



26 applicability; prohibiting the division from reducing  
27 a bond amount under specified circumstances;  
28 authorizing the division to adopt rules; amending s.  
29 310.0015, F.S.; deleting provisions requiring a  
30 competency-based mentor program at ports and requiring  
31 the department to submit an annual report on such  
32 program; amending s. 310.081, F.S.; deleting a  
33 requirement that the department consider certain  
34 characteristics for applicants for certification as a  
35 deputy pilot; making technical changes; creating s.  
36 399.18, F.S.; requiring certain persons or entities  
37 certified or registered under the Elevator Safety Act,  
38 or applying for such certification or registration, to  
39 create and maintain an online account with the  
40 department's Division of Hotels and Restaurants and  
41 provide an e-mail address to the division; requiring  
42 such persons and entities to maintain the accuracy of  
43 their contact information; requiring the division to  
44 adopt rules; creating s. 468.519, F.S.; creating the  
45 employee leasing companies licensing program within  
46 the department; providing legislative findings;  
47 repealing s. 468.521, F.S., relating to the  
48 department's Board of Employee Leasing Companies;  
49 amending s. 469.006, F.S.; revising requirements for  
50 department rules governing evidence of financial

51 responsibility of applicants seeking licensure as a  
52 business organization under ch. 469, F.S.; amending s.  
53 471.003, F.S.; revising the list persons not required  
54 to be licensed as a licensed engineer; amending s.  
55 473.306, F.S.; requiring applicants for the  
56 accountancy licensure examination to create and  
57 maintain an online account with and provide an e-mail  
58 address to the department; requiring such applicants  
59 to maintain the accuracy of their contact information;  
60 requiring that address changes be submitted through  
61 the department's online system within a specified  
62 timeframe; amending s. 473.308, F.S.; requiring a  
63 person seeking licensure as a Florida certified public  
64 accountant, or a firm seeking to engage in public  
65 accountancy, to create and maintain an online account  
66 with and provide an e-mail address to the department;  
67 requiring such accountants and firms to maintain the  
68 accuracy of their contact information; requiring that  
69 address changes be submitted through the department's  
70 online system within a specified timeframe; amending  
71 s. 476.114, F.S.; revising eligibility requirements  
72 for licensure as a barber; making technical changes;  
73 amending s. 477.019, F.S.; revising eligibility  
74 requirements for licensure by examination to practice  
75 cosmetology; amending s. 489.131, F.S.; revising the

76 types of penalties that may be recommended by a local  
77 jurisdiction enforcement body against a contractor;  
78 specifying requirements for such recommended  
79 penalties; amending s. 489.143, F.S.; revising  
80 limitations for payments made from the department's  
81 Florida Homeowners' Construction Recovery Fund;  
82 amending s. 499.012, F.S.; revising requirements for  
83 certification as a designated representative of a  
84 prescription drug wholesale distributor; amending s.  
85 561.15, F.S.; reducing the look-back period for  
86 criminal history for a license under the Beverage Law;  
87 amending s. 561.17, F.S.; requiring persons or  
88 entities licensed or permitted by the Division of  
89 Alcoholic Beverages and Tobacco, or applying for such  
90 license or permit, to create and maintain an account  
91 with the division's online system; requiring such  
92 applicants to maintain the accuracy of their contact  
93 information; specifying application requirements;  
94 prohibiting the division from processing applications  
95 not submitted through the online system; creating ss.  
96 569.00256 and 569.3156, F.S.; requiring certain  
97 persons or entities licensed or permitted by the  
98 division, or applying for such license or permit, to  
99 create and maintain an account with the division's  
100 online system; requiring such licensees, permittees,

101 and applicants to provide the division with an e-mail  
 102 address and maintain the accuracy of their contact  
 103 information; specifying application requirements;  
 104 prohibiting the division from processing applications  
 105 not submitted through the online system; amending ss.  
 106 20.165, 210.16, 212.08, 440.02, 448.26, 468.520,  
 107 468.522, 468.524, 468.5245, 468.525, 468.526, 468.527,  
 108 468.5275, 468.529, 468.530, 468.531, 468.532, 476.144,  
 109 and 627.192, F.S.; conforming cross-references and  
 110 provisions to changes made by the act; providing an  
 111 effective date.

112

113 Be It Enacted by the Legislature of the State of Florida:

114

115 Section 1. Paragraphs (a) through (h) of subsection (1) of  
 116 section 210.15, Florida Statutes, are redesignated as paragraphs  
 117 (b) through (i), respectively, and a new paragraph (a) is added  
 118 to that subsection, to read:

119 210.15 Permits.—

120 (1)

121 (a) A person or an entity licensed or permitted by the  
 122 division, or applying for a license or a permit, must create and  
 123 maintain an account with the division's online system and  
 124 provide an e-mail address to the division to function as the  
 125 primary means of contact for all communication by the division

126 to the licensee, permittee, or applicant. Licensees, permittees,  
127 and applicants are responsible for maintaining accurate contact  
128 information on file with the division. A person or an entity  
129 seeking a license or permit under this part must apply using  
130 forms furnished by the division which are filed through the  
131 division's online system before commencing operations. The  
132 division may not process an application for a license or permit  
133 issued by the division under this part unless the application is  
134 submitted through the division's online system.

135 Section 2. Section 210.32, Florida Statutes, is created to  
136 read:

137 210.32 Account; online system.—A person or an entity  
138 licensed or permitted by the division, or applying for a license  
139 or a permit, must create and maintain an account with the  
140 division's online system and provide an e-mail address to the  
141 division to function as the primary means of contact for all  
142 communication by the division to the licensee, permittee, or  
143 applicant. Licensees, permittees, and applicants are responsible  
144 for maintaining accurate contact information on file with the  
145 division. A person or an entity seeking a license or a permit  
146 under this part must apply using forms furnished by the division  
147 which are filed through the division's online system before  
148 commencing operations. The division may not process an  
149 application for a license or permit issued by the division under  
150 this part unless the application is submitted through the

151 division's online system.

152 Section 3. Section 210.40, Florida Statutes, is amended to  
 153 read:

154 210.40 License fees; surety bond; application for each  
 155 place of business.—

156 (1) Each application for a distributor's license must  
 157 ~~shall~~ be accompanied by a fee of \$25. The application must ~~shall~~  
 158 also be accompanied by a corporate surety bond issued by a  
 159 surety company authorized to do business in this state,  
 160 conditioned for the payment when due of all taxes, penalties,  
 161 and accrued interest which may be due the state. The initial  
 162 corporate surety bond shall be in the sum of \$25,000 ~~\$1,000~~ and  
 163 in a form prescribed by the division.

164 (a) The division shall review the amount of a corporate  
 165 surety bond on a semiannual basis to ensure that the bond amount  
 166 is adequate to protect the state.

167 (b) The division may increase the corporate surety bond  
 168 amount before renewing a distributor's license or after  
 169 completing its semiannual review of the bond amount.

170 (c) The corporate surety bond amount may be increased to  
 171 the sum of the distributor's highest month of final audited tax  
 172 liabilities, penalties, and accrued interest which are due to  
 173 the state.

174 (2) A corporate surety bond, with the sum determined by  
 175 the division in accordance with paragraph (1) (c), is required

176 for renewal of a distributor's license.

177 (3) The division may prescribe by rule increases in the  
178 corporate surety bond amounts required as a condition of  
179 licensure.

