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LEGISLATIVE ACTION

Senate

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House

The Committee on Judiciary (Rodriguez) recommended the following:

Senate Amendment (with title amendment)

Between lines 425 and 426

insert:

Section 11. Subsection (8) is added to section 476.144, Florida Statutes, to read:

476.144 Licensure.—

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



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

14 Section 12. Subsection (2) of section 477.019, Florida
15 Statutes, is amended to read:

16 477.019 Cosmetologists; qualifications; licensure;
17 supervised practice; license renewal; endorsement; continuing
18 education.—

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

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

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

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

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

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

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

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



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

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

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

57 Section 13. Subsection (6) of section 489.115, Florida
58 Statutes, is amended to read:

59 489.115 Certification and registration; endorsement;
60 reciprocity; renewals; continuing education.—

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



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

84 Section 14. Subsection (1) of section 489.513, Florida
85 Statutes, is amended to read:

86 489.513 Registration; application; requirements.—

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

92 (a) Be at least 18 years old;

93 (b) Be of good moral character; and

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

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



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

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

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

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

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

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

120 Section 15. Paragraph (a) of subsection (4) of section
121 489.553, Florida Statutes, is amended to read:

122 489.553 Administration of part; registration
123 qualifications; examination.—

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

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



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

142 Section 16. Section 1009.02, Florida Statutes, is created
143 to read:

144 1009.02 Eligibility for educational scholarships upon
145 restoration of voting rights.—Notwithstanding any other
146 provision of this chapter, a person who has had his or her
147 voting rights restored pursuant to s. 4, Art. VI of the State
148 Constitution upon the completion of all terms of his or her
149 sentence for a felony conviction for an offense other than
150 murder or a felony sexual offense is eligible to be awarded any
151 scholarship, grant, or other aid for higher education or
152 vocational training under this chapter so long as he or she
153 meets all other requirements to be awarded the scholarship,
154 grant, or other aid.

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156 ===== T I T L E A M E N D M E N T =====

157 And the title is amended as follows:

158 Delete line 45

159 and insert:

160 outstanding terms of sentence upon release; amending
161 ss. 476.144, 477.019, 489.115, 489.513, and 489.553,
162 F.S.; specifying eligibility for licensure for
163 barbering, cosmetology, and contracting for persons
164 who have had voting rights restored pursuant to s. 4,
165 Art. VI of the State Constitution; creating s.
166 1009.02, F.S.; specifying eligibility for educational
167 scholarships, grants, or other aid for persons who
168 have had voting rights restored pursuant to s. 4, Art.
169 VI of the State Constitution; creating