A bill to be entitled

An act relating to the Department of Business and Professional Regulation; amending s. 20.165, F.S.; expanding the jurisdiction of law over which employees serving as law enforcement officers for the Division of Alcoholic Beverages and Tobacco may investigate, enforce, and prosecute; amending s. 448.095, F.S.; providing the Department of Business and Professional Regulation enforcement authority over employment eligibility verification; requiring the department, under certain circumstances, to notify certain other departments of certain violations within a specified timeframe; amending s. 468.412, F.S.; revising prohibitions relating to minors for a talent agency; providing criminal penalties; amending ss. 476.114, 477.019, and 477.0201, F.S.; requiring the Barbers' Board and the Board of Cosmetology, respectively, to establish by rule minimum standards for electronically reporting a student's course completion records to the department and the penalties for failing to adhere to such minimum standards; requiring the department to report all penalties imposed to the Department of Education; amending s. 509.261, F.S.; authorizing the department to take certain actions against certain establishments for violating laws relating to the

distribution and retail sale of hemp extract; amending s. 559.79, F.S.; authorizing the department to validate the identity and work authorization of an applicant before issuing a license or renewing a license; specifying personal identification information the department may request from an applicant; authorizing the department to submit such personal identification information to and enter into memoranda of understanding with appropriate federal agencies for a certain purpose; requiring the department to suspend the license of a person not authorized to work in the United States; requiring the department to reinstate a license without charge upon verification of a licensee's work authorization; providing immunity; authorizing the department to adopt rules; amending ss. 569.006 and 569.35, F.S.; authorizing the division to suspend or revoke the permit of a dealer if the division finds sufficient evidence of a violation of the laws of this state or any other state or territory of the United States; providing a short title; creating s. 569.24, F.S.; prohibiting licensed or permitted dealers from possessing, selling, intending to sell, delivering, or giving nitrous oxide on or from the dealer's licensed premises; providing a criminal penalty; providing

applicability; requiring the department to adopt rules relating to the sale and purchase of nitrous oxide; providing effective dates.

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

Section 1. Paragraph (b) of subsection (9) of section 20.165, Florida Statutes, is amended to read:

20.165 Department of Business and Professional Regulation.—There is created a Department of Business and Professional Regulation.

(9)

(b) Each employee serving as a law enforcement officer for the division must meet the qualifications for employment or appointment as a law enforcement officer set forth under s. 943.13 and must be certified as a law enforcement officer by the Department of Law Enforcement under chapter 943. Upon certification, each law enforcement officer is subject to and has the same authority as provided for law enforcement officers generally in chapter 901 and has statewide jurisdiction. Each officer also has arrest authority as provided for state law enforcement officers in s. 901.15. Each officer possesses the full law enforcement powers granted to other peace officers of this state, including the authority to make arrests, carry firearms, serve court process, and seize contraband and the

proceeds of illegal activities.

1. The primary responsibility of each officer appointed under this section is to investigate, enforce, and prosecute, throughout the state, violations and violators of parts I and II of chapter 210; chapter 310; chapter 326; parts I and III of chapter 450; chapter 455; parts VI, VII, VIII, IX, XI, XII, XV, and XVI of chapter 468; chapter 469; chapter 471; chapters 473-477; chapter 481; parts I and II of chapter 489; chapter 499; chapter 509; chapter 548; chapter 553; ~~,~~ part VII of chapter 559; ~~,~~ ~~and~~ chapters 561-569; chapters 718 and 719; chapter 721; and chapter 723, and the rules adopted thereunder, as well as other state laws that the division, all state law enforcement officers, or beverage enforcement agents are specifically authorized to enforce.

2. The secondary responsibility of each officer appointed under this section is to enforce all other state laws, provided that the enforcement is incidental to exercising the officer's primary responsibility as provided in subparagraph 1., and the officer exercises the powers of a deputy sheriff, only after consultation or coordination with the appropriate local sheriff's office or municipal police department or when the division participates in the Florida Mutual Aid Plan during a declared state emergency.

Section 2. Subsection (3) of section 448.095, Florida Statutes, is amended, and subsection (2) of that section is

republished, to read:

448.095 Employment eligibility.—

(2) EMPLOYMENT VERIFICATION.—

(a) An employer shall verify each new employee's employment eligibility within 3 business days after the first day that the new employee begins working for pay as required under 8 C.F.R. s. 274a.

(b)1. A public agency shall use the E-Verify system to verify a new employee's employment eligibility as required under paragraph (a).

2. Beginning on July 1, 2023, a private employer with 25 or more employees shall use the E-Verify system to verify a new employee's employment eligibility as required under paragraph (a).

3. Each employer required to use the E-Verify system under this paragraph must certify on its first return each calendar year to the tax service provider that it is in compliance with this section when making contributions to or reimbursing the state's unemployment compensation or reemployment assistance system. An employer that voluntarily uses the E-Verify system may also make such a certification on its first return each calendar year in order to document such use.

