

CHAPTER 2023-271

Committee Substitute for Committee Substitute for House Bill No. 1383

An act relating to specialty contractors; amending s. 163.211, F.S.; revising the date on which the local government licensing of certain occupations expires; amending s. 489.113, F.S.; requiring the Construction Industry Licensing Board to establish certified specialty contractor categories for voluntary licensure by a specified date; amending s. 489.117, F.S.; prohibiting local governments from imposing new licensing requirements for certain specialty contractors; authorizing a county that includes an area designated as an area of critical state concern to offer a license for certain job scopes; authorizing certain local governments to continue to offer a license for certain job scopes; prohibiting a local government from requiring a license as a prerequisite to submit a bid for public works projects under certain conditions; providing an effective date.

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

Section 1. Paragraph (a) of subsection (2) of section 163.211, Florida Statutes, is amended to read:

163.211 Licensing of occupations preempted to state.—

(2) **PREEMPTION OF OCCUPATIONAL LICENSING TO THE STATE.** The licensing of occupations is expressly preempted to the state, and this section supersedes any local government licensing requirement of occupations with the exception of the following:

(a) Any local government that imposed licenses on occupations before January 1, 2021. However, any such local government licensing of occupations expires on July 1, 2024 ~~July 1, 2023~~.

Section 2. Subsection (6) of section 489.113, Florida Statutes, is amended to read:

489.113 Qualifications for practice; restrictions.—

(6)(a) The board shall, by rule, designate those types of specialty contractors which may be certified under this part. The limit of the scope of work and responsibility of a specialty contractor shall be established by the board by rule. However, a certified specialty contractor category established by board rule exists as a voluntary statewide licensing category and does not create a mandatory licensing requirement. Any mandatory statewide construction contracting licensure requirement may only be established through specific statutory provision.

(b) By July 1, 2024, the board shall, by rule, establish certified specialty contractor categories for voluntary licensure for all of the following:

1. Structural aluminum or screen enclosures.
2. Marine seawall work.
3. Marine bulkhead work.
4. Marine dock work.
5. Marine pile driving.
6. Structural masonry.
7. Structural prestressed, precast concrete work.
8. Rooftop solar heating installation.
9. Structural steel.
10. Window and door installation, including garage door installation and hurricane or windstorm protection.
11. Plaster and lath.
12. Structural carpentry.

Section 3. Paragraph (a) of subsection (4) of section 489.117, Florida Statutes, is amended to read:

489.117 Registration; specialty contractors.—

(4)(a)1. A person whose job scope does not substantially correspond to either the job scope of one of the contractor categories defined in s. 489.105(3)(a)-(o), or the job scope of one of the certified specialty contractor categories established by board rule, is not required to register with the board. A local government, as defined in s. 163.211, may not require a person to obtain a license, issued by the local government or the state, for a job scope which does not substantially correspond to the job scope of one of the contractor categories defined in s. 489.105(3)(a)-(o) and (q) or authorized in s. 489.1455(1), or the job scope of one of the certified specialty contractor categories established pursuant to s. 489.113(6). A local government may not require a state or local license to obtain a permit for such job scopes. For purposes of this section, job scopes for which a local government may not require a license include, but are not limited to, painting; flooring; cabinetry; interior remodeling when the scope of the project does not include a task for which a state license is required; driveway or tennis court installation; handyman services; decorative stone, tile, marble, granite, or terrazzo installation; plastering; pressure washing; stuccoing; caulking; and canvas awning and ornamental iron installation.

2. A county that includes an area designated as an area of critical state concern under s. 380.05 may offer a license for any job scope which requires a

contractor license under this part if the county imposed such a licensing requirement before January 1, 2021.

3. A local government may continue to offer a license for veneer, including aluminum or vinyl gutters, siding, soffit, or fascia; rooftop painting, coating, and cleaning above three stories in height; or fence installation and erection if the local government imposed such a licensing requirement before January 1, 2021.

4. A local government may not require a license as a prerequisite to submit a bid for public works projects if the work to be performed does not require a license under general law.

Section 4. This act shall take effect July 1, 2023.

Approved by the Governor June 20, 2023.

Filed in Office Secretary of State June 20, 2023.