

1 A bill to be entitled

2 An act relating to the Department of Business and  
3 Professional Regulation; amending s. 210.15 and  
4 creating s. 210.32, F.S.; requiring persons or  
5 entities licensed or permitted by the department's  
6 Division of Alcoholic Beverages and Tobacco, or  
7 applying for such license or permit, to create and  
8 maintain an account with the division's online system  
9 and provide an e-mail address to the division;  
10 specifying application requirements; prohibiting the  
11 division from processing applications not submitted  
12 through the online system; amending s. 210.40, F.S.;  
13 revising the amount of an initial corporate surety  
14 bond required as a condition of licensure as a tobacco  
15 product distributor; requiring the division to review  
16 corporate surety bond amounts on a specified basis;  
17 authorizing the division to increase a bond amount,  
18 subject to specified conditions; authorizing the  
19 division to adjust bond amounts by rule; authorizing  
20 the division to reduce a bond amount upon a showing of  
21 good cause; defining terms; requiring the division to  
22 notify distributors in writing if their corporate  
23 surety bond requirements change; providing  
24 applicability; prohibiting the division from reducing  
25 a bond amount under specified circumstances;

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 | creating s. 468.519, F.S.; creating the employee  
44 | leasing companies licensing program under the  
45 | department; providing legislative intent; repealing s.  
46 | 468.521, F.S., relating to the department's Board of  
47 | Employee Leasing Companies; amending s. 469.006, F.S.;  
48 | revising requirements for department rules governing  
49 | evidence of financial responsibility of applicants  
50 | seeking licensure as a business organization under ch.

51 469, F.S.; amending s. 473.306, F.S.; requiring  
52 applicants for the accountancy licensure examination  
53 to create and maintain an online account with the  
54 department and provide an e-mail address; requiring  
55 applicants to maintain the accuracy of their contact  
56 information; requiring that address changes be  
57 submitted through the department's online system  
58 within a specified timeframe; conforming cross-  
59 references; amending s. 473.308, F.S.; requiring a  
60 person seeking licensure as a Florida certified public  
61 accountant, or a firm seeking to engage in public  
62 accountancy, to create and maintain an online account  
63 with the department and provide an e-mail address;  
64 requiring certified public accountants and accounting  
65 firms to maintain the accuracy of their contact  
66 information; requiring that address changes be  
67 submitted through the department's online system  
68 within a specified timeframe; amending s. 475.181,  
69 F.S.; revising conditions regarding issuance of a  
70 licensure under part I of ch. 475, F.S.; amending s.  
71 476.114, F.S.; revising eligibility requirements for  
72 licensure as a barber; making technical changes;  
73 amending s. 477.019, F.S.; revising eligibility  
74 requirements for licensure by examination to practice  
75 cosmetology; amending s. 489.131, F.S.; revising the

76 types of penalties that may be recommended by a local  
77 jurisdiction enforcement body against a contractor;  
78 specifying requirements for any such recommended  
79 penalties; amending s. 489.143, F.S.; revising payment  
80 limitations for payments made from the department's  
81 Florida Homeowners' Construction Recovery Fund;  
82 amending s. 499.012, F.S.; revising requirements for  
83 certification as a designated representative of a  
84 prescription drug wholesale distributor; amending s.  
85 561.17, F.S.; requiring persons or entities licensed  
86 or permitted by the Division of Alcoholic Beverages  
87 and Tobacco, or applying for such license or permit,  
88 to create and maintain an account with the division's  
89 online system; specifying application requirements;  
90 prohibiting the division from processing applications  
91 not submitted through the online system; creating ss.  
92 569.00256 and 569.3156, F.S.; requiring certain  
93 persons or entities licensed or permitted by the  
94 division, or applying for such a license or permit, to  
95 create and maintain an account with the division's  
96 online system; requiring licensees, permittees, and  
97 applicants to provide the division with an e-mail  
98 address and maintain accurate contact information;  
99 specifying application requirements; prohibiting the  
100 division from processing applications not submitted

101 through the online system; amending s. 723.061, F.S.;

102 conforming provisions to changes made by the act;

103 replacing the Florida Mobile Home Relocation

104 Corporation with the Division of Florida Condominiums,

105 Timeshares, and Mobile Homes with regard to a

106 specified notice; repealing s. 723.0611, F.S.,

107 relating to the Florida Mobile Home Relocation

108 Corporation; amending s. 723.06115, F.S.; replacing

109 the Florida Mobile Home Relocation Corporation with

110 the Division of Florida Condominiums, Timeshares, and

111 Mobile Homes as the manager and administrator of the

112 Florida Mobile Home Relocation Trust Fund; revising

113 the uses of the trust fund; making conforming changes;

114 amending s. 723.06116, F.S.; replacing the Florida

115 Mobile Home Relocation Corporation with the Division

116 of Florida Condominiums, Timeshares, and Mobile Homes

117 with regard to payments made from mobile home park

118 owners to the Florida Mobile Home Relocation Trust

119 Fund; amending s. 723.0612, F.S.; replacing the

120 Florida Mobile Home Relocation Corporation with the

121 Division of Florida Condominiums, Timeshares, and

122 Mobile Homes with regard to relocation expenses to be

123 paid to mobile home owners from the Florida Mobile

124 Home Relocation Trust Fund; making technical changes;

125 conforming a cross-reference; amending ss. 20.165,

126 210.16, 212.08, 440.02, 448.26, 468.520, 468.522,  
 127 468.524, 468.5245, 468.525, 468.526, 468.527,  
 128 468.5275, 468.529, 468.530, 468.531, 468.532, 476.144,  
 129 and 627.192, F.S.; conforming cross-references and  
 130 provisions to changes made by the act; reenacting ss.  
 131 48.184(1), 723.004(5), 723.031(9), 723.032(1), and  
 132 723.085(2), F.S., relating to service of process for  
 133 the removal of unknown parties in possession of mobile  
 134 homes, legislative intent, mobile home lot rental  
 135 agreements, prohibited or unenforceable provisions in  
 136 mobile home lot rental agreements, and the rights of  
 137 lienholders on mobile homes in rental mobile home  
 138 parks, respectively, to incorporate the amendment made  
 139 in s. 723.061, F.S., in references thereto; reenacting  
 140 s. 320.08015(1), F.S., relating to license tax  
 141 surcharges, to incorporate the amendment made in s.  
 142 723.06115, F.S., in a reference thereto; providing an  
 143 appropriation; providing an effective date.

144

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

146

147 Section 1. Present paragraphs (a) through (h) of  
 148 subsection (1) of section 210.15, Florida Statutes, are  
 149 redesignated as paragraphs (b) through (i), respectively, and a  
 150 new paragraph (a) is added to that subsection, to read:

151           210.15 Permits.—  
 152           (1)  
 153           (a) A person or an entity licensed or permitted by the  
 154 division, or applying for a license or a permit, must create and  
 155 maintain an account with the division's online system and  
 156 provide an e-mail address to the division to function as the  
 157 primary means of contact for all communication by the division  
 158 to the licensee, permittee, or applicant. Licensees, permittees,  
 159 and applicants are responsible for maintaining accurate contact  
 160 information on file with the division. A person or an entity  
 161 seeking a license or permit under this part must apply using  
 162 forms furnished by the division which are filed through the  
 163 division's online system before commencing operations. The  
 164 division may not process an application for a license or permit  
 165 issued by the division under this part unless the application is  
 166 submitted through the division's online system.

167           Section 2. Section 210.32, Florida Statutes, is created to  
 168 read:

169           210.32 Account; online system.—A person or an entity  
 170 licensed or permitted by the division, or applying for a license  
 171 or a permit, must create and maintain an account with the  
 172 division's online system and provide an e-mail address to the  
 173 division to function as the primary means of contact for all  
 174 communication by the division to the licensee, permittee, or  
 175 applicant. Licensees, permittees, and applicants are responsible

176 for maintaining accurate contact information on file with the  
 177 division. A person or an entity seeking a license or a permit  
 178 under this part must apply using forms furnished by the division  
 179 which are filed through the division's online system before  
 180 commencing operations. The division may not process an  
 181 application for a license or permit issued by the division under  
 182 this part unless the application is submitted through the  
 183 division's online system.

184 Section 3. Section 210.40, Florida Statutes, is amended to  
 185 read:

186 210.40 License fees; surety bond; application for each  
 187 place of business.—

188 (1) Each application for a distributor's license must  
 189 ~~shall~~ be accompanied by a fee of \$25. The application must ~~shall~~  
 190 also be accompanied by a corporate surety bond issued by a  
 191 surety company authorized to do business in this state,  
 192 conditioned for the payment when due of all taxes, penalties,  
 193 and accrued interest which may be due the state. The initial  
 194 corporate surety bond shall be in the sum of \$25,000 ~~\$17,000~~ and  
 195 in a form prescribed by the division.

196 (a) The division shall review the amount of a corporate  
 197 surety bond on a semiannual basis to ensure that the bond amount  
 198 is adequate to protect the state.

199 (b) The division may increase the corporate surety bond  
 200 amount before renewing a distributor's license or after



201 completing its semiannual review of the bond amount.

202 (c) The corporate surety bond amount may be increased to  
203 the sum of the distributor's highest month of final audited tax  
204 liabilities, penalties, and accrued interest which are due to  
205 the state.

206 (2) A corporate surety bond, with the sum determined by  
207 the division in accordance with paragraph (1)(c), is required  
208 for renewal of a distributor's license.

209 (3) The division may prescribe by rule increases in the  
210 corporate surety bond amounts required as a condition of  
211 licensure.

212 (4)(a) The division may reduce the amount of a corporate  
213 surety bond upon a distributor's showing of good cause. For  
214 purposes of this subsection, the term:

215 1. "Fully resolved" means that criminal or administrative  
216 charges or investigations have been definitively closed or  
217 dismissed, have resulted in an acquittal, or have otherwise  
218 ended in such a manner that no further legal or administrative  
219 actions relating to charges or investigations are pending  
220 against a licensee under applicable laws, rules, or regulations.

221 2. "Good cause" means a consistent pattern of responsible  
222 financial behavior by the distributor over a period of at least  
223 the preceding 4 years, and having the sum of the distributor's  
224 final audited tax liabilities, penalties, and interest be less  
225 than the amount of the distributor's corporate surety bond for

226 every month for a period of at least the preceding 4 years.

