1 A bill to be entitled 2 An act relating to legislative review of occupational 3 regulations; creating s. 11.65, F.S.; providing 4 definitions; establishing a schedule for the 5 systematic review of occupational regulatory programs; 6 authorizing the Legislature to take certain actions 7 before the scheduled repeal of an occupational 8 regulatory program; providing that amending or 9 transferring Florida Statutes does not affect a scheduled repeal; providing for the abolition of units 10 11 or subunits of government and personnel positions 12 responsible for repealed programs; providing for the reversion of certain unexpended funds and the refund 13 14 of certain unencumbered revenue of a repealed program; 15 providing for cause of action by or against specified 16 units of government under certain circumstances; 17 providing for certain actions for acts committed 18 before a certain time; preempting the regulation of an 19 occupation to the state if such occupation's 20 regulatory program has been repealed through this act; 21 providing a schedule of repeal for occupational 22 regulatory programs; providing contingent effective 23 dates.

24

25

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

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26 27 Section 1. Section 11.65, Florida Statutes, is created to 28 read: 29 11.65 Legislative review of occupational regulation.-30 (1) As used in this section: "Occupational regulatory program" or "program" means 31 32 any statutory regulatory provision or scheme which places a 33 condition on practicing an occupation, including, but not limited to, programs that require a license, certification, 34 35 registration, or credential. (b) "Local government" means a county, municipality, 36 37 special district, or political subdivision of the state. 38 (c) "Occupation" means a paid job, profession, work, line 39 of work, trade, employment, position, post, career, field, vocation, or craft. 40 41 There is established a schedule for systematic review 42 of the costs and benefits of occupational regulatory programs. 43 The Legislature intends to review each program before the 44 scheduled date on which each occupational regulatory program is 45 set to expire through scheduled repeal to determine whether to allow the program to expire, renew the program without 46 modifications, renew the program with modifications, or provide 47 48 for other appropriate actions. If a chapter or section of the Florida Statutes 49 (3)

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scheduled for review by this act is subsequently amended or

