
#### Abstract

A bill to be entitled An act relating to legislative review of occupational regulations; creating s. 11.65, F.S.; providing definitions; establishing a schedule for the systematic review of occupational regulatory programs; authorizing the Legislature to take certain actions before the scheduled repeal of an occupational regulatory program; providing that amending or transferring Florida Statutes does not affect a scheduled repeal; providing for the abolition of units or subunits of government and personnel positions responsible for repealed programs; providing for the reversion of certain unexpended funds and the refund of certain unencumbered revenue of a repealed program; providing for cause of action by or against specified units of government under certain circumstances; providing for certain actions for acts committed before a certain time; preempting the regulation of an occupation to the state if such occupation's regulatory program has been repealed through this act; providing a schedule of repeal for occupational regulatory programs; providing contingent effective dates.


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

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Section 1. Section 11.65, Florida Statutes, is created to read:
11.65 Legislative review of occupational regulation.-
(1) As used in this section:
(a) "Occupational regulatory program" or "program" means any statutory regulatory provision or scheme which places a condition on practicing an occupation, including, but not limited to, programs that require a license, certification, registration, or credential.
(b) "Local government" means a county, municipality, special district, or political subdivision of the state.
(c) "Occupation" means a paid job, profession, work, line of work, trade, employment, position, post, career, field, vocation, or craft.
(2) There is established a schedule for systematic review of the costs and benefits of occupational regulatory programs. The Legislature intends to review each program before the scheduled date on which each occupational regulatory program is set to expire through scheduled repeal to determine whether to allow the program to expire, renew the program without modifications, renew the program with modifications, or provide for other appropriate actions.
(3) If a chapter or section of the Florida Statutes scheduled for review by this act is subsequently amended or
transferred, such subsequent amendment or transfer, unless otherwise expressly provided in the act amending or transferring such chapter or section, shall not eliminate the scheduled repeal of such chapter or section.
(4) Within 60 days after the date on which any occupational regulatory program is allowed to expire through scheduled repeal under this act, the personnel positions which are responsible for carrying out the program shall be abolished, and all unexpended balances of appropriations, allocations, or other funds for such program shall revert to the fund from which they were appropriated or, if that fund is abolished, to the General Revenue Fund. Except as authorized under this section, all regulatory activities related to the repealed program shall cease after the date of repeal.
(5) Any remaining unencumbered revenue collected under an occupational regulatory program allowed to expire through repeal shall be refunded on a pro rata basis by the Chief Financial Officer pursuant to s. 215.26, upon request of the person or entity who paid, if such request is made within 1 year after the repeal of the program.
(6) Any cause of action pending on the date the occupational regulatory program was repealed, or any cause of action brought thereafter, shall be prosecuted or defended in the name of the state by the Department of Legal Affairs, if prior to repeal such action would have been prosecuted or

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defended by the occupational regulatory program repealed by this act.

## (7) Any occupational regulatory program that expires

 through scheduled repeal in accordance with this act may not be subsequently regulated by a local government. The regulation of any occupation repealed by this act is preempted to the state unless local regulation of such occupation is expressly authorized by law.Section 2. Pursuant to the Occupational Regulation Sunset Act, the following statutes are repealed effective July 1, 2021: ss. 25.383, 25.386, 310.001, 310.0015, 310.002, 310.011, $310.032,310.042,310.051,310.061,310.071,310.073,310.075$, $310.081,310.091,310.101,310.102,310.111,310.1112,310.1115$, $310.121,310.131,310.141,310.142,310.146,310.151,310.161$, $310.171,310.181,310.183,310.185,320.8249,326.001,326.002$, $326.003,326.004,326.005,326.006,401.27,401.271,401.2715$, 401.272, 401.273, 401.465, 468.381, 468.382, 468.383, 468.384, 468.385, 468.3851, 468.3852, 468.3855, 468.386, 468.387, 468.388, 468.389, 468.391, 468.392, 468.393, 468.394, 468.395, 468.396, 468.397, 468.398, 468.399, 468.401, 468.402, 468.403, $468.404,468.405,468.406,468.407,468.408,468.409,468.410$, 468.411, 468.412, 468.413, 468.414, 468.415, 468.431, 468.4315, $468.432,468.433,468.4334,468.4336,468.4337,468.4338$, $468.435,468.436,468.4365,468.437,468.438,468.451,468.452$, $468.453,468.4535,468.4536,468.454,468.456,468.4561$,

