

By the Committees on Rules; Governmental Oversight and Accountability; and Regulated Industries; and Senator Hooper

595-03593-24

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1 A bill to be entitled
2 An act relating to continuing education requirements;
3 amending s. 455.2123, F.S.; requiring, rather than
4 authorizing, a board, or the Department of Business
5 and Professional Regulation when there is no board, to
6 allow by rule that distance learning may be used to
7 satisfy continuing education requirements; revising
8 the requirements that such continuing education must
9 satisfy; amending s. 455.2124, F.S.; requiring a
10 board, or the department when there is no board, to
11 exempt certain individuals from completing their
12 continuing education requirements; providing
13 applicability; requiring the department and each
14 affected board to adopt rules; authorizing the
15 department to adopt emergency rules; providing
16 requirements and an expiration date for the emergency
17 rules; providing for the expiration of such rulemaking
18 authority; providing an effective date.

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

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22 Section 1. Section 455.2123, Florida Statutes, is amended
23 to read:

24 455.2123 Continuing education.—A board, or the department
25 when there is no board, shall allow ~~may provide~~ by rule that
26 distance learning may be used to satisfy continuing education
27 requirements. A board, or the department when there is no board,
28 shall approve distance learning courses as an alternative to
29 classroom courses to satisfy continuing education requirements.

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30 A board, or the department when there is no board, provided for
31 in part VIII, part XV, or part XVI of chapter 468 or part I or
32 part II of chapter 475 and may not require centralized
33 examinations for completion of continuing education requirements
34 for the professions licensed under part VIII, part XV, or part
35 XVI of chapter 468 or part I or part II of chapter 475.

36 Section 2. Section 455.2124, Florida Statutes, is amended
37 to read:

38 455.2124 Proration of or not requiring continuing
39 education.—

40 (1) A board, or the department when there is no board, may:

41 (a) ~~(1)~~ Prorate continuing education for new licensees by
42 requiring half of the required continuing education for any
43 applicant who becomes licensed with more than half the renewal
44 period remaining and no continuing education for any applicant
45 who becomes licensed with half or less than half of the renewal
46 period remaining; or

47 (b) ~~(2)~~ Require no continuing education until the first full
48 renewal cycle of the licensee.

49
50 These options shall also apply when continuing education is
51 first required or the number of hours required is increased by
52 law or the board, or the department when there is no board.

53 (2) (a) A board, or the department when there is no board,
54 shall exempt an individual from completing the continuing
55 education required for renewal of a license for a renewal period
56 if:

57 1. The individual holds an active license issued by the
58 board or department to practice the profession;

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59 2. The individual has continuously held the license for at
60 least 10 years; and

61 3. No disciplinary action is imposed on the individual's
62 license.

63 (b) This subsection does not apply to engineers regulated
64 pursuant to chapter 471, to certified public accountants
65 regulated pursuant to chapter 473, to brokers, broker
66 associates, and sales associates regulated pursuant to part I of
67 chapter 475, to appraisers regulated pursuant to part II of
68 chapter 475, to architects, interior designers, or landscape
69 architects regulated pursuant to chapter 481, or to contractors
70 regulated pursuant to chapter 489.

71 (3) The department and each affected board shall adopt
72 rules pursuant to ss. 120.536(1) and 120.54 to implement this
73 section.

74 Section 3. (1) The Department of Business and Professional
75 Regulation is authorized, and all conditions are deemed to be
76 met, to adopt emergency rules pursuant to s. 120.54(4), Florida
77 Statutes, for the purpose of implementing the amendments made by
78 this act to s. 455.2124, Florida Statutes, including
79 establishing procedures to facilitate the exemption for eligible
80 individuals from completing continuing education.

81 (2) Notwithstanding any other law, emergency rules adopted
82 pursuant to subsection (1) are effective for 6 months after
83 adoption and may be renewed during the pendency of procedures to
84 adopt permanent rules addressing the subject of the emergency
85 rules.

86 (3) This section expires January 1, 2026.

87 Section 4. This act shall take effect July 1, 2024.