(c) If the E-Verify system is unavailable for 3 business days after the first day that the new employee begins working for pay and an employer cannot access the system to verify a new

employee's employment eligibility, the employer must use the Employment Eligibility Verification form (Form I-9) to verify employment eligibility. The unavailability of the E-Verify system does not bar the employer from using the rebuttable presumption established in paragraph (4)(a). An employer must document the unavailability of the E-Verify system by retaining a screenshot from each day which shows the employer's lack of access to the system, a public announcement that the E-Verify system is not available, or any other communication or notice recorded by the employer regarding the unavailability of the system.

(d) The employer must retain a copy of the documentation provided and any official verification generated, if applicable, for at least 3 years.

(e) An employer may not continue to employ an unauthorized alien after obtaining knowledge that a person is or has become an unauthorized alien.

(f) An employee leasing company licensed under part XI of chapter 468 which enters into a written agreement or understanding with a client company which places the primary obligation for compliance with this section upon the client company is not required to verify employment eligibility of any new employees of the client company. In the absence of a written agreement or understanding, the employee leasing company is responsible for compliance with this section. Such employee

leasing company shall, at all times, remain an employer as otherwise defined in federal laws or regulations.

(3) ENFORCEMENT.—

(a) For the purpose of enforcement of this section, any of the following persons or entities may request, and an employer must provide, copies of any documentation relied upon by the employer for the verification of a new employee's employment eligibility:

1. The Department of Law Enforcement;

2. The Attorney General;

3. The state attorney in the circuit in which the new employee works;

4. The statewide prosecutor; ~~or~~

5. The Department of Commerce; or

6. The Department of Business and Professional Regulation.

(b) A person or an entity that makes a request under paragraph (a) must rely upon the Federal Government to verify an employee's employment eligibility and may not independently make a final determination as to whether an employee is an unauthorized alien.

(c) If the Department of Business and Professional Regulation believes that an employer has violated subsection (2) or s. 448.09, it must notify the Department of Commerce and the Florida Department of Law Enforcement within 30 days after making such determination.

Section 3. Effective October 1, 2026, subsection (7) of section 468.412, Florida Statutes, is amended to read:

468.412 Talent agency regulations; prohibited acts.—

(7)(a) A ~~No~~ talent agency may not send or cause to be sent any person as an employee to any house of ill fame, to any house or place of amusement for immoral purposes, to any place resorted to for the purposes of prostitution, to any place for the modeling or photographing of a minor in the nude in the absence of written permission from the minor's parents or legal guardians, the character of which places the talent agency could have ascertained upon reasonable inquiry. Any person who violates this paragraph commits a misdemeanor of the first degree.

(b) A talent agency may not send or cause to be sent any minor to any house of ill fame, to any house or place of amusement for immoral purpose, to any place resorted to for the purpose of prostitution, the character of which places the talent agency could have ascertained upon reasonable inquiry. A talent agency may not send a minor to any place for the modeling or photographing in the nude in the absence of written permission from the minor's parents or legal guardians. Any person who violates this paragraph commits a felony of the third degree punishable as provided in s. 775.082 or s. 775.083.

Section 4. Subsection (3) of section 476.114, Florida Statutes, is renumbered as subsection (4), and a new subsection

(3) is added to that section, to read:

476.114 Examination; prerequisites.—

(3) The board shall establish by rule minimum standards for electronically reporting a student's course completion records to the department and the penalties if a school or program fails to adhere to the minimum standards adopted. Penalties must include, but are not limited to, suspending the school's or program's ability to report a student's course completion records to the department. The department must report all penalties imposed for failing to adhere to the minimum standards for electronic reporting to the Department of Education for further investigation and prosecution.

Section 5. Subsection (8) is added to section 477.019, Florida Statutes, to read:

477.019 Cosmetologists; qualifications; licensure; supervised practice; license renewal; endorsement; continuing education.—

(8) The board shall establish by rule minimum standards for electronically reporting a student's course completion records to the department and the penalties if a school or program fails to adhere to the minimum standards adopted. Penalties must include, but are not limited to, suspending the school's or program's ability to report a student's course completion records to the department. The department must report all penalties imposed for failing to adhere to the minimum

standards for electronic reporting to the Department of Education for further investigation and prosecution.

Section 6. Subsections (5) and (6) of section 477.0201, Florida Statutes, are renumbered as subsections (6) and (7), respectively, and a new subsection (5) is added to that section, to read:

477.0201 Specialty registration; qualifications; registration renewal; endorsement.—

(5) The board shall establish by rule minimum standards for electronically reporting a student's course completion records to the department and the penalties if a school or program fails to adhere to the minimum standards adopted. Penalties must include, but are not limited to, suspending the school's or program's ability to report a student's course completion records to the department. The department must report all penalties imposed for failing to adhere to the minimum standards for electronic reporting to the Department of Education for further investigation and prosecution.