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468.45615, 468.4562, 468.4565, 468.457, 468.501, 468.502,
468.503,468.504, 468.505, 468.506, 468.507, 468.508, 468.509,
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480.0465, 480.047, 480.0475, 480.0485, 480.049, 480.052,
480.0535, 488.01, 488.02, 488.03, 488.04, 488.045, 488.05,
488.06, 488.07, 488.08, 554.104, 554.114(1)(d), 627.7015(4), and
627.7074(1)(a).
Section 3. Pursuant to the Occupational Regulation Sunset Act, the following statutes are repealed effective July 1, 2022: ss. 61.125, 373.302, 373.303, 373.306, 373.308, 373.309, 373.313, 373.314, 373.316, 373.319, 373.323, 373.324, 373.325, \(373.326,373.329,373.333,373.335,373.336,373.337,373.342\), \(399.01(16), 457.101,457.102,457.103,457.104,457.105\), 457.107, 457.108, 457.1085, 457.109, 457.116, 457.118, 458.301, \(458.303,458.305,458.307,458.309,458.310,458.311,458.3115\), \(458.3124,458.313,458.3135,458.3137,458.314,458.3145\), \(458.3147,458.315,458.3151,458.316,458.3165,458.317\), 458.3175, 458.319, 458.3191, 458.3192, 458.3193, 458.320,
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$458.321,458.323,458.324,458.325,458.3255,458.326,458.327$, $458.328,458.329,458.3295,458.331,458.3311,458.3312$, $458.335,458.336,458.337,458.339,458.341,458.343,458.345$, $458.347,458.3475,458.348,458.3485,458.351,459.001,459.002$, 459.003, 459.004, 459.005, 459.0055, 459.0066, 459.0075, 459.0076, 459.00761, 459.0077, 459.008, 459.0081, 459.0082, 459.0083, 459.0085, 459.009, 459.0092, 459.011, 459.012, 459.0122, 459.0125, 459.013, 459.0135, 459.0138, 459.0141, 459.0145, 459.015, 459.0151, 459.0152, 459.016, 459.017, 459.018, 459.019, 459.021, 459.022, 459.023, 459.025, 459.026, 468.1105, 468.1115, 468.1125, 468.1135, 468.1145, 468.1155, 468.1165, 468.1175, 468.1185, 468.1195, 468.1205, 468.1215, $468.1225,468.1245,468.1246,468.1255,468.1265,468.1275$, $468.1285,468.1295,468.1296,468.1315,468.1635,468.1645$, $468.1655,468.1665,468.1675,468.1685,468.1695,468.1705$, 468.1715, 468.1725, 468.1735, 468.1745, 468.1755, 468.1756, $468.201,468.203,468.204,468.205,468.207,468.209,468.211$, $468.213,468.215,468.217,468.219,468.221,468.223,468.225$, $468.3001,468.3003,468.301,468.302,468.303,468.304,468.305$, $468.306,468.3065,468.307,468.309,468.3095,468.3101$, $468.311,468.3115,468.312,468.314,468.315,468.35,468.351$, $468.352,468.353,468.354,468.355,468.358,468.359,468.36$, $468.361,468.363,468.364,468.365,468.366,468.367,468.368$, $468.369,468.520,468.521,468.522,468.523,468.524,468.5245$, $468.525,468.526,468.527,468.5275,468.528,468.529,468.530$,

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$151468.531,468.532,468.533,468.534,468.535,468.83,468.831$, $468.8311,468.8312,468.8313,468.8314,468.8315,468.8316$, 468.8317, 468.8318, 468.8319, 468.832, 468.8321, 468.8322, $468.8323,468.8324,468.8325,468.84,468.841,468.8411$, $468.8412,468.8413,468.8414,468.8415,468.8416,468.8417$, $468.8418,468.8419,468.42,468.8421,468.8422,468.8423$, $468.8424,497.144,497.145,497.147,497.148,497.168,497.365$, 497.366, 497.368, 497.369, 497.370, 497.371, 497.372, 497.373, 497.374, 497.375, 497.376, 497.377, 497.378, 497.379, 497.390, 497.554, 497.602, 497.603, 497.605, 501.605, 501.607, 501.608, 501.609, 501.612, 501.616(2) and (4), 507.01, 507.02, 507.03, 507.04, 507.05, 507.06, 507.07, 507.08, 507.09, 507.10, 507.11, 507.12, 507.13, 517.12(1) and (4), 548.003, 548.017, 634.171, 634.318, 634.320, and 634.420.

