apply using forms prepared by the
699 division and filed through the division's online system before
700 engaging in any business for which a license or permit is
701 required. The division may not process an application to deal,
702 at retail, in tobacco products unless the application is
703 submitted through the division's online system.

704 Section 21. Section 569.3156, Florida Statutes, is created
705 to read:

706 569.3156 Account; online system.—A person or an entity
707 licensed or permitted by the division under this part, or
708 applying for a license or a permit, must create and maintain an
709 account with the division's online system and provide an e-mail
710 address to the division to function as the primary means of
711 contact for all communication by the division to the licensee,
712 permittee, or applicant. Licensees, permittees, and applicants
713 are responsible for maintaining accurate contact information
714 with the division. A person or an entity seeking a license or
715 permit from the division must apply using forms prepared by the
716 division and filed through the division's online system before
717 engaging in any business for which a license or permit is
718 required. The division may not process an application to deal,
719 at retail, in nicotine products unless the application is
720 submitted through the division's online system.

721 Section 22. Subsection (2) of section 210.16, Florida
722 Statutes, is amended to read:

723 210.16 Revocation or suspension of permit.—

724 (2) The division shall revoke the permit or permits of any
725 person who would be ineligible to obtain a new license or renew

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726 a license by reason of any of the conditions for permitting
727 provided in s. 210.15(1)(d)1.-6. ~~s. 210.15(1)(e)1.-6.~~

728 Section 23. Paragraph (a) of subsection (6) of section
729 476.144, Florida Statutes, is amended to read:

730 476.144 Licensure.—

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

734 (a)1. Has successfully completed a restricted barber
735 course, as established by rule of the board, at a school of
736 barbering licensed pursuant to chapter 1005, a barbering program
737 within the public school system, or a government-operated
738 barbering program in this state; or

739 2.a. Holds or has within the previous 5 years held an
740 active valid license to practice barbering in another state or
741 country or has held a Florida barbering license which has been
742 declared null and void for failure to renew the license, and the
743 applicant fulfilled the requirements of s. 476.114(2)(c) ~~s.~~
744 ~~476.114(2)(e)2.~~ for initial licensure; and

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

747

748 The restricted license shall limit the licensee's practice to
749 those specific areas in which the applicant has demonstrated
750 competence pursuant to rules adopted by the board.

751 Section 24. This act shall take effect July 1, 2024.