227 3. "Responsible financial behavior" includes the timely  
 228 and complete reporting and payment of all tax liabilities,  
 229 penalties, and accrued interest due to the state for a period of  
 230 at least the preceding 4 years.

231 (b) The division may not reduce a corporate surety bond  
 232 amount when a licensee:

233 1. Is in default of any tax liabilities, penalties, or  
 234 interest due to the state;

235 2. Is the subject of a pending criminal prosecution in any  
 236 jurisdiction until such prosecution has been fully resolved;

237 3. Has pending administrative charges brought by an  
 238 authorized regulatory body or agency which have not been fully  
 239 resolved in accordance with applicable rules and procedures; or

240 4. Is under investigation by any administrative body or  
 241 agency for potential criminal violations until any such  
 242 investigation is completed and the findings of the investigation  
 243 have been fully resolved in accordance with applicable law.

244 (5) The division shall notify a distributor in writing of  
 245 any change in the distributor's corporate surety bond  
 246 requirements by the date on which the distributor's audited tax  
 247 assessments become final.

248 (6) The provisions of this section governing corporate  
 249 surety bonds are not subject to s. 120.60 ~~Whenever it is the~~  
 250 ~~opinion of the division that the bond given by a licensee is~~

251 ~~inadequate in amount to fully protect the state, the division~~  
 252 ~~shall require an additional bond in such amount as is deemed~~  
 253 ~~sufficient.~~

254 (7) A separate application for a license must ~~shall~~ be  
 255 made for each place of business at which a distributor proposes  
 256 to engage in business as a distributor under this part, but an  
 257 applicant may provide one corporate surety bond in an amount  
 258 determined by the division for all applications made by the  
 259 distributor consistent with the requirements of this section.

260 (8) The division may adopt rules to administer this  
 261 section.

262 Section 4. Paragraph (d) of subsection (3) of section  
 263 310.0015, Florida Statutes, is amended to read:

264 310.0015 Piloting regulation; general provisions.—

265 (3) The rate-setting process, the issuance of licenses  
 266 only in numbers deemed necessary or prudent by the board, and  
 267 other aspects of the economic regulation of piloting established  
 268 in this chapter are intended to protect the public from the  
 269 adverse effects of unrestricted competition which would result  
 270 from an unlimited number of licensed pilots being allowed to  
 271 market their services on the basis of lower prices rather than  
 272 safety concerns. This system of regulation benefits and protects  
 273 the public interest by maximizing safety, avoiding uneconomic  
 274 duplication of capital expenses and facilities, and enhancing  
 275 state regulatory oversight. The system seeks to provide pilots

276 with reasonable revenues, taking into consideration the normal  
277 uncertainties of vessel traffic and port usage, sufficient to  
278 maintain reliable, stable piloting operations. Pilots have  
279 certain restrictions and obligations under this system,  
280 including, but not limited to, the following:

281 (d)~~1.~~ The pilot or pilots in a port shall train and  
282 compensate all member deputy pilots in that port. Failure to  
283 train or compensate such deputy pilots constitutes ~~shall~~  
284 ~~constitute~~ a ground for disciplinary action under s. 310.101.  
285 Nothing in this subsection may ~~shall~~ be deemed to create an  
286 agency or employment relationship between a pilot or deputy  
287 pilot and the pilot or pilots in a port.

288 ~~2. The pilot or pilots in a port shall establish a~~  
289 ~~competency-based mentor program by which minority persons as~~  
290 ~~defined in s. 288.703 may acquire the skills for the~~  
291 ~~professional preparation and education competency requirements~~  
292 ~~of a licensed state pilot or certificated deputy pilot. The~~  
293 ~~department shall provide the Governor, the President of the~~  
294 ~~Senate, and the Speaker of the House of Representatives with a~~  
295 ~~report each year on the number of minority persons as defined in~~  
296 ~~s. 288.703 who have participated in each mentor program, who are~~  
297 ~~licensed state pilots or certificated deputy pilots, and who~~  
298 ~~have applied for state pilot licensure or deputy pilot~~  
299 ~~certification.~~

300 Section 5. Subsection (2) of section 310.081, Florida

301 Statutes, is amended to read:

302 310.081 Department to examine and license state pilots and  
 303 certificate deputy pilots; vacancies.-

304 (2) The department shall similarly examine persons who  
 305 file applications for certificate as deputy pilot, and, if upon  
 306 examination to determine proficiency the department finds them  
 307 qualified, the department must ~~shall~~ certify as qualified all  
 308 applicants who pass the examination, provided that not more than  
 309 five persons who passed the examination are certified for each  
 310 declared opening. If more than five applicants per opening pass  
 311 the examination, the persons having the highest scores must  
 312 ~~shall~~ be certified as qualified up to the number of openings  
 313 times five. ~~The department shall give consideration to the~~  
 314 ~~minority and female status of applicants when qualifying deputy~~  
 315 ~~pilots, in the interest of ensuring diversification within the~~  
 316 ~~state piloting profession.~~ The department shall appoint and  
 317 certificate such number of deputy pilots from those applicants  
 318 deemed qualified as in the discretion of the board are required  
 319 in the respective ports of the state. A deputy pilot shall be  
 320 authorized by the department to pilot vessels within the limits  
 321 and specifications established by the licensed state pilots at  
 322 the port where the deputy is appointed to serve.

323 Section 6. Section 399.18, Florida Statutes, is created to  
 324 read:

325 399.18 Online services account.-

326       (1) A certified elevator inspector, certified elevator  
 327 technician, or registered elevator company; a person or entity  
 328 seeking to become certified or registered as such; a person who  
 329 has been issued an elevator certificate of competency; a person  
 330 who is seeking such certificate; a person or entity who has been  
 331 issued an elevator certificate of operation; and a person or  
 332 entity who is seeking such a certificate must create and  
 333 maintain an online account with the division and provide an e-  
 334 mail address to the division to function as the primary means of  
 335 contact for all communication from the division. Each person or  
 336 entity is responsible for maintaining accurate contact  
 337 information on file with the division.

338       (2) The division shall adopt rules to implement this  
 339 section.

340       Section 7. Section 468.519, Florida Statutes, is created,  
 341 and incorporated into part XI of chapter 468, Florida Statutes,  
 342 to read:

343       468.519 Employee leasing companies licensing program;  
 344 purpose.—

345       (1) There is created within the department the employee  
 346 leasing companies licensing program.

347       (2) The Legislature finds it necessary in the interest of  
 348 the public safety and welfare to ensure that consumers of  
 349 employee leasing companies can rely on the competence and  
 350 integrity of such companies through the licensing requirements

351 of this part.

352 Section 8. Section 468.521, Florida Statutes, is repealed.

353 Section 9. Paragraph (c) of subsection (2) of section  
354 469.006, Florida Statutes, is amended to read:

355 469.006 Licensure of business organizations; qualifying  
356 agents.—

357 (2)

358 (c) As a prerequisite to the issuance of a license under  
359 this section, the applicant shall submit the following:

360 1. An affidavit on a form provided by the department  
361 attesting that the applicant has obtained workers' compensation  
362 insurance as required by chapter 440, public liability  
363 insurance, and property damage insurance, in amounts determined  
364 by department rule. The department shall establish by rule a  
365 procedure to verify the accuracy of such affidavits based upon a  
366 random sample method.

367 2. Evidence of financial responsibility. The department  
368 shall adopt rules to determine financial responsibility which  
369 must ~~shall~~ specify grounds on which the department may deny  
370 licensure. Such criteria must ~~shall~~ include, but is not ~~be~~  
371 limited to, credit history ~~and limits of bondability and credit.~~

372 Section 10. Section 473.306, Florida Statutes, is amended  
373 to read:

374 473.306 Examinations.—

375 (1) A person desiring to be licensed as a Florida

376 certified public accountant shall apply to the department to  
377 take the licensure examination.

378       (2) A person applying to the department to take the  
379 licensure examination must create and maintain an online account  
380 with the department and provide an e-mail address to function as  
381 the primary means of contact for all communication to the  
382 applicant from the department. Each applicant is responsible for  
383 maintaining accurate contact information on file with the  
384 department and must submit any change in the applicant's e-mail  
385 address or home address within 30 days after the change. All  
386 changes must be submitted through the department's online  
387 system.

388       (3) An applicant is entitled to take the licensure  
389 examination to practice in this state as a certified public  
390 accountant if:

391       (a) The applicant has completed 120 semester hours or 180  
392 quarter hours from an accredited college or university with a  
393 concentration in accounting and business courses as specified by  
394 the board by rule; and

395       (b) The applicant shows that she or he has good moral  
396 character. For purposes of this paragraph, the term "good moral  
397 character" has the same meaning as provided in s. 473.308(7)(a)  
398 ~~s. 473.308(6)(a)~~. The board may refuse to allow an applicant to  
399 take the licensure examination for failure to satisfy this  
400 requirement if:



401           1. The board finds a reasonable relationship between the  
 402 lack of good moral character of the applicant and the  
 403 professional responsibilities of a certified public accountant;  
 404 and

405           2. The finding by the board of lack of good moral  
 406 character is supported by competent substantial evidence.  
 407

408 If an applicant is found pursuant to this paragraph to be  
 409 unqualified to take the licensure examination because of a lack  
 410 of good moral character, the board shall furnish to the  
 411 applicant a statement containing the findings of the board, a  
 412 complete record of the evidence upon which the determination was  
 413 based, and a notice of the rights of the applicant to a  
 414 rehearing and appeal.

415           (4)~~(3)~~ The board shall have the authority to establish the  
 416 standards for determining and shall determine:

417           (a) What constitutes a passing grade for each subject or  
 418 part of the licensure examination;

419           (b) Which educational institutions, in addition to the  
 420 universities in the State University System of Florida, shall be  
 421 deemed to be accredited colleges or universities;

422           (c) What courses and number of hours constitute a major in  
 423 accounting; and

424           (d) What courses and number of hours constitute additional  
 425 accounting courses acceptable under s. 473.308(4) ~~s. 473.308(3)~~.

426        (5)~~(4)~~ The board may adopt an alternative licensure  
 427 examination for persons who have been licensed to practice  
 428 public accountancy or its equivalent in a foreign country so  
 429 long as the International Qualifications Appraisal Board of the  
 430 National Association of State Boards of Accountancy has ratified  
 431 an agreement with that country for reciprocal licensure.

432        (6)~~(5)~~ For the purposes of maintaining the proper  
 433 educational qualifications for licensure under this chapter, the  
 434 board may appoint an Educational Advisory Committee, which shall  
 435 be composed of one member of the board, two persons in public  
 436 practice who are licensed under this chapter, and four  
 437 academicians on faculties of universities in this state.