Section 4. Pursuant to the Occupational Regulation Sunset Act, the following statutes are repealed effective July 1, 2023: s. $44.106,450.30,460.401,460.402,460.403,460.404,460.405$, $460.406,460.4061,460.4062,460.407,460.408,460.41,460.411$, $460.412,460.413,460.414,460.4165,460.4166,460.4167$, $461.001,461.002,461.003,461.004,461.005,461.006,461.007$, $461.008,461.009,461.012,461.013,461.0131,461.0134$, 461.0135, 461.014, 461.018, 462.01, 462.023, 462.08, 462.09, $462.11,462.13,462.14,462.16,462.17,462.18,462.19$, $462.2001,463.0001,463.001,463.002,463.003,463.004,463.005$, 463.0055, 463.0057, 463.006, 463.007, 463.008, 463.009, 463.011,

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176 177 178 179 180 181 182 183 184
463.012, 463.013, 463.0135, 463.014, 463.0141, 463.015, 463.016, $463.018,473.301,473.302,473.303,473.3035,473.304,473.305$, 473.306, 473.3065, 473.308, 473.309, 473.3101, 473.311, 473.312, $473.3125,473.313,473.314,473.3141,473.315,473.316,473.318$, 473.319, 473.3205, 473.321, 473.322, 473.323, 474.201, 474.202, 474.203, 474.204, 474.205, 474.206, 474.2065, 474.207, 474.211, 474.2125, 474.213, 474.214, 474.2145, 474.215, 474.216, $474.2165,474.2167,474.217,474.2185,474.221,475.001,475.01$, 475.011, 475.02, 475.021, 475.03, 475.04, 475.045, 475.05, $475.10,475.125,475.15,475.161,475.17,475.175,475.180$, 475.181, 475.182, 475.183, 475.215, 475.22, 475.23, 475.24, 475.25, 475.255, 475.2701, 475.272, 475.274, 475.2755, 475.278, $475.28,475.2801,475.31,475.37,475.38,475.41,475.42$, $475.43,475.451,475.4511,475.453,475.455,475.482,475.483$, 475.4835, 475.484, 475.485, 475.486, 475.5015, 475.5016, $475.5017,475.5018,476.014,476.024,476.034,476.044,476.054$, 476.064, 476.074, 476.114, 476.134, 476.144, 476.154, 476.155, 476.178, 476.184, 476.188, 476.192, 476.194, 476.204, 476.214, 476.234, 476.244, 476.254, 477.011, 477.012, 477.013, 477.0132, 477.0135, 477.014, 477.015, 477.016, 477.017, 477.018, 477.019, 477.0201, 477.0212, 477.0213, 477.022, 477.023, 477.025, 477.026, 477.0263, 477.0265, 477.028, 477.029, 477.031, 483.800, $483.801,483.803,483.805,483.807,483.809,483.811,483.812$, $483.813,483.815,483.817,483.819,483.821,483.823,483.824$, 483.825, 483.828, 483.901, 484.002, 484.007(3) and (4), 484.013,

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484.014, 484.015, 484.018(3), 486.011, 486.015, 486.021,
486.023, 486.025, 486.028, 486.031, 486.041, 486.051, 486.061,
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648.42, 648.421, 648.43, 648.44, 648.441, 648.442, 648.4425,
$648.45,648.46,648.48,648.49,648.50,648.51,648.52,648.525$,
648.53, 648.55, 648.57, 648.571, and 648.58.
Section 5. Pursuant to the Occupational Regulation Sunset
Act, the following statutes are repealed effective July 1, 2024:
$381.0075,381.00771,381.00773,381.00775,381.00777,381.00781$,
$381.00783,381.00785,381.00787,381.00789,381.00791,381.0101$,
395.10973, 397.4871, 402.305, 429.52(11) and (12), 464.001,

