2024

1 A bill to be entitled 2 An act relating to professional licensing requirements 3 for barbers and cosmetologists; amending s. 455.213, 4 F.S.; providing a period of time when a conviction, or 5 any other adjudication, for a crime may not be grounds 6 for denial of licensure as a barber or cosmetologist; 7 providing an exception; requiring the applicable board 8 to approve certain educational program credits offered 9 to inmates in certain institutions or facilities for purposes of satisfying training requirements for 10 11 licensure as a barber or cosmetologist; providing an effective date. 12 13 14 Be It Enacted by the Legislature of the State of Florida: 15 16 Section 1. Paragraph (b) of subsection (3) of section 17 455.213, Florida Statutes, is amended, paragraph (f) is added to 18 that subsection, and paragraph (a) of that subsection is 19 republished, to read: 20 455.213 General licensing provisions.-21 (3)(a) Notwithstanding any other law, the applicable board 22 shall use the process in this subsection for review of an

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applicant's criminal record to determine his or her eligibility

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1. A barber under chapter 476;

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for licensure as:

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- 2. A cosmetologist or cosmetology specialist under chapter 477;
- 3. Any of the following construction professions under chapter 489:
  - a. Air-conditioning contractor;
  - b. Electrical contractor;
    - c. Mechanical contractor;
    - d. Plumbing contractor;
    - e. Pollutant storage systems contractor;
  - f. Roofing contractor;
    - g. Sheet metal contractor;
    - h. Solar contractor;
    - i. Swimming pool and spa contractor;
    - j. Underground utility and excavation contractor; or
    - k. Other specialty contractors; or
  - 4. Any other profession for which the department issues a license, provided the profession is offered to inmates in any correctional institution or correctional facility as vocational training or through an industry certification program.
  - (b)1. A conviction, or any other adjudication, for a crime more than 3 years before the date the application is received by the applicable board may not be grounds for denial of a license specified in subparagraph (a)1. or subparagraph (a)2. unless the applicant was convicted of a crime at any time during the 3-year period immediately preceding the application. A conviction, or

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any other adjudication, for a crime more than 5 years before the date the application is received by the applicable board may not be grounds for denial of a license specified in <u>subparagraph</u>

(a)3. or <u>subparagraph</u> (a)4. <u>paragraph</u> (a). For purposes of this paragraph, the term "conviction" means a determination of guilt that is the result of a plea or trial, regardless of whether adjudication is withheld. This paragraph does not limit the applicable board from considering an applicant's criminal history that includes a crime listed in s. 775.21(4)(a)1. or s. 776.08 at any time, but only if such criminal history has been found to relate to the practice of the applicable profession.

- 2. The applicable board may consider the criminal history of an applicant for licensure under subparagraph (a)3. if such criminal history has been found to relate to good moral character.
- (f) The applicable board shall approve educational program credits offered to inmates in any correctional institution or correctional facility as vocational training or through an industry certification program for purposes of satisfying applicable training requirements for licensure in a profession under subparagraph (a)1. or subparagraph (a)2.
  - Section 2. This act shall take effect July 1, 2024.

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