

CS/CS/CS/HB 713 — Department of Business and Professional Regulation
by General Government Policy Council; Government Operations Appropriations Committee;
Insurance, Business, and Financial Affairs Policy Committee; and Rep. Workman (CS/CS/SB
1330 by General Government Appropriations Committee, Regulated Industries Committee; and
Senators Fasano and Altman)

The bill amends numerous provisions relating to regulatory activities of the Department of Business and Professional Regulation. The bill:

- Amends the department's service of process procedures to provide that the department shall call the licensee's last telephone number of record and publish in a newspaper if service via mail is unsuccessful;
- Provides that general regulatory provisions concerning the department in ch. 455, F.S., only apply to the regulation of the Division of Professions;
- Authorizes the department to enter into an interagency agreement with the Department of Highway Safety and Motor Vehicles for access to photographic records for inclusion on department licenses;
- Creates a temporary professional license for spouses of active duty members of the Armed Forces of the United States who have been assigned to a duty station in Florida;
- Requires that, upon a determination by the department that it erroneously issued a license or upon the revocation of a license, the licensee must surrender his or her license to the department;
- Prohibits an examinee whose examination materials were confiscated based upon suspicion of theft or unlawful reproduction of examination materials from taking another examination until the criminal investigation is concluded;
- Amends various provisions of the home inspection licensing program (previously scheduled to become effective July 1, 2010), which include amendments to the definition of home inspection services, eliminating the certificate of authorization for companies, authorizing applicants to take the licensure examination without having to obtain department approval, requiring a criminal history check for applicants, delaying the effective date for enforcement provisions to July 1, 2011, changing the grandfather provision, and providing additional rulemaking authority to the department;
- Amends various provisions of the mold-related services licensure program (previously scheduled to become effective July 1, 2010), which include amendments eliminating the certificate of authorization for companies, authorizing applicants to take the licensure examination without having to obtain department approval, clarifying that the two-year degree requirement must be an associate of arts degree or equivalent with 30 semester hours in specified courses, delaying the effective date for enforcement provisions to July 1, 2011,

changing the grandfather provision, and providing additional rulemaking authority to the department;

- Expands the exemption from licensure requirements to allow veterinary interns or residents who are graduates in training to be a graduate of a school recognized by the Educational Commission for Foreign Veterinary Graduates;
- Transfers carbon monoxide regulation in public lodging establishments from the Division of Hotels and Restaurants to the State Fire Marshal;
- Revises the qualifications of members of the Florida Real Estate Appraisal Board;
- Allows the Florida State Boxing Commission to issue a notice to cease and desist for unlicensed activity;
- Removes the requirement that cosmetology applicants must take the examination within 6 months after approval to take the examination; and
- Repeals HIV/AIDS educational requirements for funeral directors and embalmers from ch. 455, F.S. The regulation of funeral directors and embalmers is provided in ch. 497, F.S.

If approved by the Governor, these provisions take effect July 1, 2010.

Vote: Senate 39-0; House 114-0