

HB 1579

2024

1                            A bill to be entitled  
 2            An act relating to occupational licensing; amending s.  
 3            489.117, F.S.; requiring the Construction Industry  
 4            Licensing Board within the Department of Business and  
 5            Professional Regulation to issue registrations to  
 6            eligible persons under certain circumstances;  
 7            providing that the board is responsible for  
 8            disciplining such licensees; requiring the board to  
 9            make licensure and disciplinary information available  
 10           through the automated information system; providing  
 11           for the fees for the issuance of the registrations and  
 12           renewal registrations; requiring the department to  
 13           mail registrants renewal applications; conforming  
 14           provisions to changes made by the act; providing an  
 15           effective date.

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 17 Be It Enacted by the Legislature of the State of Florida:

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 19            Section 1. Paragraphs (a) and (b) of subsection (1) and  
 20            subsection (2) of section 489.117, Florida Statutes, are amended  
 21            to read:

22            489.117 Registration; specialty contractors.—

23            (1) (a) A ~~Any~~ person engaged in the business of a  
 24            contractor as defined in s. 489.105(3)(a)-(o) must be registered  
 25            before engaging in business as a contractor in this state,

26 unless he or she is certified. Except as provided in paragraph  
 27 (2)(b), to be initially registered, the applicant must ~~shall~~  
 28 submit the required fee and file evidence of successful  
 29 compliance with the local examination and licensing  
 30 requirements, if any, in the area for which registration is  
 31 desired. An examination is not required for registration.

32 (b) Registration allows the registrant to engage in  
 33 contracting only in the counties, municipalities, or development  
 34 districts where he or she has complied with all local licensing  
 35 requirements, if any, and only for the type of work covered by  
 36 the registration.

37 (2)(a) Except as provided in paragraph (b), the board may  
 38 not issue a ~~No new registration may be issued by the board~~ after  
 39 July 1, 1993, based on any certificate of competency or license  
 40 for a category of contractor defined in s. 489.105(3)(a)-(o)  
 41 which is issued by a municipal or county government that does  
 42 not exercise disciplinary control and oversight over such  
 43 locally licensed contractors, including forwarding a recommended  
 44 order in each action to the board as provided in s. 489.131(7).  
 45 For purposes of this subsection and s. 489.131(10), the board  
 46 shall determine the adequacy of such disciplinary control by  
 47 reviewing the local government's ability to process and  
 48 investigate complaints and to take disciplinary action against  
 49 locally licensed contractors.

50 (b) The board shall issue a registration to an eligible

51 applicant to engage in the business of a contractor in a  
52 specified local jurisdiction, provided each of the following  
53 conditions are satisfied:

54 1. The applicant held, in any local jurisdiction in this  
55 state during 2021, 2022, or 2023, a certificate of registration  
56 issued by the state or a local license issued by a local  
57 jurisdiction to perform work in a category of contractor defined  
58 in s. 489.105(3)(a)-(o).

59 2. The applicant submits all of the following to the  
60 board:

61 a. Evidence of the certificate of registration or local  
62 license held by the applicant as required by subparagraph 1.

63 b. Evidence that the specified local jurisdiction does not  
64 require a license for the category of work for which the  
65 applicant was issued a certification of registration or local  
66 license during 2021, 2022, or 2023, such as a notification on  
67 the website of the local jurisdiction or an email or letter from  
68 the office of the local building official or local building  
69 department stating that such licensing is not required or  
70 available in that local jurisdiction.

71 c. Evidence that the applicant has submitted the required  
72 fee.

73 d. Evidence of compliance with the insurance and financial  
74 responsibility requirements of s. 489.115(5).

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76 An examination is not required for an applicant seeking a  
77 registration under paragraph (b).

78 (c) The board is responsible for disciplining licensees  
79 issued a registration under paragraph (b). The board shall make  
80 such licensure and disciplinary information available through  
81 the automated information system provided pursuant to s.  
82 455.2286.

83 (d) The fees for an applicant seeking a registration under  
84 paragraph (b) and renewal of such registration every 2 years are  
85 the same as the fees established by the board for applications,  
86 registration and renewal, and record making and recordkeeping,  
87 as set forth in s. 489.109. The department shall mail each  
88 registrant an application for renewal.

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