50

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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76
     defended by the occupational regulatory program repealed by this
77
     act.
78
               Any occupational regulatory program that expires
79
     through scheduled repeal in accordance with this act may not be
80
     subsequently regulated by a local government. The regulation of
81
     any occupation repealed by this act is preempted to the state
82
     unless local regulation of such occupation is expressly
83
     authorized by law.
          Section 2.
                      Pursuant to the Occupational Regulation Sunset
84
85
     Act, the following statutes are repealed effective July 1, 2021:
     ss. 25.383, 25.386, 310.001, 310.0015, 310.002, 310.011,
86
87
     310.032, 310.042, 310.051, 310.061, 310.071, 310.073, 310.075,
88
     310.081, 310.091, 310.101, 310.102, 310.111, 310.1112, 310.1115,
89
     310.121, 310.131, 310.141, 310.142, 310.146, 310.151, 310.161,
 90
     310.171, 310.181, 310.183, 310.185, 320.8249, 326.001, 326.002,
 91
     326.003, 326.004, 326.005, 326.006, 401.27, 401.271, 401.2715,
 92
     401.272, 401.273, 401.465, 468.381, 468.382, 468.383, 468.384,
 93
     468.385, 468.3851, 468.3852, 468.3855, 468.386, 468.387,
 94
     468.388, 468.389, 468.391, 468.392, 468.393, 468.394, 468.395,
 95
     468.396, 468.397, 468.398, 468.399, 468.401, 468.402, 468.403,
 96
     468.404, 468.405, 468.406, 468.407, 468.408, 468.409, 468.410,
 97
     468.411, 468.412, 468.413, 468.414, 468.415, 468.431, 468.4315,
 98
     468.432, 468.433, 468.4334, 468.4336, 468.4337, 468.4338,
99
     468.435, 468.436, 468.4365, 468.437, 468.438, 468.451, 468.452,
100
     468.453, 468.4535, 468.4536, 468.454, 468.456, 468.4561,
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101
     468.45615, 468.4562, 468.4565, 468.457, 468.501, 468.502,
102
     468.503, 468.504, 468.505, 468.506, 468.507, 468.508, 468.509,
103
     468.51, 468.511, 468.512, 468.513, 468.514, 468.515, 468.516,
104
     468.517, 468.518, 468.70, 468.701, 468.703, 468.705, 468.707,
105
     468.709, 468.711, 468.713, 468.715, 468.717, 468.719, 468.723,
106
     468.80, 468.801, 468.802, 468.803, 468.806, 468.808, 468.809,
107
     468.8095, 468.811, 468.812, 468.813, 478.40, 478.41, 478.42,
108
     478.43, 478.44, 478.45, 478.46, 478.47, 478.48, 478.49, 478.50,
109
     478.54, 480.031, 480.032, 480.033, 480.034, 480.035, 480.036,
110
     480.039, 480.041, 480.0415, 480.042, 480.043, 480.044, 480.046,
     480.0465, 480.047, 480.0475, 480.0485, 480.049, 480.052,
111
112
     480.0535, 488.01, 488.02, 488.03, 488.04, 488.045, 488.05,
113
     488.06, 488.07, 488.08, 554.104, 554.114(1)(d), 627.7015(4), and
114
     627.7074(1)(a).
115
          Section 3. Pursuant to the Occupational Regulation Sunset
116
     Act, the following statutes are repealed effective July 1, 2022:
117
     ss. 61.125, 373.302, 373.303, 373.306, 373.308, 373.309,
118
     373.313, 373.314, 373.316, 373.319, 373.323, 373.324, 373.325,
119
     373.326, 373.329, 373.333, 373.335, 373.336, 373.337, 373.342,
120
     399.01(16), 457.101, 457.102, 457.103, 457.104, 457.105,
121
     457.107, 457.108, 457.1085, 457.109, 457.116, 457.118, 458.301,
122
     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,
123
124
     458.3147, 458.315, 458.3151, 458.316, 458.3165, 458.317,
125
     458.3175, 458.319, 458.3191, 458.3192, 458.3193, 458.320,
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126
     458.321, 458.323, 458.324, 458.325, 458.3255, 458.326, 458.327,
127
     458.328, 458.329, 458.3295, 458.331, 458.3311, 458.3312,
128
     458.335, 458.336, 458.337, 458.339, 458.341, 458.343, 458.345,
129
     458.347, 458.3475, 458.348, 458.3485, 458.351, 459.001, 459.002,
130
     459.003, 459.004, 459.005, 459.0055, 459.0066, 459.0075,
131
     459.0076, 459.00761, 459.0077, 459.008, 459.0081, 459.0082,
132
     459.0083, 459.0085, 459.009, 459.0092, 459.011, 459.012,
133
     459.0122, 459.0125, 459.013, 459.0135, 459.0138, 459.0141,
134
     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,
135
136
     468.1105, 468.1115, 468.1125, 468.1135, 468.1145, 468.1155,
137
     468.1165, 468.1175, 468.1185, 468.1195, 468.1205, 468.1215,
138
     468.1225, 468.1245, 468.1246, 468.1255, 468.1265, 468.1275,
139
     468.1285, 468.1295, 468.1296, 468.1315, 468.1635, 468.1645,
140
     468.1655, 468.1665, 468.1675, 468.1685, 468.1695, 468.1705,
141
     468.1715, 468.1725, 468.1735, 468.1745, 468.1755, 468.1756,
142
     468.201, 468.203, 468.204, 468.205, 468.207, 468.209, 468.211,
143
     468.213, 468.215, 468.217, 468.219, 468.221, 468.223, 468.225,
144
     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,
145
146
     468.311, 468.3115, 468.312, 468.314, 468.315, 468.35, 468.351,
147
     468.352, 468.353, 468.354, 468.355, 468.358, 468.359, 468.36,
148
     468.361, 468.363, 468.364, 468.365, 468.366, 468.367, 468.368,