438        Section 11. Present subsections (3) through (9) of section  
 439 473.308, Florida Statutes, are redesignated as subsections (4)  
 440 through (10), respectively, a new subsection (3) is added to  
 441 that section, and subsection (2), paragraph (b) of present  
 442 subsection (4), and present subsection (8) of that section are  
 443 amended, to read:

444        473.308 Licensure.—

445        (2) The board shall certify for licensure any applicant  
 446 who successfully passes the licensure examination and satisfies  
 447 the requirements of subsections (4), (5), and (6) ~~(3), (4), and~~  
 448 ~~(5)~~, and shall certify for licensure any firm that satisfies the  
 449 requirements of ss. 473.309 and 473.3101. The board may refuse  
 450 to certify any applicant or firm that has violated any of the

451 provisions of s. 473.322.

452 (3) A person desiring to be licensed as a Florida  
453 certified public accountant or a firm desiring to engage in the  
454 practice of public accounting must create and maintain an online  
455 account with the department and provide an e-mail address to  
456 function as the primary means of contact for all communication  
457 from the department. Certified public accountants and firms are  
458 responsible for maintaining accurate contact information on file  
459 with the department and must submit any change in an e-mail  
460 address or street address within 30 days after the change. All  
461 changes must be submitted through the department's online  
462 system.

463 (5)~~(4)~~

464 (b) However, an applicant who completed the requirements  
465 of subsection (4) ~~(3)~~ on or before December 31, 2008, and who  
466 passes the licensure examination on or before June 30, 2010, is  
467 exempt from the requirements of this subsection.

468 (9)~~(8)~~ If the applicant has at least 5 years of experience  
469 in the practice of public accountancy in the United States or in  
470 the practice of public accountancy or its equivalent in a  
471 foreign country that the International Qualifications Appraisal  
472 Board of the National Association of State Boards of Accountancy  
473 has determined has licensure standards that are substantially  
474 equivalent to those in the United States, or has at least 5  
475 years of work experience that meets the requirements of

476 subsection (5) ~~(4)~~, the board must ~~shall~~ waive the requirements  
 477 of subsection (4) ~~(3)~~ which are in excess of a baccalaureate  
 478 degree. All experience that is used as a basis for waiving the  
 479 requirements of subsection (4) ~~(3)~~ must be while licensed as a  
 480 certified public accountant by another state or territory of the  
 481 United States or while licensed in the practice of public  
 482 accountancy or its equivalent in a foreign country that the  
 483 International Qualifications Appraisal Board of the National  
 484 Association of State Boards of Accountancy has determined has  
 485 licensure standards that are substantially equivalent to those  
 486 in the United States. The board shall have the authority to  
 487 establish the standards for experience that meet this  
 488 requirement.

489 Section 12. Subsection (2) of section 475.181, Florida  
 490 Statutes, is amended to read:

491 475.181 Licensure.—

492 (2) The commission shall certify for licensure any  
 493 applicant who satisfies the requirements of ss. 475.17, 475.175,  
 494 and 475.180. The commission may refuse to certify any applicant  
 495 who has violated any of the provisions of s. 475.42 or who is  
 496 subject to discipline under s. 475.25. The application shall  
 497 expire 2 years after the date received if the applicant does not  
 498 pass the appropriate examination. ~~Additionally, if an applicant~~  
 499 ~~does not pass the licensing examination within 2 years after the~~  
 500 ~~successful course completion date, the applicant's successful~~

501 ~~course completion is invalid for licensure.~~

502 Section 13. Subsections (2) and (3) of section 476.114,  
503 Florida Statutes, are amended to read:

504 476.114 Examination; prerequisites.—

505 (2) An applicant is ~~shall be~~ eligible for licensure by  
506 examination to practice barbering if the applicant:

507 (a) Is at least 16 years of age;

508 (b) Pays the required application fee; and

509 ~~(c)1. Holds an active valid license to practice barbering  
510 in another state, has held the license for at least 1 year, and  
511 does not qualify for licensure by endorsement as provided for in  
512 s. 476.144(5); or~~

513 ~~2.~~ Has received a minimum of 900 hours of training in  
514 sanitation, safety, and laws and rules, as established by the  
515 board, which must ~~shall~~ include, but is ~~shall~~ not be limited to,  
516 the equivalent of completion of services directly related to the  
517 practice of barbering at one of the following:

518 ~~1.a.~~ A school of barbering licensed pursuant to chapter  
519 1005;

520 ~~2.b.~~ A barbering program within the public school system;  
521 or

522 ~~3.c.~~ A government-operated barbering program in this  
523 state.

524  
525 The board shall establish by rule procedures whereby the school

526 or program may certify that a person is qualified to take the  
527 required examination after the completion of a minimum of 600  
528 actual school hours. If the person passes the examination, she  
529 or he has ~~shall have~~ satisfied this requirement; but if the  
530 person fails the examination, she or he may ~~shall~~ not be  
531 qualified to take the examination again until the completion of  
532 the full requirements provided by this section.

533 (3) An applicant who meets the requirements set forth in  
534 paragraph (2)(c) ~~subparagraphs (2)(c)1. and 2.~~ who fails to pass  
535 the examination may take subsequent examinations as many times  
536 as necessary to pass, except that the board may specify by rule  
537 reasonable timeframes for rescheduling the examination and  
538 additional training requirements for applicants who, after the  
539 third attempt, fail to pass the examination. Prior to  
540 reexamination, the applicant must file the appropriate form and  
541 pay the reexamination fee as required by rule.

542 Section 14. Subsection (2) of section 477.019, Florida  
543 Statutes, is amended to read:

544 477.019 Cosmetologists; qualifications; licensure;  
545 supervised practice; license renewal; endorsement; continuing  
546 education.—

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

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

551 (b) Pays the required application fee, which is not  
 552 refundable, and the required examination fee, which is  
 553 refundable if the applicant is determined to not be eligible for  
 554 licensure for any reason other than failure to successfully  
 555 complete the licensure examination; and

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

560 ~~2.~~ Has received a minimum of 1,200 hours of training as  
 561 established by the board, which must ~~shall~~ include, but is ~~shall~~  
 562 not ~~be~~ limited to, the equivalent of completion of services  
 563 directly related to the practice of cosmetology at one of the  
 564 following:

565 ~~1.a.~~ A school of cosmetology licensed pursuant to chapter  
 566 1005.

567 ~~2.b.~~ A cosmetology program within the public school  
 568 system.

569 ~~3.c.~~ The Cosmetology Division of the Florida School for  
 570 the Deaf and the Blind, provided the division meets the  
 571 standards of this chapter.

572 ~~4.d.~~ A government-operated cosmetology program in this  
 573 state.

574  
 575 The board shall establish by rule procedures whereby the school

576 or program may certify that a person is qualified to take the  
 577 required examination after the completion of a minimum of 1,000  
 578 actual school hours. If the person then passes the examination,  
 579 he or she has ~~shall have~~ satisfied this requirement; but if the  
 580 person fails the examination, he or she may ~~shall~~ not be  
 581 qualified to take the examination again until the completion of  
 582 the full requirements provided by this section.

583 Section 15. Paragraph (c) of subsection (7) of section  
 584 489.131, Florida Statutes, is amended to read:

585 489.131 Applicability.—

586 (7)

587 (c) In addition to any action the local jurisdiction  
 588 enforcement body may take against the individual's local  
 589 license, and any fine the local jurisdiction may impose, the  
 590 local jurisdiction enforcement body shall issue a recommended  
 591 penalty for board action. This recommended penalty may include a  
 592 recommendation for no further action, or a recommendation for  
 593 suspension, restitution, revocation, or restriction of the  
 594 registration, or a fine to be levied by the board, or a  
 595 combination thereof. The recommended penalty must specify the  
 596 violations of this chapter upon which the recommendation is  
 597 based. The local jurisdiction enforcement body shall inform the  
 598 disciplined contractor and the complainant of the local license  
 599 penalty imposed, the board penalty recommended, his or her  
 600 rights to appeal, and the consequences should he or she decide



601 not to appeal. The local jurisdiction enforcement body shall,  
602 upon having reached adjudication or having accepted a plea of  
603 nolo contendere, immediately inform the board of its action and  
604 the recommended board penalty.

605 Section 16. Subsections (3) and (6) of section 489.143,  
606 Florida Statutes, are amended to read:

607 489.143 Payment from the fund.—

608 (3) Beginning January 1, 2005, for each Division I  
609 contract entered into after July 1, 2004, payment from the  
610 recovery fund is subject to a \$50,000 maximum payment for each  
611 Division I claim. Beginning January 1, 2017, for each Division  
612 II contract entered into on or after July 1, 2016, payment from  
613 the recovery fund is subject to a \$15,000 maximum payment for  
614 each Division II claim. Beginning January 1, 2025, for Division  
615 I and Division II contracts entered into on or after July 1,  
616 2024, payment from the recovery fund is subject to a \$100,000  
617 maximum payment for each Division I claim and a \$30,000 maximum  
618 payment for each Division II claim.

619 (6) For contracts entered into before July 1, 2004,  
620 payments for claims against any one licensee may not exceed, in  
621 the aggregate, \$100,000 annually, up to a total aggregate of  
622 \$250,000. For any claim approved by the board which is in excess  
623 of the annual cap, the amount in excess of \$100,000 up to the  
624 total aggregate cap of \$250,000 is eligible for payment in the  
625 next and succeeding fiscal years, but only after all claims for

626 | the then-current calendar year have been paid. Payments may not  
 627 | exceed the aggregate annual or per claimant limits under law.  
 628 | Beginning January 1, 2005, for each Division I contract entered  
 629 | into after July 1, 2004, payment from the recovery fund is  
 630 | subject only to a total aggregate cap of \$500,000 for each  
 631 | Division I licensee. Beginning January 1, 2017, for each  
 632 | Division II contract entered into on or after July 1, 2016,  
 633 | payment from the recovery fund is subject only to a total  
 634 | aggregate cap of \$150,000 for each Division II licensee.  
 635 | Beginning January 1, 2025, for Division I and Division II  
 636 | contracts entered into on or after July 1, 2024, payment from  
 637 | the recovery fund is subject only to a total aggregate cap of \$2  
 638 | million for each Division I licensee and \$600,000 for each  
 639 | Division II licensee.