180 (4) (a) The division may reduce the amount of a corporate  
181 surety bond upon a distributor's showing of good cause. For  
182 purposes of this subsection, the term:

183 1. "Fully resolved" means that criminal or administrative  
184 charges or investigations have been definitively closed or  
185 dismissed, have resulted in an acquittal, or have otherwise  
186 ended in such a manner that no further legal or administrative  
187 actions relating to charges or investigations are pending  
188 against a licensee under applicable laws, rules, or regulations.

189 2. "Good cause" means a consistent pattern of responsible  
190 financial behavior by the distributor over a period of at least  
191 the preceding 4 years, and having the sum of the distributor's  
192 final audited tax liabilities, penalties, and interest be less  
193 than the amount of the distributor's corporate surety bond for  
194 every month for a period of at least the preceding 4 years.

195 3. "Responsible financial behavior" includes the timely  
196 and complete reporting and payment of all tax liabilities,  
197 penalties, and accrued interest due to the state for a period of  
198 at least the preceding 4 years.

199 (b) The division may not reduce a corporate surety bond  
200 amount when a licensee:

201        1. Is in default of any tax liabilities, penalties, or  
 202 interest due to the state;

203        2. Is the subject of a pending criminal prosecution in any  
 204 jurisdiction until such prosecution has been fully resolved;

205        3. Has pending administrative charges brought by an  
 206 authorized regulatory body or agency which have not been fully  
 207 resolved in accordance with applicable rules and procedures; or

208        4. Is under investigation by any administrative body or  
 209 agency for potential criminal violations until any such  
 210 investigation is completed and the findings of the investigation  
 211 have been fully resolved in accordance with applicable law.

212        (5) The division shall notify a distributor in writing of  
 213 any change in the distributor's corporate surety bond  
 214 requirements by the date on which the distributor's audited tax  
 215 assessments become final.

216        (6) The provisions of this section governing corporate  
 217 surety bonds are not subject to s. 120.60 ~~Whenever it is the~~  
 218 ~~opinion of the division that the bond given by a licensee is~~  
 219 ~~inadequate in amount to fully protect the state, the division~~  
 220 ~~shall require an additional bond in such amount as is deemed~~  
 221 ~~sufficient.~~

222        (7) A separate application for a license must ~~shall~~ be  
 223 made for each place of business at which a distributor proposes  
 224 to engage in business as a distributor under this part, but an  
 225 applicant may provide one corporate surety bond in an amount

226 | determined by the division for all applications made by the  
 227 | distributor consistent with the requirements of this section.

228 |       (8) The division may adopt rules to administer this  
 229 | section.

230 |       Section 4. Paragraph (d) of subsection (3) of section  
 231 | 310.0015, Florida Statutes, is amended to read:

232 |       310.0015 Piloting regulation; general provisions.—

233 |       (3) The rate-setting process, the issuance of licenses  
 234 | only in numbers deemed necessary or prudent by the board, and  
 235 | other aspects of the economic regulation of piloting established  
 236 | in this chapter are intended to protect the public from the  
 237 | adverse effects of unrestricted competition which would result  
 238 | from an unlimited number of licensed pilots being allowed to  
 239 | market their services on the basis of lower prices rather than  
 240 | safety concerns. This system of regulation benefits and protects  
 241 | the public interest by maximizing safety, avoiding uneconomic  
 242 | duplication of capital expenses and facilities, and enhancing  
 243 | state regulatory oversight. The system seeks to provide pilots  
 244 | with reasonable revenues, taking into consideration the normal  
 245 | uncertainties of vessel traffic and port usage, sufficient to  
 246 | maintain reliable, stable piloting operations. Pilots have  
 247 | certain restrictions and obligations under this system,  
 248 | including, but not limited to, the following:

249 |       (d)~~1~~. The pilot or pilots in a port shall train and  
 250 | compensate all member deputy pilots in that port. Failure to

251 train or compensate such deputy pilots constitutes ~~shall~~  
 252 ~~constitute~~ a ground for disciplinary action under s. 310.101.  
 253 Nothing in this subsection may ~~shall~~ be deemed to create an  
 254 agency or employment relationship between a pilot or deputy  
 255 pilot and the pilot or pilots in a port.

256 ~~2. The pilot or pilots in a port shall establish a~~  
 257 ~~competency-based mentor program by which minority persons as~~  
 258 ~~defined in s. 288.703 may acquire the skills for the~~  
 259 ~~professional preparation and education competency requirements~~  
 260 ~~of a licensed state pilot or certificated deputy pilot. The~~  
 261 ~~department shall provide the Governor, the President of the~~  
 262 ~~Senate, and the Speaker of the House of Representatives with a~~  
 263 ~~report each year on the number of minority persons as defined in~~  
 264 ~~s. 288.703 who have participated in each mentor program, who are~~  
 265 ~~licensed state pilots or certificated deputy pilots, and who~~  
 266 ~~have applied for state pilot licensure or deputy pilot~~  
 267 ~~certification.~~

268 Section 5. Subsection (2) of section 310.081, Florida  
 269 Statutes, is amended to read:

270 310.081 Department to examine and license state pilots and  
 271 certificate deputy pilots; vacancies.-

272 (2) The department shall similarly examine persons who  
 273 file applications for certificate as deputy pilot, and, if upon  
 274 examination to determine proficiency the department finds them  
 275 qualified, the department must ~~shall~~ certify as qualified all

276 applicants who pass the examination, provided that not more than  
 277 five persons who passed the examination are certified for each  
 278 declared opening. If more than five applicants per opening pass  
 279 the examination, the persons having the highest scores must  
 280 ~~shall~~ be certified as qualified up to the number of openings  
 281 times five. ~~The department shall give consideration to the~~  
 282 ~~minority and female status of applicants when qualifying deputy~~  
 283 ~~pilots, in the interest of ensuring diversification within the~~  
 284 ~~state piloting profession.~~ The department shall appoint and  
 285 certificate such number of deputy pilots from those applicants  
 286 deemed qualified as in the discretion of the board are required  
 287 in the respective ports of the state. A deputy pilot shall be  
 288 authorized by the department to pilot vessels within the limits  
 289 and specifications established by the licensed state pilots at  
 290 the port where the deputy is appointed to serve.

291 Section 6. Section 399.18, Florida Statutes, is created to  
 292 read:

293 399.18 Online services account.-

294 (1) A certified elevator inspector, certified elevator  
 295 technician, or registered elevator company; a person or entity  
 296 seeking to become certified or registered as such; a person who  
 297 has been issued an elevator certificate of competency; a person  
 298 who is seeking such certificate; a person or entity who has been  
 299 issued an elevator certificate of operation; and a person or  
 300 entity who is seeking such a certificate must create and

301 maintain an online account with the division and provide an e-  
 302 mail address to the division to function as the primary means of  
 303 contact for all communication from the division. Each person or  
 304 entity is responsible for maintaining accurate contact  
 305 information on file with the division.

306 (2) The division shall adopt rules to implement this  
 307 section.

308 Section 7. Section 468.519, Florida Statutes, is created,  
 309 and incorporated into part XI of chapter 468, Florida Statutes,  
 310 to read:

311 468.519 Employee leasing companies licensing program;  
 312 purpose.—

313 (1) There is created within the department the employee  
 314 leasing companies licensing program.

315 (2) The Legislature finds it necessary in the interest of  
 316 the public safety and welfare to ensure that consumers of  
 317 employee leasing companies can rely on the competence and  
 318 integrity of such companies through the licensing requirements  
 319 of this part.

