1	A bill to be entitled
2	An act relating to criminal history of licensees and
3	employees; amending s. 455.213, F.S.; providing a
4	period of time when a conviction, or any other
5	adjudication, for a crime may not be grounds for
6	denial of licensure as a barber or cosmetologist;
7	providing an exception; requiring the applicable board
8	to approve certain educational program credits offered
9	to inmates in certain institutions or facilities for
10	purposes of satisfying training requirements for
11	licensure as a barber or cosmetologist; amending s.
12	562.13; F.S.; repealing a provision prohibiting the
13	employment of managers and bartenders by certain
14	vendors; providing an effective date.
15	
16	Be It Enacted by the Legislature of the State of Florida:
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18	Section 1. Paragraph (b) of subsection (3) of section
19	455.213, Florida Statutes, is amended, paragraph (f) is added to
20	that subsection, and paragraph (a) of that subsection is
21	republished, to read:
22	455.213 General licensing provisions
23	(3)(a) Notwithstanding any other law, the applicable board
24	shall use the process in this subsection for review of an
25	applicant's criminal record to determine his or her eligibility
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26 for licensure as: 27 A barber under chapter 476; 1. 28 2. A cosmetologist or cosmetology specialist under chapter 477; 29 3. Any of the following construction professions under 30 chapter 489: 31 32 Air-conditioning contractor; a. Electrical contractor; 33 b. 34 с. Mechanical contractor; Plumbing contractor; 35 d. 36 е. Pollutant storage systems contractor; Roofing contractor; 37 f. Sheet metal contractor; 38 g. 39 Solar contractor; h. Swimming pool and spa contractor; 40 i. 41 j. Underground utility and excavation contractor; or Other specialty contractors; or 42 k. 43 4. Any other profession for which the department issues a license, provided the profession is offered to inmates in any 44 45 correctional institution or correctional facility as vocational 46 training or through an industry certification program. 47 (b)1. A conviction, or any other adjudication, for a crime 48 more than 3 years before the date the application is received by 49 the applicable board may not be grounds for denial of a license specified in subparagraph (a)1. or subparagraph (a)2. unless the 50

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51 applicant was convicted of a crime at any time during the 3-year 52 period immediately preceding the application. A conviction, or 53 any other adjudication, for a crime more than 5 years before the 54 date the application is received by the applicable board may not 55 be grounds for denial of a license specified in subparagraph 56 (a)3. or subparagraph (a)4. paragraph (a). For purposes of this 57 paragraph, the term "conviction" means a determination of guilt that is the result of a plea or trial, regardless of whether 58 59 adjudication is withheld. This paragraph does not limit the applicable board from considering an applicant's criminal 60 history that includes a crime listed in s. 775.21(4)(a)1. or s. 61 776.08 at any time, but only if such criminal history has been 62 found to relate to the practice of the applicable profession. 63

2. The applicable board may consider the criminal history
of an applicant for licensure under subparagraph (a)3. if such
criminal history has been found to relate to good moral
character.

68 (f) The applicable board shall approve educational program 69 credits offered to inmates in any correctional institution or correctional facility as vocational training or through an 70 industry certification program for purposes of satisfying 71 72 applicable training requirements for licensure in a profession under subparagraph (a)1. or subparagraph (a)2. 73 74 Section 2. Subsection (3) of section 562.13, Florida 75 Statutes, is amended to read:

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76 562.13 Employment of minors or certain other persons by 77 certain vendors prohibited; exceptions.-78 (3) (a) It is unlawful for any vendor licensed under the 79 beverage law to employ as a manager or person in charge or as a 80 bartender any person: 1. Who has been convicted within the last past 5 years of 81 82 any offense against the beverage laws of this state, the United 83 States, or any other state. 84 2. Who has been convicted within the last past 5 years in 85 this state or any other state or the United States of soliciting for prostitution, pandering, letting premises for prostitution, 86 87 keeping a disorderly place, or any felony violation of chapter 893 or the controlled substances act of any other state or the 88 89 Federal Government. 90 3. Who has, in the last past 5 years, been convicted of 91 any felony in this state, any other state, or the United States. 92 93 The term "conviction" shall include an adjudication of guilt on 94 a plea of quilty or nolo contendere or forfeiture of a bond 95 such person is charged with a crime. 96 (b) This subsection shall not apply to any vendor licensed 97 under the provisions of s. 563.02(1)(a) or s. 564.02(1)(a). 98 Section 3. This act shall take effect July 1, 2024.

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