640 | Section 17. Paragraph (b) of subsection (15) of section  
 641 | 499.012, Florida Statutes, is amended to read:

642 | 499.012 Permit application requirements.—

643 | (15)

644 | (b) To be certified as a designated representative, a  
 645 | natural person must:

646 | 1. Submit an application on a form furnished by the  
 647 | department and pay the appropriate fees.

648 | 2. Be at least 18 years of age.

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

650 | a. Work experience in a pharmacy licensed in this state or

651 another state, where the person's responsibilities included, but  
652 were not limited to, recordkeeping for prescription drugs;

653 b. Managerial experience with a prescription drug  
654 wholesale distributor licensed in this state or in another  
655 state; ~~or~~

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

660 d. Managerial experience with a state or federal  
661 organization responsible for regulating or permitting  
662 establishments involved in the distribution of prescription  
663 drugs, whether in an administrative or a sworn law enforcement  
664 capacity; or

665 e. Work experience as a drug inspector or investigator  
666 with a state or federal organization, whether in an  
667 administrative or a sworn law enforcement capacity, where the  
668 person's responsibilities related primarily to compliance with  
669 state or federal requirements pertaining to the distribution of  
670 prescription drugs.

671 4. Receive a passing score of at least 75 percent on an  
672 examination given by the department regarding federal laws  
673 governing distribution of prescription drugs and this part and  
674 the rules adopted by the department governing the wholesale  
675 distribution of prescription drugs. This requirement shall be

676 effective 1 year after the results of the initial examination  
 677 are mailed to the persons that took the examination. The  
 678 department shall offer such examinations at least four times  
 679 each calendar year.

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

682 Section 18. Subsection (5) of section 561.17, Florida  
 683 Statutes, is amended to read:

684 561.17 License and registration applications; approved  
 685 person.—

686 (5) Any person or entity licensed or permitted by the  
 687 division, or applying for a license or permit, must create and  
 688 maintain an account with the division's online system and  
 689 provide an e-mail ~~electronic mail~~ address to the division to  
 690 function as the primary means of contact for all communication  
 691 by the division to the licensee, ~~or~~ permittee, or applicant.  
 692 Licensees, ~~and~~ permittees, and applicants are responsible for  
 693 maintaining accurate contact information on file with the  
 694 division. A person or an entity seeking a license or permit from  
 695 the division must apply using forms prepared by the division and  
 696 filed through the division's online system before engaging in  
 697 any business for which a license or permit is required. The  
 698 division may not process an application for an alcoholic  
 699 beverage license unless the application is submitted through the  
 700 division's online system.

701 Section 19. Section 569.00256, Florida Statutes, is  
 702 created to read:

703 569.00256 Account; online system.—A person or an entity  
 704 licensed or permitted by the division under this part, or  
 705 applying for a license or a permit, must create and maintain an  
 706 account with the division's online system and provide an e-mail  
 707 address to the division to function as the primary means of  
 708 contact for all communication by the division to the licensee,  
 709 permittee, or applicant. Licensees, permittees, and applicants  
 710 are responsible for maintaining accurate contact information  
 711 with the division. A person or an entity seeking a license or  
 712 permit from the division must apply using forms prepared by the  
 713 division and filed through the division's online system before  
 714 engaging in any business for which a license or permit is  
 715 required. The division may not process an application to deal,  
 716 at retail, in tobacco products unless the application is  
 717 submitted through the division's online system.

718 Section 20. Section 569.3156, Florida Statutes, is created  
 719 to read:

720 569.3156 Account; online system.—A person or an entity  
 721 licensed or permitted by the division under this part, or  
 722 applying for a license or a permit, must create and maintain an  
 723 account with the division's online system and provide an e-mail  
 724 address to the division to function as the primary means of  
 725 contact for all communication by the division to the licensee,

726 permittee, or applicant. Licensees, permittees, and applicants  
 727 are responsible for maintaining accurate contact information  
 728 with the division. A person or an entity seeking a license or  
 729 permit from the division must apply using forms prepared by the  
 730 division and filed through the division's online system before  
 731 engaging in any business for which a license or permit is  
 732 required. The division may not process an application to deal,  
 733 at retail, in nicotine products unless the application is  
 734 submitted through the division's online system.

735 Section 21. Paragraph (d) of subsection (1) of section  
 736 723.061, Florida Statutes, is amended to read:

737 723.061 Eviction; grounds, proceedings.—

738 (1) A mobile home park owner may evict a mobile home  
 739 owner, a mobile home tenant, a mobile home occupant, or a mobile  
 740 home only on one or more of the following grounds:

741 (d) Change in use of the land comprising the mobile home  
 742 park, or the portion thereof from which mobile homes are to be  
 743 evicted, from mobile home lot rentals to some other use, if:

744 1. The park owner gives written notice to the homeowners'  
 745 association formed and operating under ss. 723.075-723.079 of  
 746 its right to purchase the mobile home park, if the land  
 747 comprising the mobile home park is changing use from mobile home  
 748 lot rentals to a different use, at the price and under the terms  
 749 and conditions set forth in the written notice.

750 a. The notice shall be delivered to the officers of the

751 homeowners' association by United States mail. Within 45 days  
752 after the date of mailing of the notice, the homeowners'  
753 association may execute and deliver a contract to the park owner  
754 to purchase the mobile home park at the price and under the  
755 terms and conditions set forth in the notice. If the contract  
756 between the park owner and the homeowners' association is not  
757 executed and delivered to the park owner within the 45-day  
758 period, the park owner is under no further obligation to the  
759 homeowners' association except as provided in sub-subparagraph  
760 b.

761       b. If the park owner elects to offer or sell the mobile  
762 home park at a price lower than the price specified in her or  
763 his initial notice to the officers of the homeowners'  
764 association, the homeowners' association has an additional 10  
765 days to meet the revised price, terms, and conditions of the  
766 park owner by executing and delivering a revised contract to the  
767 park owner.

768       c. The park owner is not obligated under this subparagraph  
769 or s. 723.071 to give any other notice to, or to further  
770 negotiate with, the homeowners' association for the sale of the  
771 mobile home park to the homeowners' association after 6 months  
772 after the date of the mailing of the initial notice under sub-  
773 subparagraph a.

774       2. The park owner gives the affected mobile home owners  
775 and tenants at least 6 months' notice of the eviction due to the

776 | projected change in use and of their need to secure other  
 777 | accommodations. Within 20 days after giving an eviction notice  
 778 | to a mobile home owner, the park owner must provide the division  
 779 | with a copy of the notice. ~~The division must provide the~~  
 780 | ~~executive director of the Florida Mobile Home Relocation~~  
 781 | ~~Corporation with a copy of the notice.~~

782 |       a. The notice of eviction due to a change in use of the  
 783 | land must include in a font no smaller than the body of the  
 784 | notice the following statement:

785 |  
 786 |           YOU MAY BE ENTITLED TO COMPENSATION FROM THE FLORIDA  
 787 |           MOBILE HOME RELOCATION TRUST FUND, ADMINISTERED BY THE  
 788 |           DIVISION OF CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES  
 789 |           ~~FLORIDA MOBILE HOME RELOCATION CORPORATION (FMHRC).~~  
 790 |           DIVISION ~~FMHRC~~ CONTACT INFORMATION IS AVAILABLE FROM  
 791 |           THE FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 792 |           REGULATION.

793 |  
 794 |       b. The park owner may not give a notice of increase in lot  
 795 | rental amount within 90 days before giving notice of a change in  
 796 | use.

797 |       Section 22. Section 723.0611, Florida Statutes, is  
 798 | repealed.

799 |       Section 23. Section 723.06115, Florida Statutes, is  
 800 | amended to read:



801           723.06115 Florida Mobile Home Relocation Trust Fund.—  
 802           (1) The Florida Mobile Home Relocation Trust Fund is  
 803 established within the Department of Business and Professional  
 804 Regulation. The trust fund is to be used to fund the  
 805 administration and operations of the Division of Florida  
 806 Condominiums, Timeshares, and Mobile Homes ~~Florida Mobile Home~~  
 807 ~~Relocation Corporation~~. All interest earned from the investment  
 808 or deposit of moneys in the trust fund shall be deposited in the  
 809 trust fund. The trust fund shall be funded from moneys collected  
 810 by the division ~~corporation~~ from mobile home park owners under  
 811 s. 723.06116, the surcharge collected by the department under s.  
 812 723.007(2), the surcharge collected by the Department of Highway  
 813 Safety and Motor Vehicles, and from other appropriated funds.  
 814           (2) Moneys in the Florida Mobile Home Relocation Trust  
 815 Fund may be expended only:  
 816           (a) To pay the administration costs of the division  
 817 ~~Florida Mobile Home Relocation Corporation~~; and  
 818           (b) To carry out the purposes and objectives of the  
 819 division ~~corporation~~ by making payments to mobile home owners  
 820 under the relocation program.  
 821           (3) The department shall distribute moneys in the Florida  
 822 Mobile Home Relocation Trust Fund to the division ~~Florida Mobile~~  
 823 ~~Home Relocation Corporation~~ in accordance with the following:  
 824           (a) Before the beginning of each fiscal year, the division  
 825 ~~corporation~~ shall submit its annual operating budget, as

826 approved by the division ~~corporation board~~, for the fiscal year  
827 and set forth that amount to the department in writing. One-  
828 fourth of the operating budget shall be transferred to the  
829 division ~~corporation~~ each quarter. The department shall make the  
830 first one-fourth quarter transfer on the first business day of  
831 the fiscal year and make the remaining one-fourth quarter  
832 transfers before the second business day of the second, third,  
833 and fourth quarters. The division ~~corporation board~~ may approve  
834 changes to the operational budget for a fiscal year by providing  
835 written notification of such changes to the department. The  
836 written notification must indicate the changes to the  
837 operational budget and the conditions that were unforeseen at  
838 the time the division ~~corporation~~ developed the operational  
839 budget and why the changes are essential in order to continue  
840 operation of the division ~~corporation~~.

841 (b) The division ~~corporation~~ shall periodically submit  
842 requests to the department for the transfer of funds to the  
843 division ~~corporation~~ needed to make payments to mobile home  
844 owners under the relocation program. Requests must include  
845 documentation indicating the amount of funds needed, the name  
846 and location of the mobile home park, the number of approved  
847 applications for moving expenses or abandonment allowance, and  
848 summary information specifying the number and type, single-  
849 section or multisection, of homes moved or abandoned. The  
850 department shall process requests that include such

851 documentation, subject to the availability of sufficient funds  
 852 within the trust fund, within 5 business days after receipt of  
 853 the request. Transfer requests may be submitted electronically.

