

1 A bill to be entitled
2 An act relating to professional regulation; providing
3 a short title; amending s. 455.02, F.S.; revising the
4 length of time that an active duty member of the Armed
5 Forces of the United States may remain in good
6 standing with an administrative board or program under
7 certain circumstances; requiring that a spouse or
8 surviving spouse be kept in good standing and be
9 exempt from licensure renewal provisions under certain
10 circumstances; requiring, rather than authorizing, the
11 Department of Business and Professional Regulation to
12 issue a professional license, rather than a temporary
13 license, to specified applicants; revising application
14 requirements; requiring the department to waive the
15 applicant's initial licensure application fee;
16 authorizing licensure renewal; amending s. 455.219,
17 F.S.; providing for a fee waiver for active duty
18 members of the Armed Forces, certain spouses or
19 surviving spouses of an active duty member, and low-
20 income individuals; providing rulemaking authority;
21 providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. This act may be cited as the "Occupational

26 Opportunity Act."

27 Section 2. Section 455.02, Florida Statutes, is amended to
28 read:

29 455.02 Licensure of members of the Armed Forces in good
30 standing and their spouses or surviving spouses with
31 administrative boards or programs.—

32 (1) Any member of the Armed Forces of the United States
33 now or hereafter on active duty who, at the time of becoming
34 such a member, was in good standing with any of the boards or
35 programs listed in s. 20.165 ~~administrative board of the state~~
36 and was entitled to practice or engage in his or her profession
37 or vocation in the state shall be kept in good standing by the
38 applicable ~~such administrative board or program~~, without
39 registering, paying dues or fees, or performing any other act on
40 his or her part to be performed, as long as he or she is a
41 member of the Armed Forces of the United States on active duty
42 and for a period of 2 years ~~6 months~~ after discharge from active
43 duty as a member of the Armed Forces of the United States, if he
44 or she is not engaged in his or her licensed profession or
45 vocation in the private sector for profit.

46 (2) A spouse of a member of the Armed Services of the
47 United States who is married to a member during a period of
48 active duty, or a surviving spouse of a member who at the time
49 of death was serving on active duty, ~~The boards listed in s.~~
50 ~~20.165 shall adopt rules that exempt the spouse of a member of~~

51 ~~the Armed Forces of the United States~~ who is in good standing
52 with any of the boards or programs listed in s. 20.165 shall be
53 kept in good standing by the applicable board or program as
54 described in subsection (1) and shall be exempt from licensure
55 renewal provisions, but only in cases of his or her absence from
56 the state because of his or her spouse's duties with the Armed
57 Forces.

58 (3) (a) The department shall ~~may~~ issue a ~~temporary~~
59 professional license to an applicant who is or was ~~the spouse of~~
60 an active duty member of the Armed Forces of the United States,
61 or who is a spouse or surviving spouse of such member, ~~if the~~
62 spouse upon application ~~applies~~ to the department in a ~~the~~
63 format prescribed by the department. An application must include
64 proof that:

65 1. The applicant is or was an active duty member of the
66 Armed Forces of the United States or is married to a member of
67 the Armed Forces of the United States and was married to the
68 member during any period of ~~who is on~~ active duty or was married
69 to such a member who at the time of the member's death was
70 serving on active duty.

71 2. The applicant holds a valid license for the profession
72 issued by another state, the District of Columbia, any
73 possession or territory of the United States, or any foreign
74 jurisdiction.

75 3. The applicant, where required by the specific practice

76 act, has complied with insurance or bonding requirements ~~The~~
77 ~~applicant's spouse is assigned to a duty station in this state~~
78 ~~and that the applicant is also assigned to a duty station in~~
79 ~~this state pursuant to the member's official active duty~~
80 ~~military orders.~~

81 4.a. A complete set of the applicant's fingerprints is
82 submitted to the Department of Law Enforcement for a statewide
83 criminal history check.

84 b. The Department of Law Enforcement shall forward the
85 fingerprints submitted pursuant to sub-subparagraph a. to the
86 Federal Bureau of Investigation for a national criminal history
87 check. The department shall, and the board may, review the
88 results of the criminal history checks according to the level 2
89 screening standards in s. 435.04 and determine whether the
90 applicant meets the licensure requirements. The costs of
91 fingerprint processing shall be borne by the applicant. If the
92 applicant's fingerprints are submitted through an authorized
93 agency or vendor, the agency or vendor shall collect the
94 required processing fees and remit the fees to the Department of
95 Law Enforcement.

96 (b) The department shall waive the applicant's initial
97 licensure application fee ~~An application must be accompanied by~~
98 ~~an application fee prescribed by the department that is~~
99 ~~sufficient to cover the cost of issuance of the temporary~~
100 ~~license.~~

101 (c) An applicant who is issued a license under this
102 section may renew such license upon completion of the conditions
103 for renewal required of licenseholders under the applicable
104 practice act, including, without limitation, continuing
105 education requirements. This paragraph does not limit waiver of
106 initial licensure requirements under this subsection ~~A temporary~~
107 ~~license expires 6 months after the date of issuance and is not~~
108 ~~renewable.~~

109 Section 3. Subsection (7) is added to section 455.219,
110 Florida Statutes, to read:

111 455.219 Fees; receipts; disposition; periodic management
112 reports.—

113 (7) (a) The department, or a board thereunder, shall waive
114 the initial licensing fee for a member of the Armed Services of
115 the United States that has served on active duty, the spouse of
116 a member of the Armed Services of the United States who was
117 married to the member during a period of active duty, the
118 surviving spouse of a member of the Armed Services of the United
119 States who at the time of death was serving on active duty, or a
120 low-income individual upon application by the individual in a
121 format prescribed by the department. The application format must
122 include the applicant's signature, under penalty of perjury, and
123 supporting documentation as required by the department. For
124 purposes of this subsection, the term "low-income individual"
125 means a person whose household income, before taxes, is at or

126 | below 130 percent of the federal poverty guidelines prescribed
127 | for the family's household size by the United States Department
128 | of Health and Human Services, proof of which may be shown
129 | through enrollment in a state or federal public assistance
130 | program that requires participants to be at or below 130 percent
131 | of the federal poverty guidelines to qualify.

132 | (b) The department, or a board thereunder, shall process
133 | an application for a fee waiver within 30 days of receiving it
134 | from the applicant.

135 | (c) The department shall adopt rules necessary to
136 | implement the provisions of this subsection.

137 | Section 4. This act shall take effect July 1, 2017.