

1                                   A bill to be entitled  
 2           An act relating to professional licensing requirements  
 3           for barbers and cosmetologists; amending s. 455.213,  
 4           F.S.; providing a period of time when a conviction, or  
 5           any other adjudication, for a crime may not be grounds  
 6           for 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; providing an  
 12          effective date.

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

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 16           Section 1. Paragraph (b) of subsection (3) of section  
 17   455.213, Florida Statutes, is amended, paragraph (f) is added to  
 18   that subsection, and paragraph (a) of that subsection is  
 19   republished, to read:

20           455.213 General licensing provisions.—

21           (3)(a) Notwithstanding any other law, the applicable board  
 22   shall use the process in this subsection for review of an  
 23   applicant's criminal record to determine his or her eligibility  
 24   for licensure as:

25           1. A barber under chapter 476;

26           2. A cosmetologist or cosmetology specialist under chapter  
27 477;

28           3. Any of the following construction professions under  
29 chapter 489:

- 30           a. Air-conditioning contractor;
- 31           b. Electrical contractor;
- 32           c. Mechanical contractor;
- 33           d. Plumbing contractor;
- 34           e. Pollutant storage systems contractor;
- 35           f. Roofing contractor;
- 36           g. Sheet metal contractor;
- 37           h. Solar contractor;
- 38           i. Swimming pool and spa contractor;
- 39           j. Underground utility and excavation contractor; or
- 40           k. Other specialty contractors; or

41           4. Any other profession for which the department issues a  
42 license, provided the profession is offered to inmates in any  
43 correctional institution or correctional facility as vocational  
44 training or through an industry certification program.

45           (b)1. A conviction, or any other adjudication, for a crime  
46 more than 3 years before the date the application is received by  
47 the applicable board may not be grounds for denial of a license  
48 specified in subparagraph (a)1. or subparagraph (a)2., unless  
49 the applicant was convicted of a crime at any time during the 3-  
50 year period immediately preceding the application. A conviction,

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

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

66 (f) The applicable board shall approve educational program  
67 credits offered to inmates in any correctional institution or  
68 correctional facility as vocational training or through an  
69 industry certification program for purposes of satisfying  
70 applicable training requirements for licensure in a profession  
71 under subparagraph (a)1. or subparagraph (a)2.

72 Section 2. This act shall take effect July 1, 2023.