320 Section 8. Section 468.521, Florida Statutes, is repealed.

321 Section 9. Paragraph (c) of subsection (2) of section  
 322 469.006, Florida Statutes, is amended to read:

323 469.006 Licensure of business organizations; qualifying  
 324 agents.—

325 (2)

326 (c) As a prerequisite to the issuance of a license under  
 327 this section, the applicant shall submit the following:

328 1. An affidavit on a form provided by the department  
 329 attesting that the applicant has obtained workers' compensation  
 330 insurance as required by chapter 440, public liability  
 331 insurance, and property damage insurance, in amounts determined  
 332 by department rule. The department shall establish by rule a  
 333 procedure to verify the accuracy of such affidavits based upon a  
 334 random sample method.

335 2. Evidence of financial responsibility. The department  
 336 shall adopt rules to determine financial responsibility which  
 337 must ~~shall~~ specify grounds on which the department may deny  
 338 licensure. Such criteria must ~~shall~~ include, but is not ~~be~~  
 339 limited to, credit history ~~and limits of bondability and credit.~~

340 Section 10. Paragraph (c) of subsection (2) of section  
 341 471.003, Florida Statutes, is amended to read:

342 471.003 Qualifications for practice; exemptions.—

343 (2) The following persons are not required to be licensed  
 344 under the provisions of this chapter as a licensed engineer:

345 (c) Regular full-time employees of a business organization  
 346 ~~corporation~~ not engaged in the practice of engineering as such,  
 347 whose practice of engineering for such business organization  
 348 ~~corporation~~ is limited to the design or fabrication of  
 349 manufactured products and servicing of such products.

350 Section 11. Section 473.306, Florida Statutes, is amended

351 to read:

352 473.306 Examinations.—

353 (1) A person desiring to be licensed as a Florida  
354 certified public accountant shall apply to the department to  
355 take the licensure examination.

356 (2) A person applying to the department to take the  
357 licensure examination must create and maintain an online account  
358 with the department and provide an e-mail address to function as  
359 the primary means of contact for all communication to the  
360 applicant from the department. Each applicant is responsible for  
361 maintaining accurate contact information on file with the  
362 department and must submit any change in the applicant's e-mail  
363 address or home address within 30 days after the change. All  
364 changes must be submitted through the department's online  
365 system.

366 (3) An applicant is entitled to take the licensure  
367 examination to practice in this state as a certified public  
368 accountant if:

369 (a) The applicant has completed 120 semester hours or 180  
370 quarter hours from an accredited college or university with a  
371 concentration in accounting and business courses as specified by  
372 the board by rule; and

373 (b) The applicant shows that she or he has good moral  
374 character. For purposes of this paragraph, the term "good moral  
375 character" has the same meaning as provided in s. 473.308(7)(a)

376 s. ~~473.308(6)(a)~~. The board may refuse to allow an applicant to  
 377 take the licensure examination for failure to satisfy this  
 378 requirement if:

379 1. The board finds a reasonable relationship between the  
 380 lack of good moral character of the applicant and the  
 381 professional responsibilities of a certified public accountant;  
 382 and

383 2. The finding by the board of lack of good moral  
 384 character is supported by competent substantial evidence.

385  
 386 If an applicant is found pursuant to this paragraph to be  
 387 unqualified to take the licensure examination because of a lack  
 388 of good moral character, the board shall furnish to the  
 389 applicant a statement containing the findings of the board, a  
 390 complete record of the evidence upon which the determination was  
 391 based, and a notice of the rights of the applicant to a  
 392 rehearing and appeal.

393 (4)~~(3)~~ The board shall have the authority to establish the  
 394 standards for determining and shall determine:

395 (a) What constitutes a passing grade for each subject or  
 396 part of the licensure examination;

397 (b) Which educational institutions, in addition to the  
 398 universities in the State University System of Florida, shall be  
 399 deemed to be accredited colleges or universities;

400 (c) What courses and number of hours constitute a major in

401 accounting; and

402 (d) What courses and number of hours constitute additional  
 403 accounting courses acceptable under s. 473.308(4) ~~s. 473.308(3)~~.

404 ~~(5)-(4)~~ The board may adopt an alternative licensure  
 405 examination for persons who have been licensed to practice  
 406 public accountancy or its equivalent in a foreign country so  
 407 long as the International Qualifications Appraisal Board of the  
 408 National Association of State Boards of Accountancy has ratified  
 409 an agreement with that country for reciprocal licensure.

410 ~~(6)-(5)~~ For the purposes of maintaining the proper  
 411 educational qualifications for licensure under this chapter, the  
 412 board may appoint an Educational Advisory Committee, which shall  
 413 be composed of one member of the board, two persons in public  
 414 practice who are licensed under this chapter, and four  
 415 academicians on faculties of universities in this state.

416 Section 12. Subsections (3) through (9) of section  
 417 473.308, Florida Statutes, are renumbered as subsections (4)  
 418 through (10), respectively, a new subsection (3) is added to  
 419 that section, and subsection (2), paragraph (b) of present  
 420 subsection (4), and present subsection (8) of that section are  
 421 amended, to read:

422 473.308 Licensure.—

423 (2) The board shall certify for licensure any applicant  
 424 who successfully passes the licensure examination and satisfies  
 425 the requirements of subsections (4), (5), and (6) ~~(3), (4), and~~

426 ~~(5)~~, and shall certify for licensure any firm that satisfies the  
 427 requirements of ss. 473.309 and 473.3101. The board may refuse  
 428 to certify any applicant or firm that has violated any of the  
 429 provisions of s. 473.322.

430 (3) A person desiring to be licensed as a Florida  
 431 certified public accountant or a firm desiring to engage in the  
 432 practice of public accounting must create and maintain an online  
 433 account with the department and provide an e-mail address to  
 434 function as the primary means of contact for all communication  
 435 from the department. Certified public accountants and firms are  
 436 responsible for maintaining accurate contact information on file  
 437 with the department and must submit any change in an e-mail  
 438 address or street address within 30 days after the change. All  
 439 changes must be submitted through the department's online  
 440 system.

441 ~~(5)-(4)~~

442 (b) However, an applicant who completed the requirements  
 443 of subsection ~~(4)~~ ~~(3)~~ on or before December 31, 2008, and who  
 444 passes the licensure examination on or before June 30, 2010, is  
 445 exempt from the requirements of this subsection.

446 ~~(9)-(8)~~ If the applicant has at least 5 years of experience  
 447 in the practice of public accountancy in the United States or in  
 448 the practice of public accountancy or its equivalent in a  
 449 foreign country that the International Qualifications Appraisal  
 450 Board of the National Association of State Boards of Accountancy

451 has determined has licensure standards that are substantially  
 452 equivalent to those in the United States, or has at least 5  
 453 years of work experience that meets the requirements of  
 454 subsection (5) ~~(4)~~, the board must ~~shall~~ waive the requirements  
 455 of subsection (4) ~~(3)~~ which are in excess of a baccalaureate  
 456 degree. All experience that is used as a basis for waiving the  
 457 requirements of subsection (4) ~~(3)~~ must be while licensed as a  
 458 certified public accountant by another state or territory of the  
 459 United States or while licensed in the practice of public  
 460 accountancy or its equivalent in a foreign country that the  
 461 International Qualifications Appraisal Board of the National  
 462 Association of State Boards of Accountancy has determined has  
 463 licensure standards that are substantially equivalent to those  
 464 in the United States. The board shall have the authority to  
 465 establish the standards for experience that meet this  
 466 requirement.

