

By Senator Arrington

25-00498-26

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A bill to be entitled
An act relating to contracting; amending s. 489.127,
F.S.; providing minimum penalties for certain unlawful
actions; reenacting s. 489.13(7), F.S., relating to
remedies for unlicensed contracting, to incorporate
the amendment made to s. 489.127, F.S., in a reference
thereto; providing an effective date.

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

Section 1. Paragraph (a) of subsection (2) of section
489.127, Florida Statutes, is amended, and subsection (1) of
that section is republished, to read:

489.127 Prohibitions; penalties.—

(1) No person shall:

(a) Falsely hold himself or herself or a business
organization out as a licensee, certificateholder, or
registrant;

(b) Falsely impersonate a certificateholder or registrant;

(c) Present as his or her own the certificate or
registration of another;

(d) Knowingly give false or forged evidence to the board or
a member thereof;

(e) Use or attempt to use a certificate or registration
that has been suspended or revoked;

(f) Engage in the business or act in the capacity of a
contractor or advertise himself or herself or a business
organization as available to engage in the business or act in
the capacity of a contractor without being duly registered or

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certified;

(g) Operate a business organization engaged in contracting after 60 days following the termination of its only qualifying agent without designating another primary qualifying agent, except as provided in ss. 489.119 and 489.1195;

(h) Commence or perform work for which a building permit is required pursuant to part IV of chapter 553 without such building permit being in effect; or

(i) Willfully or deliberately disregard or violate any municipal or county ordinance relating to uncertified or unregistered contractors.

For purposes of this subsection, a person or business organization operating on an inactive or suspended certificate or registration is not duly certified or registered and is considered unlicensed. A business tax receipt issued under the authority of chapter 205 is not a license for purposes of this part.

(2) (a) An ~~Any~~ unlicensed person who violates any of the provisions of subsection (1) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. A person convicted under this paragraph must be sentenced to a minimum of either:

1. Fifteen days in jail; or
2. Twelve months of probation.

The remedies set forth in this subsection are not exclusive and may be imposed in addition to the remedies set forth in s. 489.129(2).

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59 Section 2. For the purpose of incorporating the amendment
60 made by this act to section 489.127, Florida Statutes, in a
61 reference thereto, subsection (7) of section 489.13, Florida
62 Statutes, is reenacted to read:

63 489.13 Unlicensed contracting; notice of noncompliance;
64 fine; authority to issue or receive a building permit; web
65 page.—

66 (7) The remedies set forth in this section are not
67 exclusive and may be imposed in addition to the remedies set
68 forth in s. 489.127(2). In addition, nothing in this section is
69 intended to prohibit the department or any local governing body
70 from filing a civil action or seeking criminal penalties against
71 an unlicensed contractor.

72 Section 3. This act shall take effect July 1, 2026.