149
     468.369, 468.520, 468.521, 468.522, 468.523, 468.524, 468.5245,
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     468.525, 468.526, 468.527, 468.5275, 468.528, 468.529, 468.530,
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     468.531, 468.532, 468.533, 468.534, 468.535, 468.83, 468.831,
152
     468.8311, 468.8312, 468.8313, 468.8314, 468.8315, 468.8316,
153
     468.8317, 468.8318, 468.8319, 468.832, 468.8321, 468.8322,
154
     468.8323, 468.8324, 468.8325, 468.84, 468.841, 468.8411,
155
     468.8412, 468.8413, 468.8414, 468.8415, 468.8416, 468.8417,
156
     468.8418, 468.8419, 468.42, 468.8421, 468.8422, 468.8423,
157
     468.8424, 497.144, 497.145, 497.147, 497.148, 497.168, 497.365,
158
     497.366, 497.368, 497.369, 497.370, 497.371, 497.372, 497.373,
159
     497.374, 497.375, 497.376, 497.377, 497.378, 497.379, 497.390,
160
     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,
161
162
     507.04, 507.05, 507.06, 507.07, 507.08, 507.09, 507.10, 507.11,
163
     507.12, 507.13, 517.12(1) and (4), 548.003, 548.017, 634.171,
164
     634.318, 634.320, and 634.420.
165
          Section 4. Pursuant to the Occupational Regulation Sunset
166
     Act, the following statutes are repealed effective July 1, 2023:
167
     s. 44.106, 450.30, 460.401, 460.402, 460.403, 460.404, 460.405,
168
     460.406, 460.4061, 460.4062, 460.407, 460.408, 460.41, 460.411,
169
     460.412, 460.413, 460.414, 460.4165, 460.4166, 460.4167,
170
     461.001, 461.002, 461.003, 461.004, 461.005, 461.006, 461.007,
171
     461.008, 461.009, 461.012, 461.013, 461.0131, 461.0134,
172
     461.0135, 461.014, 461.018, 462.01, 462.023, 462.08, 462.09,
173
     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,
174
175
     463.0055, 463.0057, 463.006, 463.007, 463.008, 463.009, 463.011,
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     463.012, 463.013, 463.0135, 463.014, 463.0141, 463.015, 463.016,
177
     463.018, 473.301, 473.302, 473.303, 473.3035, 473.304, 473.305,
178
     473.306, 473.3065, 473.308, 473.309, 473.3101, 473.311, 473.312,
179
     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,
180
181
     474.203, 474.204, 474.205, 474.206, 474.2065, 474.207, 474.211,
182
     474.2125, 474.213, 474.214, 474.2145, 474.215, 474.216,
183
     474.2165, 474.2167, 474.217, 474.2185, 474.221, 475.001, 475.01,
184
     475.011, 475.02, 475.021, 475.03, 475.04, 475.045, 475.05,
185
     475.10, 475.125, 475.15, 475.161, 475.17, 475.175, 475.180,
186
     475.181, 475.182, 475.183, 475.215, 475.22, 475.23, 475.24,
187
     475.25, 475.255, 475.2701, 475.272, 475.274, 475.2755, 475.278,
188
     475.28, 475.2801, 475.31, 475.37, 475.38, 475.41, 475.42,
189
     475.43, 475.451, 475.4511, 475.453, 475.455, 475.482, 475.483,
190
     475.4835, 475.484, 475.485, 475.486, 475.5015, 475.5016,
191
     475.5017, 475.5018, 476.014, 476.024, 476.034, 476.044, 476.054,
192
     476.064, 476.074, 476.114, 476.134, 476.144, 476.154, 476.155,
193
     476.178, 476.184, 476.188, 476.192, 476.194, 476.204, 476.214,
194
     476.234, 476.244, 476.254, 477.011, 477.012, 477.013, 477.0132,
195
     477.0135, 477.014, 477.015, 477.016, 477.017, 477.018, 477.019,
196
     477.0201, 477.0212, 477.0213, 477.022, 477.023, 477.025,
197
     477.026, 477.0263, 477.0265, 477.028, 477.029, 477.031, 483.800,
198
     483.801, 483.803, 483.805, 483.807, 483.809, 483.811, 483.812,
199
     483.813, 483.815, 483.817, 483.819, 483.821, 483.823, 483.824,
200
     483.825, 483.828, 483.901, 484.002, 484.007(3) and (4), 484.013,
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201
     484.014, 484.015, 484.018(3), 486.011, 486.015, 486.021,
202
     486.023, 486.025, 486.028, 486.031, 486.041, 486.051, 486.061,
203
     486.0715, 486.081, 486.085, 486.102, 486.103, 486.104, 486.106,
204
     486.1065, 486.107, 486.108, 486.109, 486.115, 486.123, 486.125,
205
     486.135, 486.151, 486.153, 486.161, 486.171, 486.172, 496.4101,
206
     559.901, 559.902, 559.903, 559.904, 559.905, 559.907, 559.909,
207
     559.911, 559.915, 559.916, 559.917, 559.919, 559.920, 559.921,
208
     559.9215, 559.92201, 559.9221, 559.926, 559.927, 559.928,
209
     559.9281, 559.9285, 559.929, 559.9295, 559.931, 559.932,
210
     559.933, 559.9335, 559.934, 559.935, 559.9355, 559.936, 559.937,
211
     559.938, 559.939, 633.132, 633.216, 633.304, 633.316, 633.318,
212
     633.324, 633.328, 633.332, 633.336, 633.338, 633.406, 633.408,
213
     633.412, 633.414, 633.416, 633.418, 633.424, 633.426, 648.24,
214
     648.25, 648.26, 648.27, 648.279, 648.285, 648.29, 648.295,
215
     648.30, 648.31, 648.315, 648.33, 648.34, 648.35, 648.355,
216
     648.36, 648.365, 648.38, 648.381, 648.382, 648.383, 648.384,
217
     648.385, 648.386, 648.387, 648.388, 648.39, 648.40, 648.41,
     648.42, 648.421, 648.43, 648.44, 648.441, 648.442, 648.4425,
218
219
     648.45, 648.46, 648.48, 648.49, 648.50, 648.51, 648.52, 648.525,
