

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 693 Business and Professional Regulation

**SPONSOR(S):** Ingram

**TIED BILLS:**           **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Business & Consumer Affairs Subcommittee	13 Y, 0 N	Livingston	Creamer
2) Economic Affairs Committee	14 Y, 0 N	Livingston	Tinker

### SUMMARY ANALYSIS

Current statutory provisions provide that a person who is regulated by a professional board or by the Department of Business and Professional Regulation when there is no board who changes from inactive license status to active status during renewal of his/her license is ineligible to return to inactive status until the licensee completes a licensure cycle on active status.

The bill eliminates the provision that a licensee who changes from inactive to active status during license renewal is ineligible to return to inactive status until the licensee completes a licensure cycle on active status. This will allow a licensee to change licensure status at any time during the next license renewal cycle.

The bill does not have a fiscal impact on state funds.

The bill has an effective date of July 1, 2012.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current situation

Chapter 455, F.S., provides the general powers of the Department of Business and Professional Regulation (department) and sets forth the procedural and administrative frame work for professional boards housed under the department or under the department when there is no oversight of the activity by a professional board. This chapter applies to the Divisions of Certified Public Accounting, Professions, Real Estate, and Regulation. Licensee is defined to mean "any person issued a permit, registration, certificate, or license by the department."

Section 455.271(4), F.S., provides that a licensee may practice a profession only if the licensee has an active status license. An inactive status licensee may change to active status provided the licensee meets requirements for active status, pays applicable fees and meets continuing education requirements.

##### Proposed changes

The bill amends section 455.271(2), F.S., to eliminate the provision that a licensee who changes from inactive to active status during renewal of his/her license is ineligible to return to inactive status until the licensee completes a licensure cycle on active status. This will allow a licensee to change licensure status, active/inactive, at any time during the next license renewal cycle.

#### B. SECTION DIRECTORY:

Section 1 amends s. 455.271, F.S., to remove the restriction that an inactive license may not be placed in active status until after the license holder completes a normal license cycle while on active status.

Section 2 provides for an effective date of July 1, 2012.

### II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

None.

##### 2. Expenditures:

None.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

##### 1. Revenues:

None.

##### 2. Expenditures:

None.

#### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Not anticipated to be significant, though a practitioner would be able to return to inactive nonoperational status earlier than under current law.

D. FISCAL COMMENTS:

None.

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to: require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

None.