

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
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
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
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
 115 subsection (1) of section 210.15, Florida Statutes, are
 116 redesignated as paragraphs (b) through (i), respectively, and a
 117 new paragraph (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
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
 156 ~~shall~~ be accompanied by a fee of \$25. The application must ~~shall~~
 157 also be accompanied by a corporate surety bond issued by a
 158 surety company authorized to do business in this state,
 159 conditioned for the payment when due of all taxes, penalties,
 160 and accrued interest which may be due the state. The initial
 161 corporate surety bond shall be in the sum of \$25,000 ~~\$1,000~~ and
 162 in a form 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
 174 the division in accordance with paragraph (1) (c), is required
 175 for 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
195 and 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;

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
222 made for each place of business at which a distributor proposes
223 to 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
 233 only in numbers deemed necessary or prudent by the board, and
 234 other aspects of the economic regulation of piloting established
 235 in this chapter are intended to protect the public from the
 236 adverse effects of unrestricted competition which would result
 237 from an unlimited number of licensed pilots being allowed to
 238 market their services on the basis of lower prices rather than
 239 safety concerns. This system of regulation benefits and protects
 240 the 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~~
 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
 272 file 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
 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.—

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
 349 certified public accountant shall apply to the department to
 350 take the 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

378 2. The finding by the board of lack of good moral
379 character 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
 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
 419 who successfully passes the licensure examination and satisfies
 420 the requirements of subsections (4), (5), and (6) ~~(3), (4), and~~
 421 ~~(5)~~, 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

426 certified public accountant or a firm desiring to engage in the
 427 practice of public accounting must create and maintain an online
 428 account with the department and provide an e-mail address to
 429 function as the primary means of contact for all communication
 430 from the 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.

436 (5)~~(4)~~

437 (b) However, an applicant who completed the requirements
 438 of 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.—

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.e. A government-operated barbering program in this
 483 state.

484

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

493 (3) An applicant who meets the requirements set forth in
 494 paragraph (2) (c) ~~subparagraphs (2) (c) 1. and 2.~~ who fails to pass
 495 the examination may take subsequent examinations as many times
 496 as necessary to pass, except that the board may specify by rule
 497 reasonable timeframes for rescheduling the examination and
 498 additional training requirements for applicants who, after the
 499 third attempt, fail to pass the examination. Prior to
 500 reexamination, the applicant must file the appropriate form and

501 pay the reexamination fee as required by rule.

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

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

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

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

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

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

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

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

526 | 1005.

527 | ~~2.b.~~ A cosmetology program within the public school
528 | system.

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

532 | ~~4.d.~~ A government-operated cosmetology program in this
533 | state.

534 |

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

543 | Section 14. Paragraph (c) of subsection (7) of section
544 | 489.131, Florida Statutes, is amended to read:

545 | 489.131 Applicability.—

546 | (7)

547 | (c) In addition to any action the local jurisdiction
548 | enforcement body may take against the individual's local
549 | license, and any fine the local jurisdiction may impose, the
550 | local jurisdiction enforcement body shall issue a recommended

551 penalty for board action. This recommended penalty may include a
552 recommendation for no further action, or a recommendation for
553 suspension, restitution, revocation, or restriction of the
554 registration, or a fine to be levied by the board, or a
555 combination thereof. The recommended penalty must specify the
556 violations of this chapter upon which the recommendation is
557 based. The local jurisdiction enforcement body shall inform the
558 disciplined contractor and the complainant of the local license
559 penalty imposed, the board penalty recommended, his or her
560 rights to appeal, and the consequences should he or she decide
561 not to appeal. The local jurisdiction enforcement body shall,
562 upon having reached adjudication or having accepted a plea of
563 nolo contendere, immediately inform the board of its action and
564 the recommended board penalty.

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

567 489.143 Payment from the fund.—

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

576 2024, payment from the recovery fund is subject to a \$100,000
577 maximum payment for each Division I claim and a \$30,000 maximum
578 payment for each Division II claim.

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

600 Section 16. Subsection (19) of section 489.505, Florida

601 Statutes, is amended to read:

602 489.505 Definitions.—As used in this part:

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

611 Section 17. Paragraph (b) of subsection (15) of section
 612 499.012, Florida Statutes, is amended to read:

613 499.012 Permit application requirements.—

614 (15)

615 (b) To be certified as a designated representative, a
 616 natural person must:

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

619 2. Be at least 18 years of age.

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

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

624 b. Managerial experience with a prescription drug
 625 wholesale distributor licensed in this state or in another

626 state; ~~or~~

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

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

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

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

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

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

655 561.15 Licenses; qualifications required.—

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

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

673 561.17 License and registration applications; approved
674 person.—

675 (5) Any person or entity licensed or permitted by the

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

690 Section 20. Section 569.00256, Florida Statutes, is
691 created to read:

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

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

707 Section 21. Section 569.3156, Florida Statutes, is created
708 to read:

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

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

726 210.16 Revocation or suspension of permit.—

727 (2) The division shall revoke the permit or permits of any
 728 person who would be ineligible to obtain a new license or renew
 729 a license by reason of any of the conditions for permitting
 730 provided in s. 210.15(1)(d)1.-6. ~~s. 210.15(1)(e)1.-6.~~

731 Section 23. Paragraph (a) of subsection (6) of section
 732 476.144, Florida Statutes, is amended to read:

733 476.144 Licensure.—

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

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

743 2.a. Holds or has within the previous 5 years held an
 744 active valid license to practice barbering in another state or
 745 country or has held a Florida barbering license which has been
 746 declared null and void for failure to renew the license, and the
 747 applicant fulfilled the requirements of s. 476.114(2)(c) ~~s.~~
 748 ~~476.114(2)(c)2.~~ for initial licensure; and

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

751

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

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