220
     648.53, 648.55, 648.57, 648.571, and 648.58.
221
          Section 5. Pursuant to the Occupational Regulation Sunset
222
     Act, the following statutes are repealed effective July 1, 2024:
     381.0075, 381.00771, 381.00773, 381.00775, 381.00777, 381.00781,
223
224
     381.00783, 381.00785, 381.00787, 381.00789, 381.00791, 381.0101,
225
     395.10973, 397.4871, 402.305, 429.52(11) and (12), 464.001,
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226
     464.002, 464.003, 464.004, 464.005, 464.006, 464.008, 464.009,
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,
     464.022, 464.027, 464.201, 464.202, 464.203, 464.204, 464.205,
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230
     464.206, 464.207, 464.208, 465.002, 465.007, 465.0075, 465.008,
231
     465.009, 465.012, 465.0125, 465.0126, 465.013, 465.014,
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,
     466.006, 466.0065, 466.0067, 466.00671, 466.00672, 466.00673,
235
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,
239
     466.0275, 466.02751, 466.028, 466.0282, 466.0285, 466.041,
240
     466.051, 467.001, 467.002, 467.003, 467.004, 467.005, 467.006,
241
     467.009, 467.011, 467.012, 467.0125, 467.013, 467.0135, 467.014,
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,
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     468.607, 468.609, 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,
     471.031, 471.033, 471.037, 471.038, 471.0385, 471.045, 472.001,
248
249
     472.003, 472.005, 472.006, 472.007, 472.0075, 472.008, 472.009,
250
     472.0101, 472.011, 472.013, 472.0131, 472.0132, 472.0135,
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     472.015, 472.016, 472.0165, 472.017, 472.018, 472.019, 472.0201,
252
     472.02011, 472.0202, 472.0203, 472.0204, 472.021, 472.023,
253
     472.025, 472.027, 472.029, 472.031, 472.033, 472.0335, 472.0337,
254
     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,
255
256
     481.209, 481.211, 481.213, 481.2131, 481.215, 481.217, 481.219,
257
     481.221, 481.222, 481.223, 481.225, 481.2251, 481.229, 481.231,
258
     481.301, 481.303, 481.305, 481.306, 481.307, 481.309, 481.310,
259
     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,
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261
     482.071, 482.072, 482.0815, 482.091, 482.111, 482.121, 482.132,
262
     482.141, 482.151, 482.152, 482.155, 482.156, 482.1562, 482.157,
263
     482.161, 482.163, 482.165, 482.1821, 482.183, 482.191, 482.211,
264
     482.226, 482.2265, 482.2267, 482.227, 482.231, 482.2401,
265
     482.241, 482.242, 482.243, 485.001, 485.002, 485.003, 485.004,
266
     485.005, 487.011, 487.012, 487.021, 487.025, 487.031, 487.041,
267
     487.042, 487.0435, 487.0437, 487.044, 487.045, 487.046, 487.047,
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     487.048, 487.049, 487.051, 487.064, 487.071, 487.081, 487.091,
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     487.160, 487.161, 487.163, 487.171, 487.175, 489.101, 489.103,
271
     489.105, 489.107, 489.108, 489.109, 489.111, 489.113, 489.1131,
272
     489.1136, 489.114, 489.115, 489.116, 489.117, 489.118, 489.119,
273
     489.1195, 489.121, 489.124, 489.125, 489.126, 489.127, 489.128,
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     489.129, 489.13, 489.131, 489.132, 489.133, 489.134, 489.140,
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     489.1401, 489.1402, 489.141, 489.142, 489.1425, 489.143,
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     489.516, 489.5161, 489.517, 489.518, 489.5185, 489.519, 489.520,
279
     489.521, 489.522, 489.523, 489.525, 489.529, 489.530, 489.531,
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     489.5315, 489.532, 489.533, 489.5335, 489.537, 489.538, 489.551,
281
     489.552, 489.553, 489.554, 489.555, 489.556, 489.557, 489.558,
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283
     490.007, 490.0085, 490.009, 490.0111, 490.012, 490.0121,
284
     490.014, 490.0141, 490.0143, 490.0145, 490.0147, 490.0148,
285
     490.0149, 490.015, 491.002, 491.003, 491.004, 491.0045,
286
     491.0046, 491.005, 491.0057, 491.006, 491.0065, 491.007,
287
     491.008, 491.0085, 491.009, 491.0111, 491.0112, 491.012,
288
     491.014, 491.0141, 491.0143, 491.0144, 491.0145, 491.0147,
289
     491.0148, 491.0149, 491.015, 491.016, 492.101, 492.102, 492.103,
290
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     626.112, 626.141, 626.161, 626.171, 626.172, 626.175, 626.181,
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     626.9916, 626.995, 626.9951, 626.9952, 626.9953, 626.9954,
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     626.9955, 626.9956, 626.9957, and 626.9958.
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Section 6. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

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