

CHAPTER 2024-189

Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 382

An act relating to continuing education requirements; amending s. 455.2123, F.S.; requiring, rather than authorizing, a board, or the Department of Business and Professional Regulation when there is no board, to allow by rule that distance learning may be used to satisfy continuing education requirements; revising the requirements that such continuing education must satisfy; amending s. 455.2124, F.S.; requiring a board, or the department when there is no board, to exempt certain individuals from completing their continuing education requirements; providing applicability; requiring the department and each affected board to adopt rules; authorizing the department to adopt emergency rules; providing requirements and an expiration date for the emergency rules; providing for the expiration of such rulemaking authority; providing an effective date.

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

Section 1. Section 455.2123, Florida Statutes, is amended to read:

455.2123 Continuing education.—A board, or the department when there is no board, ~~shall allow~~ ~~may provide~~ by rule that distance learning may be used to satisfy continuing education requirements. A board, or the department when there is no board, shall approve distance learning courses as an alternative to classroom courses to satisfy continuing education requirements. A board, or the department when there is no board, provided for in part VIII, part XV, or part XVI of chapter 468 or part I or part II of chapter 475 and may not require centralized examinations for completion of continuing education requirements for the professions licensed under part VIII, part XV, or part XVI of chapter 468 or part I or part II of chapter 475.

Section 2. Section 455.2124, Florida Statutes, is amended to read:

455.2124 Proration of or not requiring continuing education.—

(1) A board, or the department when there is no board, may:

~~(a)~~(1) Prorate continuing education for new licensees by requiring half of the required continuing education for any applicant who becomes licensed with more than half the renewal period remaining and no continuing education for any applicant who becomes licensed with half or less than half of the renewal period remaining; or

~~(b)~~(2) Require no continuing education until the first full renewal cycle of the licensee.

These options shall also apply when continuing education is first required or the number of hours required is increased by law or the board, or the department when there is no board.

(2)(a) A board, or the department when there is no board, shall exempt an individual from completing the continuing education required for renewal of a license for a renewal period if:

1. The individual holds an active license issued by the board or department to practice the profession;

2. The individual has continuously held the license for at least 10 years; and

3. No disciplinary action is imposed on the individual's license.

(b) This subsection does not apply to engineers regulated pursuant to chapter 471, to certified public accountants regulated pursuant to chapter 473, to brokers, broker associates, and sales associates regulated pursuant to part I of chapter 475, to appraisers regulated pursuant to part II of chapter 475, to architects, interior designers, or landscape architects regulated pursuant to chapter 481, or to contractors regulated pursuant to chapter 489.

(3) The department and each affected board shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.

Section 3. (1) The Department of Business and Professional Regulation is authorized, and all conditions are deemed to be met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing the amendments made by this act to s. 455.2124, Florida Statutes, including establishing procedures to facilitate the exemption for eligible individuals from completing continuing education.

(2) Notwithstanding any other law, emergency rules adopted pursuant to subsection (1) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(3) This section expires January 1, 2026.

Section 4. This act shall take effect July 1, 2024.

Approved by the Governor May 16, 2024.

Filed in Office Secretary of State May 16, 2024.