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1  
2 An act relating to the Department of Business and  
3 Professional Regulation; amending s. 210.15 and  
4 creating s. 210.32, F.S.; requiring persons or  
5 entities licensed or permitted by the department's  
6 Division of Alcoholic Beverages and Tobacco, or  
7 applying for such license or permit, to create and  
8 maintain an account with the division's online system  
9 and provide an e-mail address to the division;  
10 specifying application requirements; prohibiting the  
11 division from processing applications not submitted  
12 through the online system; amending s. 210.40, F.S.;  
13 revising the amount of an initial corporate surety  
14 bond required as a condition of licensure as a tobacco  
15 product distributor; requiring the division to review  
16 corporate surety bond amounts on a specified basis;  
17 authorizing the division to increase a bond amount,  
18 subject to specified conditions; authorizing the  
19 division to adjust bond amounts by rule; authorizing  
20 the division to reduce a bond amount upon a showing of  
21 good cause; defining terms; prohibiting the division  
22 from reducing a bond amount under specified  
23 circumstances; requiring the division to notify  
24 distributors in writing if their corporate surety bond  
25 requirements change; providing applicability;

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26 | authorizing the division to adopt rules; amending s.  
27 | 310.0015, F.S.; deleting a provision requiring a  
28 | competency-based mentor program at ports; deleting a  
29 | requirement that the department submit an annual  
30 | report on the mentor program; amending s. 310.081,  
31 | F.S.; deleting a requirement that the department  
32 | consider certain characteristics for applicants for  
33 | certification as a deputy pilot; making technical  
34 | changes; creating s. 399.18, F.S.; requiring certain  
35 | persons or entities certified or registered under the  
36 | Elevator Safety Act, or applying for such  
37 | certifications or registrations, to create and  
38 | maintain an online account with the department's  
39 | Division of Hotels and Restaurants and provide an e-  
40 | mail address to the division; requiring such persons  
41 | and entities to maintain the accuracy of their contact  
42 | information; requiring the division to adopt rules;  
43 | amending s. 468.521, F.S.; authorizing the department  
44 | to exercise all powers and duties granted to the Board  
45 | of Employee Leasing Companies if the board lacks the  
46 | number of appointed members needed to constitute a  
47 | quorum; amending s. 469.006, F.S.; revising  
48 | requirements for department rules governing evidence  
49 | of financial responsibility of applicants seeking  
50 | licensure as a business organization under ch. 469,

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51 F.S.; amending s. 471.003, F.S.; expanding an  
52 exemption from certain engineering licensing  
53 requirements under ch. 471, F.S., to include regular  
54 full-time employees of certain business organizations,  
55 rather than regular full-time employees of certain  
56 corporations licensed under ch. 471, F.S.; amending s.  
57 473.306, F.S.; requiring applicants for the  
58 accountancy licensure examination to create and  
59 maintain an online account with the department and  
60 provide an e-mail address; requiring applicants to  
61 maintain the accuracy of their contact information;  
62 requiring that address changes be submitted through  
63 the department's online system within a specified  
64 timeframe; conforming cross-references; amending s.  
65 473.308, F.S.; requiring a person seeking licensure as  
66 a Florida certified public accountant, or a firm  
67 seeking to engage in public accountancy, to create and  
68 maintain an online account with the department and  
69 provide an e-mail address; requiring certified public  
70 accountants and accounting firms to maintain the  
71 accuracy of their contact information; requiring that  
72 address changes be submitted through the department's  
73 online system within a specified timeframe; amending  
74 s. 476.114, F.S.; revising eligibility requirements  
75 for licensure as a barber; making technical changes;