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| 227 | 464.0095, 464.0096, 464.012, 464.013, 464.014, 464.015, 464.016, |
| 228 | 464.017, 464.018, 464.019, 464.0195, 464.0196, 464.0205, |
| 229 | 464.022, 464.027, 464.201, 464.202, 464.203, 464.204, 464.205, |
| 230 | 464.206, 464.207, 464.208, 465.002, 465.007, 465.0075, 465.008, |
| 31 | 465.009, 465.012, |
| 232 | 465.0155, 465.0252, 465.0255(2), (3), and (4), 465.026, |
| 233 | 465.0275, 465.0276, 465.186, 465.187, 465.188, 465.189 |
| 234 | 465.1893, 465.1901, 466.001, 466.002, 466.003, 466.004, 466.005 |
| 235 | 466.006, 466.0065, 466.0067, 466.00671, 466.00672, 466.00673, |
| 236 | 466.007, 466.0075, 466.008, 466.009, 466.011, 466.013, 466.0135 |
| 237 | 466.014, 466.015, 466.016, 466.017, 466.018, 466.019, 466.021, |
| 238 | 466.022, 466.023, 466.0235, 466.024, 466.025, 466.026, 466.027, |
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| 242 | 467.015, 467.016, 467.017, 467.019, 467.201, 467.203, 467.205, |
| 243 | 467.207, 468.601, 468.602, 468.603, 468.604, 468.605, 468.606, |
| 244 | 9, 468.613, 468.617, 468.619, 468.621, 468.627, |
| 245 | 468.629, 468.631, 468.632, 468.633, 471.001, 471.003, 471.0035, |
| 246 | 471.005, 471.007, 471.008, 471.009, 471.011, 471.013, 471.015 |
| 247 | 471.017, 471.019, 471.0195, 471.021, 471.023, 471.025, 471.027, |
| 248 | 471.031, 471.033, 471.037, 471.038, 471.0385, 471.045, 472.001, |
| 249 | 472.003, 472.005, 472.006, 472.007, 472.0075, 472.008, 472.009, |
| 50 | 472.0101, 472.011, 472.013, 472.0131, 472.0132, |

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472.015, 472.016, 472.0165, 472.017, 472.018, 472.019, 472.0201, 472.02011, 472.0202, 472.0203, 472.0204, 472.021, 472.023, 472.025, 472.027, 472.029, 472.031, 472.033, 472.0335, 472.0337, 472.034, 472.0345, 472.0351, 472.0355, 472.036, 472.0365, 472.0366, 472.037, 481.201, 481.203, 481.205, 481.2055, 481.207, $481.209,481.211,481.213,481.2131,481.215,481.217,481.219$, $481.221,481.222,481.223,481.225,481.2251,481.229,481.231$, $481.301,481.303,481.305,481.306,481.307,481.309,481.310$, 481.311, 481.313, 481.315, 481.317, 481.319, 481.321, 481.323, 481.325, 481.329, 482.011, 482.021, 482.032, 482.051, 482.061, 482.071, 482.072, 482.0815, 482.091, 482.111, 482.121, 482.132, 482.141, 482.151, 482.152, 482.155, 482.156, 482.1562, 482.157, $482.161,482.163,482.165,482.1821,482.183,482.191,482.211$, $482.226,482.2265,482.2267,482.227,482.231,482.2401$, $482.241,482.242,482.243,485.001,485.002,485.003,485.004$, $485.005,487.011,487.012,487.021,487.025,487.031,487.041$, $487.042,487.0435,487.0437,487.044,487.045,487.046,487.047$, 487.048, 487.049, 487.051, 487.064, 487.071, 487.081, 487.091, 487.101, 487.111, 487.13, 487.15, 487.156, 487.1585, 487.159, $487.160,487.161,487.163,487.171,487.175,489.101,489.103$, 489.105, 489.107, 489.108, 489.109, 489.111, 489.113, 489.1131, 489.1136, 489.114, 489.115, 489.116, 489.117, 489.118, 489.119, 489.1195, 489.121, 489.124, 489.125, 489.126, 489.127, 489.128, 489.129, 489.13, 489.131, 489.132, 489.133, 489.134, 489.140, 489.1401, 489.1402, 489.141, 489.142, 489.1425, 489.143,

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489.144, 489.145, 489.1455, 489.146, 489.501, 489.503, 489.505,
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$626.381,626.382,626.431,626.441,626.451,626.461,626.471$,
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626.572, 626.593, 626.601, 626.602, 626.611, 626.6115, 626.621,

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Section 6. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

