

By the Committees on Rules; and Regulated Industries; and
Senators Hooper and Osgood

595-04059-23

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1 A bill to be entitled
2 An act relating to local occupational licensing;
3 amending s. 163.211, F.S.; extending the date on which
4 certain local government occupational licensing
5 requirements expire; amending s. 489.113, F.S.;
6 requiring the Construction Industry Licensing Board,
7 by a specified date, to establish by rule specified
8 certified specialty contractor categories for
9 voluntary licensure; amending s. 489.117, F.S.;
10 prohibiting local governments from requiring a license
11 issued by the local government or the state for
12 certain job scopes; prohibiting local governments from
13 requiring a license issued by the local government or
14 the state to obtain a building permit for such job
15 scopes; providing an exception; authorizing certain
16 counties to offer licenses for certain job scopes if
17 the licensing requirement was imposed before a
18 specified date; prohibiting local governments from
19 requiring a license as a prerequisite to submit bids
20 for public works projects under certain circumstances;
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. Paragraph (a) of subsection (2) of section
26 163.211, Florida Statutes, is amended to read:

27 163.211 Licensing of occupations preempted to state.—

28 (2) PREEMPTION OF OCCUPATIONAL LICENSING TO THE STATE.—The
29 licensing of occupations is expressly preempted to the state,

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30 and this section supersedes any local government licensing
31 requirement of occupations with the exception of the following:

32 (a) Any local government that imposed licenses on
33 occupations before January 1, 2021. However, any such local
34 government licensing of occupations expires on July 1, 2024 ~~July~~
35 ~~1, 2023~~.

36 Section 2. Subsection (6) of section 489.113, Florida
37 Statutes, is amended to read:

38 489.113 Qualifications for practice; restrictions.—

39 (6) The board shall, by rule: ~~7~~

40 (a) Designate those types of specialty contractors which
41 may be certified under this part. The limit of the scope of work
42 and responsibility of a specialty contractor shall be
43 established by the board by rule. However, a certified specialty
44 contractor category established by board rule exists as a
45 voluntary statewide licensing category and does not create a
46 mandatory licensing requirement. Any mandatory statewide
47 construction contracting licensure requirement may only be
48 established through specific statutory provision.

49 (b) By July 1, 2024, establish certified specialty
50 contractor categories for voluntary licensure for all of the
51 following:

52 1. Fence installation and erection.

53 2. Marine bulkhead work.

54 3. Marine dock work.

55 4. Marine pile driving.

56 5. Marine seawall work.

57 6. Plaster and lath.

58 7. Rooftop painting, coating, and cleaning above three

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59 stories.

60 8. Rooftop solar heating installation.

61 9. Structural aluminum or screen enclosures.

62 10. Structural carpentry.

63 11. Structural prestressed, precast concrete work.

64 12. Structural masonry.

65 13. Structural steel work.

66 14. Veneer, including aluminum or vinyl gutters, siding,
67 soffit, or fascia.

68 15. Window and door installation, including garage door
69 installation and hurricane or windstorm protection.

70 Section 3. Paragraph (a) of subsection (4) of section
71 489.117, Florida Statutes, is amended to read:

72 489.117 Registration; specialty contractors.—

73 (4) (a) A person whose job scope does not substantially
74 correspond to either the job scope of one of the contractor
75 categories defined in s. 489.105(3) (a)-(o), or the job scope of
76 one of the certified specialty contractor categories established
77 by board rule, is not required to register with the board. A
78 local government, as defined in s. 163.211, may not require a
79 person to obtain a license issued by the local government or by
80 the state for a job scope that ~~which~~ does not substantially
81 correspond to the job scope of one of the contractor categories
82 defined in s. 489.105(3) (a)-(o) and (q) or authorized in s.
83 489.1455(1) or the job scope of one of the certified specialty
84 contractor categories established pursuant to s. 489.113(6). A
85 local government may not require a state or local license to
86 obtain a building permit for such job scopes unless a building
87 permit is required under the Florida Building Code for the work.

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88 For purposes of this section, job scopes for which a local
89 government may not require a license include, but are not
90 limited to, painting; flooring; cabinetry; interior remodeling
91 if the work does not include structural, electrical, mechanical,
92 plumbing, or other systems affecting health and safety; driveway
93 or tennis court installation; handyman services; decorative
94 stone, tile, marble, granite, or terrazzo installation;
95 plastering; pressure washing; stuccoing; caulking; and canvas
96 awning and ornamental iron installation.

97 1. A county that includes an area designated as an area of
98 critical state concern pursuant to s. 380.05 may offer a license
99 for any job scope that requires a contractor license under this
100 part if the county imposed such a licensing requirement before
101 January 1, 2021.

102 2. A local government may not require a license as a
103 prerequisite to submit a bid for public works projects if the
104 work to be performed does not require a license under this part.

105 Section 4. This act shall take effect July 1, 2023.