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LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Rodriguez) recommended the following:

1 **Senate Amendment to Amendment (116400) (with title**
2 **amendment)**

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4 Between lines 332 and 333
5 insert:

6 Section 7. Subsection (8) is added to section 476.144,
7 Florida Statutes, to read:

8 476.144 Licensure.—

9 (8) A person who has had his or her voting rights restored
10 pursuant to s. 4, Art. VI of the State Constitution upon
11 completion of all terms of sentence for a felony conviction for



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12 an offense other than murder or a felony sexual offense is
13 eligible for licensure so long as he or she meets all other
14 requirements established under this section.

15 Section 8. Subsection (2) of section 477.019, Florida
16 Statutes, is amended to read:

17 477.019 Cosmetologists; qualifications; licensure;
18 supervised practice; license renewal; endorsement; continuing
19 education.—

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

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

24 (b) Pays the required application fee, which is not
25 refundable, and the required examination fee, which is
26 refundable if the applicant is determined to not be eligible for
27 licensure for any reason other than failure to successfully
28 complete the licensure examination; and

29 (c)1. Is authorized to practice cosmetology in another
30 state or country, has been so authorized for at least 1 year,
31 and does not qualify for licensure by endorsement as provided
32 for in subsection (5); or

33 2. Has received a minimum of 1,200 hours of training as
34 established by the board, which shall include, but shall not be
35 limited to, the equivalent of completion of services directly
36 related to the practice of cosmetology at one of the following:

37 a. A school of cosmetology licensed pursuant to chapter
38 1005.

39 b. A cosmetology program within the public school system.

40 c. The Cosmetology Division of the Florida School for the



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41 Deaf and the Blind, provided the division meets the standards of
42 this chapter.

43 d. A government-operated cosmetology program in this state.

44

45 The board shall establish by rule procedures whereby the school
46 or program may certify that a person is qualified to take the
47 required examination after the completion of a minimum of 1,000
48 actual school hours. If the person then passes the examination,
49 he or she shall have satisfied this requirement; but if the
50 person fails the examination, he or she shall not be qualified
51 to take the examination again until the completion of the full
52 requirements provided by this section. A person who has had his
53 or her voting rights restored pursuant to s. 4, Art. VI of the
54 State Constitution upon completion of all terms of sentence for
55 a felony conviction for an offense other than murder or a felony
56 sexual offense is eligible for licensure so long as he or she
57 meets all other requirements established under this section.

58 Section 9. Subsection (6) of section 489.115, Florida
59 Statutes, is amended to read:

60 489.115 Certification and registration; endorsement;
61 reciprocity; renewals; continuing education.—

62 (6) An applicant for initial issuance of a certificate or
63 registration shall submit to a statewide criminal history
64 records check through the Department of Law Enforcement. The
65 Department of Business and Professional Regulation shall submit
66 the requests for the criminal history records check to the
67 Department of Law Enforcement for state processing, and the
68 Department of Law Enforcement shall return the results to the
69 department to determine if the applicant meets certification or



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70 registration requirements. If the applicant has been convicted
71 of a felony, the board may deny licensure to the applicant based
72 upon the severity of the crime, the relationship of the crime to
73 contracting, or the potential for public harm. The board shall
74 also, in denying or approving licensure, consider the length of
75 time since the commission of the crime and the rehabilitation of
76 the applicant. The board may not deny licensure to an applicant
77 based solely upon a felony conviction or the applicant's failure
78 to provide proof of restoration of civil rights or voting
79 rights. A person who has had his or her voting rights restored
80 pursuant to s. 4, Art. VI of the State Constitution upon
81 completion of all terms of sentence for a felony conviction for
82 an offense other than murder or a felony sexual offense is
83 eligible for licensure so long as he or she meets all other
84 requirements established under this section.

85 Section 10. Subsection (1) of section 489.513, Florida
86 Statutes, is amended to read:

87 489.513 Registration; application; requirements.—

88 (1) Any person engaged in the business of contracting in
89 the state shall be registered in the proper classification
90 unless he or she is certified. Any person desiring to be a
91 registered contractor shall apply to the department for
92 registration and must:

93 (a) Be at least 18 years old;

94 (b) Be of good moral character; and

95 (c) Meet eligibility requirements according to the
96 following criteria:

97 1. As used in this subsection, the term "good moral
98 character" means a personal history of honesty, fairness, and



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99 respect for the rights of others and for state and federal law.

100 2. The board may determine that an individual applying for
101 registration is ineligible due to failure to satisfy the
102 requirement of good moral character only if:

103 a. There is a substantial connection between the lack of
104 good moral character of the individual and the professional
105 responsibilities of a registered contractor; and

106 b. The finding by the board of lack of good moral character
107 is supported by clear and convincing evidence.

108 3. When an individual is found to be unqualified because of
109 lack of good moral character, the board must furnish such
110 individual a statement containing the findings of the board, a
111 complete record of evidence upon which the determination was
112 based, and a notice of the rights of the individual to a
113 rehearing and an appeal.

114 4. A person who has had his or her voting rights restored
115 pursuant to s. 4, Art. VI of the State Constitution upon
116 completion of all terms of sentence for a felony conviction for
117 an offense other than murder or a felony sexual offense is
118 eligible for licensure as an electrical contractor so long as he
119 or she meets all other requirements established under this
120 section.

121 Section 11. Paragraph (a) of subsection (4) of section
122 489.553, Florida Statutes, is amended to read:

123 489.553 Administration of part; registration
124 qualifications; examination.—

125 (4) To be eligible for registration by the department as a
126 septic tank contractor, the applicant must:

127 (a) Be of good moral character. In considering good moral



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128 character, the department may consider any matter that has a
129 substantial connection between the good moral character of the
130 applicant and the professional responsibilities of a registered
131 contractor, including, but not limited to: the applicant being
132 convicted or found guilty of, or entering a plea of nolo
133 contendere to, regardless of adjudication, a crime in any
134 jurisdiction which directly relates to the practice of
135 contracting or the ability to practice contracting; and previous
136 disciplinary action involving septic tank contracting, where all
137 judicial reviews have been completed. A person who has had his
138 or her voting rights restored pursuant to s. 4, Art. VI of the
139 State Constitution upon completion of all terms of sentence for
140 a felony conviction for an offense other than murder or a felony
141 sexual offense is eligible for licensure so long as he or she
142 meets all other requirements established under this section.

143
144 ===== T I T L E A M E N D M E N T =====

145 And the title is amended as follows:

146 Between lines 529 and 530

147 insert:

148 amending ss. 476.144, 477.019, 489.115, 489.513, and
149 489.553, F.S.; specifying eligibility for licensure
150 for barbering, cosmetology, and contracting for
151 persons who have had voting rights restored pursuant
152 to s. 4, Art. VI of the State Constitution;