1	A bill to be entitled
2	An act relating to preemption of local professional
3	and occupational regulations and licensing; creating
4	s. 163.21, F.S.; providing definitions; preempting the
5	regulation and licensing of professions and
6	occupations to the state; providing exceptions;
7	prohibiting local governments from imposing additional
8	regulations or modifying regulations unless specified
9	conditions are met; specifying that certain local
10	regulations that do not meet specified criteria do not
11	apply and may not be enforced; amending s. 489.117,
12	F.S.; specifying that certain specialty contractors or
13	journeymen are not required to register with the
14	Construction Industry Licensing Board; prohibiting
15	local governments from requiring certain specialty
16	contractors to obtain a license under specified
17	circumstances; specifying job scopes for which a local
18	jurisdiction may not require a license; providing an
19	effective date.
20	
21	Be It Enacted by the Legislature of the State of Florida:
22	
23	Section 1. Section 163.21, Florida Statutes, is created to
24	read:
25	163.21 Regulation and licensing of professions and
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26	occupations preempted to state
27	(1) DEFINITIONSAs used in this section:
28	(a) "Local government" means a county, municipality,
29	special district, or political subdivision of the state.
30	(b) "Occupation" means a paid job, profession, work, line
31	of work, trade, employment, position, post, situation, career,
32	field, vocation, calling, or craft, or any other activity
33	undertaken by a person to earn a livelihood.
34	(c) "Profession" means a paid occupation that involves
35	prolonged or specialized training, knowledge, qualifications,
36	and skills. The term includes membership in a professional body
37	that is guided by a certain code of conduct established by the
38	professional body or a certificate of practice or license to
39	engage in a profession.
40	(d) "Regulation" means a rule, directive, act, law, bylaw,
41	ordinance, pronouncement, mandate, command, injunction, license,
41 42	ordinance, pronouncement, mandate, command, injunction, license, procedure, requirement, prescription, or guideline, and any
42	procedure, requirement, prescription, or guideline, and any
42 43	procedure, requirement, prescription, or guideline, and any action or process of regulating or being regulated along with
42 43 44	procedure, requirement, prescription, or guideline, and any action or process of regulating or being regulated along with any associated fee.
42 43 44 45	procedure, requirement, prescription, or guideline, and any action or process of regulating or being regulated along with any associated fee. (2) PREEMPTION OF PROFESSIONAL AND OCCUPATIONAL REGULATION
42 43 44 45 46	procedure, requirement, prescription, or guideline, and any action or process of regulating or being regulated along with any associated fee. (2) PREEMPTION OF PROFESSIONAL AND OCCUPATIONAL REGULATION AND LICENSING TO THE STATEThe regulation and licensing of
42 43 44 45 46 47	procedure, requirement, prescription, or guideline, and any action or process of regulating or being regulated along with any associated fee. (2) PREEMPTION OF PROFESSIONAL AND OCCUPATIONAL REGULATION AND LICENSING TO THE STATEThe regulation and licensing of professions and occupations is expressly preempted to the state,
42 43 44 45 46 47 48	procedure, requirement, prescription, or guideline, and any action or process of regulating or being regulated along with any associated fee. (2) PREEMPTION OF PROFESSIONAL AND OCCUPATIONAL REGULATION AND LICENSING TO THE STATEThe regulation and licensing of professions and occupations is expressly preempted to the state, and this section supersedes any local government regulation or licensing requirement of professions and occupations with the

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51	(a) Any local government regulation of professions or
52	occupations adopted or imposed before July 1, 2019. However, any
53	such regulation expires on July 1, 2021.
54	(b) A regulation expressly authorized by general law.
55	(3) EXISTING REGULATION LIMITA local government with a
56	local regulation concerning a profession or occupation that is
57	retained pursuant to paragraph (2)(a) may not impose additional
58	regulations on that profession or occupation or modify such
59	regulation.
60	(4) REGULATIONS NOT AUTHORIZEDA local regulation of a
61	profession or occupation that is not authorized under this
62	section or otherwise expressly authorized by general law does
63	not apply and may not be enforced.
64	Section 2. Paragraph (a) of subsection (4) of section
65	489.117, Florida Statutes, is amended to read:
66	489.117 Registration; specialty contractors
67	(4)(a) A person holding a local license whose job scope
68	does not substantially correspond to either the job scope of one
69	of the contractor <u>or journeyman</u> categories defined in s.
70	489.105(3)(a)-(o), or the job scope of one of the certified
71	specialty contractor <u>or journeyman</u> categories established by
72	board rule, is not required to register with the board to
73	perform contracting activities within the scope of such
74	specialty license. A local government, as defined in s.
75	163.21(1), may not require a person to obtain a license for a
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76	job scope which does not substantially correspond to the job
77	scope of one of the contractor categories defined in s.
78	489.105(3)(a)-(o) and (q). For purposes of this section, job
79	scopes for which a local jurisdiction may not require a license
80	include, but are not limited to, painting, flooring, cabinetry,
81	interior remodeling, driveway or tennis court installation, and
82	decorative stone, tile, marble, granite, or terrazzo
83	installation, plastering, stuccoing, caulking, canvas awning
84	installation, and ornamental iron installation.
85	Section 3. This act shall take effect July 1, 2019.

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