

CHAPTER 2010-124

Senate Bill No. 1150

An act relating to registration of farm labor contractors and employees; amending s. 450.28, F.S.; defining the term “timely application for renewal”; amending s. 450.31, F.S.; requiring the renewal of farm labor contractor and employee certificates of registration under certain circumstances; requiring the Department of Business and Professional Regulation to suspend, revoke, or refuse to issue or renew certificates of registration under certain circumstances; providing an effective date.

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

Section 1. Subsection (7) is added to section 450.28, Florida Statutes, to read:

450.28 Definitions.—

(7) “Timely application for renewal” means the application for a federal certificate of registration as a farm labor contractor, or a farm labor contractor employee, is filed, as defined by federal law, with the United States Department of Labor at least 30 days before its expiration date.

Section 2. Paragraph (b) of subsection (1) and subsection (2) of section 450.31, Florida Statutes, are amended, subsections (3) through (7) are renumbered as subsections (4) through (8), respectively, and a new subsection (3) is added to that section, to read:

450.31 Issuance, revocation, and suspension of, and refusal to issue or renew, certificate of registration.—

(1) The department shall not issue to any person a certificate of registration as a farm labor contractor, nor shall it renew such certificate, until:

(b) Such person has obtained and holds a valid federal certificate of registration as a farm labor contractor, or a farm labor contractor employee, unless exempt by federal law. However, the department shall renew a certificate of registration after such person’s federal certificate of registration expires if such person files a timely application for renewal with the United States Department of Labor.

(2) The department may revoke, suspend, or refuse to issue or renew any certificate of registration when it is shown that the farm labor contractor has:

(a) Violated or failed to comply with any provision of this part or the rules adopted pursuant to this part;

(b) Made any misrepresentation or false statement in his or her application for a certificate of registration;

(c) Given false or misleading information concerning terms, conditions, or existence of employment to persons who are recruited or hired to work on a farm;

(d) Been assessed a civil fine by the department for which payment is overdue;

(e) Failed to pay unemployment compensation taxes as determined by the Agency for Workforce Innovation; or

~~(f) Been denied, or had suspended or revoked, a federal certificate of registration as a farm labor contractor; or~~

~~(f)(g)~~ Failed to pay federal employee taxes as determined by the Internal Revenue Service.

(3) The department shall suspend, revoke, or refuse to issue or renew a certificate of registration upon receipt of a final order of suspension, revocation, or refusal to issue or renew the federal certificate of registration from the United States Department of Labor.

Section 3. This act shall take effect July 1, 2010.

Approved by the Governor May 27, 2010.

Filed in Office Secretary of State May 27, 2010.