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76 | amending s. 477.019, F.S.; revising eligibility  
 77 | requirements for licensure by examination to practice  
 78 | cosmetology; amending s. 489.131, F.S.; revising the  
 79 | types of penalties that may be recommended by a local  
 80 | jurisdiction enforcement body against a contractor;  
 81 | specifying requirements for any such recommended  
 82 | penalties; amending s. 489.143, F.S.; revising payment  
 83 | limitations for payments made from the department's  
 84 | Florida Homeowners' Construction Recovery Fund;  
 85 | amending s. 489.505, F.S.; revising the definition of  
 86 | the term "specialty contractor"; amending s. 499.012,  
 87 | F.S.; revising requirements for certification as a  
 88 | designated representative of a prescription drug  
 89 | wholesale distributor; amending s. 561.15, F.S.;  
 90 | revising the requirements for the issuance of a  
 91 | license under the Beverage Law; making technical  
 92 | changes; amending s. 561.17, F.S.; requiring persons  
 93 | or entities licensed or permitted by the Division of  
 94 | Alcoholic Beverages and Tobacco, or applying for such  
 95 | license or permit, to create and maintain an account  
 96 | with the division's online system; specifying  
 97 | application requirements; prohibiting the division  
 98 | from processing applications not submitted through the  
 99 | online system; creating ss. 569.00256 and 569.3156,  
 100 | F.S.; requiring certain persons or entities licensed

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101 or permitted by the division, or applying for such a  
 102 license or permit, to create and maintain an account  
 103 with the division's online system; requiring  
 104 licensees, permittees, and applicants to provide the  
 105 division with an e-mail address and maintain accurate  
 106 contact information; specifying application  
 107 requirements; prohibiting the division from processing  
 108 applications not submitted through the online system;  
 109 amending ss. 210.16 and 476.144, F.S.; conforming  
 110 cross-references; providing an effective date.

111

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

113

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

118 210.15 Permits.—

119 (1)

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

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

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

136 210.32 Account; online system.—A person or an entity  
137 licensed or permitted by the division, or applying for a license  
138 or a permit, must create and maintain an account with the  
139 division's online system and provide an e-mail address to the  
140 division to function as the primary means of contact for all  
141 communication by the division to the licensee, permittee, or  
142 applicant. Licensees, permittees, and applicants are responsible  
143 for maintaining accurate contact information on file with the  
144 division. A person or an entity seeking a license or a permit  
145 under this part must apply using forms furnished by the division  
146 which are filed through the division's online system before  
147 commencing operations. The division may not process an  
148 application for a license or permit issued by the division under  
149 this part unless the application is submitted through the  
150 division's online system.

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

153 210.40 License fees; surety bond; application for each  
154 place of business.—

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

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

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

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

173 (2) A corporate surety bond, with the sum determined by  
174 the division in accordance with paragraph (1) (c), is required  
175 for renewal of a distributor's license.

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

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

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

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

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

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

200       1. Is in default of any tax liabilities, penalties, or



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201 interest due to the state;

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

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

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

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

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

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

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226 distributor consistent with the requirements of this section.

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

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

231 310.0015 Piloting regulation; general provisions.—

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

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

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

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

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

269 310.081 Department to examine and license state pilots and  
 270 certificate deputy pilots; vacancies.—

271 (2) The department shall similarly examine persons who  
 272 file applications for certificate as deputy pilot, and, if upon  
 273 examination to determine proficiency the department finds them  
 274 qualified, the department must ~~shall~~ certify as qualified all  
 275 applicants who pass the examination, provided that not more than

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276 five persons who passed the examination are certified for each  
 277 declared opening. If more than five applicants per opening pass  
 278 the examination, the persons having the highest scores must  
 279 ~~shall~~ be certified as qualified up to the number of openings  
 280 times five. ~~The department shall give consideration to the~~  
 281 ~~minority and female status of applicants when qualifying deputy~~  
 282 ~~pilots, in the interest of ensuring diversification within the~~  
 283 ~~state piloting profession.~~ The department shall appoint and  
 284 certificate such number of deputy pilots from those applicants  
 285 deemed qualified as in the discretion of the board are required  
 286 in the respective ports of the state. A deputy pilot shall be  
 287 authorized by the department to pilot vessels within the limits  
 288 and specifications established by the licensed state pilots at  
 289 the port where the deputy is appointed to serve.

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

292 399.18 Online services account.-

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

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301 mail address to the division to function as the primary means of  
 302 contact for all communication from the division. Each person or  
 303 entity is responsible for maintaining accurate contact  
 304 information on file with the division.