467 Section 13. Subsections (2) and (3) of section 476.114,  
 468 Florida Statutes, are amended to read:

469 476.114 Examination; prerequisites.—

470 (2) An applicant is ~~shall be~~ eligible for licensure by  
 471 examination to practice barbering if the applicant:

472 (a) Is at least 16 years of age;

473 (b) Pays the required application fee; and

474 (c) ~~1. Holds an active valid license to practice barbering  
 475 in another state, has held the license for at least 1 year, and~~

476 ~~does not qualify for licensure by endorsement as provided for in~~  
477 ~~s. 476.144(5); or~~

478 ~~2.~~ Has received a minimum of 900 hours of training in  
479 sanitation, safety, and laws and rules, as established by the  
480 board, which must ~~shall~~ include, but is ~~shall~~ not be limited to,  
481 the equivalent of completion of services directly related to the  
482 practice of barbering at one of the following:

483 ~~1.a.~~ A school of barbering licensed pursuant to chapter  
484 1005;

485 ~~2.b.~~ A barbering program within the public school system;  
486 or

487 ~~3.c.~~ A government-operated barbering program in this  
488 state.

489  
490 The board shall establish by rule procedures whereby the school  
491 or program may certify that a person is qualified to take the  
492 required examination after the completion of a minimum of 600  
493 actual school hours. If the person passes the examination, she  
494 or he has ~~shall have~~ satisfied this requirement; but if the  
495 person fails the examination, she or he may ~~shall~~ not be  
496 qualified to take the examination again until the completion of  
497 the full requirements provided by this section.

498 (3) An applicant who meets the requirements set forth in  
499 paragraph (2)(c) ~~subparagraphs (2)(c)1. and 2.~~ who fails to pass  
500 the examination may take subsequent examinations as many times

501 as necessary to pass, except that the board may specify by rule  
 502 reasonable timeframes for rescheduling the examination and  
 503 additional training requirements for applicants who, after the  
 504 third attempt, fail to pass the examination. Prior to  
 505 reexamination, the applicant must file the appropriate form and  
 506 pay the reexamination fee as required by rule.

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

509 477.019 Cosmetologists; qualifications; licensure;  
 510 supervised practice; license renewal; endorsement; continuing  
 511 education.—

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

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

516 (b) Pays the required application fee, which is not  
 517 refundable, and the required examination fee, which is  
 518 refundable if the applicant is determined to not be eligible for  
 519 licensure for any reason other than failure to successfully  
 520 complete the licensure examination; and

521 ~~(c)1. Is authorized to practice cosmetology in another  
 522 state or country, has been so authorized for at least 1 year,  
 523 and does not qualify for licensure by endorsement as provided  
 524 for in subsection (5); or~~

525 ~~2.~~ Has received a minimum of 1,200 hours of training as

526 established by the board, which must ~~shall~~ include, but is ~~shall~~  
 527 not ~~be~~ limited to, the equivalent of completion of services  
 528 directly related to the practice of cosmetology at one of the  
 529 following:

530 1.a. A school of cosmetology licensed pursuant to chapter  
 531 1005.

532 2.b. A cosmetology program within the public school  
 533 system.

534 3.e. The Cosmetology Division of the Florida School for  
 535 the Deaf and the Blind, provided the division meets the  
 536 standards of this chapter.

537 4.d. A government-operated cosmetology program in this  
 538 state.

539

540 The board shall establish by rule procedures whereby the school  
 541 or program may certify that a person is qualified to take the  
 542 required examination after the completion of a minimum of 1,000  
 543 actual school hours. If the person then passes the examination,  
 544 he or she has ~~shall have~~ satisfied this requirement; but if the  
 545 person fails the examination, he or she may ~~shall~~ not be  
 546 qualified to take the examination again until the completion of  
 547 the full requirements provided by this section.

548 Section 15. Paragraph (c) of subsection (7) of section  
 549 489.131, Florida Statutes, is amended to read:

550 489.131 Applicability.—

551 (7)  
 552 (c) In addition to any action the local jurisdiction  
 553 enforcement body may take against the individual's local  
 554 license, and any fine the local jurisdiction may impose, the  
 555 local jurisdiction enforcement body shall issue a recommended  
 556 penalty for board action. This recommended penalty may include a  
 557 recommendation for no further action, or a recommendation for  
 558 suspension, restitution, revocation, or restriction of the  
 559 registration, or a fine to be levied by the board, or a  
 560 combination thereof. The recommended penalty must specify the  
 561 violations of this chapter upon which the recommendation is  
 562 based. The local jurisdiction enforcement body shall inform the  
 563 disciplined contractor and the complainant of the local license  
 564 penalty imposed, the board penalty recommended, his or her  
 565 rights to appeal, and the consequences should he or she decide  
 566 not to appeal. The local jurisdiction enforcement body shall,  
 567 upon having reached adjudication or having accepted a plea of  
 568 nolo contendere, immediately inform the board of its action and  
 569 the recommended board penalty.

570 Section 16. Subsections (3) and (6) of section 489.143,  
 571 Florida Statutes, are amended to read:

572 489.143 Payment from the fund.—

573 (3) Beginning January 1, 2005, for each Division I  
 574 contract entered into after July 1, 2004, payment from the  
 575 recovery fund is subject to a \$50,000 maximum payment for each

576 Division I claim. Beginning January 1, 2017, for each Division  
577 II contract entered into on or after July 1, 2016, payment from  
578 the recovery fund is subject to a \$15,000 maximum payment for  
579 each Division II claim. Beginning January 1, 2025, for Division  
580 I and Division II contracts entered into on or after July 1,  
581 2024, payment from the recovery fund is subject to a \$100,000  
582 maximum payment for each Division I claim and a \$30,000 maximum  
583 payment for each Division II claim.

584 (6) For contracts entered into before July 1, 2004,  
585 payments for claims against any one licensee may not exceed, in  
586 the aggregate, \$100,000 annually, up to a total aggregate of  
587 \$250,000. For any claim approved by the board which is in excess  
588 of the annual cap, the amount in excess of \$100,000 up to the  
589 total aggregate cap of \$250,000 is eligible for payment in the  
590 next and succeeding fiscal years, but only after all claims for  
591 the then-current calendar year have been paid. Payments may not  
592 exceed the aggregate annual or per claimant limits under law.  
593 Beginning January 1, 2005, for each Division I contract entered  
594 into after July 1, 2004, payment from the recovery fund is  
595 subject only to a total aggregate cap of \$500,000 for each  
596 Division I licensee. Beginning January 1, 2017, for each  
597 Division II contract entered into on or after July 1, 2016,  
598 payment from the recovery fund is subject only to a total  
599 aggregate cap of \$150,000 for each Division II licensee.  
600 Beginning January 1, 2025, for Division I and Division II

601 contracts entered into on or after July 1, 2024, payment from  
 602 the recovery fund is subject only to a total aggregate cap of \$2  
 603 million for each Division I licensee and \$600,000 for each  
 604 Division II licensee.

605 Section 17. Paragraph (b) of subsection (15) of section  
 606 499.012, Florida Statutes, is amended to read:

607 499.012 Permit application requirements.—

608 (15)

609 (b) To be certified as a designated representative, a  
 610 natural person must:

611 1. Submit an application on a form furnished by the  
 612 department and pay the appropriate fees.

613 2. Be at least 18 years of age.

614 3. Have at least 2 years of verifiable full-time:

615 a. Work experience in a pharmacy licensed in this state or  
 616 another state, where the person's responsibilities included, but  
 617 were not limited to, recordkeeping for prescription drugs;

618 b. Managerial experience with a prescription drug  
 619 wholesale distributor licensed in this state or in another  
 620 state; ~~or~~

621 c. Managerial experience with the United States Armed  
 622 Forces, where the person's responsibilities included, but were  
 623 not limited to, recordkeeping, warehousing, distributing, or  
 624 other logistics services pertaining to prescription drugs;

625 d. Managerial experience with a state or federal

626 organization responsible for regulating or permitting  
 627 establishments involved in the distribution of prescription  
 628 drugs, whether in an administrative or a sworn law enforcement  
 629 capacity; or

630 e. Work experience as a drug inspector or investigator  
 631 with a state or federal organization, whether in an  
 632 administrative or a sworn law enforcement capacity, where the  
 633 person's responsibilities related primarily to compliance with  
 634 state or federal requirements pertaining to the distribution of  
 635 prescription drugs.