Section 7. Subsection (1) of section 509.261, Florida Statutes, is amended to read:

509.261 Revocation or suspension of licenses; fines; procedure.—

(1) Any public lodging establishment or public food service establishment that has operated or is operating in violation of this chapter or the rules of the division,

operating in violation of s. 581.217(7), operating without a license, or operating with a suspended or revoked license may be subject by the division to:

(a) Fines not to exceed $1,000 per offense;

(b) Mandatory completion, at personal expense, of a remedial educational program administered by a food safety training program provider approved by the division, as provided in s. 509.049; and

(c) The suspension, revocation, or refusal of a license issued pursuant to this chapter.

Section 8. Subsection (3) of section 559.79, Florida Statutes, is renumbered as subsection (4), and a new subsection (3) is added to that section, to read:

559.79 Applications for license or renewal.—

(3)(a) For each application for a license or renewal of a license, the Department of Business and Professional Regulation may validate the applicant's identity and work authorization status. As part of the validation process, the department is authorized to request personal identification information from the applicant, including, but not limited to, a social security number; a passport, including visa information; a birth certificate; immigration status; an alien registration number; a Student and Exchange Visitor Information System identification number; a naturalization or citizenship certificate number; arrival and departure records; a permanent resident card;

employment authorization documents; a certificate of citizenship; a naturalization certificate; refugee travel documents; or other state issued identification. The department may submit an applicant's personal identification information to the appropriate federal agencies for the purpose of validating the applicant's identity or work authorization status. The department may enter into memoranda of understanding with the appropriate federal agencies to validate an applicant's identity or work authorization status.

(b) The department must immediately suspend the license of any licensee found not to have a work authorization status that entitles the licensee to work in the United States. The department shall reinstate the license, without an additional charge to the licensee, upon verification from the appropriate federal agencies that the licensee is authorized to work in the United States.

(c) The department may not be held liable for any licensure delay, denial, or suspension resulting from the discharge of its duties under this subsection.

(d) The department may adopt rules to implement this subsection.

Section 9. Section 569.006, Florida Statutes, is amended to read:

569.006 Retail tobacco products dealers; administrative penalties.—The division may suspend or revoke the permit of the

dealer if the division determines or finds that ~~upon~~ sufficient cause exists of a ~~appearing of the~~ violation of ~~any of the provisions of~~ this chapter or a violation of the laws of this state or any state or territory of the United States~~, including part II of this chapter if the dealer deals, at retail, in nicotine products within the state or allows a nicotine products vending machine to be located on its premises within the state,~~ by a dealer or by a dealer's agent or employee. The division may also assess and accept administrative fines of up to $1,000 against a dealer for each violation. The division shall deposit all fines collected into the General Revenue Fund as collected. An order imposing an administrative fine becomes effective 15 days after the date of the order. The division may suspend the imposition of a penalty against a dealer, conditioned upon the dealer's compliance with terms the division considers appropriate.

Section 10. Section 11 of this act may be cited as "Meg's Law."

Section 11. Effective October 1, 2026, section 569.24, Florida Statutes, is created to read:

569.24 Prohibition on selling, furnishing, or giving nitrous oxide; exceptions.—

(1) It is unlawful for any dealer who is licensed or permitted under this chapter, or a dealer's agent or employee, to possess, sell, possess with intent to sell, deliver, or give,

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

directly or indirectly, nitrous oxide on or from the dealer's licensed premises. A dealer or a dealer's agent or employee who violates this subsection commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) This section does not apply to a grocery store or supermarket, as licensed or permitted by the Department of Agriculture and Consumer Services, but does apply to a convenience business, as defined by s. 812.171.

(3) This section does not prohibit the purchase or sale of a finished food product in which nitrous oxide is used solely as a propellant, including aerosol whipped cream and alcoholic whipped topping products.

(4) The Department of Business and Professional Regulation shall adopt rules regarding the sale and purchase of nitrous oxide to prevent the use of nitrous oxide for inducing a condition of intoxication. Such rules may address products containing nitrous oxide and finished food products in which nitrous oxide is used solely as a propellant.

Section 12. Section 569.35, Florida Statutes, is amended to read:

569.35 Retail nicotine product dealers; administrative penalties.—The division may suspend or revoke the permit of a dealer, including the retail tobacco products dealer permit of a retail tobacco products dealer as defined in s. 569.002(4), if the division determines or finds that ~~upon~~ sufficient cause

exists of a ~~appearing of the~~ violation of ~~any of the provisions of~~ this part or a violation of the laws of this state or any state or territory of the United States, by a dealer, or by a dealer's agent or employee. The division may also assess and accept an administrative fine of up to $1,000 against a dealer for each violation. The division shall deposit all fines collected into the General Revenue Fund as collected. An order imposing an administrative fine becomes effective 15 days after the date of the order. The division may suspend the imposition of a penalty against a dealer, conditioned upon the dealer's compliance with terms the division considers appropriate.

Section 13. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2026.