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

307 Section 7. Subsection (4) is added to section 468.521,  
 308 Florida Statutes, to read:

309 468.521 Board of Employee Leasing Companies; membership;  
 310 appointments; terms.—

311 (4) If at any time a sufficient number of appointed board  
 312 members does not exist to constitute a quorum pursuant to s.  
 313 455.207, the department may, only during the absence of such  
 314 quorum, exercise all powers and duties granted to the board  
 315 pursuant to chapter 455 and this chapter.

316 Section 8. Paragraph (c) of subsection (2) of section  
 317 469.006, Florida Statutes, is amended to read:

318 469.006 Licensure of business organizations; qualifying  
 319 agents.—

320 (2)

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

323 1. An affidavit on a form provided by the department  
 324 attesting that the applicant has obtained workers' compensation  
 325 insurance as required by chapter 440, public liability

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326 insurance, and property damage insurance, in amounts determined  
 327 by department rule. The department shall establish by rule a  
 328 procedure to verify the accuracy of such affidavits based upon a  
 329 random sample method.

330 2. Evidence of financial responsibility. The department  
 331 shall adopt rules to determine financial responsibility which  
 332 must ~~shall~~ specify grounds on which the department may deny  
 333 licensure. Such criteria must ~~shall~~ include, but is not ~~be~~  
 334 limited to, credit history ~~and limits of bondability and credit.~~

335 Section 9. Paragraph (c) of subsection (2) of section  
 336 471.003, Florida Statutes, is amended to read:

337 471.003 Qualifications for practice; exemptions.—

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

340 (c) Regular full-time employees of a business organization  
 341 ~~corporation~~ not engaged in the practice of engineering as such,  
 342 whose practice of engineering for such business organization  
 343 ~~corporation~~ is limited to the design or fabrication of  
 344 manufactured products and servicing of such products.

345 Section 10. Section 473.306, Florida Statutes, is amended  
 346 to read:

347 473.306 Examinations.—

348 (1) A person desiring to be licensed as a Florida  
 349 certified public accountant shall apply to the department to  
 350 take the licensure examination.

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

361           (3) An applicant is entitled to take the licensure  
362 examination to practice in this state as a certified public  
363 accountant if:

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

368           (b) The applicant shows that she or he has good moral  
369 character. For purposes of this paragraph, the term "good moral  
370 character" has the same meaning as provided in s. 473.308(7)(a)  
371 ~~s. 473.308(6)(a)~~. The board may refuse to allow an applicant to  
372 take the licensure examination for failure to satisfy this  
373 requirement if:

374           1. The board finds a reasonable relationship between the  
375 lack of good moral character of the applicant and the

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376 professional responsibilities of a certified public accountant;  
 377 and

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

380  
 381 If an applicant is found pursuant to this paragraph to be  
 382 unqualified to take the licensure examination because of a lack  
 383 of good moral character, the board shall furnish to the  
 384 applicant a statement containing the findings of the board, a  
 385 complete record of the evidence upon which the determination was  
 386 based, and a notice of the rights of the applicant to a  
 387 rehearing and appeal.

388 (4)~~(3)~~ The board shall have the authority to establish the  
 389 standards for determining and shall determine:

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

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

395 (c) What courses and number of hours constitute a major in  
 396 accounting; and

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

399 (5)~~(4)~~ The board may adopt an alternative licensure  
 400 examination for persons who have been licensed to practice



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401 public accountancy or its equivalent in a foreign country so  
 402 long as the International Qualifications Appraisal Board of the  
 403 National Association of State Boards of Accountancy has ratified  
 404 an agreement with that country for reciprocal licensure.

405 (6)~~(5)~~ For the purposes of maintaining the proper  
 406 educational qualifications for licensure under this chapter, the  
 407 board may appoint an Educational Advisory Committee, which shall  
 408 be composed of one member of the board, two persons in public  
 409 practice who are licensed under this chapter, and four  
 410 academicians on faculties of universities in this state.

411 Section 11. Present subsections (3) through (9) of section  
 412 473.308, Florida Statutes, are redesignated as subsections (4)  
 413 through (10), respectively, a new subsection (3) is added to  
 414 that section, and subsection (2), paragraph (b) of present  
 415 subsection (4), and present subsection (8) of that section are  
 416 amended, to read:

417 473.308 Licensure.—

418 (2) The board shall certify for licensure any applicant  
 419 who successfully passes the licensure examination and satisfies  
 420 the requirements of subsections (4), (5), and (6) ~~(3), (4), and~~  
 421 ~~(5)~~, and shall certify for licensure any firm that satisfies the  
 422 requirements of ss. 473.309 and 473.3101. The board may refuse  
 423 to certify any applicant or firm that has violated any of the  
 424 provisions of s. 473.322.