854 (c) Funds transferred from the trust fund to the division  
 855 ~~corporation~~ shall be transferred electronically and shall be  
 856 transferred to and maintained in a qualified public depository  
 857 as defined in s. 280.02 which is specified by the division  
 858 ~~corporation~~.

859 (4) Other than the requirements specified under this  
 860 section, neither the division ~~corporation~~ nor the department is  
 861 required to take any other action as a prerequisite to  
 862 accomplishing the provisions of this section.

863 (5) This section does not preclude department inspection  
 864 of division ~~corporation~~ records 5 business days after receipt of  
 865 written notice.

866 Section 24. Section 723.06116, Florida Statutes, is  
 867 amended to read:

868 723.06116 Payments to the Division of Florida  
 869 Condominiums, Timeshares, and Mobile Homes ~~Mobile Home~~  
 870 ~~Relocation Corporation.~~—

871 (1) If a mobile home owner is required to move due to a  
 872 change in use of the land comprising a mobile home park as set  
 873 forth in s. 723.061(1)(d), the mobile home park owner shall,  
 874 upon such change in use, pay to the Division of Florida  
 875 Condominiums, Timeshares, and Mobile Homes ~~Mobile Home~~

876 ~~Relocation Corporation~~ for deposit in the Florida Mobile Home  
877 Relocation Trust Fund \$2,750 for each single-section mobile home  
878 and \$3,750 for each multisection mobile home for which a mobile  
879 home owner has made application for payment of moving expenses.  
880 The mobile home park owner shall make the payments required by  
881 this section and by s. 723.0612(7) to the division ~~corporation~~  
882 within 30 days after receipt from the division ~~corporation~~ of  
883 the invoice for payment. Failure to make such payment within the  
884 required time period shall result in a late fee being imposed.

885 (a) If payment is not submitted within 30 days after  
886 receipt of the invoice, a 10-percent late fee shall be assessed.

887 (b) If payment is not submitted within 60 days after  
888 receipt of the invoice, a 15-percent late fee shall be assessed.

889 (c) If payment is not submitted within 90 days after  
890 receipt of the invoice, a 20-percent late fee shall be assessed.

891 (d) Any payment received 120 days or more after receipt of  
892 the invoice shall include a 25-percent late fee.

893 (2) A mobile home park owner is not required to make the  
894 payment prescribed in subsection (1), nor is the mobile home  
895 owner entitled to compensation under s. 723.0612(1), when:

896 (a) The mobile home park owner moves a mobile home owner  
897 to another space in the mobile home park or to another mobile  
898 home park at the park owner's expense;

899 (b) A mobile home owner is vacating the premises and has  
900 informed the mobile home park owner or manager before the change

901 in use notice has been given; or

902 (c) A mobile home owner abandons the mobile home as set  
903 forth in s. 723.0612(7).

904 (d) The mobile home owner has a pending eviction action  
905 for nonpayment of lot rental amount pursuant to s. 723.061(1)(a)  
906 which was filed against him or her prior to the mailing date of  
907 the notice of change in use of the mobile home park given  
908 pursuant to s. 723.061(1)(d).

909 (3) This section and s. 723.0612(7) are enforceable by the  
910 division ~~corporation~~ by action in a court of appropriate  
911 jurisdiction.

912 (4) In any action brought by the division ~~corporation~~ to  
913 collect payments assessed under this chapter, the division  
914 ~~corporation~~ may file and maintain such action in Leon County. If  
915 the division ~~corporation~~ is a party in any other action, venue  
916 for such action shall be in Leon County.

917 Section 25. Subsections (1) through (5), (7) through (9),  
918 (11), and (12) of section 723.0612, Florida Statutes, are  
919 amended to read:

920 723.0612 Change in use; relocation expenses; payments by  
921 park owner.—

922 (1) If a mobile home owner is required to move due to a  
923 change in use of the land comprising the mobile home park as set  
924 forth in s. 723.061(1)(d) and complies with the requirements of  
925 this section, the mobile home owner is entitled to payment from

926 | the Division of Florida Condominiums, Timeshares, and Mobile  
 927 | Homes Mobile Home Relocation Corporation of:

928 |       (a) The amount of actual moving expenses of relocating the  
 929 | mobile home to a new location within a 50-mile radius of the  
 930 | vacated park, or

931 |       (b) The amount of \$3,000 for a single-section mobile home  
 932 | or \$6,000 for a multisection mobile home, whichever is less.  
 933 | Moving expenses include the cost of taking down, moving, and  
 934 | setting up the mobile home in a new location.

935 |       (2) A mobile home owner is not ~~shall not be~~ entitled to  
 936 | compensation under subsection (1) when:

937 |       (a) The park owner moves a mobile home owner to another  
 938 | space in the mobile home park or to another mobile home park at  
 939 | the park owner's expense;

940 |       (b) A mobile home owner is vacating the premises and has  
 941 | informed the park owner or manager before notice of the change  
 942 | in use has been given;

943 |       (c) A mobile home owner abandons the mobile home as set  
 944 | forth in subsection (7); or

945 |       (d) The mobile home owner has a pending eviction action  
 946 | for nonpayment of lot rental amount pursuant to s. 723.061(1)(a)  
 947 | which was filed against him or her prior to the mailing date of  
 948 | the notice of change in use of the mobile home park given  
 949 | pursuant to s. 723.061(1)(d).

950 |       (3) Except as provided in subsection (7), in order to

951 obtain payment from the division ~~Florida Mobile Home Relocation~~  
 952 ~~Corporation~~, the mobile home owner shall submit to the division  
 953 ~~corporation~~, with a copy to the park owner, an application for  
 954 payment which includes:

955 (a) A copy of the notice of eviction due to change in use;  
 956 and

957 (b) A contract with a moving or towing contractor for the  
 958 moving expenses for the mobile home.

959 (4) The division ~~Florida Mobile Home Relocation~~  
 960 ~~Corporation~~ must approve payment within 45 days after receipt of  
 961 the information set forth in subsection (3), or payment is  
 962 deemed approved. A copy of the approval must be forwarded to the  
 963 park owner with an invoice for payment. Upon approval, the  
 964 division ~~corporation~~ shall issue a voucher in the amount of the  
 965 contract price for relocating the mobile home. The moving  
 966 contractor may redeem the voucher from the division ~~corporation~~  
 967 following completion of the relocation and upon approval of the  
 968 relocation by the mobile home owner.

969 (5) Actions of the division ~~Florida Mobile Home Relocation~~  
 970 ~~Corporation~~ under this section are not subject to the provisions  
 971 of chapter 120 but are reviewable only by writ of certiorari in  
 972 the circuit court in the county in which the claimant resides in  
 973 the manner and within the time provided by the Florida Rules of  
 974 Appellate Procedure.

975 (7) In lieu of collecting payment from the division

976 ~~Florida Mobile Home Relocation Corporation~~ as set forth in  
 977 subsection (1), a mobile home owner may abandon the mobile home  
 978 in the mobile home park and collect \$1,375 for a single section  
 979 and \$2,750 for a multisection from the division ~~corporation~~ as  
 980 long as the mobile home owner delivers to the park owner the  
 981 current title to the mobile home duly endorsed by the owner of  
 982 record and valid releases of all liens shown on the title. If a  
 983 mobile home owner chooses this option, the park owner shall make  
 984 payment to the division ~~corporation~~ in an amount equal to the  
 985 amount the mobile home owner is entitled to under this  
 986 subsection. The mobile home owner's application for funds under  
 987 this subsection shall require the submission of a document  
 988 signed by the park owner stating that the home has been  
 989 abandoned under this subsection and that the park owner agrees  
 990 to make payment to the division ~~corporation~~ in the amount  
 991 provided to the home owner under this subsection. However, in  
 992 the event that the required documents are not submitted with the  
 993 application, the division ~~corporation~~ may consider the facts and  
 994 circumstances surrounding the abandonment of the home to  
 995 determine whether the mobile home owner is entitled to payment  
 996 pursuant to this subsection. The mobile home owner is not  
 997 entitled to any compensation under this subsection if there is a  
 998 pending eviction action for nonpayment of lot rental amount  
 999 pursuant to s. 723.061(1)(a) which was filed against him or her  
 1000 prior to the mailing date of the notice of change in the use of



1001 the mobile home park given pursuant to s. 723.061(1)(d).

1002 (8) The division ~~Florida Mobile Home Relocation~~  
 1003 ~~Corporation~~ may shall not be liable to any person for recovery  
 1004 if funds are insufficient to pay the amounts claimed. In any  
 1005 such event, the division ~~corporation~~ shall keep a record of the  
 1006 time and date of its approval of payment to a claimant. If  
 1007 sufficient funds become available, the division ~~corporation~~ must  
 1008 ~~shall~~ pay the claimant whose unpaid claim is the earliest by  
 1009 time and date of approval.

1010 (9) Any person whose application for funding pursuant to  
 1011 subsection (1) or subsection (7) is approved for payment by the  
 1012 division ~~corporation~~ is shall be barred from asserting any claim  
 1013 or cause of action under this chapter directly relating to or  
 1014 arising out of the change in use of the mobile home park against  
 1015 the division ~~corporation~~, the park owner, or the park owner's  
 1016 successors in interest. An ~~No~~ application for funding pursuant  
 1017 to subsection (1) or subsection (7) may not shall be approved by  
 1018 the division ~~corporation~~ if the applicant has filed a claim or  
 1019 cause of action, is actively pursuing a claim or cause of  
 1020 action, has settled a claim or cause of action, or has a  
 1021 judgment against the division ~~corporation~~, the park owner, or  
 1022 the park owner's successors in interest under this chapter  
 1023 directly relating to or arising out of the change in use of the  
 1024 mobile home park, unless such claim or cause of action is  
 1025 dismissed with prejudice.

1026 (11) In an action to enforce the provisions of this  
 1027 section and ss. ~~723.0611~~, 723.06115, and 723.06116, the  
 1028 prevailing party is entitled to reasonable attorney ~~attorney's~~  
 1029 fees and costs.

