

CHAPTER 2024-212

Committee Substitute for Senate Bill No. 1142

An act relating to occupational licensing; amending s. 163.211, F.S.; extending the date on which certain local government occupational licensing requirements expire; amending s. 489.113, F.S.; extending the date by which the Construction Industry Licensing Board within the Department of Business and Professional Regulation is required to establish by rule specified certified specialty contractor categories for voluntary licensure; amending s. 489.117, F.S.; requiring the board to issue registrations to eligible persons under certain circumstances; providing that the board is responsible for disciplining such licensees; requiring the board to make licensure and disciplinary information available through the automated information system; providing for the fees for the issuance of the registrations and renewal registrations; requiring the department to provide specified license, renewal, and cancellation notices; conforming provisions to changes made by the act; 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, 2025 2024.

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

489.113 Qualifications for practice; restrictions.—

(6)

(b) By July 1, 2025 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. Paragraphs (a) and (b) of subsection (1) and subsection (2) of section 489.117, Florida Statutes, are amended to read:

489.117 Registration; specialty contractors.—

(1)(a) ~~Any~~ Any person engaged in the business of a contractor as defined in s. 489.105(3)(a)-(o) must be registered before engaging in business as a contractor in this state, unless he or she is certified. Except as provided in paragraph (2)(b), to be initially registered, the applicant ~~must~~ shall submit the required fee and file evidence of successful compliance with the local examination and licensing requirements, if any, in the area for which registration is desired. An examination is not required for registration.

(b) Registration allows the registrant to engage in contracting only in the counties, municipalities, or development districts where he or she has complied with all local licensing requirements, if any, and only for the type of work covered by the registration.

(2)(a) Except as provided in paragraph (b), the board may not issue a ~~No~~ new registration ~~may be issued by the board~~ after July 1, 1993, based on any certificate of competency or license for a category of contractor defined in s. 489.105(3)(a)-(o) which is issued by a municipal or county government that does not exercise disciplinary control and oversight over such locally licensed contractors, including forwarding a recommended order in each action to the board as provided in s. 489.131(7). For purposes of this subsection and s. 489.131(10), the board shall determine the adequacy of such disciplinary control by reviewing the local government's ability to process and investigate complaints and to take disciplinary action against locally licensed contractors.

(b) The board shall issue a registration to an eligible applicant to engage in the business of a contractor in a specified local jurisdiction, provided each of the following conditions are satisfied:

1. The applicant held, in any local jurisdiction in this state during 2021, 2022, or 2023, a certificate of registration issued by the state or a local license issued by a local jurisdiction to perform work in a category of contractor defined in s. 489.105(3)(a)-(o).

2. The applicant submits all of the following to the board:

a. Evidence of the certificate of registration or local license held by the applicant as required by subparagraph 1.

b. Evidence that the specified local jurisdiction does not have a license type available for the category of work for which the applicant was issued a certificate of registration or local license during 2021, 2022, or 2023, such as a notification on the website of the local jurisdiction or an e-mail or letter from the office of the local building official or local building department stating that such license type is not available in that local jurisdiction.

c. Evidence that the applicant has submitted the required fee.

d. Evidence of compliance with the insurance and financial responsibility requirements of s. 489.115(5).

An examination is not required for an applicant seeking a registration under this paragraph.

(c) The board is responsible for disciplining licensees issued a registration under paragraph (b). The board shall make such licensure and disciplinary information available through the automated information system provided pursuant to s. 455.2286.

(d) The fees for an applicant seeking a registration under paragraph (b) and renewal of such registration every 2 years are the same as the fees established by the board for applications, registration and renewal, and record making and recordkeeping, as set forth in s. 489.109. The department shall provide license, renewal, and cancellation notices pursuant to ss. 455.273 and 455.275.

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

Approved by the Governor May 29, 2024.

Filed in Office Secretary of State May 29, 2024.