425 (3) A person desiring to be licensed as a Florida

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

436 (5) ~~(4)~~

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

441 (9) ~~(8)~~ If the applicant has at least 5 years of experience  
 442 in the practice of public accountancy in the United States or in  
 443 the practice of public accountancy or its equivalent in a  
 444 foreign country that the International Qualifications Appraisal  
 445 Board of the National Association of State Boards of Accountancy  
 446 has determined has licensure standards that are substantially  
 447 equivalent to those in the United States, or has at least 5  
 448 years of work experience that meets the requirements of  
 449 subsection (5) ~~(4)~~, the board must ~~shall~~ waive the requirements  
 450 of subsection (4) ~~(3)~~ which are in excess of a baccalaureate

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

462 Section 12. Subsections (2) and (3) of section 476.114,  
 463 Florida Statutes, are amended to read:

464 476.114 Examination; prerequisites.—

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

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

468 (b) Pays the required application fee; and

469 ~~(c) 1. Holds an active valid license to practice barbering  
 470 in another state, has held the license for at least 1 year, and  
 471 does not qualify for licensure by endorsement as provided for in  
 472 s. 476.144(5); or~~

473 ~~2.~~ Has received a minimum of 900 hours of training in  
 474 sanitation, safety, and laws and rules, as established by the  
 475 board, which must ~~shall~~ include, but is ~~shall~~ not be limited to,

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476 the equivalent of completion of services directly related to the  
 477 practice of barbering at one of the following:

478 ~~1.a.~~ A school of barbering licensed pursuant to chapter  
 479 1005;

480 ~~2.b.~~ A barbering program within the public school system;  
 481 or

482 ~~3.c.~~ A government-operated barbering program in this  
 483 state.

484

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

493 (3) An applicant who meets the requirements set forth in  
 494 paragraph (2)(c) ~~subparagraphs (2)(c)1. and 2.~~ who fails to pass  
 495 the examination may take subsequent examinations as many times  
 496 as necessary to pass, except that the board may specify by rule  
 497 reasonable timeframes for rescheduling the examination and  
 498 additional training requirements for applicants who, after the  
 499 third attempt, fail to pass the examination. Prior to  
 500 reexamination, the applicant must file the appropriate form and

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501 pay the reexamination fee as required by rule.

502 Section 13. Subsection (2) of section 477.019, Florida  
503 Statutes, is amended to read:

504 477.019 Cosmetologists; qualifications; licensure;  
505 supervised practice; license renewal; endorsement; continuing  
506 education.—

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

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

511 (b) Pays the required application fee, which is not  
512 refundable, and the required examination fee, which is  
513 refundable if the applicant is determined to not be eligible for  
514 licensure for any reason other than failure to successfully  
515 complete the licensure examination; and

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

520 ~~2.~~ Has received a minimum of 1,200 hours of training as  
521 established by the board, which must ~~shall~~ include, but is ~~shall~~  
522 not ~~be~~ limited to, the equivalent of completion of services  
523 directly related to the practice of cosmetology at one of the  
524 following:

525 ~~1.a.~~ A school of cosmetology licensed pursuant to chapter

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526 | 1005.

527 |       ~~2.b.~~ A cosmetology program within the public school  
528 | system.

529 |       ~~3.e.~~ The Cosmetology Division of the Florida School for  
530 | the Deaf and the Blind, provided the division meets the  
531 | standards of this chapter.

532 |       ~~4.d.~~ A government-operated cosmetology program in this  
533 | state.