636 4. Receive a passing score of at least 75 percent on an  
 637 examination given by the department regarding federal laws  
 638 governing distribution of prescription drugs and this part and  
 639 the rules adopted by the department governing the wholesale  
 640 distribution of prescription drugs. This requirement shall be  
 641 effective 1 year after the results of the initial examination  
 642 are mailed to the persons that took the examination. The  
 643 department shall offer such examinations at least four times  
 644 each calendar year.

645 5. Provide the department with a personal information  
 646 statement and fingerprints pursuant to subsection (9).

647 Section 18. Subsection (2) of section 561.15, Florida  
 648 Statutes, is amended to read:

649 561.15 Licenses; qualifications required.—

650 (2) No license under the Beverage Law shall be issued to

651 any person who has been convicted within the last past 5 years  
 652 of any offense against the beverage laws of this state, the  
 653 United States, or any other state; who has been convicted within  
 654 the last past 5 years in this state or any other state or the  
 655 United States of soliciting for prostitution, pandering, letting  
 656 premises for prostitution, or keeping a disorderly place or of  
 657 any criminal violation of chapter 893 or the controlled  
 658 substance act of any other state or the Federal Government; or  
 659 who has been convicted in the last past 10 ~~15~~ years of any  
 660 felony in this state or any other state or the United States; or  
 661 to a corporation, any of the officers of which shall have been  
 662 so convicted. The term "conviction" shall include an  
 663 adjudication of guilt on a plea of guilty or nolo contendere or  
 664 the forfeiture of a bond when charged with a crime.

665 Section 19. Subsection (5) of section 561.17, Florida  
 666 Statutes, is amended to read:

667 561.17 License and registration applications; approved  
 668 person.—

669 (5) Any person or entity licensed or permitted by the  
 670 division, or applying for a license or permit, must create and  
 671 maintain an account with the division's online system and  
 672 provide an e-mail ~~electronic mail~~ address to the division to  
 673 function as the primary means of contact for all communication  
 674 by the division to the licensee, ~~or~~ permittee, or applicant.  
 675 Licensees, ~~and~~ and permittees, and applicants are responsible for

676 maintaining accurate contact information on file with the  
677 division. A person or an entity seeking a license or permit from  
678 the division must apply using forms prepared by the division and  
679 filed through the division's online system before engaging in  
680 any business for which a license or permit is required. The  
681 division may not process an application for an alcoholic  
682 beverage license unless the application is submitted through the  
683 division's online system.

684 Section 20. Section 569.00256, Florida Statutes, is  
685 created to read:

686 569.00256 Account; online system.—A person or an entity  
687 licensed or permitted by the division under this part, or  
688 applying for a license or a permit, must create and maintain an  
689 account with the division's online system and provide an e-mail  
690 address to the division to function as the primary means of  
691 contact for all communication by the division to the licensee,  
692 permittee, or applicant. Licensees, permittees, and applicants  
693 are responsible for maintaining accurate contact information  
694 with the division. A person or an entity seeking a license or  
695 permit from the division must apply using forms prepared by the  
696 division and filed through the division's online system before  
697 engaging in any business for which a license or permit is  
698 required. The division may not process an application to deal,  
699 at retail, in tobacco products unless the application is  
700 submitted through the division's online system.

701 Section 21. Section 569.3156, Florida Statutes, is created  
702 to read:

703 569.3156 Account; online system.—A person or an entity  
704 licensed or permitted by the division under this part, or  
705 applying for a license or a permit, must create and maintain an  
706 account with the division's online system and provide an e-mail  
707 address to the division to function as the primary means of  
708 contact for all communication by the division to the licensee,  
709 permittee, or applicant. Licensees, permittees, and applicants  
710 are responsible for maintaining accurate contact information  
711 with the division. A person or an entity seeking a license or  
712 permit from the division must apply using forms prepared by the  
713 division and filed through the division's online system before  
714 engaging in any business for which a license or permit is  
715 required. The division may not process an application to deal,  
716 at retail, in nicotine products unless the application is  
717 submitted through the division's online system.

718 Section 22. Paragraph (a) of subsection (4) of section  
719 20.165, Florida Statutes, is amended to read:

720 20.165 Department of Business and Professional  
721 Regulation.—There is created a Department of Business and  
722 Professional Regulation.

723 (4) (a) The following boards and programs are established  
724 within the Division of Professions:

725 1. Board of Architecture and Interior Design, created

- 726 | under part I of chapter 481.
- 727 |       2. Florida Board of Auctioneers, created under part VI of
- 728 | chapter 468.
- 729 |       3. Barbers' Board, created under chapter 476.
- 730 |       4. Florida Building Code Administrators and Inspectors
- 731 | Board, created under part XII of chapter 468.
- 732 |       5. Construction Industry Licensing Board, created under
- 733 | part I of chapter 489.
- 734 |       6. Board of Cosmetology, created under chapter 477.
- 735 |       7. Electrical Contractors' Licensing Board, created under
- 736 | part II of chapter 489.
- 737 |       8. Employee leasing companies licensing program ~~Board of~~
- 738 | ~~Employee Leasing Companies~~, created under part XI of chapter
- 739 | 468.
- 740 |       9. Board of Landscape Architecture, created under part II
- 741 | of chapter 481.
- 742 |       10. Board of Pilot Commissioners, created under chapter
- 743 | 310.
- 744 |       11. Board of Professional Engineers, created under chapter
- 745 | 471.
- 746 |       12. Board of Professional Geologists, created under
- 747 | chapter 492.
- 748 |       13. Board of Veterinary Medicine, created under chapter
- 749 | 474.
- 750 |       14. Home inspection services licensing program, created

751 under part XV of chapter 468.

752 15. Mold-related services licensing program, created under  
753 part XVI of chapter 468.

754 Section 23. Subsection (2) of section 210.16, Florida  
755 Statutes, is amended to read:

756 210.16 Revocation or suspension of permit.—

757 (2) The division shall revoke the permit or permits of any  
758 person who would be ineligible to obtain a new license or renew  
759 a license by reason of any of the conditions for permitting  
760 provided in s. 210.15(1)(d)1.-6. ~~s. 210.15(1)(e)1.-6.~~

761 Section 24. Paragraph (uuu) of subsection (7) of section  
762 212.08, Florida Statutes, is amended to read:

763 212.08 Sales, rental, use, consumption, distribution, and  
764 storage tax; specified exemptions.—The sale at retail, the  
765 rental, the use, the consumption, the distribution, and the  
766 storage to be used or consumed in this state of the following  
767 are hereby specifically exempt from the tax imposed by this  
768 chapter.

769 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any  
770 entity by this chapter do not inure to any transaction that is  
771 otherwise taxable under this chapter when payment is made by a  
772 representative or employee of the entity by any means,  
773 including, but not limited to, cash, check, or credit card, even  
774 when that representative or employee is subsequently reimbursed  
775 by the entity. In addition, exemptions provided to any entity by

776 | this subsection do not inure to any transaction that is  
 777 | otherwise taxable under this chapter unless the entity has  
 778 | obtained a sales tax exemption certificate from the department  
 779 | or the entity obtains or provides other documentation as  
 780 | required by the department. Eligible purchases or leases made  
 781 | with such a certificate must be in strict compliance with this  
 782 | subsection and departmental rules, and any person who makes an  
 783 | exempt purchase with a certificate that is not in strict  
 784 | compliance with this subsection and the rules is liable for and  
 785 | shall pay the tax. The department may adopt rules to administer  
 786 | this subsection.