1030 (12) An application to the division ~~corporation~~ for  
 1031 compensation under subsection (1) or subsection (7) must be  
 1032 received within 1 year after the expiration of the eviction  
 1033 period as established in the notice required under s.  
 1034 723.061(1)(d). If the applicant files a claim or cause of action  
 1035 that disqualifies the applicant under subsection (9) and the  
 1036 claim is subsequently dismissed, the application must be  
 1037 received within 6 months following filing of the dismissal with  
 1038 prejudice as required under subsection (9). However, such an  
 1039 applicant must apply within 2 years after the expiration of the  
 1040 eviction period as established in the notice required under s.  
 1041 723.061(1)(d).

1042 Section 26. Paragraph (a) of subsection (4) of section  
 1043 20.165, Florida Statutes, is amended to read:

1044 20.165 Department of Business and Professional  
 1045 Regulation.—There is created a Department of Business and  
 1046 Professional Regulation.

1047 (4)(a) The following boards and programs are established  
 1048 within the Division of Professions:

1049 1. Board of Architecture and Interior Design, created  
 1050 under part I of chapter 481.

- 1051           2. Florida Board of Auctioneers, created under part VI of  
 1052 chapter 468.
- 1053           3. Barbers' Board, created under chapter 476.
- 1054           4. Florida Building Code Administrators and Inspectors  
 1055 Board, created under part XII of chapter 468.
- 1056           5. Construction Industry Licensing Board, created under  
 1057 part I of chapter 489.
- 1058           6. Board of Cosmetology, created under chapter 477.
- 1059           7. Electrical Contractors' Licensing Board, created under  
 1060 part II of chapter 489.
- 1061           8. Employee leasing companies licensing program ~~Board of~~  
 1062 ~~Employee Leasing Companies~~, created under part XI of chapter  
 1063 468.
- 1064           9. Board of Landscape Architecture, created under part II  
 1065 of chapter 481.
- 1066           10. Board of Pilot Commissioners, created under chapter  
 1067 310.
- 1068           11. Board of Professional Engineers, created under chapter  
 1069 471.
- 1070           12. Board of Professional Geologists, created under  
 1071 chapter 492.
- 1072           13. Board of Veterinary Medicine, created under chapter  
 1073 474.
- 1074           14. Home inspection services licensing program, created  
 1075 under part XV of chapter 468.

1076 15. Mold-related services licensing program, created under  
 1077 part XVI of chapter 468.

1078 Section 27. Subsection (2) of section 210.16, Florida  
 1079 Statutes, is amended to read:

1080 210.16 Revocation or suspension of permit.—

1081 (2) The division shall revoke the permit or permits of any  
 1082 person who would be ineligible to obtain a new license or renew  
 1083 a license by reason of any of the conditions for permitting  
 1084 provided in s. 210.15(1)(d)1.-6. ~~s. 210.15(1)(e)1.-6.~~

1085 Section 28. Paragraph (uuu) of subsection (7) of section  
 1086 212.08, Florida Statutes, is amended to read:

1087 212.08 Sales, rental, use, consumption, distribution, and  
 1088 storage tax; specified exemptions.—The sale at retail, the  
 1089 rental, the use, the consumption, the distribution, and the  
 1090 storage to be used or consumed in this state of the following  
 1091 are hereby specifically exempt from the tax imposed by this  
 1092 chapter.

1093 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any  
 1094 entity by this chapter do not inure to any transaction that is  
 1095 otherwise taxable under this chapter when payment is made by a  
 1096 representative or employee of the entity by any means,  
 1097 including, but not limited to, cash, check, or credit card, even  
 1098 when that representative or employee is subsequently reimbursed  
 1099 by the entity. In addition, exemptions provided to any entity by  
 1100 this subsection do not inure to any transaction that is

1101 otherwise taxable under this chapter unless the entity has  
 1102 obtained a sales tax exemption certificate from the department  
 1103 or the entity obtains or provides other documentation as  
 1104 required by the department. Eligible purchases or leases made  
 1105 with such a certificate must be in strict compliance with this  
 1106 subsection and departmental rules, and any person who makes an  
 1107 exempt purchase with a certificate that is not in strict  
 1108 compliance with this subsection and the rules is liable for and  
 1109 shall pay the tax. The department may adopt rules to administer  
 1110 this subsection.

1111 (uuu) *Small private investigative agencies.*—

1112 1. As used in this paragraph, the term:

1113 a. "Private investigation services" has the same meaning  
 1114 as "private investigation," as defined in s. 493.6101(17).

1115 b. "Small private investigative agency" means a private  
 1116 investigator licensed under s. 493.6201 which:

1117 (I) Employs three or fewer full-time or part-time  
 1118 employees, including those performing services pursuant to an  
 1119 employee leasing arrangement as defined in s. 468.520(3) ~~s.~~  
 1120 ~~468.520(4)~~, in total; and

1121 (II) During the previous calendar year, performed private  
 1122 investigation services otherwise taxable under this chapter in  
 1123 which the charges for the services performed were less than  
 1124 \$150,000 for all its businesses related through common  
 1125 ownership.

1126           2. The sale of private investigation services by a small  
 1127 private investigative agency to a client is exempt from the tax  
 1128 imposed by this chapter.

1129           3. The exemption provided by this paragraph may not apply  
 1130 in the first calendar year a small private investigative agency  
 1131 conducts sales of private investigation services taxable under  
 1132 this chapter.

1133           Section 29. Paragraph (a) of subsection (19) of section  
 1134 440.02, Florida Statutes, is amended to read:

1135           440.02 Definitions.—When used in this chapter, unless the  
 1136 context clearly requires otherwise, the following terms shall  
 1137 have the following meanings:

1138           (19) (a) "Employer" means the state and all political  
 1139 subdivisions thereof, all public and quasi-public corporations  
 1140 therein, every person carrying on any employment, and the legal  
 1141 representative of a deceased person or the receiver or trustees  
 1142 of any person. The term also includes employee leasing  
 1143 companies, as defined in s. 468.520(4) ~~s. 468.520(5)~~, and  
 1144 employment agencies that provide their own employees to other  
 1145 persons. If the employer is a corporation, parties in actual  
 1146 control of the corporation, including, but not limited to, the  
 1147 president, officers who exercise broad corporate powers,  
 1148 directors, and all shareholders who directly or indirectly own a  
 1149 controlling interest in the corporation, are considered the  
 1150 employer for the purposes of ss. 440.105, 440.106, and 440.107.

1151 Section 30. Section 448.26, Florida Statutes, is amended  
 1152 to read:

1153 448.26 Application.—Nothing in this part shall exempt any  
 1154 client of any labor pool or temporary help arrangement entity as  
 1155 defined in s. 468.520(3)(a) ~~s. 468.520(4)(a)~~ or any assigned  
 1156 employee from any other license requirements of state, local, or  
 1157 federal law. Any employee assigned to a client who is licensed,  
 1158 registered, or certified pursuant to law shall be deemed an  
 1159 employee of the client for such licensure purposes but shall  
 1160 remain an employee of the labor pool or temporary help  
 1161 arrangement entity for purposes of chapters 440 and 443.

1162 Section 31. Subsection (2) of section 468.520, Florida  
 1163 Statutes, is amended to read:

1164 468.520 Definitions.—As used in this part:

1165 ~~(2) "Board" means the Board of Employee Leasing Companies.~~

1166 Section 32. Section 468.522, Florida Statutes, is amended  
 1167 to read:

1168 468.522 Rules ~~of the board~~.—The department may ~~board has~~  
 1169 ~~authority to~~ adopt rules pursuant to ss. 120.536(1) and 120.54  
 1170 to implement ~~the provisions of~~ this part. Every licensee shall  
 1171 be governed and controlled by this part and the rules adopted by  
 1172 the department ~~board~~.

1173 Section 33. Subsections (2) and (4) of section 468.524,  
 1174 Florida Statutes, are amended to read:

1175 468.524 Application for license.—

1176           (2) The department ~~board~~ may require information and  
1177           certifications necessary to determine that the applicant is of  
1178           good moral character and meets other licensure requirements of  
1179           this part.

1180           (4) An applicant or licensee is ineligible to reapply for  
1181           a license for a period of 1 year following final agency action  
1182           on the denial or revocation of a license applied for or issued  
1183           under this part. This time restriction does not apply to  
1184           administrative denials or revocations entered because:

1185           (a) The applicant or licensee has made an inadvertent  
1186           error or omission on the application;

1187           (b) The experience documented to the department ~~board~~ was  
1188           insufficient at the time of the previous application;

1189           (c) The department is unable to complete the criminal  
1190           background investigation because of insufficient information  
1191           from the Florida Department of Law Enforcement, the Federal  
1192           Bureau of Investigation, or any other applicable law enforcement  
1193           agency;

1194           (d) The applicant or licensee has failed to submit  
1195           required fees; or

1196           (e) An applicant or licensed employee leasing company has  
1197           been deemed ineligible for a license because of the lack of good  
1198           moral character of an individual or individuals when such  
1199           individual or individuals are no longer employed in a capacity  
1200           that would require their licensing under this part.



1201 Section 34. Section 468.5245, Florida Statutes, is amended  
 1202 to read:

1203 468.5245 Change of ownership.—

1204 (1) A license or registration issued to any entity under  
 1205 this part may not be transferred or assigned. The department  
 1206 ~~board~~ shall adopt rules to provide for a licensee's or  
 1207 registrant's change of name or location.

1208 (2) A person or entity that seeks to purchase or acquire  
 1209 control of an employee leasing company or group licensed or  
 1210 registered under this part must first apply to the department  
 1211 ~~board~~ for a certificate of approval for the proposed change of  
 1212 ownership. However, prior approval is not required if, at the  
 1213 time the purchase or acquisition occurs, a controlling person of  
 1214 the employee leasing company or group maintains a controlling  
 1215 person license under this part. Notification must be provided to  
 1216 the department ~~board~~ within 30 days after the purchase or  
 1217 acquisition of such company in the manner prescribed by the  
 1218 department ~~board~~.

1219 (3) Any application that is submitted to the department  
 1220 ~~board~~ under this section is ~~shall be~~ deemed approved if the  
 1221 department ~~board~~ has not approved the application or rejected  
 1222 the application, and provided the applicant with the basis for a  
 1223 rejection, within 90 days after the receipt of the completed  
 1224 application.

1225 (4) The department ~~board~~ shall establish filing fees for a

1226 change-of-ownership application in accordance with s.  
 1227 468.524(1).