534 |

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

543 |       Section 14. Paragraph (c) of subsection (7) of section  
544 | 489.131, Florida Statutes, is amended to read:

545 |       489.131 Applicability.—

546 |       (7)

547 |       (c) In addition to any action the local jurisdiction  
548 | enforcement body may take against the individual's local  
549 | license, and any fine the local jurisdiction may impose, the  
550 | local jurisdiction enforcement body shall issue a recommended

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

565 Section 15. Subsections (3) and (6) of section 489.143,  
 566 Florida Statutes, are amended to read:

567 489.143 Payment from the fund.—

568 (3) Beginning January 1, 2005, for each Division I  
 569 contract entered into after July 1, 2004, payment from the  
 570 recovery fund is subject to a \$50,000 maximum payment for each  
 571 Division I claim. Beginning January 1, 2017, for each Division  
 572 II contract entered into on or after July 1, 2016, payment from  
 573 the recovery fund is subject to a \$15,000 maximum payment for  
 574 each Division II claim. Beginning January 1, 2025, for Division  
 575 I and Division II contracts entered into on or after July 1,

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576 2024, payment from the recovery fund is subject to a \$100,000  
577 maximum payment for each Division I claim and a \$30,000 maximum  
578 payment for each Division II claim.

579 (6) For contracts entered into before July 1, 2004,  
580 payments for claims against any one licensee may not exceed, in  
581 the aggregate, \$100,000 annually, up to a total aggregate of  
582 \$250,000. For any claim approved by the board which is in excess  
583 of the annual cap, the amount in excess of \$100,000 up to the  
584 total aggregate cap of \$250,000 is eligible for payment in the  
585 next and succeeding fiscal years, but only after all claims for  
586 the then-current calendar year have been paid. Payments may not  
587 exceed the aggregate annual or per claimant limits under law.  
588 Beginning January 1, 2005, for each Division I contract entered  
589 into after July 1, 2004, payment from the recovery fund is  
590 subject only to a total aggregate cap of \$500,000 for each  
591 Division I licensee. Beginning January 1, 2017, for each  
592 Division II contract entered into on or after July 1, 2016,  
593 payment from the recovery fund is subject only to a total  
594 aggregate cap of \$150,000 for each Division II licensee.  
595 Beginning January 1, 2025, for Division I and Division II  
596 contracts entered into on or after July 1, 2024, payment from  
597 the recovery fund is subject only to a total aggregate cap of \$2  
598 million for each Division I licensee and \$600,000 for each  
599 Division II licensee.

600 Section 16. Subsection (19) of section 489.505, Florida



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601 Statutes, is amended to read:

602 489.505 Definitions.—As used in this part:

603 (19) "Specialty contractor" means a contractor whose scope  
 604 of practice is limited to a specific segment of electrical or  
 605 alarm system contracting established in a category adopted by  
 606 board rule, including, but not limited to, residential  
 607 electrical contracting, maintenance of electrical fixtures, and  
 608 fabrication, erection, installation, and maintenance of  
 609 electrical and nonelectrical advertising signs together with the  
 610 interrelated parts and supports thereof.

611 Section 17. Paragraph (b) of subsection (15) of section  
 612 499.012, Florida Statutes, is amended to read:

613 499.012 Permit application requirements.—

614 (15)

615 (b) To be certified as a designated representative, a  
 616 natural person must:

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

619 2. Be at least 18 years of age.

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

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

624 b. Managerial experience with a prescription drug  
 625 wholesale distributor licensed in this state or in another

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626 | state; ~~or~~

627 |       c. Managerial experience with the United States Armed

628 | Forces, where the person's responsibilities included, but were

629 | not limited to, recordkeeping, warehousing, distributing, or

630 | other logistics services pertaining to prescription drugs;

631 |       d. Managerial experience with a state or federal

632 | organization responsible for regulating or permitting

633 | establishments involved in the distribution of prescription

634 | drugs, whether in an administrative or a sworn law enforcement

635 | capacity; or

636 |       e. Work experience as a drug inspector or investigator

637 | with a state or federal organization, whether in an

638 | administrative or a sworn law enforcement capacity, where the

639 | person's responsibilities related primarily to compliance with

640 | state or federal requirements pertaining to the distribution of

641 | prescription drugs.

642 |       4. Receive a passing score of at least 75 percent on an

643 | examination given by the department regarding federal laws

644 | governing distribution of prescription drugs and this part and

645 | the rules adopted by the department governing the wholesale

646 | distribution of prescription drugs. This requirement shall be

647 | effective 1 year after the results of the initial examination

648 | are mailed to the persons that took the examination. The

649 | department shall offer such examinations at least four times

650 | each calendar year.