787 |       (uuu) *Small private investigative agencies.*—

788 |       1. As used in this paragraph, the term:

789 |       a. "Private investigation services" has the same meaning  
 790 | as "private investigation," as defined in s. 493.6101(17).

791 |       b. "Small private investigative agency" means a private  
 792 | investigator licensed under s. 493.6201 which:

793 |       (I) Employs three or fewer full-time or part-time  
 794 | employees, including those performing services pursuant to an  
 795 | employee leasing arrangement as defined in s. 468.520(3) ~~s.~~  
 796 | ~~468.520(4)~~, in total; and

797 |       (II) During the previous calendar year, performed private  
 798 | investigation services otherwise taxable under this chapter in  
 799 | which the charges for the services performed were less than  
 800 | \$150,000 for all its businesses related through common

801 ownership.

802 2. The sale of private investigation services by a small  
803 private investigative agency to a client is exempt from the tax  
804 imposed by this chapter.

805 3. The exemption provided by this paragraph may not apply  
806 in the first calendar year a small private investigative agency  
807 conducts sales of private investigation services taxable under  
808 this chapter.

809 Section 25. Paragraph (a) of subsection (19) of section  
810 440.02, Florida Statutes, is amended to read:

811 440.02 Definitions.—When used in this chapter, unless the  
812 context clearly requires otherwise, the following terms shall  
813 have the following meanings:

814 (19) (a) "Employer" means the state and all political  
815 subdivisions thereof, all public and quasi-public corporations  
816 therein, every person carrying on any employment, and the legal  
817 representative of a deceased person or the receiver or trustees  
818 of any person. The term also includes employee leasing  
819 companies, as defined in s. 468.520(4) ~~s. 468.520(5)~~, and  
820 employment agencies that provide their own employees to other  
821 persons. If the employer is a corporation, parties in actual  
822 control of the corporation, including, but not limited to, the  
823 president, officers who exercise broad corporate powers,  
824 directors, and all shareholders who directly or indirectly own a  
825 controlling interest in the corporation, are considered the

826 employer for the purposes of ss. 440.105, 440.106, and 440.107.

827 Section 26. Section 448.26, Florida Statutes, is amended  
828 to read:

829 448.26 Application.—Nothing in this part shall exempt any  
830 client of any labor pool or temporary help arrangement entity as  
831 defined in s. 468.520(3)(a) ~~s. 468.520(4)(a)~~ or any assigned  
832 employee from any other license requirements of state, local, or  
833 federal law. Any employee assigned to a client who is licensed,  
834 registered, or certified pursuant to law shall be deemed an  
835 employee of the client for such licensure purposes but shall  
836 remain an employee of the labor pool or temporary help  
837 arrangement entity for purposes of chapters 440 and 443.

838 Section 27. Subsection (2) of section 468.520, Florida  
839 Statutes, is amended to read:

840 468.520 Definitions.—As used in this part:

841 ~~(2) "Board" means the Board of Employee Leasing Companies.~~

842 Section 28. Section 468.522, Florida Statutes, is amended  
843 to read:

844 468.522 Rules ~~of the board~~.—The department may ~~board has~~  
845 ~~authority to~~ adopt rules pursuant to ss. 120.536(1) and 120.54  
846 to implement ~~the provisions of~~ this part. Every licensee shall  
847 be governed and controlled by this part and the rules adopted by  
848 the department ~~board~~.

849 Section 29. Subsections (2) and (4) of section 468.524,  
850 Florida Statutes, are amended to read:

851 468.524 Application for license.—

852 (2) The department ~~board~~ may require information and  
 853 certifications necessary to determine that the applicant is of  
 854 good moral character and meets other licensure requirements of  
 855 this part.

856 (4) An applicant or licensee is ineligible to reapply for  
 857 a license for a period of 1 year following final agency action  
 858 on the denial or revocation of a license applied for or issued  
 859 under this part. This time restriction does not apply to  
 860 administrative denials or revocations entered because:

861 (a) The applicant or licensee has made an inadvertent  
 862 error or omission on the application;

863 (b) The experience documented to the department ~~board~~ was  
 864 insufficient at the time of the previous application;

865 (c) The department is unable to complete the criminal  
 866 background investigation because of insufficient information  
 867 from the Florida Department of Law Enforcement, the Federal  
 868 Bureau of Investigation, or any other applicable law enforcement  
 869 agency;

870 (d) The applicant or licensee has failed to submit  
 871 required fees; or

872 (e) An applicant or licensed employee leasing company has  
 873 been deemed ineligible for a license because of the lack of good  
 874 moral character of an individual or individuals when such  
 875 individual or individuals are no longer employed in a capacity

876 | that would require their licensing under this part.

877 |       Section 30. Section 468.5245, Florida Statutes, is amended  
878 | to read:

879 |       468.5245 Change of ownership.—

880 |       (1) A license or registration issued to any entity under  
881 | this part may not be transferred or assigned. The department  
882 | ~~board~~ shall adopt rules to provide for a licensee's or  
883 | registrant's change of name or location.

884 |       (2) A person or entity that seeks to purchase or acquire  
885 | control of an employee leasing company or group licensed or  
886 | registered under this part must first apply to the department  
887 | ~~board~~ for a certificate of approval for the proposed change of  
888 | ownership. However, prior approval is not required if, at the  
889 | time the purchase or acquisition occurs, a controlling person of  
890 | the employee leasing company or group maintains a controlling  
891 | person license under this part. Notification must be provided to  
892 | the department ~~board~~ within 30 days after the purchase or  
893 | acquisition of such company in the manner prescribed by the  
894 | department ~~board~~.

895 |       (3) Any application that is submitted to the department  
896 | ~~board~~ under this section is ~~shall be~~ deemed approved if the  
897 | department ~~board~~ has not approved the application or rejected  
898 | the application, and provided the applicant with the basis for a  
899 | rejection, within 90 days after the receipt of the completed  
900 | application.

901           (4) The department ~~board~~ shall establish filing fees for a  
 902 change-of-ownership application in accordance with s.  
 903 468.524(1).

904           Section 31. Subsections (2) and (3) of section 468.525,  
 905 Florida Statutes, are amended to read:

906           468.525 License requirements.—

907           (2)(a) As used in this part, "good moral character" means  
 908 a personal history of honesty, trustworthiness, fairness, a good  
 909 reputation for fair dealings, and respect for the rights of  
 910 others and for the laws of this state and nation. A thorough  
 911 background investigation of the individual's good moral  
 912 character shall be instituted by the department. Such  
 913 investigation shall require:

914           1. The submission of fingerprints, for processing through  
 915 appropriate law enforcement agencies, by the applicant and the  
 916 examination of police records by the department ~~board~~.

917           2. Such other investigation of the individual as the  
 918 department ~~board~~ may deem necessary.

919           (b) The department ~~board~~ may deny an application for  
 920 licensure or renewal citing lack of good moral character.  
 921 Conviction of a crime within the last 7 years does ~~shall~~ not  
 922 automatically bar any applicant or licensee from obtaining a  
 923 license or continuing as a licensee. The department ~~board~~ shall  
 924 consider the type of crime committed, the crime's relevancy to  
 925 the employee leasing industry, the length of time since the

926 conviction and any other factors deemed relevant by the  
927 department ~~board~~.