1228 Section 35. Subsections (2) and (3) of section 468.525,  
 1229 Florida Statutes, are amended to read:

1230 468.525 License requirements.—

1231 (2)(a) As used in this part, "good moral character" means  
 1232 a personal history of honesty, trustworthiness, fairness, a good  
 1233 reputation for fair dealings, and respect for the rights of  
 1234 others and for the laws of this state and nation. A thorough  
 1235 background investigation of the individual's good moral  
 1236 character shall be instituted by the department. Such  
 1237 investigation shall require:

1238 1. The submission of fingerprints, for processing through  
 1239 appropriate law enforcement agencies, by the applicant and the  
 1240 examination of police records by the department ~~board~~.

1241 2. Such other investigation of the individual as the  
 1242 department ~~board~~ may deem necessary.

1243 (b) The department ~~board~~ may deny an application for  
 1244 licensure or renewal citing lack of good moral character.  
 1245 Conviction of a crime within the last 7 years does ~~shall~~ not  
 1246 automatically bar any applicant or licensee from obtaining a  
 1247 license or continuing as a licensee. The department ~~board~~ shall  
 1248 consider the type of crime committed, the crime's relevancy to  
 1249 the employee leasing industry, the length of time since the  
 1250 conviction and any other factors deemed relevant by the

1251 department ~~board~~.

1252 (3) Each employee leasing company licensed by the  
1253 department shall have a registered agent for service of process  
1254 in this state and at least one licensed controlling person. In  
1255 addition, each licensed employee leasing company shall comply  
1256 with the following requirements:

1257 (a) The employment relationship with workers provided by  
1258 the employee leasing company to a client company shall be  
1259 established by written agreement between the leasing company and  
1260 the client, and written notice of that relationship shall be  
1261 given by the employee leasing company to each worker who is  
1262 assigned to perform services at the client company's worksite.

1263 (b) An applicant for an initial employee leasing company  
1264 license shall have a tangible accounting net worth of not less  
1265 than \$50,000.

1266 (c) An applicant for initial or renewal license of an  
1267 employee leasing company license or employee leasing company  
1268 group shall have an accounting net worth or shall have  
1269 guaranties, letters of credit, or other security acceptable to  
1270 the department ~~board~~ in sufficient amounts to offset any  
1271 deficiency. A guaranty will not be acceptable to satisfy this  
1272 requirement unless the applicant submits sufficient evidence to  
1273 satisfy the department ~~board~~ that the guarantor has adequate  
1274 resources to satisfy the obligation of the guaranty.

1275 (d) Each employee leasing company shall maintain an

1276 accounting net worth and positive working capital, as determined  
1277 in accordance with generally accepted accounting principles, or  
1278 shall have guaranties, letters of credit, or other security  
1279 acceptable to the department ~~board~~ in sufficient amounts to  
1280 offset any deficiency. A guaranty will not be acceptable to  
1281 satisfy this requirement unless the licensee submits sufficient  
1282 evidence, as defined by rule, that the guarantor has adequate  
1283 resources to satisfy the obligation of the guaranty. In  
1284 determining the amount of working capital, a licensee shall  
1285 include adequate reserves for all taxes and insurance, including  
1286 plans of self-insurance or partial self-insurance for claims  
1287 incurred but not paid and for claims incurred but not reported.  
1288 Compliance with the requirements of this paragraph is subject to  
1289 verification by department ~~or board~~ audit.

1290 (e) Each employee leasing company or employee leasing  
1291 company group shall submit annual financial statements audited  
1292 by an independent certified public accountant, with the  
1293 application and within 120 days after the end of each fiscal  
1294 year, in a manner and time prescribed by the department ~~board~~,  
1295 provided however, that any employee leasing company or employee  
1296 leasing company group with gross Florida payroll of less than  
1297 \$2.5 million during any fiscal year may submit financial  
1298 statements reviewed by an independent certified public  
1299 accountant for that year.

1300 (f) The licensee shall notify the department ~~or board~~ in

1301 writing within 30 days after any change in the application or  
 1302 status of the license.

1303 (g) Each employee leasing company or employee leasing  
 1304 company group shall maintain accounting and employment records  
 1305 relating to all employee leasing activities for a minimum of 3  
 1306 calendar years.

1307 Section 36. Subsections (3) and (5) of section 468.526,  
 1308 Florida Statutes, are amended to read:

1309 468.526 License required; fees.—

1310 (3) Each employee leasing company and employee leasing  
 1311 company group licensee shall pay to the department upon the  
 1312 initial issuance of a license and upon each renewal thereafter a  
 1313 license fee not to exceed \$2,500 to be established by the  
 1314 department board. In addition to the license fee, the department  
 1315 ~~board~~ shall establish an annual assessment for each employee  
 1316 leasing company and each employee leasing company group  
 1317 sufficient to cover all costs for regulation of the profession  
 1318 pursuant to this chapter, chapter 455, and any other applicable  
 1319 provisions of law. The annual assessment shall:

1320 (a) Be due and payable upon initial licensure and  
 1321 subsequent renewals thereof and 1 year before the expiration of  
 1322 any licensure period; and

1323 (b) Be based on a fixed percentage, variable classes, or a  
 1324 combination of both, as determined by the department board, of  
 1325 gross Florida payroll for employees leased to clients by the

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1326 applicant or licensee during the period beginning five quarters  
1327 before and ending one quarter before each assessment. It is the  
1328 intent of the Legislature that the greater weight of total fees  
1329 for licensure and assessments should be on larger companies and  
1330 groups.

1331 (5) Each controlling person licensee shall pay to the  
1332 department upon the initial issuance of a license and upon each  
1333 renewal thereafter a license fee to be established by the  
1334 department ~~board~~ in an amount not to exceed \$2,000.

1335 Section 37. Subsection (1) of section 468.527, Florida  
1336 Statutes, is amended to read:

1337 468.527 Licensure and license renewal.—

1338 (1) The department shall license any applicant who the  
1339 department ~~board~~ certifies is qualified to practice employee  
1340 leasing as an employee leasing company, employee leasing company  
1341 group, or controlling person.

1342 Section 38. Subsection (2) of section 468.5275, Florida  
1343 Statutes, is amended to read:

1344 468.5275 Registration and exemption of de minimis  
1345 operations.—

1346 (2) A registration is valid for 1 year. Each registrant  
1347 shall pay to the department upon initial registration, and upon  
1348 each renewal thereafter, a registration fee to be established by  
1349 the department ~~board~~ in an amount not to exceed:

1350 (a) Two hundred and fifty dollars for an employee leasing

1351 company.  
 1352 (b) Five hundred dollars for an employee leasing company  
 1353 group.

1354 Section 39. Subsections (2), (4), and (5) of section  
 1355 468.529, Florida Statutes, are amended to read:

1356 468.529 Licensee's insurance; employment tax; benefit  
 1357 plans.—

1358 (2) An initial or renewal license may not be issued to any  
 1359 employee leasing company unless the employee leasing company  
 1360 first files with the department ~~board~~ evidence of workers'  
 1361 compensation coverage for all leased employees in this state.  
 1362 Each employee leasing company shall maintain and make available  
 1363 to its workers' compensation carrier the following information:

1364 (a) The correct name and federal identification number of  
 1365 each client company.

1366 (b) A listing of all covered employees provided to each  
 1367 client company, by classification code.

1368 (c) The total eligible wages by classification code and  
 1369 the premiums due to the carrier for the employees provided to  
 1370 each client company.

1371 (4) An initial or renewal license may not be issued to any  
 1372 employee leasing company unless the employee leasing company  
 1373 first provides evidence to the department ~~board~~, as required by  
 1374 department ~~board~~ rule, that the employee leasing company has  
 1375 paid all of the employee leasing company's obligations for

1376 payroll, payroll-related taxes, workers' compensation insurance,  
1377 and employee benefits. All disputed amounts must be disclosed in  
1378 the application.

1379 (5) The provisions of this section are subject to  
1380 verification by department ~~or board~~ audit.

1381 Section 40. Subsections (3) and (4) of section 468.530,  
1382 Florida Statutes, are amended to read:

1383 468.530 License, contents; posting.-

1384 (3) No license shall be valid for any person or entity who  
1385 engages in the business under any name other than that specified  
1386 in the license. A license issued under this part is ~~shall~~ not be  
1387 assignable, and no licensee may conduct a business under a  
1388 fictitious name without prior written authorization of the  
1389 department ~~board~~ to do so. The department ~~board~~ may not  
1390 authorize the use of a name which is so similar to that of a  
1391 public officer or agency, or of that used by another licensee,  
1392 that the public may be confused or misled thereby. No licensee  
1393 shall be permitted to conduct business under more than one name  
1394 unless it has obtained a separate license. A licensee desiring  
1395 to change its licensed name at any time except upon license  
1396 renewal shall notify the department ~~board~~ and pay a fee not to  
1397 exceed \$50 for each authorized change of name.

1398 (4) Each employee leasing company or employee leasing  
1399 company group licensed under this part shall be properly  
1400 identified in all advertisements, which must include the license



1401 number, licensed business name, and other appropriate  
 1402 information in accordance with department rules ~~established by~~  
 1403 ~~the board.~~

1404 Section 41. Subsection (1) of section 468.531, Florida  
 1405 Statutes, is amended to read:

1406 468.531 Prohibitions; penalties.—

1407 (1) No person or entity shall:

1408 (a) Practice or offer to practice as an employee leasing  
 1409 company, an employee leasing company group, or a controlling  
 1410 person unless such person or entity is licensed pursuant to this  
 1411 part;

1412 (b) Practice or offer to practice as an employee leasing  
 1413 company or employee leasing company group unless all controlling  
 1414 persons thereof are licensed pursuant to this part;

1415 (c) Use the name or title "licensed employee leasing  
 1416 company," "employee leasing company," "employee leasing company  
 1417 group," "professional employer," "professional employer  
 1418 organization," "controlling person," or words that would tend to  
 1419 lead one to believe that such person or entity is registered  
 1420 pursuant to this part, when such person or entity has not  
 1421 registered pursuant to this part;

1422 (d) Present as his or her own or his or her entity's own  
 1423 the license of another;

1424 (e) Knowingly give false or forged evidence to the  
 1425 department ~~board or a member thereof;~~ or

1426 (f) Use or attempt to use a license that has been  
 1427 suspended or revoked.

1428 Section 42. Subsections (1), (2), and (4) of section  
 1429 468.532, Florida Statutes, are amended to read:

1430 468.532 Discipline.—

1431 (1) The following constitute grounds for which  
 1432 disciplinary action against a licensee may be taken by the  
 1433 department ~~board~~:

1434 (a) Being convicted or found guilty of, or entering a plea  
 1435 of nolo contendere to, regardless of adjudication, bribery,  
 1436 fraud, or willful misrepresentation in obtaining, attempting to  
 1437 obtain, or renewing a license.