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

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

655           561.15 Licenses; qualifications required.—

656           (2) A ~~No~~ license under the Beverage Law may not ~~shall~~ be  
657 issued to any person who has been convicted within the last past  
658 5 years of any offense against the beverage laws of this state,  
659 the United States, or any other state; who has been convicted  
660 within the last past 5 years in this state or any other state or  
661 the United States of soliciting for prostitution, pandering,  
662 letting premises for prostitution, or keeping a disorderly place  
663 or of any criminal violation of chapter 893 or the controlled  
664 substance act of any other state or the Federal Government; or  
665 who has been convicted in the last past 10 ~~15~~ years of any  
666 felony in this state or any other state or the United States; or  
667 to a corporation, any of the officers of which ~~shall~~ have been  
668 so convicted. The term "conviction" includes ~~shall include~~ an  
669 adjudication of guilt on a plea of guilty or nolo contendere or  
670 the forfeiture of a bond when charged with a crime.

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

673           561.17 License and registration applications; approved  
674 person.—

675           (5) Any person or entity licensed or permitted by the

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676 division, or applying for a license or permit, must create and  
 677 maintain an account with the division's online system and  
 678 provide an e-mail ~~electronic mail~~ address to the division to  
 679 function as the primary means of contact for all communication  
 680 by the division to the licensee, ~~or~~ permittee, or applicant.  
 681 Licensees, ~~and~~ permittees, and applicants are responsible for  
 682 maintaining accurate contact information on file with the  
 683 division. A person or an entity seeking a license or permit from  
 684 the division must apply using forms prepared by the division and  
 685 filed through the division's online system before engaging in  
 686 any business for which a license or permit is required. The  
 687 division may not process an application for an alcoholic  
 688 beverage license unless the application is submitted through the  
 689 division's online system.

690 Section 20. Section 569.00256, Florida Statutes, is  
 691 created to read:

692 569.00256 Account; online system.—A person or an entity  
 693 licensed or permitted by the division under this part, or  
 694 applying for a license or a permit, must create and maintain an  
 695 account with the division's online system and provide an e-mail  
 696 address to the division to function as the primary means of  
 697 contact for all communication by the division to the licensee,  
 698 permittee, or applicant. Licensees, permittees, and applicants  
 699 are responsible for maintaining accurate contact information  
 700 with the division. A person or an entity seeking a license or

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701 permit from the division must apply using forms prepared by the  
 702 division and filed through the division's online system before  
 703 engaging in any business for which a license or permit is  
 704 required. The division may not process an application to deal,  
 705 at retail, in tobacco products unless the application is  
 706 submitted through the division's online system.

707 Section 21. Section 569.3156, Florida Statutes, is created  
 708 to read:

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

724 Section 22. Subsection (2) of section 210.16, Florida  
 725 Statutes, is amended to read:

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726 210.16 Revocation or suspension of permit.—

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

731 Section 23. Paragraph (a) of subsection (6) of section  
 732 476.144, Florida Statutes, is amended to read:

733 476.144 Licensure.—

734 (6) A person may apply for a restricted license to  
 735 practice barbering. The board shall adopt rules specifying  
 736 procedures for an applicant to obtain a restricted license if  
 737 the applicant:

738 (a)1. Has successfully completed a restricted barber  
 739 course, as established by rule of the board, at a school of  
 740 barbering licensed pursuant to chapter 1005, a barbering program  
 741 within the public school system, or a government-operated  
 742 barbering program in this state; or

743 2.a. Holds or has within the previous 5 years held an  
 744 active valid license to practice barbering in another state or  
 745 country or has held a Florida barbering license which has been  
 746 declared null and void for failure to renew the license, and the  
 747 applicant fulfilled the requirements of s. 476.114(2)(c) ~~s.~~  
 748 ~~476.114(2)(c)2.~~ for initial licensure; and

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

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752 The restricted license shall limit the licensee's practice to  
753 those specific areas in which the applicant has demonstrated  
754 competence pursuant to rules adopted by the board.

755 Section 24. This act shall take effect July 1, 2024.