928 (3) Each employee leasing company licensed by the  
929 department shall have a registered agent for service of process  
930 in this state and at least one licensed controlling person. In  
931 addition, each licensed employee leasing company shall comply  
932 with the following requirements:

933 (a) The employment relationship with workers provided by  
934 the employee leasing company to a client company shall be  
935 established by written agreement between the leasing company and  
936 the client, and written notice of that relationship shall be  
937 given by the employee leasing company to each worker who is  
938 assigned to perform services at the client company's worksite.

939 (b) An applicant for an initial employee leasing company  
940 license shall have a tangible accounting net worth of not less  
941 than \$50,000.

942 (c) An applicant for initial or renewal license of an  
943 employee leasing company license or employee leasing company  
944 group shall have an accounting net worth or shall have  
945 guaranties, letters of credit, or other security acceptable to  
946 the department ~~board~~ in sufficient amounts to offset any  
947 deficiency. A guaranty will not be acceptable to satisfy this  
948 requirement unless the applicant submits sufficient evidence to  
949 satisfy the department ~~board~~ that the guarantor has adequate  
950 resources to satisfy the obligation of the guaranty.

951 (d) Each employee leasing company shall maintain an  
952 accounting net worth and positive working capital, as determined  
953 in accordance with generally accepted accounting principles, or  
954 shall have guaranties, letters of credit, or other security  
955 acceptable to the department ~~board~~ in sufficient amounts to  
956 offset any deficiency. A guaranty will not be acceptable to  
957 satisfy this requirement unless the licensee submits sufficient  
958 evidence, as defined by rule, that the guarantor has adequate  
959 resources to satisfy the obligation of the guaranty. In  
960 determining the amount of working capital, a licensee shall  
961 include adequate reserves for all taxes and insurance, including  
962 plans of self-insurance or partial self-insurance for claims  
963 incurred but not paid and for claims incurred but not reported.  
964 Compliance with the requirements of this paragraph is subject to  
965 verification by department ~~or board~~ audit.

966 (e) Each employee leasing company or employee leasing  
967 company group shall submit annual financial statements audited  
968 by an independent certified public accountant, with the  
969 application and within 120 days after the end of each fiscal  
970 year, in a manner and time prescribed by the department ~~board~~,  
971 provided however, that any employee leasing company or employee  
972 leasing company group with gross Florida payroll of less than  
973 \$2.5 million during any fiscal year may submit financial  
974 statements reviewed by an independent certified public  
975 accountant for that year.

976 (f) The licensee shall notify the department ~~or board~~ in  
 977 writing within 30 days after any change in the application or  
 978 status of the license.

979 (g) Each employee leasing company or employee leasing  
 980 company group shall maintain accounting and employment records  
 981 relating to all employee leasing activities for a minimum of 3  
 982 calendar years.

983 Section 32. Subsections (3) and (5) of section 468.526,  
 984 Florida Statutes, are amended to read:

985 468.526 License required; fees.—

986 (3) Each employee leasing company and employee leasing  
 987 company group licensee shall pay to the department upon the  
 988 initial issuance of a license and upon each renewal thereafter a  
 989 license fee not to exceed \$2,500 to be established by the  
 990 department ~~board~~. In addition to the license fee, the department  
 991 ~~board~~ shall establish an annual assessment for each employee  
 992 leasing company and each employee leasing company group  
 993 sufficient to cover all costs for regulation of the profession  
 994 pursuant to this chapter, chapter 455, and any other applicable  
 995 provisions of law. The annual assessment shall:

996 (a) Be due and payable upon initial licensure and  
 997 subsequent renewals thereof and 1 year before the expiration of  
 998 any licensure period; and

999 (b) Be based on a fixed percentage, variable classes, or a  
 1000 combination of both, as determined by the department ~~board~~, of

1001 gross Florida payroll for employees leased to clients by the  
 1002 applicant or licensee during the period beginning five quarters  
 1003 before and ending one quarter before each assessment. It is the  
 1004 intent of the Legislature that the greater weight of total fees  
 1005 for licensure and assessments should be on larger companies and  
 1006 groups.

1007 (5) Each controlling person licensee shall pay to the  
 1008 department upon the initial issuance of a license and upon each  
 1009 renewal thereafter a license fee to be established by the  
 1010 department ~~board~~ in an amount not to exceed \$2,000.

1011 Section 33. Subsection (1) of section 468.527, Florida  
 1012 Statutes, is amended to read:

1013 468.527 Licensure and license renewal.—

1014 (1) The department shall license any applicant who the  
 1015 department ~~board~~ certifies is qualified to practice employee  
 1016 leasing as an employee leasing company, employee leasing company  
 1017 group, or controlling person.

1018 Section 34. Subsection (2) of section 468.5275, Florida  
 1019 Statutes, is amended to read:

1020 468.5275 Registration and exemption of de minimis  
 1021 operations.—

1022 (2) A registration is valid for 1 year. Each registrant  
 1023 shall pay to the department upon initial registration, and upon  
 1024 each renewal thereafter, a registration fee to be established by  
 1025 the department ~~board~~ in an amount not to exceed:

1026 (a) Two hundred and fifty dollars for an employee leasing  
 1027 company.

1028 (b) Five hundred dollars for an employee leasing company  
 1029 group.

1030 Section 35. Subsections (2), (4), and (5) of section  
 1031 468.529, Florida Statutes, are amended to read:

1032 468.529 Licensee's insurance; employment tax; benefit  
 1033 plans.—

1034 (2) An initial or renewal license may not be issued to any  
 1035 employee leasing company unless the employee leasing company  
 1036 first files with the department ~~board~~ evidence of workers'  
 1037 compensation coverage for all leased employees in this state.  
 1038 Each employee leasing company shall maintain and make available  
 1039 to its workers' compensation carrier the following information:

1040 (a) The correct name and federal identification number of  
 1041 each client company.

1042 (b) A listing of all covered employees provided to each  
 1043 client company, by classification code.

1044 (c) The total eligible wages by classification code and  
 1045 the premiums due to the carrier for the employees provided to  
 1046 each client company.

1047 (4) An initial or renewal license may not be issued to any  
 1048 employee leasing company unless the employee leasing company  
 1049 first provides evidence to the department ~~board~~, as required by  
 1050 department ~~board~~ rule, that the employee leasing company has

1051 | paid all of the employee leasing company's obligations for  
1052 | payroll, payroll-related taxes, workers' compensation insurance,  
1053 | and employee benefits. All disputed amounts must be disclosed in  
1054 | the application.

1055 |       (5) The provisions of this section are subject to  
1056 | verification by department ~~or board~~ audit.

1057 |       Section 36. Subsections (3) and (4) of section 468.530,  
1058 | Florida Statutes, are amended to read:

1059 |       468.530 License, contents; posting.—

1060 |       (3) No license shall be valid for any person or entity who  
1061 | engages in the business under any name other than that specified  
1062 | in the license. A license issued under this part is ~~shall~~ not be  
1063 | assignable, and no licensee may conduct a business under a  
1064 | fictitious name without prior written authorization of the  
1065 | department ~~board~~ to do so. The department ~~board~~ may not  
1066 | authorize the use of a name which is so similar to that of a  
1067 | public officer or agency, or of that used by another licensee,  
1068 | that the public may be confused or misled thereby. No licensee  
1069 | shall be permitted to conduct business under more than one name  
1070 | unless it has obtained a separate license. A licensee desiring  
1071 | to change its licensed name at any time except upon license  
1072 | renewal shall notify the department ~~board~~ and pay a fee not to  
1073 | exceed \$50 for each authorized change of name.