1438 (b) Being convicted or found guilty of, or entering a plea  
 1439 of nolo contendere to, regardless of adjudication, a crime in  
 1440 any jurisdiction which relates to the operation of an employee  
 1441 leasing business or the ability to engage in business as an  
 1442 employee leasing company.

1443 (c) Being convicted or found guilty of, or entering a plea  
 1444 of nolo contendere to, regardless of adjudication, fraud,  
 1445 deceit, or misconduct in the classification of employees  
 1446 pursuant to chapter 440.

1447 (d) Being convicted or found guilty of, or entering a plea  
 1448 of nolo contendere to, regardless of adjudication, fraud,  
 1449 deceit, or misconduct in the establishment or maintenance of  
 1450 self-insurance, be it health insurance or workers' compensation

1451 insurance.

1452 (e) Being convicted or found guilty of, or entering a plea  
 1453 of nolo contendere to, regardless of adjudication, fraud,  
 1454 deceit, or misconduct in the operation of an employee leasing  
 1455 company.

1456 (f) Conducting business without an active license.

1457 (g) Failing to maintain workers' compensation insurance as  
 1458 required in s. 468.529.

1459 (h) Transferring or attempting to transfer a license  
 1460 issued pursuant to this part.

1461 (i) Violating any provision of this part or any lawful  
 1462 order or rule issued under the provisions of this part or  
 1463 chapter 455.

1464 (j) Failing to notify the department ~~board~~, in writing, of  
 1465 any change of the primary business address or the addresses of  
 1466 any of the licensee's offices in the state.

1467 (k) Having been confined in any county jail,  
 1468 postadjudication, or being confined in any state or federal  
 1469 prison or mental institution, or when through mental disease or  
 1470 deterioration, the licensee can no longer safely be entrusted to  
 1471 deal with the public or in a confidential capacity.

1472 (l) Having been found guilty for a second time of any  
 1473 misconduct that warrants suspension or being found guilty of a  
 1474 course of conduct or practices which shows that the licensee is  
 1475 so incompetent, negligent, dishonest, or untruthful that the

1476 money, property, transactions, and rights of investors, or those  
1477 with whom the licensee may sustain a confidential relationship,  
1478 may not safely be entrusted to the licensee.

1479 (m) Failing to inform the department ~~board~~ in writing  
1480 within 30 days after being convicted or found guilty of, or  
1481 entering a plea of nolo contendere to, any felony, regardless of  
1482 adjudication.

1483 (n) Failing to conform to any lawful order of the  
1484 department ~~board~~.

1485 (o) Being determined liable for civil fraud by a court in  
1486 any jurisdiction.

1487 (p) Having adverse material final action taken by any  
1488 state or federal regulatory agency for violations within the  
1489 scope of control of the licensee.

1490 (q) Failing to inform the department ~~board~~ in writing  
1491 within 30 days after any adverse material final action by a  
1492 state or federal regulatory agency.

1493 (r) Failing to meet or maintain the requirements for  
1494 licensure as an employee leasing company or controlling person.

1495 (s) Engaging as a controlling person any person who is not  
1496 licensed as a controlling person by the department ~~board~~.

1497 (t) Attempting to obtain, obtaining, or renewing a license  
1498 to practice employee leasing by bribery, misrepresentation, or  
1499 fraud.

1500 (2) When the department ~~board~~ finds any violation of

1501 subsection (1), it may do one or more of the following:

1502 (a) Deny an application for licensure.

1503 (b) Permanently revoke, suspend, restrict, or not renew a

1504 license.

1505 (c) Impose an administrative fine not to exceed \$5,000 for

1506 every count or separate offense.

1507 (d) Issue a reprimand.

1508 (e) Place the licensee on probation for a period of time

1509 and subject to such conditions as the department ~~board~~ may

1510 specify.

1511 (f) Assess costs associated with investigation and

1512 prosecution.

1513 (4) The department ~~board~~ shall specify the penalties for

1514 any violation of this part.

1515 Section 43. Paragraph (a) of subsection (6) of section

1516 476.144, Florida Statutes, is amended to read:

1517 476.144 Licensure.—

1518 (6) A person may apply for a restricted license to

1519 practice barbering. The board shall adopt rules specifying

1520 procedures for an applicant to obtain a restricted license if

1521 the applicant:

1522 (a)1. Has successfully completed a restricted barber

1523 course, as established by rule of the board, at a school of

1524 barbering licensed pursuant to chapter 1005, a barbering program

1525 within the public school system, or a government-operated

1526 | barbering program in this state; or

1527 |       2.a. Holds or has within the previous 5 years held an  
 1528 | active valid license to practice barbering in another state or  
 1529 | country or has held a Florida barbering license which has been  
 1530 | declared null and void for failure to renew the license, and the  
 1531 | applicant fulfilled the requirements of s. 476.114(2)(c) ~~s.~~  
 1532 | ~~476.114(2)(c)2.~~ for initial licensure; and

1533 |       b. Has not been disciplined relating to the practice of  
 1534 | barbering in the previous 5 years; and

1535 |  
 1536 | The restricted license shall limit the licensee's practice to  
 1537 | those specific areas in which the applicant has demonstrated  
 1538 | competence pursuant to rules adopted by the board.

1539 |       Section 44. Paragraph (a) of subsection (2) of section  
 1540 | 627.192, Florida Statutes, is amended to read:

1541 |       627.192 Workers' compensation insurance; employee leasing  
 1542 | arrangements.—

1543 |       (2) For purposes of the Florida Insurance Code:

1544 |       (a) "Employee leasing" shall have the same meaning as set  
 1545 | forth in s. 468.520(3) ~~s. 468.520(4)~~.

1546 |       Section 45. For the purpose of incorporating the amendment  
 1547 | made by this act to section 723.061, Florida Statutes, in a  
 1548 | reference thereto, subsection (1) of section 48.184, Florida  
 1549 | Statutes, is reenacted to read:

1550 |       48.184 Service of process for removal of unknown parties

1551 in possession.—

1552 (1) This section applies only to actions governed by s.  
 1553 82.03, s. 83.21, s. 83.59, or s. 723.061 and only to the extent  
 1554 that such actions seek relief for the removal of an unknown  
 1555 party or parties in possession of real property. The provisions  
 1556 of this section are cumulative to other provisions of law or  
 1557 rules of court about service of process, and all other such  
 1558 provisions are cumulative to this section.

1559 Section 46. For the purpose of incorporating the amendment  
 1560 made by this act to section 723.061, Florida Statutes, in a  
 1561 reference thereto, subsection (5) of section 723.004, Florida  
 1562 Statutes, is reenacted to read:

1563 723.004 Legislative intent; preemption of subject matter.—

1564 (5) Nothing in this chapter shall be construed to prevent  
 1565 the enforcement of a right or duty under this section, s.  
 1566 723.022, s. 723.023, s. 723.031, s. 723.032, s. 723.033, s.  
 1567 723.035, s. 723.037, s. 723.038, s. 723.061, s. 723.0615, s.  
 1568 723.062, s. 723.063, or s. 723.081 by civil action after the  
 1569 party has exhausted its administrative remedies, if any.

1570 Section 47. For the purpose of incorporating the amendment  
 1571 made by this act to section 723.061, Florida Statutes, in a  
 1572 reference thereto, subsection (9) of section 723.031, Florida  
 1573 Statutes, is reenacted to read:

1574 723.031 Mobile home lot rental agreements.—

1575 (9) No rental agreement shall provide for the eviction of

1576 a mobile home owner on a ground other than one contained in s.  
 1577 723.061.

1578 Section 48. For the purpose of incorporating the amendment  
 1579 made by this act to section 723.061, Florida Statutes, in a  
 1580 reference thereto, subsection (1) of section 723.032, Florida  
 1581 Statutes, is reenacted to read:

1582 723.032 Prohibited or unenforceable provisions in mobile  
 1583 home lot rental agreements.—

1584 (1) A mobile home lot rental agreement may provide a  
 1585 specific duration with regard to the amount of rental payments  
 1586 and other conditions of the tenancy, but the rental agreement  
 1587 shall neither provide for, nor be construed to provide for, the  
 1588 termination of any tenancy except as provided in s. 723.061.

1589 Section 49. For the purpose of incorporating the amendment  
 1590 made by this act to section 723.061, Florida Statutes, in a  
 1591 reference thereto, subsection (2) of section 723.085, Florida  
 1592 Statutes, is reenacted to read:

1593 723.085 Rights of lienholder on mobile homes in rental  
 1594 mobile home parks.—

1595 (2) Upon the foreclosure of the lien for unpaid purchase  
 1596 price and sale of the mobile home, the owner of the mobile home  
 1597 must qualify for tenancy in the mobile home park in accordance  
 1598 with the rules and regulations of the mobile home park. The park  
 1599 owner shall comply with the provisions of s. 723.061 in  
 1600 determining whether the homeowner may qualify as a tenant.



1601 Section 50. For the purpose of incorporating the amendment  
 1602 made by this act to section 723.06115, Florida Statutes, in a  
 1603 reference thereto, subsection (1) of section 320.08015, Florida  
 1604 Statutes, is reenacted to read:

1605 320.08015 License tax surcharge.—

1606 (1) Except as provided in subsection (2), there is levied  
 1607 on each license tax imposed under s. 320.08(11) a surcharge in  
 1608 the amount of \$1, which shall be collected in the same manner as  
 1609 the license tax and shall be deposited in the Florida Mobile  
 1610 Home Relocation Trust Fund, as created in s. 723.06115. This  
 1611 surcharge may not be imposed during the next registration and  
 1612 renewal period if the balance in the Florida Mobile Home  
 1613 Relocation Trust Fund exceeds \$10 million on June 30. The  
 1614 surcharge shall be reinstated in the next registration and  
 1615 renewal period if the balance in the Florida Mobile Home  
 1616 Relocation Trust Fund is below \$6 million on June 30.

1617 Section 51. For the 2024-2025 fiscal year, the sum of  
 1618 \$95,000 in recurring funds is appropriated from the Florida  
 1619 Mobile Home Relocation Trust Fund to the Department of Business  
 1620 and Professional Regulation for the purpose of implementing this  
 1621 act.

1622 Section 52. This act shall take effect July 1, 2024.