

By the Committee on Regulated Industries; and Senator Calatayud

580-02362-24

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1 A bill to be entitled
2 An act relating to employment of ex-offenders;
3 amending s. 112.011, F.S.; authorizing a person to
4 petition a state agency at any time for a decision as
5 to whether his or her prior conviction disqualifies
6 him or her from obtaining a license, permit, or
7 certification; requiring the person to include a
8 specified record or authorize the state agency to
9 obtain such record; providing that a state agency's
10 decision that the person is not disqualified for a
11 specified license, permit, or certification is binding
12 on the agency unless certain conditions exist;
13 requiring the agency to advise the person, if
14 disqualified, of any actions he or she may take to
15 remedy the disqualification; authorizing the person to
16 submit a revised petition reflecting completion of any
17 remedial actions before a certain date; prohibiting a
18 person from submitting a new petition to the state
19 agency within a specified timeframe after a final
20 decision is made; providing an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Paragraph (d) is added to subsection (1) of
25 section 112.011, Florida Statutes, to read:

26 112.011 Disqualification from licensing and public
27 employment based on criminal conviction.—

28 (1)

29 (d)1. Notwithstanding any other law, a person with a prior

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30 conviction for a crime may petition a state agency at any time,
31 including while in confinement, while under supervision, or
32 before obtaining any required personal qualifications for a
33 license, permit, or certification, for a decision as to whether
34 the person's prior conviction for a crime would disqualify him
35 or her from obtaining the license, permit, or certification. In
36 the petition, the person must include a record of his or her
37 prior conviction for a crime or must authorize the state agency
38 to obtain such record.

39 2. If a state agency reviews the petition submitted
40 pursuant to subparagraph 1. and determines that a person is not
41 disqualified for a license, permit, or certification, such
42 decision is binding on the state agency in any later ruling on
43 the person's formal application unless the information contained
44 in the petition is found to be inaccurate or incomplete, or the
45 person is subsequently convicted of a crime.

46 3. If the state agency determines under subparagraph 1.
47 that a person is disqualified for a license, permit, or
48 certification, the agency must advise the person of any actions
49 he or she may take to remedy the disqualification. The person
50 may submit a revised petition reflecting completion of any
51 remedial actions before a deadline set by the agency in its
52 final decision on the petition.

53 4. A person may not otherwise submit a new petition to the
54 state agency until 1 year after a final decision on the initial
55 petition is rendered or the person obtains the required
56 qualifications for a license, permit, or certification,
57 whichever is earlier.

58 Section 2. This act shall take effect July 1, 2024.