1074 |       (4) Each employee leasing company or employee leasing  
1075 | company group licensed under this part shall be properly

1076 identified in all advertisements, which must include the license  
 1077 number, licensed business name, and other appropriate  
 1078 information in accordance with department rules ~~established by~~  
 1079 ~~the board~~.

1080 Section 37. Subsection (1) of section 468.531, Florida  
 1081 Statutes, is amended to read:

1082 468.531 Prohibitions; penalties.—

1083 (1) No person or entity shall:

1084 (a) Practice or offer to practice as an employee leasing  
 1085 company, an employee leasing company group, or a controlling  
 1086 person unless such person or entity is licensed pursuant to this  
 1087 part;

1088 (b) Practice or offer to practice as an employee leasing  
 1089 company or employee leasing company group unless all controlling  
 1090 persons thereof are licensed pursuant to this part;

1091 (c) Use the name or title "licensed employee leasing  
 1092 company," "employee leasing company," "employee leasing company  
 1093 group," "professional employer," "professional employer  
 1094 organization," "controlling person," or words that would tend to  
 1095 lead one to believe that such person or entity is registered  
 1096 pursuant to this part, when such person or entity has not  
 1097 registered pursuant to this part;

1098 (d) Present as his or her own or his or her entity's own  
 1099 the license of another;

1100 (e) Knowingly give false or forged evidence to the

1101 department board ~~or a member thereof~~; or

1102 (f) Use or attempt to use a license that has been  
1103 suspended or revoked.

1104 Section 38. Subsections (1), (2), and (4) of section  
1105 468.532, Florida Statutes, are amended to read:

1106 468.532 Discipline.—

1107 (1) The following constitute grounds for which  
1108 disciplinary action against a licensee may be taken by the  
1109 department board:

1110 (a) Being convicted or found guilty of, or entering a plea  
1111 of nolo contendere to, regardless of adjudication, bribery,  
1112 fraud, or willful misrepresentation in obtaining, attempting to  
1113 obtain, or renewing a license.

1114 (b) Being convicted or found guilty of, or entering a plea  
1115 of nolo contendere to, regardless of adjudication, a crime in  
1116 any jurisdiction which relates to the operation of an employee  
1117 leasing business or the ability to engage in business as an  
1118 employee leasing company.

1119 (c) Being convicted or found guilty of, or entering a plea  
1120 of nolo contendere to, regardless of adjudication, fraud,  
1121 deceit, or misconduct in the classification of employees  
1122 pursuant to chapter 440.

1123 (d) Being convicted or found guilty of, or entering a plea  
1124 of nolo contendere to, regardless of adjudication, fraud,  
1125 deceit, or misconduct in the establishment or maintenance of

1126 self-insurance, be it health insurance or workers' compensation  
 1127 insurance.

1128 (e) Being convicted or found guilty of, or entering a plea  
 1129 of nolo contendere to, regardless of adjudication, fraud,  
 1130 deceit, or misconduct in the operation of an employee leasing  
 1131 company.

1132 (f) Conducting business without an active license.

1133 (g) Failing to maintain workers' compensation insurance as  
 1134 required in s. 468.529.

1135 (h) Transferring or attempting to transfer a license  
 1136 issued pursuant to this part.

1137 (i) Violating any provision of this part or any lawful  
 1138 order or rule issued under the provisions of this part or  
 1139 chapter 455.

1140 (j) Failing to notify the department ~~board~~, in writing, of  
 1141 any change of the primary business address or the addresses of  
 1142 any of the licensee's offices in the state.

1143 (k) Having been confined in any county jail,  
 1144 postadjudication, or being confined in any state or federal  
 1145 prison or mental institution, or when through mental disease or  
 1146 deterioration, the licensee can no longer safely be entrusted to  
 1147 deal with the public or in a confidential capacity.

1148 (l) Having been found guilty for a second time of any  
 1149 misconduct that warrants suspension or being found guilty of a  
 1150 course of conduct or practices which shows that the licensee is

1151 so incompetent, negligent, dishonest, or untruthful that the  
1152 money, property, transactions, and rights of investors, or those  
1153 with whom the licensee may sustain a confidential relationship,  
1154 may not safely be entrusted to the licensee.

1155 (m) Failing to inform the department ~~board~~ in writing  
1156 within 30 days after being convicted or found guilty of, or  
1157 entering a plea of nolo contendere to, any felony, regardless of  
1158 adjudication.

1159 (n) Failing to conform to any lawful order of the  
1160 department ~~board~~.

1161 (o) Being determined liable for civil fraud by a court in  
1162 any jurisdiction.

1163 (p) Having adverse material final action taken by any  
1164 state or federal regulatory agency for violations within the  
1165 scope of control of the licensee.

1166 (q) Failing to inform the department ~~board~~ in writing  
1167 within 30 days after any adverse material final action by a  
1168 state or federal regulatory agency.

1169 (r) Failing to meet or maintain the requirements for  
1170 licensure as an employee leasing company or controlling person.

1171 (s) Engaging as a controlling person any person who is not  
1172 licensed as a controlling person by the department ~~board~~.

1173 (t) Attempting to obtain, obtaining, or renewing a license  
1174 to practice employee leasing by bribery, misrepresentation, or  
1175 fraud.

1176           (2) When the department ~~board~~ finds any violation of  
 1177 subsection (1), it may do one or more of the following:  
 1178           (a) Deny an application for licensure.  
 1179           (b) Permanently revoke, suspend, restrict, or not renew a  
 1180 license.  
 1181           (c) Impose an administrative fine not to exceed \$5,000 for  
 1182 every count or separate offense.  
 1183           (d) Issue a reprimand.  
 1184           (e) Place the licensee on probation for a period of time  
 1185 and subject to such conditions as the department ~~board~~ may  
 1186 specify.  
 1187           (f) Assess costs associated with investigation and  
 1188 prosecution.  
 1189           (4) The department ~~board~~ shall specify the penalties for  
 1190 any violation of this part.  
 1191           Section 39. Paragraph (a) of subsection (6) of section  
 1192 476.144, Florida Statutes, is amended to read:  
 1193           476.144 Licensure.—  
 1194           (6) A person may apply for a restricted license to  
 1195 practice barbering. The board shall adopt rules specifying  
 1196 procedures for an applicant to obtain a restricted license if  
 1197 the applicant:  
 1198           (a)1. Has successfully completed a restricted barber  
 1199 course, as established by rule of the board, at a school of  
 1200 barbering licensed pursuant to chapter 1005, a barbering program

1201 within the public school system, or a government-operated  
 1202 barbering program in this state; or

1203 2.a. Holds or has within the previous 5 years held an  
 1204 active valid license to practice barbering in another state or  
 1205 country or has held a Florida barbering license which has been  
 1206 declared null and void for failure to renew the license, and the  
 1207 applicant fulfilled the requirements of s. 476.114(2)(c) ~~s.~~  
 1208 ~~476.114(2)(c)2.~~ for initial licensure; and

1209 b. Has not been disciplined relating to the practice of  
 1210 barbering in the previous 5 years; and

1211  
 1212 The restricted license shall limit the licensee's practice to  
 1213 those specific areas in which the applicant has demonstrated  
 1214 competence pursuant to rules adopted by the board.

1215 Section 40. Paragraph (a) of subsection (2) of section  
 1216 627.192, Florida Statutes, is amended to read:

1217 627.192 Workers' compensation insurance; employee leasing  
 1218 arrangements.—

1219 (2) For purposes of the Florida Insurance Code:

1220 (a) "Employee leasing" shall have the same meaning as set  
 1221 forth in s. 468.520(3) ~~s. 468.520(4)~~.

1222 Section 41. This act shall take effect July 1, 2024.